

**TOWN OF INNISFIL
COMPREHENSIVE ZONING
BY-LAW 080-13
(Council Adopted)**



July 10, 2013

(contains amendments up to end of August 2019)

Note that map schedules are in the process of being updated – for information relative to a specific property please contact the Town of Innisfil



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PREAMBLE

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A. Introduction

The preamble is intended to assist the reader in understanding and interpreting the Zoning By-law for the Town of Innisfil. It does not form part of the Zoning By-law.

B. Purpose of this By-law

The Zoning By-law regulates the use of land, buildings and structures in the Town of Innisfil. The By-law implements and conforms to the policies of the Town of Innisfil Official Plan.

C. Authority to prepare this By-law

The Zoning By-law is prepared in accordance with Section 34 of the *Planning Act*, R.S.O., 1990, c.P.13, as amended. Generally speaking, the *Planning Act* allows the Council of the Town of Innisfil to pass zoning by-laws to restrict the use of land, and to regulate the size, location and character of buildings and structures within the Town.

D. Structure of this By-law

The Zoning By-law consists of the following sections:

Section 1 – Interpretation and Administration

Section 1 describes how the Zoning By-law is to be interpreted, and how the by-law is to be administered by the Town of Innisfil. Section 1 also contains important details regarding the interpretation of the Zoning By-law, such as the meaning of “shall,” the application of zone categories and the interpretation of the zoning map boundaries.

Section 1.3 establishes the zone categories and zone symbols which are applied to all lands within the Town.

Section 2 – Definitions

Section 2 provides specific definitions for commonly used terms in the By-law. Many of the permitted uses, and other technical terms used in the Zoning By-law are defined in Section 2. These definitions ensure that the Zoning By-law is being interpreted and applied consistently.

For the convenience of the reader, if a term is bolded in the text of the Zoning By-law, then the term is defined in Section 2.

It is important to read and understand the definitions, as they will assist in the interpretation of this By-law. For example, if the By-law requires a minimum lot frontage of 15.0 metres, the definition of “lot frontage” will clarify how the lot frontage may be identified and calculated. The reader should always refer to the definition of a term if it is defined. Where a term is not specifically defined, it is intended that the common, general definition of the term is applicable. Note that while the definitions are listed in alphabetical order, some terms may be grouped into a category of terms. For example, “street townhouse dwelling” is grouped with other dwelling definitions, as “dwelling, street townhouse.”

Certain definitions are also supported by illustrations to help clarify complex definitions. The illustrations do not form part of the Zoning By-law, but are intended to assist in understanding the meaning of a definition.

Section 3 – General Provisions

Section 3 of the Zoning By-law provides general provisions which may be applicable to all zones, one or more categories of zones, or to specific uses. The general provisions address matters such as parking requirements for specific uses, special provisions for specific uses, and additional requirements for specific situations (e.g., setback from a rail line, accessory buildings, development in floodplains/hazard lands/environmentally significant features, landscaped open space, etc.). The reader should identify all general provisions that are applicable to their situation.

Sections 4-8 – Zone Categories (Permitted Uses, Zone Regulations and Zone Exceptions)

All lands in the Town of Innisfil are zoned by the Zoning By-law, with few exceptions, such as streets and Provincial highways. The Zoning By-law establishes a number of zones which permit certain uses, as well as requirements for the location and character of buildings and structures. Sections 4-8 detail the permitted uses, zone regulations and exceptions for each of the zones. The zones are organized into categories, as follows:

Section 4 – Residential Zones

Section 5 – Commercial and Mixed Use Zones

Section 6 – Industrial Zones

Section 7 – Community Service, Open Space and Environmental Protection Zones

Section 8 – Agricultural and Future Development Zones

Permitted Uses

Subsections 4.1, 5.1, 6.1, 7.1 and 8.1 detail the uses that are permitted in each zone, through a series of tables. For example, Table 4.1 illustrates which uses are permitted in the Residential zones. The first column of a permitted uses table is a list of principal uses and accessory uses, buildings and structures. The use is permitted in each zone where there is a “•” symbol in the corresponding column. If a use is not permitted in a zone, there is no symbol shown. If an “E” is shown beside a use - that use is only permitted if it legally existed on the date of adoption of the Zoning By-law. An excerpt of Table 4.1 is shown below, indicating that a single detached dwelling is permitted in the RE, RR, R1, R1A, R2 and R3 zones. Only single detached dwellings which legally existed on the date of adoption of the By-law are permitted in the RS zone. According to this table, single detached dwellings are not permitted in the RT, RA and RSC zones (however, note that single detached dwellings are permitted as part of a permitted residential special community use in the RSC zone only). Refer to Section 4 of the Zoning By-law for the complete table. The table shown below is used for illustrative purposes only.

Excerpt of Table 4.1 (for illustrative purposes only)

	RE	RR	R1	R1A	R2	R3	RS	RT	RA	RSC
Principal Use										
Single detached dwelling	•	•	•	•	•	•	E			

Each of the permitted uses is subject to the applicable zone regulations (Section 5), the general provisions (Section 3) and the Zone Exceptions (Section 6), where applicable.

This By-law is exclusionary, which means that if a use is not specifically defined, then the use is not permitted.

Zone Regulations

Sections 4-8 also contain the regulations for each of the zones. Within each zone, there is typically a minimum specified lot area, minimum required frontage on a road, as well as minimum building setbacks (yards) and other requirements. To improve readability and comparison between similar zones, the zone regulations are organized into tables. Tables

4.2a and 4.2b in Subsection 4.2, for example, detail the regulations for the Residential Zones.

Zone Exceptions

Most lands in the Town of Innisfil are zoned by a base zone, which are represented by symbols such as R1, AG, etc. However, some lands are also zoned by a site-specific Exception Zone, which is denoted as a base zone symbol followed by a hyphenated numeric suffix. For example, AG-1 is Exception number 1 to the AG zone. The Exceptions to each Zone are contained in Sections 4-8. Section 4.3, for example, details the exceptions to the Residential Zones.

The Exception Zones provide special provisions related to that specific property or properties. The Exception Zone may provide specific definitions, permitted uses or lot and building requirements which are applicable only to the lands zoned by the Exception Zone. Unless otherwise stated, the provisions in the applicable base zone and the general provisions of the By-law are still applicable to lands with an Exception Zone. For example, if the Exception Zone states only that “Notwithstanding any other provision of this By-law, the minimum lot frontage shall be 20.0 metres,” then the minimum lot frontage must be 20.0 metres, but the provisions for other lot requirements in the base zone and in the general provisions still apply.

Schedule “A” – Maps

Schedule “A” to the Zoning By-law contains maps which identify the zoning for all lands in the Town of Innisfil. In addition, the maps also identify areas which are subject to specific provisions related to the Regulated Area (flood hazards and steep slopes), wellhead protection areas, and intake protection zones, as described below. The mapping is subject to change and may be amended from time to time to reflect amendments to the zoning by-law as well as mapping changes due to technical adjustments.

Hazard Lands (Regulated Area)

The Regulated Area of the Conservation Authorities is illustrated as a Hazard Lands overlay on Schedule “A”. The Hazard Lands includes lands within the Regulated Area jurisdiction of a Conservation Authority, and may relate to lands associated with flooding or other hazards. Development within the Hazard Lands area requires a permit from the Conservation Authority before a building permit can be issued. This overlay is primarily intended for information purposes only, as the Regulated Area of the Conservation Authority may change from time to time. The reader should consult with the Town of Innisfil and the Conservation Authority to confirm whether a permit will be required from the Conservation Authority prior to any development or site alteration. Section 3.20.1 in the General Provisions provides additional information about the meaning of this overlay.

Natural Environmental Area

The Natural Environmental Area is illustrated as an overlay on Schedules “B” to “B14” of the Town Official Plan and includes natural features that are considered to be significant at a Provincial, regional or local level. Development and site alteration shall not be permitted unless it is demonstrated through the completion of an environmental analysis that there will be no negative impacts on the natural features or on their functions. This overlay is primarily intended for information purposes only and is based on the most current information available, and may not be accurate or up to date in some areas. The reader should consult with the Town of Innisfil and the Conservation Authority to confirm what additional studies may be required to permit development and site alteration. Section 3.20.2 in the General Provisions provides additional information about the meaning of this overlay.

Wellhead Protection Area and Intake Protection Zone

The general provisions of Section 3.53 are applicable where the Wellhead Protection Area A, Wellhead Protection Area B, or Intake Protection Zone (IPZ) overlays are shown on Schedule “A”. The intent of these provisions is to protect the quality of groundwater resources by prohibiting certain uses which may cause adverse impacts on groundwater, such as certain livestock and agricultural and industrial related uses/activities. The provisions are different whether the property is located within Wellhead Protection Area A, Wellhead Protection Area B and/or an Intake Protection Zone.

Use of the Waste Disposal Assessment Area Overlay

Where a waste disposal assessment area overlay is shown, specific regulations and requirements respecting the development of lands within an identified waste disposal assessment area. Only existing uses are permitted within these areas, until such time as a hydrology and hydrogeology study, a methane gas migration study, and any other required studies are prepared in support of development. Refer to the provisions of Section 3.49.

Interpretation of the Maps

Section 1.4 describes how the maps are to be interpreted. The zone boundaries are not intended to be absolute as they are illustrated. In most cases, the boundaries are intended to follow lot lines or the boundaries of natural heritage features.

E. Use of the Holding Symbol (“H”)

Certain lands are also subject to holding provisions. Lands subject to holding provisions are denoted by the symbol (H), added as a suffix to the zone. A holding symbol may be added to a base zone (e.g., AG (H)), or to an Exception Zone (e.g., AG-1(H)).

Where a holding symbol is shown, the general provisions of Section 3.21 apply. Where a holding symbol is applied to lands, the lands may not be used or developed according to the requirements in the underlying base zone until such time as the holding symbol is removed. Lands subject to a holding symbol are typically only permitted to be used for those uses which legally existed prior to the addition of the holding symbol.

The by-law which was passed to add the holding symbol may contain special conditions for removing the holding symbol, such as the provision of municipal wastewater servicing for the land. It may also clarify which uses are permitted prior to removal of the holding symbol. In order to remove a holding symbol so that lands may be used in accordance with the underlying zone, Town Council must pass another by-law once they are satisfied that the conditions for removing the holding symbol have been met. The reader is encouraged to confirm with the Town whether a holding symbol applies to a particular property, what uses are currently permitted, and what criteria must be satisfied prior to the removal of the holding symbol.

F. Use of the Waterfront Symbol (“-W”)

The suffix –“W” may also be added to a Residential Zone symbol, such as R1-W or to an Exception Zone, such as R1-1-W. Where the W symbol is shown, the General Provisions contained in Section 3.51 apply, which provide specific regulations and requirements respecting the development of residential waterfront properties with frontage on Lake Simcoe. It is intended that the Waterfront symbol and associated general provisions will implement shoreline protection-related policies in the Official Plan and the Lake Simcoe Protection Plan. Thus, the Waterfront symbol and associated policies have been applied to all residential properties with frontage on Lake Simcoe.

G. How to Check Zoning and Identify Applicable Regulations for a Property

The following outlines a step-by-step guide to assist the reader in interpreting what zone and applicable zone regulations and general provisions will apply to a specific property. The Zoning By-law is required to implement the Town’s Official Plan, and the reader should also refer to the Official Plan to determine the existing land use designation and any relevant policies which may be applicable to a specific property or development proposal. Readers are encouraged to consult with the Town, to assist in confirming and interpreting the Zoning By-law.

1. Read Section 1.0 to determine how the Zoning By-law applies to your property and to understand how the Zoning By-law is to be interpreted.

2. Locate the property on Schedule “A” and identify the zone symbol that applies to the property. In addition to the applicable zone symbol, the following property specific regulations may also apply, as denoted by a mapping overlay or a zone suffix:
 - 2.1 If the property is located in the Regulated Area of a Conservation Authority, as shown as an overlay on Schedule “A”, the reader will need to refer to Section 3.20.1, which identifies associated regulations and permit requirements from the Conservation Authority which will likely be required to permit development on the property.
 - 2.2 If the property is located in the Natural Environmental Area, as shown as an overlay on Schedule “B” to “B14” of the Town Official Plan, the reader will need to refer to Section 3.20.2, which identifies environmental studies that may be required to permit development on the property.
 - 2.3 If the property is located in a Wellhead Protection Area or Intake Protection Zone as shown by the overlays for Wellhead Protection Area A, Wellhead Protection Area B and Intake Protection Zones on Schedule “A”, the reader will need to refer to Section 3.53, which identifies permitted uses and associated regulations to protect the quality of groundwater resources.
 - 2.4 If a –“W” suffix is contained in the zone symbol, the reader will need to refer to Section 3.51 for additional requirements for waterfront properties.
 - 2.5 If a property is located within the Waste Disposal Assessment Area overlay (refer to the legend in the zone schedules) the reader will need to refer to Section 3.49 for additional requirements for identified waste disposal assessment areas.
 - 2.6 If the zoning symbol is an Exception Zone (e.g., AG-1), refer to the applicable provisions contained in Sections 4-8. In most cases, the Exception Zone will only address one or more provisions, and at least some of the zone regulations in the base zone in Sections 4-8 and the general provisions in Section 3 will still apply.
 - 2.7 If a holding symbol (H) is contained in the zone symbol, refer to Section 3.21 regarding the removal of holding symbols. The reader should consult with the Town to confirm the permitted uses and the requirements for removing the holding symbol.
3. Refer to the permitted uses in the base zone (e.g., AG), contained in Sections 4-8, to identify what uses are permitted in that zone. The reader should refer to the definitions in Section 2 for assistance in interpreting the meaning of the permitted uses.
4. Refer to the zone regulations applicable to the base zone (e.g., AG), contained in Sections 4-8. The zone regulations detail the required minimum lot area, minimum lot frontage, minimum and/or maximum yards, and other lot and building requirements, which the use

of the lot must comply with. As required, refer to the definitions (Section 2) for assistance in interpreting the terms used in the zone regulations.

5. Refer to the general provisions of the Zoning By-law in Section 3. In particular, provisions regarding parking, loading and stacking and accessory buildings are often applicable. Other provisions may be applicable, such as setbacks from rail line, or additional regulations regarding specific uses (e.g., home occupations). Also refer to the definitions in Section 2 for assistance in interpreting the requirements of the general provisions. A thorough review is necessary to identify all applicable regulations for a property and proposed use of the property. If you are changing the use of your property, you will need to ensure that adequate parking, landscape buffers and other requirements will be provided in accordance with the general provisions.
6. Additionally, there may be approved minor variances which are applicable to the property which may provide relief from certain zone regulations, permitted uses or general provisions. The Town of Innisfil's Zoning Administrator can assist in identifying any approved minor variances.
7. The reader should confirm with the Town's Zoning Administrator the applicable zone category and zone regulations which apply to the property.

H. Purposes of the Zones

Section 1.3 of the Zoning By-law establishes the following zone categories, which are described briefly as follows:

Zone Category	Zone Symbol	Purpose of the Zone
Residential Zones		
Residential Estate	RE	Provides for single detached dwellings in estate-style subdivisions with large lots.
Residential Rural	RR	Provides for existing, privately serviced single detached dwellings in the rural areas of the Town.
Residential 1	R1	Provides for single detached dwellings in municipally serviced and privately serviced urban areas, on lots with a minimum frontage of 15 metres.
Residential 1A	R1A	Provides for municipally-serviced, single detached dwellings on lots with a minimum frontage of 15 metres, but with some reduced lot and yard requirements than otherwise accommodated in the R1 zone.
Residential 2	R2	Provides for single detached dwellings on lots with a minimum frontage of 12 metres.

