



Zoning By-Law Amendment Application Planning Justification Report

<i>To:</i>	Town of Midland
<i>Attention:</i>	Andy Warzin, Senior Planner
<i>From:</i>	Jonathan Pauk, MCIP, RPP & David Scarsellone, BES (Hons. Planning)
<i>Date:</i>	July 21, 2025
<i>MP&D File No.:</i>	PN 1517
<i>Delivered:</i>	Via Email
<i>Subject:</i>	736 King Street, Town of Midland

1.0 INTRODUCTION AND PURPOSE

MORGAN Planning & Development Inc. (herein MP&D) has been retained by Smith's Trailer Park and Camp Midland Limited, 736 King Street (subject property), to seek approval of a Zoning By-law Amendment. The Zoning By-law Amendment would re-zone a portion of the subject property from 'Residential Mobile Home (RM)' to 'Highway Commercial (HC)'.

The purpose of the application is to rezone a portion of the severed lands consistent with the zoning of the benefitting lands in accordance with the provisionally approved boundary adjustment application B.03/2025 and to satisfy Condition #4 of this approval.

1.1 Previous Applications

Mr. Koch, the owner of 806 King Street, obtained the approval of a Consent (Boundary Adjustment) under application B.03/2025. Application B.03/2025 was heard and approved on June 12th, 2025 at the Town of Midland Committee of Adjustment meeting.

A summary of the previously approved boundary adjustment is summarized in *Table 1* and *2* as follows:

Table 1 – Existing and Proposed Lot Standards of 736 King Street

736 King Street (Retained Lands)		
	Existing	Proposed
Total Lot Area	23.16 hectares	23.04 hectares
Total Lot Frontage	16.7 meters (King Street)	16.7 meters (King Street)

Table 2 – Existing and Proposed Lot Statistics of 806 King Street

806 King Street (Benefitting Lands)		
	Existing	Proposed
Total Lot Area	1.03 hectares	1.15 hectares
Total Lot Frontage	59.2 meters (King Street)	59.2 meters (King Street)

The aforementioned Consent application was provisionally approved subject to a Zoning By-law Amendment application being approved for the rezoning of the conveyed parcel as to be consistent with the zoning of the property located at 806 King Street.

2.0 SITE DESCRIPTION AND SURROUNDING LAND USES

The property located at 736 King Street has a lot area of 23.16 hectares (57.24 acres), and 16.7 meters of frontage onto King Street. The subject property contains a mobile home trailer park, known as Smith’s Trailer Park & Camp.

The location of the subject property is shown in **Figure 1** and an aerial image is included as **Figure 2**.

Figure 1 Location of Subject Property



Figure 2 Aerial Imagery of Subject Property



The surrounding land uses are categorized as follows:

North: Single detached residential dwellings fronting onto King Street and ‘King Place Retirement Living’.

East: Pizza Nova, a RE/MAX office, and Chucks Roadhouse, and ‘Galloway Park’.

South: ‘Tom Smith Chevrolet Buick GMC’ automotive dealership.

West: Smith’s Trailer Park & Camp and Little Lake .

3.0 PURPOSE OF ZONING BY-LAW AMENDMENT APPLICATION

The purpose and effect of the proposed Zoning By-law Amendment application is to fulfill the conditions that the Town of Midland’s Committee of Adjustment for the granting of provisional consent for File No. B.03/2025. The effect of the proposed Zoning By-law Amendment is to rezone the severed lands (transferred lands) to the Highway Commercial (HC) Zone to make the entirety of the benefitting lot a consistent Highway Commercial (HC) Zone. The proposed Zoning By-law Amendment does not apply to the Benefitting Lot and it is to remain zoned Highway Commercial (HC).

4.0 PLANNING ANALYSIS

4.1 The Planning Act R.S.O. 1990, c. P. 13

The following table provides an overview of the Provincial Interest as outlined in Section 2 of the *Planning Act*.

