Ontario Land Tribunal
Tribunal ontarien de l'aménagement du territoire

ISSUE DATE: July 18, 2024 **CASE NO.:** OLT-22-003368

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	ADM Agri-Industries Company
Appellant:	Ed Boyd and Gloria Campbell
Appellant:	Hanson Development Group
Appellant:	Midland Bay Estates Inc.; and others
Subject:	Proposed Official Plan Amendment No. MD-OP-1901
Municipality:	Town of Midland
OLT Case No.:	OLT-22-003368
Legacy Case No.:	PL200391
OLT Lead Case No.:	OLT-22-003368
Legacy Lead Case No.:	PL200391
OLT Case Name:	ADM Agri-Industries Company v. Midland (Town)

BEFORE:

G. A. CROSER MEMBER	)))	Thursday, the 18th day of July, 2024

THIS MATTER having come before the Tribunal as a motion in writing and upon reviewing the notice of motion of the Town of Midland (the "Town"), the evidence of Steve Farquharson RPP and Executive Director of Community and Growth for the Town of Midland, and the settlements between Sri Venkateswara Holdings Inc. and the Town and between William Smith and the Town,

THE TRIBUNAL ORDERS that the Appeal of Sri Venkateswara Holdings Inc. is allowed in part and Orders that the 2019 Official Plan for the Town of Midland are modified as follows, and as modified is approved.

1. That the designations in Schedule “C” of the 2019 Town of Midland Official Plan with respect to the property known municipally 8566 and 8567Highway 93, be modified in accordance with Attachment ‘1’ hereto.
2. That Policy 7.21(F)(6) of the 2019 Town of Midland Official Plan be modified in accordance with Attachment ‘2’ hereto.
3. That the balance of Sri Venkateswara Holdings Inc. appeal of the 2019 Town of Midland Official Plan be dismissed.

THE TRIBUNAL ORDERS that the Appeal of William Smith is allowed in part and Orders that the 2019 Official Plan for the Town of Midland are modified as follows, and as modified is approved.

1. That the designations in Schedules “A”, “B”, and “C” of the 2019 Town of Midland’s Official Plan with respect to the property known municipally as 17111 Highway 12, Midland, be modified in part in accordance with Attachment ‘3’ hereto.
2. That Section 4.3.5 of the Official Plan be modified to add site specific Policy 4.3.5.1 in accordance with ‘Attachment ‘4’ hereto; and
3. That the balance of William Smith’s appeal of the 2019 Town of Midland Official Plan be dismissed.

As modified above, the Town of Midland Official Plan is approved in respect of the lands subject to these two appeals.

“Euken Lui”

