

**PLANNING AND DEVELOPMENT COMMITTEE OF COUNCIL  
REPORT NO. 2014-1**

**Report of the Planning and Development Committee meeting held at 7:00 p.m. on  
Wednesday, January 15, 2014 in the Council Chambers of the Municipal Office.**

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**Present:** Vice Chair Councillor J. Charlebois  
Mayor G. McKay  
Deputy Mayor S. Kramp  
Councillor M. Ross  
Councillor G. Canning  
Councillor Z. Pendlebury

**Also Present:** Director of Planning and Building Services, W. Crown  
Planner, J. Krushnisky  
Executive Assistant, S. Edgar

**Regrets:** Chair, Councillor J. Attwood  
Councillor B. Jeffery  
Councillor P. File

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The Chair read the introductory remarks respecting safety matters and respectful communication policies.

**1. DECLARATIONS OF PECUNIARY INTEREST**

There were none declared.

**2. PUBLIC MEETING**

The Chair adjourned the regular Planning and Development Committee Meeting to Open a Public Meeting pursuant to the *Planning Act* and pursuant to the Town of Midland By-law 2011-3 to consider two Amendments to the Town's Zoning By-law, two Amendments to the Official Plan and one Amendment to the Sign By-law.

The Chair explained the purpose of the Public Meeting and outlined the procedures that would be followed. The Chair also advised that in accordance with the *Planning Act*, if a person does not make an oral submission at the Public Meeting in respect of the planning applications or make written submissions before the By-law is passed or an approval given, they may not be entitled to appeal the decision to the Ontario Municipal Board, and they may not be added as a party to a hearing on an appeal to the OMB unless, in the opinion of the Board, there are reasonable grounds to do so.

**A) Official Plan Amendment – OPA-01-12  
Zoning By-law Amendment – ZBA-08-12  
Estate of S. Moranis – 422 King Street**

Present: Bob Laurin, MCL Architects - Agent  
Stephen Moranis - Applicant

The Chair requested confirmation of notification of the second Public Meeting including any correspondence received to which the Director of Planning and Building Services confirmed that the Notice of Public Meeting for the Zoning By-law Amendment and Official Plan Amendment was mailed out on Tuesday, December 17, 2013 to ratepayers within a 120 metre radius of the property as well as to the required agencies. The Notice was posted on the subject property, the Town's website and on the Town's Notice Monitor at the Municipal Office.

The following correspondence was received and provided to Committee:

November 6, 2013 email – Bill Molesworth – 358 Fourth Street

January 15, 2014 – email from Paul Miller – 421 Frederick Street

January 15, 2014 – email from Nancy Gilmore – 525 King Street

The Chair then asked for a brief overview of the revised application and proposed Official Plan Amendment and Zoning By-law Amendment. The Director of Planning and Building Services reviewed the background, policies and regulations impacting the Amendments. A power point presentation was provided.

Bob Laurin confirmed that the original applications have been reduced in size and scope. The Applicant is prepared to review the safeguards suggested by the Town with respect to the Historical aspect of the building.

The Chair then asked for comments from the Public in opposition to the Amendments to which there were none.

The Chair then asked for comments from the Public in support of the Amendments.

Bill Girard – 408 King Street – received confirmation from Mr. Moranis that if damage is done to the surrounding homes during construction, he would cover the costs. Confirmed that he and the surrounding neighbours are pleased with the revised plans.

Dave Anderson Sr. - 390 King Street - expressed support of the revised proposal and noted that all of his previous concerns have been addressed. The approval of these applications would benefit the neighbourhood as it would beautify the area once again.

Neil Cote - 938 Yonge Street – expressed his support of the applications.

Gale Niblock - 431 King Street – expressed support of the applications however requested that the works be commenced on the main building first. Staff advised that as per the proposed policies, the owner would only be able to submit the application for the 10 units once the agreement for the main building was in place, including securities.

There were no other comments or concerns.

The Chair thanked everyone for their attendance and participation and advised that the Committee will consider the Amendments and the results of the public consultation later tonight in the Regular Meeting.

