

THE CORPORATION OF THE TOWN OF MIDLAND

BY-LAW 2024-1

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

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,

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 Lot 105, Concession 1, Part 1 of Registered Plan 51R-31894, and having the municipal addresses of 710 Balm Beach Road East, as shown on Schedule 'A' attached hereto shall be subject of this By-law.
2. That the lands described above and on Map 35 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)" Zone to a "Highway Commercial with a Site-Specific Exception 12(HC-12)" Zone.
3. That **Section 2: Definitions** is hereby adding a new definition of "Apartment Building, Mixed Use" to be as follows:

"Apartment Building, Mixed Use" 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. Residential uses shall not be located on the ground floor of an Apartment Building, Mixed Use."

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 only non-residential uses shall be permitted within the Ground Floor of Buildings "C" and "D" as shown 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**, an Apartment Building, Mixed Use, as defined herein, shall be permitted in Buildings "C" and "D" as shown on Schedule "A" attached hereto.
9. That all provisions of Zoning By-law 2004-90, as amended, except those expressly amended herein shall apply to the subject land.
10. 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.

BY-LAW PASSED AND ENACTED THIS 10th DAY OF JANUARY, 2024.

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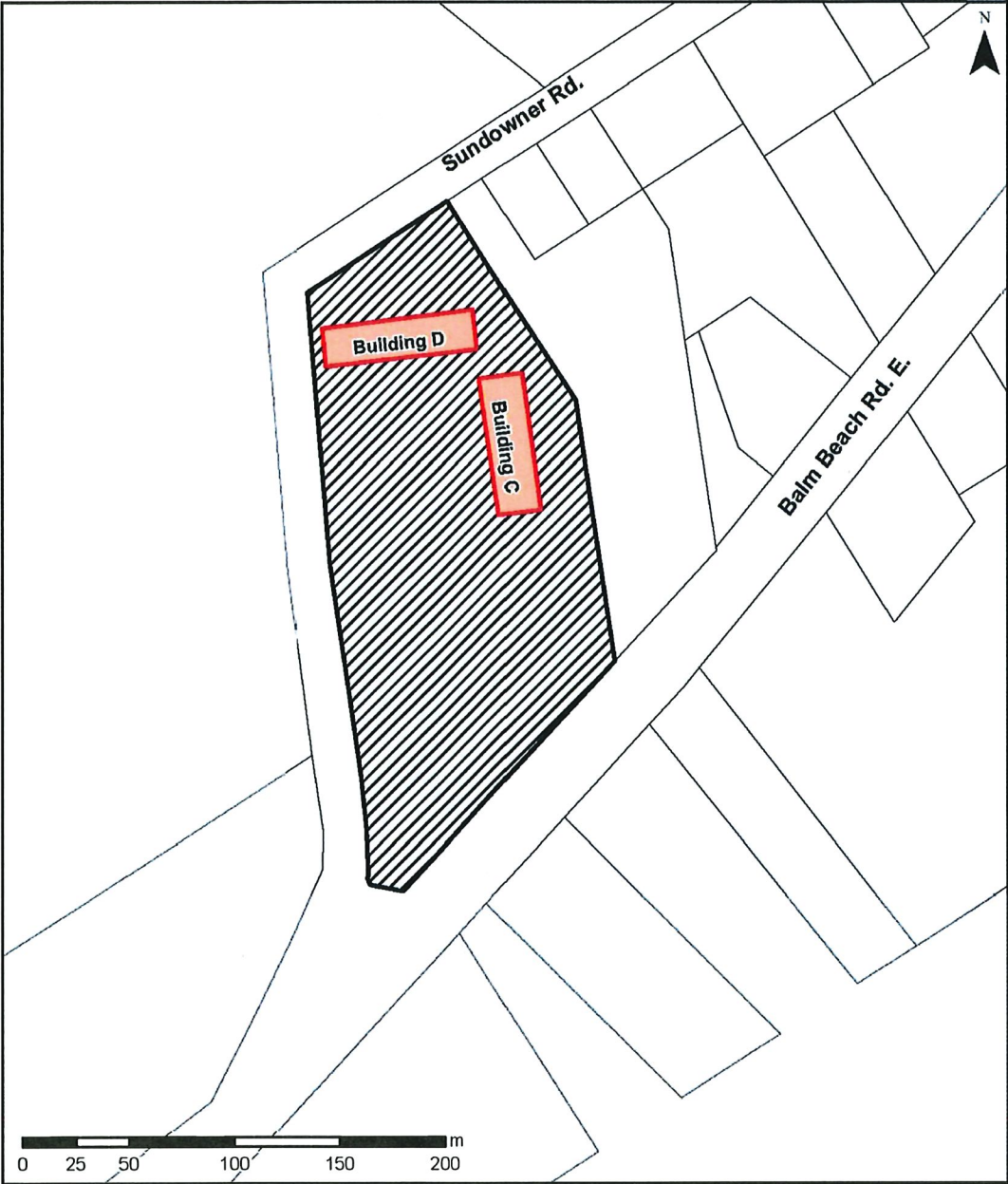
BILL GORDON- MAYOR





SHERRI EDGAR- CLERK



Schedule "A" to By-Law 2024-1



-  Lands to be Rezoned from Highway Commercial - HC to Highway Commercial Exception - HC-12
-  Subject Buildings C and D