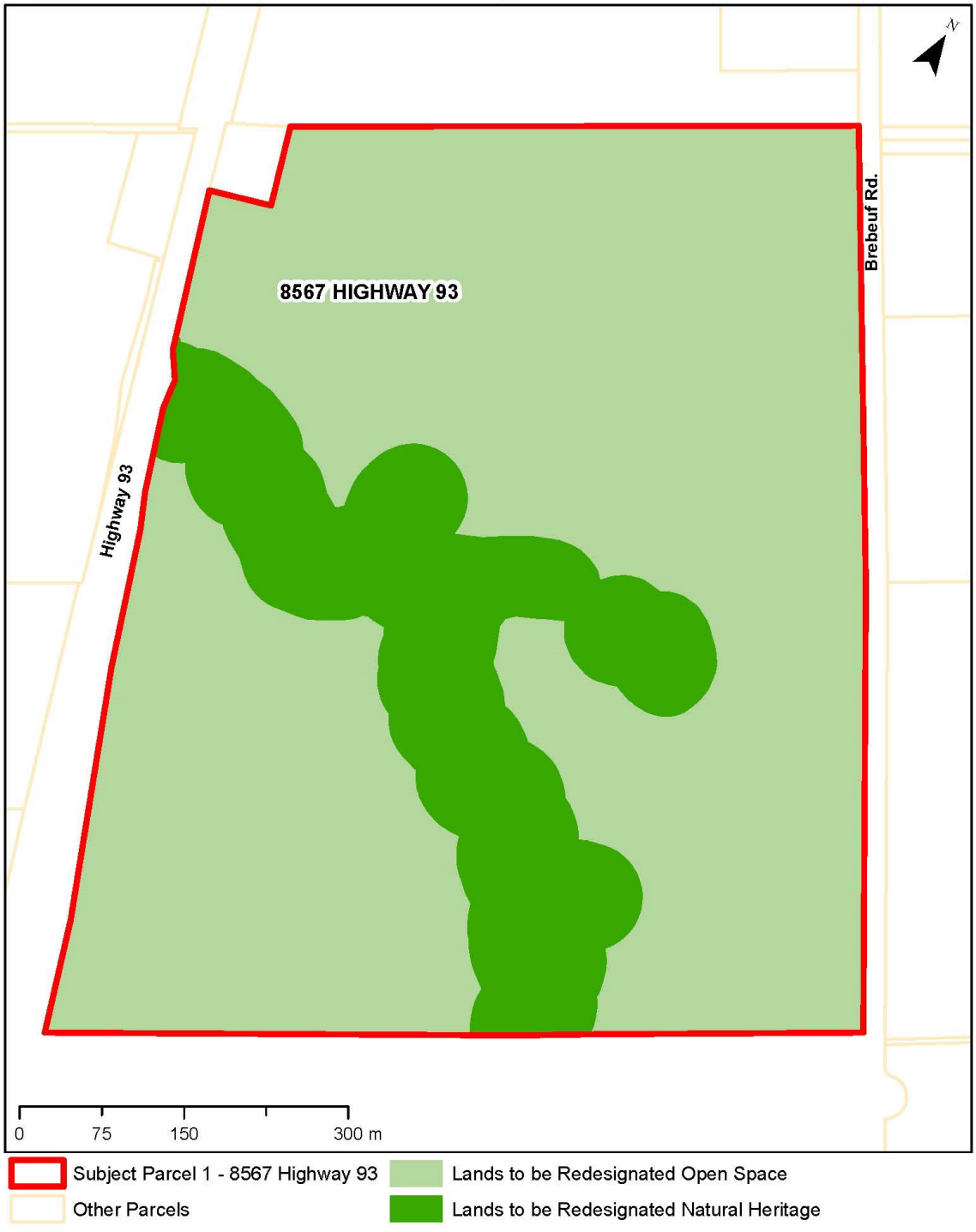
EUKEN LUI
ACTING REGISTRAR

Ontario Land Tribunal
Website: olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal ("Tribunal"). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.

ATTACHMENT 1

Brooklea Golf and Country Club"
Parcel 1 (8567 Highway 93)
Official Plan Land Use Redesignation



Brooklea Golf and Country Club
Parcel 2 (8566 Highway 93)
Official Plan Land Use Redesignation

ATTACHMENT 2

Policy 7.21(F)(6):