Zone Category	Zone Symbol	Purpose of the Zone
Residential 3	R3	Provides for single detached dwellings on lots with a minimum frontage of 9 metres.
Residential Semi	RS	Provides for semi-detached dwellings and duplex dwellings in urban areas.
Residential Townhouse	RT	Provides for a range of townhouse dwellings in urban areas, including street townhouses, block/cluster townhouses, stacked townhouses and back-to-back townhouses.
Residential Apartment	RA	Provides for apartment buildings in urban areas.
Residential Special Community	RSC	Provides for mobile/modular home parks and related recreational and commercial uses.
Commercial Zones		
Commercial Neighbourhood	CN	Provides for a wide variety of commercial uses in urban areas.
Commercial Village	CV	Provides for smaller-scale commercial uses in the Town's villages.
Commercial Highway	CH	Provides for highway-related commercial uses which serve the travelling public.
Commercial Tourist	CT	Provides for recreational uses and tourism-related commercial uses, such as marinas, golf courses and campgrounds.
Commercial Business Park	CBP	Provides for commercial and employment uses particularly in Innisfil Heights, and at Highway 400/Highway 89, in a business park setting.
Mixed Use Zones		
Mixed Use 1	MU1	Provides for a mix of residential, commercial and institutional uses in the core area of Alcona.
Mixed Use 2	MU2	Provides for a mix of residential, commercial and institutional uses in the core area of Alcona.
Mixed Use 3	MU3	The MU3 zone category has not been applied at this time, but has been reserved for future use for the core area of Alcona.
Mixed Use 4	MU4	Provides for a mix of residential, commercial and institutional uses in the core area of Lefroy.

Zone Category	Zone Symbol	Purpose of the Zone
Mixed Use 5	MU5	Provides for a mix of residential, commercial and institutional uses in the core area of Cookstown.
Industrial Zones		
Industrial General	IG	Provides for a wide range of heavy and light industrial uses and accessory retail uses.
Industrial Business Park	IBP	Provides for commercial, office and light industrial uses and employment-related commercial uses and accessory retail uses along the Highway 400 corridor in a business park setting.
Industrial Extractive	IE	Provides for the extraction of aggregate, petroleum and other resources.
Community Service and Open Space and Environmental Protection Zones		
Community Service	CS	Provides for a wide range of institutional and community uses.
Open Space	OS	Provides for parks and other active and passive recreational and open space uses.
Environmental Protection	EP	Provides for the protection of environmentally sensitive areas and features in addition to limited passive recreational uses.
Agricultural and Future Development Zones		
Agricultural General	AG	Provides for a broad range of agricultural and agricultural-related uses.
Agricultural Specialty Crop	ASC	Provides for agricultural uses in the Town's specialty crop areas.
Agricultural Rural	AR	Provides for agricultural and secondary agricultural uses in the rural area.
Future Development	FD	Provides for future development through the permission of existing uses only, until such time as the lands are appropriately rezoned to accommodate future urban development.

I. Subsequent Zoning By-law Amendments

The Zoning By-law may be consolidated from time to time to include subsequent amendments to the Zoning By-law. However, there may have been amendments to the Zoning By-law or removals or additions of holding symbols which are not consolidated in the current office consolidation of

the Zoning By-law. In all cases, the reader should contact the Zoning Administrator to confirm the most current zoning of a property and applicable regulations. Additionally, the maps contained in Schedule “A” may not reflect the latest zoning, or any recent changes to the parcel fabric.

J. Minor Variances

The Committee of Adjustment has the authority to approve minor variances to the Zoning By-law, which may provide minor relief from specific zoning provisions or minor changes to the permitted uses of one or more properties. Minor variances previously granted are not reflected in the Zoning By-law and are not shown as Exception Zones. The reader should contact the Town of Innisfil to identify whether there are any approved minor variances applicable to a property.

K. About Legal Non-Conforming Uses

Land uses are considered to be legal non-conforming uses if they were a legally established existing use prior to the passing of the Zoning By-law but are no longer permitted by the Zoning By-law. In order to conform to and implement the Official Plan, some uses that were previously permitted in the Zoning By-law may no longer be permitted. Consequently, uses which were legally established may no longer be permitted by the Zoning By-law.

Subsection 34(9) of the *Planning Act* establishes an owner’s rights to continue to use a property for a use that was legally established. A non-conforming use remains legal where the use has been continuous, and there has been no intent of abandonment of the use.

Where a legal non-conforming use has been interrupted due to damage, the legal non-conforming use is considered to be continuous, provided that the owner has maintained an intent to reconstruct, repair or re-establish the use.

The Zoning By-law does not prevent the continued legal use, alteration or expansion of buildings and structures that no longer conform to the permitted uses in the Zoning By-law. Additionally, the Zoning By-law does not prevent the erection of a building or structure for a legal non-conforming use or establishment of a legal non-conforming use where a building permit has been issued in accordance with the *Building Code Act*. In other words, if a building permit was issued and the Zoning By-law was amended to no longer permit the use, the owner may still construct the building or structure or establish the use according to the building permit.

Refer to Section 3.26 of the Zoning By-law for provisions regarding legal non-conforming uses.

L. About Legal Non-Complying Buildings and Structures

Buildings and structures are considered to be legal non-complying if they were established legally prior to the passing of the zoning by-law but no longer comply with the new provisions of the Zoning By-law. The Zoning By-law may have implemented different lot provisions, such as minimum lot size, minimum front yard, minimum frontage, etc., than were previously required. As such, buildings and structures which previously complied with these provisions may no longer comply with the new standards. For example, if a legally existing building has an existing rear

yard of 5 metres, but the new Zoning By-law requires a minimum rear yard of 7.5 metres, a zoning amendment or minor variance will be required to permit a further encroachment into the rear yard.

The Zoning By-law does not prevent the continued use, alteration or expansion of legally existing buildings and structures which no longer comply with the Zoning By-law. Section 3.25 of the Zoning By-law applies to legal non-complying buildings and structures.

M. Accessory Uses, Buildings and Structures (Garages, Boathouses, Accessory Dwellings, etc.)

Unless it is specifically noted in this By-law, accessory buildings and structures are permitted in association with the permitted uses noted in Section 4 of the Zoning By-law. Accessory buildings and structures include for example, storage sheds, decks, and garages. Accessory buildings and structures are clearly related to the primary use of the lot and are secondary to the principal use of the lot, in terms of their size and intensity. Section 3.3 contains general provisions regarding accessory buildings and structures. Additionally, there may be specific regulations which apply to certain accessory buildings or structures, such as the provisions for garages as provided in Section 3.17.

In residential zones, the setbacks for accessory buildings and structures are indicated in the Zone regulation tables contained in Sections 4-8. The setbacks for accessory buildings and structures in all other zones are to be in accordance with Section 3.3, which states that the setbacks for accessory buildings and structures in all other zones are subject to the same setbacks as principal structures indicated in the Zone Regulations in Section 4-8. However, there may be specific setbacks and requirements for certain types of accessory buildings and structures, like the specific provisions for accessory industrial equipment in Section 3.6.

Section 4 of this By-law specifically notes which accessory uses are permitted in each zone. Accessory uses include, for example, bed and breakfasts, home occupations, home industries, accessory retail uses and outside storage. For example, Section 4 specifically indicates that accessory retail uses in association with an industrial use are permitted in some zones, and an accessory dwelling unit in association with a commercial or industrial use is permitted in some zones. Accessory uses are intended to be incidental and secondary in terms of intensity and size to the main use of the lot or building. Accessory uses are subject to specific regulations contained in the general provisions in Section 3 which establishes specific requirements related to the use, including size, parking requirements, etc. For example, bed and breakfasts may only be permitted in accordance with the regulations in Section 3.9.

**THE CORPORATION OF THE
TOWN OF INNISFIL
COMPREHENSIVE ZONING BY-LAW**

BY-LAW NUMBER

080-13

A By-law to regulate the use of land and the character,
location and use of buildings and structures in the Town of
Innisfil.

WHEREAS it is considered desirable to regulate the use of land, and the character and location of buildings and structures for the promotion of public health, safety, general convenience and well-being of the Town of Innisfil;

AND WHEREAS there is an Official Plan in effect in the Town of Innisfil;

AND WHEREAS this By-law is deemed to be in conformity with the Town of Innisfil Official Plan;

AND WHEREAS authority is granted to the Council of the Corporation of the Town of Innisfil under Section 34 of the Planning Act, R.S.O., 1990, c.P.13 as amended, to pass this By-law;

NOW THEREFORE the Council of the Corporation of the Town of Innisfil hereby repeals By-law 054-04, save and except for By-law 054-04, as it relates to the properties municipally described as 1124, 1130, 1136, 1090, and 808 Innisfil Beach Road as shown on Schedule "A" Map 38 and Map 39, and all amendments thereto, and enacts as follows:

SECTION 1 INTERPRETATION AND ADMINISTRATION

1.1 TITLE AND SCOPE

This By-law is known as The Zoning By-law of the Town of Innisfil (this By-law) and applies to all lands within the corporate limits of the Town.

1.2 APPLICATION

- 1.2.1 No person shall use any land or erect or alter any buildings or structures within a zone, except in conformity and compliance with the provisions of this By-law.
- 1.2.2 No person, other than a public authority, shall reduce any lot by conveyance or otherwise so that it does not meet the requirements of this By-law, or if it did not meet the requirements initially, so that it is further from meeting them.
- 1.2.3 No municipal permit, certificate or license may be issued if the permit is required for a use of land or erection, alteration, enlargement or use of any building or structure that is not in conformity and compliance with this By-law.
- 1.2.4 Despite any other provisions of this By-law, the Chief Building Official of the Town may not issue a building permit for the development or redevelopment of any lands or buildings or structures or any part thereof within the area of the Town affected by this By-law unless in accordance with the provisions of a By-law of the Town enacted pursuant to Section 41 of the *Planning Act*.
- 1.2.5 The lack of a survey, or a mistake or an error or omission by any person required to comply with the provisions of this By-law does not relieve that person from liability for failure to comply with the provisions of this By-law.
- 1.2.6 This By-law shall be administered by a person appointed by the Council of the Town of Innisfil as the Zoning Administrator.
- 1.2.7 The General Provisions section of this By-law is considered to apply to all lands within the Corporate limits of the Town of Innisfil, including those lands not specifically zoned

1.3 ZONES AND SYMBOLS

- 1.3.1 Schedule "A" attached forms part of this By-law.
- 1.3.2 For the purpose of this By-law, the Town has been divided into zones, the boundaries which are shown on Schedule "A".
- 1.3.3 Schedule "A" consists of a number of detailed maps for portions of the Town which are located as indicated on the Key Map.

- 1.3.4 The zones are referred to by the following names and symbols and are identified on Schedule "A" by the symbols:

	ZONE	SYMBOL
Residential Zones		
a)	Residential Estate Zone	RE
b)	Residential Rural Zone	RR
c)	Residential 1 Zone	R1
d)	Residential 1A Zone	R1A
e)	Residential 2 Zone	R2
f)	Residential 3 Zone	R3
g)	Residential Semi Detached Zone	RS
h)	Residential Townhouse Zone	RT
i)	Residential Apartment Zone	RA
j)	Residential Special Community Zone	RSC
Commercial Zones		
k)	Commercial Neighbourhood Zone	CN
l)	Commercial Village Zone	CV
m)	Commercial Highway Zone	CH
n)	Commercial Tourist Zone	CT
o)	Commercial Business Park	CBP
Mixed Use Zones (1)		
p)	Mixed Use 1 (Alcona) Zone	MU1
q)	Mixed Use 2 (Alcona) Zone	MU2
r)	Mixed Use 4 (Lefroy) Zone	MU4
s)	Mixed Use 5 (Cookstown) Zone	MU5
Industrial Zones		
t)	Industrial General Zone	IG
u)	Industrial Business Park	IBP
v)	Industrial Extractive Zone	IE
Community Service, Open Space and Environmental Protection Zones		
w)	Community Service Zone	CS
x)	Open Space	OS
y)	Environmental Protection	EP

	ZONE	SYMBOL
Agricultural and Future Development Zones		
aa)	Agricultural General Zone	AG
ab)	Agricultural Specialty Crop Zone	ASC
ac)	Agricultural Rural Zone	AR
ad)	Future Development Zone	FD

(1) The MU3 zone category has been reserved for future use for the core area of Alcona.

1.4 ZONE BOUNDARIES

1.4.1 The zones and zone boundaries are shown on Schedule "A" that are attached to and form part of this By-law.

1.4.2 Respecting the zone boundaries of the zones, the following applies:

- a) Each parcel of land within the Town is provided within a zone category or categories, and thus, the boundary of the parcel forms the zone boundary.
- b) The Environmental Protection (EP) Zone and Open Space (OS) Zone are exceptions to clause a) above in that the boundary reflects the natural features and the location of the boundary may be determined by lot line, road, rail line, or where the zone does not abut any of the above, by the scale of the map.

1.4.3 Where a parcel of land or lot falls into two or more zones, each portion of the parcel of land or lot shall be used in accordance with the provisions of this By-law for the applicable Zone.

1.5 MANDATORY WORDING

The words "must" or "shall" are mandatory.

1.6 DISCRETIONARY WORDING

The word "may" is not mandatory. "May" is used to indicate that some circumstances may or may not be applicable.

1.7 DEFINITIONS

For convenience, terms that are in bold are defined in Section 2 of this By-law. This does not apply to the titles of Sections.

1.8 EXAMPLES AND ILLUSTRATIONS

Examples and illustrations are for the purpose of clarification and convenience, and do not form part of this By-law.

1.9 SEVERABILITY

Should any section, clause, provision or Schedule of this By-law, be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

1.10 LITIGATION

This By-law does not affect the rights of any person or land owner concerned in any action, litigation or other proceeding pending on the date of final passage, except to the extent to be determined in the final adjudication of action, litigation or other proceedings.

1.11 CERTIFICATE OF OCCUPANCY

1.11.1 No land may be used or occupied, and no building or structure which has been erected or altered may be used or changed in use, in whole or in part, until a Certificate of Occupancy by the Town under Section 34 of the *Planning Act* has been issued stating that the proposed use and occupancy of the land, building or structure complies with the provisions of this By-law.

1.11.2 No Certificate of Occupancy, no building permit and no approval of an application for any municipal license shall be issued where the proposed use, building or structure, is contrary to the provisions of this By-law.

1.11.3 Notwithstanding Subsection 1.11.2, Section 1.11 shall only apply to non-residential uses and multiple residential uses including any use having a dwelling unit as an accessory use.

1.12 NEED FOR COMPLIANCE WITH OTHER LAWS

Nothing in this By-law shall exempt any person from complying with the requirements of any other legislation or by-law in force or from obtaining any license, permission, permit authority or approval required by this by-law, any other by-law or any other legislation.

Where Conservation Authority Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (O. Reg. 172/06 and 179/06), are in force and effect, a permit from the Conservation Authority having jurisdiction, shall be obtained pursuant to the provisions of the *Conservation Authorities Act* prior to the following:

- a) the construction, reconstruction or erection of a building or placing of fill;
- b) changes that would alter the use, or potential use, size or dwelling units of a building or structure; and
- c) works within or around a wetland or watercourse.

Lands that are regulated include floodplains, erosion hazards, wetlands, watercourses, hazardous soils and shorelines.