Section 2 of the Planning Act (Provincial Interest)	
<i>The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,</i>	
	Morgan Planning Comment:
<i>(a) the protection of ecological systems, including natural areas, features and functions;</i>	There are no natural heritage features located on or adjacent to the portion of the subject property to be rezoned. It is noted that the Little Lake Wetland, a Provincially Significant Wetland, is located over 400 meters from the portion of the property to be rezoned, therefore there are no negative impacts anticipated.
<i>(b) the protection of the agricultural resources of the Province;</i>	Not applicable. The subject property is located within the Town of Midland’s built up area, and within a Settlement Area.

<i>(c) the conservation and management of natural resources and the mineral resource base;</i>	No adverse effects anticipated on the natural resources and the mineral resource base of the Province. Not applicable.
<i>(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;</i>	There are no features of significant architectural, cultural, historical, archaeological, or scientific interest on or adjacent to the properties. Therefore, not applicable.
<i>(e) the supply, efficient use and conservation of energy and water;</i>	The current use on the subject property will continue to be serviced via municipal water services.
<i>(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;</i>	Subject property will maintain access to telecommunication services. Subject property can be accessed via King Street. Subject property will continue to be serviced via municipal sewage and water systems. Subject property will have access to municipal waste management and collection programs.
<i>(g) the minimization of waste;</i>	Subject property will have access to municipal waste management and collection programs.
<i>(h) the orderly development of safe and healthy communities;</i>	The proposed Zoning By-law Amendment application will allow for the existing trailer park use to continue to function on the property while creating a consistent zoning fabric which may facilitate an expansion to the existing commercial use in the future.
<i>(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;</i>	The existing trailer park will provide adequate accessible development provisions on site as required.
<i>(i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;</i>	Not Applicable.
<i>(j) the adequate provision of a full range of housing, including affordable housing;</i>	The proposed Zoning By-law Amendment is not for residential development.
<i>(k) the adequate provision of employment opportunities;</i>	The proposed Zoning By-law Amendment application will facilitate the continued use of the commercial uses on each of the subject properties. Increased employment opportunities will result on site from the development.
<i>(l) the protection of financial and economic well-being of the Province and its municipalities;</i>	The proposed Zoning By-law Amendment application will facilitate the continued use of the commercial uses on each of the subject properties, therefore protecting the financial and economic well-being of the Midland Settlement Area.

<i>(m) the co-ordination of planning activities of public bodies;</i>	The Town of Midland Planning Department recommended a portion of the transferred lands to be rezoned from 'Residential Mobile Home (RM)' to 'Highway Commercial (HC)' as a condition of consent for the approval of the previous consent application (B/03/2025).
<i>(n) the resolution of planning conflicts involving public and private interests;</i>	There are no anticipated planning conflicts involving the public and private interests to arise as a result of this Zoning By-law Amendment application.
<i>(o) the protection of public health and safety;</i>	There are no anticipated concerns with public health and safety associated with the proposed application. The existing use will continue on the subject property, posing no issues.
<i>(p) the appropriate location of growth and development;</i>	The subject property is located within a 'Settlement Area' where growth and development should be focused. The proposed zoning (Highway Commercial (HC)) permits the existing uses on the subject properties.
<i>(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;</i>	Not Applicable.
<i>(r) the promotion of built form that, (i) is well-designed, (ii) encourages a sense of place, and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;</i>	Any future addition to the existing automotive sales agency will comply to current Ontario Building Code requirements and will fit within the surrounding context of the built environment. The surrounding public spaces will not be negatively impacted by the consent.
<i>(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate</i>	Not Applicable.

It is the professional opinion of the undersigned that the proposed Zoning By-law Amendment has regard for the applicable Provincial Interests outlined in Section 2 of *The Planning Act*.

4.2 Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS) provides a vision and the policy framework for matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land in Ontario. The PPS provides policy direction on matters of provincial interest related to land use planning and development. Land use Planning decisions are required to be consistent with the Provincial Planning Statement.