**B) Official Plan Amendment – OPA-02-13  
Watters – 990 Sumac Lane (PVT)**

**Present: Gray Watters**

The Chair requested confirmation of notification of the Public Meeting including any correspondence received to which the Director of Planning and Building Services confirmed that the Notice of the Cancellation and Rescheduling of the Public Meeting for the Official Plan Amendment was mailed out on Friday, November 29, 2013 to ratepayers within a 120 metre radius of the property as well as to the required agencies. The Notice was posted on the subject property, the Town's website and on the Town's Notice Monitor at the Municipal Office.

The following correspondence was received and provided to Committee:

1. Email dated November 27, 2013 from Peter Gray – 982 Sumac Lane
2. Email dated November 27, 2013 from Cecil Denney and Brenda Paine – 978 Sumac Lane
3. Email dated November 27, 2013 from Sandra Smith – 944 Sumac Lane
4. Email dated November 28, 2013 from Ian and Susan Lawson – 1000 Sumac Lane
5. January 6, 2014 – Comments from Applicant Gray Watters
6. Email dated January 10, 2014 from Gary and Ethel Thompson – 972 Sumac Lane
7. January 15, 2014 – correspondence from Paul Crofew - 985 Sumac Lane

The Chair then asked for a brief overview of the proposed Official Plan Amendment. The Director reviewed the background, policies and regulations impacting the Amendments. A power point presentation was provided.

Gray Watters advised that he submitted his written comments on January 6, 2014 and will address any concerns that may arise.

The Chair then asked for comments from the Public in opposition to the Amendment.

Peter Gray - 982 Sumac Lane – expressed his opposition to the Application and the reasons for his opposition as detailed in his correspondence dated November 27, 2013, previously submitted to Committee.

Ian Lawson – 1000 Sumac Lane — expressed his opposition to the Application and the reasons for his opposition as detailed in his correspondence dated November 28, 2013, previously submitted to Committee.

Susan Lawson 1000 Sumac Lane – opposed to application and does not support additional lot. In her opinion, the Amendment and resultant additional lot would result in a less desirable community.

Brenda Payne - 978 Sumac Lane – opposed to application as in her opinion it could provide a negative precedent.

The Chair then asked for comments from the Public in support of the Amendment.

The Applicant, Gray Watters provided written comments to Committee on January 6, 2014. He advised that there would be no environmental threat to Little Lake and noted that there is documentation to support this. He commented that this is a site specific application that would not create precedence. He noted that the proposed lot is an exact match of the Town requirements with the exception of three sections of the proposed Official Plan Amendment application. Any concerns with the removal of trees, will be addressed at the Site Plan Application stage and any development would be under strict guidelines. Mr. Watters also noted that Sumac Lane is a privately owned right-of-way (cottage road) and the additional lot would not pose a traffic concern. He provided a power point presentation of the location of the proposed lot showing that there would be very little impact on the neighbourhood.

There were no other comments or concerns.

The Chair thanked everyone for their attendance and participation and advised that the Committee will consider the Amendment and the results of the public consultation later tonight in the Regular Meeting.

**C) Zoning By-law Amendment – ZBA-05-13  
Harbour Edge Mortgage Investment Corporation  
845 Yonge Street**

Present: Sarah E. Mott-Trille - Agent

The Chair requested confirmation of notification of the Public Meeting including any correspondence received to which the Planner confirmed that the Notice of Public Meeting Cancellation and Rescheduling for the Zoning By-law Amendment was mailed out on Friday, November 29, 2013 to ratepayers within a 120 metre radius of the property as well as to the required agencies. The Notice was posted on the subject property, the Town's website and

on the Town's Notice Monitor at the Municipal Office. There has been no correspondence received to date.

The Chair then asked for a brief overview of the Zoning By-law Amendment. The Planner reviewed the background, policies and regulations impacting the Amendment. A power point presentation was provided.

Sarah Mott-Trille, agent on behalf of the Applicant, advised that she had nothing further to add to the presentation but would answer any of the Committee's questions.

