Ontario Land Tribunal
Tribunal ontarien de l'aménagement du territoire

ISSUE DATE: October 3, 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:

WILLIAM R. MIDDLETON VICE-CHAIR	)))	Wednesday, the 2nd day of October, 2024

THIS MATTER having come before the Tribunal as a motion in writing,

THE TRIBUNAL ORDERS THAT 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 settlement between Pratt Development Inc./Barrie Financial Inc. ("Pratt") and the Town, the Appeal of Pratt is allowed in part and **FURTHER ORDERS THAT**:

1. The designations in Schedules “A”, “B”, and “C” of the 2019 Town of Midland Official Plan with respect to the properties known municipally as 823 King Street, legally described as Part of Lot 102, Concession 2, Geographic Township of Tay, Town of Midland and lands legally described as Part of Lot 102, Concession 2, Geographic Township of Tay, Town of Midland, be modified in accordance with Attachment ‘1’ hereto, and as modified, approved;

2. Policies 3.1.2 (c), 4.2.2 (b), (d), and (e), 6.3.2 (o), 6.5.5. (g) and 7.21 ((f)(5)) of the 2019 Town of Midland Official Plan be modified in accordance with Attachment ‘2’ hereto, and as modified, approved; and

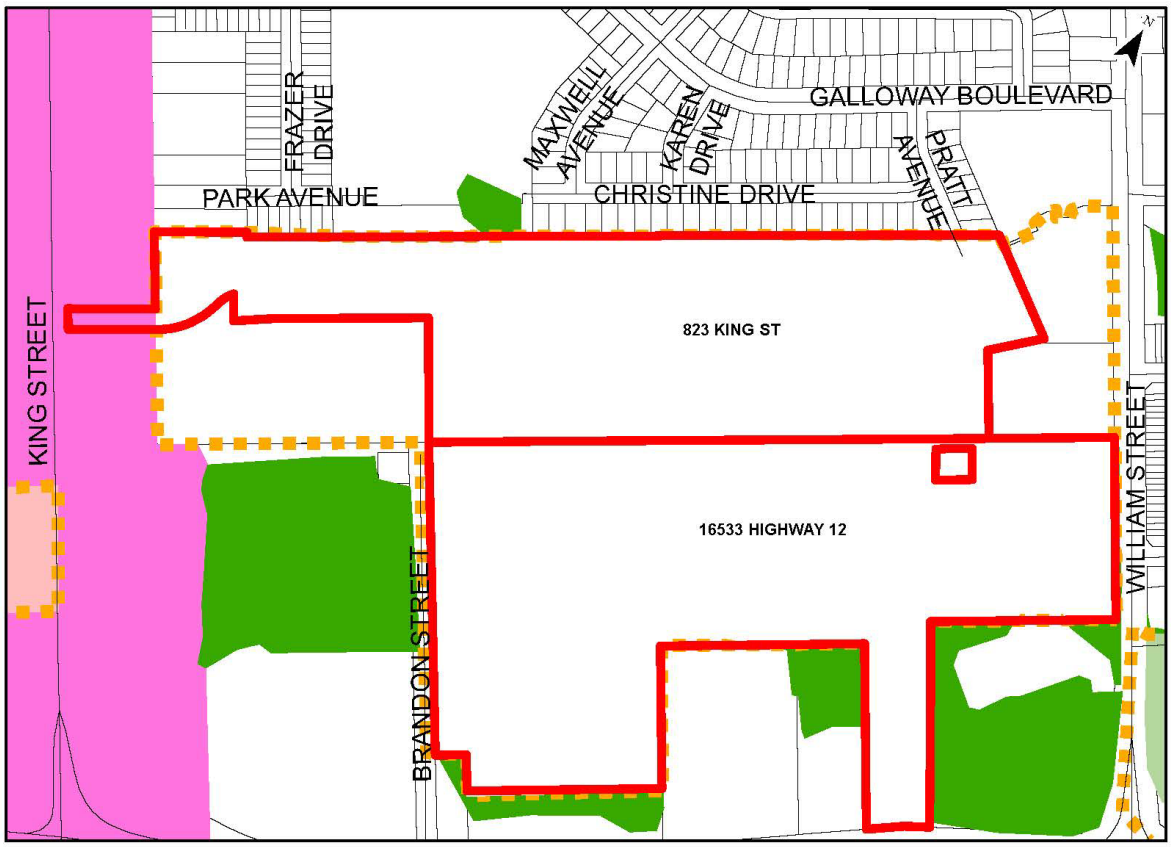
3. The balance of the Pratt Appeal of the 2019 Town of Midland Official Plan be dismissed.