Settlement Areas are intended to be the focus of growth and their vitality and regeneration will be promoted. The subject property is located within a 'Settlement Area'. The general policies pertaining to Settlement Areas are outlined in Section 2.3 of the PPS. Settlement Areas shall be the focus of growth and development within the Province, in accordance with Section 2.3.1.1. The subject property is located within the Town of Midland and the proposed Zoning By-law Amendment Application will rezone a portion of the lands previously subject to consent application B.03/2025. The entirety of the subject property will then be zoned consistently, which will contain the existing commercial and employment type uses on the property within a Settlement Area.

Furthermore, Section 2.3.1.2.a) states that *land use patterns within Settlement Areas should be based on densities and a mix of land uses which efficiently use land and resources*. The proposed Zoning By-law Amendment application provides an opportunity for commercial intensification through the potential for future expansion of existing uses, will continue to utilize existing infrastructure, and will not result in any environmental, public health or safety concerns. Therefore, it is consistent with these policies.

The King Street corridor is considered to be a *Strategic Growth Area* by definition of the PPS. In accordance with section 2.4.1.1, *Planning authorities are encouraged to identify and focus growth and development in strategic growth areas*. The subject property is located on the King Street corridor and the proposed ZBA application will allow for the continued commercial use on the adjacent property, as well as support future commercial expansion. Furthermore, section 2.4.1.3.c) states that within strategic growth areas, development and intensification should be permitted to support the achievement of complete communities and a compact built form. The proposed ZBA application is anticipated to facilitate future development on the previously transferred lands, creating a more efficient use of land on the subject property.

Section 3.6.2 of the PPS contains policies that promote the efficient use and optimization of existing municipal sewage and water services. The subject property will continue to be serviced by existing municipal water and waste water services. There are no changes in servicing volume in the existing use associated with the proposed Zoning By-law Amendment application.

Section 4 of the PPS focuses on the wise use and management of resources. Section 4.1.1 of the PPS states that natural heritage features shall be protected for the long term. It is noted that the portion of the transferred lands subject to this Zoning By-law Amendment application is greater than 120 meters from the Little Lake Wetland, and there is no new built development proposed on the subject property, nor will the current use of the lands change. Based on the foregoing, there are no negative impacts anticipated on the mapped natural heritage features.

Section 5 of the PPS contains policies related to protection public health and safety. Section 5.1.1 seeks to direct development away from natural or human-made hazards. The subject property is not proposed to be developed on adjacent to lands affected by mine hazards; oil, gas and salt

hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations or contamination, all in accordance with Section 5.1.

The proposed Zoning By-law Amendment Application is consistent with the Provincial Planning Statement.

4.3 County of Simcoe Official Plan

The County of Simcoe Official Plan ('County OP') is a document designed to guide land use planning in the County over the next 20 years. The subject property is designated 'Settlements' in the County OP. Furthermore, the Town of Midland is listed as a 'Primary Settlement Area' in accordance with Schedule 5.1.2 of the Simcoe County Official Plan.

Section 3.2.3 of the County OP identifies that most growth will be directed to the settlements designation throughout the County. Accordingly, as the Town of Midland is recognized as a primary settlement area, the policy context is supportive of the proposed development. The proposed Zoning By-law Amendment will ensure a consistent zoning of the transferred lands with the adjacent subject property in accordance with provisionally approved consent application B.03/2025. The rezoning would facilitate the continuation of the existing commercial use of the subject property. There is no expansion to municipal services required as a result of the proposed application.

Section 3.5 of the County of Simcoe Official Plan outlines the policies and objectives of the 'Settlements' designation. Section 3.5.2 states that it is an objective of the designation to develop a compact urban form that promotes the efficient use of land and provision of water, sewer, transportation, and other services. The Zoning By-law Amendment proposes a consistent zoning across the whole of the adjacent property. This consistent zoning facilitates future opportunity for expansion to an existing commercial use on the subject property, providing a more efficient use of the property.