The Chair then asked for comments from the Public in support of the Amendment.

George MacDonald – Chair of St. Margaret's Cemetery Board – expressed his support of the application as far as a Place of Worship. He did express concern regarding the apartments and questioned if the number of units would be increasing. As such, he would like the specific number set out in the By-law.

Sarah Mott-Trille confirmed that the intent is to have two (2) apartments as an accessory use to the Place of Worship. There is no intent to increase this number at any time.

Neil Cote - 938 Yonge Street – expressed his support of the application.

The Chair then asked for comments from the Public in opposition to the Amendment, to which there were none.

There were no other comments or concerns.

The Chair thanked everyone for their attendance and participation and advised that the Committee will consider the Amendment and the results of the public consultation later tonight in the Regular Meeting.

**D) Amendment to Sign By-law  
Incidental Signs**

The Chair requested confirmation of notification of the Public Meeting including any correspondence received to which the Director of Planning and Building Services confirmed that the Notice of Public Meeting for the Amendment to the Sign By-law was advertised in the Midland Mirror on Thursday, January 9, 2014 and mailed out to the required agencies. The Notice was posted on the Town's website and on the Town's Notice Monitor at the Municipal Office.

The following correspondence has been received:

1. Letter dated November 29, 2013 from Midland District Rail Club

The Chair then asked for a brief overview of the Town-initiated Sign By-law Amendment respecting Incidental Signs. The Director reviewed the background, policies and regulations impacting the proposed Amendments. A power point presentation was provided.

The Chair then asked for comments from the Public in opposition to the Amendment.

Mr. John Harrison, Midland District Railroad club, expressed his opposition to the proposed Sign By-law Amendments. He requested that there be changes to the proposed Amendment that would include increasing the size of a sign to 1.486 square metres (16 square feet), that there would be no fee for not-for-profit groups and that the organizations be permitted to advertise for 21 days before the event. He noted that his Club supports the community by hosting their annual Railroad weekend and business to the Town.

It was questioned if the concerns could be forwarded to the Sign Variance Committee. If a non-profit organization wants to do something different by length of time, size of sign etc. it could all be considered under one application for the proposed reduced fee of \$100.

The Chair then asked for comments from the Public in support of the Amendment to which there were none.

There were no other comments or concerns.

The Chair thanked everyone for their attendance and participation and advised that the Committee will consider the Matter and the results of the public consultation later tonight in the Regular Meeting.

Being that there were no more questions, on a Motion by Councillor Pendlebury and Seconded by Mayor McKay the Chair declared the Public Meeting portion of the meeting closed and that the Amendment and results of the Public Meeting be directed to the regular Planning and Development Committee of Council for consideration and recommendation to Council.

### **3. DEVELOPMENT REVIEW/APPLICATIONS**

#### **A) Official Plan Amendment Application OPA-01-12 Zoning By-law Amendment ZBA-08-12 Estate of S. Moranis – 422 King Street**

The Committee had before it for consideration the results of the Public Meeting and Staff Report PL-2014-3 dated January 3, 2014 with respect to the revised Official Plan Amendment Application OPA-01-12 and Zoning By-law Amendment Application ZBA-08-12 for the property at 422 King Street.

The Committee had no further comments or discussions on the matter.

### **Recommendation**

The Committee recommends the following:

1. **THAT COUNCIL HEREBY APPROVES IN PRINCIPLE REVISED APPLICATIONS NO. OPA-01-12 and ZBA-08-12 RESPECTING 422 KING STREET DETAILING A NEW TWO-STOREY 10-UNIT RESIDENTIAL BUILDING TO THE REAR OF THE MAIN BUILDING AND THE RENOVATION OF THE EXISTING BUILDING FOR THREE RESIDENTIAL UNITS; FOR A TOTAL MAXIMUM DEVELOPMENT OF 13 RESIDENTIAL UNITS.**
2. **THAT STAFF IS DIRECTED TO FINALIZE THE REQUIRED IMPLEMENTING AMENDMENT TO THE OFFICIAL PLAN (OPA) AND AMENDMENT TO THE ZONING BY-LAW (ZBA) (IF REQUIRED) IN ACCORDANCE WITH THE REVISED DEVELOPMENT APPLICATION FOR THE MAXIMUM DEVELOPMENT OF 13 RESIDENTIAL UNITS AND IN ACCORDANCE WITH THE STAFF REPORTS PL-2013-45, PL-2013-64, AND PL-2014-3.**
3. **THAT THE DRAFT OPA AND ZBA BE PROVIDED TO THE MIDLAND HERITAGE COMMITTEE FOR REVIEW AND COMMENT PRIOR TO THE AMENDMENTS BEING APPROVED COUNCIL.**
4. **THAT THE MIDLAND HERITAGE COMMITTEE BE REQUESTED TO PROVIDE A REPORT AND RECOMMENDATION TO COUNCIL IN RESPECT OF THE DESIGNATION OF 422 KING STREET UNDER THE *ONTARIO HERITAGE ACT* AS A PROPERTY OF CULTURAL HERITAGE VALUE AND INTEREST.**

### **B) Official Plan Amendment Application – OPA-02-13 Watters - 990 Sumac Lane (Pvt)**

The Committee had before it for consideration the results of the Public Meeting and Staff Report PL-2013-71 dated November 27, 2013 with respect to Official Plan Amendment Application OPA-02-13 for the property at 990 Sumac Lane.

Committee had further discussion on the following matters:

- Background information will be included in the Staff Report
- Sewage system review was submitted as part of the application submissions along with a right-of-way access. SSEA confirmed they had no environmental concerns with respect to the creation of the new lot.
- Emergency vehicles can access the private road and the Town does not impose standards on private roads as it is left to the residents. It will be a policy decision.

### **Recommendation**

The Committee recommends the following:

1. **THAT THE INPUT AND RESULTS OF THE PUBLIC MEETING UNDER THE *PLANNING ACT* BE REFERRED TO STAFF FOR A FURTHER STAFF REPORT AND RECOMMENDATION, AND ADDRESSING THOSE PLANNING ISSUES**

**IDENTIFIED IN STAFF REPORT PL-2013-71, TO THE PLANNING AND DEVELOPMENT COMMITTEE OF COUNCIL.**

**C) Zoning By-law Amendment Application – ZBA-05-13  
Harbour Edge Mortgage Investment Corporation  
845 Yonge Street**

The Committee had before it for consideration the results of the Public Meeting and Staff Report PL-2013-70 dated January 8, 2014 with respect to Zoning By-law Amendment Application ZBA-05-13 for the property at 845 Yonge Street.

Committee sought clarification regarding residential units accessory to the Institutional Zone, which was answered by staff. The Committee had no further comments or discussions on the matter.

**Recommendation**

The Committee recommends the following:

- 1. THAT ZONING BY-LAW AMENDMENT FILE NO. ZBA-05-13, RESPECTING THE LANDS AT 845 YONGE STREET BE APPROVED AND THE IMPLEMENTING ZONING BY-LAW BE PASSED TO REZONE THE LANDS FROM THE HIGHWAY COMMERCIAL EXCEPTION ZONE – HC-8 TO THE INSTITUTIONAL EXCEPTION ZONE – I-4.**

**D) SIGN BY-LAW AMENDMENT – INCIDENTAL SIGNS**

The Committee had before it for consideration the results of the Public Meeting and Staff Report PL-2014-4 dated January 6, 2014 with respect to the Town Initiated Sign By-law Amendment respecting Incidental Signs within the Town of Midland.