“Euken Lui”

EUKEN LUI
ACTING REGISTRAR

ATTACHMENT 1

Official Plan Schedule "A" - Growth Areas



Subject Lands (823 King St. & 16533 Highway 12)

Delineated Built Boundary

Lands Within the Delineated Built Boundary

Greenlands

Strategic Growth Areas I

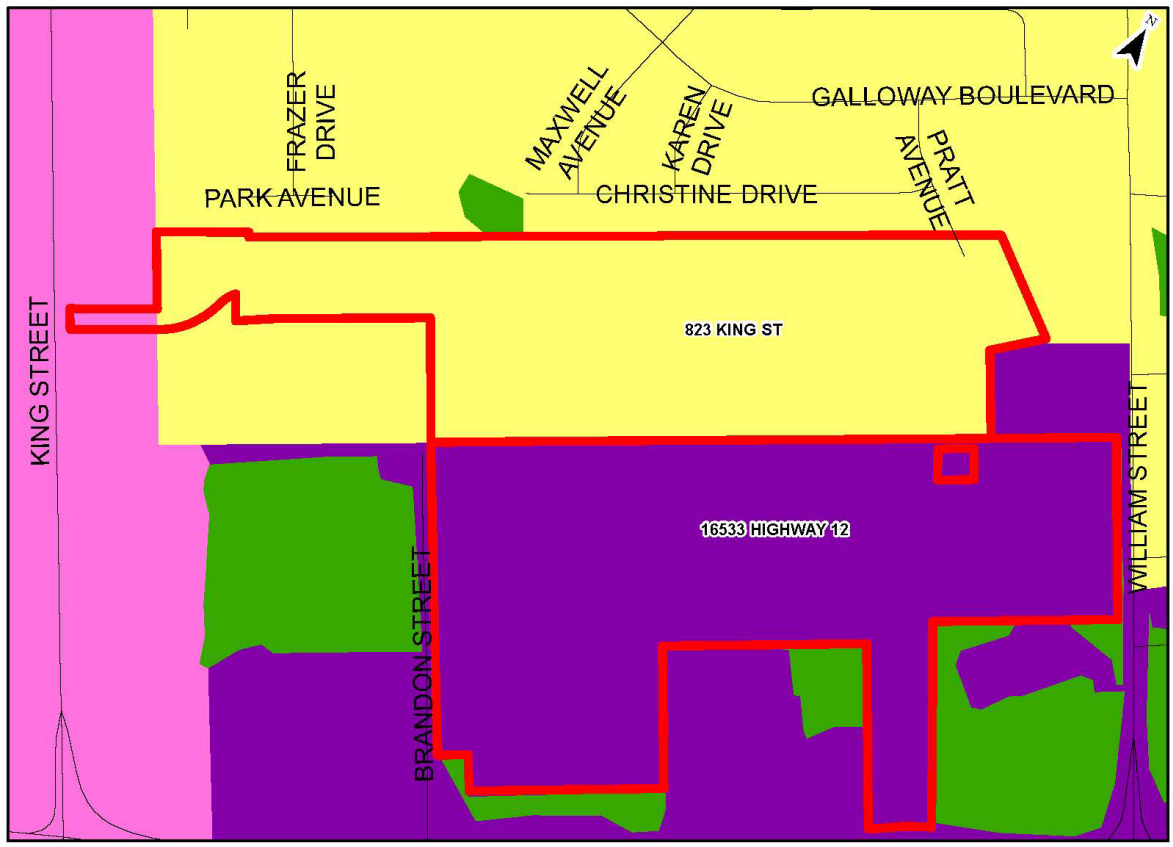
Lands Outside the Delineated Built Boundary

