

PLANNING JUSTIFICATION REPORT

REDLINE REVISION &
ZONING BY-LAW AMENDMENT

823 King Street
Town of Midland

Date:

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Prepared for:

Pratt Development Inc.

Prepared by:

Kory Chisholm, BES, M.Sc., MCIP, RPP

MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC)

113 Collier Street

Barrie ON L4M 1H2

T: 705 728 0045 Ext. 224

F: 705 728 2010

Our File 12162F

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1.0 INTRODUCTION

MacNaughton Hermson Britton Clarkson Planning Limited (“MHBC”) was retained by Pratt Development Inc. (the “Owner”), to review the planning merits of a proposed Redline Revision to an approved Draft Plan of Subdivision located at 823 King Street in the Town of Midland (the “Subject Lands”).

The Subject Lands are legally described Part of Lot 102, Concession 2 in the Geographic Township of Tay, now in the Town of Midland, County of Simcoe, and are municipally known as 823 King Street. The irregularly shaped Subject Lands are comprised of approximately 13.9 hectares (34.3 acres) and include 20 metres of frontage along King Street and 20 metres of frontage along Pratt Avenue (see **Figure 1**).

1.1 Development History

The existing Draft Plan of Subdivision and zoning for the Subject Lands were approved by the Town of Midland in 2009 and consisted of one-hundred and five (105) lots for single-detached dwellings, twelve (12) blocks for ninety-one (91) townhouse units, and eight (8) future development blocks (see **Figure 7**). Prior to the rezoning in 2009, the Subject Lands were zoned Residential Zone (R2-H) Holding Zone.

Since the time of the original Draft Plan Approval, the Owner has also acquired two additional parcels of lands from the Town, one area in the southwest of the Proposed Redline Revision as well as the cul-de-sac at the south end of Pratt Avenue. The area in the southwest of the Proposed Redline Revision was acquired in exchange for a comparably sized parcel of land to the west, which was dedicated for parkland purposes (Galloway Park). The Town provided a letter and By-law in May, 2004 advising that the parkland dedication in contemplation of future residential development was beyond the requirement of park dedication for land development in accordance with the Planning Act.

When the Town approved the Draft Plan of Subdivision and Zoning By-law Amendment in 2009 for Subject Lands, land use compatibility with the industrial lands to the south was determined to be acceptable. Under the current approvals, there is nothing prohibiting the Subject Lands from being developed with residential uses and the industrial lands from being developed with any of the industrial uses permitted under the Town Official Plan and Zoning By-law. However, the revisions to the development concepts for both sites will improve overall land use compatibility as outlined in the subsequent sections of this Report.

1.2 Revisions to Development Concept

A Redline Revision is now being sought to reflect the relocation of the stormwater management pond onto the industrial lands to the south as well as incorporate the newly acquired lands into the Draft Plan. The use of a centralized stormwater management facility off-site provides for an efficient centralized stormwater management pond to service both the residential Subject Lands and the abutting industrial lands and has resulted in the incorporation of additional residential lots, the introduction of two new smaller lot types, and a revised layout for the Subject Lands (the “Proposed Redline Revision”). **Section 3.2** of this Report further details the Proposed Redline Revision.

In order to facilitate the proposed Redline Revision, a Zoning By-law Amendment has also been submitted to the Town of Midland to amend the existing site specific zone provisions in order to permit the revised site layout and lot types (the “Proposed ZBA”). The Proposed ZBA is further discussed in **Section 3.3** of this Report.

Applications for the proposed Redline Revision and Zoning By-law Amendment were submitted to the Town on August 7, 2020, and deemed complete as of that date. Comments dated December 23, 2021 were provided by the Town and other commenting agencies on January 4, 2022.

Through discussions with the Town, the Owner and the project team, several revisions to the development concept have been made to the proposed Redline Revision and Zoning By-law Amendment since the initial submission in August 2020 in order to address the comments received on the 1st submission. Overall, the revisions can be characterized as follows:

- The stormwater management pond has been relocated to the northern bounds of the industrial site to assist in providing additional buffering and greater separation between the majority of the industrial lands and the residential lands. There were other benefits to the proposed layout of the industrial site as a result of this revision.
- The distribution of unit types has been adjusted on the revised redline revision plan in an effort to distribute density and balance the streetscape throughout the site in locations which minimize impact on existing adjacent residential development. In particular, additional single lots have been incorporated between the townhouse blocks along the southern extent of the lands, as well as through the mid-portion of the proposed development, reducing the concentration of the townhouse built form and providing a more varied built-form. The location of the smaller units has been captured in the revised site specific zoning for the Site, which will ensure that these units are located where currently proposed and that the distribution of density is maintained.
- Increased the depth of the interior side yard for the proposed townhouse units closest to the existing mini-storage to be consistent with the existing approved setbacks that are proposed to be maintained.
- An increase in the minimum lot area requested for the new site specific townhouse zone from 175 m² per dwelling unit to 190 m² per dwelling unit.

- An increase in the minimum lot frontage requested for the new site specific townhouse zone from 5.75 metres to 6 metres and for the new site specific single detached zone from 9.75 metres to 10 metres.
- Removal of the mid-block north-south street (Street 'D') connecting Street 'A' and Street 'B'.
- Inclusion of two (2) additional walkway blocks, including to the industrial lands to the south and connecting Street 'A' and Street 'B'.
- In addition to comments received, it is proposed to add a Holding Provision to the Industrial Blocks (Blocks 1-5) in the existing M1 Zone on the industrial lands to the south. The condition to remove the Holding Provision (where applicable) on the individual blocks would be to demonstrate conformity with Provincial D-6 Compatibility between Industrial Facilities Guidelines for uses which qualify as Class I, II or III Industrial Facilities. This would ensure that the wide range of permitted uses that could potentially be considered Class I, II or III Industrial uses within the existing M1 Zone are appropriately located as it relates to the residential lands. It is proposed that the inclusion of any Holding Provision, where appropriate, be completed as a condition of draft plan approval prior to registration of the industrial draft plan.

The above noted revisions have resulted in modifications to the unit composition and total. Overall, two-hundred and sixty-seven (267) units are now proposed for the Subject Lands, consisting of one hundred and thirty-eight (138) single detached units and one hundred and twenty-nine (129) townhouse units. This represents three (3) less units than the initial red-line proposal for a total of 65 additional units from the draft approved plan.

The Proposed Redline Draft Plan is included as **Appendix A**, with the Pratt Industrial Draft Plan Concept identifying the location and configuration of the relocated centralized stormwater management pond is included as **Appendix C**.

It is anticipated that the residential draft plan of subdivision may proceed to registration and construction in advance of the industrial draft plan of subdivision. Should this occur, an easement could be registered over the area of the stormwater management pond and provisions included within the Residential Subdivision Agreement acknowledging that the stormwater management pond is located on adjacent lands. In addition, a separate development agreement may be required between the Owner and the Town regarding the construction and maintenance period of the stormwater management pond should the stormwater management pond proceed prior to a subdivision agreement being registered on the balance of the industrial lands.

2.0 SITE DESCRIPTION AND SURROUNDING LAND USES

This Section of the Report provides a brief overview of the Subject Lands as well as the surrounding land uses.

The Subject Lands are comprised of 13.9 hectares (34.3 acres) and situated in the southeast end of the Town of Midland. The currently vacant Subject Lands are generally flat and sparsely vegetated, with some bushlot on the eastern portion of the Site. The Subject Lands are accessed by way of King Street to the west and via Pratt Avenue to the northeast (see **Figure 2**).

The Site is bounded by a variety of lands uses, which can be summarized as follows:

- North:** School and low-density residential development consisting predominantly of single-detached residential dwellings.
- East:** Residential development, including townhouse units, and a self-storage facility.
- South:** Vacant industrial lands owned by the Owner, scattered industrial development, and Highway 12.
- West:** Galloway Park and commercial development along King Street, parkland.

3.0 PROPOSAL

Applications for Redline Revisions to the existing Approved Draft Plan and a Zoning By-law Amendment were submitted to the Town of Midland in August 2020. Since the initial submission, revisions have been made to the Proposed Redline Revision and Zoning By-law Amendment, as well as the Proposed Draft Plan for the industrial lands to the south. This Section provides further details of the revised Proposed Development and the associated applications.

3.1 Development Concept

The Subject Lands are proposed to be developed for a total of two hundred and sixty-seven (267) residential units, consisting of one hundred and thirty-eight (138) single-detached dwelling units and one hundred and twenty-nine (129) townhouse units, and will also include blocks for stormwater management, servicing and walkways on the Site. This represents an increase of sixty-five (65) units from the current approved draft plan. The stormwater management pond for the Proposed Development will be sited on the industrial lands to the south, which will enable one larger, centralized facility to efficiently service both sites, and has been sited to provide buffering and separation between the two uses. The Proposed Development will be connected to the surrounding community to the west at King Street and through an extension to Pratt Avenue to the north. The Proposed Redline Revision integrates with the existing residential subdivision to the north through maintaining a similar lot fabric, and provides separation from the industrial land uses to the south by providing deeper lots for adjacent lands and through the relocation of the proposed stormwater management pond to the northern boundary of the industrial lands. A large, existing park (Galloway Park) is located to the southwest of the Subject Lands as it was previously transferred to the Town by the Owner and will serve future residents of the Proposed Development.

3.2 Proposed Redline Revision

The Proposed Redline Revision consists of two hundred and sixty-seven (267) residential units, and is included as **Appendix A** to this Report. A unit composition is provided in **Table 1**, which provides the approximate proposed lot frontages and the number of units for each lot/unit type compared to the existing approved draft plan.

Table 1 – Proposed Redline Revision Unit Composition

| Lot/Unit Type | # of Lots/Units Current Approved Draft Plan | # of Lots/Units Proposed Redline |
|-------------------------|--|-------------------------------------|
| Single Detached (10 m) | 0 | 48 |
| Single Detached (12 m) | 67 | 81 |
| Single Detached (15 m) | 38 | 9 |
| Townhouse (6.0 m) | 0 | 80 |
| Townhouse (7.6 m) | 91 | 49 |
| Future Development Lots | 6 | 0 |
| TOTAL | 202 | 267 |

The Subject Lands are approximately 13.9 hectares, which will provide for a gross density of 19.2 units per hectare.

As noted, the Proposed Redline Revision stems from the relocation of the stormwater management pond from the Subject Lands to the industrial site to the south, as well as the incorporation of newly acquired lands into the Draft Plan. As a result of the relocation of the stormwater management pond and the acquisition of additional lands, the Draft Plan has been revised to accommodate additional residential units, which has also necessitated revisions to the broader site layout to make efficient use of the Subject Lands. The Proposed Redline Revision also introduces some smaller lot types in order to provide a greater range and mix of housing options, provide some more affordable product type and provide for a more efficient and dense development. These new lot types are a 10 metre single detached lot type and a 6 metre townhouse unit. The Proposed Redline Revision also removes the future development lots previously included in the approved draft plan.

The proposed road pattern is an efficient grid, and provides connections to the broader community to the west via a connection to King Street from Street 'A' and to the north through an extension to Pratt Avenue. Additionally a future road connection is provided to the lands to the northwest through proposed Street 'C'. In addition, several walkway blocks are proposed throughout the Proposed Draft Plan which will further enhance the connectivity of the Proposed Development with the broader community.

The Proposed Development will be serviced by municipal water and sanitary sewers.

3.3 Proposed Zoning By-law Amendment

The Site is currently zoned, "Open Space (OS)", "Residential Townhouse Exception-9 (RT-9)", "Residential Exception-16 (R2-16)", and "Residential Exception-17 (R2-17)" in the Town of Midland Zoning By-law (**Figure 5**). The current zoning is reflective of the approved Draft Plan of Subdivision on the Subject Lands. A Zoning By-law Amendment is required to permit certain modifications that have resulted from the Proposed Redlined Revision.

Overall, the Proposed ZBA includes the following components:

- Rezone portions of the Subject Lands to a new "Residential Exception-XX (R2-XX) Zone" and a new "Residential Townhouse Exception-XX (RT-XX) Zone" to permit a new 10 metre single detached lot type and a 6 metre townhouse unit type;
- Rezone the location of the stormwater management pond in the current approved Draft Plan of Subdivision from "Open Space (OS)" to "Residential Exception-17 (R2-17)" to permit residential development;
- Amend the existing "Residential Exception-17 (R2-17)" Zone to permit a minimum lot area of 330 m² to account for the variation in certain lot depths to +/- 30 metres;
- Rezone various components of the Subject Lands to "Residential Townhouse Exception- 9 (RT-9)", "Residential Exception-16 (R2-16)", and "Residential Exception-17 (R2-17)" Zones to align with the lot layout in the Proposed Redline Revision; and

- Introduce a R2-17(H) Zone for three (3) lots fronting on Street 'C', with removal of the holding symbol subject to the construction and extension of Street 'C' as a through road connecting to an adjacent municipal street to the north.

Section 4.6 of this Report details the proposed site specific provisions in relation to the zoning currently in force on the Subject Lands.

The Draft Zoning By-law Amendment Text and Schedule are provided in **Appendix B**.

4.0

PLANNING ANALYSIS

The following is a review of the applicable Provincial, County and Town policies and regulations as they pertain to the Site and the proposed Redline Revision and Zoning By-law Amendment applications.

4.1 Planning Act

The *Planning Act* is the provincial legislation which establishes the framework for land use planning in Ontario, and effectively describes how land uses may be controlled, and who may control them. With respect to the applications made, Section 51(24) of the Planning Act identifies that a Plan of Subdivision is to have regard, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality. In addition, decisions are required to have regard to, among other matters, matters of provincial interest, and be consistent with the Provincial Policy Statement and conform with provincial plans in effect under Sections 2 and 3(5) of the Planning Act respectively. An analysis of Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe are outlined in Section 4.2 and 4.3 of this Report.

The criteria to be considered by an approval authority when contemplating a Draft Plan of Subdivision are outlined in Section 51(24), and include:

- a) *the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2* – The proposed development will have no undue negative impact on matters of Provincial interest as outlined below.
 - (a) *the protection of ecological systems, including natural areas, features and functions*; - A residential draft plan of subdivision is currently approved on the subject lands and no environmental protection lands are currently identified on the site in the Town of Midland Official Plan. A Species of Risk Assessment completed by Azimuth Environmental dated January 2019, concluded there were no concerns from a Species at Risk perspective and was accepted by the MECP in correspondence dated July 16, 2019.
 - (b) *the protection of the agricultural resources of the Province*; - the Site is within a settlement area, and does not impact agricultural resources.
 - (c) *the conservation and management of natural resources and the mineral resource base*; - There are no identified natural resources or mineral resources on the Site.

- (d) *the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest*; - A Stage 1-2 Archaeological Assessment was completed on the Subject Lands by AMICK Consultants Limited dated July 2008 and submitted to the Ontario Ministry of Culture. The Assessment concluded no archaeological resources were encountered and that the proposed development be considered cleared of any further requirement for archaeological fieldwork.
- (e) *the supply, efficient use and conservation of energy and water*; - The proposed development will use municipal water and sanitary servicing. The technical requirements of the site design have been reviewed and confirmed through a Preliminary Servicing and Stormwater Management Report, detailed in **Section 5.1** of this Report.
- (f) *the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems*; - The subject lands are located within a settlement area where infrastructure with sufficient capacity exists. The proposed development will use municipal water and sanitary servicing, and the Preliminary Servicing and Stormwater Management Report has confirmed that sufficient capacity exists to appropriately service the Proposed Development.
- (g) *the minimization of waste*; - The waste generated from the Proposed Development is anticipated to be typical of residential development in a settlement area and will have access to any local recycling and waste diversion programs.
- (h) *the orderly development of safe and healthy communities*; - The proposed development is adjacent to the existing built boundary of Midland, and represents logical and orderly development within a settlement area.
- (h.1) *the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies*; - Municipal right-of-ways will be designed in accordance with Town engineering standards. The proposed grid road pattern provides for efficient connectivity within the development and to the surrounding community.
- (i) *the adequate provision and distribution of educational, health, social, cultural and recreational facilities*; - The Site is in close proximity to several local parks, schools and other community facilities.
- (j) *the adequate provision of a full range of housing, including affordable housing*; - The proposed development will contribute towards diversifying the housing stock available in the local area through the provision of a variety of unit and lot types. The introduction of new smaller single detached and townhouse lot types will provide for the introduction of a more affordable housing product within the Site.
- (k) *the adequate provision of employment opportunities*; - The Proposed Development is a residential subdivision.
- (l) *the protection of the financial and economic well-being of the Province and its municipalities*; - The Proposed Development is orderly and within a settlement area, and will protect the financial and economic well-being of the Province.

- (m) *the co-ordination of planning activities of public bodies;* - The Proposed Development conforms with Provincial, County and Local Planning Policy and will be reviewed by the applicable agencies as part of the planning application approval process.
- (n) *the resolution of planning conflicts involving public and private interests;* - There do not appear to be any conflicts between public and private interests.
- (o) *the protection of public health and safety;* - There are no anticipated concerns with respect to public health and safety.
- (p) *the appropriate location of growth and development;* - The Proposed Development is within a settlement area which is a location where growth is to be focused.
- (q) *the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;* - The Proposed Development provides for a more efficient development that will contribute increased population and potential ridership for local public transit including the Midland South Bus Route that provides service through Galloway Boulevard and William Street just to the north east of the Proposed Development. Pedestrian and active transportation linkages are provided to the existing residential development to the north and King Street to the west of the Site.
- (r) *the promotion of built form that,*
- (i) *is well-designed,* - It is the opinion of the undersigned that the Proposed Development will facilitate a built form that is efficient and well designed and compatible with existing development in the area. In addition, Urban Design and Architectural Control Guidelines have been prepared for the Proposed Development and submitted to the Town.
 - (ii) *encourages a sense of place, and* – The Proposed Development has been integrated into the fabric of the community and the Urban Design and Architectural Control Guidelines prepared for the Proposed Development provides further direction around character and the public realm, which contribute towards encouraging a sense of place.
 - (iii) *provide for public spaces that are of high quality, safe, accessible, attractive and vibrant* - In addition to having several community facilities in close proximity, the Proposed Development is also adjacent to a large community park the Owner previously transferred to the Town which will serve the residential development.
- (s) *the mitigation of greenhouse gas emissions and adaption to a changing climate* – The Proposed Development provides for development in a compact form within a settlement area where services and infrastructure are existing. The proximity to community services and facilities will enable forms of public and active transportation to be used as an alternative to automobile dependency.
- b) *whether the proposed subdivision is premature or in the public interest* – A Plan of Subdivision and site specific zoning is already approved on the Subject Lands and development of the Site provides a logical expansion of the current built up area within the settlement area. The

Proposed Development stems from the relocation of a stormwater management pond which will result in more efficient management of stormwater in the area.

