



Principals

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TO: Andy Warzin, Senior Planner
Town of Midland

RE: Planning Justification Brief
Zoning By-law Amendment Application
1144 Hugel Avenue, Town of Midland

Gagnon Walker Domes Ltd. (“GWD”) is retained by United Hotels Inc. (“United Hotels”); the registered owner of the property municipally known as 1144 Hugel Avenue in the Town of Midland (“subject site”) to provide planning consulting services in connection with an application to amend the Town of Midland Zoning By-law 2004-90 (“ZBA Application”) in connection with the proposed addition of a ‘Shoeless Joe’s’ restaurant on the subject site, which is currently developed with the ‘Super 8 Midland Hotel’.

Pre-Application Consultation for the proposed building addition has been conducted with the Town of Midland by both nArchitecture Inc. and GWD. Through this process, it was determined by Town Staff that approval of a Zoning By-law Amendment is required to facilitate the proposed deficiency in the total number of parking spaces, as well as the proposed reduction to the provided loading space size. This Planning Justification Brief has been prepared in support of the ZBA Application based on direction provided by municipal Planning Staff. Subsequent sections of this Planning Justification Brief describe the subject site and surrounding area, review the proposed development, and provide a planning opinion in support of the proposed ZBA Application within the context of the current planning policy regime.

1.0 SUBJECT SITE & SURROUNDING CONTEXT

Subject Site

The subject site is municipally known as 1144 Hugel Avenue in the Town of Midland, in the County of Simcoe. It is comprised of one (1) parcel measuring approximately 0.74 hectares (1.84 acres), with street frontage of approximately 77.56 m (254 ft) along Hugel Avenue.

The subject site is currently developed with a three (3) storey, 3,258.84 m² (35,078 ft²) ‘Super 8 Midland Hotel’ that accommodates 65 guest rooms with ground floor hotel amenity (i.e. pool, lounge, breakfast bar, meeting room), which are only available to hotel patrons that have secured accommodations at the hotel.

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Figure 1 – Subject Site

A total of 79 parking spaces currently exist on the subject site that exclusively serve the 65-room hotel. The majority of the existing parking spaces are located within an asphalt parking area located within the western portion of the subject site, with additional parking spaces located in the rear yard (north) and east side yard. The sole access to the subject site is via a driveway along Hugel Avenue, which is shared with the Huronia Medical Centre located on the adjacent property to the east (240 Penetanguishene Road). A circular interior driveway provides access around the building. Sodded landscape areas are provided along the property lines. A vacant lawn area exists to the north the existing building, which has been intended to accommodate a future building addition since the granting of the initial development approval in 2006 for the existing hotel. The hotel was built in 2007.



Figure 2 – 2006 Site Plan



Figure 3 – Subject Site (Primary West Elevation) – Photo Taken by GWD Sunday July 2, 2023



Figure 4 – Subject Site (North Elevation & Vacant Lawn Area) – Photo Taken by GWD Sunday July 2, 2023



Surrounding Area

The subject site is located within a significant commercial corridor west of Midland's Downtown area. County Road 93 is approximately 50.0 metres west of the subject site, which is a major transportation corridor that connects the Town of Penetanguishene to the north and the City of Barrie to the south. Views from Country Road 93 provide the subject site with commercial exposure along this regional corridor.

The immediately surrounding land uses include:

- North: Major Retail/Commercial (Canadian Tire) and Georgian Bay General Hospital;
- East: Huronia Medical Centre and Low Rise Residential;
- South: Major Retail/Commercial (Huronian Mall); and
- West: Major Retail/Commercial (Mountainview Mall, Real Canadian Superstore), Mountainview Ski Centre.

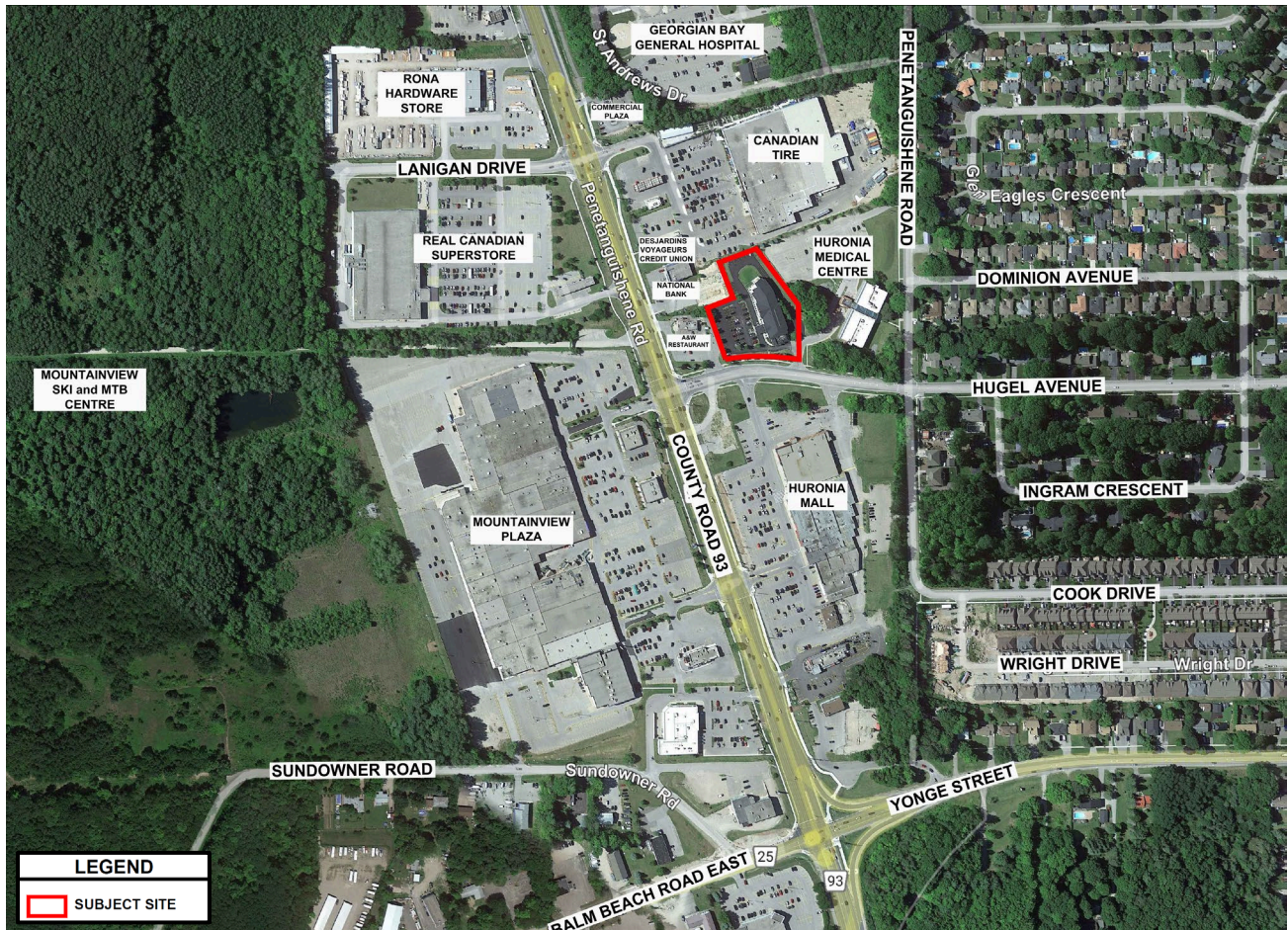


Figure 5 – Surrounding Area



Transit Service

The subject site is well served by public transit, including Simcoe Linx Transit and Midland-Penetanguishene Transit Service.

Simcoe Linx Transit Route 1 provides 60 minute service from the Town of Penetanguishene to the City of Barrie from Monday to Friday between 5:45am to 6:15pm with a stop at Huronia Mall.

Midland-Penetanguishene Transit Service that directly serves the subject site includes the Penetanguishene Route and North Midland Route.

The Penetanguishene Route provides 60 minute service between Mountainview Mall in the Town of Midland to Waypoint Centre in the Town Penetanguishene. The Penetanguishene Route includes service stops at the abutting Huronia Mall and Huronia Medical Centre. Service is provided between 6:25am to 5:25pm from Monday to Friday and between 8:25am to 4:25pm on Saturdays.

The Midland Route runs every hour between 7:13am through to 5:13pm from Monday to Friday and from 9:13am through to 4:13pm on Saturdays; providing connections from County Road 93 to Downtown Midland and Yonge Street.

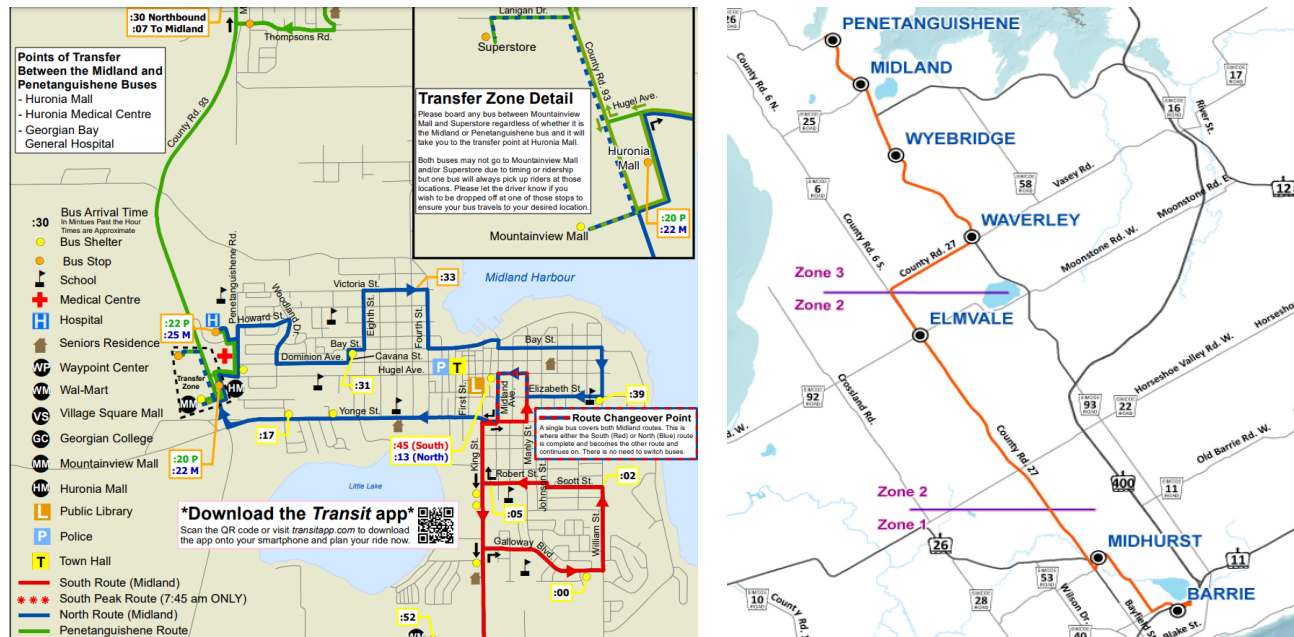


Figure 6 – Transit Routes



2.0 DEVELOPMENT PROPOSAL

United Hotels proposes the development of a two-storey building addition on the vacant lawn area located to the north of the existing building, which is identified as a 'Future Addition' area in the 2006 Site Plan (See Figures 2 and 4 above). The proposed addition would accommodate 334.38 m² (3,599 ft²) of new commercial floor area within the building for the purposes of a 'Shoeless Joe's' restaurant, which would accommodate seating for up to 75 persons. Seasonal patio seating for up to an additional 52 persons is also proposed on the ground floor and on a second floor terrace.

