

THE CORPORATION OF THE TOWN OF MIDLAND

BY-LAW 2021-XX

A By-law to amend Zoning By-law 2004-90, as amended,
respecting 420 Bayshore Drive – Midland Bay Landing

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 initiated an Amendment to Zoning By-law 2004-90, as amended, for the Midland Bay Landing site to establish an interim zone to better regulate land uses and provide a transition to the eventual and detailed zoning for the site; 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 the Part of Lots 107 and 108, Concession 2. Water Lot lying in front of Lot 108, Concession 2, Water Lots 'C' and 'D', Concession 2 in Midland Bay of Georgian Bay, Part of Lots 1 to 12 (inclusive), north side of Frank Street, all of Water Lots 1 to 12 (inclusive), Part of Charles Street, George Street, Lindsay Street (closed north of Canadian National Railway by Registered Plan 724), and more particularly described as Part 1, Reference Plan 51R-40291, Geographic Township of Tay, now in the Town of Midland and as shown on Schedule "A" attached hereto shall be the subject of this By-law.
2. That the lands shown on Maps 20, 25, and 26 of Schedule "A" attached hereto are hereby rezoned from INDUSTRIAL "M1-1 BH30" Zone and the RESIDENTIAL/MARINE COMMERCIAL "R/MC-H" to the DEFERRED DEVELOPMENT "D" Zone.
3. That the title SECTION 9 RURAL AND ENVIRONMENTAL PROTECTION ZONES in the Table of Contents and in Section 9 is hereby deleted and replaced with the new title as follows:

"SECTION 9 RURAL, DEFERRED DEVELOPMENT, AND ENVIRONMENTAL PROTECTION ZONES"
4. That SECTION 3 GENERAL PROVISIONS, **3.1.4 Other**, is hereby amended by adding "D – Deferred Development" immediately following "RU – Rural".

5. That Sub-section 3.2 INTERPRETATION, is hereby amended by deleting clauses 3.2.1 and 3.2.2 and replacing them with new clauses 3.2.1 and 3.2.2 as follows:

“3.2.1 Buildings, structures, lands, uses and regulations may herein be referred to as R1, R2, R3, R4, R5, RT, RA, RM, RO, DC, HC, NC, MC, M1, M2, OS, EP, D, I and RU buildings, structures, lands, uses and regulations respectively.

3.2.2 The expressions R1 Zone, R2 Zone, R3 Zone, R4 Zone, R5 Zone, RT Zone, RA Zone, RM Zone, RO Zone, DC Zone, HC Zone, NC Zone, MC Zone, M1 Zone, M2 Zone, OS Zone, EP Zone, D Zone, I Zone, and RU Zone as used herein, mean respectively a Zone designated by the symbols R1, R2, R3, R4, R5, RT, RA, RM, RO, DC, HC, NC, MC, M1, M2, OS, EP, D, I and RU as shown on the Zoning Map Schedules forming part of this By-law. The buildings, structures, uses, regulations and zones may herein be called residential, commercial, institutional or industrial buildings, structures, uses, regulations and zones.”

6. That a new Sub-section “9.3 DEFERRED DEVELOPMENT – D” is hereby added to the Section 9 immediately following Sub-section 9.2 as follows:

“9.3 DEFERRED DEVELOPMENT – D

9.3.1 General Prohibition

Within a Deferred Development Zone – D Zone, no person shall use any land, erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in this Section and also such use, building or structure, shall be in accordance with the regulations contained or referred to in this Section.

The development of land zoned Deferred Development –D is being deferred until Council is satisfied what the final zone classification of the lands should be and pending the enactment of an amendment to this Zoning By-law.

9.3.2 Permitted Uses

- 9.3.2.1 Unless provided elsewhere in the Zoning By-law, the uses permitted for lands subject to a Deferred Development – D Zone are limited to those that lawfully existed at the date of this Zoning By-law coming into force, or as the case may be, those lawfully existing prior to the Deferred Development –D Zone coming into force and effect.

9.3.2.2 Notwithstanding the above, Public Uses of the Corporation of the Town of Midland shall also be permitted.

9.3.3 Zone Requirements

- 9.3.3.1 Minimum Lot Area Existing
- 9.3.3.2 Minimum Lot Frontage Existing
- 9.3.3.3 Maximum Lot Coverage Existing
- 9.3.3.4 Minimum Yard Setbacks
 - (a) Front Existing
 - (b) Rear Existing
 - (c) Interior Side Existing
 - (d) Exterior Side Existing
- 9.3.3.5 Maximum Building Height Existing"

7. 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 READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
th DAY OF , 2021.