- c) *whether the plan conforms to the official plan and adjacent plans of subdivision, if any* - The Subject Lands are already approved for residential development, are designated for residential development in the Town Official Plan, and are located within a Settlement Area. The Proposed Development represents a modest and logical extension to an existing residential subdivision to the north, in an area planned and currently approved for residential use.
- d) *the suitability of the land for the purposes for which it is to be subdivided* –The Town Official Plan designates the Subject Lands for residential use and encourages residential development of this nature. Technical studies were completed to determine the supportability of the residential development currently approved on the lands. The Proposed Development does not substantially change the development layout and the Preliminary Servicing and Stormwater Management Report has confirmed that the Proposed Development can be appropriately serviced.
 - (d.1) *if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing* – While no dedicated “affordable units” are proposed, the introduction of smaller single detached and townhouse lot types through the Proposed Redline Revision and ZBA will provide for some more affordable housing units within the Proposed Development based on reduced land and construction/material costs per unit.
- e) *the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them* – The Subject Lands are accessed from two locations, King Street to the west, and through an extension of Pratt Avenue to the north. Both existing roads are anticipated to be able to accommodate any increased traffic that will result from the Proposed Redline Revision as confirmed through the Traffic Impact Study. The proposed roads within the Proposed Development will be developed to a full municipal standard.
- f) *the dimensions and shapes of the proposed lots* - The proposed lots and blocks are appropriate in size to accommodate the intended uses, and make efficient use of the lands and existing infrastructure.
- g) *the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land* - There are no known restrictions affecting the Site. It is proposed that a Holding Provision will be required to be placed on the Employment Blocks (Blocks 1-5) on the Industrial lands to the south which are currently zoned Industrial (M1). The condition to remove the Holding Provision (where applicable) on the individual blocks would be to demonstrate conformity with Provincial D-6 Compatibility between Industrial Facilities Guidelines to ensure the wide range of uses within the M1 Zone are appropriately located as it relates to the residential lands. It is proposed that the inclusion of any Holding Provision, where appropriate, be completed as a condition of draft plan approval to ensure this is in place prior to registration of the industrial draft plan. In addition, it is noted that Subject Lands have been designated, zoned and draft plan approved for residential uses for many

- years and the industrial lands to the south have also been designated and zoned for industrial uses for many years. Compatibility was previously determined to be acceptable with respect to the appropriateness of having residential uses adjacent to the zoned industrial lands.
- h) *conservation of natural resources and flood control* – A stormwater management report was prepared to evaluate the feasibility of the relocated stormwater management facilities and determined that there were no concerns with respect to stormwater management. In addition, the proposed stormwater strategy has been designed to provide quality and quantity control for existing upstream development, as well as the Proposed Development, thereby providing a greater net benefit. There are no identified flood concerns on the Subject Lands. The Species at Risk Assessment completed by Azimuth for the Subject Lands concluded there were no concerns from a Species at Risk perspective. The Environmental Impact Assessment completed by Azimuth for the Industrial Lands to the south where the centralized stormwater management pond is proposed to be located also concluded there are no concerns from a natural heritage perspective.
 - i) *the adequacy of utilities and municipal services* - The Site can be serviced by existing municipal water and sewage infrastructure as confirmed in the Functional Servicing Report.
 - j) *the adequacy of school sites* – There are several schools in the area neighboring the site. Both local School Boards will be circulated and provided the opportunity to provide comment on the planning applications.
 - k) *the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes* – In addition to the proposed municipal right-of-ways, additional blocks identified on the Proposed Redline Revision will be dedicated to the Town for stormwater management conveyance, walkway and 0.3m reserve purposes.
 - l) *the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy* - The Proposed Redline Revision utilizes a development density that makes efficient use of land while balancing residential densities within the context of the communities existing character. The Site is located within the Town of Midland and will be able to optimize the use of existing infrastructure. Several local parks are located within walking distance and will enable forms of active transportation to be used as an alternative to automobile dependency for the access of these community amenities.
 - m) *the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act* - The Proposed Development includes single detached and townhouse dwellings and sufficient land has been provided on the proposed lots and blocks for the proper development of the planned uses. The road pattern and block layout includes three (3) new 20 metre wide roads and an extension to Pratt Avenue, which will provide two points of access to the Site as well as an additional future connection through Street "C" to the north. Any required site plan control matters will be reviewed further with Town staff post draft plan approval.

Section 34(10) of the *Planning Act* addresses Zoning By-law Amendments, and states that:

Despite any other provision of this section, any by-law passed under this section or a predecessor of this section may be amended so as to permit the extension or enlargement of any land, building or structure used for any purpose prohibited by the by-law if such land, building or structure continues to be used in the same manner and for the same purpose as it was used on the day such by-law was passed.

A Zoning By-law Amendment is proposed in order to facilitate the Proposed Redline Revision.

4.2 Provincial Policy Statement (2020)

The Provincial Policy Statement (“PPS”) is the statement of the government’s policies on land use planning, and is intended to provide policy direction on land use matters which are in the Provincial interest. All land use planning decisions are required to be consistent with the PPS.

Section 1.0 provides policies with respect to building strong healthy communities and states that:

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 strong, liveable and healthy communities, protect the environment and public health and safety, and facilitate economic growth.

Building off this policy direction, Section 1.1 provides further guidance on the location of growth and land uses in the Province.

Section 1.1.1 includes:

Healthy, livable and safe communities are sustained by:

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) *accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- e) *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;*
- h) *promoting development and land use patterns that conserve biodiversity; and*

- i) *Prepare for the regional and local impacts of a changing climate.*

The Proposed Development is located within the Settlement Area of Midland, on lands designated and approved for residential uses. The Proposed Redline Revision stems from the relocation of a stormwater management pond to the industrial lands to the south, which will allow for an efficient centralized management of stormwater for both sites. This modification will improve the efficient use of land and infrastructure, and promote a cost-effective development standard through minimizing land consumption and servicing costs. Furthermore, the Proposed Development is sited in an area well served by existing parks and community facilities to meet the need of future residents. Additional density provided through the Proposed Redline Revision should contribute towards the utilization of active and public transportation.

Section 1.1.3 of the PPS contains policies as they relate to Settlement Areas, with Section 1.1.3.1 identifying that:

Settlement areas shall be the focus of growth and development.

The Proposed Development is within the Settlement Area of Midland, and will facilitate growth and development in a location intended to support this use.

Section 1.1.3.2 further outlines how land use patterns in settlement areas are to be based and states that:

Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) *efficiently use land and resources;*
- b) *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;*
- c) *minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) *prepare for the impacts of a changing climate;*
- e) *support active transportation;*
- f) *are transit-supportive, where transit is planned, exists or may be developed; and*
- g) *are freight-supportive;*

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

Furthermore, Section 1.1.3.6 of the PPS states that

New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The Proposed Development is located on lands designated, zoned, and approved for residential purposes. The Proposed Development will make efficient use of the existing road network, provide for a more compact development and mix of uses and densities through the introduction of two new smaller lot types, make efficient use of municipal water and sanitary services, and community facilities in the immediate area. Furthermore, the Proposed Development is adjacent to the existing built up area to the north, which will facilitate development of a contiguous and integrated neighbourhood.

The PPS policies pertaining to housing are contained in Section 1.4 and broadly direct for the provision of a range and mix of housing options to meet the projected need of the regional area.

In particular, Section 1.4.1 states that,

To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and*
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.*

Furthermore, Section 1.4.3 requires planning authorities to provide an appropriate range and mix of housing options and states:

Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- a) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- b) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and*
- c) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

As noted the Proposed Development is sited in a location where infrastructure and public service facilities exist to meet resident's needs. The Proposed Development would contribute towards bolstering the available housing options in the Town, and broader area, through the provision of

both single detached and townhouse units of varying lot types. The Proposed Redline Revision would facilitate development of an additional sixty-five (65) residential units on the site above what is currently draft plan approved which is a modest change that is consistent with provincial policy direction. It will, further, diversify the unit composition through the addition of a new smaller lot types for both single detached and townhouse units from the current approved Draft Plan of Subdivision.

Section 1.6.6 contains policy relating to sewage, water and stormwater, and establishes a servicing hierarchy that directs development towards municipal sewage and water as the preferred form of servicing. In particular, Section 1.6.6.2 states that,

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.

The Proposed Development will be serviced by municipal water and sewage systems. A Functional Servicing Report was completed to confirm capacity and servicing details which is outlined in Section 5.1 of this Report.

With respect to stormwater management Section 1.6.6.7 of the PPS states that,

Planning for stormwater management shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
- b) minimize, or, where possible, prevent increases in contaminant loads;*
- c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;*
- d) mitigate risks to human health, safety, property and the environment;*
- e) maximize the extent and function of vegetative and pervious surfaces; and*
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

As noted, the basis of the Proposed Redline Revision stems from the relocation of the stormwater management pond on the approved Draft Plan of Subdivision to the industrial lands to the south. This relocation will allow for one, efficient centralized storm pond to service both the Proposed Development and future industrial development on the lands to the south, in addition to capturing external stormwater drainage from existing development lands to the north, east and west that currently discharge to the Site. The development of centralized stormwater management facilities will result in greater efficiencies and a more cost effective use of infrastructure. The Preliminary Servicing and Stormwater Management Report prepared concluded that on-site stormwater management has been designed to maintain pre-development flows and infiltration volumes, as

well as ensure quality and quantity control for upstream development. The details of the stormwater management report are outlined in **Section 5.1** of this Report.

With respect to Transportation Systems section 1.6.7.4 of the PPS states:

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.

As noted, the Proposed Redline Revision will contribute towards achieving this policy as the increased density and mix of housing types and increased connectivity within the existing street pattern will both contribute towards the future use of transit and active transportation.

Policies pertaining to energy conservation, air quality and climate change are contained within Section 1.8 of the PPS, with Section 1.8.1 stating that,

Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:

- a) *promote compact form and a structure of nodes and corridors;*
- b) *promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;*
- f) *promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; and*
- g) *maximize vegetation within settlement areas, where feasible.*

The Subject Lands are located within the Town of Midland, and are within walking distance to several community facilities as well as the existing Midland South Bus Route (**Figure 9**). The Proposed Redline Revision provides for a more compact built form as density is increased through the introduction of two smaller lot types. Vegetation will be provided through tree preservation around the perimeter of the Site where feasible and future landscaping plans that will be prepared as required within the detailed design process as per Town requirements. It is also noted that a tree buffer has been identified within existing Draft Plan Condition #31 which requires that:

The Owner shall have prepared and submitted to the Town for approval a Tree Preservation Plan, prepared by a qualified individual approved by the Town, in respect to the 5.0 metre tree buffer at the rear of lots 79 to 105, inclusive, and Block 106.

This would be inclusive of Lots 24 to 55 on the Proposed Redline Revision. It is anticipated this draft plan condition would be revised to reflect the revised lot numbering should the Proposed Redline Revision and Zoning By-law Amendment be approved.

Section 2.0 of the PPS speaks to the wise use and management of resources, with Section 2.1 establishing the policies for natural features and areas, and directing their protection for the long term. In particular Section 2.1.2 states,

The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

Additionally, Section 2.1.7 addresses endangered and threatened species and states that,

Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

A Species at Risk Assessment was completed in January 2019 for the Subject Lands which confirmed that the subject and adjacent lands do not provide habitat for Endangered, Threatened or Special Concern species. There are no concerns with respect to natural heritage features on the subject lands.

Section 2.2.1 addresses the quality and quantity of water and includes:

Planning authorities shall protect, improve or restore the quality and quantity of water by:

- g) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;*
- i) Ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.*

The Proposed Development will provide for stormwater management through the implementation of an efficient centralized stormwater management pond located on the industrial lands to the south. As demonstrated in the Functional Servicing Report the proposed stormwater management solution will be designed to meet all standards of the Town and other comment agencies.

Section 2.6 addresses Cultural Heritage and Archaeology. Policy 2.6.2 states:

Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

As noted, a Stage 1-2 Archaeological Assessment was completed on the Subject Lands by AMICK Consultants Limited dated July 2008 and submitted to the Ontario Ministry of Culture. The Assessment concluded no archaeological resources were encountered and that the proposed development be considered cleared of any further requirement for archaeological fieldwork.

Based on the above, it is concluded that the Proposed Redline Revision and Proposed Zoning By-law Amendment are consistent with the PPS.

4.3 Growth Plan for the Greater Golden Horseshoe (2020)

The Subject Lands are within the planning area subject to the Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”). The Growth Plan seeks to guide growth and development in the Greater Golden Horseshoe and to support the achievement of complete communities that are healthier, safer and more equitable.

The vision and guiding principles for growth and land use planning in the Greater Golden Horseshoe (“GGH”) are established in Section 1.2 of the Growth Plan. Broadly, these principles support the achievement of complete communities, efficient use of land and infrastructure, provision of a sufficient range and mix of housing options that recognize the needs of local communities, and the protection and enhancement of natural heritage and hydrologic features.

Section 2 of the Growth Plan contains the policy framework for managing growth in the GGH, and identifies that development be directed to settlement areas. In particular Section 2.2.1.2 of the Growth Plan states that,

Forecasted growth to the horizon of this Plan will be allocated based on the following:

- a) *the vast majority of growth will be directed to settlement areas that:*
 - i. *have a delineated built boundary;*
 - ii. *have existing or planned municipal water and wastewater systems; and*
 - iii. *can support the achievement of complete communities;*

- b) *growth will be limited in settlement areas that:*
 - i. *are rural settlements;*
 - ii. *are not serviced by existing or planned municipal water and wastewater systems; or*
 - iii. *are in the Greenbelt Area;*

The Subject Lands are located within the Settlement Area of the Town of Midland which is a fully serviced Settlement Area is identified as one of six Primary Settlement Areas within the County of Simcoe as per Schedule 8 of the Growth Plan. The Subject Lands are located outside of, but adjacent to the delineated built-up area, would utilize available municipal water and sanitary services and would support the achievement of complete communities.

Section 2.2.1.4 of the Growth Plan, among other items, directs that complete communities feature a diverse mix and range of housing options; expand convenient access to an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; mitigate and adapt to climate change impacts, and contribute to environmental sustainability; and integrate green infrastructure and appropriate low impact development.

The Proposed Development will contribute towards bolstering the available housing supply in the market area, and would provide convenient access to numerous parks and trails in the immediate area, the nearby Midland South Bus Route (**Figure 9**) as well as commercial uses to the west. There are no identified natural heritage or Species at Risk concerns with the Proposed Development and the Functional Servicing Report demonstrates that an efficient centralized stormwater management solution can be provided.

Section 2.2.6 of the Growth Plan provides policies related to Housing which generally support increased housing choice and achieving complete communities.

Policy 2.2.6.2 states:

Notwithstanding policy 1.4.1 of the PPS, 2020, in implementing policy 2.2.6.1, municipalities will support the achievement of complete communities by:

- a) planning to accommodate forecasted growth to the horizon of this Plan;*
- b) planning to achieve the minimum intensification and density targets in this plan;*
- c) considering the range and mix of housing options and densities of the existing housing stock; and,*
- d) planning to diversify their overall housing stock across the municipality.*

Policy 2.2.6.3 states:

To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

The Proposed Development conforms with the intent of these Housing policies as the it will serve to provide additional density and a greater range and mix of unit types beyond what is included in the current approved draft plan. Additionally the two new unit types introduced are both smaller lot types than what is currently provided within the approved draft plan providing for more affordable housing options within the Proposed Development.

Section 2.2.7 of the Growth Plan contains specific policy direction for Designated Greenfield Areas. In general, new development in designated greenfield areas is to be planned in a manner that supports the achievement of complete communities, supports various forms of active transportation as well as transit services.

Section 2.2.7.2 b) identifies that the minimum density target applicable to the designated greenfield areas for municipalities within Simcoe County among others, including the Town of Midland is 40 residents and jobs combined per hectare.

The County of Simcoe Official Plan goes beyond the minimum target established in the Growth Plan and establishes a specific Designated Greenfield Area minimum density target for the Town of Midland. The minimum density target for the Town of Midland is 50 residents and jobs per hectare. The developable and total area of the Site is 13.9 hectares, and the Proposed Development consists of one hundred and thirty-eight (138) single detached dwelling units, and one hundred and twenty-nine (129) townhouse units, for a total of two hundred and sixty-seven (267) units.

An average household size of 2.2 for the Town (2021 Census data) was used to determine the anticipated density for the Site. With a total of two hundred and sixty-seven (267) dwelling units proposed, this would result in an anticipated density of approximately 42.3 people per hectare which is in keeping with the density target which is to be applied at a Town wide basis. This

calculation also does not include or account for any jobs that would be provided through home based business or those working remotely.

Section 3 of the Growth Plan contains the infrastructure policies for the GGH. In general, these policies direct for an integrated approach to land use planning, infrastructure investments, and environmental protection to achieve the principles of the Growth Plan. As it relates to transportation, policies in Section 3.2.2 of the Growth Plan seek to plan transportation systems such that they, among other items, provide connectivity, offer a balance of transportation choices and are safe for system users.

The Site is proposed to be accessed through King Street to the west and through Pratt Avenue to the north. The provision of a connection to the subdivision to the north will allow for greater connectivity and enable residents to more readily utilize active forms of transportation to access parks and recreational facilities in the local vicinity as well as access the existing Midland South Bus Route (**Figure 9**) that runs along Galloway Boulevard and William Street just north of the Site.

As it relates to water and wastewater systems, Section 3.2.6 of the Growth Plan prioritizes efficiency within existing systems and the protection of water quantity and quality.

The Site is proposed to be serviced by existing municipal water and sanitary servicing, thereby promoting the efficient use of existing systems. As detailed in the Preliminary Functional Servicing and Stormwater Management Report outlined in **Section 5.1** of this Report, servicing and stormwater management has been designed in accordance with the Ministry of Environment Policies and Guidelines and will provide for the maintenance of water quality and quantity.