1.13 VIOLATIONS AND PENALTIES

Any person who contravenes this By-law is guilty of an offence and, each day a breach of this By-law continues, constitutes a separate offence and on summary conviction, the offender is liable to a fine as provided for under the *Planning Act*.

1.14 REPEALS OF PREVIOUS BY-LAWS

All By-laws in force within the Town of Innisfil regulating the use of lands and the character, location, bulk, height and use of land, buildings are hereby amended insofar as is necessary to give effect to the provisions of this By-law and the provisions of this By-law shall govern.

1.15 TECHNICAL REVISIONS TO THE ZONING BY-LAW

Provided that the purpose and effect of this By-law is unaffected, the following technical revisions to this By-law shall be permitted without a Zoning By-law Amendment:

- a) Correction to grammatical, mathematical, boundary or other such errors, including minor technical revisions to the mapping consistent with the intent of this By-law and the Town's Official Plan;
- b) Changes to the numbering of sections, the numbering contained in the cross-referencing of sections, and the format and arrangement of the text, tables, schedules and maps, and the numbering of pages;
- c) Corrections or revisions to the technical information contained on maps, such as the title blocks and legend;
- d) Changes to the illustrations or the Preamble, which are not considered to form part of this By-law; and
- e) Changes resulting from the removal of a holding symbol.

1.16 TRANSITION PROVISIONS**1.16.1 Building Permit Applications**

Nothing in this By-law shall prevent the erection of use of a building or structure for which an application for a building permit was filed on or prior to the date of passage of this By-law, if the application complies, or the building permit application is amended to comply, with the provisions of the applicable former Zoning By-law provisions as it read on the date of passage of this By-law. For the purposes of this section, an application for a building permit means an application for a building permit which satisfies the requirements set out in the Building Code Act, as amended.

1.16.2 Minor Variance

Where the Committee of Adjustment of the Town or the Ontario Municipal Board has authorized a minor variance, in respect of any land, building or structure and the decision

of the Committee of Adjustment of the Town or the Ontario Municipal Board authorizing such minor variance has become final and binding prior to the enactment of this By-law, the provisions of this By-law, as they apply to such land, building or structure, shall be deemed to be modified to the extent necessary to give effect to such minor variance.

1.16.3 Consent

- a) Where:
- i. an application is made for consent to convey land under Section 50 of the *Planning Act*, prior to enactment of this By-law; and,
 - ii. that consent is granted and that land is conveyed before the consent lapses; and,
 - iii. that consent results in the creation of one or more lots which do not comply with the lot frontage or lot area requirements of this By-law; then, each such lot created is deemed to comply with the lot frontage and lot area requirements of this By-law provided the lot created complies with the lot frontage and lot area requirements of the applicable zoning prior to the date of adoption of this By-law.
- b) Where:
- i. an application for consent has been approved and a long form certificate has been issued by the Town in accordance with Section 53(42) of the *Planning Act*; and
 - ii. the conveyance has not occurred prior to the date of adoption of this Zoning By-law; such lot shall be deemed to comply with the lot frontage and lot area of the zone in which the lot is located; provided such lot complied with the lot frontage and lot area requirements of the applicable zoning prior to the date of adoption of this By-law.

1.16.4 Site Plan

Where a Site Plan Agreement has been entered into prior to the effective date of this By-law, and the timeframes specified in the Agreement have not yet lapsed, the provisions of this By-law, as they apply to such land, building or structure, shall be deemed to be modified to the extent necessary to give effect to such Site Plan Agreement.

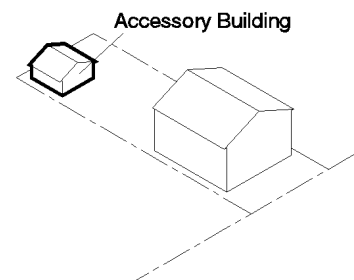
1.17 EFFECTIVE DATE

This By-law comes into force and takes effect on the day it is finally passed by Council of the Corporation of the Town of Innisfil subject to the appeal provisions set out in the *Planning Act*.

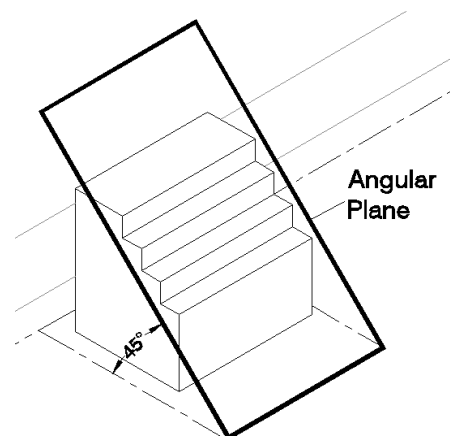
SECTION 2 DEFINITIONS

For the purpose of this By-law, the definitions and interpretations in this section shall govern:

- 2.1 Abattoir** means a slaughterhouse designed for the purpose of slaughtering animals, skinning, dressing and cutting up of carcass, wrapping for sale for human consumption, with cooler and freezer storage and includes indoor confinement of animals while awaiting slaughter but shall not include any cooking, smoking, curing or the **manufacturing** of meat by-products or any process related to rendering plants such as the manufacture of tallow, grease, glue, fertilizer or any other inedible product.
- 2.2 Accessory** when **used** to describe a **use, building or structure**, means a **use, or a building or structure**, that is naturally and normally incidental, subordinate and exclusively devoted to supporting the **principal use, building or structure** and located on the same **lot** therewith.
- 2.3 Accessory Industrial Equipment** means any equipment **accessory** and subordinate to a permitted **industrial use** which is necessary to the normal, proper and safe functions of that **use** or process, such as a storage vessel, tower, stack, vent, duct, water handling or conveyor system, any supportive **structure** thereof and may include a protective or decorative enclosure of equipment.
- 2.4 Accessory Retail** means a **retail store** which is **accessory** to a **non-residential use**.
- 2.5 Acoustic Wall** means an opaque wall without openings designed by a qualified acoustical engineer and constructed in accordance with the design to minimize the flow of airborne and impact sound through the **use** of special materials, methods of construction and design.
- 2.6 Agricultural Use** means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm **buildings and structures**, including accommodation for farm labour when the size and nature of the operation requires additional employment. For purposes of clarification, a **medical marihuana production facility** does not meet this definition of an agricultural use.
- 2.7 Agricultural Use, Secondary** means **uses** that produce value-added agricultural products from the farm operation on the property and are clearly secondary to the **principal agricultural use** of the property, and may include: the cleaning, storage and processing of crops and produce, including fruits, vegetables, nuts, seeds, corn, wheat, flowers and plants, which are produced on the farm, for the purposes of retail sale or for further processing.



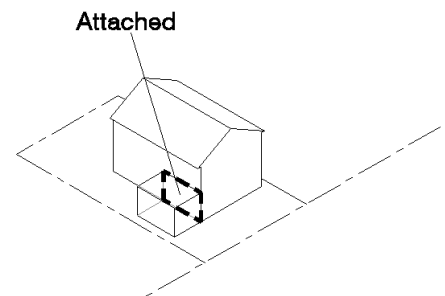
- 2.8 Agricultural Processing Establishment** means the **use** of land, **buildings** and **structures** for the processing and storage of agricultural produce, including the initial cleaning, culling, storing or packing of products produced on the farm or in conjunction with farms in the vicinity which produce the same agricultural products, and in preparation for shipment to food processing establishments or market. Without limiting the generality of the foregoing, an **agricultural processing establishment** shall include a feed and grain mill or a seed mill.
- 2.9 Agricultural Produce Warehouse** means a **building** or part of a **building** used for the storage of agricultural produce and may include facilities for wholesale distribution or an **accessory retail use** for the sale of such agricultural produce to the general public, but does not include an **agricultural processing establishment**.
- 2.10 Aisle** – see **parking aisle**.
- 2.11 All-Terrain Vehicle and Lawn Equipment Establishment** means **premises** used for the display, sale, repair, and storage of All-Terrain Vehicles (ATV's), including Utility Terrain Vehicles (UTV's), E-Bikes, Dirt Bikes, Wheelchairs and Scooters; and further including snowmobiles and motorcycles, and Lawn Equipment consisting of lawn tractors, mowers, saws, and log splitters; and, parts and accessories, but shall not include a **Motor Vehicle Dealership** or **Recreational Vehicle Sales Establishment** as defined herein.
- 2.12 Alter** means any alteration in a bearing wall or partition, column, beam, girder or other supporting member of a **building** or **structure** or any increase in the volume of cubic contents of a **building** or **structure**, or to change any one or more of the external dimensions of such **building** or **structure**.
- 2.13 Amenity Area** means indoor or outdoor space on a **lot** that is:
- clearly **accessory** and incidental to the main **use**; and
 - communal and available for **use** by the occupants of a **building** on the **lot**, or the general public, or both, for recreational or social activities.
- 2.14 Angular Plane** means a plane which projects up at a specified angle away from the **rear lot line**, and which is intended to establish maximum permitted **building** height, which is in addition to the specified **building** height required in the zone in which case the most restrictive height requirement shall apply. The angular plane commences at the **established grade** at the **rear lot line** and extends across the entirety of the **lot**. Where an angular plane is required:
- no part of any **building** or **structure** shall project above the angular plane, except that **accessory structures** associated with the normal operation of a **building**, including elevator equipment, ventilation equipment, and other similar **structures**, may



- b) project above the angular plane; and
the angular plane shall be in addition to, and not in place of, the maximum **building** height of the applicable zone and any other applicable height provisions required by the general provisions of this By-law. Where there is conflict, the more restrictive maximum height requirement shall apply.

2.15 Assembly Operation means the assembling of finished parts or materials into a final product but does not include any large scale **manufacturing** operation or any operation discharging large amounts of liquids.

2.16 Attached means a **building** otherwise complete in itself, which depends for structural support or complete enclosure upon a division wall or walls shared in common with adjacent **building** or **buildings**.

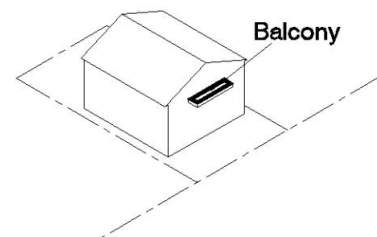


2.17 Auction Establishment means a **building, structure** or land used for the retail sale of articles or goods by way of public auction, and may include the auctioning of **motor vehicles** on an incidental basis only.

2.18 Bakery means a factory for producing, mixing, compounding or baking bread, biscuits, ice cream cones, cakes, pies, buns or any other bakery product of which flour or meal is the principal ingredient, but does not include a **restaurant** or any other **premises** where any such product is consumed on the **premises**, and does not include a bake shop except as an **accessory retail use** in accordance with the provisions of this By-law.

2.19 Bake Shop means a shop where products of a **bakery** are sold or offered for sale by retail, including incidental baking of products for retail sale on the **premises** only.

2.20 Balcony means a platform that may be partially enclosed projecting from the **main wall** of a **building** which is not supported by vertical uprights other than the wall itself except when located above a **porch/verandah** and which is only accessible from within a **building**.



2.21 Banquet Hall means **premises used** for the gathering together of a number of **persons** for charitable, civic, cultural, educational, fraternal, religious, recreational, social or like purposes, and may include facilities for the preparation and consumption of food or drink.

2.22 Basement means that space of a **building** which is partly below **established grade** and which has more than one-half of its height measured from floor to ceiling above the **established grade** around the exterior of a **building**.

- 2.23 Bed and Breakfast** means a detached **dwelling** containing, as an **accessory use**, up to 3 guest rooms that are available for rental, with or without meals, to the travelling or vacationing public for overnight accommodation on a temporary basis. A **bed and breakfast** shall not include a **restaurant**, boarding or lodging house, rooming house, **group home** or **hotel**. The guest rooms of a bed and breakfast shall not include facilities or food preparation. The **bed and breakfast** shall be owned and operated by one or more **persons** residing on the **premises**.
- 2.24 Boathouse** means an **accessory structure** used for the storage of boats, and which does not include sleeping accommodations, **kitchen** or washroom facilities, and any potable water or sanitary servicing.
- 2.25 Building** means any **structure** whether temporary or permanent, used or **erected** for the shelter, accommodation or enclosure of **persons**, animals, materials, produce or equipment. Any tent, awning, bin, silo, vessel or **vehicle** used for any of the purposes referred to, are a **building**.
- 2.26 Building, Principal** means the **building** or **structure** in which the **principal use** of the **lot** is carried.
- 2.27 Building Permit** means a document which grants legal permission to start construction of a **building** as defined by the Building Code of Ontario.
- 2.28 Building Supply Outlet** means a **building** or **structure** in which bulk **building** or construction and home improvement materials are offered or kept for wholesale to other commercial, industrial, institutional or other business users including other wholesalers, and may include the fabrication of certain materials related to home improvement, but does not include retail sales to the general public.
- 2.29 Bulk Fuel Depot** means **premises** where petroleum, gasoline, fuel, oil or other flammable liquids or fluids are stored, warehoused, and/or are kept for retail or wholesale.
- 2.30 Bulk Storage Yard** means a place where land is **used** for the storage, in the open, of goods and materials, machinery or equipment.
- 2.31 Bunkhouse** means a **building** or part of a **building used** for the temporary accommodation of seasonal employees of the farm operation, provided that such accommodation does not serve as a **principal dwelling** and the **bunkhouse** is located on the farm on which the seasonal workers are employed. A **bunkhouse** may include facilities for food preparation and washroom facilities, but is not a **dwelling** or **dwelling unit** as defined in this By-law.
- 2.32 Campground** means the land on which camping vehicles or camping tents, plus accompanying towing of vehicles can be parked and **used**; and on which **accessory** facilities such as an administration office, clubhouse, snack bar, laundry, souvenir, convenience or tuck shop, **swimming pool**, bath house, washrooms, manager's quarters or other recreational and support facilities, housed in permanent **structures**, can be **erected** and operated.

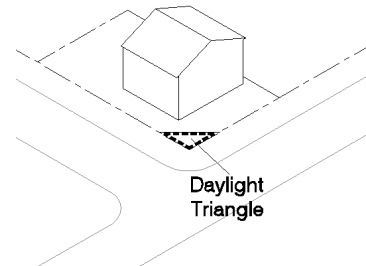
- 2.33 Carport** means an **accessory building** or **structure** or part thereof, either **attached** to or detached from the wall of the **principal building**, at least 40 percent of the perimeter of which is open and unobstructed by any wall, door, post or pier, used for the temporary **parking** or storage of licensed vehicles of not more than three tonnes gross **vehicle** weight. For the purposes of this By-law, perimeter includes the wall of the **building** to which the **carport** is **attached**.
- 2.34 Cellar** means the space of a **building** that is partly or entirely below **established grade** which has less than one-half of its **height** measured from floor to ceiling above the **established grade** around the exterior of the **dwelling**.
- 2.35 Cemetery** means a **cemetery** or columbarium and may include a crematorium, all within the meaning of the *Cemeteries Act*, as amended.
- 2.36 Centerline** means a line drawn parallel to and equidistant from the limits of a road allowance or **driveway**, as the context may dictate.
- 2.37 Chief Building Official** means the officer or employee of the Town from time to time charged by **Council** with the duty of administering the provisions of the **Building** and Plumbing By-law.
- 2.38 Commercial Kitchen** means any room, area, space or facility used to prepare foods or food products for which a payment is made or where foods and/or food products are produced or prepared that may be passed onto others for their pecuniary gain. A retail component as an **accessory use** must also be included.
- 2.39 Community Centre** means any tract of land, **building** or **buildings** used for community activities whether **used** for commercial purposes or not, and the control of which is vested in the Municipality, a local board or agent thereof and is operated under the *Community Recreation Centres Act*, as amended.
- 2.40 Concrete or Asphalt Batching or Recycling Facility** means an industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in **building** or construction and includes facilities for administration or management of the business, the stockpiling of bulk materials used in the productions process or of finished products manufactured on the premises and the storage and maintenance of required equipment, and shall also include the processing of aggregate material through a crushing and sorting operation, but does not include the retail sale of finished asphalt or concrete products.
- 2.41 Conservation Use** shall mean the preservation, protection or improvement of the components of the natural environment through management and maintenance for public benefit.
- 2.42 Contractor's Shop or Yard** means an area with or without **buildings** used for the storage of materials and equipment related to the construction industry where a contractor may perform shop or assembly work, in addition to **accessory uses**.
- 2.43 Convenience Store** means a retail commercial establishment, not exceeding 300 square metres of **gross floor area**, supplying groceries and other daily **household** necessities to

the immediate surrounding area.