Greenlands

Strategic Growth Areas II

0 75 150 300 m

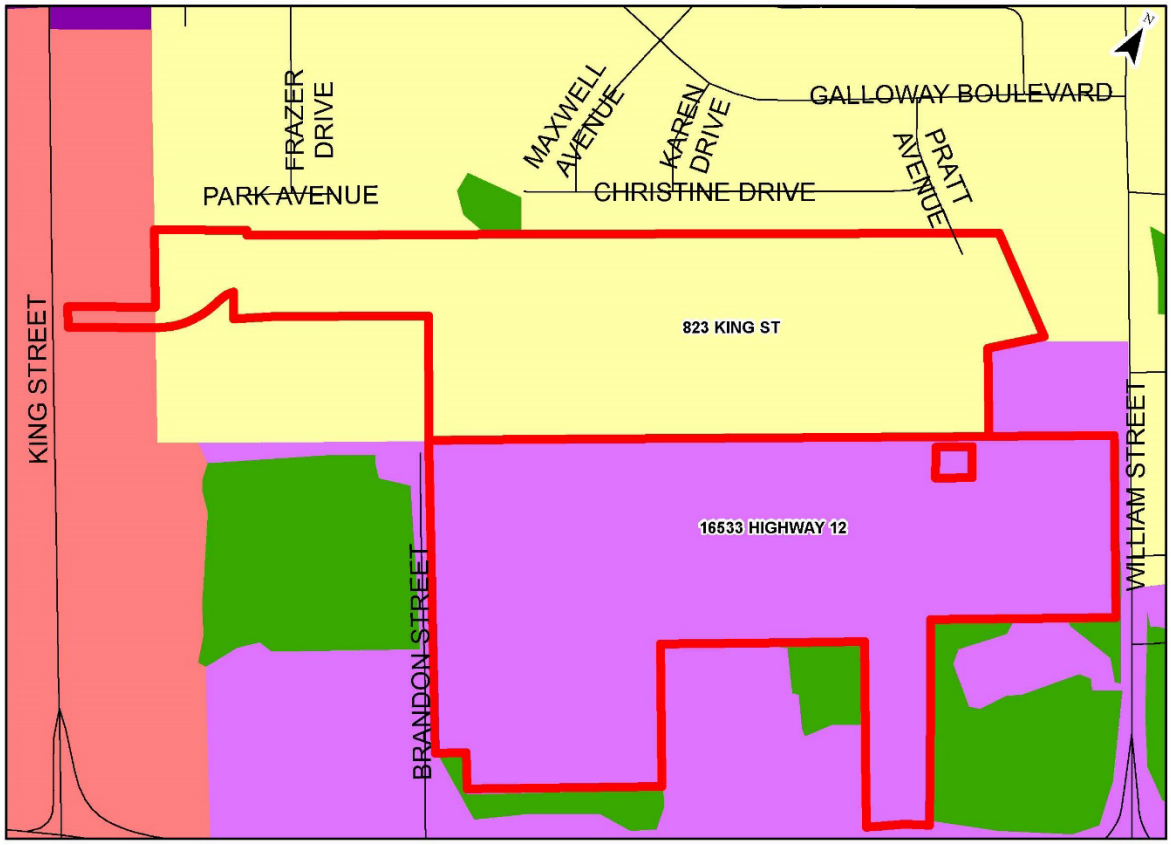
Official Plan Schedule "B" - Urban Structure



Subject Lands (823 King St. & 16533 Highway 12)
Neighbourhood Districts
Employment Districts
Mixed Use Districts
Greenlands

0 75 150 300 m

Official Plan Schedule "C" - Land Use



Subject Lands (823 King St. & 16533 Highway 12)

Neighbourhood Residential

Mixed Use Corridor

Commercial Corridor

Employment Area

Natural Heritage

0 75 150 300 m

ATTACHMENT 2

3.1.2 Street Network and Block Pattern

c) Cul-de-sacs, crescent streets and loop streets will not be permitted unless they provide for pedestrian connections, are located near significant infrastructure, are temporary to protect for future development, or are abutting the natural heritage system. Reverse frontage streets will not be permitted.

4.2.2 Employment Area Designation

b) Permitted uses within the Employment Area designation, as identified on Schedule C – Land Use, may include:

i. Land uses lawfully existing on the date of the approval of this Plan;
ii. Manufacturing in wholly enclosed buildings;
iii. Warehousing and distribution centres;
iv. Pharmaceutical uses in wholly enclosed buildings;
v. Research and development facilities, including data processing businesses;
vi. Business and professional offices;
vii. Limited retail sales of products manufactured, processed or assembled on the premises;
viii. Motor vehicle facilities (washing, repair, fuel and/or sales facilities);
ix. Banquet facilities, convention centres;
x. Contractor and construction premises;
xi. Recreational facilities and health clubs;
xii. Parks and open spaces;
xiii. Public service facilities, including small scale institutional uses but excluding major institutional uses;
xiv. Public uses and public and private utilities; and,
xv. Limited ancillary uses that specifically support the permitted employment uses such as restaurants, hotels, personal service establishments, gas bars and convenience retail.

d) Residential uses, major retail uses and major institutional uses are specifically prohibited in the Employment Area designation.

e) Business operations within the Employment Area designation are to be protected from intrusions of sensitive land uses that may restrict the operations of existing or planned industrial land users. Residential uses, major institutional uses and major retail uses are not permitted in the Employment Area designation.

6.3.2 Drinking Water Source Protection

o) Where a development proposal includes a new stormwater management facility or sewage services in a Vulnerable Area, a Master Servicing Study/ Servicing Options Report shall be required as part of a complete application to ensure the design minimizes the risk of contaminating drinking water. The Master Servicing Study/Servicing Options Report should ensure the stormwater discharge is directed to lands outside the Vulnerable Area, where it would be a low, moderate or significant drinking water

6.5.5 Storm Water Management Facility Design

g) The design of new stormwater management facilitates in vulnerable areas shall minimize the risk of contaminating drinking water, and shall direct the discharge of stormwater to lands outside of vulnerable areas where it would be a significant drinking water threat. Where a development proposal includes stormwater management facilities in a vulnerable area, a Master Environmental Servicing Plan shall be required as part of a complete application.

7.21 (f)

5. Intentionally deleted.