Section 3.2.7 of the Growth Plan speaks to stormwater management and identifies that development proceeding by way of a plan of subdivision will be supported by a stormwater management plan. A Preliminary Functional Servicing and Stormwater Management Report prepared to support of the Proposed Development, which confirmed that stormwater management can be achieved which maintains pre-development flows and infiltration volumes, as well as ensures quality and quantity control for upstream development.

Section 4.2.2 of the Growth Plan contains policies pertaining to key natural heritage features and the identified natural heritage system and their protection. The identified Natural Heritage System for the Growth Plan excludes lands within settlement area boundaries that were approved and in effect as of July 1, 2017, which would exclude the Midland Settlement Area including the Subject Lands. There are no identified key natural heritage features on the Subject Lands. A Species at Risk Assessment was completed by Azimuth in January 2019, concluded there were no concerns from a Species at Risk perspective and was accepted by the MNRF in correspondence dated July 16, 2019.

Furthermore the Environmental Impact Assessment completed by Azimuth dated July 2020 for the industrial lands (Orsi Lands) to the south where the centralized stormwater management pond is proposed to be located concluded that the proposed development on the industrial lands can be achieved with no negative impacts to significant natural heritage features and functions, including individuals and habitat of Endangered and Threatened species consistent with Section 2.1 of the PPS and Ontario's ESA.

The Town of Midland is located within the Simcoe Sub-area, and therefore the policies contained within Section 6 of the Growth Plan apply. Overall, Section 6 of the Growth Plan provides additional

policy pertaining to the allocation and management of Growth in Simcoe County, intended to foster livable communities, efficiently use of infrastructure, and protect the natural environment.

Section 6.2 of the Growth Plan further directs growth within the Simcoe Sub-area and identifies that through the next municipal comprehensive review, which is currently ongoing, Simcoe County will direct a significant portion of population and employment growth to lower-tier municipalities that contain primary settlement areas. As noted the Town of Midland is identified as a primary settlement area within Schedule 8 of the Growth Plan.

Section 6.3 of the Growth Plan contains policies for the Simcoe Sub-area about managing growth.

Schedule 8 identifies the Town of Midland and Town of Penetanguishene as one of the 7 identified primary settlement areas within the Simcoe Sub-area.

Policy 6.3.2 identifies that municipalities with primary settlement areas will through their official plans and other supporting documents identify and plan for strategic growth areas, plan to support the achievement of complete communities, and ensure the development of high quality urban form and public open spaces that create attractive and vibrant places that support walking and cycling for everyday activities and are transit-supportive.

The Proposed Development while not within an identified strategic growth area, will contribute towards the achievement of complete communities, active and transit supportive development and a high quality urban form. Large public open spaces through the Galloway Park were previously provided to the Town and are already in use as soccer fields. In addition, Urban Design and Architectural Control Guidelines have been prepared for the Proposed Development, which will contribute towards the provision of a high-quality built form and public realm.

Based on the above, it is concluded that the Proposed Redline Revision and Proposed Zoning By-law Amendment conform to the Growth Plan.

4.4 County of Simcoe Official Plan (2016)

The County of Simcoe Official Plan ("County OP") is the upper tier planning document that guides planning policy and development on a regional basis. At a broad level, the County OP seeks to protect the County's natural and cultural heritage, wisely manage resources, and promote efficient growth which achieves a high lifestyle quality, coordinate land use planning among lower tier municipalities and other jurisdictions, provide opportunities for economic development, and promote and enhance public health and safety.

The County OP is intended to play a critical role in guiding growth and development in the County of Simcoe over the next 20 years and provides a framework for coordinated planning with adjacent municipalities, agencies and other levels of government.

The Proposed Development is located within a Primary Settlement area, on land with existing approvals for residential development. The Site does not contain any significant natural or cultural heritage resources, and the Proposed Development will make efficient use of existing infrastructure in the Town of Midland.

Within the County OP the Subject Lands are designated 'Settlements', and are identified as outside of, but adjacent to, the 'Built Boundary' on Schedule 5.1 (**Figure 3**). The Growth Management Strategy for the County, as outlined in Section 3 of the County OP, is consistent with direction established in the PPS and Growth Plan and broadly directs that a significant portion of growth and development be directed to settlement areas, where it can be effectively serviced. The Town of Midland is recognized as a Primary Settlement Area in the County OP. In particular, Section 3.1.1 states that,

Direction of a significant portion of growth and development to settlements where it can be effectively serviced, with a particular emphasis on primary settlement areas.

Section 3.2 of the County OP provides the population and employment projections/allocations for the County. Consistent with the Growth Plan, the Town of Midland has been allocated a population of 22,500 by 2031.

It is noted at the time of writing this Report the County of Simcoe is currently working through the Municipal Comprehensive Review ("MCR") Process to plan for the growth allocations to 2051 that have been provided by the Province in Schedule 3 of the Growth Plan. The County adopted OPA No. 7 on August 9, 2022 which concluded "Phase 1" of the MCR and directed population and growth allocations to the lower tier municipalities within Simcoe County. OPA No. 7 as adopted has directed a population of 24,290 to the Town of Midland by 2051. It is understood OPA No. 7 is awaiting approval by the Province. Once OPA No. 7 is approved by the Province it is understood that the County will be proceeding with Phase 2 of the MCR process.

As it relates to servicing, Section 3.2.4 of the County OP states,

The majority of population and employment growth will be directed to settlement areas with full municipal water services and municipal sewage services. Limited growth will be permitted in settlement areas that are serviced by other forms of water and sewage services with appropriate studies provided to support the servicing systems proposed and in accordance with Section 4.7 of this Plan

The site is located within the Town of Midland, a Primary Settlement area, and will be fully serviced by municipal water and sanitary services. The Preliminary Servicing Report prepared by Jones Consulting Group Limited confirmed the capacity of such systems to accommodate the Proposed Development and is detailed in Section 5.1 of this Report. Additionally, the resulting density from the Proposed Redline Revision falls within the growth allocations for the Town.

Section 3.3 of the County OP outlines the General Development policies applicable to all land use designations in the County. As it relates to the subdivision of land, Section 3.3.2 states that,

Subdivision of land by plan of subdivision or consent, or plans of condominium, are permitted only for the land uses permitted in the designation or that maintain the intent of the Plan's objectives and policies.

The Site is located within the 'Settlement' designation in the County OP, an area intended to be the location of future growth and development. Furthermore, a Plan of Subdivision and a site specific Zoning By-law Amendment was approved for the subject lands in 2009. On this basis, the Proposed Development is consistent with the objectives of the County OP.

Section 3.3.15 of the County OP identifies natural heritage development policies of the County OP, generally prohibiting and discouraging development within specific natural heritage features. There are no identified natural heritage features on the Subject Lands. A Species of Risk Assessment was completed by Azimuth Environmental dated January 2019, concluded there were no concerns from a Species at Risk perspective and was accepted by the MNRF in correspondence dated July 16, 2019. Furthermore the Environmental Impact Assessment completed by Azimuth dated July 2020 for the industrial lands (Orsi Lands) to the south where the centralized stormwater management pond is proposed to be located concluded that the proposed development on the industrial lands can be achieved with no negative impacts to significant natural heritage features and functions, including individuals and habitat of Endangered and Threatened species consistent with Section 2.1 of the PPS and Ontario's ESA.

Stormwater Management is addressed in Section 3.3.19, however it is identified that more detailed stormwater management policies are generally contained within local Official Plans. The proposed Redline Revision stems from the relocation of the previously approved stormwater management pond on the Site to the industrial lands to the south. This revision will allow for one, large centralized pond to more efficiently service both sites. A Preliminary Servicing and Stormwater Management Report was prepared by Jones Consulting Group Limited in support of the Proposed Redline Revision and Zoning By-law Amendment and concluded that stormwater management has been designed to maintain pre-development flows and infiltration volumes, as well as ensure quality and quantity control for upstream development. A more detailed summary of the stormwater management solution can be found in **Section 5.1** of this Report.

Likewise, Section 3.3.20 of the County OP contains policies pertaining to the preparation of traffic impact studies ("TIS"). It is the requirement of the County, that where five (5) or more residential lots are proposed in a development application, that the proponent undertake and implement a TIS. A TIS was previously prepared for the approved Draft Plan of Subdivision on the subject lands, which concluded that the existing road network could adequately accommodate the additional traffic generated by the Proposed Development. An updated TIS was subsequently completed for the revised development concept which confirmed that the Proposed Development will not cause any operational issues and will not add significant delay or congestion to the local roadway network.

Section 3.5 of the County OP contains the policies and objectives for lands designated "Settlements" in the County OP. The Site is located within the settlement area of Midland.

Policies contained within Section 3.5 include:

3.5.1 To focus population and employment growth and development within settlements, with particular emphasis on primary settlement areas, in accordance with the policies of this Plan.

3.5.2 To develop a compact urban form that promotes the efficient use of land and provision of water, sewer, transportation, and other services.

3.5.4 To promote development forms and patterns which minimize land consumption and servicing costs

3.5.6 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 3.5.8. 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 and vibrant places that support walking and cycling for everyday activities and are transit-supportive.

3.5.7 Settlement areas shall be the focus of population and employment growth and their vitality and regeneration shall be promoted. Lands may only be redesignated from lands not for urban uses to lands for urban uses in accordance with Sections 3.5.8 or 3.5.10 of this Plan. Residential, commercial, industrial, institutional, and recreational land uses shall be developed within settlement area boundaries on land appropriately designated in a local municipal official plan for the use. Land use designation changes within settlement area boundaries do not require a County Official Plan amendment. The uses permitted in the land use designations within settlement area boundaries may be further restricted or prohibited in the local municipal official plans in order to facilitate urban development.

The site is currently designated and approved for residential development and the Proposed Development makes efficient use of lands within a primary settlement area. The Proposed Development provides for a compact built form through the introduction of smaller lot types, providing for increased density on an efficient grid road pattern, on full municipal services that is also conducive for promoting active transportation and supporting existing nearby public transportation as well as minimizing land consumption and servicing costs.

Policies relating to the Phasing of Development are outlined in Sections 3.5.14 and 3.5.15 of the County OP, and generally direct that the progression of development within a settlement area be based on a sustainable and logical progression of development. As such, development on designated greenfield areas should occur contiguous to or abutting the existing built boundary, and have consideration for the efficient use of infrastructure and public service facilities, and the achievement of complete communities.

The existing built boundary in the Town of Midland is located directly to the north, and consists of a residential subdivision, school and park, adjacent to the Site. The Proposed Development occurs in a contiguous manner with existing residential development and therefore represents a logical expansion to the existing built up area. The Proposed Development will make efficient use of infrastructure and public service facilities, and has been designed in a manner which is harmonious with the adjacent residential areas and character.

Section 3.5.23 notes that the development of designated greenfield areas in the County shall be based on specific density targets. The County OP states that development in the Town will be planned to achieve a minimum density target of 50 residents and jobs per hectare. As noted, the Proposed Development is anticipated to have a density of approximately 42.3 people per gross hectare, based on an average household size of 2.2 for the Town (2021 Census data). It is noted that these density calculations are in keeping with the density target that is to be applied on a Town wide basis. This calculation also does not include or account for any jobs that would be provided through home based business or those working remotely. The current Draft Plan of Subdivision approved for the Site has a density of approximately 35.55 people per gross hectare. It is evident the

modest proposed increased density provided through the Proposed Redline Revision and Proposed ZBA is in conformity with the intent of the County OP.

Furthermore, Section 3.5.29 of the County OP recognizes that development within designated greenfield areas should be compatible with adjacent residential areas, and that municipalities may apply measures such as transitional densities, built form and land uses, to ensure compatibility. While the Proposed Development is of a higher average density than the existing residential subdivision to the north which was built in the 1980's/90's, the Proposed Development ensures a comparable form with the existing subdivision to the north with deeper single detached lots backing onto the existing single detached lots to the north as well as tree preservation in the rear of lots 23-55 as per existing Draft Plan Condition 31 ensuring compatibility with the established residential character, while providing additional density where appropriate.

Policy outlined in Section 3.5.30 identifies that development in settlement areas contain a range of housing types, and a mix of affordable housing, to meet a variety of housing needs. The Proposed Development will contribute towards bolstering and diversifying the available housing supply in the Town through the provision of both single detached and townhouse units, on varying lot sizes and the introduction of new smaller lot types providing for some more affordable units within the community.

The Infrastructure: Sewage and Water Services policies are contained within Section 4.7 of the County OP which generally promote the use of full municipal services within settlement areas which will also facilitate the conservation and protection of ground and surface water quality and quantity. As demonstrated within the Preliminary Functional Servicing Report prepared by Jones Consulting Group Limited the Proposed Development can be adequately serviced with the existing full municipal services in a manner that meets all Town or other approval authority standards.

The Transportation policies are contained within Section 4.8 of the County OP, and seek to provide direction for a comprehensive and sustainable transportation network in the County. The Proposed Redline Revision generally maintains the approved road network for the Site and includes the development of three (3) new streets and the extension of Pratt Avenue. The Proposed Development will have connections to the broader community via King Street to the west, through the extension of Pratt Avenue to the north, as well as a future road connection to the northwest through Street 'C'. The proposed road represents a logical extension to the existing road network and will facilitate efficient traffic movement from the site.

Based on the above, it is concluded that the Proposed Redline Revision and Proposed Zoning By-law Amendment conform to the County OP.

4.5 Town of Midland Official Plan (2002)

On November 20, 2019, the Town of Midland adopted a new Official Plan. The new Official Plan was subsequently approved by the County on August 14, 2020 and came into effect on February 19, 2021 following modification and approval by the Local Planning Appeal Tribunal (LPAT), and subject to outstanding appeals. It is noted that the Owner has certain policies and schedules still under appeal on a site specific basis. In accordance with policy 7.21 d) of the new Town Official Plan, which has been modified and approved by the LPAT on a Town-wide basis (subject to outstanding site-specific appeals), the Zoning By-law Amendment and Redline Revision applications were deemed

complete in advance of the date of approval of the new Town Official Plan by the LPAT and therefore are required to conform only with the policies in-force at the time of the complete application. On this basis, the Town of Midland Official Plan (2002) was analyzed as part of this Report.

It is also noted that policy 7.21(f)5 is applicable to the Site. It states, in relevant part:

... Regardless of the existing development approvals for the identified properties, the requirements of the Endangered Species Act shall apply. The following sets out the specific transition policies for each of the listed properties

5. Pratt Development Inc. Draft Plan of Subdivision – File No. MD-T-0108

The current draft plan approval for the Pratt-Galloway subdivision will continue and the lands may be developed in accordance with the approval without the requirement for a further Environmental Impact Study or amendment to this Plan. Changes to the draft plan that do not significantly change the use, built form or density of the development shall not trigger the requirements for an Environmental Impact Study in respect of being the site of or being in the context of adjacent lands to the Natural Heritage designation. However, where the draft plan approval lapses or development is proposed that would significantly change the use, built form or density of the proposed development, the Natural Heritage designation policies shall apply.

While it is understood that this policy is currently under site-specific appeal by the Owner, it is our opinion that the proposed changes to the draft plan do not significantly change the use, built form or density of the development.

The Subject Lands are designated 'Residential District' on Schedule A of the Town of Midland Official Plan ("Town OP") with a small portion of the western tip of Street 'A' where it connects to King Street designated 'Employment Areas' (see **Figure 4**). It is also noted the adjacent industrial lands to the south where the centralized stormwater management pond is located are entirely designated 'Employment Areas'. The purpose of the Town OP is to manage and direct physical change and its effects on the social, economic and natural environment in the Town in a manner which implements the vision for Midland. Overall, the vision for the Town seeks to reflect the natural beauty of the region, while offering its residents and visitors economic opportunity and prosperity while maintaining a high level of protection for the lifestyle and environment.

Section 2.3 of the Town OP contains housing policies which identify the goal of providing a diversity of housing in the Town. Specifically, Section 2.3.1 states that,

It is a goal of this Plan to provide for residential land development, which will offer a wide variety and choice of accommodation. The Town acknowledges the need to ensure the provision of an adequate supply and variety of housing, including affordable housing with different forms and levels of tenure and cost.

Additionally, Section 2.3.2 states that,

It is important to maintain and improve the existing housing stock and to allow for the appropriate intensification of new and innovative housing.

The Proposed Development contains a mixture of single-detached and townhouse dwelling units, on several lot types and will contribute towards further diversifying the variety of housing stock in

the Town. Furthermore, with the relocation of the stormwater management pond, the Proposed Redline revision will now consist of an additional sixty-five (65) residential units including the introduction of new smaller lot types. This modification will contribute towards bolstering the provision of housing in the Town through appropriate intensification on the Site.

Community design is addressed in Section 2.4 of the Town OP and policies broadly seek to ensure the delivery of high standard of design and quality built form in the Town, that evoke a desirable image and sense of place. As it relates to the Proposed Development, and the community design goals, the following objectives are identified:

2.4.1 The Town recognizes the value of having the highest quality of built and natural environments. In addition to a distinctive physical form, many social, economic and environmental benefits are realized by well-designed environments.

2.4.2 As the Town grows and evolves an exemplary standard of design excellence must be promoted when the basic elements including streets, parks, public places, business uses, institutional facilities and residential neighbourhoods, are constructed.

2.4.3 The Community Design policies focus on important design features. These features have been translated, below, into objectives, which set out the Town's overall approach to community design. Council will promote developments, which through their adherence to principles of high quality community design will produce built environments that evoke a desirable image and sense of place.

2.4.4 To achieve the Community Design goals, the Town will pursue the following objectives when considering development and redevelopment:

2.4.4.1 Encourage private and public developments to provide an integrated mix of uses, activities and experiences;

2.4.4.2 Encourage, through the design process, the need to preserve, protect and enhance the natural environment of the land and adjacent bodies of water;

2.4.4.3 Encourage the creation of an overall physical form related to pedestrians and cyclists;

2.4.4.4 Encourage the design of road patterns, buildings and spaces which makes it easy for pedestrians and vehicles to move efficiently;

2.4.4.5 Encourage the implementation of disability design features;

2.4.4.6 Encourage developments that fit within the surrounding neighbourhood which consider the uses, massing, height, scale, architecture and details of adjacent buildings;

2.4.4.7 Encourage the creation and preservation of landmarks and other distinctive elements including buildings, open spaces, landscapes and natural features;

2.4.4.8 Encourage developments that can be used for a variety of purposes and which can adapt over time to changing circumstances and opportunities.