2.44 Council means the Council of The Corporation of the Town of Innisfil.

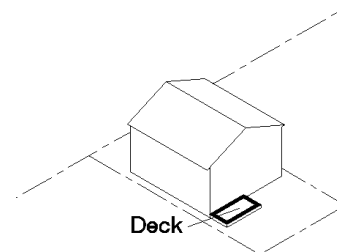
2.45 Custom Workshop means a **building** or part of a **building used** by a trade, craft or guild for the manufacture in small quantities of made-to-measure clothes or articles and shall include upholstering, repair, refinishing of antiques and other art objects, but shall not include metal spinning, woodworking or furniture **manufacturing** or refinishing of antique automobiles.

2.46 Daylighting Triangle means the triangular space formed by the **street lines** of a **corner lot** and a line drawn from a point in one **street line** to a point in the other **street line**, each such point being from the **point of intersection** of the **street lines**, measured along the **street lines**. Where the two **street lines** do not intersect at a point, the **point of intersection** shall be deemed to be the intersection of the projection of the **street lines** or the intersection of the tangents to the **street lines**.



2.47 Day Nursery means a premises that provides temporary care, or guidance, or both temporary care and guidance for children in accordance with the Day Nurseries Act R.S.O. 1990, c.D.2, as amended.

2.48 Deck means a **structure** at or above 0.2 metres above **established** average **grade** with no solid roof or walls which may be constructed on piers or foundations and which includes landings and stairs but does not include a **balcony** or **porch/verandah**. (By-law 031-17)



2.49 Demonstration Unit means a **dwelling unit**, temporarily used for the purpose of showing potential buyers what the aesthetics and finishes of a typical dwelling unit may look like within the proposed subdivision within which the units are constructed, and does not include a sales office.

2.50 Dock means a **structure** for the mooring of boats, attached to or forming part of the mainland or used in conjunction with a **use** on the mainland.

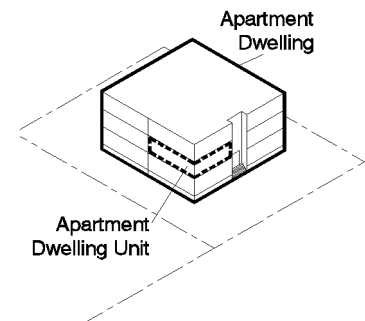
2.51 Driveway means an area of land which provides vehicular access from a **street** to a **parking aisle** or a **garage**.

2.52 Drive-Through Facility means the **use** of land, **buildings** or **structures**, or parts thereof, to provide or dispense products or services through an attendant or a window or an automated machine, to **persons** remaining in motorized vehicles that are in a designated **stacking lane**. A drive-through facility does not include an attendant for a private or public **parking lot** or **garage**.

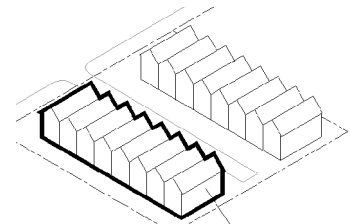
2.53 Driving Range means an area operated for the purpose of developing golfing techniques,

including miniature **golf courses**, but excluding **golf courses**.

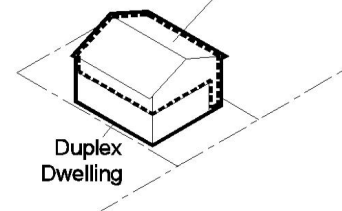
- 2.54 Dry Cleaning Establishment** means a **building** where dry cleaning, dyeing, cleaning and pressing of articles or goods of fabric is carried on.
- 2.55 Dry Use** means a **use** which **uses** water for domestic purposes only which result in the production of domestic sewage. For the purposes of this section, domestic sewage includes sewage originating from human body waste, toilet waste, waste from showers and tubs, liquid and waterborne kitchen and sink waste, and laundry waste. The sewage may originate from offices, factories, institutions or other places of employment and **restaurants**. Domestic sewage does not include plant or chemical effluent of any type used in a **manufacturing** process. Food waste associated with the **manufacturing** or processing of food other than for sale in **restaurants** (such as slaughter houses, canning plants, meat packing plants and the like) is not to be included in the definition of domestic sewage. A dry **use** does not include the processing of any type of sewage, including domestic sewage, except for that which is produced on the **premises**.
- 2.56 Dwelling** means a **building** containing one or more **dwelling units** constructed on site or off-site in parts designed to be transported to a **lot** and where they are joined as integral units and placed on permanent foundation over a concrete slab or **basement** but shall not include travel trailers, mobile homes, double wide mobile homes, tourist trailers, campers and **motor vehicles**, **hotels** or boarding or rooming houses, **motels** or institutions.
- 2.57 Dwelling, Accessory** means a **dwelling unit** which is **accessory** to a **principal non-residential use**.
- 2.58 Dwelling, Apartment** means a residential **building** having two or more **storeys** containing three or more **dwelling units** which units have a common entrance from the **street** level and the occupants of which have the rights to **use** in common halls, stairs, elevators and **yards** and may include administrative, maintenance, storage, laundry, **garage** and other similar **accessory** facilities provided for the convenience of the occupants.
- 2.59 Dwelling, Back-To-Back Townhouse** means a **building** containing four or more **dwelling units** divided vertically above grade by common walls, including a common rear wall without a **rear yard** and whereby each unit has an independent entrance to the unit from the outside exterior accessed through the **front yard** or **exterior side yard**



- 2.60 Dwelling, Block Townhouse or Dwelling, Cluster Townhouse** means a minimum of three **dwelling units** which are **attached** above and below **grade** by either the entire length of the **garage** or by the entire length of the main common wall and which are grouped on the same **lot**.

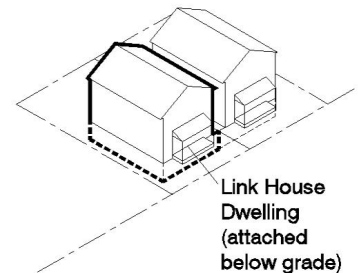
Cluster or Block
TownhouseDuplex
Dwelling Unit

- 2.61 Dwelling, Duplex** shall mean a **building** that is divided horizontally into two **dwelling units**, each of which has an independent entrance either directly or through a common vestibule.

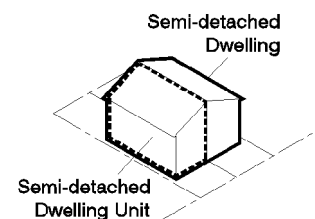
Duplex
Dwelling

- 2.62 Dwelling, Garden Suite** means a one-unit detached residential **structure** containing bathroom and kitchen facilities that is ancillary to an **existing** residential **structure** and that is designed to be portable.

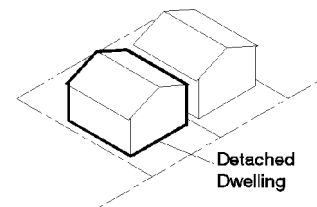
- 2.63 Dwelling, Linked** means two or more **buildings**, each of which consists of not more than one **dwelling unit**, **attached** solely below **established grade** by a connection spanning between the footings of each **building** consisting of a concrete wall a minimum of 0.5 m in height and 10.0 cm thick.

Link House
Dwelling
(attached
below grade)

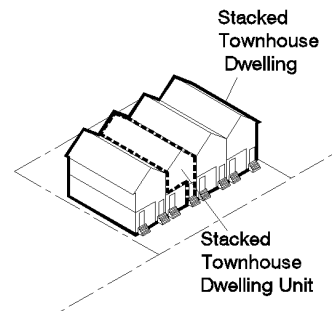
- 2.64 Dwelling, Semi-Detached** means a **building** that is divided vertically into two **dwelling units**, each of which has independent entrances to the **front** and **rear** or **side yard** either directly or through a common vestibule.

Semi-detached
DwellingSemi-detached
Dwelling Unit

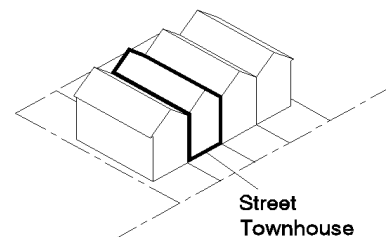
- 2.65 Dwelling, Single Detached** means a separate **building** designed and intended to be occupied as a single **dwelling unit** for one **household**.

Detached
Dwelling

- 2.66 Dwelling, Stacked Townhouse** means either **block townhouse**, **cluster townhouse** or **street townhouses** in which one unit is located above another unit, with no common enclosed corridor system.



- 2.67 Dwelling, Street Townhouse** means a minimum of three **dwelling units** which are **attached** above and below **grade** by either the entire length of the **garage** or by the entire length of the main common wall and all of which front on a **street** and each of which is located on a separate **lot**.



- 2.68 Dwelling, Townhouse** means a residential **dwelling unit** **attached** to other units by a common sidewall, where the number of **attached** units is no less than three and no greater than eight. Where **townhouse dwelling** is generally referenced in this by-law, it shall include all other types of **townhouse dwellings** defined herein, including **block/cluster townhouse dwellings**, **stacked townhouse dwellings** and **street townhouse dwellings**, unless the type of **townhouse dwelling** is specifically indicated.

- 2.69 Dwelling Unit** means one room or a group of rooms in a **dwelling**, used, or if vacant, designed and intended to be used, by only one **household** as a single independent and separate housekeeping establishment:

- a) in which food preparation, sleeping and sanitary facilities are provided for the **use** of the occupants;
- b) which has a private entrance from outside the **building** or from a common hallway or stairway inside the **building**; and
- c) shall contain only one (1) **kitchen**. (By-law 031-17)

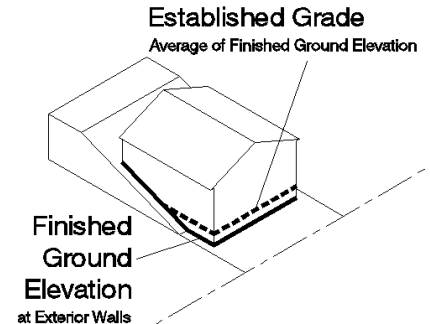
- 2.70 Equipment Sales, Rental and Servicing (Light or Heavy)** means **premises** where machinery and equipment are offered or kept for sale, rent, lease or hire under agreement for compensation, but shall not include any other **use** defined or classified in this By-law.

- 2.71 Erect** when used in this By-law includes construction, reconstruction and relocation of **buildings** and **structures** and, without limiting the generality of the work, also includes:

- a) any preliminary physical operation such as excavating, filling or re-grading or draining;
- b) **altering** any **existing building** or **structure** by adding, enlarging, extending, remodeling, renovating, moving, demolishing or effecting other structural change; and,

- c) any work, the doing of which requires a **building permit** under the Building and Plumbing By-law of the Town.

2.72 Established Grade means the average level of the approved or finished ground elevation measured at all the exterior walls of any **building** or **structure**.



- 2.73 Existing** means existing as of the date of the passing of this By-law.
- 2.74 Farm Gate Sales** means a **use accessory** to a farm which consists of the retail sale of agricultural products predominately produced on the farm where such farm gate sales **use** is located, in addition to local produce.
- 2.75 Farm Implement Dealer** means an establishment for the repair and sale of agricultural equipment including the sale of fuel, lubricants and related items for agricultural equipment on the same **premises**.
- 2.76 Financial Institution** means an establishment which provides money management services directly to the public, and shall include a bank, trust company, credit union, securities dealer, finance company or stock broker.
- 2.77 First Floor** means the floor of a **building** at least 50% above the **established grade**.
- 2.78 Fitness Centre** means a **building** in which facilities are provided for recreational athletic activities including but not limited to body-building and exercise classes, and shall include associated facilities such as a sauna.
- 2.79 Floor Area, Gross** means:
- a) for a **dwelling**, or **dwelling unit**, the total area of the **storeys** contained within the outside walls of the **dwelling**, or **dwelling unit**, exclusive of any **garage**, carport, **porch**, **veranda**, **balcony**, sunroom, unfinished attic, unfinished basement or unfinished cellar;
 - b) for a **building** or part of a **building** other than a **dwelling** or **dwelling unit**, the total area of all the **storeys** contained within the outside walls of the **building**.

In all cases, only that floor area having a clear height to the ceiling of at least 2.2 m shall be considered in the calculation of the floor area.

2.80 Fruit and Vegetable Produce Market means a **building** or **premise** where opened spaces or stalls or sale areas that are not separated by permanent walls (but may have removable partitions) and have a maximum area of 100 square metres, are leased, rented or otherwise provided to more than 3 individual vendors for the sale of products primarily

of fresh fruit, vegetables, meat, poultry, fish, dairy products, as well as trees, shrubs, plants and flowers and a limited range of canned or preserved products or other food products requiring minimal processing such as maple syrup, cheese, butter, refreshments or baked goods to the general public, but shall not include a flea market, supermarket or food store.

2.81 Frontage, Lot – see **Lot Frontage**.

2.82 Frontage, Water – see **Water Frontage**.

2.83 Funeral Home means **premises** that are designed for the purpose of providing funeral services to the public and includes facilities intended for the preparation of deceased **persons** for internment or cremation.

2.84 Furniture Showroom means a **retail store** exceeding a **gross floor area** of 460.0 square metres where furniture is displayed, stored and offered for sale.

2.85 Gaming Facility means a facility where people congregate for any activity or game of chance or skill for money or other valuable consideration, including without limitation the operation of slot machines, table games, electronic table games, blackjack, roulette, baccarat, off track betting, sports betting, video lottery terminals, entertainment, or horse racing activities and may include supporting uses limited to retail uses, banquet halls, taverns, conferences, meetings, recreational centres, restaurants, and business and professional offices.

2.86 Garage or Garage, Private means a separate **building** or part of the **principal building** used for the temporary parking or storage of licensed vehicles of not more than three tonnes gross vehicle weight but shall not include a temporary **structure**.

2.87 Garden Centre means a retail establishment devoted primarily to the sale of **nursery** stock and may also include the sale of related **accessory** supplies as well as the sale of fruits and vegetables.

2.88 Garden Suite – refer to **Dwelling, Garden Suite**.

2.89 Gift Shop means a **retail store** specializing in the sale of ornaments, cards, magazines, books or confectionaries.

2.90 Golf Course means a public or private area operated for the purposes of playing golf, including a par 3 golf course, and associated **accessory** recreational **uses** such as a clubhouse, **swimming pool**, tennis courts **driving range** and miniature golf course.