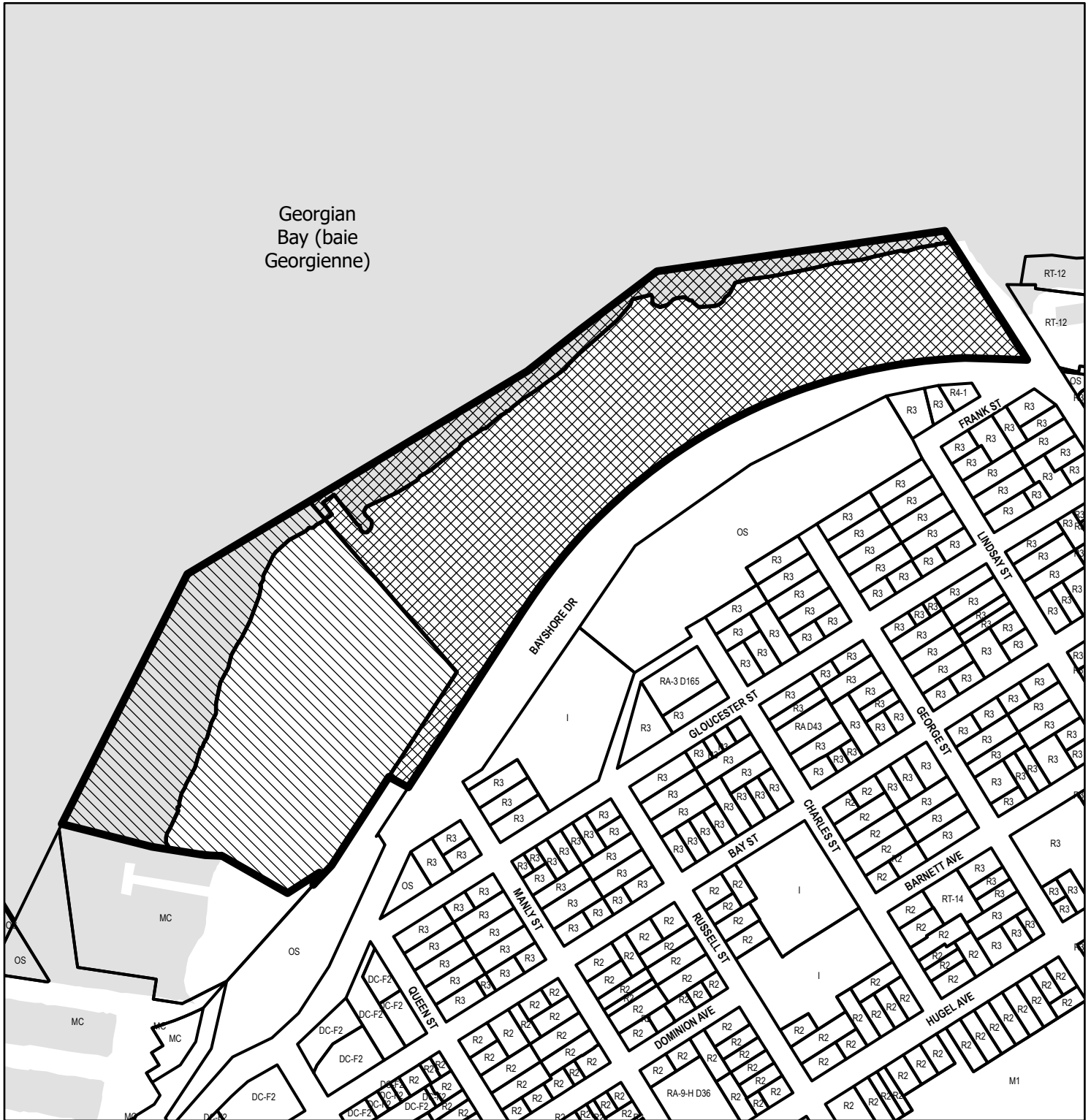
THE CORPORATION OF THE TOWN OF MIDLAND

MAYOR

CLERK

Schedule 'A' By-Law 2021 - _____

Georgian Bay (baie Georgienne)



Lands rezoned from Industrial "M1-1 BH30" Zone to the Deferred Development "D" Zone

Lands rezoned from Residential/Marine Commercial "R/MC-H" Zone to the Deferred Development "D" Zone

0 50 100 200 300 400



Meters (1:5,000)