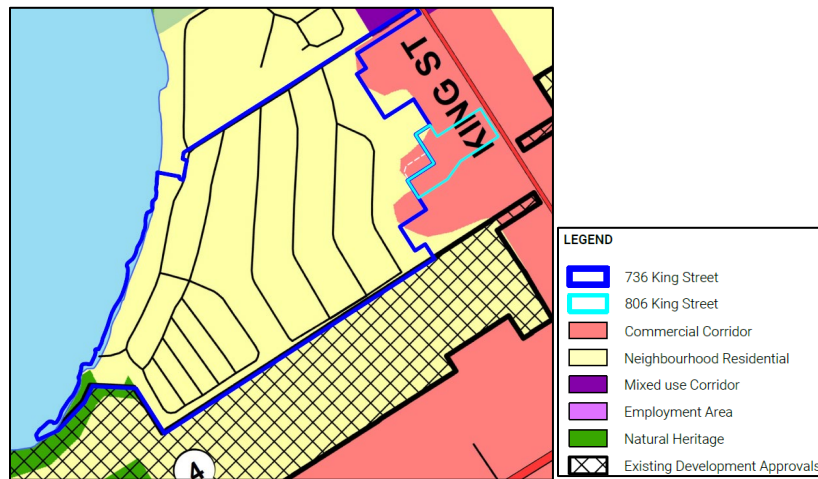
Section 3.5.7 states that municipalities will focus and direct a significant portion of its population and employment growth to the applicable primary settlement areas. The Town of Midland is a Primary Settlement Area, making it a target for employment growth. The Zoning By-law Amendment creates the possibility to facilitate future employment growth to the existing commercial use on the subject property, creating potential for commercial intensification.

It is the professional opinion of the undersigned that the Zoning By-law Amendment Application conforms to the County of Simcoe Official Plan.

4.4 Town of Midland Official Plan

The property located at 806 King Street is designated largely as 'Commercial Corridor' with a small portion being designated 'Neighbourhood Residential', in accordance with Schedule C – Land Use in the Town of Midland Official Plan, as shown in **Figure 4**.

Figure 4: Excerpt of Town of Midland Official Plan



The policies pertaining to the ‘Commercial Corridor’ designation are included in Section 4.4.4 of the Official Plan. It is the intent of the designation to serve the commercial and retail needs of the Town, and lands designated as such are characterized as major corridors for retail activity. The subject property is positioned on an arterial corridor leading to the downtown area which will accommodate the existing commercial and employment uses. These uses will be similar in form, scale, and nature with the surrounding uses, and will help achieve the Town’s goals related to commercial and retail activity. The proposed ZBA will also create potential for future expansion to the existing commercial use within the King Street arterial commercial corridor.

Section 4.4.4.b) states that *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.* The subject property is located on the King Street commercial corridor, and facilitates an automotive dealership which is integral to the community. The implementing ZBA requested as Condition #4 to consent application B.03/2025 will allow for the entirety of 806 King Street to have a consistent zoning. This consistent zoning throughout the property will facilitate future expansion to the existing automotive dealership, facilitating potential commercial intensification along the King Street commercial corridor.

Section 4.4.4 (d) identifies the permitted uses of the Commercial Corridor designation, which include 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 (Section 4.4.4 (d) (ii)) and parking facilities. The existing automotive dealership on the subject property is identified as a permitted use in the Commercial Corridor designation. Any future expansion of the use facilitated by the proposed ZBA will be considered a continuation of the existing permitted use.

Section 4.4.4.(j) sets out criteria for development applications in the Commercial Corridor designation. The proposed rezoning will ensure a consistent zoning on 806 King Street which will