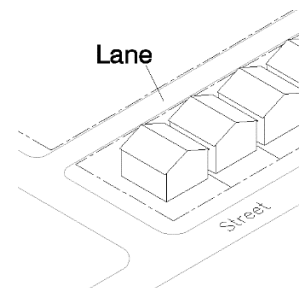
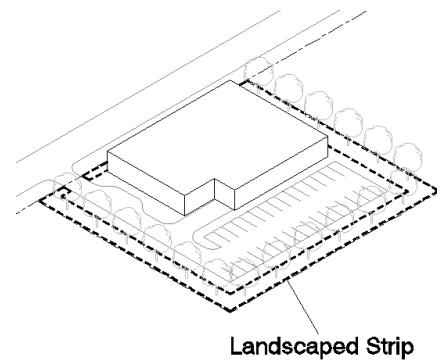
2.91 Government Facility means a municipal office, library, court house, registry office, health and welfare centre, employment office, post office, or other office used for the purpose of local or other government administration, or any public works yard or facility, fire station, police station or emergency services facility.

2.92 Grade – see **established grade**.

- 2.93 Greenhouse** means a **building** or **structure** that is designed for the growing of crops, trees and/or plants indoors.
- 2.94 Grocery Store** means a **building** or part of a **building** where a limited line of goods such as canned, bottled, packaged and frozen foods, **bakery** products, dairy products, candy and confectionery and other food lines which may include fresh meat and poultry, fresh fruit and vegetables are sold. In addition, newspapers, magazines, paper products, soft drinks, tobacco products, health and beauty aids, housewares, flowers, plants and other non-food articles may be sold.
- 2.95 Group Home** means a supervised single housekeeping unit in a residential **dwelling** for the accommodation of not more than 6 **persons**, exclusive of staff, who by reason of their emotional, mental, social or physical condition or legal status require a group living arrangement for their well-being and,
- a) the members of the group are referred by a **hospital**, court, government agency, recognized social service agency or health professional; and
 - b) such facility is licensed and/or approved under provincial statutes and in compliance with municipal by-laws.
- 2.96 Height** means, with reference to a **building** or **structure**, the vertical distance measured between **established grade** and:
- a) the highest point of a flat roof,
 - b) the deck line of a mansard roof;
 - c) the mean height between the eaves and ridge of a gabled or hip roof; but exclusive of roof or penthouse **structure** accommodating an elevator, staircase, tank, ventilating fan or other similar equipment, a smoke stack, barn, silo, communications tower or other utilitarian **structure** which does not provide habitable space.
- 2.97 Home Industry** means a craft, trade, guild or service, excluding a **motor vehicle repair garage** and **motor vehicle body shop**, conducted within an **accessory building** on the **lot** as a clearly incidental or secondary **use** to the **residential use** or farm **use** of the property and provided the proprietor carrying out the craft, trade guild or service resides within a **dwelling unit** located on the same **lot**.
- 2.98 Home Occupation** means an occupation for gain or support conducted within a **dwelling unit** as a clearly incidental or secondary **use** to the **residential use** and provided the proprietor carrying out the occupation resides within the **dwelling unit**.
- 2.99 Hospital** means any institution, **building** or other **premises** established for the treatment of **persons** afflicted with or suffering from sickness, disease or injury, for the treatment of convalescent or chronically ill **persons** that is approved under the *Public Hospitals Act*, and shall include a private hospital as defined under the *Private Hospitals Act*.
- 2.100 Hotel**, which also includes an inn but does not include a **bed and breakfast**, means a **building** or **structure** used for the purpose of catering to the needs of the traveling public by supplying temporary sleeping accommodations, food and refreshments, and which may contain a public dining area, meeting rooms or an **accessory banquet hall**. The guest

rooms contained within a hotel are accessed from common interior hallways.

- 2.101 Household** means a group of people, living together on a full time basis as a single housekeeping unit, but shall not include a rooming or boarding house.
- 2.102 Indoor Recreational Centre** means a sports or recreation facility used by private members or the general public and includes an arena, racquet courts, a **swimming pool**, gymnasium, or other similar indoor recreational **uses**, and may include an administrative office as an **accessory use**, but does not include a **place of entertainment** or a **banquet hall**.
- 2.103 Kennel** means a **building, structure** or **premises** used principally for the purpose of boarding or keeping of dogs, cats or other domestic **household** pets overnight.
- 2.104 Kitchen** shall mean a room or space within a residential **dwelling unit** used primarily for the preparation and consumption of meals and for the storage of food, dishes, cutlery and ancillary appliances". (By-law 031-17)
- 2.105 Landscaped Open Space** means open space on a **lot**, unobstructed by **accessory** equipment, **parking areas, loading areas, buildings** and **structures**, and used exclusively for **landscaping**.
- 2.106 Landscaping** means any combination of trees, grass or other horticultural elements, decorative stonework, signboards, paving, other than **parking or loading areas**, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property and to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land.
- 2.107 Landscaping Strip** means a continuous, open, unobstructed width of land substantially parallel to and adjoining a **lot line** that is intended for the growth and maintenance of plant material including trees, shrubs and other landscape features such as retaining walls. The landscaped buffer may include fences, signage, utilities and lighting and may be traversed by a walkway or **driveway**, provided that the angle of a **driveway** or walkway shall be at least 60 degrees and no greater than 120 degrees, as measured from the applicable **lot line**.
- 2.108 Lane** means a thoroughfare or way, which affords only a secondary means of access to abutting property.
- 2.109 Laundry or Dry Cleaning Depot** means a **building** or part of a **building** used for the purpose of receiving articles or goods of fabric to be subjected to a commercial process of laundering, dry cleaning, dyeing or cleaning elsewhere and for the pressing and distribution of any such articles or goods which have been subjected to any such process.

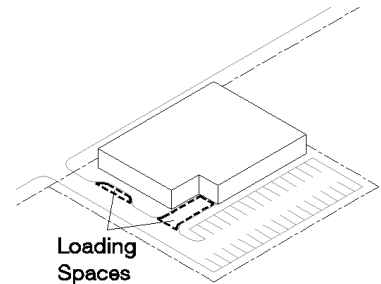


This **use** includes a self-service laundry facility, in which the business of a laundromat is conducted by means of one or more washers and drying, ironing, finishing and incidental equipment. This definition does not include a **dry cleaning establishment**, as defined herein.

2.110 Leasable Area means the sum total of the area of the floor or floors including any area allocated for an **outdoor rooftop patio**, measured from the exterior walls of the **building** or **structure** at the level of each floor or mezzanine level but shall not include: **basements**; ancillary offices; storage areas accessible to the general public; floor area common by the tenants of a **building** such as a mall, **aisle** or hallway, or elevator shaft or lobby; stairwells; washrooms; maintenance, mechanical, electrical or utility rooms, seasonal **garden centres**; and garbage enclosures.

2.111 Live-Work Unit means a dwelling unit, part of which may be used as a business establishment and where the dwelling unit is the principal residence of the business operator

2.112 Loading Space means an unencumbered area of land which is provided and maintained upon the same **lot** or **lots** upon which the **principal use** is located and which area:



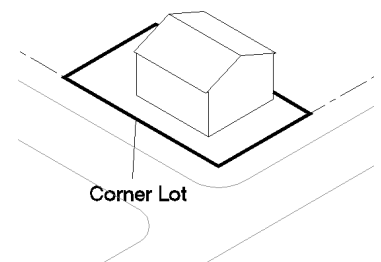
- a) is provided for the temporary parking of one **commercial motor vehicle** while merchandise or materials are being loaded or unloaded from such vehicle and such parking shall not be for the purpose of sale or display;
- b) is suitable for the temporary parking of one **commercial motor vehicle**; and
- c) has adequate access to permit ingress and egress of a **commercial motor vehicle** from a **street** by means of **driveways**, **aisles**, maneuvering areas or similar areas.

2.113 Long Term Care Home or Nursing Home means **premises** in which lodging is provided with or without meals and in addition, nursing or medical care and treatment is provided in accordance with the *Long Term Care Homes Act*, as amended, and/or other applicable legislation and regulations, and shall include a hospice in accordance with any applicable regulations, but does not include a **retirement home** as defined herein.

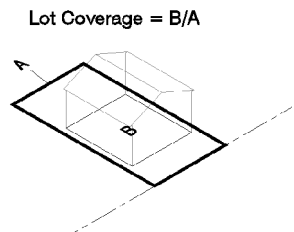
2.114 Lot means a parcel of land which can be legally conveyed subject to the provisions of the *Planning Act*, as amended.

2.115 Lot Area means the total horizontal area within the **lot lines** of a **lot**.

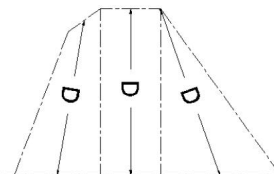
2.116 Lot, Corner means a **lot** abutting one or more parts of the same **street**, or on two or more **streets** in which an interior angle of less than 135 degrees is contained by the two straight lines which adjoin the foremost point of the **lot** with the two points at which the **interior side lot line** and the **rear lot line** meet the **street** or **streets**.



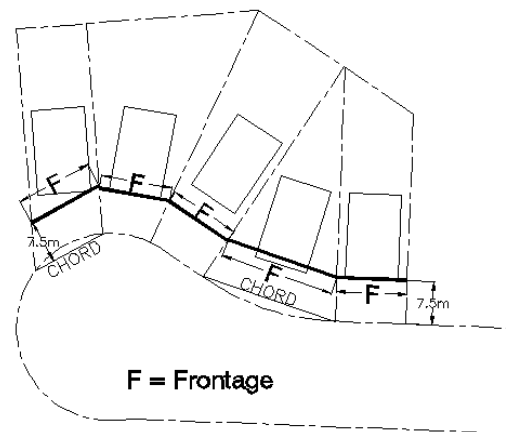
2.117 Lot Coverage means the combined **lot area** covered by all **buildings** including attached/detached **decks** on the **lot** measured at ground level and expressed as a percentage of the **lot area**. Notwithstanding the foregoing, uncovered stairs and uncovered wheelchair access ramps not forming part of the foundations of the **building** are exempt from lot coverage. (By-law 031-17)



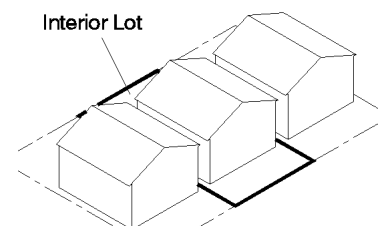
2.118 Lot Depth means the horizontal distance between the midpoints of the **front** and **rear lot lines** and where there is no **rear lot line**, means the length of a line within the **lot** between the midpoint of the **front lot line** and the apex of a triangle formed by the **side lot lines**.



2.119 Lot Frontage means the distance between the **side lot lines** measured 7.5 metres back from the **front lot line** and parallel to the chord of the lot frontage and, for the purpose of this definition, the chord of the lot frontage is a straight line joining the two points where the **side lot lines** intersect the **front lot line**.

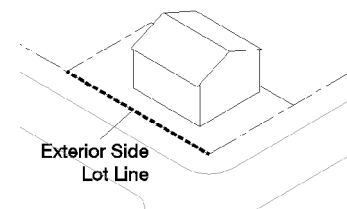


2.120 Lot, Interior means a **lot** other than a **corner lot**.



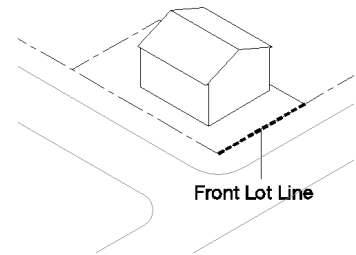
2.121 Lot Line means any boundary of a **lot**.

2.122 Lot Line, Exterior Side means the longer of the **lot lines** of a **corner lot** which abuts a **street**.

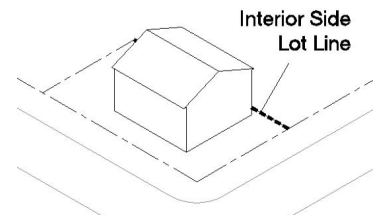


2.123 Lot Line, Front means the **lot line** that divides the **lot** from the **street**, but

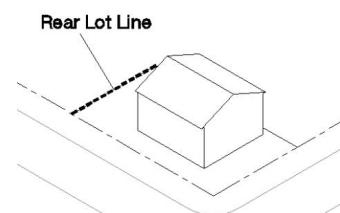
- a) in the case of a **corner lot**, the shorter of the **lot lines** abutting the **streets**; or
- b) in the case of a **corner lot** with two **street lines** of equal length, the **lot line** that abuts the wider **street** or abuts a County Road or Provincial Highway shall be deemed to be the **front lot line**, and in the case of both **streets** being under the same jurisdiction, or of the same width, the Town may designate either **street line** as the **front lot line**; or
- c) in the case of a **corner lot** with two **street lines** of equal length and situated at the intersection of a County Road and Provincial Highway of equal widths, the **lot line** which abuts a Provincial Highway shall be deemed to be the **front lot line**; or
- d) in the case of a **corner lot** abutting a 0.3 metre reserve, the **lot line** so abutting the 0.3 metre reserve shall be deemed an exterior **side lot line** and the other line abutting the **street** shall be deemed the **front lot line**; or
- e) in the case of a **through lot**, the longest of the **lot lines** dividing the **lot** from the **street** shall be deemed to be the **front lot line** and the opposite shorter **lot line** shall be deemed to be the **rear lot line**. In case each of the **lot lines** should be of equal length, the Town may designate either **street line** as the **front lot line**.



2.124 Lot Line, Interior Side means the **side lot line** which does not abut a **street**.

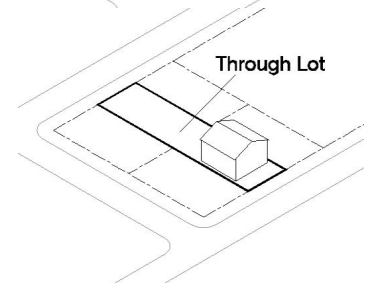


2.125 Lot Line, Rear means the **lot line** farthest from and opposite to the **front lot line**.



2.126 Lot Line, Side means any **lot line** other than a **front lot line** or **rear lot line**.

2.127 Lot, Through (notwithstanding any 0.3 metres reserves) means a **lot** bounded on two opposite sides by **streets** provided, however, that if any **lot** qualifies as being both a **corner lot** and through lot as herein defined, such **lot** is deemed a **corner lot** for the purposes of this By-law.



Lot, Waterfront means any **lot** abutting Lake Simcoe or where a portion of the **lot** extends into Lake Simcoe.

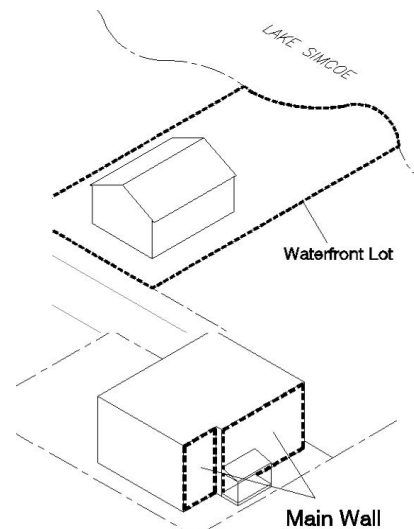
2.126 Main Front Wall or Main Wall means the walls of a **building** or **structure** that face the **front lot line**.

