

**File No:** MD-OP-1901  
**Municipality:** Town of Midland  
**Location:** Town of Midland

**Date of Decision:** August 11, 2020  
**Date of Notice:** August 14, 2020  
**Last Date of Appeal:** September 3, 2020

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**NOTICE OF DECISION**  
**With Respect to an Official Plan**  
**Subsection 17(35) and 21 of the *Planning Act***

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A decision was made by County of Simcoe Council on the date noted above to approve the Official Plan for the Town of Midland, as adopted by Town of Midland By-law No. 2019-59 and modified as per Schedule 3 to Item CCW 2020-252.

**Purpose and Effect of the Official Plan**

It is a legislative requirement under Section 26 (1) of the *Planning Act*, for the council of a municipality to revise their official plan as required every 10 years to ensure that it: conforms with provincial plans or does not conflict with them, has regard to the matters of provincial interest, and is consistent with policy statements issued under Section 3 (1) of the *Planning Act*. This constitutes the provincial plan conformity exercise identified in Section 26 (2.1) of the *Planning Act*. As such, the County of Simcoe is the approval authority for local municipal official plans as per Section 17 of the *Planning Act*.

This decision is consistent with policy statements issued under the *Planning Act* and conforms with Provincial and County plans. To view Item CCW 2020-252, visit <https://www.simcoe.ca/dpt/pln/local-official-plan-approvals>. A hardcopy of Item CCW 2020-252 will be made available for viewing upon request to the Clerk's Department (contact information noted below).

**Public Input** in the form of oral and written submissions were received from the public and agencies. The effect of any comments and associated modifications to the Official Plan are detailed in Schedule 3 to Item CCW 2020-252. The County is satisfied that these comments were considered prior to approval of the Town's new Official Plan.

**When and How to File an Appeal**

Any appeal to the Local Planning Appeal Tribunal must be filed with the Clerk of the County of Simcoe no later than 20 days from the date of this notice, shown above as the last date of appeal.

An appeal may only be made on the basis that the part of the decision to which the notice of appeal relates is inconsistent with a policy statement, fails to conform with or conflicts with a provincial plan or, in the case of the official plan of a lower-tier municipality, fails to conform with the upper-tier municipality's official plan.

The notice of appeal should be sent to the attention of John Daly, County Clerk, at the address shown below and it must:

- (1) set out the specific part of the proposed official plan or official plan amendment to which the appeal applies;
- (2) explain how the part of the decision to which the notice of appeal relates is inconsistent with a policy statement, fails to conform with or conflicts with a provincial plan or, in the case of the official plan of a lower-tier municipality, fails to conform with the upper-tier municipality's official plan;
- (3) include a completed Tribunal Appellant Form (A1); and,
- (4) Be accompanied by the fee charged under the *Local Planning Appeal Tribunal Act 2017* in the amount of \$300.00, payable by certified cheque to the Minister of Finance, Province of Ontario.

Please refer to the Tribunal website for the Appellant Form (A1) and more information on filing an appeal (<http://elto.gov.on.ca/tribunals/lpat/about-lpat/>).

**Who Can File an Appeal**

Only individuals, corporations or public bodies may appeal the decision of the County of Simcoe to the Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

**When the Decision is Final**

The decision of the County of Simcoe is final if a Notice of Appeal is not received on or before the last day for filing a notice of appeal (please refer to the Last Date of Appeal noted above).

**Getting Additional Information**

Additional Information about the application is available for public inspection during regular office hours at the County of Simcoe at the address noted below, from the office of the municipality noted above, or by contacting the County of Simcoe Planning Department at (705) 726-9300.

**Mailing Address for Filing a Notice of Appeal**

County Clerk  
County of Simcoe  
Administration Centre,  
1110 Highway 26, Midhurst, ON L9X 1N6  
Attention: John Daly, County Clerk  
Telephone: (705) 726-9300 - Ext. 1623