2.4.5 To implement the above, Council will require development to be designed and built in accordance to Section 4.0, Amenity and Design.

The Proposed Development generally maintains the road pattern from the approved Plan of Subdivision which includes a grid-like pattern and connections to both the existing residential area to the north and King Street to the west. The proposed road network maintains consistencies with the existing residential development to the north and will facilitate safe and efficient movement of all road users. Furthermore, the Proposed Development has been designed in a manner which is compatible and harmonious with surrounding land uses, while providing a mix of residential unit types. For example, the northern site boundary features single detached units on deeper lots and a lot fabric which is similar to the existing residential development to the north. The higher density townhouse units have been generally sited on the more southern blocks in the Proposed Plan of Subdivision which will allow for a gentle transition to increased density between the two developments. Furthermore, the distribution of unit types within the Proposed Development will provide for an appropriate distribution of density and will balance the streetscape through the provision of a more varied built-form. To provide greater compatibility with the industrial lands to the south, increased depth has been afforded to the lots and blocks that abut the industrial lands and the relocation of the stormwater management pond will provide additional buffering and separation than the currently approved draft plan provides. Urban Design and Architectural Control Guidelines have also been prepared for the Proposed Development with the purpose of establishing a framework of design criteria for the appearance of new housing and streetscapes within the Proposed Development. The Urban Design and Architectural Control Guidelines have been developed with consideration of the relevant policies of the Town OP, including Section 2.4.

As noted, the Subject Lands are designated 'Residential District' in the Town OP. The land use policies pertaining to the 'Residential District' designation are outlined in Section 3.3 of the Town OP. Overall, the 'Residential District' designation is intended to allow for a variety of housing types and densities, with the objective to provide opportunities for affordable, accessible and adequate housing for the needs of the community. The locations for low, medium and high-density residential uses shall be determined through the policies of the Town OP and implemented through the Town Zoning By-law.

The Town OP permits the residential uses proposed, and the site is currently zoned for a mixture of single-detached and townhouse uses. However, due to the Proposed Redline Revision, a Zoning By-law Amendment is required to permit residential development in the location of the former stormwater pond, as well as facilitate the introduction of the two new smaller lot sizes as well as modifications to the lot layout in several locations.

In accordance with the policy direction for the 'Residential District' designation, Section 3.3.1 of the Town OP establishes the following objectives:

- a) To create, maintain and enhance residential areas, which foster a sense of neighbourhood, character and belonging and to protect these areas from inappropriate development.*
- b) To encourage a high standard of community design in existing and future residential development such that the overall image of the community is enhanced and that residential areas present a harmonious integration of housing types. New subdivision and condominium developments are encouraged to incorporate traditional neighbourhood design elements that would respect and reflect the character of the existing community. Refer to Section 4, Amenity and Design for additional policies. (CM #1)*

- c) *To encourage the provision of a broad range of housing styles including affordable and rental housing types, and to consider incentives which would foster such development.*
- d) *To encourage innovative development, re-development and intensification, particularly in older established neighbourhoods, to satisfy market requirements.*
- e) *To foster and encourage the development of residential uses where appropriate community and commercial facilities can be provided.*

The permitted uses within the 'Residential District' are typical of those in a residential area and include all forms of housing. The Proposed Redline Revision includes both single detached and townhouse dwelling units including the introduction of two new smaller lot types, which will allow for intensification in a manner compatible with the established residential neighbourhood to the north. Overall, the Proposed Development will facilitate the provision of a broader range of residential units in the Town, in a location where such uses can be supported.

Section 3.3.3 of the Town OP addresses housing supply and states that housing forms and appropriate densities generally will be encouraged. Specifically, Section 3.3.3 (b) states that:

Housing forms and appropriate densities that facilitate affordable housing generally will be encouraged. Where site and design elements permit and are deemed suitable, an increase in density may be considered, notwithstanding the applicable subsections

As noted, the Proposed Development does not include any purpose built "affordable housing". However, the introduction of the smaller single detached and townhouse lot sizes will assist in delivering a more affordable housing product to the local market for those unit types based on reduced land and construction costs. It is noted the proposed increase in density over the existing approved plan is modest and appropriate for the Site.

Section 3.3.4 of the Town OP contains policies related to Low Density Residential including:

- a) *Low Density Residential development shall consist of single detached, semi-detached, linked semi-detached and duplex dwellings.*
- b) *Low Density Residential uses on full municipal services generally should not exceed a density of 18 units per net hectare (7 u.p.n. acre) for detached dwellings and 25 units per net hectare (10 u.p.n. acre) for semidetached, linked semi-detached and duplex dwellings.*

Section 3.3.6 addresses Medium Density Residential development and states that:

- a) *Medium Density Residential development shall consist of single detached, semi-detached, linked semi-detached, duplexes, triplexes, fourplexes, townhouses, street townhouses and similar multiple dwellings.*
- b) *Medium Density Residential uses shall be connected to full municipal services and should generally not exceed 30 units per net hectare (12 u.p.n. acre).*

Section 3.3.6 a) identifies medium density residential development as including single detached and townhouse dwellings. Accordingly, in the context of the Town OP, the Proposed Development

would be categorized as medium density residential. In accordance with Section 3.3.6 b) medium density residential uses are to be connected to full municipal services and should generally not exceed 30 units per net hectare. While existing zoning for the site permits medium density development, a further Zoning By-law Amendment is required for the Proposed Redline Revision to permit the two new lot types with reduced frontages and areas. Accordingly, Section 3.3.6 c) of the Township OP states that,

Medium Density Residential uses may be permitted, by amendment to the Zoning By-law, subject to the following:

- i) Consideration must be given to the eventual community structure, desirability and fit of the proposed use. The potential impact of such development on adjacent residential uses and appropriate design features such as setbacks, height, buffering, landscaping, building style, treatment and layout, in harmony with the neighbourhood, will form important components in the approval process.*
- ii) The site should be well suited in terms of amenities such as schools, parks, recreational facilities, shopping, parking, public transportation, traffic circulation and surrounding transportation features.*
- iii) The site should have direct access to arterial or collector roads or be located in the immediate vicinity of such roads.*
- iv) Medium density development may be encouraged in and adjacent to the Downtown District.*
- v) Medium density residential uses should be subject to site plan control as set out in Sections 8.8 and 3.1.5 e).*

The Proposed Development will be connected to full municipal services and has a proposed density of approximately 26.0 units per net hectare. This represents an increase in 1.5 units per net hectare compared to the current approved draft plan which has a density of 24.5 units per net hectare. It is noted that net density is not defined in the Town OP and for the purposes of calculating net density, roads, stormwater management blocks, walkway blocks and reserves were excluded from the net density calculation. As noted, several design considerations have been incorporated into the Proposed Development to provide compatibility with adjacent land uses. These include, maintaining a consistent lot fabric and unit type with lands to the north, siting townhouse units deeper on the site, providing greater depth for lots adjacent to the industrial lands to the south to allow for increased separation, and locating the stormwater management pond on the northern extent of the industrial lands to provide increased separation and natural buffering. Further, several large parks and community facilities are located in proximity to the site, and the proposed road network will provide direct access to King Street, an arterial road. The potential requirement for Site Plan Control for any of the proposed dwelling units will be discussed further with Town Staff.

The land use policies pertaining to the 'Employment Areas' designation are outlined in Section 3.1 of the Town OP. While the majority of the Proposed Development is designated 'Residential District', a small area at the extreme west end of Street 'A' where it connects to King Street as well as the proposed centralized stormwater management pond located on the industrial lands to the south are both designated 'Employment Areas'. It is noted that both of these uses are permitted within

the 'Employment Areas' designation as "open space and similar public uses" within Section 3.1.3 c). It is also noted "public uses" are permitted within all zones within the Town Zoning By-law.

Section 4 of the Town OP contains policies which address amenity and design matters including the following:

4.2.1 Through effective community design, the Town can foster an image of Midland that recognizes and promotes the high quality of the natural and built environment.

4.3.1.3 Encourage the protection of mature trees of esthetic and heritage value;

4.3.1.4 Encourage the use of plant materials to create visual variety and to satisfy functional requirements, such as shade, screening, sound attenuation, buffering and stabilizing slopes;

4.3.2 When considering a Plan of Subdivision or any other development proposal, the Town may require that the owner enter into an agreement whereby:

4.3.2.1 Only such trees which directly impede the construction of buildings and services should be removed and the developer will replace them by trees of sufficient maturity to enhance the appearance of the development;

4.3.2.2 A reasonable minimum number of trees and/or other suitable vegetation per lot shall be provided by the developer regardless of the state of the area prior to being subdivided;

Urban Design and Architectural Control Guidelines have been prepared for the Proposed Development which seek to guide high quality design and built form in the Proposed Development. Furthermore, a Tree Preservation Plan is being completed for the Site which will identify trees to be retained as part of the Proposed Development. While engineered grading requirements will limit tree preservation to the boundary of the Site, a conceptual landscaping plan has been prepared which identifies where plantings will be provided through the Proposed Development. Such details will be confirmed through the required landscape plans through the detailed design process in coordination with other detailed design considerations (utility placement, driveway locations etc).

Section 4.4.4 addresses Development and Subdivision Design and includes the following policies:

An objective of development and subdivision design is to ensure a sufficiently compact form, appropriately integrated with the Town's existing built form, and features. Development and subdivision design should establish attractive physical settings that support a range of activities and pedestrian environments. The Town shall:

4.4.1.1 Encourage designs and patterns for streets and arterials that provide appropriate access and integration for vehicles, pedestrians and cyclists.

4.4.1.2 Encourage designs of streets, arterial roads, blocks and lots that create a circumstance supporting comfortable, safe and barrier free pedestrian activity and movement both within and beyond the development.

4.4.1.3 Encourage new subdivision streets and arterial roads that generally align on a grid or modified grid pattern in order to create development blocks appropriately sized for their intended use and possible future uses.

4.4.1.4 Encourage the involvement of the appropriate education authority, particularly within the Secondary Plan process, in the planning of school facilities and the evaluation of existing educational facilities and services, to serve new and existing development.

4.4.1.5 Encourage designs to promote public safety which includes reducing reverse lotting that requires privacy fencing along arterial roads.

4.4.1.6 Encourage designs, which properly position and landscape snow storage areas, solid waste disposal containers and group mail boxes.

The Proposed Redline Revision will slightly modify the existing approved road network for the Site with the extension of Street 'B' further to the west to provide road access through the newly acquired southwest parcel acquired from the Town as well as the elimination of the Pratt Avenue road stub to the industrial lands to the south. The proposed road network provides access to King Street via a proposed Street 'A' to the west and an extension of Pratt Avenue to the north as well as a future road connection to the northwest via Street 'C'. Overall, three (3) new roads are proposed on a modified grid pattern, providing desirable block lengths and safe movement within and beyond the development. No lots are proposed along King Street, an arterial road.

Further policies relating to streetscapes are described in Section 4.5 of the Town OP and include the following:

4.5.1 Streets should be designed to contribute to the character of the immediate area and provide a high level of amenities. The Town should:

4.5.1.1 Encourage street landscape design to compliment adjacent built forms and open spaces to provide shade and visual interest in all seasons.

4.5.1.2 Support where appropriate, the use of sidewalks.

4.5.1.3 Promote the underground placement of electrical power lines, telephone and other utilities and cables wherever practical

As noted, Urban Design and Architectural Control Guidelines have been prepared for the Proposed Development with the objective of establishing a framework of design criteria for the appearance of new housing and streetscapes within the Proposed Development. Section 2.6 of the Urban Design and Architectural Control Guidelines provides direction on streetscapes within the Proposed Development including tree planting, lighting and utilities, among other matters, and has been developed in consideration of the built form proposed. Sidewalks will be provided through the Proposed Development as outlined on the Active Transportation and Pedestrian Circulation Plan included in the Urban Design and Architectural Control Guidelines. It is noted exact details on proposed landscaping, driveway placement and utility design/location will be coordinated through the detailed design process.

It is noted that the Subject Lands are adjacent to lands designated for industrial type uses. As such, the buffering policies outlined in Section 4.6 of the Town OP must be contemplated. Sections 4.6.1 and 4.6.2 include the following provisions with respect to buffering,

4.6.1 Appropriate buffering should be required where there may be a negative impact on the enjoyment of adjacent uses. Buffering should be appropriate for the circumstances and may include the following:

4.6.1.1 Landscaped strips including rows of trees and bushes and grassed areas.

4.6.1.2 Perforated or solid walls, fences, or other appropriate screenings.

4.6.1.3 Appropriate distance between uses.

4.6.1.4 Berms, particularly around parking lots.

4.6.2 Attention is required concerning adjoining residential and non-residential uses, particularly those characterized by traffic, trucks, noise, fumes and other circumstances which may negatively affect the residential amenity. The following should be given due consideration.

4.6.2.1 Restriction of adjacent parking, loading, unloading and outside storage.

4.6.2.2 Regulation of lighting and signs so that light is focused and/or directed away from the residential uses.

To ensure adequate buffering between the residential uses in the Proposed Development and any future industrial uses on the lands to the south, all lots along the southern property line have been provided with additional depth and the stormwater management pond has been relocated to the northern boundary of the industrial lands. This will allow for greater separation and buffering between uses and a reduced likelihood of negative impacts. It is anticipated that fencing will be provided along this southern boundary to further buffer and screen any future industrial uses as outlined in the Conceptual Landscape and Fencing Plan. Furthermore, future industrial/commercial type uses permitted in the M1 zone to the south will be required to go through site plan control where additional buffering requirements can be implemented as appropriate depending on the nature of the specific use, scale and form of each adjacent industrial/commercial lot as they develop in the future. It is also proposed that as a condition of draft plan approval a Holding provision will be required to be placed on the Employment Blocks (Blocks 1-5) on M1 zoned lands to the south. The condition to remove the Holding Provision (where applicable) on the individual blocks would be to demonstrate conformity with Provincial D-6 Compatibility between Industrial Facilities Guidelines to ensure the wide range of uses within the M1 Zone are appropriately located as it relates to the residential lands. It is proposed that the inclusion of any Holding Provision, where appropriate, be completed as a condition of draft plan approval to ensure this is in place prior to registration of the industrial draft plan. In addition, it is noted that Subject Lands have been designated, zoned and draft plan approved for residential uses for many years and the industrial lands to the south have also been designated and zoned for industrial uses for many years. Compatibility was previously determined to be acceptable with respect to the appropriateness of having residential uses adjacent to the zoned industrial lands.

Schedule B of the Town OP identifies “Future Trails” along the northern bounds of the Site. Section 4.9 of the Town OP contains policies related to Schedule B including Section 4.9.15 which addresses Recreational Trails:

4.9.15.7 New residential subdivisions should, where appropriate, link the various trail systems to provide continuous off-road trails and public access.

4.9.15.8 Proposed development abutting trail system corridors should be designed and buffered so as to minimize potential negative impacts.

4.9.15.9 The recreational trail systems set out the general location of existing and future trails. The precise location of trails is not intended and variations to the general intent of the map will not require an amendment. As trails are developed these can be added to the map schedules without the need for a formal amendment.

A potential multi-use trail is proposed to the south of the Site within the easement separating the Proposed Development from the industrial lands to the south. The location of this potential multi-use trail is outlined in the Active Transportation and Pedestrian Circulation Plan included within the Urban Design and Architectural Control Guidelines. This potential trail would provide additional public access linkages within the community and could be suitably buffered from residential uses to the north through the provision of fencing. In addition, the Proposed Development will provide pedestrian connections through the Subject Lands through the road and sidewalk extensions as well as the walkway blocks to the north, south and east that are proposed.

With respect to transportation the Town OP contains policies in Section 6 which seek to provide a road network which can accommodate the predicted volume of traffic in a safe and efficient manner.

As noted, the Proposed Redline Revision will largely utilize the road network approved in the Draft Plan of Subdivision for the site. Some minor modifications are proposed to the existing road network through the Proposed Redline Revision including the extension of Street ‘B’ to the west through the additional lands now incorporated into the Site as well as the elimination of the Pratt Avenue future road stub to the south. A traffic impact study was prepared in support of the approved Draft Plan of Subdivision which determined that the proposed road network could appropriately service the anticipated traffic volumes from the residential development. While the Proposed Development will provide a further sixty-five (65) residential units, the additional traffic generated from this revision is not anticipated to alter the conclusions of the traffic impact study and an updated traffic impact study was determined to not be required through discussion with Town staff. The proposed road network will allow for the safe and efficient movement of road users, and all roads will be developed to municipal standards.

Further policies related to street design and pedestrian mobility are outlined in Section 6, including:

6.3.7 All new roads and streets should be provided with curbs, gutters and storm sewers. Sidewalks should also be provided on at least one side of arterials, collectors and local streets.

6.5.1.1 New land development will have regard for the provision of pedestrian routes which link centers of activity within and beyond the subject sites;

6.5.1.2 Pedestrian and bicycle routes should be dedicated and form part of the public right of way system;

The new streets proposed will be designed in accordance with Town standards through the detailed design process and will have sidewalks on at least one side of all streets within the Proposed Development. As outlined on the Active Transportation and Pedestrian Circulation Plan, numerous points of pedestrian connection are proposed through the Proposed Development which will provide for enhanced linkages within and beyond the site.

Section 7 of the Town OP contains policies pertinent to engineering services, such as water and sanitary servicing, and stormwater management. With respect to servicing, Section 7.1.1 states that,

It is a policy that all development be provided with municipal water, sanitary sewers and a storm water drainage system.

The Proposed Development will be serviced by municipal water and sanitary systems, and will be provided with a stormwater drainage system. A Preliminary Servicing Report and Stormwater Management Plan was completed for the Proposed Redline Revision and is respectively detailed in Section 5.1 of this Report.

With respect to stormwater management, Section 7.6.1 of the Town OP states that,

The effects and impact of stormwater management and quality control form an integral and important part of development, redevelopment and public works. As such, stormwater management should be an important part of any development consideration.