2.127 Manufacturing means the **use** of land, **buildings** and **structures** for the purpose of manufacturing, assembly, making, preparing, inspecting, finishing, treating, **altering**, repairing, warehousing or storing or adapting for sale of any goods, substance, article, thing or service.

2.128 Manufacturing, Light shall mean the **manufacturing**, assembly or processing of component parts to produce finished products suitable for retail trade and does not include food, beverage, tobacco, rubber, leather, textile, wood, printing, concrete or asphalt batching or recycling plant, metal fabricating and the **manufacturing** or processing of raw materials or similar industries if these operations involve furnaces or machinery that emit noxious fumes or gases, discharge dirt, dust or particle matter into the air or result in noise or vibration beyond the limits of the property in excess of the Ministry of Environment's guidelines or if these operations involve stamping presses. All **manufacturing** or assembly activities shall be conducted entirely within one or more wholly enclosed **buildings**. A light manufacturing **use** may also include an **accessory retail use** of the goods manufactured on the same **lot** as the main **use** in accordance with the provisions of this By-law.

2.129 Marina means a commercial establishment where a **boathouse**, boat storage, boat repair facilities, boat rental, pier, **dock**, pump-out or jetty facilities or any combination of the foregoing are available for all types of marine craft and may include a gasoline pump for the fuelling of marine craft and **buildings** or **structures** for the sale of marine craft, snowmobiles or other similar recreational vehicles as well as related accessories and the provision of refreshments as an **accessory use**.

2.130 Medical Marihuana Production Facility means a building used for growing, producing, processing, testing, destroying, storing or distribution of medical marihuana or cannabis authorized by a license issued by the federal Minister of Health, pursuant to Section 25 of the Marihuana for Medical Purposes Regulations, SOR/2013-119, under the Controlled Drugs and Substances Act, SC 1996, c 19, as amended, or any subsequent legislation which may be enacted in substitution thereof. For purposes of clarification, no part of this operation, whether **accessory** or not, may be located outdoors. In the interpretation of this definition, cannabis means the substance set out in Item I of Schedule II to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended; and marihuana means the substance referred to as "Cannabis" in sub-item I(2) of Schedule II to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended.



- 2.131 Medical Office** means a **building** or part of a **building** that is used by one or more physicians, surgeons, dentists, chiropractors or other medical practitioners together with their nurses, clerical and technical employees in the practice of these professions but does not include the provisions of beds or any form of retail trade other than the sale of pharmaceutical goods.
- 2.132 Model Home** means a **single detached dwelling, semi-detached dwelling** or, **townhouse dwelling**, temporarily used for the purpose of showing potential buyers what the aesthetics and finishes of a typical home may look like within the proposed subdivision within which the units are constructed, an office and/or show room and/or sales office to promote the sale of residential units may be permitted within the **garage**.
- 2.133 Modular Home** means a factory built home which is a **dwelling unit** designed and built to be transported on its own chassis or frame. It may contain parts that can be folded, collapsed, or telescoped when being towed and expanded later to provide additional floor space. It can also be two or more separately towable components that are joined on the chosen site. The modular home is designed for long term year round occupancy. It has facilities for cooking, eating, living, sleeping and sanitation. A modular home does not include a park model mobile home trailer, travel trailer, tent trailer or trailer otherwise designed. For the purposes of this definition, a **modular home** having an A277 Standard is permitted, while those having either a Z240, Z241 Standard or a combination of either of these with the A277 Standard are not permitted.
- 2.134 Motel** means **premises** that contain rooms with no private cooking facilities that are rented on a temporary basis to the public with each room being accessed from the outside.
- 2.135 Motor Vehicle** means an automobile, motorcycle, a motor-assisted bicycle, as amended, and any other vehicle propelled or driven otherwise than by muscular power.
- 2.136 Motor Vehicle, Commercial** means a **motor vehicle** used in association with a commercial or **industrial use** and has a gross weight (inclusive of load, if applicable) of more than 2,250 kg.
- 2.137 Motor Vehicle Body Shop** means a **building** or place used as a **motor vehicle** repair shop including auto body repairs and spray painting and where **motor vehicle** fuelling, application of lubricants and related mechanical repairs, washing or cleaning of **motor vehicles** may be carried out.
- 2.138 Motor Vehicle Dealership** means **premises** where new or used automobiles or motorcycles are sold, leased or rented and which may include an **accessory motor vehicle repair garage**, an **accessory motor vehicle body shop** or the retail sale of **motor vehicle** accessories and products as an **accessory use**.
- 2.139 Motor Vehicle Gas Bar** means **premises** used for the sale of fuels for **motor vehicles** and/or a facility where motor vehicles may be oiled and greased.
- 2.140 Motor Vehicle Repair Garage** means **premises** used for the repair of **motor vehicles** and **commercial motor vehicles**.

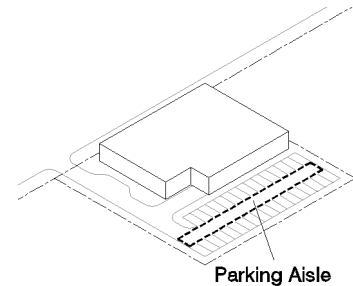
- 2.141 Motor Vehicle Service Station** means a **building** or place used for the sale of fuels for motor vehicles, and which may include an **accessory motor vehicle washing establishment**, the **accessory** sale of **motor vehicle** accessories, or an **accessory convenience store**, but does not include the activities otherwise undertaken at a **motor vehicle repair garage** or a **motor vehicle body shop**.
- 2.142 Motor Vehicle Washing Establishment** means a **building** or **structure** for the operation of **motor vehicle** washing, including self-service or automatic **motor vehicle** washing.
- 2.143 Municipal By-Law Enforcement Officer** means the officer or employee of the Town of Innisfil with the duty of enforcing the provisions of municipal by-laws.
- 2.144 Municipal Services (Water or Wastewater)** means infrastructure that is owned and operated by a public authority and is designed to adequately service the water and sewage disposal needs of a **use, building** or **lot**.
- 2.145 Naturalized Vegetation Area** shall mean an unenclosed area of land dominated by native plant species that grow and persist without direct human management, protection or tending. The area of the naturalized vegetation area shall be included in the calculation of any required minimum **landscaped open space**.
- 2.146 Net Residential Area** shall mean the area of the land utilized for residential **dwelling units** including the **lot area** and the local residential **streets**. It excludes **parks, schools**, storm water management ponds, collector roads, stream corridors and natural environmental features.
- 2.147 Net Residential Density** shall mean the number of **dwelling units** divided by the **net residential area**.
- 2.148 Non-Conforming Use** means a **use, building** or **structure** which does not conform to the permitted **uses** of the By-law for the zones in which such **use, building** or **structure** is located as of the date of the passing of this By-law.
- 2.149 Non-Complying Use** means a **use, building** or **structure** which does not comply with the regulations, standards, requirements or provisions of the By-law for the zones in which such **use, building** or **structure** is located as of the date of the passing of the By-law.
- 2.150 Nursery** means a place where young trees or other plants are grown for transplanting and for sale and may also include the sale of related **accessory** supplies and may include a **garden centre** as an **accessory use**.
- 2.151 Nursing Home** – see **long term care home**.
- 2.152 Office Supply Establishment** means a **retail store** devoted to wholesale and retail sale of office and school supplies, such as paper products, information processing supplies, files and furniture, office machines, office cleaning supplies and accessories.

2.153 Outdoor Recreation Use means an **accessory** or **principal** recreation **use** which is open and unobstructed to the sky, and without limiting the generality of the foregoing, includes a basketball court, tennis court, outdoor **swimming pool**, soccer field, football field, outdoor skating rink, picnic area, playground, **pavilion**, golf **driving range**, miniature **golf course** or any other similar **use**.

2.154 Outside Storage means an area of land used in conjunction with a permitted **use** located within a **building** or **structure** on the same **lot**, for the storage of goods and materials. The temporary or overnight parking of **motor vehicles** shall not be considered outside storage.

2.155 Outside Display and Sales Area means a portion of a **lot** used for exhibiting in an orderly manner, assembled or finished products sold by a retail business on the same **lot**, but does not include outside storage.

2.156 Parking Aisle means an area of land which abuts and provides direct vehicular access to one or more **parking spaces**.



2.157 Parking Lot or Structure, Public means a non-**accessory** **parking area** operated by a public authority, which is an open area, other than a **street**, or a **building** or **structure** used for the temporary parking of two (2) or more **motor vehicles**.

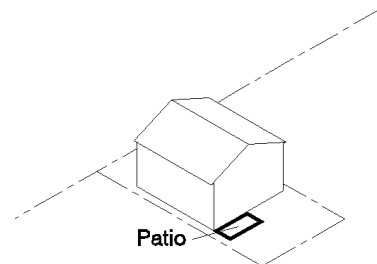
2.158 Passive Recreation means activities or **uses** which are not considered to be structured activities, such as walking, nature trails, bird watching, etc.

2.159 Park means an area of land consisting largely of open space and which may include **outdoor recreation uses**, a **pavilion** or a **conservation use**.

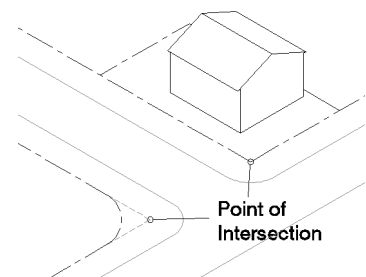
2.160 Parking Area means an area or **structure**, including a **private garage** or **driveway**, provided for the temporary parking of vehicles which is **accessory** to a permitted **use**, and includes any related **parking aisles**, **parking spaces** and **structures**, but does not include any part of a **street** or laneway.

2.161 Parking Space means a rectangular area, exclusive of **aisles**, used for the temporary parking of **motor vehicles**.

2.162 Patio means a platform without a roof, and abutting one or more walls of a **building** or constructed separate from a **building**, with or without direct access to the ground, the floor of which is not more than 0.6 metres above **grade**, which is designed and intended for **use** as an amenity space which is **accessory** to the **principal use** on the **lot**.



- 2.163 Patio, Outdoor** means an outdoor area where food, beverage, wine, spirits or any of them are served to the public or to members of a club or organization and is an **accessory use** to a **restaurant**.
- 2.164 Patio, Outdoor Rooftop** means an ancillary **use** to a **restaurant** or **banquet hall**, located on the roof of the **principal building** that provides an outdoor patron area.
- 2.165 Pavilion** means a completely enclosed **structure** having a roof supported on piers, for the purpose of shelter from the elements during such activities as picnics.
- 2.166 Person(s)** means any human being, association, firm, partnership, **private club**, incorporated company, corporation, agent or trustee and the heirs, executors, or other legal representatives of a person to whom the context can apply according to law.
- 2.167 Personal Service Establishment** means a business where professional or personal services are provided for gain and where the sale of retail of goods, wares, merchandise, articles or things is only **accessory** to the provisions of such services, including but without limiting the generality of the foregoing, barber shops, beauty shops, tailor shops, **laundry and dry cleaning depots**, shoe repair shops, etc.
- 2.168 Pet Day Care Establishment** means **premises**, including land, **buildings, structures** and which may include an outdoor run, in which the care and temporary accommodation of not more than ten (10) domestic **household** pets are provided in return for remuneration, but shall not include the overnight boarding of pets, and shall not include a **kennel** as defined herein.
- 2.169 Pharmacy** means a **retail store** in which the **principal use** is the retail sale of drugs, pharmaceutical products, medicines and similar sundries.
- 2.170 Photography or Artist's Studio** means **premises** used for portrait and commercial photography, painting, sculpting, or other forms of art and craft making, and which may include the sale of art, crafts and photography created or developed on the **premises**, or the ancillary retail sale of equipment used by photographers or artists.
- 2.171 Place of Entertainment** shall mean a video arcade, motion picture theatre or other theatre, arena, auditorium, public hall, billiard or pool room, bowling alley, ice or roller skating rink, dance hall or music hall which is contained wholly indoors, but does not include any place of entertainment, amusement or recreation otherwise defined or classified herein. **Place of Worship** means **premises** dedicated to religious worship and includes a church, synagogue, temple, mosque, and which may include a **day nursery, school** of religious education, **banquet hall**, convent monastery, parish hall or a caretaker **dwelling** as an **accessory use**.
- 2.172 Point of Intersection** means the point at which two **street lines** abutting a **corner lot** intersect or if the two **street lines** meet in a curve, then it is the point at which the projection of the two **lot lines** abutting the two **streets** intersect.



- 2.173 Porch/Verandah** means a **structure** abutting the **main wall** of a **building**, having a roof, but with walls that are generally open and unenclosed.
- 2.174 Prefabricated home sales establishment or modular home sales and display** means **premises** used for the display and sales of prefabricated homes or **modular homes**.
- 2.175 Premise** means the area of a **building** occupied or used by a single business or enterprise. In a multiple tenancy **building** that is occupied by more than one (1) business, each individual business area shall be considered a separate premise.
- 2.176 Principal Use** means the main **use** to which the subject lands are devoted and the main purpose for which the subject lands are used.
- 2.177 Printing and Publishing Establishment** means a commercial establishment for blueprinting, engraving, stereotyping, electro-typing, printing or typesetting, and shall include a duplicating shop.
- 2.178 Private Club** means a **building** or part of a **building** used as a meeting place for the members of an organization or an athletic, fitness, social or recreation club and includes a fraternal organization.
- 2.179 Private Services (Water or Wastewater)** means infrastructure on a **lot** which is privately owned and operated, which is designed to service the water and sewage disposal needs of that **lot**, and without limiting the generality of the foregoing, shall include a private septic system and a private well.
- 2.180 Private Road** means a laneway or easement not assumed by the municipality and is usually traveled and maintained by a private individual or group of individuals. For the purpose of this By-law a **private road** shall not be used as **lot frontage**." (By-law 031-17)
- 2.181 Professional Office** means a **building** or part thereof in which a professional service is performed or consultation given, including but not so as to limit the generality of the foregoing, the offices of a lawyer, an architect, a surveyor, an engineer, a real estate agent or an accountant, but does not include any other commercial, industrial or recreational **use** defined in this By-law.
- 2.182 Public Use** means
- a) infrastructure and utilities necessary for the transmission or distribution of electricity, municipal water, and sewage, as well as public roads, **rail lines**, transit stations, storm water management facilities; and
 - b) infrastructure and transmission facilities for telecommunications or cable television, but not including administrative offices, sales outlets, **garages**, depots or yards.
- 2.183 Rail Line** means a transportation line or network consisting of, or having consisted of railroad track and the track bed.