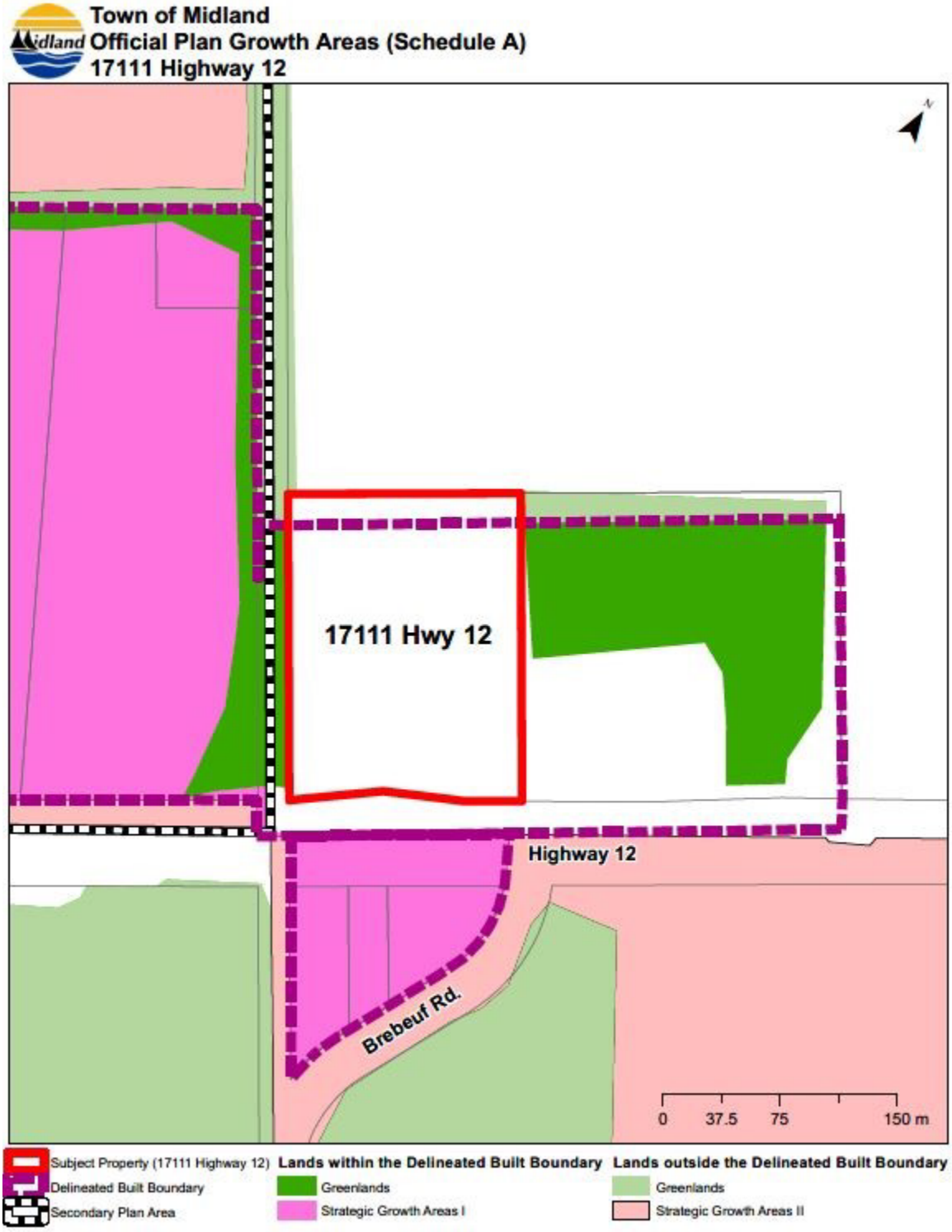
Brooklea Golf and Country Club – 8566 and 8567 Highway 93

These properties currently contain a golf course and associated uses. The Natural Heritage designation and Open Space designation policies shall apply should the golf course use expand and/or change to a different use.

