



The Corporation of the Town of Midland

575 Dominion Avenue

Midland, ON L4R 1R2

Phone: 705-526-4275

February 3, 2023

Right Honourable Steve Clark,
Minister of Municipal Affairs and Housing

**Re: ERO number 019-6113 – Consideration of County of Simcoe Official Plan
Amendment No. 7 – Request for Amendments**

Dear Minister Clark:

On behalf of the Corporation of the Town of Midland and further to previous discussions and meetings with the County of Simcoe, the Town of Midland respectfully requests the following considerations:

- 1. Criteria for consideration of alternative uses to natural heritage designation when it has been demonstrated there are no natural heritage features or related negative impacts and where Provincial Policy Statement and related requirements fulfilled**
- 2. Additional population and employment allocation**
- 3. Potential future near term settlement boundary expansion where cost effectiveness of infrastructure servicing expansion is constrained by land supply and land use constraints**

Additional details on each request are provided in the attachment below and Town staff would be pleased to discuss further.

Regards

Andy Campbell, Acting Chief Administrative Officer
Town of Midland

cc. Laurie Miller. Regional Director Municipal Services Office, Central Region

ATTACHMENT

1. Criteria for consideration of alternative uses to natural heritage designation when it has been demonstrated there are no natural heritage features or related negative impacts and where Provincial Policy Statement and related requirements fulfilled

The Town requests that a policy modification and/or introduction of a new policy be made that would be similar to the criteria as are now proposed in OPA 7 which allow agriculture and rural re-designations through policies 3.2.9, 3.2.10 and 3.2.11 and 3.2.27, as appropriate. This policy would be extended to include or crafted to consider natural heritage re-designations (Town of Midland) where there are no natural heritage features or related negative impacts and where Provincial Policy Statement and related requirements fulfilled all of which would be addressed through supporting studies such as an Environmental Impact Statement and other studies to the satisfaction of the municipality in consultation with related experts and/or regulatory authorities.

Such policies would apply to lands within the settlement area boundary, on a case-by-case basis, could include development proposals as appropriate and subject to demonstration of fulfillment of related criteria including but not limited to regarding their viability within the Town's urban structure. Such a process would serve to increase land for additional housing supply and employment uses.

As part of its 2019 Official Plan the Town of Midland introduced a Natural Heritage (NH) designation within its Settlement Area. The intent of the NH designation was to implement related policies of the Provincial Policy Statement. The NH designation replaced the previous Official Plan policies that applied to those lands. The effect of the Town's 2019 Official Plan was a loss of designated residential and employment lands from the municipality's urban structure (see graphic below) which now carry the NH designation. The Town's OP further requires that the OP be implemented in zoning thereby further restricting land uses. An additional complication is that the choice of employing the term natural heritage has created some confusion with the Province's restrictive natural heritage system which does not apply inside the settlement area thereby triggering challenges to the viability of any related amendments as a result of any unintended impacts on the Natural Heritage System.

In the event it is shown that there is no natural heritage value or related negative impacts on a given property, proponents then need to demonstrate that a development policy appropriate to the Town's urban structure can be applied to those lands. This is the opposite approach taken in some municipalities where features are assessed and protected through the development process. The extent of potential natural heritage lands in Midland requires protection and environmental protection and sustainability is a fundamental tenet of community planning. In this instance consideration may be needed to ensure the municipality has crafted a mechanism that appropriately protects the environment while allowing lands without natural heritage value to be developed or used for other purposes.

The Town is concurrently exploring the simplification of its land use designations to ensure the implementation of the related PPS policies around protection of natural heritage while allowing for a more predictable development review/approvals process when it has been demonstrated there are no natural heritage features or related negative impacts on a given property.

Please see mapping of residential and employment land designations replaced by the Natural Heritage designation with adoption of the 2019 Official Plan below.

Also please see policies referenced above and excerpted from proposed OPA 7:

3.2.9 *The redesignation of lands in a settlement area that are designated for agricultural uses or rural uses to a designation in an Official Plan that permits development shall not occur if the effect of the redesignation is that the local municipality will exceed the population and/or employment forecasts set out in Sections 3.2.4 and 3.2.5.*

3.2.10 *Notwithstanding Section 3.2.9, lands can be considered for designation within a Category 1 or 2 settlement area through a local Official Plan Amendment if the additional lands and associated forecasted growth will be fully accounted for in the land needs assessment associated with the next municipal comprehensive review and the lands to be designated for development:*

- a) Satisfies a locally identified community need for the land use;*
 - b) Represents infilling within already developed or planned development areas or is a natural extension of already developed or planned development areas;*
 - c) Supports the efficient use of existing water and wastewater infrastructure capacity; and*
 - d) Supports the development of complete communities.*
- Local municipalities are encouraged to develop phasing policies in their Official Plans to provide guidance on the implementation of this section,*