The existing hotel is to be retained and continue to provide 65 hotel guest rooms and its ground floor amenities for hotel patrons.

Highlights of the development proposal include the following:

- Buildings – One (1), two-storey building addition;
- Total Gross Floor Area – 3,593.22 m² (38,677 ft²);
 - Existing Hotel – 3,258.84 m² (35,078 ft²);
 - Proposed Restaurant – 334.38 m² (3,599 ft²);
- Seating Capacity of Restaurant: 127 seats
 - Indoor: 75 seats
 - Seasonal Patio: 52 seats
- Maximum Height:
 - Existing Hotel – 10.18 m (33 ft);
 - Proposed Restaurant – 9.36 m (31 ft);
- Total Building Coverage: 18.86%
 - Existing Hotel: 15.3%
 - Proposed Restaurant: 3.56%
- Minimum Yard Setbacks:
 - Front Yard – 11.00 m (36 ft) (existing);
 - East Interior Side Yard – 10.75 m (35 ft) (existing);
 - West Interior Side Yard – 13.63 m (45 ft);
 - Rear Yard – 16.85 m (55 ft);
- Vehicular Access – One (1) existing, full moves shared access from Hugel Avenue;
- Total Parking – 101 spaces, including three (3) barrier-free spaces; and
- Total Loading Spaces – One (1) loading space (9.50 m x 4.0 m) within a new dedicated loading area.

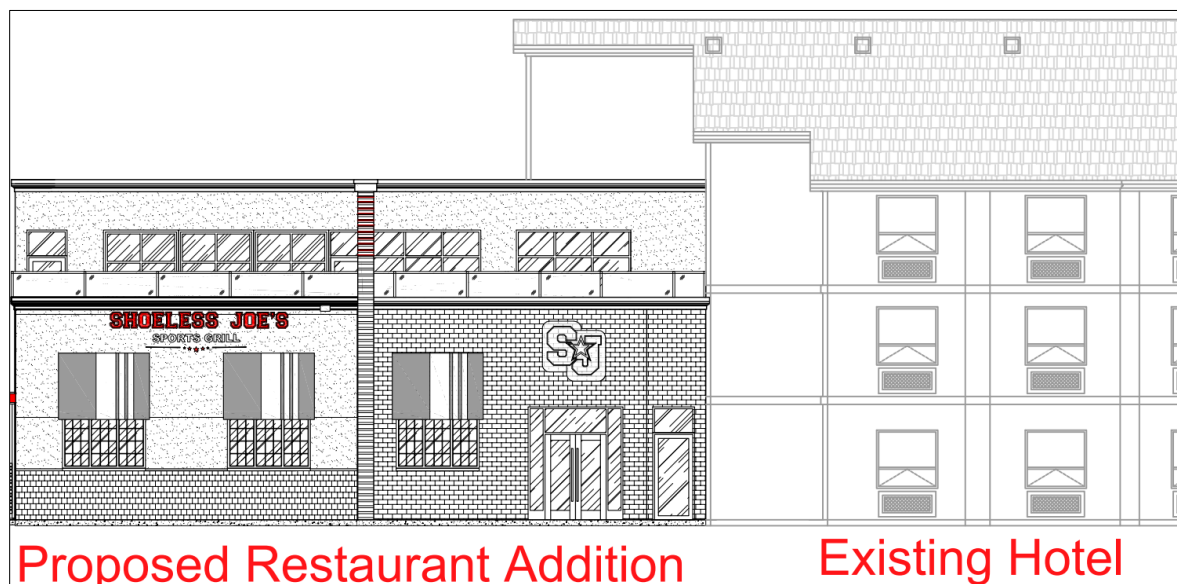


Figure 8 – Proposed West Elevation

3.0 REQUESTED AMENDMENTS

An amendment to the Town of Midland Zoning By-law 2004-90 is advanced by United Hotels to incorporate a site specific exception to the applicable Highway Commercial (HC) Zone. The purpose of the exception zone is to permit a reduction to the minimum loading space size and minimum vehicular parking requirements to facilitate the development proposal. More specifically, the ZBA Application is submitted to seek the following alternative zoning standards on a site specific basis.

1. To permit a reduction to the minimum required parking spaces for the existing hotel and proposed restaurant use; and
2. To require an off-street loading space to provide a minimum width of 4.0 metres and a minimum length of 9.50 metres.

A hotel and restaurant (eating establishment) are permitted uses in the applicable HC Zone.

4.0 PLANNING FRAMEWORK & JUSTIFICATION

United Hotels' development intensification proposal and corresponding ZBA Application has been reviewed in the context of the governing, in-force planning documents, including the:

- *Planning Act*, R.S.O. 1990, c.P.13 (April 6, 2023);
- 2020 Provincial Policy Statement;
- 2019 Growth Plan for the Greater Golden Horseshoe (August 2020);
- 2013 County of Simcoe Official Plan (February 2023);
- Town of Midland Official Plan (November 2019); and
- Town of Midland Zoning By-law 2004-90.



4.1 Planning Act, R.S.O. 1990, c.P.13 (April 6, 2023)

The *Planning Act*, R.S.O. 1990, c. P.13 (“*Planning Act*”) requires the Council of a municipality in carrying out their responsibilities under the *Planning Act* to have regard for matters of Provincial interest as identified in Section 2. The ZBA Application has provided sufficient regard for the following matters of Provincial interest as identified in Section 2:

- (f) *The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- (h) *The orderly development of safe and healthy communities;*
- (h.1) *The accessibility for persons with disabilities to all facilities and services;*
- (k) *The adequate provision of employment opportunities;*
- (l) *The protection of the financial and economic well-being of the Province and its municipalities;*
- (o) *The protection of public health and safety;*
- (p) *The appropriate location of growth and development;*
- (q) *The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*
- (r) *The promotion of built form that is well-designed and encourages a sense of place; and*
- (s) *The mitigation of greenhouse gas emissions and adaptation to a changing climate.*

Planning Opinion – *Planning Act*

United Hotels’ development proposal advances a building addition to facilitate a new restaurant use on the subject site that will serve patrons of the existing hotel as well as the general public. The restaurant provides a highly desired retail commercial use located in an existing mixed use commercial corridor, which is also identified as a Strategic Growth Area in the Official Plan. The proposal will provide employment opportunities within the local context towards the achievement of complete communities. The subject site is centrally located, supported by public transit and is pedestrian oriented on account of its location within walking distance of other residential, commercial and institutional land uses. The concept Site Plan advanced as part of the United Hotels proposal accommodates safe and efficient circulation patterns to serve people of all abilities patterns while advancing superior architectural design that provides an attractive built form and an enhanced sense of place along the Town’s Country Road 93 corridor.

The proposed modest reduction in parking maintains a parking supply that will adequately serve the existing hotel and proposed restaurant use while recognizing the benefits that the surrounding context provides in terms of its access to transit, pedestrian connections and synergetic land uses.

The ZBA Application has sufficient regard for matters of Provincial interest.



4.2 2020 Provincial Policy Statement

The ZBA Application has been reviewed in the context of the 2020 Provincial Policy Statement (“PPS”). The PPS was issued by the Province of Ontario under Section 3 of the *Planning Act* and came into effect on May 1, 2020.

The PPS provides policy direction on matters of provincial interest related to land use planning and development. The PPS supports improved land use planning and management. The objective of the PPS is to contribute to a more effective and efficient land use planning system with the goal of improving the quality of life within Ontario by supporting the principles of strong communities, supporting economic growth and fostering a healthy environment. Section 3 of the *Planning Act* requires that decisions regarding all planning matters shall be consistent with the established policy direction of the PPS.

The ZBA Application and corresponding United Hotels intensification proposal are consistent with the matters of Provincial interest that are identified in the policies of the PPS, as follows:

- *Ontario is a vast province with urban, rural, and northern communities with diversity in population, economic activities, pace of growth, service levels and physical and natural conditions. Ontario's long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth. (PPS 1.0)*
- *Healthy, liveable and safe communities are sustained by:*
 - *Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
 - *Accommodating employment (including industrial and commercial) and other uses to meet long-term needs;*
 - *Promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs; and*
 - *Ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs. (PPS 1.1.1 a), b), e) and g))*
- *Settlement Areas are urban areas and rural Settlement Areas, and include cities, towns, villages and hamlets. Ontario's Settlement Areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available (PPS 1.1.3).*
- *The vitality and regeneration of Settlement Areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures. (PPS 1.1.3)*



- *Settlement Areas shall be the focus of growth and development. (PPS 1.1.3.1)*
- *Land use patterns within Settlement Areas shall be based on densities and a mix of land uses which:*
 - *Efficiently use land and resources;*
 - *Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
 - *Minimize negative impacts to air quality and climate change, and promote energy efficiency;*
 - *Support active transportation;*
 - *Are transit-supportive, where transit is planned, exists or may be developed; and*
 - *Are freight-supportive. (PPS 1.1.3.2 a), b), c), e), f) and g))*
- *Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. (PPS 1.1.3.4)*
- *Planning authorities shall promote economic development and competitiveness by:*
 - *Providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
 - *Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
 - *Facilitating the conditions for economic investment by identifying strategic sites for investment... and seeking to address potential barriers to investment;*
 - *Encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and*
 - *Ensuring the necessary infrastructure is provided to support current and projected needs. (PPS 1.3.1)*
- *Before consideration is given to developing new infrastructure and public service facilities, the use of existing infrastructure and public service facilities should be optimized. (PPS 1.6.3 a))*
- *Planning for sewage and water services shall accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services. (PPS 1.6.6.1 a))*
- *Municipal sewage services and municipal water services are the preferred form of servicing for Settlement Areas to support protection of the environment and minimize potential risks to human health and safety. Within Settlement Areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services. (PPS 1.6.6.2)*
- *Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible. (PPS 1.6.7.2)*



- *A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation. (PPS 1.6.7.4)*
- *Long-term economic prosperity should be supported by:*
 - *Promoting opportunities for economic development and community investment-readiness; and*
 - *Optimizing the long-term availability and use of land, resources, infrastructure and public service facilities. (PPS 1.7.1 a) and c)*

Planning Opinion - PPS

The proposed building addition advances the development of a vacant portion of land within the subject site that has been contemplated for future development since the land's initial development approvals.

Settlement Areas shall be the focus of growth and development within the Town. The United Hotels proposal advances growth and development through the intensification of vacant and underutilized lands located within the Town of Midland Primary Settlement Area.

The development proposal represents an investment in the Town that shall contribute to the regeneration of the subject site to assist with the long-term economic prosperity of the County Road 93 commercial corridor, as well as the Town of Midland as a whole.