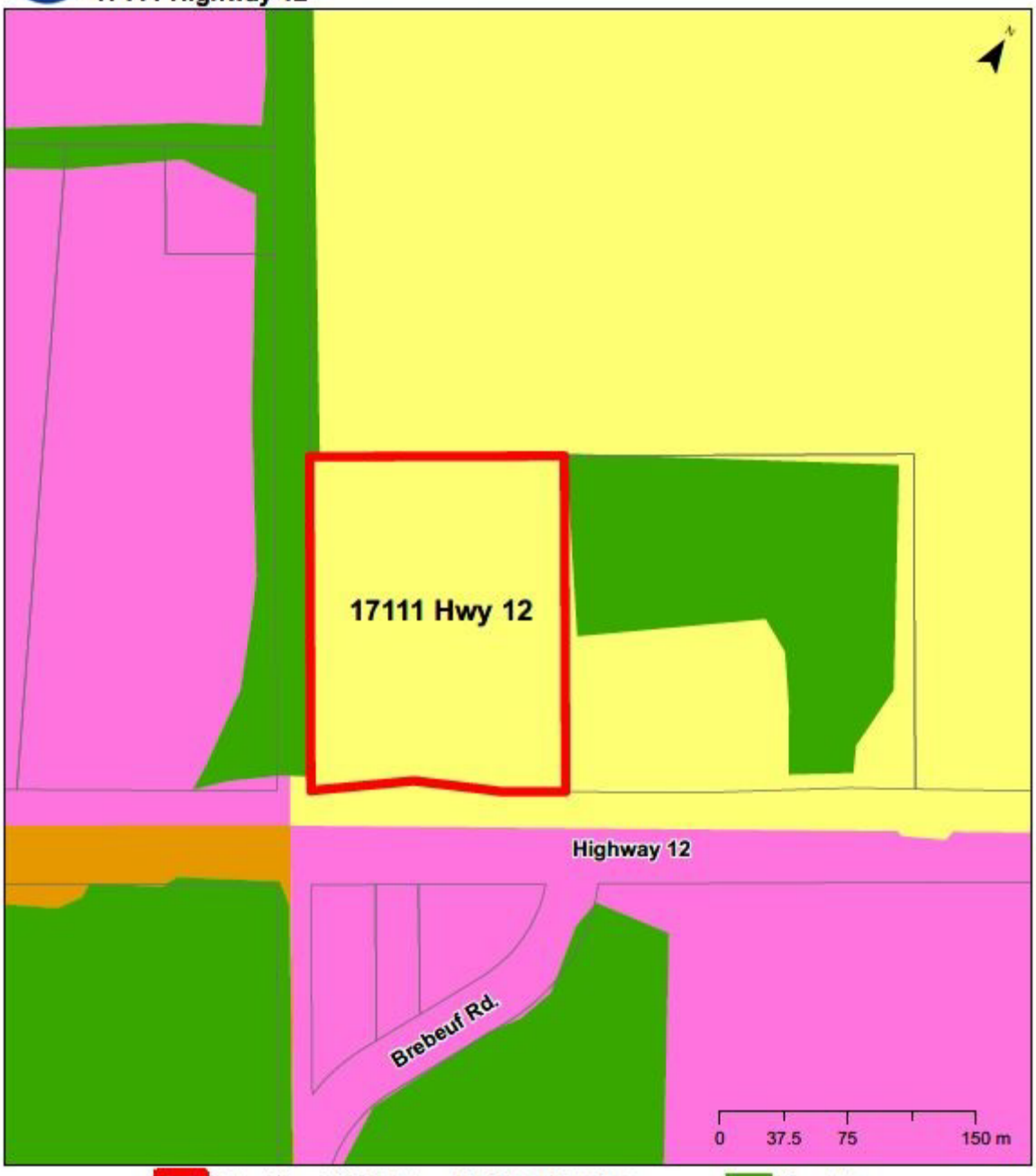
Notwithstanding the above, accommodation uses are recognized as an additional permitted use in the Open Space and Natural Heritage designations on the subject property and may be permitted without the need for an Official Plan Amendment and may be subject to an Environmental Impact Study in accordance with the policies of this Plan.

The boundary between the Natural Heritage designation and the Open Space designation as reflected on Schedule C – Land Use may be further refined through additional EIS work at the development stage to the satisfaction of the Town.