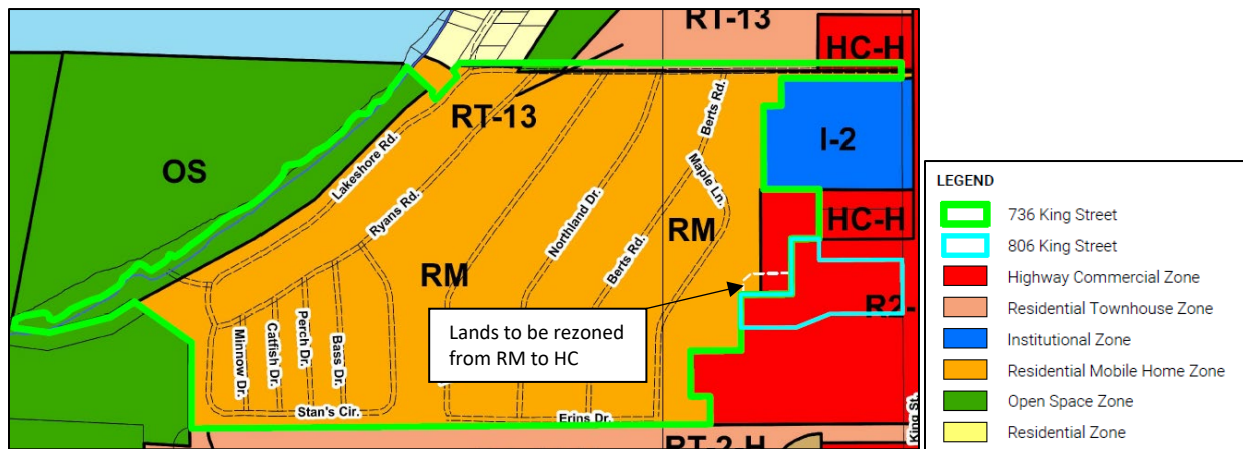
have the ability to facilitate a future expansion of the existing commercial use. Any future expansion of the existing commercial use on the property will be required to conform to the criteria listed in section 4.4.4 j).

Based on the review and analysis of the relevant policies it is our opinion that the Zoning By-law Amendment application conforms to the Town of Midland Official Plan.

4.5 Town of Midland Zoning By-law

The property located at 736 King Street is currently zoned 'Residential Mobile Home Zone', Open Space Zone and Highway Commercial Zone, as shown in Figure 5.

Figure 5: Town of Midland Zoning By-Law



The lands to be rezoned are shown on a portion of the lands within the white dashed line in Figure 4 above.

The proposed Zoning By-law Amendment implements the conditions of provisional consent as June 12, 2025 for consent application B.03/2025. The proposed Zoning By-law Amendment would be in keeping with the general purpose and intent of the Town of Midland's Zoning By-law.

5.0 CONCLUSION

Based on a detailed review and analysis of all applicable Provincial, County and Town policy, as well as considering the site location, conditions, context and surrounding uses, it is our professional opinion that the Zoning By-law Amendment application to rezone a portion of the subject property from the '*Residential Mobile Home (RM)*' Zone to the '*Highway Commercial (HC)*' Zone is consistent with and conforms to the applicable planning policies, is proper and orderly development, and is good land use planning.

Respectfully submitted,
MORGAN Planning & Development Inc.