The intensification of the subject site within a fully serviced urban Settlement Area supports the achievement of efficient development patterns that serve to optimize land use, resources, and public investment in infrastructure.

The proposed development creates employment opportunities that will add to the Municipality's employment base, contribute to the needs of existing and future uses, and promote long-term economic development within the Town. The development proposal not only compliments the existing tourism/hospitality use in the form of the Super 8 Midland Hotel, but on account of the subject site's location in proximity to other residential, commercial and institutional areas. In addition to its accessibility to public transit, the proposed restaurant will provide a destination for both local residents and the Town's visitors.

The ZBA Application proposes a parking reduction to accommodate the building addition and corresponding permitted restaurant use. The modest reduction to the minimum required parking prescribed by the Zoning By-law facilitates more efficient development and land use patterns through the incorporation of a more compact urban form of development on the subject site. The more compact urban form will promote the optimization of existing and/or planned infrastructure within the Town and County, including the promotion of land uses and development forms that promote active transportation, the use of transit, and the minimization of the length and number of private vehicle trips.

For the reasons above, the proposed development intensification and reduction to parking and loading standards is consistent with the PPS.



4.3 2019 Growth Plan for the Greater Golden Horseshoe (August 2020)

Ontario's Growth Plan for the Greater Golden Horseshoe ("Growth Plan" or "GP") provides growth management policy direction for the subject site and is the framework for implementing the Government of Ontario's vision for building stronger, more prosperous communities. The goal is to more efficiently manage population and development growth within the Greater Golden Horseshoe Area to foster an environment that provides economic prosperity, protects the environment and helps provide for a high quality of life within our communities.

The subject site is located within the '**Built Up Area**' on Schedule 2: A Place to Grow Concept in the Growth Plan. The subject site is also located within the '**Simcoe Sub-Area**', which is subject to additional and more context-specific Growth Plan policies. The policies within the Simcoe Sub-Area applies to the County of Simcoe and the cities of Barrie and Orillia. The Town of Midland is considered a '**Primary Settlement Area**' pursuant to Schedule 8: Simcoe Sub Area of the Growth Plan.

In accordance with Schedule 5 of the Growth Plan, the County of Simcoe is projected to accommodate a population of 555,000 people and 198,000 jobs by 2051.

The following policies have been reviewed to establish the ZBA Application's conformity to the Growth Plan:

- *The policies of this Plan regarding how land is developed, resources are managed and protected, and public dollars are invested are based on the following key guiding principles:*
 - *Support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime;*
 - *Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability;*
 - *Provide flexibility to capitalize on new economic and employment opportunities as they emerge;*
 - *Provide for different approaches to manage growth that recognize the diversity of communities in the Greater Golden Horseshoe; and*
 - *Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions. (GP 1.2.1)*
- *Forecasted growth to the horizon of this Plan will be allocated based on the following:*
 - *The vast majority of growth will be directed to Settlement Areas that have a delineated built boundary, have existing or planned municipal water and wastewater systems, and can support the achievement of complete communities;*
 - *Within Settlement Areas, growth will be focused in delineated built-up areas, Strategic Growth Areas, locations with existing or planned transit... and areas with existing or planned public service facilities; and*



- *Development will be directed to Settlement Areas, except where the policies of this Plan permit otherwise. (GP 2.2.1.2 a), c) and d))*
- *Upper- and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form. (GP 2.2.1.3 c)*
- *Applying the policies of this Plan will support the achievement of complete communities that:*
 - *Feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
 - *Improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
 - *Provide a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;*
 - *Provide for a more compact built form and a vibrant public realm, including public open spaces; and*
 - *Mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability. (GP 2.2.1.4 a), b), d), e) and f))*
- *All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout Delineated Built-up Areas, which will:*
 - *Identify Strategic Growth Areas to support achievement of the intensification target and recognize them as a key focus for development;*
 - *Identify the appropriate type and scale of development in Strategic Growth Areas and transition of built form to adjacent areas;*
 - *Encourage intensification generally throughout the Delineated Built-up Area;*
 - *Ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;*
 - *Prioritize planning and investment in infrastructure and public service facilities that will support intensification; and*
 - *Be implemented through official plan policies and designations, updated zoning and other supporting documents. (GP 2.2.2.3)*
- *Economic development and competitiveness in the Greater Golden Horseshoe will be promoted by:*
 - *Ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan; and*
 - *Integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment. (GP 2.2.5.1 b) and d))*
- *Retail and office uses will be directed to locations that support active transportation and have existing or planned transit. (GP 2.2.5.3)*



- *In planning for employment, surface parking will be minimized and the development of active transportation networks and transit-supportive built form will be facilitated. (GP 2.2.5.4)*
- *The retail sector will be supported by promoting compact built form and intensification of retail and service uses and areas and encouraging the integration of those uses with other land uses to support the achievement of complete communities. (GP 2.2.5.15)*
- *Infrastructure planning, land use planning, and infrastructure investment will be co-ordinated to implement this Plan. (GP 3.2.1.1)*
- *Transportation system planning, land use planning, and transportation investment will be co-ordinated to implement this Plan. (GP 3.2.2.1)*
- *The transportation system within the Greater Golden Horseshoe will be planned and managed to offer a balance of transportation choices that reduces reliance upon the automobile and promotes transit and active transportation. (GP 3.2.2.2 b))*
- *Upper- and single-tier municipalities will develop policies in their official plans to identify actions that will reduce greenhouse gas emissions and address climate change adaptation goals, aligned with other provincial plans and policies for environmental protection, that will include:*
 - *Supporting the achievement of complete communities as well as the minimum intensification and density targets in this Plan; and*
 - *Reducing dependence on the automobile and supporting existing and planned transit and active transportation. (GP 4.2.10.1 a) and b))*
- *A significant portion of growth within the Simcoe Sub-Area shall be directed to communities where development can be most effectively serviced, and where growth improves the range of opportunities for people to live, work, and play in their communities, with a particular emphasis on Primary Settlement Areas. (GP 6.1)*
- *An appropriate supply of land for employment and residential growth, and making the best use of existing infrastructure is important to the prosperity of the Simcoe Sub-Area. (GP 6.1)*
- *A more livable, compact, complete urban structure... will ensure that the natural environment is protected from the impacts of growth in the Simcoe Sub-Area, while providing amenities for the residents and visitors to this area from across the Greater Golden Horseshoe and beyond. (GP 6.1)*
- *Municipalities with Primary Settlement Areas will, in their official plans and other supporting documents:*
 - *Plan to support the achievement of complete communities within Primary Settlement Areas; and*
 - *Ensure the development of high quality urban form and public open spaces within Primary Settlement Areas through site design and urban design standards that create attractive and vibrant places that support walking and cycling for everyday activities and are transit supportive. (GP 6.3.2 c) and d))*



Planning Opinion - Growth Plan

The United Hotels proposal advances intensification of an underutilized property within a Primary Settlement Area and Strategic Growth Area; where the Town's and County's growth is intended to be focused. Intensification of the subject site will make more efficient use of existing land and infrastructure, as well as supporting transit viability. Efficient use of existing infrastructure is important to the prosperity of the Simcoe Sub-Area, as identified in the Growth Plan.

The Growth Plan specifically directs that the retail sector shall be supported by promoting compact built forms, as well as the intensification of retail/service uses through the integration of these uses with other land uses towards the achievement of complete communities. The proposed intensification of the subject site will support the achievement of complete communities. The United Hotels proposal advances the physical integration of retail uses to the existing hotel building. The proposed building addition is planned to accommodate a restaurant use to complement the existing on-site hotel, as well as nearby commercial, residential and recreational/tourism uses. The proposal will provide more convenient access to retail opportunities within the Town and along the County Road 93 corridor, which will further diversify the range of local land uses to meet the needs of the community and its visitors, as well as improve quality of life.

The proposed restaurant use represents an employment opportunity that shall directly assist the Town and County in achieving its growth targets and maintaining the Greater Golden Horseshoe's economic competitiveness. Pursuant to the Growth Plan, investment in employment opportunities are to be promoted through land use planning.

As directed in the Growth Plan, in the planning of employment opportunities the provision of surface parking shall be minimized to promote the use of alternative transportation choices and discourage the reliance on the automobile. The ZBA Application advances a modest reduction to the minimum parking requirements of the Town of Midland Zoning By-law in order to facilitate the intensification of the subject site. The proposed parking supply is adequate to accommodate the long-term needs of the existing hotel and the proposed restaurant use. Further, the proposed on-site parking is supported by the subject site's strategic location within the Built-up Area of the Town of Midland and the synergies that exist between the subject site and the broad range of uses located along the County Road 93 corridor that are within walking distance. The County Road 93 right-of-way is developed with a multi-use trail to promote active transportation along this commercial corridor. Sidewalk connections are also provided along Hugel Avenue that will accommodate pedestrian trips to the proposed commercial use. In addition, multiple transit lines operate within in direct proximity to the subject site, either along Hugel Avenue or Country Road 93. This includes two (2) Midland – Penetanguishene Transit Service Routes (Penetanguishene Route, North Route) and one (1) Simcoe Linx Transit route (Route 1). Collectively these local and regional transit lines provide convenient and direct connection opportunities to the subject site not only within the Town of Midland, but also to/from the Town of Penetanguishene and the City of Barrie. The subject site is well served by public transit. The United Hotels proposal represents a compact form of mixed use intensification that is transit-supportive.

The United Hotels ZBA Application conforms to the Growth Plan.

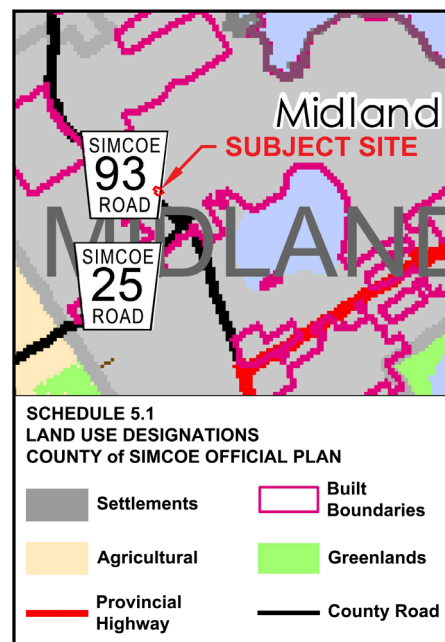


4.4.1 2013 County of Simcoe Official Plan (February 2023 Consolidation)

The February 2023 Office Consolidation of the 2013 County of Simcoe Official Plan (“SCOP”) is the current, in-force County Official Plan under which all amendment applications within the County shall be assessed. The purpose of the SCOP is to set a framework and guiding vision for planning and development matters within the County and its local municipalities.

The subject site is designated ‘**Settlements**’ and is identified as being within the ‘**Built Boundaries**’ and ‘**Settlement Area Boundary**’ (Schedule 5.1: Land Use Designations), as well as being located within a ‘**Primary Settlement Area**’ (Schedule 5.1.2: Simcoe Sub Area) in the SCOP.

In accordance with Table 1 of the SCOP, the Town of Midland is projected to accommodate a population of 22,500 people and 13,800 jobs by 2031.



