

THE CORPORATION OF THE TOWN OF MIDLAND

BY-LAW 2023-65

A By-law to rezone lands described as Part of Lot 1012, Concession 12, Geographic Township of Tay, Town of Midland, County of Simcoe, being municipally known as 823 King Street

WHEREAS the Council of the Corporation of the Town of Midland passed 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 that 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 lands generally described as Part of Lot 102, Concession 2 (Geographic Township of Tay), now Town of Midland (Draft Plan of Subdivision No. MD-T- 0108) (Assessment Roll Numbers 4374-020-015-00500-0000 and 4374-020-015-00503-0000), having the municipal address 823 King Street, as shown on Schedule "A", attached hereto and forming part of this By-law.
2. That the lands described above and on Map 37 and 38 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 zoned Residential Exception (R2-16), Residential Exception (R2-17), Residential Exception Hold (R2-17(H)), Residential Exception (R2-20), Residential Townhouse Exception (RT-9) and Residential Townhouse Exception (RT-27) and SECTIONS 5.2.4 and 5.6.4 ZONE EXCEPTIONS, and SECTION 3.36 HOLDING SYMBOL - H shall be amended with the following:

1. SECTION 5.2.4 ZONE EXCEPTIONS is hereby amended by adding the following R2 Zone Exception:

Notwithstanding SECTION 5.2.3 ZONE REQUIREMENTS, the following provisions shall apply to lands zoned R2-20 (Subdivision MD-T- 0108, 823 King Street):

Minimum Lot Area	330 m ²
Minimum Lot Frontage	10.0 m
Maximum Lot Coverage	40%

2. SECTION 5.5.4 ZONE EXCEPTIONS is hereby amended by adding the following RT Zone Exception:

Notwithstanding SECTION 5.6.3 ZONE REQUIREMENTS: Street Townhouse, the following provisions shall apply to lands zoned RT-27 (Subdivision MD-T-0108, 823 King Street):

Minimum Lot Area	190 m ² /DU
Minimum Lot Frontage	6.0 m
Maximum Lot Coverage	40%

3. SECTION 5.2.4.17 R2-17 is hereby amended by deleting the following:

- (a) Minimum Lot Area 400 m²

And replacing it with the following:

- (a) Minimum Lot Area 330 m²

4. SECTION 3.35 HOLDING SYMBOL – H is hereby amended by adding the following new section:

3.36.7 For the lands at 823 King Street and zoned "R2-17(H)", the requirement for the removal of the Holding "H" Symbol shall be:

1. The construction of a cul-de-sac or turnaround to provide sufficient access to these lots to the satisfaction of the County and Town, or the extension of "Street C" as a through road connecting to an adjacent municipal street to the north. Written confirmation shall be received from the County of Simcoe that the Hold (H) can be lifted.
3. That Map 37 & 38 Schedule "A" to Zoning By-law 2004-90, as amended, is hereby further amended to conform with Section 2 of this By-law 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 on the day it was passed except that where one or more appeals have been filed under Section 34 of the *Planning Act*, R.S.O. 1990, the By-law does not come into force until all such appeals have been finally disposed of whereupon the By-law, except for such parts thereof as are repealed or amended in accordance with the direction of the Ontario Land Tribunal or as are repealed or amended by the Ontario Land Tribunal, as provided for in Sub-section 26 of Section

34 of the *Planning Act*, R.S.O. 1990, shall be deemed to have come into force on the day it was passed.

PASSED AND ENACTED THIS 6TH DAY OF DECEMBER 2023.

THE CORPORATION OF THE TOWN OF MIDLAND



BILL GORDON - MAYOR






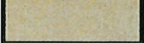


SHERRI EDGAR - CLERK



Schedule 'A' to By-law 2023-65



-  Residential Exception - 16 (R2-16)
-  Residential Exception - 17 (R2-17)
-  Residential Exception - 17 Holding (R2-17H)
-  Residential Exception - XX (R2-XX)
-  Residential Townhouse Exception - 9 (RT-9)
-  Residential Townhouse Exception - XX (RT-XX)