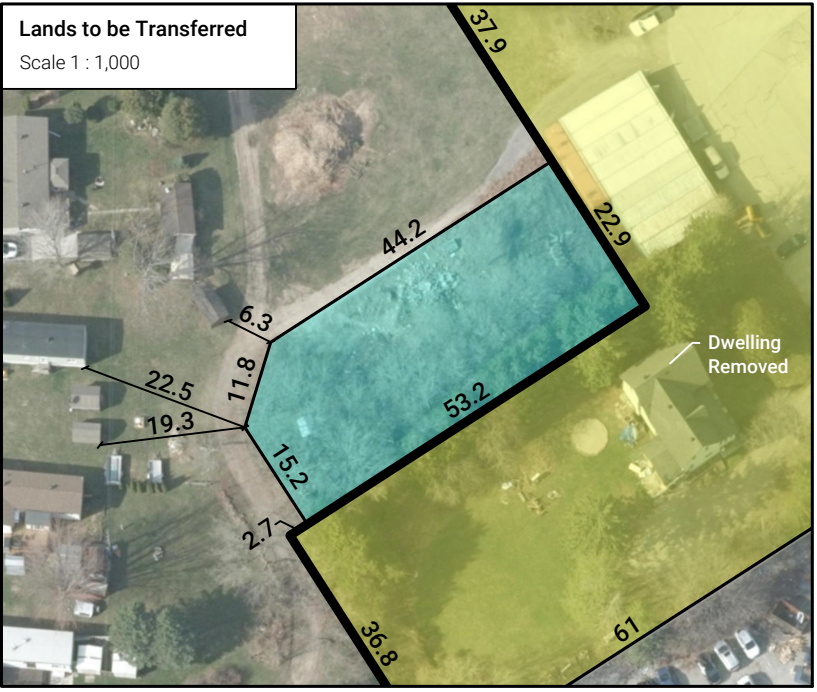


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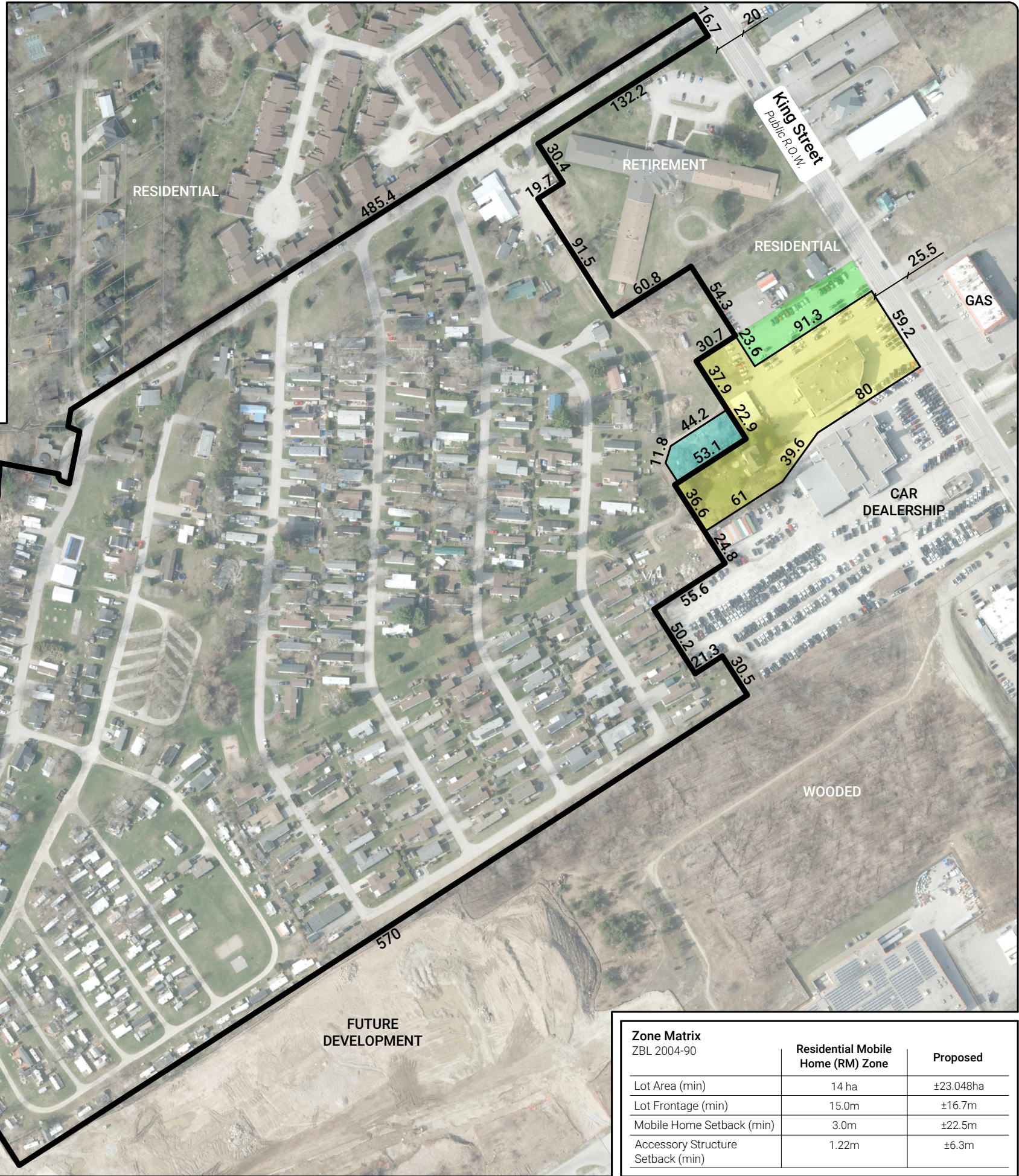
Attachment 1