Section 7.6.3.4 of the Town OP states that,

Stormwater management plans are required for all new Plans of Subdivision, may be required for developments under Site Plan Control and may be required for developments, which by their nature, magnitude or location have a potential for negative impact on the drainage area. The proposed stormwater management plan shall be acceptable to the relevant agencies and bodies having jurisdiction and shall be designed in accordance with any Town design standards, and if applicable, the Master Drainage Plan for the sub watershed area. In the absence of a Master Drainage Plan, the stormwater management plan should address such matters as best management practices, consideration of watershed flow regimes and headwater areas, stormwater flow control, centralized facilities, erosion control during and after construction, impact on groundwater resources, maintenance of base flow and storage levels and effects on water quality including temperature, wild life, fisheries and the implementation of any mitigating measures.

Furthermore section 7.6.3.8 states that,

Developments, which may impact surface drainage, shall provide comprehensive plans detailing methods of treating stormwater and discharging it to a receiving watercourse and any impact on affected properties

With Section 7.6.3.9 stating that,

No Official Plan Amendment, Zoning By-law Amendment or Plan of Subdivision shall be approved if the proposed development would have a significant adverse impact on surface drainage.

In accordance with Sections 7.6.3.13 and 7.6.3.14, post development peak stormwater runoff should be limited to predevelopment levels, with groundwater quality maintained and groundwater recharge promoted.

A hybrid wet pond/dry pond stormwater management facility and storm sewer network is proposed to convey and manage stormwater on the Site and surrounding lands. The stormwater management plan for the Proposed Development has been designed to maintain predevelopment flows and infiltration volumes, as well as ensure quality and quantity control for upstream development. A more detailed description of the stormwater management plan for the Proposed Development is contained within Section 5.1 of this Report.

Based on the above, it is concluded that the Proposed Redline Revision and Proposed Zoning By-law Amendment conform to the Town OP.

4.6 Town of Midland Zoning By-law

The Town of Midland Zoning By-law (the "Town ZBL") is applicable to the Site. The Site is currently zoned "Open Space (OS)", "Residential Townhouse Exception- 9 (RT-9)", "Residential Exception-16 (R2-16)", and "Residential Exception-17 (R2-17)" in the Town ZBL (**Figure 5**). The current zone provisions applicable to the site are outlined in Table 1. The current zoning is reflective of the approved Draft Plan of Subdivision for the Subject Lands, and a Zoning By-law Amendment is required to permit certain modifications that have resulted from the Proposed Redlined Revision.

As outlined in Section 2.3 of this Report, the Proposed ZBA includes the following:

- Rezone portions of the site to a new "Residential Exception-XX (R2-XX) Zone" to permit a new smaller single detached dwelling lot type with 10m lot frontages and a new "Residential Townhouse Exception-XX (RT-XX) Zone" to permit a new townhouse dwelling lot type with 6m lot frontages;
- Rezone the location of the stormwater management pond in the current, approved Draft Plan of Subdivision from "Open Space (OS)" to "Residential Exception-17 (R2-17)" to permit single detached dwellings;
- Amend the existing "Residential Exception-17 (R2-17)" Zone to permit a minimum lot area of 330 m² to account for the variation in certain lot depths to +/- 30 metres;
- Rezone various components of the Site to "Residential Townhouse Exception- 9 (RT-9)", "Residential Exception-16 (R2-16)", and "Residential Exception-17 (R2-17)" Zones to align with the revised lot layout in the Proposed Redline Revision; and
- Introduce a R2-17(H) Zone for three (3) lots fronting on Street 'C', with removal of the holding symbol subject to the construction and extension of "Street C" as a through road connecting to an adjacent municipal street to the north.

The zoning resulting from the Proposed ZBA is included as **Figure 6** to this Report.

Table 1 – Current Zone Provisions

| Town of Midland Zoning By-law 2004-90 | | | |
|---|---|---|---|
| | R2-16 Zone | R2-17 Zone | RT-9 Zone |
| Minimum Lot Area | 460 m ² | 400 m ² | 220m ² /DU |
| Minimum Lot Frontage | 15.0 m | 12.0 m | 7.6 m |
| Maximum Lot Coverage | 40% | 40% | 40% |
| Minimum Yard Setbacks | | | |
| (a) Front | 6.0 m | 6.0 m | 5.5 m |
| (b) Rear | 7.6 m | 7.6 m | 7.6 m |
| (c) Interior Side | 1.22 m | 1.22 m | 1.22 m |
| i. Common Wall | - | - | 0.0 m |
| (d) Exterior Side | 4.5 m | 4.5 m | 4.5 m |
| Maximum Building Height | 11.0 m | 11.0 m | 11.0 m |
| Minimum Building Setback for a Yard Abutting an Industrial (M1) Use | - | - | 20.0 m |
| 4.1.5 – Parking Spaces Required | 1 per dwelling unit | 1 per dwelling unit | 1 per dwelling unit |
| 4.1.7.1 – Maximum width of driveway accessing residential lot | 3.5 m where lot frontage is 9 metres or less 50% of the lot frontage to a maximum of 8.5 m where frontage is greater than 9 metres | 3.5 m where lot frontage is 9 metres or less 50% of the lot frontage to a maximum of 8.5 m where frontage is greater than 9 metres | 3.5 m where lot frontage is 9 metres or less 50% of the lot frontage to a maximum of 8.5 m where frontage is greater than 9 metres |
| 4.1.7.2 – Maximum number of driveways | One driveway per lot (or unit in the case of a block of townhouses) | One driveway per lot (or unit in the case of a block of townhouses) | One driveway per lot (or unit in the case of a block of townhouses) |

The introduction of two new site specific zones, the “Residential Exception-XX (R2-XX) Zone” and the “Residential Townhouse Exception-XX (RT-XX) Zone”, is required to accommodate two (2) new lot types included in the Proposed Redline Revision. These new lot types include a 10 metre single-detached lot and a 6 metre townhouse unit. Currently, the R2-17 Zone for the site permits a minimum lot frontage of 12 metres, while the RT-9 Zone permits a minimum lot frontage of 7.6 metres. Accordingly, new site specific provisions are being requested to permit lots with reduced frontages of 10 metres and 6 metres respectively. Likewise, a site specific provision is also being requested to permit minimum lot areas below what is currently permitted in the R2-17 and RT-9 Zones. A maximum lot coverage of 40% is also requested, which is in keeping with the existing site specific provisions for the site. The site specific provisions requested through the Proposed ZBA are outlined in Tables 2 and 3. An amendment to the existing “Residential Exception-17 (R2-17)” Zone is also being requested to permit a minimum lot area of 330 m². This reduction from the current

minimum lot area of 400 m² is to account for the variation in certain lot depths in the Proposed Development to +/- 30 metres

Overall, the inclusion of these lots types will allow for the provision of additional residential units on the site, which will facilitate additional intensification and a more efficient use of the lands. Furthermore, the introduction of the smaller lot and unit types will allow for the provision of a more affordable housing product, and will further diversify the residential units available in the Proposed Development, and the broader market area. In this respect, the Proposed ZBA is consistent with the policy directives established in the Town OP.

Table 2 – Proposed R2-XX Zone and amended R2-17 Zone

| Town of Midland Zoning By-law 2004-90 | | | |
|---|---|---|---|
| | R2-16 Zone | R2-17 Zone | R2-XX Zone |
| Minimum Lot Area | 460 m ² | 330 m² | 330 m² |
| Minimum Lot Frontage | 15.0 m | 12.0 m | 10.0 m |
| Maximum Lot Coverage | 40% | 40% | 40% |
| Minimum Yard Setbacks | | | |
| (e) Front | 6.0 m | 6.0 m | 6.0 m |
| (f) Rear | 7.6 m | 7.6 m | 7.6 m |
| (g) Interior Side | 1.22 m | 1.22 m | 1.22 m |
| i. Common Wall | - | - | - |
| (h) Exterior Side | 4.5 m | 4.5 m | 4.5 m |
| Maximum Building Height | 11.0 m | 11.0 m | 11.0m |
| Minimum Building Setback for a Yard Abutting an Industrial (M1) Use | - | - | - |
| 4.1.5 – Parking Spaces Required | 1 per dwelling unit | 1 per dwelling unit | 1 per dwelling unit |
| 4.1.7.1 – Maximum width of driveway accessing residential lot | 3.5 m where lot frontage is 9 metres or less 50% of the lot frontage to a maximum of 8.5 m where frontage is greater than 9 metres | 3.5 m where lot frontage is 9 metres or less 50% of the lot frontage to a maximum of 8.5 m where frontage is greater than 9 metres | 3.5 m where lot frontage is 9 metres or less 50% of the lot frontage to a maximum of 8.5 m where frontage is greater than 9 metres |
| 4.1.7.2 – Maximum number of driveways | One driveway per lot (or unit in the case of a block of townhouses) | One driveway per lot (or unit in the case of a block of townhouses) | One driveway per lot (or unit in the case of a block of townhouses) |

Table 3 – Proposed RT-XX Zone

| Town of Midland Zoning By-law 2004-90 | | |
|--|--|---|
| | RT-9 Zone Street Townhouse Provisions | RT-XX Zone Street Townhouse Provisions |

| | | |
|---|---|---|
| Minimum Lot Area | 220m ² /DU | 190m²/DU |
| Minimum Lot Frontage | 7.6 m | 6.0 m |
| Maximum Lot Coverage | 40% | 40% |
| Minimum Yard Setbacks | | |
| (i) Front | 5.5 m | 5.5 m |
| (j) Rear | 7.6 m | 7.6 m |
| (k) Interior Side | 1.22 m | 1.22 m |
| i. Common Wall | 0.0 m | 0.0 m |
| (l) Exterior Side | 4.5 m | 4.5 m |
| Maximum Building Height | 11.0 m | 11.0 m |
| Minimum Building Setback for a Yard Abutting an Industrial (M1) Use | - | - |
| 4.1.5 – Parking Spaces Required | 1 per dwelling unit | 1 per dwelling unit |
| 4.1.7.1 – Maximum width of driveway accessing residential lot | 3.5 m where lot frontage is 9 metres or less 50% of the lot frontage to a maximum of 8.5 m where frontage is greater than 9 metres | 3.5 m where lot frontage is 9 metres or less 50% of the lot frontage to a maximum of 8.5 m where frontage is greater than 9 metres |
| 4.1.7.2 – Maximum number of driveways | One driveway per lot (or unit in the case of a block of townhouses) | One driveway per lot (or unit in the case of a block of townhouses) |

A second component of the Proposed ZBA is to rezone the location of the currently approved stormwater management pond from “Open Space (OS)” to “Residential Exception-17 (R2-17)”. As noted, the Proposed Redline Revision stems from the relocation of the stormwater management pond from the Site to the industrial lands to the south. With a stormwater management pond no longer required to be located on the Site, additional residential units can be accommodated. The Redline Revision proposes four (4) 12 metre single-detached lots in the location of the former stormwater management pond. As such, the Proposed ZBA seeks to rezone this area from the OS Zone to the R2-17 Zone.

Lastly, the Proposed Redline Revision and the introduction of new lot types have resulted in several minor modifications to the overall lot layout. These revisions have necessitated slight adjustments to the zone boundaries on Site to ensure that the various lot and unit types have appropriate and reflective zoning. It is submitted that the Proposed ZBA, is in keeping with the intent of the Town ZBL and the existing zoning approved for the Site.

The Proposed Development will comply with all applicable general provisions.

Based on the above, it is concluded that the Proposed ZBA is consistent with the policy directive established in the Town OP and is in keeping with the approaches and intent of the Town ZBL.

5.0 SUPPORTING STUDIES

5.1 Preliminary Servicing & Stormwater Management Report

A Preliminary Servicing & Stormwater Management Report was prepared by Jones Consulting Group in August 2020 to review how the Proposed Development would be serviced with respect to sanitary and water services, as well as stormwater infrastructure. The Report was subsequently updated in November 2022 to reflect the revisions to the Proposed Development. Overall, the Proposed Development is to be connected to existing municipal sanitary and water systems, with municipal storm sewer infrastructure proposed to convey drainage from the existing development north, east and west of the Site, through the development to the proposed stormwater management facility on the industrial lands.

5.1.1 Sanitary Servicing

As it relates to sanitary servicing of the Proposed Development, internal sanitary flows are proposed to be conveyed via gravity sewer to the existing 450mm sanitary trunk draining north-east along the southern boundary of the Site, and outfalling to the existing sanitary trunk located at William Street. Sewage will then be conveyed to the Town's Bay Street Sewage Treatment Plant via existing sanitary sewers on William Street. There are no known concerns related to capacity.

The proposed sanitary servicing has been sized to accommodate external flow from the existing development to the north and will consist of two (2) connections at Pratt Avenue and the proposed sanitary easement which will collect flows from Park Avenue. Sewers have been appropriately sized to convey the required flows from the Proposed Development, and will meet the velocity requirements established by the Town.

5.1.2 Water Servicing

To ensure the provision of domestic water services in the Proposed Development, two (2) connections to the existing municipal water system are proposed. Overall, the proposed connections would occur at the existing watermains on King Street and Pratt Avenue, which would facilitate the development of a fully looped water distribution system.

Fire hydrants will also be provided at locations within the Proposed Development to meet the Town's Fire Department requirements for suppression coverage

Based on the water design flows and discussion with Town Staff, it is anticipated that the Town's water system has sufficient capacity to service the Proposed Development. A Water System Analysis (WSA) will be completed at the detailed design stage to confirm watermain sizing and requirements to ensure the supply of water to meet potable and fire suppression requirements for the Proposed Development.

5.1.3 Stormwater Management

The stormwater management plan for the Proposed Development has been designed to maintain pre-development flows and infiltration volumes, as well as ensure quality and quantity control for upstream development. Currently, external storm drainage from the existing development to the north, east and west discharges to the Site through existing storm sewers and overland flow route. To convey and manage stormwater on the Site and surrounding lands, a wetland stormwater management facility and storm sewer network is proposed. The stormwater management facility is to be located on the industrial lands to the south and will outlet to William Street.

Stormwater runoff from the Proposed Development is proposed to be conveyed via the storm sewer network to the stormwater management facility, prior to ultimately draining in the Wye River. Additionally, site grading has been designed that in the event of a blockage to the storm sewer network, runoff will be directed to the stormwater management facility, without causing flooding. Overall, the proposed stormwater infrastructure for the Site has been designed in accordance with the Town of Midlands Engineering Development Design Standards and the Ministry of Environment Policies and Guidelines. Overall, the stormwater management plan for the Proposed Development includes the following components:

- Minor system (storm sewers) will be sized to convey runoff up to the 5 year storm event;
- Major system (overland flow) will be designed to safely convey regulatory event run-off to the designated outlets;
- Quantity control of stormwater runoff will be provided to reduce post development peak flows to corresponding pre development flows for the 2 to 100 year storm events;
- Quality control of stormwater run-off will be provided in accordance with the "Enhanced" level of protection stipulated by the Ministry of Environment; and,
- Maintain existing annual water balance characteristics by promoting infiltration to counteract the increase in hard surfaces.

The proposed stormwater management facility will provide the required quality and quantity control in accordance with MOE guidelines. 80% removal of Total Suspended Solids (TSS) will be achieved and the proposed stormwater pond has been designed to provide extended detention of the 25mm post-development peak flow, ensuring mitigation of any downstream erosion. While a detailed Erosion and Sediment Control Plan will be prepared at the detailed design stage, the following measures are recommended during construction to minimize potential impacts from erosion and sedimentation during:

- Excess earth and topsoil is to be stockpiled away from environmentally sensitive areas and/or removed from site. Stockpiles shall be seeded or covered with erosion control if left for periods of greater than 30 days.
- Temporary sediment control fencing should be erected around the perimeter of all grading activities;
- Temporary sediment traps should be installed on catch basins until surface cover has been stabilized;
- Temporary rock flow check dams should be installed within drainage cut-off swales;
- A temporary construction access mud mat should be installed at the construction accesses to reduce the amount of materials that may be transported off site;
- Temporary sediment and erosion control ponds should be installed to attenuate and treat sediment laden runoff during earthworks operations.
- Construction during drier months should be monitored for wind-borne transport of sediments. At the direction of the engineer, the contractor may be directed to water down exposed earth areas with an aqueous solution of calcium chloride or suitable alternative;
- All disturbed areas not under immediate construction for 30 days, or not intended for building activities within a 3-month time period, should be stabilized with hydro-seeding.

5.1.4 Secondary Utilities

Electrical, telephone and cable utilities are all available within the adjacent right-of-ways and it is not anticipated that there would be any limitations to servicing the Proposed Development with secondary utilities. A Composite Utility Plan will be provided to indicate the location of each utility once formal confirmation is received.

Overall, the Proposed Development can be appropriately serviced via the methods proposed

5.2 Hydrogeological Assessment

To determine the potential for the Proposed Development to impact existing soil and groundwater conditions, a Hydrogeological Assessment was prepared by Azimuth Environmental Consulting, Inc. for the Site and the industrial lands to the south in July 2020. An update to the original report was subsequently prepared in November 2022. As part of this assessment, a drilling program, monitoring wells, hydraulic conductivity testing and water quality sampling were undertaken.

Overall, the site was determined to be comprised of topsoil overlying sandy silt / sand and silt / silt layer overlying a clayey silt / clay and silt/ silty clay layer overlying a sandy silt till /silty sand till layer, with the high groundwater mark varying across at least a 8.8m gradient.

Results from the water quality sampling determined that all of the parameters meet the Ontario Provincial Water Quality Objectives (PWQO), with the exception of total phosphorous. The elevated phosphorous levels are likely attributed to suspended sediment within the monitoring well and the value will likely be lowered through the implementation of erosion and sediment control measures implanted during construction.

Based on the dewatering analysis for the proposed stormwater pond and service lines, registration under the Environmental Activity and Sector Registry (EASR) may be advisable as the dewatering volume during construction is likely to exceed 50,000 L/day. However, impacts to adjacent private wells and natural heritage features as a result of construction dewatering were determined to be low.

Lastly, the water balance completed for the site determined that with mitigation measures, infiltration under post-development conditions could be 100% of the pre-development volumes. Therefore, groundwater infiltration on the site will be maintained.

5.3 Environmental Impact Assessment

While there was no requirement through the Proposed Redline Revision and Proposed ZBA to complete any further environmental or natural heritage assessments, the Proposed Redline Revision will rely on a relocated and centralized stormwater management pond on the industrial lands under the same Ownership to the south.