The following policies have been reviewed to establish the ZBA Application’s conformity to the SCOP:

- *Direction of a significant portion of growth and development to settlements where it can be effectively serviced with particular emphasis on Primary Settlement Areas:*
 - *Primary Settlement Areas and both urban and rural Settlement Areas will be referred to as "Settlements" or "Settlement Areas".*
 - *Settlements are developed at higher densities than scattered development, which makes them more economical to service. Settlements provide a focus for both private and public services in traditional and newer central places. The higher density of settlements means that more resource lands and environmentally valuable lands can be conserved. The wide range of land uses provides an opportunity for people to live, work, shop, and find recreation in one compact community.*
 - *The Primary Settlement Areas will develop as complete communities. Local municipal official plans shall conform to this Plan and direct most growth to Settlement Areas based on a hierarchy of Settlement Areas to be determined according to Section 3.5 of the SCOP.*
 - *Local municipalities will be required to develop plans and secondary plans that direct most growth to their Settlement Areas in accordance with this Plan and have provision for residential, commercial, industrial, and institutional development.*
 - *Development in settlements shall be guided by densities that are appropriate towards the achievement of compact communities, are transit supportive and facilitate pedestrian and cycling opportunities. (SCOP 3.1.1)*
- *Enabling and managing resource-based development including agriculture, forestry, aggregates, and tourism and recreation:*



- *Tourism and recreation development can take advantage of specific Simcoe County landforms which include topography suited to the development of ski facilities and shorelines which host marinas and other water-related businesses. Within guidelines outlined in this Plan, the development of such recreation uses and related development can provide settings which enhance the tourism economic sector in the County, and attract visitors from around the world. (SCOP 3.1.2)*
- *Development of communities with diversified economic functions and opportunities and a diverse range of housing options:*
 - *The Plan recognizes the need to enable and encourage the development of a wide range of business and employment opportunities to meet the needs of a growing and aging population and changing global economics.*
 - *In terms of individual communities and settlements, a wider range of employment enables those areas to better withstand the economic changes and cycles regularly encountered. Such employment opportunities arise from the resource base of the County described in Section 3.1.2, from manufacturing to meet the needs of markets both within and outside Simcoe County, and from a service sector which provides a wide range of services to the residents of the County and tourists.*
 - *The land use policies of this Plan provide for and encourage multi-use development and expansion of employment opportunities, the continuation and potential expansion of existing rural employment areas, the development of home-based businesses, tourism and resource-based recreational uses, and the wise management and use of agricultural, aggregate, forestry and other resource lands.*
 - *The growth of locally sponsored businesses is particularly encouraged as it provides a more stable and secure employment base developed with local involvement. Encouraging more businesses within the County providing jobs to County residents helps achieve an overall complete community within Simcoe County and supports environmental objectives such as reducing distances travelled to work thus setting up the basis of future transit supportive employment nodes. (SCOP 3.1.4)*
- *The majority of population and employment growth will be directed to Settlement Areas with particular emphasis on Primary Settlement Areas. Municipalities with Primary Settlement Areas will direct a significant portion of population and employment growth forecasted to the applicable Primary Settlement Area. A proportion of new growth will be accommodated through intensification according to the targets set out in Section 3.5. The Primary Settlement Areas will develop as complete communities. (SCOP 3.2.3)*
- *The majority of population and employment growth will be directed to Settlement Areas with full municipal water services and municipal sewage services. (SCOP 3.2.4)*
- *The County as a whole will plan for and invest for a balance of jobs and housing to reduce the need for long distance commuting and promote alternative transportation choices and usage. (SCOP 3.2.6)*
- *The County, in collaboration with the local municipalities, will plan to maintain a balance of employment to residents in accordance with Table 1. (SCOP 3.2.11)*
- *Local municipalities will delineate the boundaries of Settlement Areas in their official plans based on what is shown on Schedule 5.1 of the SCOP, and establish land use designations*



and policies to ensure that new development occurring within these settlements is planned in a manner that:

- Provides for a mix of land uses, including residential, employment, recreational and human services as appropriate based on the Settlement hierarchy and role of each Settlement Areas as determined by the local municipality;*
- Provides an integrated composition of land use designations that considers how to enable people of all ages and abilities to safely and independently live, work and play in close proximity;*
- Provides for enhanced transportation opportunities for pedestrians and cyclists; and*
- Provides for densities and land use patterns supportive of transit service where planned to be available in the future. (SCOP 3.2.12 a)-d)*
- To focus population and employment growth and development within settlements, with particular emphasis on Primary Settlement Areas. (Policy 3.5.1)*
- To develop a compact urban form that promotes the efficient use of land and provision of water, sewer, transportation, and other services. (SCOP 3.5.2)*
- To develop mixed use settlements as strong and vibrant central places and to create healthy settlements and communities that are sustainable. (SCOP 3.5.3)*
- To promote development forms and patterns in Settlement Areas which minimize land consumption and servicing costs. (SCOP 3.5.4)*
- To promote healthy, complete, and accessible urban and rural communities that are in proximity to amenities, support services, and transit. (SCOP 3.5.5)*
- Primary Settlement Areas are Settlement Areas and are shown on Schedule 5.1.2 of this Plan. Primary Settlement Areas are larger Settlements suitable for high intensification targets, public transit services, and high density targets for designated Greenfield areas and have full municipal water services and municipal sewage services. Primary Settlement Areas will develop as complete communities. Municipalities with Primary Settlement Areas will, in their official plans, focus and direct a significant portion of its population and employment forecasted growth to the applicable Primary Settlement Areas while considering growth in other Settlement Areas through local growth management studies as per Section 3.5.9. Municipalities with Primary Settlement Areas will, in their official plans, identify Primary Settlement Areas, identify and plan for intensification areas within Primary Settlement Areas and ensure the development of high quality urban form and public open spaces within Primary Settlement Areas through site design and urban design standards that create attractive, inclusive and vibrant places for residents of all ages and abilities that support walking and cycling for everyday activities and are transit-supportive. (SCOP 3.5.7)*
- Settlement Areas shall be the focus of population and employment growth and their vitality and regeneration shall be promoted. (SCOP 3.5.8)*
- Each local municipality shall develop an intensification strategy and implement the strategy through its official plan in order to phase in and achieve the intensification targets in Section 3.5.25 of this Plan. Through the strategy, local municipalities shall promote and facilitate intensification and efficient use of land in built-up areas, identify intensification areas to support achievement of the intensification target, promote the development of mixed use*



areas within settlements, identify areas appropriate for revitalization and redevelopment, identify the type and scale of development appropriate for the intensification areas, identify means to mitigate the effects of intensification in intensification areas on stable residential areas including consideration of transitional densities, built form and land uses, identify means to protect stable residential areas outside of intensification areas, and develop cost-effective and land efficient development standards. (SCOP 3.5.26)

- *Settlements, and the downtowns and main streets of Primary Settlement Areas, shall be promoted as focal points for residential, commercial, and institutional uses, through the following: Establishing safe and pleasant pedestrian environments which encourage movement by foot and bicycle and transit. (SCOP 3.5.27)*
- *Settlement form and building design shall consider conservation in energy, water and wastewater management, the current use or eventual introduction of public transit, the integration of paths and trails, bicycle routes, and a compact and convenient design which encourages walking. (SCOP 3.5.29)*
- *Planning for sewage and water services shall direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing services. (SCOP 4.7.9 a)*
- *Designated Greenfield area development, redevelopment, intensification, and greyfield and brownfield development for Settlement Area uses should generally be directed to locations with full municipal sewage services and municipal water services. (SCOP 4.7.17)*
- *It is the objective of the County to plan for active transportation as a mode of transportation that supports healthy living, aging in place, economic development, and tourism opportunities. (SCOP 4.8.4)*
- *The County will support opportunities for multimodal use where feasible, in particular prioritizing transit, walking, cycling and goods movement needs over those of single occupant automobiles. (SCOP 4.8.6)*
- *Local municipalities should seek to reduce traffic congestion and minimize the length and number of vehicle trips through traffic management techniques, support current and future use of transit (where applicable) and active transportation in their official plans, through the designation of areas of higher density and mixed land use. (SCOP 4.8.12)*

Planning Opinion - SCOP

The ZBA Application will facilitate the development of a new restaurant use within the fully serviced Town of Midland Primary Settlement Area; an area of the County of Simcoe where the majority of growth is to be directed. The new restaurant use will provide employment opportunities that will assist the County in the achievement of employment targets and a sustainable balance of population to employment ratio. The proposed restaurant addition to the existing Super 8 Midland Hotel will enhance the county's tourism sector and create a more diversified economy. The proposed restaurant is located in an area containing a wide array of commercial, institutional and residential uses, contributing to the SCOP's goal of establishing complete communities in Primary Settlement Areas.



In accordance with the SCOP, the United Hotels proposal for the intensification of the subject site advances new development within a Primary Settlement Area and Built-up Area that shall: broaden the range of land uses within the Town of Midland, locate new uses and intensification in a compact form to support existing and planned transit, and locate development in proximity to existing multi-purpose trails and municipal sidewalks to increase active transportation opportunities. The reduced parking requirements, as proposed through the ZBA Application, supports the SCOP's objectives of reducing traffic congestion through the encouragement of alternative transportation methods and the minimization of vehicle trips through the provision of compact development within a Strategic Growth Area. As noted in the SCOP, transportation demand management measures proposed as part of development proposals (which includes reduced parking rates in urban, transit supported areas) are to be prioritized where feasible.

The proposed reduced parking standards will facilitate the intensification of the under-utilized subject site with a compact form of development that shall make more efficient use of land and infrastructure; thereby optimizing public investment in servicing infrastructure and avoid the unnecessary expansion of Settlement Areas.

The development will connect to existing and available servicing infrastructure as advanced through the servicing plans submitted in support of the ZBA Application.

The ZBA Application conforms to the SCOP.

4.4.2 County of Simcoe Official Plan Amendment 7

County of Simcoe Official Plan Amendment 7 ("COPA 7"), representing the County's Municipal Comprehensive Review of Growth Management policies (generally relating to settlement hierarchies, population and employment growth forecasts, density and intensification targets), was adopted by County Council on August 9, 2022 and is currently awaiting final approval by the Minister of Municipal Affairs and Housing. Until approved by the Minister, the policy amendments proposed by COPA 7 are not in effect. Notwithstanding, GWD has reviewed the County Council adopted COPA 7 to understand the emerging potential policies related to the County's growth management framework. The following are some of the notable policy updates that are proposed through COPA 7:

- Increase to the County-wide minimum intensification target from 32% to 35% and the Town of Midland intensification target from 40% to 50% for all annual development within the Delineated Built Boundary;
- Updates to County and lower tier population and employment growth projections to the 2051 planning horizon;
- Updated terminology to reflect Provincial Plans (i.e. replacing reference to "Settlements" to "Settlement Areas"); and
- Identification of the Town of Midland as a "Category 1" – *Primary Settlement Area* and inclusion of policy which directs that a significant portion of the expected population and employment growth to 2051 be directed to Category 1 - *Primary Settlement Areas*.