- 2.184 Recreational Vehicle Sales Establishment** means **premises** used for the display and sale of **recreational trailers or vehicles**, boats, snowmobiles, but does not include a **motor vehicle dealership** as defined herein.
- 2.185 Recreational Trailer or Vehicle** means a vehicular, portable unit, designed for travel, camping or recreational **use**, including but not limited to a travel trailer, pick-up truck camper, motorized camper, tent trailer and boat trailer.
- 2.186 Refreshment Trailer** means a commercial operation from which food is cooked and/or refreshments prepared, carried and offered for sale for consumption and dispensing to the general public. A refreshment trailer means a mobile cart or **motor vehicle** provided with or without wheels or runners used for the carriage of persons or goods and shall include, but not limited to, a car, truck, trailer, motorcycle, cart, carriage, container, wagon, snow mobile or all-terrain **vehicle**. (080-18)
- 2.187 Research Establishment** means a **building** or group of **buildings** in which facilities for scientific research, investigation, testing or experimentation are located, but does not include facilities for the manufacture or sale of products, except as an incidental to the main purpose of the research establishment.
- 2.188 Residential Special Community** means a **lot** which has been planned and improved for the placement of **modular homes** and **single detached homes** as permanent **dwelling**s together with **accessory uses**.
- 2.189 Residential Special Community Site** means an area of land within a **Residential Special Community** intended to be occupied by only one **modular home** or **single detached dwelling**.
- 2.190 Restaurant** means an establishment that has full **kitchen** facilities for the preparation of meals and is engaged in the sale and service of meals to the public for consumption on the **premises** and may include **premises** licensed under the *Liquor License Act*, as amended, as a dining lounge, dining room, entertainment lounge and a **patio**.
- 2.191 Restaurant, Take Out** means a **restaurant** where meals are primarily sold to the public for consumption elsewhere, and where a maximum of 10 seats may be provided, but where table service is not provided and which does not include a **drive-through facility**.
- 2.192 Retail Store** means a **building** or part of a **building** where goods, merchandise, substances or articles are offered for retail sale or rental directly to the general public and includes storage on the store **premises** of limited quantities of such goods, merchandise, substances, articles or things sufficient only to service such store, but shall not include any other retail or **commercial use** as defined herein.
- 2.193 Retirement Home** means **premises** that provides accommodation primarily to retired **persons** or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and where common lounges, recreation rooms and medical care facilities may also be provided, but which shall not

include a **long term care home**.

2.194 Riding and Racing Stable means a **building** or part of a **building** in which horses are boarded or kept for commercial purposes.

2.195 Sales Pavilion means a temporary structure, temporarily used for the purpose of a sales office for prospective buyers of **dwelling units**, either on or off-site of where the proposed dwelling units are constructed.

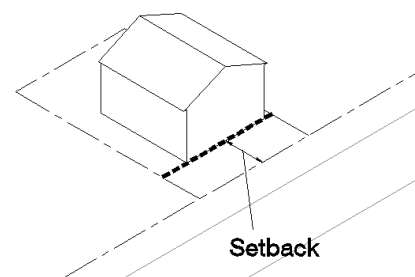
2.196 School means a public or separate elementary or secondary school, a private school as defined in the *Education Act* as amended, a continuation school, a technical school, a vocational school, a **college**, **university** or other education institution, but does not include a **commercial school**.

2.197 School, Commercial means a service commercial establishment which provides instruction in any subject for gain or profit, and without limiting the generality of the foregoing, includes a secretarial college or school, a business school, a trade school, a dance school or studio, a school of music, a modeling school, but does not include a public school, a separate school or a private, religious or philanthropic academic institution.

2.198 Self Storage Units means a **building** consisting of individual, small, self-contained units that are leased or owned for the storage of business and **household** goods.

2.199 Service and Repair Establishment means a **building** or part of a **building** devoted primarily to the repair and servicing of personal effects, **household** goods, small and large **household** appliances, office equipment including computers, photocopiers, telephones and other equipment, as well as the service and repair of small combustion engines, and which may include **accessory retail** sales of goods and articles directly related to the service offered, but does not include any other **uses** defined herein . A plumbing, heating and air conditioning establishment would also be considered as a service and repair establishment.

2.200 Setback means the distance between a **lot line** and the nearest wall of a **principal** and/or **accessory building** or **structure**, as indicated in the context in which the term is used.

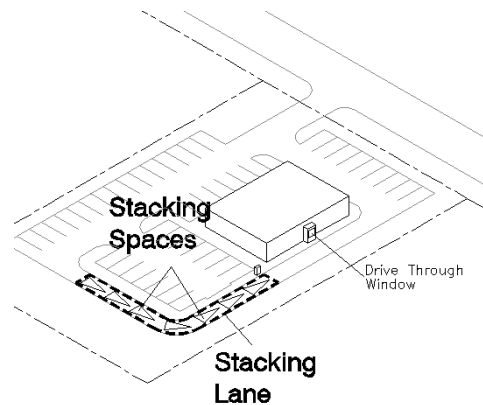


2.201 Shopping Centre means a group of **commercial uses** which has been designed and developed as a unit by a single owner or group of owners, as distinguished from a business area consisting of unrelated individual **commercial uses**, but does not include **warehouse retail**.

2.202 Shoreline means the line where the normal or controlled high water mark of Lake Simcoe meets the land.

2.203 Sleeping Cabin means an **accessory building** designed for the temporary accommodation of **persons**, but does not contain a **kitchen** or washroom.

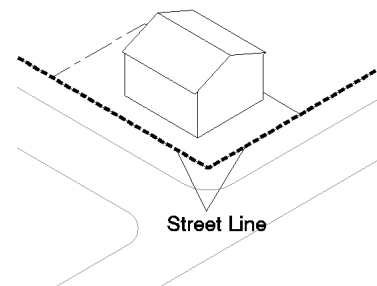
2.204 Stacking Lane means a continuous on-site queuing lane that includes **tandem parking spaces** for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation, by barriers, markings or signs. For the purposes of Section 3.13 e), a stacking lane shall include that portion of the lane past the service window and/or automated machine where orders are received.



2.205 Stacking Space means a portion of a **stacking lane** which provides standing room for vehicles in a queue and, without limiting the generality of the foregoing, includes a queue for a **drive-through facility restaurant**, an automobile washing establishment, a **drive-through financial institution** or a **drive-through pharmacy** where permitted by this by-law.

2.206 Storey means that portion of a **building** between the surface of a floor and the floor, ceiling or roof immediately above. Any portion of a **building** partly below **grade** level shall be deemed a storey where its ceiling is at least 1.8 metres above **grade**. Any portion of a storey exceeding 4.2 metres in **height** shall be deemed to be an additional storey.

2.207 Street means a public highway which affords the principal means of access to an abutting **lot** and which is dedicated, assumed, maintained and/or opened by the Town, County of Simcoe, Province of Ontario and any other Municipality.



2.208 Street Line means the limit of the **street** allowance and is the dividing line between a **lot** and a **street**.

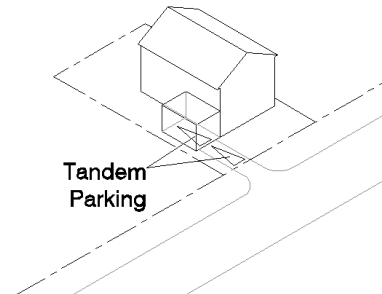
2.209 Structure means anything constructed or **erected**, the **use** of which requires location on the ground, or which is **attached** to something having location on the ground.

2.210 Swimming Pool means a body of water located outdoors, having an area of more than 9 square metres contained by artificial means, a water depth greater than 0.6 metres at any point and which is used and maintained for the purpose of swimming, diving or bathing.

2.211 Swimming Pool Sales and Display means an establishment for the sales and display of **swimming pools**, hot tubs, saunas and similar **structures** and **accessory** goods related to the care and maintenance of such **structures**, and which may include outside display of merchandise.

2.212 Tandem Parking means two **parking spaces**, located one behind the other.

2.213 Taxi Stand or Dispatch Office means a **building** or part of a **building** wherein a business office is contained for the administration and dispatching of taxi vehicles for gain or hire, but does not include the servicing or repair of vehicles.



2.214 Temporary Structure means a **structure** that is **accessory** to the **principal use** or **building** on the same **lot**, and is intended to be **erected** on a temporary basis, and may include such **structures** as a produce stand, tent, temporary **garage**, boat lift or other similar type of temporary structure, but shall not include temporary structures related to construction activities, including temporary sales or rental offices.

2.215 Temporary Turning Circle shall mean those lands that have been conveyed or provided as an easement to the Town for purposes of a temporary public road allowance.

2.216 Tourist Cabin Establishment means a **tourist commercial establishment** comprised of two or more cabins arranged singly or in pairs and in which cooking facilities may be provided.

2.217 Tourist Commercial Establishment means **premises** designed for the traveling or vacationing public, and that has facilities for accommodation and may serve meals or provide **kitchen** facilities within each unit and may furnish equipment supplies or services to **persons** for recreational purposes, but does not include a **campground**, trailer park or private **park**.

2.218 Tourist Information Centre means all or a part of a **building** used to provide information to the travelling or vacationing public.

2.219 Town or Town of Innisfil means The Corporation of the Town of Innisfil.

2.220 Transport Terminal means **premises** where trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or transports, stored or parked on the property, are dispatched for hire as common carriers, and which may include freight-handling facilities, such as pick-up, delivery and transitory storage of goods incidental to motor freight shipment is provided.

2.221 Use means the purpose for which any land, **building** or **structure** is occupied or maintained.

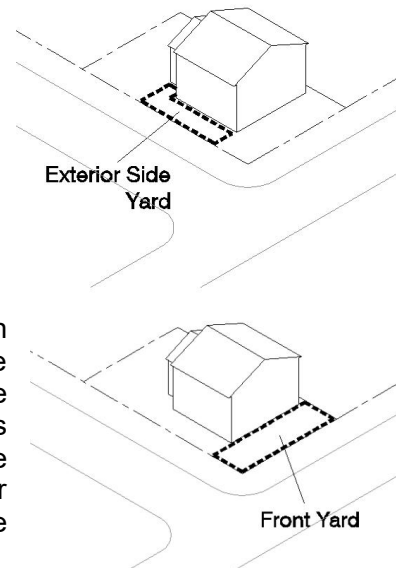
2.222 Use, Commercial means the **use** of land, **building** or **structure** for the purpose of buying and selling commodities, wares, goods or merchandise, and supplying of services to the

general public or to businesses, as distinguished from such **uses** as **manufacturing** or assembling of foods, warehousing, transport terminals, construction and any other similar **uses**.

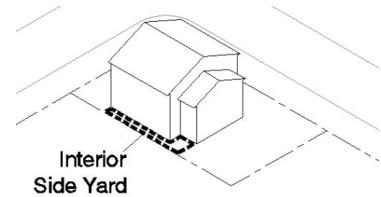
- 2.223 Use, Industrial** means the **use** of any land, **building** or **structure** for the purpose of **manufacturing**, processing, fabrication, assembly treatment, packaging and incidental storage of goods and materials and may include **accessory** sales and distribution of such products but shall not include a **waste processing or transfer facility**.
- 2.224 Use, Institutional** means a **building** or part of a **building** used for non-commercial purposes by an organized body, religious group or society such as a public **hospital**, library, convent or similar **use**.
- 2.225 Use, Residential** means the **use** of a **building** or **structure** or a portion of a **building** or **structure** as a **dwelling**.
- 2.226 Use, Non-Residential** means any **use** which is not associated with a **dwelling**.
- 2.227 University or College** means a public, post-secondary institution but shall not include a **commercial school**.
- 2.228 Utility Yard** means **premises** used for **public uses**, and which may contain **accessory buildings** and **structures** including an office, and which is owned or operated by a public authority.
- 2.229 Veterinary Clinic** means a **building** or **structure** or part thereof used for the purpose of consultation, diagnosis and treatment of small animals, birds or domestic pets, including the boarding of such animals, birds and pets, and does not include the treatment of livestock.
- 2.230 Veterinary Hospital** means a **building** or **structure** or part thereof used for the purpose of consultation, diagnosis and treatment of any type of animal or bird including livestock and may also include the disposal or boarding of animals, birds and pets.
- 2.231 Warehouse** means a **building** or **structure**, or part of an industrial or **manufacturing** operation where wares, goods, commodities or stock are stored, and includes **self storage units**.
- 2.232 Warehouse Retail** means a **building** or **structure** or part thereof where products, goods and commodities are stored, displayed and offered for sale and shall include:
- a) **accessory retail use** of products manufactured and stored on the **premises**;
 - b) private wholesale retail warehouse open to limited patronage by membership;
 - c) specialty home and office retail, such as home and office supplies and equipment;
 - d) bulk frozen food establishments;
 - e) discount merchandising stores;
 - f) factory outlets; and
 - g) wholesale establishments,

but shall not include any other retail or **commercial use** as defined herein.

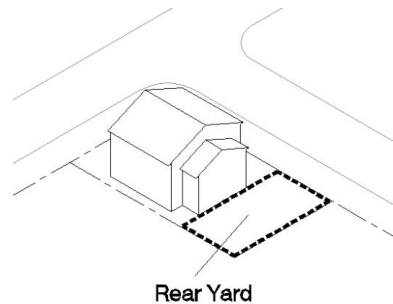
- 2.233 Waste Processing or Transfer Facility** means lands, **buildings** or **structures** within which waste is collected and temporarily stored for shipment to a recycling centre or waste disposal site, or where waste is shredded, baled, pulverized, composted, separated or otherwise treated or altered to facilitate its further transfer, processing, utilization or disposal, and in accordance with a Certificate of Approval issued by the Ontario Ministry of the Environment where such a certificate is required.
- 2.234 Watercourse** means any surface stream or river including an intermittent stream, drainage ditch, municipal drain or flowing stream or river but this does not include a ditch constructed within a road allowance for the specific purpose of draining a **street**.
- 2.235 Waterfront Yard – see Yard, Waterfront.**
- 2.236 Water Frontage** means the distance between the **side lot lines** measured 7.5 metres back from the **shoreline** and parallel to the chord of the **shoreline** and, for the purpose of this definition, the chord of the **shoreline** is a straight line joining the two points where the **side lot lines** intersect the **shoreline**.
- 2.237 Wayside Pit or Quarry** means a temporary pit or quarry opened and used by a public authority for road or infrastructure construction purposes and which is not located within the right-of-way of a **street**.
- 2.238 Yard** means the space appurtenance to a **building** or **structure** on the same **lot** which is open, uncovered and unoccupied except for such **accessory buildings, structures** or **uses** which are specifically permitted by this By-law. In determining yard measurements, the minimum horizontal distance from the respective **lot lines** is to be used.
- 2.239 Yard, Exterior Side** means the **side yard** of a **corner lot** which **side yard** extends from the **front yard** to the **rear yard** between the side **street** line and the nearest wall of any **building** or **structure** on the **corner lot**. The minimum exterior side yard means the minimum required distance as specified in this By-law between the **exterior side lot line** and the nearest wall of any **principal** or **accessory building** or **structure** on the **lot**, according to the context in which the term is used.
- 2.240 Yard, Front** means the **yard** extending across the full width of the **lot** between the **front lot line** of the **lot** and the nearest wall of the **principal building** on the **lot**. The minimum **front yard** means the required distance as specified in this By-law between the **front lot line** and the nearest wall of any **principal** or **accessory building** or **structure** on the **lot**, according to the context in which the term is used.



2.241 Yard, Interior Side means the **side yard** extending from the **front yard** to the **rear yard** between the **side lot line** and the nearest wall of any **building** or **structure** on any **lot** and excluding any **exterior side yard**. The minimum interior side yard means the minimum required distance as specified in this By-law between an interior **side lot line** and the nearest wall of any **principal** or **accessory building** or **structure** on the **lot**, according to the context in which the term is used.

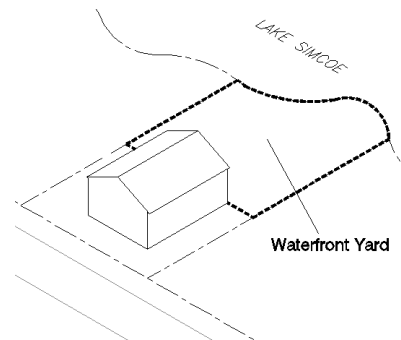


2.242 Yard, Rear means the **yard** extending across the full width of the **lot** between the **rear lot line** of the **lot** and the nearest wall of any **principal building** or **structure** on the **lot**. Where a rear yard is required for an **accessory building** in this By-law then this definition applies except the words **accessory building** are to be substituted for **principal building**. The minimum rear yard means the minimum required distance as specified in this By-law between the **rear lot line** and the nearest wall of any **principal** or **accessory building** or **structure** on the **lot**, according to the context in which the term is used.



