

THE CORPORATION OF THE TOWN OF MIDLAND

BY-LAW 2023-xx

A By-law to rezone lands known as 670 to 710 Balm Beach Road East.

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, as amended, 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 this By-law applies to the land described as Part of Lot 105, Concession 1, Part 1 of Registered Plan 51R-31894, and having the municipal addresses of 670 to 710 Balm Beach Road East.
2. That the lands as described above and on Map 35 of Schedule "A" to 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)" Zone to a "Highway Commercial with a Site-Specific Exception (HC-XX)" Zone.
3. That **Section 2: Definitions** is hereby amended by amending the definition of "Apartment Building" to be as follows:

"Apartment Building" shall mean a building containing more than four dwelling units that share a common external access to the outside through a common vestibule and have a common corridor system. Non-residential uses may be located on the ground floor of an Apartment Building."

4. That despite the minimum number of parking spaces required in **Table 4.1 of Section 4.1.5 Number of Spaces Required**, the minimum number of parking spaces for all non-residential uses shall be 290.

5. That despite the minimum number of parking spaces required in **Table 4.1 of Section 4.1.5 Number of Spaces Required**, parking shall be shared amongst the required residential visitor parking and non-residential uses parking.
6. That despite the minimum number of loading spaces required in **Table 4.4 of Section 4.1.10 Loading Provisions**, the minimum number of loading spaces for all uses shall be 3.
7. That in addition to the permitted uses in **Section 6.2.2 Permitted Uses of the Highway Commercial – HC Zone**, an apartment dwelling, as defined herein, shall be permitted on the lands hatched on Schedule “A” attached hereto.
8. That in addition to the permitted uses in **Section 6.2.2 Permitted Uses of the Highway Commercial – HC Zone**, a child care centre shall be permitted on the lands on Schedule “A” attached hereto.
9. That all lands shown on “Schedule A” attached hereto shall be treated as one lot for the purposes of zoning.
10. Notwithstanding Section 2.0 Definitions, the front yard lot line shall be deemed to be along Balm Beach Road East.
11. That all provisions of Zoning By-law 2004-90, as amended, except those expressly amended herein shall apply to the subject land.
12. 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 XX DAY OF XX, XXXX

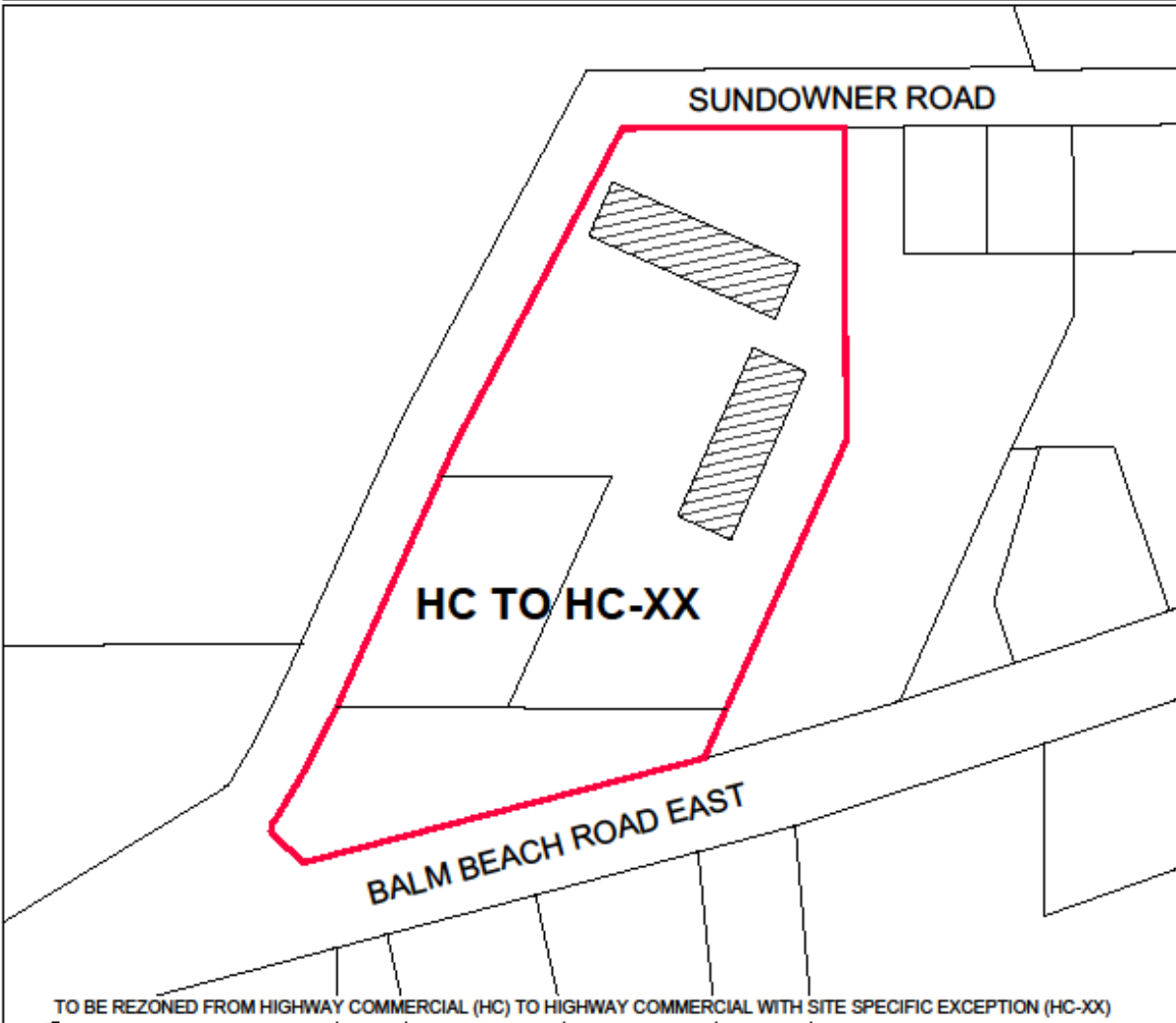
THE CORPORATION OF THE TOWN OF MIDLAND

MAYOR

CLERK

SCHEDULE A TO BY-LAW No. _____
PASSED ON THE _____ DAY OF _____ 202_

SPECIAL PROVISIONS	SCHEDULE	LOCATION	BY-LAW
HC-XX	A	670 TO 710 BALM BEACH ROAD EAST, MIDLAND, ONTARIO	2023-XX



<p>LEGEND</p> <p> SUBJECT SITE</p>	<p>KEY MAP (A12)</p> <p style="text-align: right;">Scale: 1:2000</p> <p style="text-align: right;">wsp</p> <p style="font-size: small; text-align: right;">Date: August 26, 2023 Drawn: [Name] Check By: [Name]</p>
---	---