Planning Opinion - COPA 7

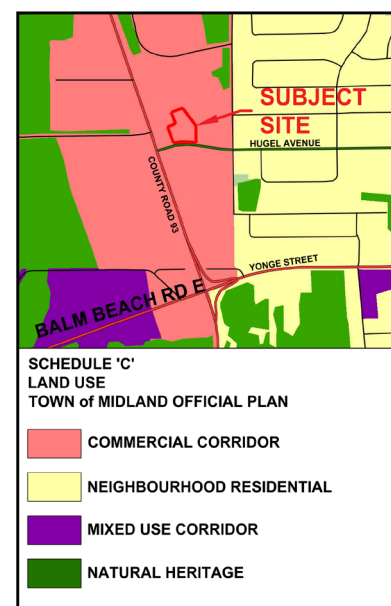
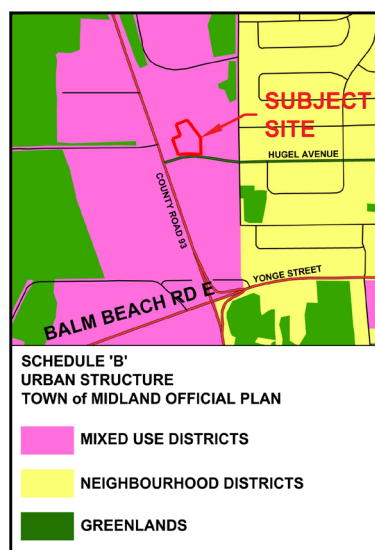
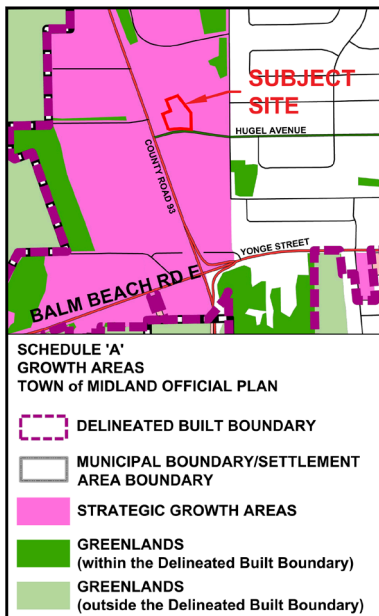
Based on our review of COPA 7 and for the reasons outlined in the preceding section above, the United Hotels proposal would conform to the emerging policy framework of proposed COPA 7; if approved by the Minister of Municipal Affairs and Housing.

4.5 2003 Town of Midland Official Plan (November 2019)

The November 2019 Consolidation of the 2003 Town of Midland Official Plan (“MOP”) is the current, in-force local Official Plan under which all amendment applications within the Town of Midland shall be assessed. The purpose of the MOP is to set a policy framework for land use, growth management and development within the Town, as well as to ensure the health, safety and well-being of existing and future residents. The MOP recognizes the retail businesses along the County Road 93 commercial corridor as a key contributor to a balanced and appealing urban fabric.

The subject site is designated as follows in the MOP:

- **‘Delineated Built Boundary’** – Schedule A: Growth Areas;
- **‘Strategic Growth Areas I’** – Schedule A: Growth Areas;
- **‘Mixed Use Districts’** – Schedule B: Urban Structure;
- **‘Commercial Corridor’** – Schedule C: Land Use;
- **‘Urban Service Area’** – Schedule F: Infrastructure; and
- **‘Wellhead Protection Area B’** – Schedule G: Source Protection.



The following policies have been reviewed to establish the ZBA Application’s conformity to the MOP.



Growth Management

- *The Province and Simcoe County have provided population and employment forecasts for the Town of Midland that form the basis for the growth management strategy included in this Plan. The Town of Midland is projected to grow to a total population of 22,500, with an employment target of 13,800 jobs, by 2031. (MOP 2.1 a))*
- *The MOP sets out a balanced approach to managing growth by recognizing and building upon the Town's urban structure, which is partly based on historical development patterns, and partly based on the desire to achieve a more efficient, cost-effective and transit-supportive pattern focused on the Downtown and other identified Strategic Growth Areas. (MOP 2.2 a))*
- *The Delineated Built Boundary defines the Delineated Built-up Area and identifies the developed areas of the Town of Midland and lands that have been approved for development. All of the lands within the Delineated Built-up Area are considered as developed urban areas, and any new development within the Delineated Built-up Area is considered under the definition of intensification. (MOP 2.2 d) i))*
- *While there is no target for the intensification of commercial, industrial or institutional forms of development, the concept of intensification is a positive principle of ongoing growth management for all land uses. However, not all lands within the Delineated Built-up Boundary are suitable for all forms of intensification and the Town, through the MOP, has identified Strategic Growth Areas where intensification will be directed. (MOP 2.2 d) i))*
- *Strategic Growth Areas I consist of lands within the Delineated Built-up Area which have been identified to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. These lands are further considered Intensification Areas as part of the Town's Intensification Strategy and identified as Mixed Use District on Schedule B – Urban Structure. (MOP 2.2 d) iii))*
- *The Mixed Use Districts accommodate, and are planned to accommodate, a mixture of retail, service commercial, office, institutional and, in some cases, higher density residential land uses. The Mixed Use Districts shall comprise the Strategic Growth Areas identified on Schedule A – Growth Areas, and will provide the justification for enhanced transit and active transportation investment over time. It is anticipated that a substantial portion of new jobs and residents will be accommodated on these lands. (MOP 2.2 f) iii))*
- *The planning policy framework will identify the Mixed Use Districts as key locations for a full range and mix of compatible land uses to ensure that they evolve as an important connecting element of the Town's urban structure. The planning policy framework included in this Plan will also establish a hierarchy that will be more specific about the range and mix of permitted land uses and the scale of the built form anticipated... and it is anticipated that a substantial portion of new jobs and residents will be accommodated on these lands. (MOP 2.2 f) iii))*
- *The Mixed Use Districts are located both within the Delineated Builtup Area (intensification opportunities) and outside the Delineated Built Boundary (Designated Greenfield Areas), and it is anticipated that a substantial portion of new jobs and residents will be accommodated on these lands. (MOP 2.2 f) iii))*
- *New development on full urban services is required for growth in the Mixed Use Districts. (MOP 2.2 f) iii))*



A Successful Community

- *A complete community meets people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing... Convenient access to public transportation and options for active transportation are crucial elements of a complete community. (MOP 3.1.1 d) i))*
- *The built environment should be designed to create opportunities to encourage residents to be physically active and socially engaged. A fundamental element of a healthy community is the inclusion of active transportation. (MOP 3.1.1 d) iii))*
- *A viable community is market responsive, efficient and cost effective. Within a successful community, there is inherent flexibility to allow new development to respond to the market over time, and to intensify over time. The local population will support modestly scaled retail and service commercial uses, and will require community infrastructure. Tourists and the travelling public will enhance the support for retail and service commercial uses. (MOP 3.1.1 d) vi))*
- Pursuant to Policy 3.1.1 of the MOP, development objectives within communities include the following:
 - *Support the creation of a complete community with easy access for all residents to a wide range of uses including shopping and restaurants, trails, parks and open spaces, employment opportunities, educational and cultural opportunities, live-work options, mobility options, a mix and diversity of housing types, and a range of public service facilities, services and amenities; (e) i))*
 - *Encourage the development of a complete community that includes higher density built forms and land uses to reduce land consumption and maximize the efficiency and cost effectiveness of municipal service infrastructure; (e) ii))*
 - *Support a high quality of life by encouraging initiatives that improve social equity, ensuring that residents have access to healthy food options and promoting a high quality public realm and a compact built form; (e) iii))*
 - *Promote the concept of compatible development to ensure that new developments fit within the surrounding neighbourhood with consideration for the mix of uses, massing, height, scale, architecture and details of adjacent buildings. Compatible development is development that is not necessarily the same as, or even similar to nearby existing development, but enhances an existing community, without causing any undue, adverse impacts on adjacent properties; (f) v))*
 - *Promote private and public developments that include an integrated mix of uses, activities and experiences and that can be used for a variety of purposes; (f) viii))*
 - *Design the community around pedestrian activity with a substantial number of destinations, including parks, cultural and public service facilities, shopping and restaurant opportunities, within walking distance; (g) ii))*
 - *Reduce dependency on automobiles as the primary mode of transportation and promote active transportation; (h) vii))*
 - *Ensure that development is cost-effective and appropriate for the market place, and that the Plan has the flexibility to respond to, and encourage positive changes in the market place over time; (j) i)) and,*



- *Optimize the use of existing infrastructure investments and promote the coordinated, efficient and cost-effective delivery of service infrastructure and public service facilities that is appropriate for the planned urban development form. (j) ii))*
- *A mixed use community that is walkable, with connected public gathering places, where opportunities for social interaction are increased and where commercial and public service facilities can be provided within easy walking and cycling distances, is a key consideration of this Plan. (MOP 3.1.5 a))*

Economic Development

- *Ongoing economic development will be supported and encouraged to create a positive business environment to provide local employment opportunities. It is expected that this can be achieved in part through the following objectives:*
 - *Plan for an adequate supply of lands to accommodate the forecasted employment growth;*
 - *Promote and strengthen the Mixed Use Districts as significant locations for commercial retail uses, commercial office space, administration, business, services, hotel and convention facilities, and plan for these areas to be well connected to a multi-modal transportation network, including access to transit;*
 - *Support the retail sector by promoting compact built form and intensification and the integration of these uses with other land uses to support the achievement of complete communities;*
 - *Provide strategically located highway commercial facilities within the Mixed Use Districts based on the need for expansive land requirements and optimum business exposure; and*
 - *Stimulate and encourage the growth of the tourism industry by providing areas for the development of visitor attractions and accommodations. (MOP 3.3.1 b) i), ii), iii), iv), ix))*
- *The Town acknowledges that tourism brings economic benefits to Midland and that a strong tourism industry also contributes leisure, entertainment, cultural, recreational and hospitality services for residents and helps to attract new residents, businesses and industry. (MOP 3.3.2 a))*
- *The Town will support and promote tourism as an integral part of its ongoing economic development. (MOP 3.3.2 c))*
- *The Town will strive to ensure an appropriate and evolving source of qualified labour. To help attract and retain a diverse and skilled labour force, the Town will provide for a full range and mix of employment opportunities. (MOP 3.3.4 a) iv))*

Mixed Use Districts & Commercial Corridor Land Use Designation

- *The Mixed Use Districts have the potential to accommodate significant growth, in an intensified built form, with mid-rise and high-rise residential buildings and population related employment uses, including community or regionally scaled retail commercial, office and institutional facilities. The Mixed Use Districts also play a crucial role in defining the planned urban structure of the Town, in accommodating growth through intensification and in supporting a successful transit system. (MOP 4.4.1 a))*