Committee had considerable discussion on the following matters:

- Amendments can be dealt with through the Sign Variance Committee.
- Clarification regarding extensions for the length of time that the signs can be displayed. Committee supported 21 days to be inserted into the Amendment without paying the fee for Non-Profit Organizations.
- Committee should consider the number of incidental signs on public and private land.
- Fee is proposed to be reduced from \$500 to \$100 to ensure there was a level of integrity attached to each application
- Discussion regarding not charging the non-profit organizations for charitable events

**Recommendation**

The Committee recommends the following:

- 1. That the matter be referred back to staff to prepare and revise the proposed Amendment to the Sign By-law for Incidental Signs to include an increase in size of Incidental Signs for Non-Profit Organizations to 1.486 square metres (16 square feet) and increase the length of time for advertising events to 21 days before the event for**



non-profit organizations. The revised By-law is to be brought back to Planning and Development Committee of Council for further review and consideration prior to a recommendation to Council.

**E) Affording Housing for Seniors**

Committee had before it for consideration a document prepared by the Seniors Council entitled *A Place to Call Home* and an email dated November 28, 2013 from CMHC regarding feedback on the Affordable Housing for Seniors Forum.

Committee concurred that this item be deferred to the next meeting.

**F) Appeal of Approval of Zoning By-law 2013-73 pursuant to Section 34(19) of The Planning Act – 340 Lakewood Drive – Town Lot  
Appellant: Mrs. Anna Maria Meredith**

The Committee had before it for consideration Staff Report PL-2014-2 dated January 3, 2014 with respect to the Appeal of Zoning By-law 2013-73 respecting lands at 340 Lakewood Drive.

Committee had discussion on the following matters:

- Clarification regarding the basis of Appeal.
- Concerned regarding the staff time and resources spent on an Appeal that does not have the required fee. The Director noted that the OMB has the authority to accept or deny any and all appeals and can waive or reduce the appeal fee. It was determined, after discussion with staff including the Clerk and CAO, that the Appeal material be forwarded to the OMB for them to determine the correctness of the appeal.
- Director and CAO will meet with Appellant in order to determine if there could be a better way to proceed with her concerns. The initial meeting will be between the Director and the CAO. If nothing is resolved Town could involve its Solicitor in further discussions to try and resolve the matter.

**Recommendation**

The Committee recommends the following:

1. **THAT MR. PAUL PETERSON, HGR GRAHAM PARTNERS LLP, BE RETAINED BY THE TOWN IN RESPECT OF THE APPEAL OF COUNCIL'S PASSING OF ZONING BY-LAW 2013-73.**
2. **THAT THE TOWN CONFIRM ITS SUPPORT FOR THE APPROVAL AND PASSING OF BY-LAW 2013-73 IN RESPECT OF THE LANDS AT 340 LAKEWOOD DRIVE IN REGARDS TO REZONING THE LANDS TO THE RESIDENTIAL EXCEPTIONAL ZONE – R5-5.**

**H) Economic Development**

The Committee was provided copies of the HEA Record of Meeting dated October 24, 2013, November 28, 2013 and December 19, 2013 for their review.

The Mayor and Director of Planning and Building Services provided updates on various Economic Development items and developments such as:

- HEA Economic Development Strategic Plan will be considered at the January 23, 2014 HEA meeting and will be recommended to the four (4) municipalities for approval.
- Continuing to work on upgrades to the HEA website
- Confirmation from Mayor McKay that the HEA joint application for \$400,000 was adopted as a whole which will then go to County Council in 2 weeks. The amount will be shared between the 4 municipalities and the Huronia Economic Development Corporation will be established.
- A terms of reference regarding the EDO will be prepared
- Shop Midland implementing Wifi access in the downtown and there is also discussion of the possibility of webcam.

**4. FOR INFORMATION**

A) Building Report – October, November and December 2013 – Noted **and Filed**.

B) SPSC October 2, 2013 and December 2013 - **Noted and Filed**.

It was suggested that Debra Muenz provide an update to the HEA regarding the Sustainable Severn Sound Economic Development subcommittee.

C) Township of Tiny – Notice of Official Plan Amendment re: Site Plan Control – **Noted and Filed**.

D) Technical Review Committee Report 2013-10 – **Noted and Filed**.

**5. OTHER BUSINESS**

There was no other business.

**6. ADJOURNMENT**

The meeting was adjourned at 10:25 p.m.