The preliminary Industrial Draft Plan identifying the location and configuration of the relocated centralized stormwater management pond is included as Appendix C.

At the time of writing this report, the Owner has completed a pre-consultation meeting with Town Staff in regards to the required Draft Plan of Subdivision Application for the industrial lands and those formal applications are expected to be forthcoming. Through discussion with Town Staff it is understood that as part of the requirements for a complete application for the Proposed Redline Revision and Proposed ZBA was an Environmental Impact Assessment (EIA) on the industrial lands to the south to demonstrate there are no concerns from a natural heritage perspective in regards to the location and configuration of the relocated stormwater management pond and the overall development concept for the industrial lands to the south.

Azimuth Environmental Consulting Inc. completed an Environmental Impact Assessment for the Pratt Industrial (Orsi) Lands to the south dated August 2020.

The EIA concludes that the natural features natural features and ecological functions of the Orsi and adjacent lands have been evaluated to inform decisions concerning the proposed development. The results of this EIA indicate that the proposed development can be achieved with no negative impacts to significant natural heritage features and functions – including individuals and habitat of Endangered and Threatened species consistent with Section 2.1 of the PPS and Ontario's ESA. The proposed alteration of drainage features of the Orsi lands does not impact productive aquatic habitat/direct fish habitat and maintains conveyance function emulating existing conditions. The proposed development manages flow volume and improves the quality of water discharged to downstream aquatic habitat – an improvement to existing conditions. The proposed development balances pre- to post-development infiltration maintaining the ground water regime.

5.4 Traffic Impact Study

A Traffic Impact Study (“TIS”) was prepared by JD Northcote Engineering Inc. to assess the potential impact of traffic related to the Proposed Development on the adjacent roadway. The scope of the TIS included a review of the following intersections King Street/ West Access, Pratt Avenue/ Galloway Boulevard, William Street/ Galloway Boulevard, and King Street/ Galloway Boulevard.

The TIS included an analysis of existing traffic volumes and circulation patterns, an estimation of future traffic volumes, level-of-service analysis, a review of the proposed intersection spacing and a review of the available sight distance at the proposed site access.

Overall, the Proposed Development is expected to generate a total of 152 AM and 200 PM peak hour trips. Based on the intersection operation analysis completed under total traffic volumes at the study area intersections, no further improvements (other than the planned conversion to a 3-lane profile on William Street) are recommended within the study area. The proposed site accesses were determined to operate efficiently with one-way stop control for egress movements and a single lane for ingress and egress movements will also provide the necessary capacity to convey the traffic volume generated by the proposed development. Further, the sight distance available for the proposed West Access was determined to be suitable for the intended use.

The Proposed Development will not cause any operational issues and will not add significant delay or congestion to the local roadway network as outlined in the TIS.

5.5 Urban Design and Architectural Control Guidelines

Urban Design and Architectural Control Guidelines have been prepared by John G. Williams Limited for the Proposed Development. The intent of the Urban Design and Architectural Control Guidelines is to provide a framework of design criteria for the appearance of new housing and streetscapes within the Proposed Development, with the objective of achieving a high standard of civic design quality that promotes a safe, attractive, neighbourhood with a positive visual identity. In addition, these Guidelines are intended to address the architectural control review and implementation protocol as required by the Town.

A copy of the Urban Design and Architectural Control Guidelines has been included with the submission package.

6.0

SUMMARY & FINDINGS

Based on the analysis outlined throughout this Report and the conclusions of the other supporting studies, it is submitted that the Proposed Redline Revision and Proposed Zoning By-law Amendment represent good planning for the following reasons:

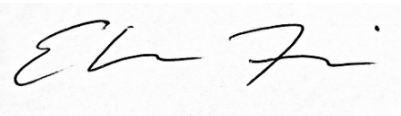
- They comply with the Planning Act;
- They are consistent with the PPS and conform to the Growth Plan for the Greater Golden Horseshoe;
- They conform to the County of Simcoe Official Plan and Town of Midland Official Plan;
- The Proposed Zoning By-law Amendment is in keeping with the approaches used in the Town of Midland Zoning By-law; and
- The Proposed Redline Revisions comply with the Proposed Zoning By-law Amendment and other applicable provisions within the Town's Zoning By-law.

Respectfully submitted,

MHBC



Kory Chisholm, BES, M.Sc., MCIP, RPP
Partner



Ellen Ferris, BSc., MSc., MCIP, RPP
Associate


Figures



Figure # 1
Site Location

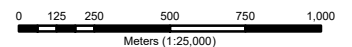
Pratt - Draft Plan of Subdivision
 823 King Street
 Town of Midland
 County of Simcoe

Legend

 Property Boundary

Date **October 2022**

Sources
 Land Information Ontario
 Contains information licensed under the
 Open Government Licence - Ontario



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Figure # 2
Aerial Context

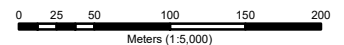
Pratt - Draft Plan of Subdivision
 823 King Street
 Town of Midland
 County of Simcoe

Legend

 Property Boundary

Date **October 2022**

Sources
 County of Simcoe GIS
 2018 Aerial Photography



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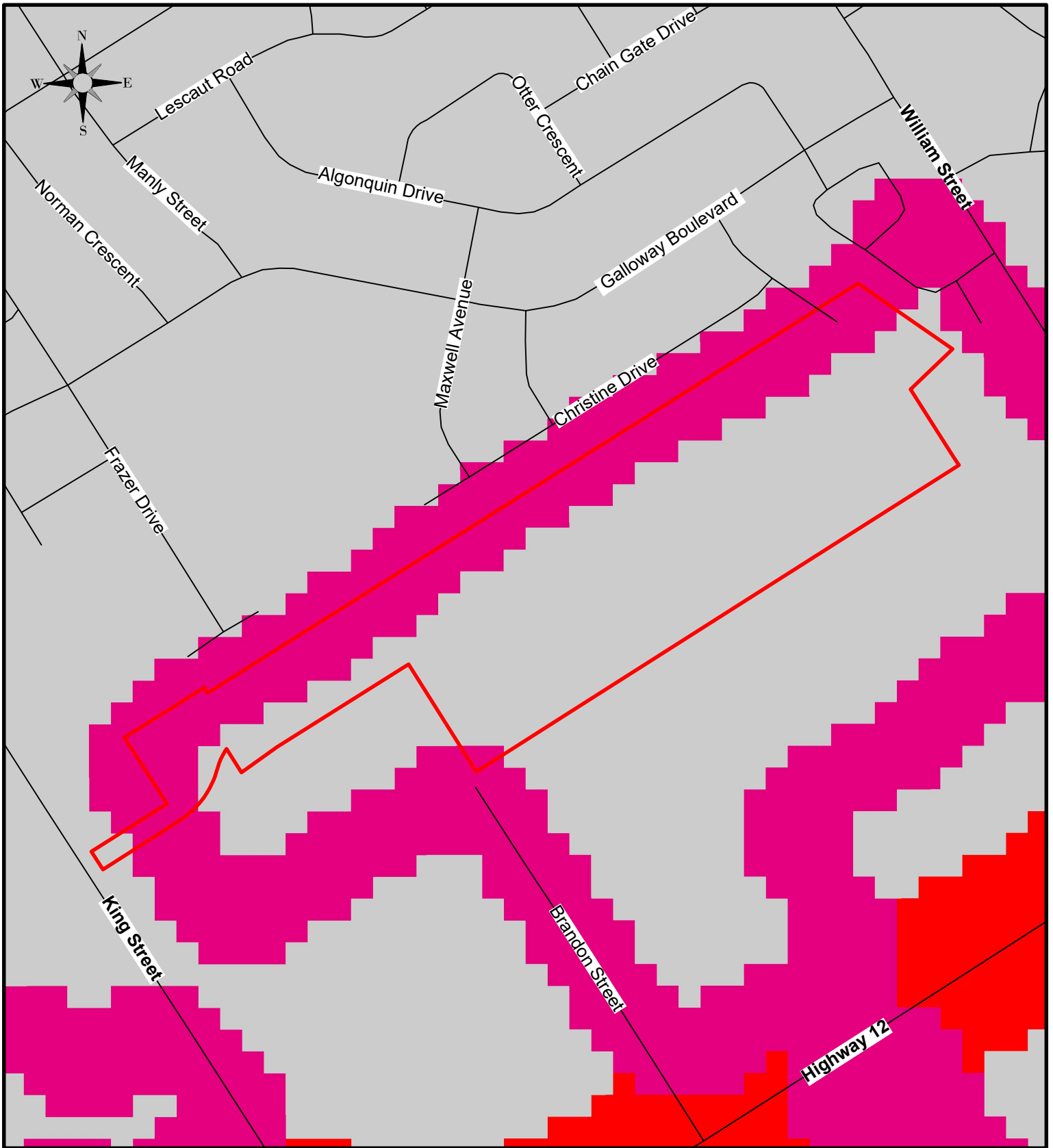


Figure # 3
Land Use Designations
County of Simcoe
 Official Plan

Pratt - Draft Plan of Subdivision
 823 King Street
 Town of Midland
 County of Simcoe

Legend

- Property Boundary
- Built Boundary
- Provincial Highway
- Settlement

Date October 2022

Sources
 County of Simcoe Official Plan
 Schedule 5.1 - Land Use Designations
 Approved December 29, 2016

Scale
 0 75 150
 Meters (1:5000)

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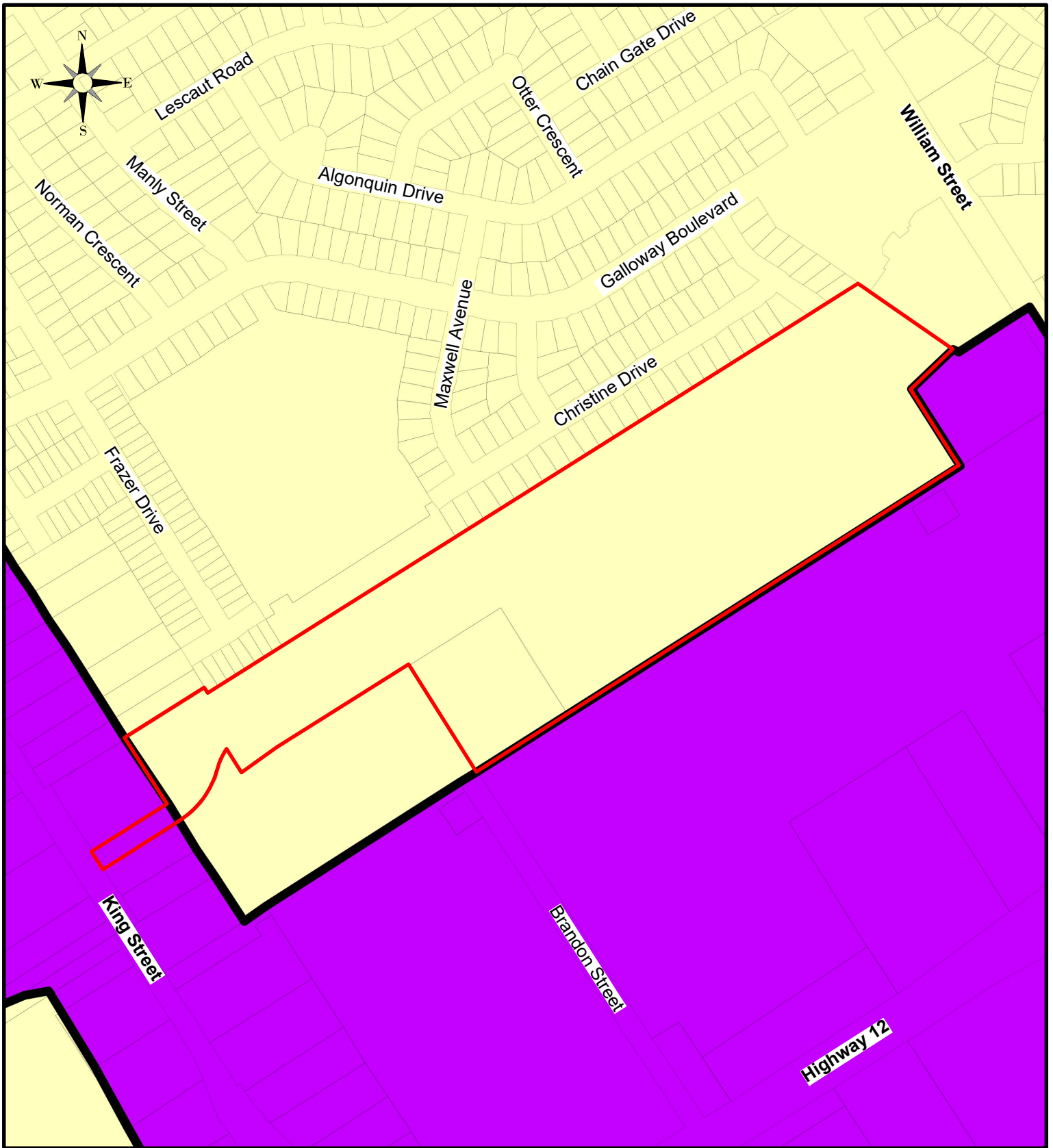


Figure # 4
Land Use
Town of Midland
 Official Plan - Existing
Pratt - Draft Plan of Subdivision
 823 King Street
 Town of Midland
 County of Simcoe

- Legend**
- Property Boundary
 - Residential District
 - Employment Areas

| | |
|---|---|
| Date | October 2022 |
| Sources | Town of Midland Official Plan - Existing Schedule A - Land Use Office Consolidation November 2017 |
| Scale | <div style="display: flex; align-items: center;"> <div style="width: 100px; border-bottom: 1px solid black; position: relative;"> 0 75 150 </div> <div style="margin-left: 5px;">Meters (1:5000)</div> </div> |
| N:\Brian\12162F Pratt - Residential Draft Plan of Subdivision\Drawings\Figures\Planning Report\CAD\12162F - Planning Report Figures | |
| PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE | |

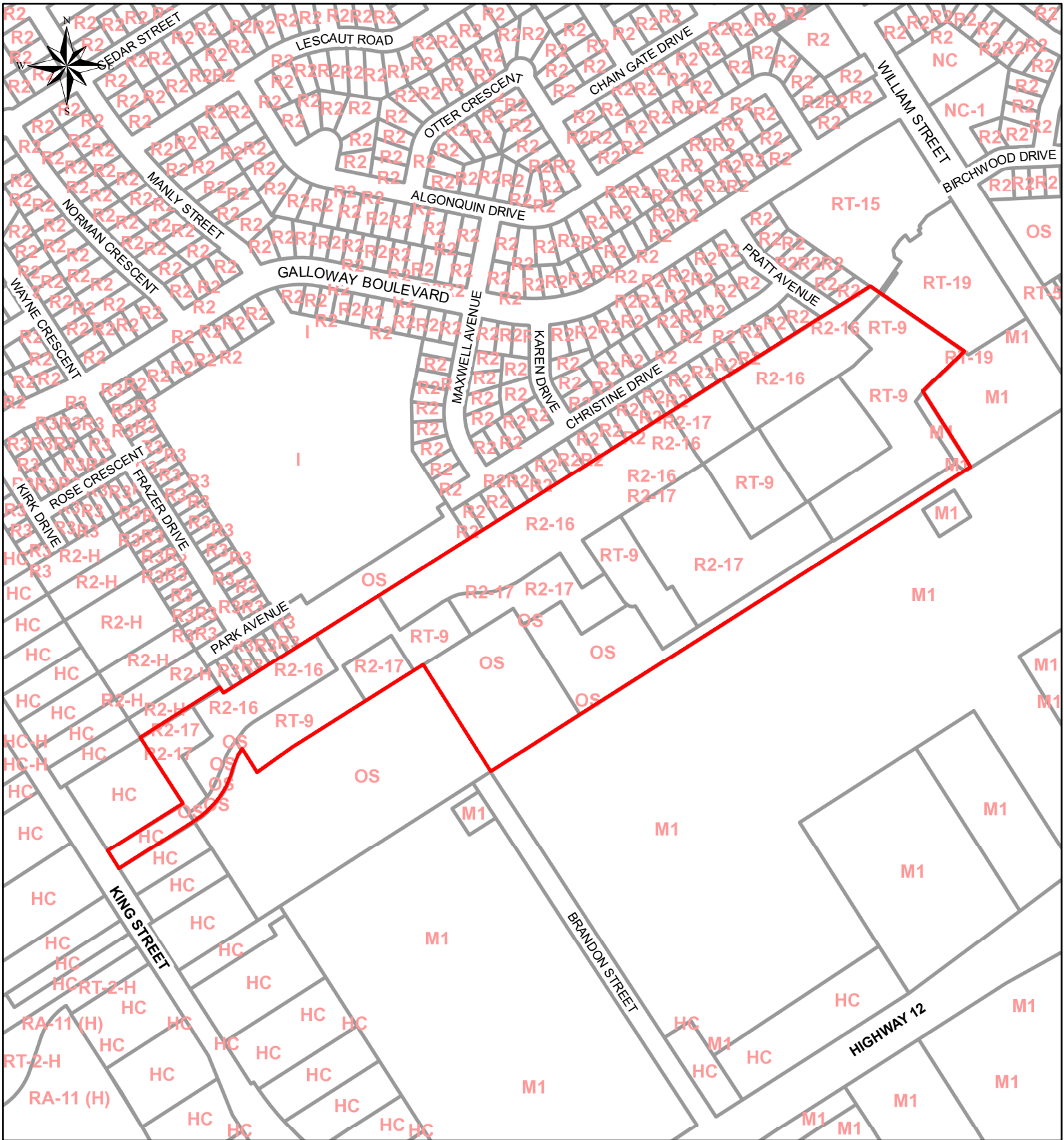


Figure # 5
Approved Zoning

Pratt - Draft Plan of Subdivision
 823 King Street
 Town of Midland
 County of Simcoe

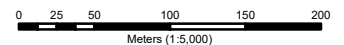
Legend

 Property Boundary

- R2 Residential
- R3 Residential
- RT Residential Townhouse
- RA Residential Apartment
- NC Neighbourhood Commercial
- HC Highway Commercial
- M1 Industrial
- I Institutional
- OS Open Space