- *The Mixed Use Districts are intended to be flexible and responsive to land use pattern changes and demands, and permit a broad range of uses at different scales and intensities depending on the location within the Town's urban structure. An appropriate mix and range of commercial, retail, office, institutional and residential uses at different scales and intensities will be encouraged and supported within the various Mixed Use Districts. (Policy 4.4.1 b))*
- *With respect to the Mixed Use Districts identified on Schedule B – Urban Structure, the objectives of the Town are to:*
 - *Promote the accommodation of substantial anticipated growth in medium and higher density built forms;*
 - *Ensure a significant and diverse supply of designated lands that provide opportunities for a diversified economic base, taking into account the needs of existing and future residents and businesses;*
 - *Ensure that the necessary infrastructure is available to support current and projected growth and development; and,*
 - *Require that all development within the Mixed Use Districts is transit-supportive and incorporates high-quality design to support active transportation and a strong public realm, including built form, architectural details, landscaping and signage. (MOP 4.4.1 c) i), ii) and iv))*
- *There are four land use designations that are applicable to the Mixed Use Districts, which are identified on Schedule C - Land Use and Schedule C1 – Midland Bay Landing, including:*
 - *Downtown;*
 - *Waterfront District – Midland Bay Landing;*
 - *Commercial Corridor; and,*
 - *Mixed Use Corridor. (MOP 4.4.1 d) and 2.2 f) iii))*
- *Lands designated Commercial Corridor are intended to serve the commercial/retail needs of the Town. They are characterized as major corridors for retail activity in the Town that, in addition to commercial uses, allow for higher density forms of housing, and a full range of institutional, community and service commercial land uses. Lands within the Commercial Corridor designation are considered to be key routes for an enhanced transit system. (MOP 4.4.4 a))*
- *The lands within the Commercial Corridor designation are intended to represent a key commercial component of the Urban Structure, and will be designed as focal points for retail and other associated commercial development. It is the intent of the MOP to allow the ongoing evolution of the retail sector throughout the Town to occur with a minimum of policy interventions with respect to the amount and type of space/facilities. The MOP focuses on broadening the mixture of land uses within the Commercial Corridor designation, and promoting good urban design and high quality architecture and landscapes. (MOP 4.4.4 b))*
- *Buildings and sites throughout the Commercial Corridor designation may develop as comprehensively planned commercial centres, consisting of individual buildings or multi-unit buildings. New development is encouraged to accommodate an array of uses. This mixture of uses is encouraged not just within the designation in general, but also on individual development sites, and within individual buildings. (MOP 4.4.4 c))*



- *Permitted uses on lands designated as Commercial Corridor may include:*
 - *Land uses lawfully existing on the date of the approval of the MOP;*
 - *Retail, service commercial uses and **restaurants of all types and scales**, including auto-focused uses such as motor vehicle sales facilities, service centres and repair shops;*
 - *Office uses of all types and scales;*
 - *High-rise and above grade residential uses, which may include special needs housing and housing for seniors;*
 - *Institutional uses of all types and scales, including hospitals, schools or other uses pursuant to the Education Act;*
 - ***Hotels and motels, including ancillary uses;***
 - *Convention/conference facilities;*
 - *Cultural, recreational and theatre facilities, including private athletic clubs;*
 - *Entertainment uses;*
 - *Places of worship;*
 - *Child care facilities;*
 - *Funeral homes;*
 - *Parking facilities at-grade and/or in structure;*
 - *Parks and open spaces;*
 - *Public service facilities;*
 - *Long term care facilities and retirement homes;*
 - *Micro-breweries and micro-distilleries and associated retail sales and hospitality facilities;*
 - *Public uses and public and private utilities;*
 - *Research and development facilities, including data processing businesses; and*
 - *Ancillary garden centres and outdoor storage. (MOP 4.4.4 d)*
- *Development in the Commercial Corridor designation shall generally be part of a retail commercial centre, where a group of retail, service commercial or other shopping facilities function with some common parking and/or loading facilities and shared ingress and egress. Freestanding buildings are also permitted on individual sites, provided they do not adversely affect access or traffic circulation within the broader Commercial Corridor designation. (Policy 4.4.4 f)*
- *Within the Commercial Corridor designation, the minimum building height for new development or redevelopment should be 2 storeys, or 8 metres, whichever is greater. The maximum building height shall be 4 storeys, or 16 metres, whichever is less. (MOP 4.4.4 h)*
- *When considering an application for development or redevelopment within the Commercial Corridor designation, the following shall be considered:*
 - *The landscape, built form and functional character of the surrounding community is enhanced;*



- *No undue, adverse impacts are created on adjacent properties in the vicinity;*
 - *The height and massing of nearby buildings is appropriately considered, and buffers and/or transitions in height and density to adjacent properties are implemented, where necessary;*
 - *At-grade uses may change over time. As a result, the floor-to-ceiling height of ground floors for all buildings should be sufficient to adapt to a range of permitted uses and shall generally be 4.5 metres;*
 - *Streetscape patterns, including block lengths, setbacks and building separations are maintained; and,*
 - *Utility, infrastructure and transportation system capacity exists to serve the proposed development and there are no undue adverse impacts on the Town's sewer, water, storm water management and transportation systems. (MOP 4.4.4 j) i), ii), v), vi), viii), ix))*
- *Development or redevelopment within the **Commercial Corridor** designation will have regard for an adjacent land use or area, with respect to existing built form, building mass, height, setbacks, scale, orientation, landscaping, and visual impact. (MOP 4.4.4 k))*
 - *Adequate parking, loading and garbage collection/storage facilities for all permitted land uses in the **Commercial Corridor** shall be provided on the site...Shared access and parking among various properties is encouraged. (MOP 4.4.4 l))*
 - *All lands within the **Commercial Corridor** designation are identified as within a Community Improvement Area. The Town may consider the preparation of a Community Improvement Plan to establish a vision for the area, identify public realm improvement priorities and establish incentive programs to assist the private sector in improving their properties and to encourage the intensification of the corridors in accordance with the Town's planned urban structure. (MOP 4.4.4 m))*

Transportation

The subject site fronts onto Hugel Avenue which is classified as a 'Collector Road' pursuant to Schedule E: Roads Map of the MOP. Hugel Avenue is proposed to facilitate a cycle route, more specifically a 'Dedicated Lane/Multi Use Trail' pursuant to 'Schedule D: Active Transportation Map' of the MOP. The subject site is also within walking distance to key local transit routes (Midland-Penetanguishene Service) and regional transit routes (Simcoe County Linx Transit). With the aforementioned in mind, the following transportation policies have been reviewed to assess the Amendment Application's conformity to the MOP:

- *The objectives of this Plan related to Transportation will ensure the provision of a modern transportation system that Promotes land uses and development forms that encourage bicycle, pedestrian, and transit travel. (MOP 5.1.1 a) ii))*
- *This Plan requires that all development contribute to the creation of a 4-season walkable and connected community with multiple destinations within walking or cycling distance of all residents. (MOP 5.2.1 b))*
- *Walking and cycling are recognized by the Town as viable modes of transportation for a variety of trips that are in the range of 5 kilometres or less. Other personal motorized and non-*



motorized modes of transportation (such as scooters and e-bikes) are also viable transportation modes within the Midland context. (MOP 5.2.4 a))

- *This Plan promotes higher densities and compact development to support a more sustainable and convenient transit service that has links to, between, and through major destinations within the community, and to the broader region. Transit supportive design requires the following:*
 - *Locate stops within a 5 minute walk of a destination. The walking distance for residents is generally 200 to 400 metres (3 to 5 minute walk); and*
 - *A system design which allows for safe pedestrian access to as many residential, employment and retail locations as possible. (MOP 5.3.2 a) i), ii))*
- *Appropriate transportation demand management measures will be identified in transportation studies and in development applications. Transportation Demand Management will encourage sustainable travel choices by supporting alternative options over single occupancy automobile trips. This could include preferential carpool parking, bicycle facilities, transit opportunities, reducing the number of trips, and alternative work arrangements. (MOP 5.4.8 a))*
- *Alternative parking requirements will be required to address new development forms and broader community needs, as follows:*
 - *Contextual parking requirements should be considered, including reduced parking requirements where the development supports alternative modes of transportation. Reduced parking requirements can be considered based on implementation of Traffic Demand Management measures. (MOP 5.4.9 a) ii))*
- *Where large scale, at grade parking lots are provided, they will be designed to include light coloured and porous/permeable paving surfaces and shall incorporate some, or all of the following:*
 - *Appropriate building orientation, including building entrance locations;*
 - *Clearly defined pedestrian access, connectivity and circulation routes; and,*
 - *Pedestrian lighting, tree planting and other landscaping elements, including landscaped islands. (MOP 5.4.9 c))*

Municipal Infrastructure

- *It is the intent of this Official Plan to ensure the coordination of infrastructure planning and investment with land use planning and recognize the key role that infrastructure plays in shaping future growth and development. Objectives related to infrastructure include:*
 - *Ensure the provision of infrastructure is planned in a responsible, efficient and cost-effective manner that is integrated with planning for growth so that these services are available to meet current and projected needs;*
 - *Ensure that the provision of new or upgraded infrastructure supports the policies of this Official Plan, including in meeting the intensification and density targets;*
 - *Provide sufficient infrastructure capacity in strategic growth areas;*
 - *Optimize the use of existing infrastructure, wherever feasible, before considering developing new infrastructure; (MOP 6.1.1 b) i) – iv))*



- *All development within the Town shall be provided with municipal water, sanitary sewers and a storm water drainage system, unless otherwise specifically exempted by the policies of this Plan. (MOP 6.2.2 a))*
- *Full municipal services are the preferred form of servicing for new development and redevelopment. The priority for new urban development is to be focused within the Delineated Built-up Area, followed by the Urban Areas. (MOP 6.2.3 a))*
- *Development within Urban Areas shall be subject to comprehensive planning and engineering studies that will ensure the efficient and cost-effective delivery of full municipal services and utilities, to the satisfaction of the Town. (MOP 6.2.3 c))*
- *Before the approval of an application for new development, infill development, intensification or the redevelopment of sites and buildings, the Town must be satisfied that adequate services are available or can be efficiently and economically provided to support the proposal. (MOP 6.2.3 d))*
- *Any development within the boundaries of the Urban Service Area shall be on full municipal services. (MOP 6.2.4 b))*
- *The Town shall direct and accommodate growth in a matter that promotes the efficient use of water. (MOP 6.3.1 a))*
- *New development will be responsible for the installation of all necessary sanitary sewer services, which will meet the Town's standards and specifications. Sanitary sewer services shall be designed, constructed and maintained to provide adequate service to the proposed development. (MOP 6.4.2 a))*
- *The effects and impact of storm water management and quality control form an integral and important part of development, redevelopment and public works. As such, storm water management should be an important part of any development consideration. (MOP 6.5.1 a))*
- *Control the flow, improve surface drainage quality and minimize the impact of new development on local and area wide drainage patterns. The impact from development shall be appropriately controlled, especially during construction. Post development peak flows should equal predevelopment levels and a suitable method of handling surface runoff shall be developed as an aspect of the approval process. (MOP 6.5.2 a) vii))*

Planning Opinion - MOP

The subject site is located within the Town of Midland Built Boundary/Built-up Area, and located within the Urban Service Area. Accordingly the subject site is also designated Strategic Growth Area I. Strategic Growth Areas I are the locations that are to be the focus of intensification and new development. The United Hotels building addition represents an intensification within an established area of the Town of Midland. Intensification is to be supported to properly manage growth within all land use sectors. The United Hotels intensification conforms to the Town's goal of providing a balanced approach to growth that recognizes the desire to achieve efficient, cost effective development patterns within Strategic Growth Areas that are fully serviced and have access to transit.