Zone Matrix
ZBL 2004-90

HC Zone	Proposed 806 King St
Lot Area (min)	3,000m ² ±1.151ha
Lot Frontage (min)	30.0m ±59.2m
Lot Coverage (max)	50% ±18%
Front Yard (min)	7.5m ±59.2m
Interior Side Yard (min)	0.0m & 3.0m* ±8.2m
Rear Yard (min)	3.3m & 4.5m* ±19.7m
Building Height (max)	11.0m <11.0m
F.S.I. (max)	1.0 0.18
Parking Spaces (min)	69 126
	60 (1/20m ²) + 9 (Body Shop)
Drive Aisle Width (min)	6.0m ±7.6m
Barrier Free Spaces (min)	2 3
Parking Dimensions (min)	2.8m x 5.8m 3.4m x 5.8m (BF) TBD
Loading Space (min)	1 >1
Loading Dimensions (min)	4.0m x 21.0m >4m x 21m

* Setback to Residential, Institutional or Open Space Uses (min)

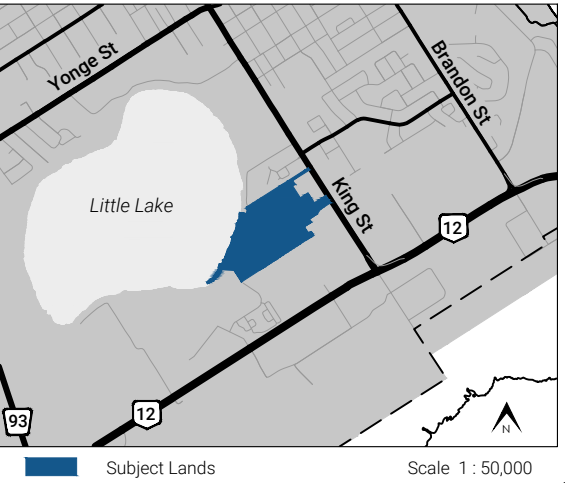


Zone Matrix
ZBL 2004-90

Residential Mobile Home (RM) Zone	Proposed
Lot Area (min)	14 ha ±23.048ha
Lot Frontage (min)	15.0m ±16.7m
Mobile Home Setback (min)	3.0m ±22.5m
Accessory Structure Setback (min)	1.22m ±6.3m

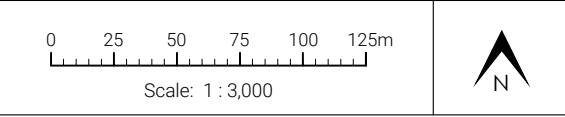
BOUNDARY ADJUSTMENT SKETCH

736 & 806 KING STREET
Part of Lot 102, Concession 1 E
Town of Midland, County of Simcoe



LEGEND

	806 King Street	
	Existing Area:	±1.032ha (2.55ac)
	Proposed Area:	±1.151ha (2.84ac)
	Existing Frontage:	±59.2m
	Proposed Frontage:	±59.2m
	736 King Street	
	Existing Area:	±23.166ha (57.24ac)
	Proposed Area:	±23.048ha (56.95ac)
	Existing Frontage:	±16.7m
	Proposed Frontage:	±16.7m
	Lands to be Transferred from 736 King Street to 806 King Street	Area: ±0.119ha (0.29ac)
	Additional Lands Owned By Applicant	



Note: This drawing is for discussion purposes only. Boundary to be verified by an O.L.S.

Source: County of Simcoe interactive map.
Drawn By: A.M. Date: April 30, 2025 File No: 1517

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