

**THE CORPORATION OF THE TOWN OF
MIDLAND BY-LAW 2023-XXXX**

A By-law to rezone lands described as Part of the East-Half of Lot 106 and Part of Lot 107, Concession 1, being municipally known as 1144 Hugel Avenue from Highway Commercial (HC) to Highway Commercial-Exception (HC-XX)

WHEREAS the Council of the Corporation of the Town of Midland passed Zoning 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 Council of the Corporation of the Town of Midland has received an application to Amend Zoning By-law 2004-90 and has approved the application; and,

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

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

1. That the lands described as Part of the East-Half of Lot 106 and Part of Lot 107, Concession 1 in the Town of Midland as shown on Schedule 'A' attached hereto shall be the subject of this By-law.
2. That the lands described above and on Map 23 of Schedule "A" to Zoning By-law 2004-90 and as shown on Schedule "A" attached hereto and forming part of this By-law, shall be rezoned from Highway Commercial (HC) to Highway Commercial-Exception (HC-XX) and Section 6.2.4 Zone Exceptions shall be amended with the following:

"6.2.4.XX HC-XX

- Notwithstanding Section 4.1.5 of this By-law, a minimum of 73 parking spaces shall be provided for a building containing 65 hotel guest rooms and an eating establishment with a maximum seating capacity of up to 127 persons.
 - Notwithstanding Section 4.1.10 of this By-law, a minimum of 1 off-street loading space is required that shall provide a minimum width of 4.0 metres and a minimum length of 9.50 metres."
3. That Map 23 of Schedule "A" to Zoning By-law 2004-90, as amended, is hereby further amended to conform to Section 2 of this By-law and as shown on Schedule 'A' attached hereto and forming part of this By-law.
 4. That all provisions of Zoning By-law 2004-90, as amended, except those expressly amended herein shall apply to the subject lands.
 5. That the By-law shall come into force and effect in accordance with the provisions of Section 34 of the *Planning Act*, R.S.O. 1990 and the regulations thereto.

PASSED AND ENACTED THIS _____ DAY OF _____ 2023.

THE CORPORATION OF THE TOWN OF MIDLAND

MAYOR

CLERK

Schedule 'A' to By-Law 2023-XXXX