Mixed Use Districts are a component of the Town's categorization of its Strategic Growth Areas and are expected to accommodate significant growth. Further, a broad range of land uses are contemplated within Mixed Use Districts, including retail and service commercial uses, as contemplated through the United Hotels development proposal.

Consistent with Policy 4.4.1 of the MOP, the United Hotels proposal advances commercial growth and development intensification within the Mixed Use Districts that shall: diversify the Town's economic base, meet the needs of the Town's residents and businesses, advance development where full municipal services are available, promote transit use, and incorporate high quality urban design.

The United Hotels ZBA Application will also contribute towards the achievement of the Town's economic goals and objectives. More specifically, the ZBA Application shall facilitate a building addition to the existing hotel to accommodate a restaurant use. The proposed restaurant will add employment growth that will contribute to the Town's employment target of 13,800 total jobs to 2031 and those emerging employment projects as proposed through COPA 7. The hotel use, and the associated employment it currently generates, is proposed to remain.

The addition of the restaurant use conforms to the MOP's intent that the Mixed Use Districts be the significant location for commercial retail uses (and hotel facilities). The integration of the proposed restaurant use with the existing hotel building will support mixed use development and intensification towards the achievement of complete communities.

The restaurant use will also support the proposed hotel use and add to the availability of service and retail uses in the Town that shall serve not only local residents and business, but also visitors to the Town and region. The growth and strengthening of the tourism industry is vital to the economic vitality of the Town and this should be encouraged through the development proposal to achieve the benefits that tourism provides in attracting new residents, businesses and industries.

The subject site is designated Commercial Corridor. The Commercial Corridor is intended to serve as the focal point for the commercial and retail needs of the Town. The proposed building addition will facilitate a restaurant, which is a permitted retail use.

The MOP focuses on broadening the mixture of land uses within the Commercial Corridor designation, while having regard for adjacent land uses and surrounding built form. The restaurant addition is proposed on a vacant portion of the subject site abutting the north elevation of the existing hotel. The proposed restaurant addition represents a modest built form that is compatible with the existing Super 8 Midland Hotel building. Additionally, the proposed restaurant use compliments the commercial, institutional, residential and recreation uses in the surrounding area. More specifically the building addition and proposed reduction to parking/loading standards:

- Enhances the functional character of the subject site, Commercial Corridor and Mixed Use District lands;



- Facilitates an attractive and compatible built form to abutting commercial uses and does not create undue adverse impacts to abutting commercial properties from a land use, functional, or urban design perspective; and
- Advances intensification and redevelopment within the Urban Service Area where full municipal services are available to accommodate it.

A Parking Justification Study has been completed by nEngineering in support of the proposed reduced parking rate. Pursuant to the Parking Justification Study the parking supply of 101 parking spaces for the hotel and restaurant use are in excess of functional requirements. Therefore, the proposed parking supply is adequate to serve the proposal. Similarly, while a loading space is not required for the restaurant addition pursuant to the Town's Zoning By-law, a loading space is proposed (of a reduced length) to improve site operations. Pursuant to Policy 5.4.9 of the MOP, alternative parking requirements should be considered, including reduced parking requirements, where the development supports alternative modes of transportation. Consistent with the MOP, the development proposal is transit supportive; being located within walking distance of bus stops serving the Midland-Penetanguishene Transit and County of Simcoe Linx Transit. Additionally, the subject site is in direct proximity to the multi-purpose trail along County Road 93 and the dedicated bike lane proposed along Hugel Avenue. While formal shared parking arrangements are not necessary or contemplated, it is anticipated that active transportation methods (walking) will occur between the site and abutting uses given the range and proximity of land uses available. The proposal's nature as intensification of existing development, which also expands upon the current range of land uses within the Commercial Corridor further supports active transportation and transit usage. Pursuant to the MOP, the broad range of land uses permitted within the Commercial Corridor designation are intended to have a minimum amount of policy interventions with respect to the ongoing evolution of the type of space/facilities. In consideration of the above, reduced parking standards are appropriate for the redevelopment and planned evolution of the subject site and should be supported.

Schedule G of the MOP identifies the subject site as being located within a 'Wellhead Protection Area B (WHPA-B)'. New major development is only permitted where it can be demonstrated through the submission of a Hydrogeological Study that the existing water balance can be maintained through the use of best management practices such as low impact development. A Hydrogeological Study has been prepared by Fisher Engineering in support of the ZBA Application, which concludes that no impact to public infrastructure, the natural environment and/or neighbouring properties is anticipated.

In accordance with Policy 6.2.3 of the MOP, a Functional Servicing and Stormwater Management Report has been prepared by nEngineering in support of the ZBA Application. The United Hotels proposal seeks to intensify an underutilized site that avails itself to existing municipal servicing infrastructure that has capacity to support the development proposal. The project's compact form shall optimize the use of available servicing infrastructure, while advancing stormwater management according to standard regulatory requirements and best practices.

The restaurant building addition is located in a fully serviced Strategic Growth Area. The proposal will also bring increased employment opportunities and economic activity to an



important Mixed Use District in the Town of Midland. The Commercial Corridor land use designation permits both the existing hotel and proposed restaurant use. The proposed reduction to minimum parking supply and loading space requirements are adequate to serve the development and are appropriate considering the subject site's role within the Urban Structure and its geographic attributes.

The ZBA Application conforms to the MOP.

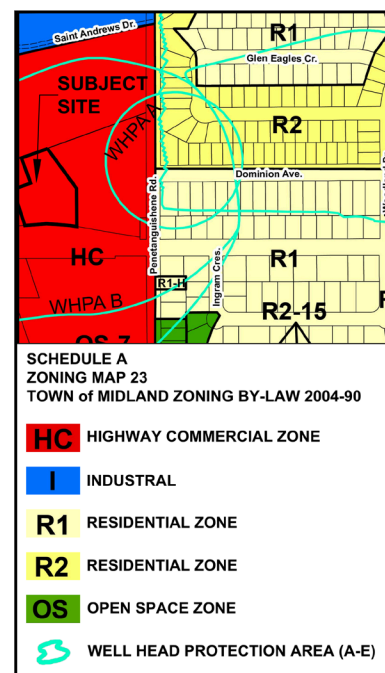
4.6 Town of Midland Zoning By-law 2004-90

The subject site is zoned '**Highway Commercial (HC)**' in the Town of Midland Zoning By-law 2004-90, as amended, pursuant to Schedule A, Map 23 of the Zoning By-law.

Pursuant to Clause 6.2.2, the HC Zone permits the existing hotel and the proposed restaurant (or 'eating establishment' as defined in the Zoning By-law).

Pursuant to Clause 6.2.3, the following key lot and performance requirements apply to the HC Zone:

- Minimum Lot Area: 3,000.00 m²
- Minimum Lot Frontage: 30 m
- Maximum Lot Coverage: 50%
- Minimum Yard Setbacks:
 - Front: 7.5 m
 - Rear: 3.3 m
 - Interior Side: 0.0 m
 - Exterior Side: 4.5 m
- Maximum Building Height: 11.0 m



The United Hotels proposal complies with all of the use, lot and performance standards that specifically stipulated for development within the HC Zone.

Parking

Currently 79 spaces are provided for the existing hotel use, consistent with the development approvals granted by the Town of Midland in 2006 for the initial hotel development. The restaurant use proposed within the building addition is planned to accommodate a maximum total seating capacity of 127 persons, which consists of a year-round interior seating capacity of 75 persons, plus an additional seasonal exterior patio seating capacity of 52 persons.

Pursuant to Table 4.1 of the Zoning By-law, the following parking requirements apply as it pertains to United Hotels' development proposal:



Use	Parking Rate (Midland ZBL 2004-90)	Minimum Required Parking Spaces
Existing Hotel (65 rooms)	1.25 spaces per guest room	81.25 spaces
Proposed Restaurant (127 Persons Seating Capacity)	1.0 space per every 4 persons seating capacity	31.25 spaces
Total		113 spaces

Parking is proposed to be provided as follows:

Use	Parking Rate (Midland ZBL 2004-90)	Minimum Required Parking Spaces	Parking Spaces Proposed
Existing Hotel (65 rooms)	1.25 spaces per guest room	81.25 spaces	81 spaces
Proposed Restaurant (127 Persons Seating Capacity)	1.0 space per every 4 persons seating capacity	31.25 spaces	20 spaces
Total		113 spaces	101 spaces (Deficiency -12)

An Amendment to Town of Midland Zoning By-law 2004-90 is required to permit the total proposed parking supply of 101 spaces for the hotel and restaurant use.

Loading

Currently no dedicated loading space is provided for the existing hotel use, consistent with the development approvals granted by the Town of Midland in 2006 for the purposes of the initial development of the subject site.

Pursuant to Clause 4.1.10.2 and Table 4.4 of the Town of Midland Zoning By-law, no loading space is required for a non-residential use less than 500 m² in floor area. The floor area of the proposed restaurant use 334.38 m², therefore a loading space is not required for the proposed restaurant use.

Notwithstanding the above, United Hotels proposes one (1) off-street loading space to improve site functionality. Whereas Clause 4.1.10.1 a) of the Zoning By-law requires an off-street loading space to measure a of 4.0 metres in width and 21.0 metres in length, the proposed excess off-street loading space is proposed to provide a reduced length, measuring a minimum of 4.0 metres in width by a minimum of 9.20 metres in length. The proposed loading space is located within a dedicated loading area located north of the proposed building addition.

An amendment to Town of Midland Zoning By-law 2004-90 is required to permit a reduced minimum length of a loading space.



Proposed Zoning By-law Amendments

An amendment to Town of Midland Zoning By-law 2004-90 is advanced by United Hotels to incorporate site specific exception to the applicable HC Zone to permit a reduction to the minimum loading space size and minimum parking supply requirements to facilitate the development proposal.

The United Hotels ZBA Application proposes an amendment to Town of Midland Zoning By-law 2004-90 to incorporate site specific exception to the HC Zone to the following alternative zoning standards on a site specific basis.

- 1. To permit a reduction to the minimum required parking spaces for the existing hotel and proposed restaurant use; and**
- 2. To require an off-street loading space to provide a minimum width of 4.0 metres and a minimum length of 9.50 metres.**

The United Hotels development proposal complies to all other provisions of the Town of Midland Zoning By-law.

Planning Opinion – Zoning By-law Amendment

The proposed building addition complies with all applicable lot and development regulations pertaining to the HC Zone. The proposed restaurant is a permitted use in the HC Zone.

The subject site is currently developed with a 65 room hotel and is served by a parking lot providing 79 off-street parking spaces and no dedicated loading space; consistent with the approvals granted by the Town of Midland in 2006.

An additional 22 parking spaces are proposed as part of the development intensification to serve the hotel and restaurant addition, providing an ultimate parking supply of 101 spaces.

