

THE CORPORATION OF THE TOWN OF MIDLAND

BY-LAW 2024-11

A By-law to amend Zoning By-law 2004-90, as amended, for the 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.

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, having the municipal address of 1144 Hugel Avenue, 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-13) and Section 6.2.4 Zone Exceptions shall be amended with the following:

"6.2.4.12 HC-13

- Notwithstanding Section 4.1.5 of this By-law, a minimum of 101 parking spaces shall be provided onsite for the existing 65 hotel guest rooms and an eating establishment with a maximum seating capacity of up to 127 persons.
- Notwithstanding Section 4.1.10.1 (a) of this By-law, that the minimum width of an off-street loading shall be 4.0 metres with a minimum length 9.50 metres with a minimum clear height of 4.5 metres."
- That conference facilities, permitted as part of a hotel use, as defined in section 3 of the Town Zoning By-law #2004-90, be limited to and for the exclusive use of patrons of the hotel use on the property zoned HC-13 (1144 Hugel Avenue).

- That the property zoned HC-13 (1144 Hugel Avenue) be required to construct a decorative metal fence with a minimum height of 1.5 metre along the lot line of 9303 County Road 93.
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 14th DAY OF FEBRUARY 2024.

THE CORPORATION OF THE TOWN OF MIDLAND



BILL GORDON, MAYOR



SHERRI EDGAR, CLERK



Schedule 'A' to By-Law 2024-11