3.2.11 *Notwithstanding Section 3.2.9 and within delineated built-up areas, local municipalities may designate lands for development and/or plan for development beyond the horizon of this Plan for strategic growth areas that are delineated in this Plan and subject to minimum density targets, provided that:*

- a) Integrated planning for infrastructure and public service facilities would ensure that the development does not exceed existing or planned capacity;*
- b) The type and scale of built form for the development would*

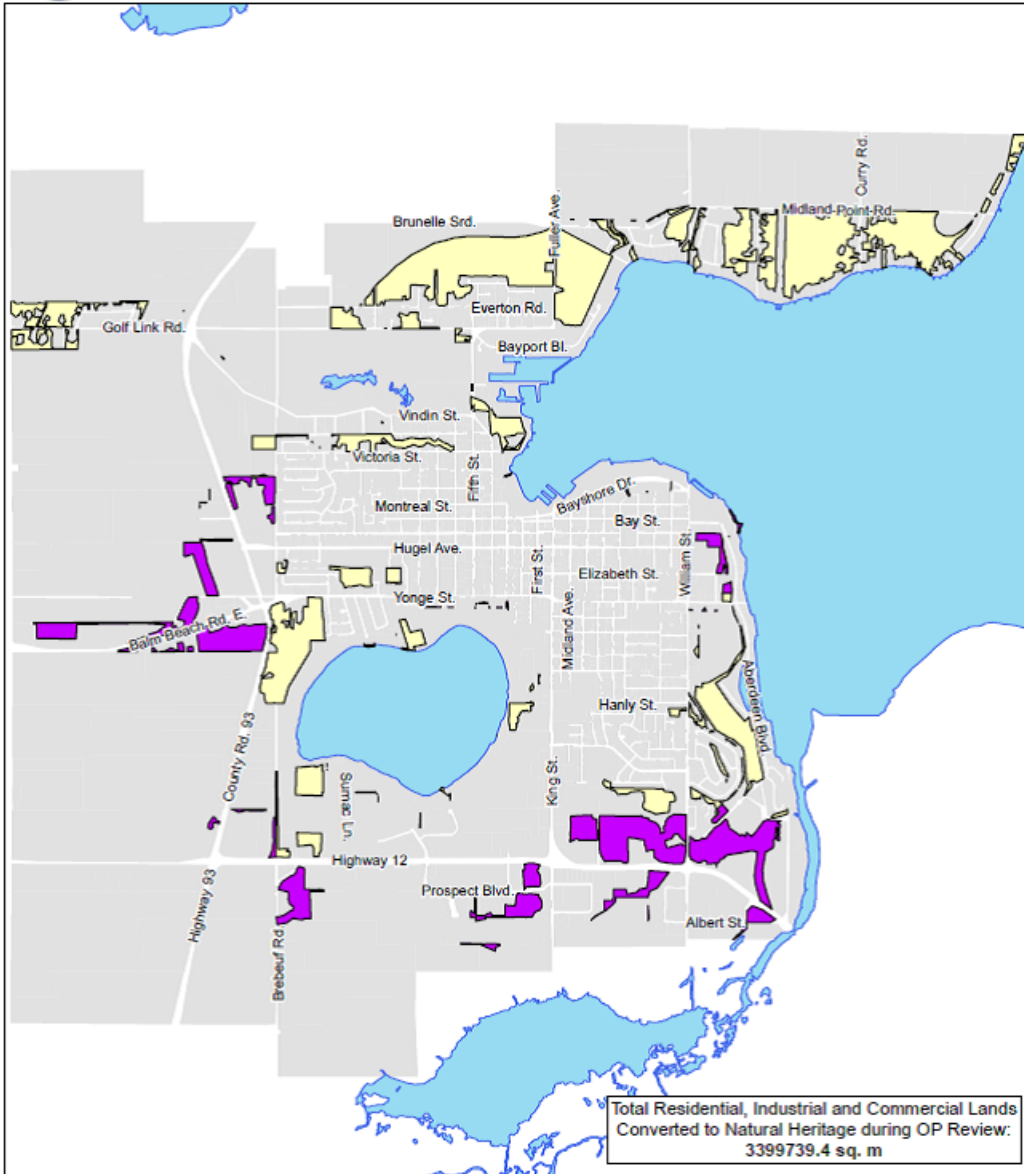
be contextually appropriate; and
c) The development would support the achievement of complete communities, including a diverse mix of land uses and sufficient open space.

3.27 d) *In cases where development is proposed in a designated greenfield area, it shall be demonstrated through a secondary plan or other comprehensive planning process that:*

- i) The proposed development will generally serve as a logical extension to the existing delineated built-up area or already developed designated greenfield areas, is compact and has a mix of uses to allow for the efficient use of land, infrastructure and public service facilities;*
- ii) The proposal will contribute to the availability of a range of housing choices (e.g. density, form, and price) in the designated greenfield area as a whole;*
- iii) All of the other infrastructure and public service facilities required to service the development is available or to be provided, with such infrastructure and public service facilities being used as efficiently as possible; and*
- iv) Access is provided in a manner that supports the provision of essential emergency services, active transportation, efficient transportation patterns, and/or linkages with adjacent existing or planned development.*



Town of Midland Lands Converted from Residential, Industrial and Commercial Designations to Natural Heritage During Official Plan Review



- Lands Converted from Residential District to Natural Heritage (2450469.8 sq. m)
- Lands Converted from Employment Area to Natural Heritage (949269.6 sq. m)

2. Request for consideration of additional population and employment allocation

The Town requests further consideration of additional population and employment allocation.