A Parking Justification Study has been prepared by nEngineering Inc. in support of the ZBA Application and proposed parking supply. The Parking Justification Study investigated the actual parking demand at the existing hotel as well as through the investigation of a restaurant proxy site with similar conditions within proximity to the subject site. Based on the assessment of utilization rates completed as part of the Planning Justification Study a total of 73 parking spaces are required to serve the United Hotels proposal. The 101 total parking spaces proposed on the subject site creates an excess of 28 spaces based on the calculated parking requirement of 73 spaces.

As confirmed through written correspondence from United Hotels and contained in Appendix D of the Parking Justification Study, the existing hotel amenities (including meeting room) are for the exclusive use of hotel patrons. Those without a hotel reservation are not permitted to utilize hotel amenity spaces and therefore the proposed parking rate is appropriate.

The proposed restaurant is to be physically integrated with the existing Super 8 Midland Hotel. Therefore, in our opinion, synergies between the two on-site uses can be anticipated, as those utilizing the existing hotel would also be patrons at the proposed restaurant. As a



result, the combined minimum parking requirement proposed through the ZBA Application is appropriate in the instance of the United Hotel proposal. Additionally, the subject site provides convenient access to multiple public transit routes, is within walking and cycling distance of residential neighbourhoods, commercial plazas and other employment generating uses, and is located along the County Road 93 Mixed Use District corridor, which comprehensively promote alternative transportation choices and support a reduction in vehicle parking.

The proposed parking reduction is minor and will facilitate the appropriate development of the subject site as contemplated for lands within a Primary Settlement Area and pursuant to the policies of the MOP.

As it pertains to the reduction to loading space requirements, no loading space is required for the proposed restaurant as the floor area falls below the Zoning By-law threshold of 500 m² (the proposed restaurant measures 334.38 m²). However, to improve site functionality a dedicated loading area has been identified which will accommodate a loading space measuring a minimum of 4.0 metres in width and a minimum length of 9.50 metres in length. The reduced length of the surplus loading space is required to facilitate vehicular movements, truck turning movements and a fire route along the internal drive aisles. Pursuant to the Loading Truck Turning Movement Plans, Solid Waste Management Plan and Grease Waste Management Plan prepared by nArchitecture Inc., the reduced loading space length can successfully facilitate the trucks that are proposed to service the restaurant use.

For the aforementioned reasons, the proposed reductions to the minimum parking supply and loading space requirements are justified, meet the intent of the Town of Midland Zoning By-law to provide adequate parking and loading facilities to serve development, and should be supported.

5.0 OVERVIEW OF SUPPORTING MATERIALS

This Planning Justification Brief has been prepared based on the additional recommendations of other project team members as contained within the various other technical reports, studies and plans prepared in support of the United Hotels ZBA Application, and in accordance with the Pre-Application Consultation requirements from the Town of Midland. This Planning Justification Brief should be read in conjunction with the following studies, as summarized below.

5.1 Parking Justification Study

The United Hotels proposal currently contemplates 101 parking spaces to be shared between both the existing hotel and proposed restaurant. Based on consideration of the additional restaurant capacity and Town of Midland Zoning By-law requirements a parking deficiency of 12 spaces was determined.

A Parking Justification Study has been prepared by nEngineering Inc. (May 2023) in support of the ZBA Application and proposed parking supply. The Parking Justification Study investigated the actual parking demand at the existing hotel as well as through the



investigation of a restaurant proxy site with similar conditions within proximity to the subject site.

Based on the parking utilization analysis for the existing hotel the maximum utilization was observed to be 57% at or near full occupancy. Based on the determined utilization rate for the site surveys 45 parking spaces are required for the hotel use. Although the Town of Midland Zoning By-law does not stipulate a minimum requirement for oversized vehicles, to be conservative an additional 5% contingency was considered as part of the parking justification analysis for occasional oversize vehicle/trailer parking; bringing the parking demand for the hotel use to a total of 49 spaces.

The proxy site for the proposed restaurant was the Kelsey's restaurant located at 917 King Street in the Town of Midland, which contains a total of 78 parking spaces. The proxy site is expected to generate similar trips to the proposed restaurant on the subject site due to the two eating establishments being similar in nature and located near the intersections of major roadways and other commercial developments; however the Kelsey's proxy site provides a larger dining area and occupancy than the restaurant proposed on the subject site. The proposed restaurant on the subject site has immediate access to transit and a greater variety of surrounding land uses, lending itself to improved walkability and transit participation. As indicated in the Parking Justification Study, the maximum observed parking demand for the proxy site was 41 parking spaces representing a maximum parking occupancy rate of 75% (based on the minimum Zoning By-law requirement). The application to the proposed restaurant use provides a parking requirement of 24 parking spaces.

Based on the assessment of utilization rates completed as part of the Planning Justification Study a total of 73 parking spaces are required to serve the United Hotels proposal. The 101 total parking spaces proposed on the subject site creates an excess of 28 spaces based on the calculated parking requirement of 73 spaces.

Pursuant to the Town of Midland Zoning By-law, no loading space is required for the proposed restaurant use. Notwithstanding, United Hotels proposes one (1) off-street loading space to improve site functionality at a reduced size measuring a minimum of 4.0 metres in width by a minimum of 9.50 metres in length, which is sufficient for the intended site functions.

Planning Opinion

Based on the maximum observed occupied parking spaces at the existing Super 8 hotel (45 spaces), and the utilization of the maximum parking occupancy rate from the proxy site onto the proposed Shoeless Joes restaurant (24 spaces), the combined parking requirement based on the surveys is 69 spaces. Despite a lack of provision in the Town of Midland Zoning By-law for oversized vehicles/trailer parking, a 5% contingency rate was applied to account for occasional trailer and coach buses that may utilize the parking lot on the subject site. In consideration, a combined parking requirement for the existing hotel and proposed restaurant addition is 73 spaces. The Site Plan prepared by NArchitecture Inc. proposes a parking supply of 101 parking spaces, which will be confirmed through a subsequent Site Plan Approval Application. The 101 total parking spaces proposed on the subject site creates an excess of 28 spaces based on the calculated parking requirement of 73 spaces in the Parking Justification Study.



Based on our review of the conclusions provided by nEngineering Inc., the proposed number of parking spaces on the subject site and the reduced size of the excess loading space will be more than sufficient to serve the existing and proposed development.

5.2 Servicing and Stormwater Management Report

The Servicing and Stormwater Management Report prepared by nEngineering Inc. (May 2023) assesses existing servicing capacities and presents a stormwater management strategy for the proposed development. The report examines the potential water quality, quantity and water balance impacts of the proposed development, and summarizes how each will be addressed in accordance with the requirements of the applicable regulatory agencies. Key conclusions of the Servicing and Stormwater Management Report are summarized below:

Water Demand

As per the servicing plan provided by the Town of Midland for the subject site, the existing Super 8 Midland Hotel is serviced by a 100 millimetre watermain and 150 millimetre fire connection, which nEngineering Inc. concludes is adequate to service the proposed Shoeless Joe's restaurant.

Sanitary Capacity

As per the existing Servicing Plan provided by the Town of Midland, the existing Super 8 Midland Hotel is serviced by a 150 millimetre sanitary pipe, which nEngineering Inc. concludes is adequate to accommodate the additional flow that is to be generated by the proposed restaurant.

Stormwater Management

The report by nEngineering Inc. provides a detailed stormwater management control plan addressing both quantity and quality controls. Drainage boundaries have been established to estimate flows to the proposed drainage collection system for the site. There will be no negative impact or increase in stormwater peak flows under proposed controlled conditions. The recommended quantity control measures include the use of an orifice plate and adequate stormwater runoff storage for large design storms through storage in manholes, catchbasins, pipes, storm chambers and surface ponding. The required water quality control can be achieved with an oil/grit Separator and other related erosion and sediment control measures.

Planning Opinion

Based on our review of the conclusions provided by nEngineering Inc., the proposed restaurant addition can be sufficiently serviced with the available full municipal services. Additionally, the recommended measures from nEngineering Inc. to address quantity and quality control of stormwater on the subject site shall meet the Town of Midland's criteria.



5.3 Geotechnical Investigation

The Geotechnical Investigation was conducted by Fisher Engineering Ltd. to determine general subsurface conditions in the area of the proposed restaurant addition by advancing borehole, soil sampling and visual evaluation of the soil samples. Through the borehole investigation, a mix of asphalt, granular material, topsoil and fill soils were encountered. The fill soil composition varied from dark brown to brown sand with trace of roots/topsoil and trace to some gravel. Based on the subsoil investigations by Fisher Engineering Ltd., construction of the 2-storey restaurant building with slab-on-grade construction is deemed feasible, subject to the technical recommendations provided by Fisher Engineering Ltd. for design and construction.

5.4 Hydrogeological Investigation

The Hydrogeological Investigation was conducted by Fisher Engineering Ltd. alongside the Geotechnical Investigation. The investigation concluded that no groundwater was observed in the open boreholes upon completion of drilling or in the monitoring wells during the investigation. Based on this, dewatering is not expected during construction except to deal with any minor accumulation of precipitation. If dewatering were to be necessary, Fisher Engineering Ltd. has advised that no impact to public infrastructure, the natural environment and/or neighbouring properties is anticipated. Fisher Engineering Ltd. concludes that the construction of the two-storey restaurant building is feasible. As neither construction dewatering nor permanent drainage are required, neither an application for PTTW nor registration on the MECP EASR would be required.

5.5 Field Infiltration Test

A Field Infiltration Test was conducted by Fisher Engineering Ltd. to assess the suitability of the subsurface soils for utilizing infiltration facilities for the proposed restaurant development. The test was conducted using two (2) test boreholes at depths of 1.98 metre below prevailing grade. Based on a minimum percolation design criterion as recommended by the *Ontario MOE Stormwater Management Planning and Design Manual 2003* for infiltration trenches, it is expected that the subject site would be suitable for the construction of infiltration facilities within the tested depths at the proposed locations.

6.0 CONCLUDING REMARKS

The ZBA Application is advanced in support of United Hotels' proposed building addition for the purposes of a new restaurant to be located on the subject site. More specifically, the ZBA Application is submitted seeking approval of a reduction to the minimum parking supply and the minimum loading space requirements of the Town of Midland Zoning By-law. The proposed hotel and building addition conform to all other Zoning By-law use, lot and development performance standards.

The proposed development represents a permitted and compatible use pursuant to the Primary Settlement Areas designation of the SCOP and the Commercial Corridor and Strategic Growth Areas I designations of the MOP. The subject site is currently underutilized and has not achieved its full planned potential. An expansion to the existing hotel on the




vacant portion of the property had been anticipated through previous site development approvals.


The ZBA has sufficient regard for matters of Provincial interest, is consistent with the PPS, and conforms the policy direction of the Growth Plan, SCOP and MOP. Further, it is our opinion that the relief being sought to the parking and loading requirements of the Town of Midland Zoning By-law is appropriate for the development of the lands, conforms to the intent of the HC Zone and is minor.

In the context of the planning justification and opinions contained within this Planning Justification Brief, it is our opinion that the proposed Zoning By-law Amendment, as advanced as part of the ZBA Application constitutes good planning and should be supported.

Yours truly,



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Partner, Principal Planner**



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Partner, Managing Principal Planner**