Date **October 2022**

Sources
 Town of Midland
 Zoning By-law 2004-90
 Office Consolidation January 16, 2020



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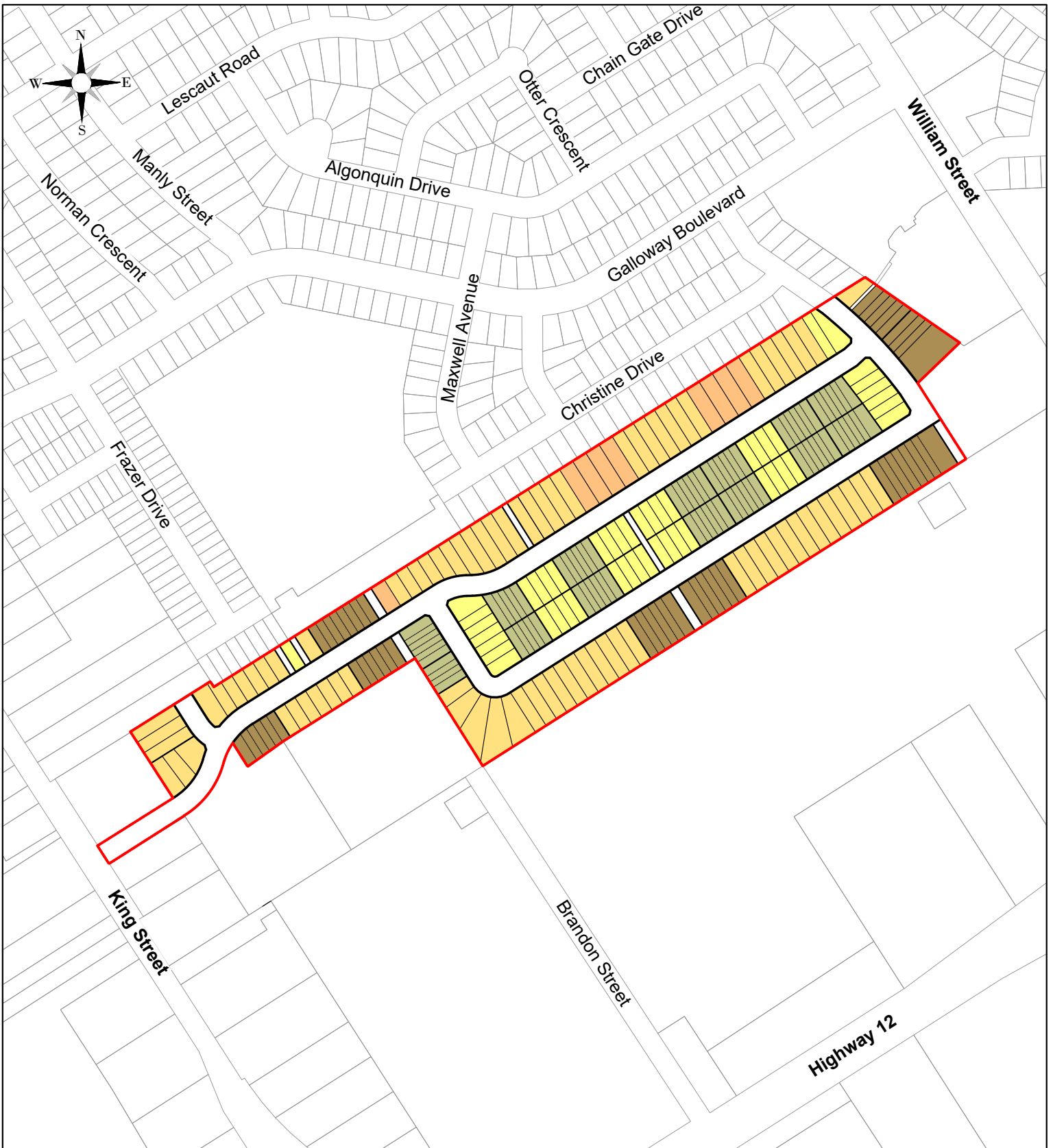


Figure # 6
Proposed Zoning By-law Amendment
 Pratt - Draft Plan of Subdivision
 823 King Street
 Town of Midland
 County of Simcoe

Legend

- Property Boundary
- Residential Exception - XX (R2-XX)
- Residential Exception - 17 (R2-17)
- Residential Exception - 16 (R2-16)
- Residential Townhouse Exception - XX (RT-XX)
- Residential Townhouse Exception - 9 (RT-9)

| | |
|--|---|
| Date | October 2022 |
| Sources | Draft Plan of Subdivision from Rudy Mak Surveying Limited Last revised July 29, 2020 |
| Scale | <p>0 75 150 Meters (1:5000)</p> |
| \\barrie2\docs\Brian\12162F Pratt - Residential Draft Plan of Subdivision\Drawings\Figures\Planning Report\CAD | |
| PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE | |
















-  Lands to be zoned from Residential Type 2 Exception-16 (R2-16) Zone to Residential Type 2 Exception-17 (R2-17) Zone
-  Lands to be zoned from Residential Type 2 Exception-16 (R2-16) Zone to Residential Type 2 Exception-XX (R2-XX) Zone
-  Lands to be zoned from Residential Type 2 Exception-17 (R2-17) Zone to Residential Type 2 Exception-17 (R2-17) Zone
-  Lands to be zoned from Residential Type 2 Exception-17 (R2-17) Zone to Residential Type 2 Exception-XX (R2-XX) Zone
-  Lands to be zoned from Residential Type 2 Exception-17 (R2-17) Zone to Residential Townhouse Exception-9 (RT-9) Zone
-  Lands to be zoned from Residential Type 2 Exception-17 (R2-17) Zone to Residential Townhouse Exception-XX (RT-XX) Zone
-  Lands to be zoned from Residential Townhouse Exception-9 (RT-9) Zone to Residential Type 2 Exception-XX (R2-XX) Zone
-  Lands to be zoned from Residential Townhouse Exception-9 (RT-9) Zone to Residential Townhouse Exception-XX (RT-XX) Zone
-  Lands to be zoned from Open Space (OS) Zone to Residential Type 2 Exception-17 (R2-17) Zone
-  Lands to be zoned from Open Space (OS) Zone to Residential Type 2 Exception-XX (R2-XX) Zone
-  Lands to be zoned from Open Space (OS) Zone to Residential Townhouse Exception-9 (RT-9) Zone
-  Lands to be zoned from Open Space (OS) Zone to Residential Townhouse Exception-XX (RT-XX) Zone
-  Lands to be zoned Residential Townhouse Exception-9 (RT-9) Zone

Figure # 7
Zoning By-law Comparison

Pratt - Draft Plan of Subdivision
823 King Street
Town of Midland
County of Simcoe

Legend

 Property Boundary

Date October 2022

Sources
Draft Plan of Subdivision from Rudy Mak Surveying Limited
Last revised July 29, 2020

Scale
Not to scale

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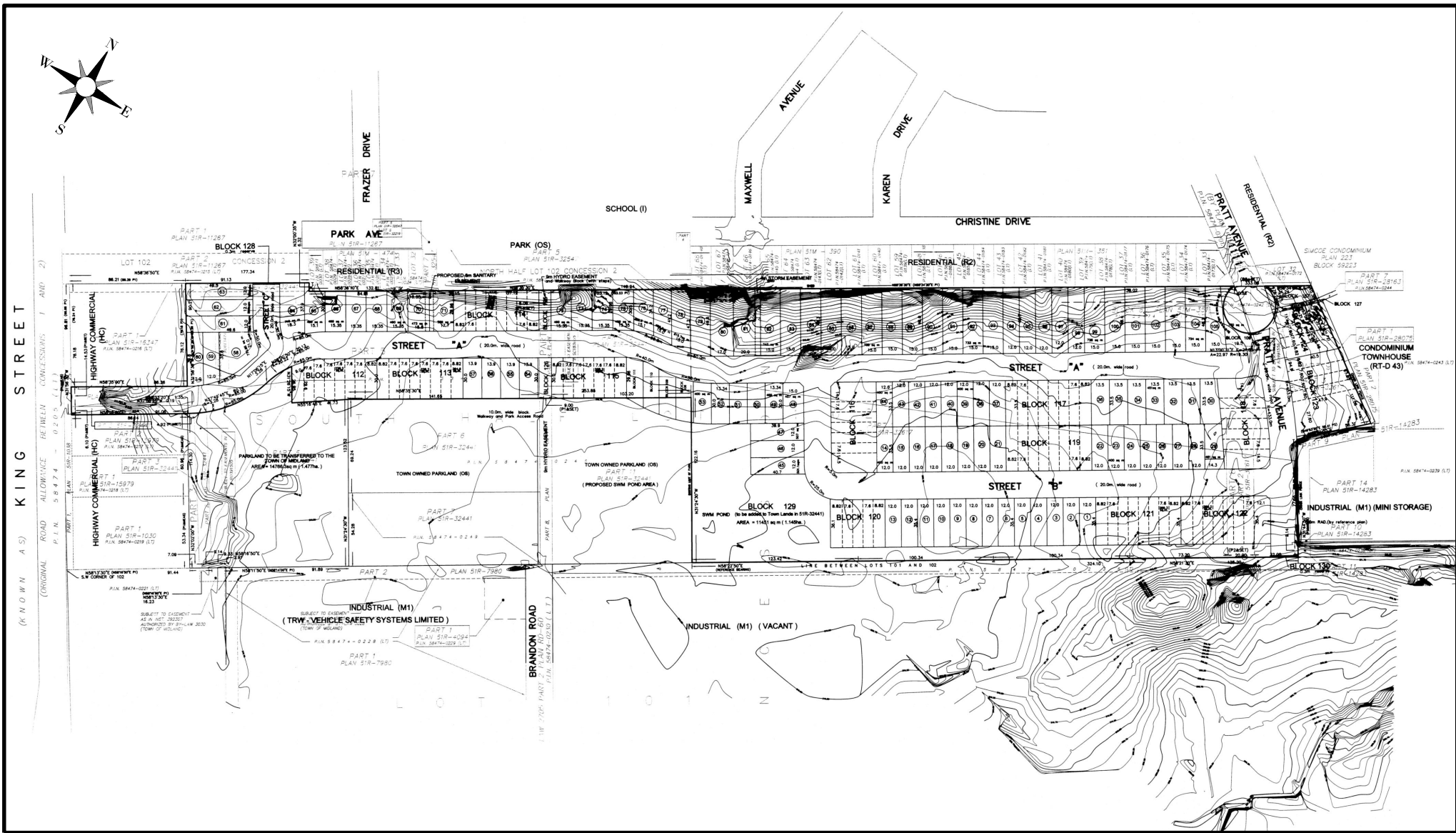


Figure # 8
Approved Draft Plan

Pratt - Draft Plan of Subdivision
823 King Street
Town of Midland
County of Simcoe

| | |
|---|--|
| Date | October 2022 |
| Sources | Approved Draft Plan Completed by CDN Land Surveyors Inc. Signed April 16, 2009 |
| Scale | 0 60 120 Meters (1:4000) |
| N:\Brian\12162F Pratt - Residential Draft Plan of Subdivision\Drawings\Figures\Planning Report\CAD\12162F - Planning Report Figures.dwg | |
|  PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE | |



**FIGURE #9
Transit Routes**

Pratt - Draft Plan of Subdivision
823 King Street
Town of Midland
County of Simcoe

LEGEND

- Property Boundary
- Midland Transit Route
- Muskoka Extended Transit Route
- Simcoe County Linx Stop
- Midland Penetanguishene Transit Stop
- Muskoka Extended Transit Stop

DATE **October 2022**

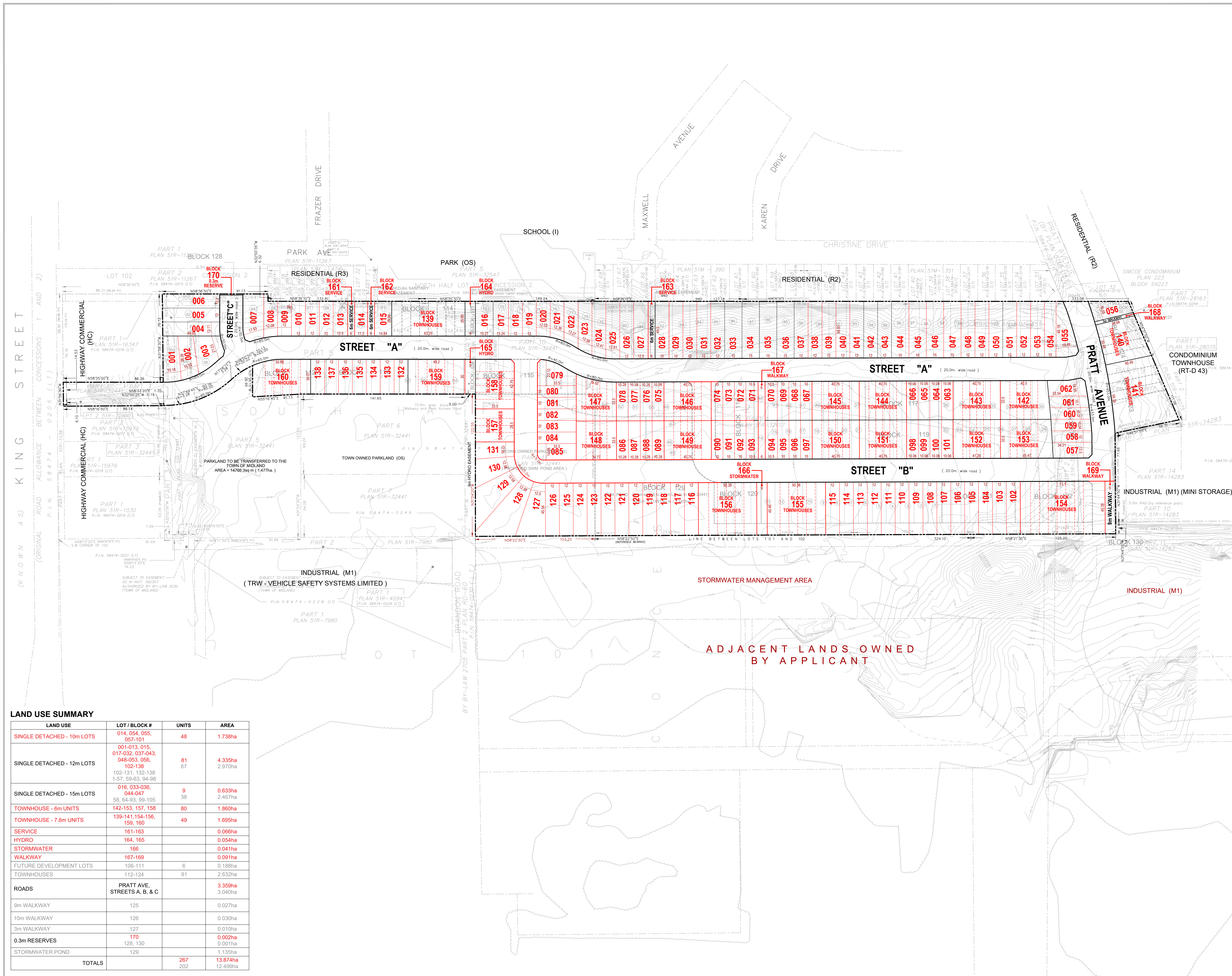
SOURCES
County of Simcoe GIS



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Appendices

Appendix **A**



LEGAL DESCRIPTION

PART OF LOT 102, CONCESSION 2,
GEOGRAPHIC TOWNSHIP OF TAY
TOWN OF MIDLAND
COUNTY OF SIMCOE

OWNER'S CERTIFICATE

I HEREBY AUTHORIZE MACNAUGHTON HERMSEN BRITTON CLARKSON PLANNING LIMITED TO SUBMIT THIS PLAN FOR APPROVAL.