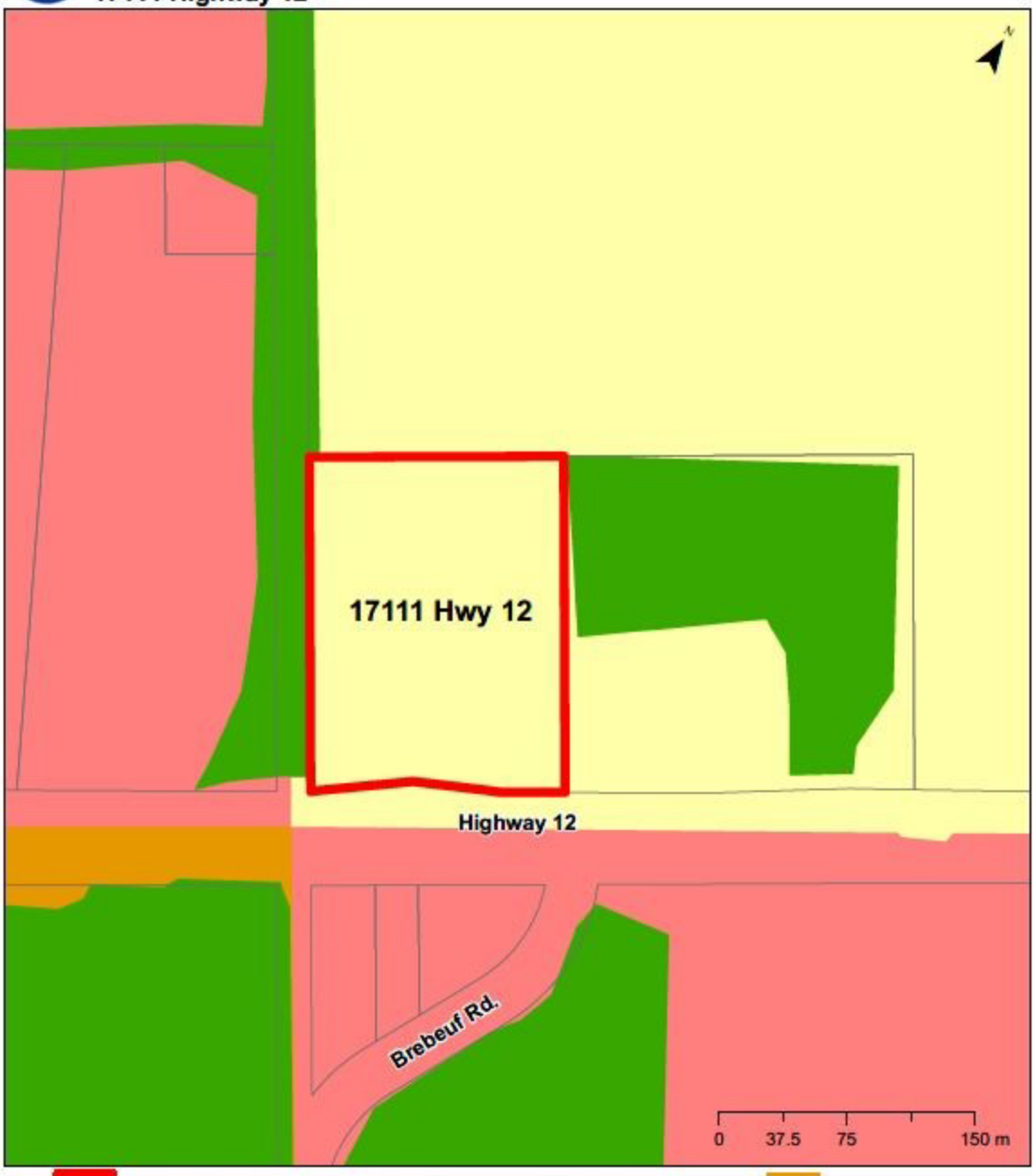
ATTACHMENT 3



Town of Midland
Official Plan Urban Structure (Schedule B)
17111 Highway 12



Town of Midland
Official Plan Land Use Designation (Schedule C)
17111 Highway 12



Subject Property (17111 Highway 12)

OP Land Use Designation

- Rural
- Neighbourhood Residential
- Natural Heritage
- Commercial Corridor

ATTACHMENT 4

4.3.5 Exceptions

4.3.5.1 17111 Highway 12

a) For the lands described municipally as 17111 Highway 12 and located on the north side of Highway 12, east of Penetanguishene Road, being legally described as PT N1/2 LT 101 CON 1 TAY; PT S1/2 LT 101 CON 1 TAY PT 1, 51R24085; MIDLAND, :
   i. Policy 4.5.3.1 shall not apply;