



THE CORPORATION OF THE
TOWN OF MIDLAND

**NOTICE OF THE PASSING OF
A ZONING BY-LAW IN THE TOWN OF MIDLAND
BY-LAW 2025-45 (1191 Harbourview Drive)**

TAKE NOTICE that the Council of The Corporation of the Town of Midland passed By-law 2025-45 on the 9th day of July, 2025, under Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13.

Agent: Jonathan Pauk, RPP – MORGAN Planning & Development Inc.

Owner: 2428568 Ontario Ltd. (Kaitlin Corp.)

Application No.: ZBA-02-2025

Location: 1191 Harbourview Drive (see Location Map)

THE PURPOSE AND EFFECT of the Zoning By-law Amendment is to:

- Rezone the subject lands from the in-effect Highway Commercial – Hold zone to a Highway Commercial Site-Specific Exception 15 Hold (HC-15(H)).
- Add “Apartment Building, Mixed Use” as a permitted use
- Permit a maximum building height of 44.2 metres for the “Apartment Building, Mixed Use” Increase the maximum building height to 44.2 metres, and
- Increase the maximum lot coverage from 50% to 52%.

THE EXPLANATION OF THE EFFECT WRITTEN AND ORAL SUBMISSIONS HAD ON THE DECISION:

Several written and oral submissions were received regarding the application to rezone the subject lands. These submissions did not have any effect on the decision.

AND TAKE NOTICE that an appeal to the Ontario Land Tribunal in respect to all or part of this Zoning By-law Amendment application may be made by filing a notice of appeal with the Town Clerk either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting Midland as the Approval Authority or by mail to 575 Dominion Avenue, Midland, ON L4R 1R2, no later than 4:30 p.m. on August 10, 2025. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee of \$1,100 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca. If the e-file portal is down, you can submit your appeal to clerks@midland.ca.

WHO CAN FILE AN APPEAL

Pursuant to Section 34(19) of the Planning Act R.S.O. 1990, c. P.13, a Notice of Appeal may be filed to the OLT by the following parties:

- The Applicant;
- A specified person who, prior to Council’s decision, made oral submissions at a public meeting or written submissions to the Council of the Town of Midland;
- A public body who, prior to Council’s decision, made oral submissions at a public meeting or written submissions to the Council of the Town of Midland;



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- The registered owner of any land to which the by-law would apply who, prior to Council's decision, made oral submissions at a public meeting or written submissions to the Council of the Town of Midland;
- The Minister.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at the public meeting or written submissions to the Council of the Town of Midland, in the opinion of the OLT, there are reasonable grounds to add the person or public body as a party.

A key map showing the location of the lands is attached. The complete By-law is available for inspection in the Planning Department during regular office hours at 575 Dominion Avenue, Midland, or by calling 705-526-4275.

There are no associated files/applications.

Dated at the Town of Midland this 21st day of July, 2025.

Sherri Edgar
Town Clerk/Director of Legislative Services



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Key Map