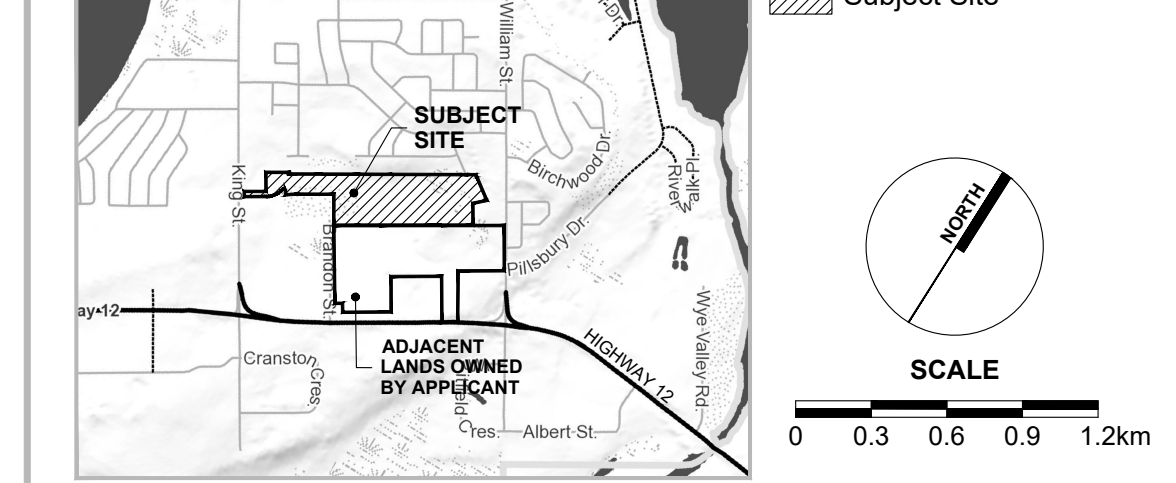
DATE: _____

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

DATE: _____

KEY PLAN



- LEGEND**
- SITE BOUNDARY
 - RIGHT OF WAY LINE
 - BLOCK LINE
 - PARCEL FABRIC LINE
 - WATERCOURSE
 - WOODED AREA

01 SEPT. 26, 2022 ADD PART 11 OF PLAN 51R-32441 TO PROPERTY, REVISE RESIDENTIAL LOT MIX, REVISE ROAD LAYOUT, ADD EXTRA SERVING BLOCKS, ADD EXTRA WALKWAY BLOCKS, ADD STORMWATER BLOCK M.M.

| REV. No. | DATE | ISSUED / REVISION | BY |
|--|-----------------------------------|-----------------------------|----|
| ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT R.S.O. 1990 C.P.13 AS AMENDED | | | |
| A. AS SHOWN | F. AS SHOWN | J. AS SHOWN | |
| B. AS SHOWN | G. AS SHOWN | K. ALL SERVICES AS REQUIRED | |
| C. AS SHOWN | H. MUNICIPAL WATER SUPPLY (PIPED) | L. AS SHOWN | |
| D. RESIDENTIAL | I. SANDY/SANDY LOAM | | |
| E. AS SHOWN | | | |

PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE
MHBC PLANNING
 113 COLLIER STREET
 BARRIE, ON. L4M 1H2
 P: 705.728.0045 F: 705.728.2010
 WWW.MHBCPLAN.COM

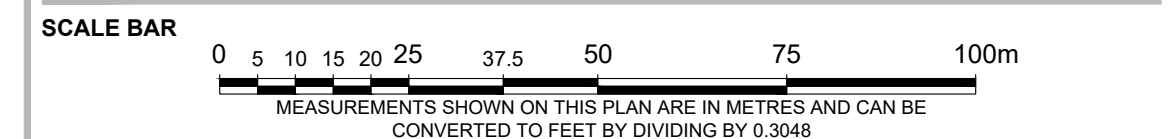
LAND USE SUMMARY

| LAND USE | LOT / BLOCK # | UNITS | AREA |
|----------------------------|---|------------|-----------------|
| SINGLE DETACHED - 10m LOTS | 014, 054, 055, 057-101 | 48 | 1.738ha |
| SINGLE DETACHED - 12m LOTS | 001-013, 015, 017-032, 037-043, 048-053, 056, 102-138 | 81 | 4.335ha |
| SINGLE DETACHED - 15m LOTS | 016, 033-036, 044-047 | 9 | 0.633ha |
| TOWNHOUSE - 6m UNITS | 142-153, 157, 158 | 80 | 1.860ha |
| TOWNHOUSE - 7.6m UNITS | 139-141, 154-156, 159, 160 | 49 | 1.695ha |
| SERVICE | 161-163 | | 0.066ha |
| HYDRO | 164, 165 | | 0.054ha |
| STORMWATER | 166 | | 0.041ha |
| WALKWAY | 167-169 | | 0.091ha |
| FUTURE DEVELOPMENT LOTS | 106-111 | 6 | 0.188ha |
| TOWNHOUSES | 112-124 | 91 | 2.632ha |
| ROADS | PRATT AVE, STREETS A, B, & C | | 3.359ha |
| | | | 3.040ha |
| 9m WALKWAY | 125 | | 0.027ha |
| 10m WALKWAY | 126 | | 0.030ha |
| 3m WALKWAY | 127 | | 0.010ha |
| 0.3m RESERVES | 170 | | 0.002ha |
| | 128, 130 | | 0.001ha |
| STORMWATER POND | 129 | | 1.135ha |
| TOTALS | | 267 | 13.874ha |
| | | 202 | 12.499ha |

| STAMP | DATE |
|------------|------------------|
| | SEPT. 26, 2022 |
| FILE No. | 12162F |
| SCALE | 1:1,500 (ARCH D) |
| DRAWN BY | M.M. |
| CHECKED BY | K.C. |
| OTHER | |

PROJECT
PRATT RESIDENTIAL SUBDIVISION
 PRATT DEVELOPMENTS INC.
 27 CLAPPERTON ST. SUITE 300
 BARRIE ON L4M 3E6
 705-722-4500

FILE NAME **REDLINE DRAFT PLAN OF SUBDIVISION** DWG No. **1 of 1**



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Appendix **B**

**THE CORPORATION OF THE TOWN OF MIDLAND
BY-LAW 2009-19**

A By-law to amend Zoning By-law 2004-90, as amended,
to zone certain lands located at 823 King Street
to permit the development of a Residential Plan of Subdivision

WHEREAS the Municipal Council of the Corporation of the Town of Midland passed By-law 2004- 90, known as the Zoning By-law, on the 22nd day of November, 2004, to regulate the development and use of lands within the Town of Midland; and

WHEREAS the Municipal Council of The Corporation of the Town of Midland now deems it expedient to amend Zoning By-law 2004-90, pursuant to that authority given to it under Section 34 of the *Planning Act*, R.S.O. 1990.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF MIDLAND HEREIN ENACTS AS FOLLOWS:

1. That this By-law applies to the lands generally described as Part of Lot 102, Concession 2 (Geographic Township of Tay), now Town of Midland (Draft Plan of Subdivision No. MD-T- 0108) (Assessment Roll Numbers 4374-020-015-00500-0000 and 4374-020-015-00503-0000), having the municipal address 823 King Street, as shown on Schedule “A”, attached hereto and forming part of this By-law.
2. That the lands described and as shown on Schedule “A”, attached hereto and forming part of this By-law, shall be zoned Residential Exception (R2-16), Residential Exception (R2-17), Residential Exception Hold (R2-17(H)), Residential Exception (R2-XX), Residential Townhouse Exception (RT-9) and Residential Townhouse Exception (RT-XX) and SECTIONS 5.2.4 and 5.6.4 ZONE EXCEPTIONS, and SECTION 3.36 HOLDING SYMBOL - H shall be amended with the following:
 1. SECTION 5.2.4 ZONE EXCEPTIONS is hereby amended by adding the following R2 Zone Exception:

Notwithstanding SECTION 5.2.3 ZONE REQUIREMENTS, the following provisions shall apply to lands zoned R2-XX (Subdivision MD-T- 0108, 823 King Street):

| | |
|----------------------|--------------------|
| Minimum Lot Area | 330 m ² |
| Minimum Lot Frontage | 10.0 m |
| Maximum Lot Coverage | 40% |
 2. SECTION 5.5.4 ZONE EXCEPTIONS is hereby amended by adding the following RT Zone Exception:

Notwithstanding SECTION 5.6.3 ZONE REQUIREMENTS: Street Townhouse, the following provisions shall apply to lands zoned RT-XX (Subdivision MD-T-0108, 823 King Street):

| | |
|----------------------|------------------------|
| Minimum Lot Area | 190 m ² /DU |
| Minimum Lot Frontage | 6.0 m |
| Maximum Lot Coverage | 40% |

3. SECTION 5.2.4.17 R2-17 is hereby amended by deleting the following:

- (a) Minimum Lot Area 400 m²

And replacing it with the following:

- (a) Minimum Lot Area 330 m²

4. SECTION 3.35 HOLDING SYMBOL – H is hereby amended by adding the following new section:

3.36.X For the lands at 823 King Street and zoned “R2-17(H)”, the requirement for the removal of the Holding “H” Symbol shall be:

1. The construction and extension of “Street C” as a through road connecting to an adjacent municipal street to the north. Written confirmation shall be received from the County of Simcoe that the Hold (H) can be lifted.

5. That Schedule A Maps 37 & 38 of Zoning By-law 2004-90, as amended, is hereby further amended to conform with Section 2 of this By-law as shown on Schedule “A” attached hereto and forming part of this By-law.

6. That all provisions of Zoning By-law 2004-90, as amended, except those expressly amended herein shall apply to the subject lands.

7. That the By-law shall come into force on the day it was passed except that where one or more appeals have been filed under Sub-section 19 of Section 34 of the *Planning Act*, R.S.O. 1990, the By-law does not come into force until all such appeals have been finally disposed of whereupon the By-law, except for such parts thereof as are repealed or amended in accordance with the direction of the Ontario Land Tribunal or as are repealed or amended by the Ontario Land Tribunal, as provided for in Sub-section 26 of Section 34 of the *Planning Act*, R.S.O. 1990, shall be deemed to have come into force on the day it was passed.

By-law read a first, second and third time, and finally passed at a meeting of the Municipal Council of The Corporation of the Town of Midland on this ____ day of ____, 2022.

Mayor






Clerk

DRAFT

Schedule 'A'

Part of Lot 202, Concession 2
Geographic Township of Tay
Town of Midland
County of Simcoe



-  Residential Exception - 16 (R2-16)
-  Residential Exception - 17 (R2-17)
-  Residential Exception - XX (R2-XX)
-  Residential Townhouse Exception - 9 (RT-9)
-  Residential Townhouse Exception - XX (RT-XX)

This is Schedule 'A' to Zoning By-law _____

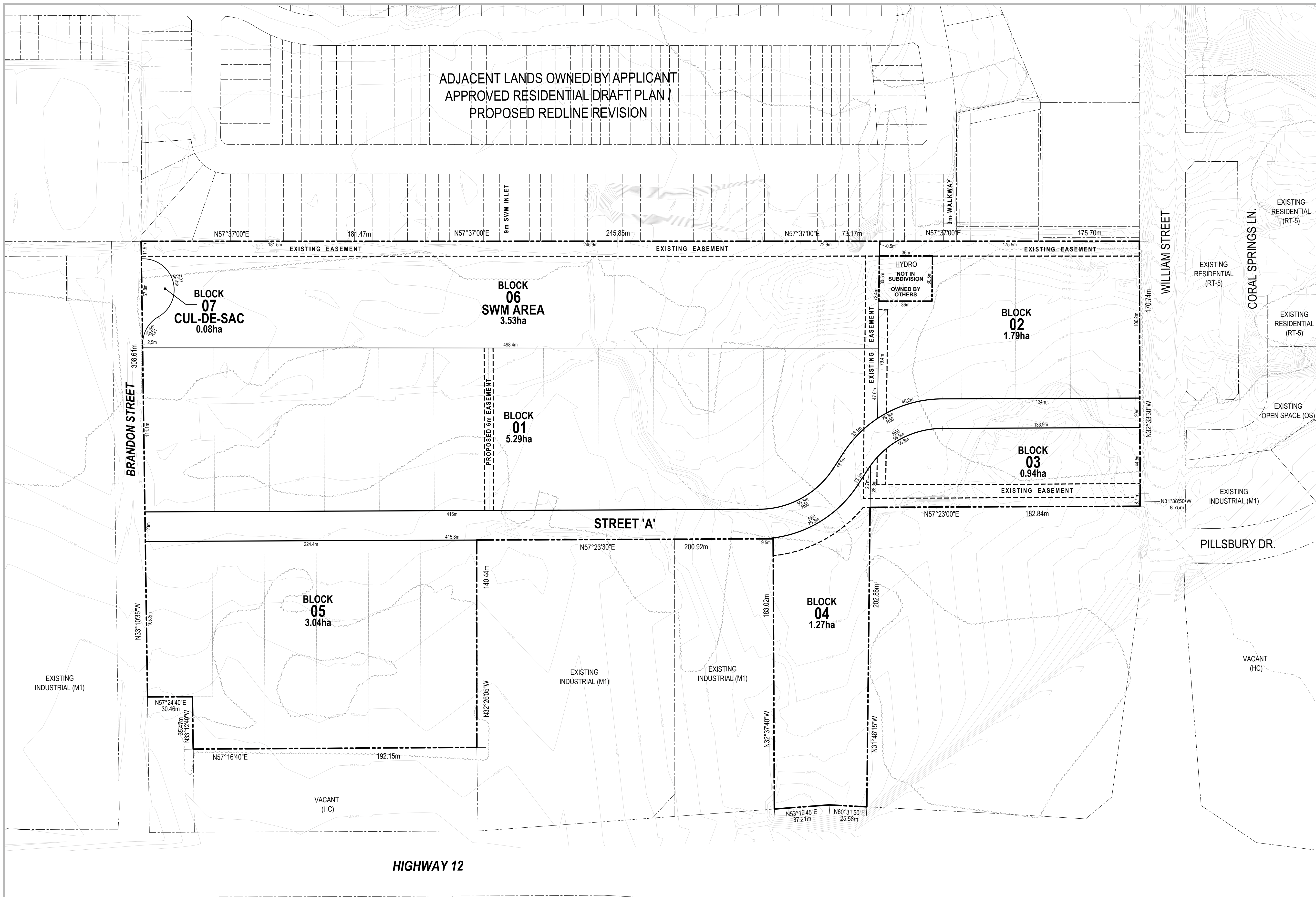
Passed this ____ day of _____, 2022

Mayor

Clerk

Appendix C

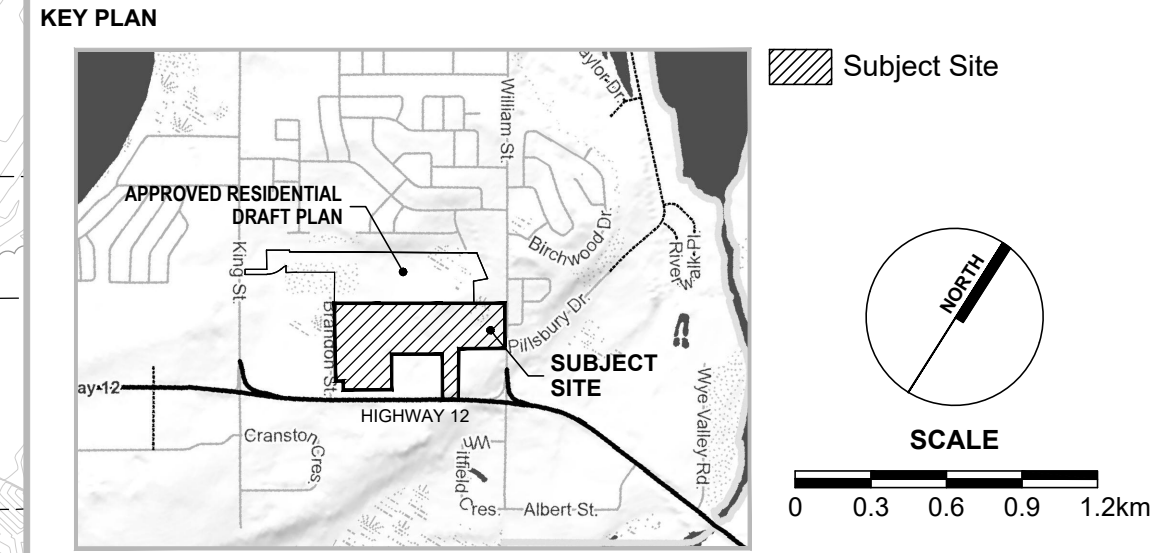
ADJACENT LANDS OWNED BY APPLICANT
APPROVED RESIDENTIAL DRAFT PLAN /
PROPOSED REDLINE REVISION



LEGAL DESCRIPTION
16533 HIGHWAY 12
PART OF LOT 101, CONCESSION 2
GEOGRAPHIC TOWNSHIP OF TAY
TOWN OF MIDLAND
COUNTY OF SIMCOE

OWNER'S CERTIFICATE
I HEREBY AUTHORIZE MACNAUGHTON HERMSEN BRITTON CLARKSON PLANNING LIMITED TO SUBMIT THIS PLAN FOR APPROVAL.
DATE: _____ PRATT DEVELOPMENT INC.
DON PRATT, PRESIDENT

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.
DATE: _____ RUDY MAL - O.L.S.
RUDY MAK SURVEYING LTD.



LEGEND

- SITE BOUNDARY
- BLOCK & RIGHT OF WAY LINE
- EASEMENT LINE
- PARCEL FABRIC LINE
- CONCEPTUAL POTENTIAL FUTURE DEVELOPMENT BLOCK LINE
- WATERCOURSE
- WOODED AREA

| | | | |
|--|---------------------------------------|---|-----|
| 01 | NOV. 23, 2022 | RELOCATE STORMWATER MANAGEMENT AREA, RELOCATE CUL-DE-SAC, REVISE ROW, ADJUST BLOCKS, ADD EASEMENT | MAM |
| REVISION No. | DATE | ISSUED / REVISION | BY |
| ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT R.S.O. 1990 C.P.13 AS AMENDED | | | |
| A. AS SHOWN | F. AS SHOWN | J. AS SHOWN | |
| B. AS SHOWN | G. AS SHOWN | K. MUNICIPAL | |
| C. AS SHOWN | H. MUNICIPAL | L. AS SHOWN | |
| D. INDUSTRIAL/COMMERCIAL | I. SILTY SAND/SILT AND CLAYSILTY CLAY | | |
| E. AS SHOWN | | | |

PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE MHBC PLANNING
113 COLLIER STREET
BARRIE ON L4M 1H2
P: 705 728 0045 F: 705 728 2010
WWW.MHBCPLAN.COM

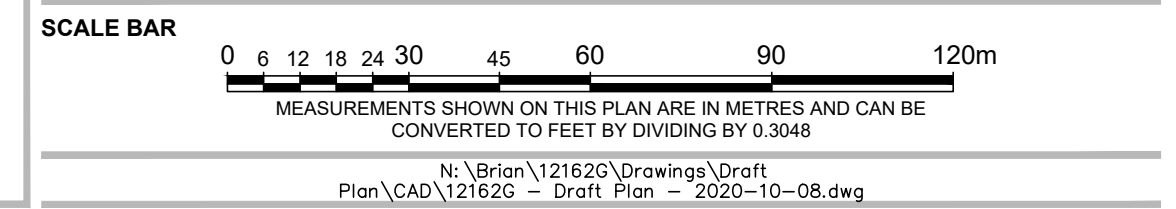
STAMP

| | |
|------------|------------------|
| DATE | AUG. 19, 2022 |
| FILE No. | 12162G |
| SCALE | 1:1,250 (ARCH D) |
| DRAWN BY | M.M. |
| CHECKED BY | K.C. |
| OTHER | |

PROJECT
PRATT EMPLOYMENT SUBDIVISION
PRATT DEVELOPMENTS INC.
27 CLAPPERTON ST. SUITE 300
BARRIE ON L4M 3E6
705-722-4500

FILE NAME
DRAFT
PLAN OF SUBDIVISION

DWG No.
1 of 1



LAND USE SUMMARY

| LAND USE | BLOCKS | AREA |
|----------------------------|--------|----------------|
| EMPLOYMENT BLOCK | 01-05 | 12.32ha |
| STORMWATER MANAGEMENT AREA | 06 | 3.53ha |
| CUL-DE-SAC | 07 | 0.08ha |
| RIGHT OF WAY | A | 1.40ha |
| TOTALS | - | 17.33ha |

N:\Bris\12162G\Drawings\Draft Plan\CAD\12162G - Draft Plan - 2020-10-08.dwg