Additional population and employment is consistent with longer-term infrastructure planning and the ability for the Town to fund infrastructure.

Certainty of land use as a result of additional population to support settlement boundary expansions and development of municipal lands within the settlement boundary provides for better certainty for long-term infrastructure investments. These expansions increase public and private investment that promotes more home construction and employment development opportunities faster.

OPA 7, land needs assessment supported growth estimates for Midland are:

| Residential Forecast | | | |
|----------------------|-------|-------|------------------|
| | 2021 | 2051 | 2021-51 increase |
| Midland | 18250 | 24290 | 6040 |

| Employment Forecast | | | |
|---------------------|-------|-------|------------------|
| | 2021 | 2051 | 2021-51 increase |
| Midland | 10760 | 13170 | 2410 |

Notwithstanding the detailed LNA work completed in support of OPA 7, the Town has previously undertaken estimates of population and employment growth and related land needs through its 2019 Development Charge Background Study and 2019 Water and Wastewater Master Plan exercises.

| | 2016 (Existing) | 2018 | 2021 | 2026 | 2031 | 2036 | 2041 |
|-------------------------|-----------------|---------------|---------------|---------------|---------------|---------------|---------------|
| Residential Population | 16,864 | 18,727 | 21,522 | 22,289 | 22,500 | 24,663 | 26,881 |
| Employment Population | 12,233 | 12,442 | 12,755 | 13,278 | 13,800 | 15,127 | 16,487 |
| Total Population | 29,097 | 31,169 | 34,278 | 35,566 | 36,300 | 39,790 | 43,368 |

Source: Town of Midland 2019 Water Servicing Master Plan

The development charges background study projects an estimated 171 units per year which would significantly exceed currently allotted residential population growth of 6040 residents and could see the Town meeting that growth well in advance of the 2051.

| Development Forecast | 2018 Estimate | General Services Planning Period 2019 - 2028 | | Engineered Services Planning Period 2019 - 2041 | |
|--|---------------|---|---------------|--|---------------|
| | | Growth | Total at 2028 | Growth | Total at 2041 |
| Residential | | | | | |
| Total Dwellings | 7,781 | 1,709 | 9,489 | 3,919 | 11,699 |
| Total Population | | | | | |
| Census | 17,410 | 3,009 | 20,419 | 8,175 | 25,585 |
| <i>Population In New Dwellings</i> | | <i>3,600</i> | | <i>8,059</i> | |
| Non-Residential | | | | | |
| Employment | 11,013 | 2,087 | 13,100 | 5,474 | 16,487 |
| Non-Residential Building Space (sq.m.) | | 131,260 | | 344,290 | |

Source: Town of Midland 2019 Development Charge Background Study

The Town also carries draft plan approvals totaling more than 2000 units in a mix of single detached, townhouse and apartments across several large draft plan approved subdivisions. One of the limits to realizing growth potential is the slow pace of development and the Town has seen draft plan approvals sit idle for extended periods. Additional development approvals would provide a more dynamic mix of development and contribute to greater stability and predictability of construction of new units with the added benefit of supporting related infrastructure investment.

Relying on existing approvals is not delivering the units necessary to support growth and diversity in the housing market and these existing approvals create a “self fulfilling prophecy” where the slow rate of construction results in lower than potential demand side growth numbers and the large volume of units draft approved but not advancing toward construction limits market activity. A more diversified supply of approvals spread across more than a select number of development interests including more active developers has the potential to fuel greater demand and supports related municipal growth objectives.

Similarly, the projected employment growth through the OPA is lower than anticipated given Midland’s role as both a primary settlement area and as a North Simcoe hub including for employment growth.

Given the foregoing the Town is requesting more population to take it to the 2051 horizon and bring in more lands now for the purpose of long-term infrastructure planning and sufficient land supply.

3. Potential future near term settlement boundary expansion where cost effectiveness of infrastructure servicing expansion is constrained by land supply and land use constraints

Some of the Town’s significant expansion lands may be constrained by available land supply that may make the cost effectiveness of related infrastructure investments challenging. Of particular note are the Town of Midland southern expansion lands. A considerable investment is required to extend infrastructure to service these lands. A related policy consideration is requested here but may require further discussion.

The following maps, schedules to the Town’s 2019 Official Plan, show the Town’s Growth Areas and Land Use Plan demonstrating some of the servicing and land supply constraints.