2.243 Yard, Side means the **yard** extending from the **front yard** to the **rear yard** between the **side lot line** and the nearest wall of any **building** or **structure** on the **lot**. The minimum side yard means the minimum required distance as specified in this By-law between the **side lot line** and the nearest wall of any **principal** or **accessory building** or **structure** on the **lot**, according to the context in which the term is used.

2.244 Yard, Waterfront means any **yard** which abuts the water's edge of Lake Simcoe. For the purposes of this definition, the water's edge shall mean the annual average high water mark.



2.245 Zone means a designated area of land **use** shown on Schedule "A" of this By-law and established and designated by this By-law for a specific **use** or group of **uses**.

2.246 Zoning Administrator means an officer or employee of the Corporation of the Town of Innisfil charged with the duty of administering this By-law.

SECTION 3 GENERAL PROVISIONS

3.1 CONTENTS

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3.2 APPLICATION

The provisions of Section 3 shall apply to all zones, unless otherwise specified in these provisions.

3.3 ACCESSORY BUILDINGS AND STRUCTURES

The following provisions shall apply to **accessory buildings** and **structures**:

- a) The total **lot coverage** of detached **accessory buildings** and **structures** including **decks**, detached **private garages** and other **accessory buildings** and **structures** shall not exceed 10% of the **lot area** except that where a **swimming pool** is provided, the total **lot coverage** for **accessory uses** shall not exceed 20%. That any at grade recreational use(s) such as but not limited to basketball courts, tennis courts, outdoor hockey rinks, etc., shall meet the minimum setback

provisions for an **accessory structure** and that recreational use(s) at grade shall be exempt from **lot coverage** requirements. (By-law 031-17)

- b) The **gross floor area** or footprint of an **accessory building** or **structure** shall not exceed 50 square metres in any Residential **zone**, except in the Rural Residential **Zone**. This provision shall not apply to an **attached deck/porch/verandah/balcony, swimming pool, boathouse, or dock** permitted in accordance with the provisions of this By-law. (By-Law 031-17)
- c) In all Residential **zones**, the setbacks for **accessory buildings** and **structures** shall be in accordance with the setbacks for **accessory buildings** and **structures** specifically indicated in the Zone Regulations. In all other zones, **accessory buildings** and **structures** shall be subject to the same required **yard setbacks** as the **principal buildings**, as indicated in the zone regulations.
- d) Notwithstanding any other provision of this By-law, no **accessory buildings** and **structures**, except **farm gates sales**, shall be located closer to the **front lot line** than the **principal building** in any **zone**, except where specifically permitted by this By-law. Additionally, except in the case of a residentially zoned shoreline property, no detached **accessory structure** shall be permitted in the front yard.
- e) Notwithstanding any other provision of this By-law, no **accessory buildings** and **structures** shall be located closer to the exterior **side lot line** than the **principal building** in any **zone**, except where specifically permitted by this By-law.
- f) Where an **accessory building** is **attached** to the **principal building**, the **front yard, side yard, rear yard** and **lot area** requirements of this By-law must be complied with as if the **accessory building** was part of the **principal building**.
- g) Except in the case of an **accessory building** to an **agricultural use**, no **accessory building** shall exceed the **height** of the **principal building** on the **lot** or 5.0 metres, whichever is the lesser.
- h) No **person** shall **use** an **accessory building** as a **dwelling** or **dwelling unit** except where specifically permitted by this By-law.

3.4 ACCESSORY DWELLING UNITS (NON-RESIDENTIAL ZONES)

Where an **accessory dwelling unit** is permitted in association with a **non-residential use** as indicated in this By-law, the following provisions shall apply:

- a) An **accessory dwelling unit** may be permitted with private water supply and sewage system having the approval of the appropriate approval authority, as provided in certain non-residential **zones**.
- b) An **accessory dwelling unit** that is located in a separate **building** shall have a minimum floor area of 93 square metres.
- c) An **accessory dwelling unit** that is **attached** to or is within a non-residential **building** shall have a minimum floor area of 56 square metres.

- d) An **accessory dwelling unit** shall have separate bathroom and **kitchen** facilities from those of the **non-residential use**.
- e) **Parking spaces** in addition to the requirements of the **principal use** on the **lot** shall be provided for the **accessory dwelling unit** in accordance with the provisions of Section 3.35.
- f) The entrance to the **dwelling unit** must be separate from the **building** entrance provided for the non-residential **zone**.
- g) In a Commercial **Zone**, no **dwelling unit** may be located in a non-residential **building** except on the second **storey** of that **building** or at the rear of such **building** if on the main floor.
- h) The **gross floor area** of the residential portion of a non-residential **building** in a Commercial **Zone** must not exceed 100% of the non-residential floor area of the **building**.
- i) Notwithstanding any other provisions of this By-law, no **dwelling unit** shall be located in a non-residential **building** that is used, in whole or in part, for a **motor vehicle service station**, **motor vehicle repair garage** or **motor vehicle body shop**.
- j) No detached **accessory dwelling unit** shall be located closer than 6 metres to any other **building** on the **lot** except a **building** that is **accessory** to the detached **accessory dwelling unit**.

3.5 ACCESSORY SECOND DWELLING UNITS (RESIDENTIAL ZONES)

Notwithstanding any other provisions of this By-Law to the contrary, the following provisions shall apply so as to permit the construction of second dwelling units, including a garden suite, as an **accessory use** to a **single-detached**, **semi-detached**, or **street townhouse dwelling** in the permitted zones within the Town of Innisfil: (By-law 016-16)

General

- a) Only one (1) second **dwelling unit** will be permitted per **lot**. The **principal dwelling** must be a legally permitted use on the **lot**.
- b) A second **dwelling unit** shall be a self-contained **dwelling unit** with bathroom, **kitchen** and sleeping facilities that are separate from those of the **principal dwelling** on the lot. The second **dwelling unit** can be contained within the **principal dwelling** or in an **attached** or detached **accessory structure** on the lot.
- c) The second **dwelling unit** shall not be greater than 50% of the **gross floor area** of the **principal** residential **structure** on the **lot**, up to a maximum size of 100 square metres.
- d) The second dwelling unit shall have a maximum of 3 bedrooms.

- e) All second **dwelling units** must comply with the **coverage** and **setback** requirements specified in this By-Law.
- f) Second **dwelling units** shall maintain or improve on-site storm water management and site drainage. To ensure compliance, the Town may require a site grading plan.
- g) Second **dwelling units** shall not be permitted within a lodging house or a **group home** or on a lot with a **garden suite**.
- h) The second **dwelling unit** shall not be severed from the **lot** of the **principal dwelling**.

Parking

- i) In addition to the parking requirements for the **principal use** in accordance with the provisions of Section 3.35, for a second dwelling unit that has one (1) bedroom or less, a minimum of one (1) off-street **parking space** must be provided on the **lot** of the subject property. For second dwelling units that have two (2) bedrooms or more, a minimum of two (2) off-street **parking spaces** must be provided on the **lot** in addition to the parking requirements for the **principal use**. **Tandem parking** is permitted. Notwithstanding the provisions of 3.35.2 in this By-Law, exterior **parking spaces** on the **lot** shall be a minimum of 2.5 metres in width and 5 metres in length.
- j) A minimum of 40% of the **front yard** of a **lot** used for second **dwelling unit** purposes shall be provided and maintained as **landscaped open space** and such open space shall not be utilized for **parking space** and/or **driveway** purposes.

Entrance/Access

- k) The entrance to a second **dwelling unit** must be separate from the entrance provided for the **principal dwelling**. For second **dwelling units** that are contained within or attached to the **principal dwelling**, the separate entrance may be accessed from the outside of the building or from a common hallway or stairway from inside the building. Where only one entrance to the second dwelling unit is provided, it must not be from the inside of a **garage**, unless the **garage** has a separate vertically swinging door that provides direct outdoor access.
- l) Where the only entrance to a second **dwelling unit** is provided from the **rear yard** or **side yard**, the entrance must be accessed by a continuous, unobstructed path of travel of at least 1 metre wide between the main wall of the **building** and the **side lot line**.

Detached Second Units

- m) The maximum **height** for a detached second **dwelling unit** shall be 5 metres.
- n) Detached second **dwelling units** shall only be permitted on a **lot** that has a minimum size equal to or greater than 1000 square metres.

Restricted Areas

- o) Detached second **dwelling units**, including **garden suites**, shall not be located more than 60 metres from the **principal dwelling** on the **lot**. (By-law 016-16)

- p) Second **dwelling units**, parking, and sewage disposal systems shall not be permitted in hazard lands (areas subject to flooding or erosion) and hazardous sites (unstable soils) as determined in consultation with the appropriate Conservation Authority.
- q) Second **dwelling units** shall not be permitted on a **lot** serviced by a private septic system which is located within 100 metres of the Lake Simcoe shoreline.
- r) Second **dwelling units** shall not be permitted within provincially significant wetlands, the habitat of endangered species, and key natural heritage and hydrologic features as defined by the Lake Simcoe Protection Plan.
- s) Second **dwelling units** shall not be permitted on a **lot** within the Cookstown Settlement Area until sufficient servicing capacity is available, subject to the determination of the Town's Engineering Department.
- t) Second **dwelling units** shall not be permitted on a **lot** that is directly accessed by a **private road**.

Regulation

- u) The property owner must register the second **dwelling unit** with the Town and shall be in compliance with any applicable Registration By-Law. (By-Law-016-16)

3.6 ACCESSORY INDUSTRIAL EQUIPMENT

In addition to all other requirements of this By-law, the following shall apply to **accessory industrial equipment**:

- a) **Accessory industrial equipment** shall be permitted in any Industrial **zone**.
- b) Notwithstanding the **rear yard** requirements in the industrial **zones**, **accessory industrial equipment** may be located in the required **rear yard** of an industrial **zone**; however, no **accessory industrial equipment** shall be located closer than 3.0 metres to any **lot line**.
- c) Notwithstanding any other provisions of this By-law, **accessory industrial equipment** shall not be located in a **yard** abutting a **street** except as provided in clause (d) below.
- d) Where **accessory industrial equipment** is located in the **rear yard** of a **corner lot**, no such equipment shall be **erected** at a distance closer to the **exterior lot line** than the depth of the **front yard** required for a **building** on the adjoining **lot**.

3.7 ACCESSORY RETAIL USES

Where an **accessory retail use** is permitted in association with a **non-residential use** as indicated in this By-law, the following provisions shall apply:

- a) **Accessory retail uses** shall be clearly subordinate, and clearly related to the primary **use** of the **lot** and **principal building** or **structure**.

- b) **Accessory retail uses** shall consist of the sale of goods manufactured or stored on the **premises**.
- c) The **gross floor area** of a permitted **accessory retail use** shall be a maximum of 15% of the **gross floor area** of the **principal building**.
- d) Parking shall be provided in accordance with Section 3.35, and shall be in addition to the **parking spaces** required for the primary **use** of the **lot**.

3.8 AVAILABILITY OF MUNICIPAL SERVICES

No **use** of land or the **erection** or **use** of **buildings** or **structures** are permitted unless there are available private or **municipal services** and related capacity available to service the land, **buildings** or **structures**. Should adequate **municipal services** be available, any development or re-development of the land/**lot** be required to connect to **municipal services**. (By-law 031-17)

3.9 BED AND BREAKFASTS

Where a **bed and breakfast use** is permitted in accordance with this By-law, the following provisions shall apply:

- a) A **bed and breakfast** shall be permitted only in the **zones** indicated in this By-law and shall be clearly **accessory** to the main **residential use** and shall not change the residential character of the **lot**.
- b) A **bed and breakfast** shall contain no more than 3 guest rooms.
- c) No **person** other than the **person** residing in the residence containing the **bed and breakfast** shall be employed except as is necessary for housekeeping and food preparation purposes.
- d) A **bed and breakfast** shall be owned and operated by a **person** residing on the **premises**.
- e) The guest rooms shall not contain **kitchen** facilities.
- f) Parking shall be provided in accordance with Section 3.35.

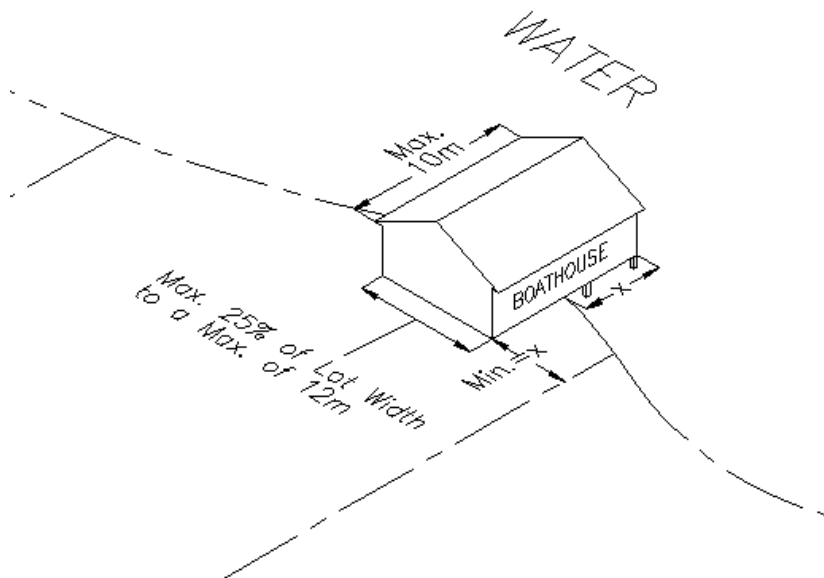
3.10 BOATHOUSES, DOCKS AND OTHER SHORELINE STRUCTURES

The following provisions shall apply to **boathouses**, **docks** and other similar shoreline recreational **structures**:

- a) No portion of a **boathouse** shall be used for human habitation, including a sleeping, cooking or living area.
- b) The maximum **height** of a **boathouse** shall be 5.0 metres.
- c) Notwithstanding any other requirement of this By-law, the minimum **waterfront**

yard setback of a **boathouse**, or portable boatlift **structure**, shall be 0.0 metres.

- d) Notwithstanding any other requirement of this By-law, the minimum **interior side yard setback** of a **boathouse** shall be the greater of 1.0 metre or equal to the length of the portion of the **boathouse** which projects beyond the **shoreline** into the water. Notwithstanding the foregoing, where an **existing boathouse** is located on the adjacent property, and the **existing boathouse** is located within the minimum **side yard setback** of the shared common **interior lot line**, the minimum **interior side yard setback** of the **boathouse** shall be 1.0 metre, and the **boathouse** may not project beyond the **shoreline** greater than that of the **boathouse** on the adjacent property.
- e) Notwithstanding subsection d), where a **side lot line** abuts a **shoreline**, a **boathouse** shall be permitted within the **side yard**, provided the **rear yard setback** of the **boathouse** is the greater of 1.0 metre or equal to the length of the portion of the **boathouse** which projects beyond the **shoreline** into the water. A **boathouse** shall not be permitted within the required **front yard setback** for **accessory buildings** or **structures**. Notwithstanding the foregoing, where an **existing boathouse** is located on the adjacent property, and the **existing boathouse** is located within the minimum **side yard setback** of the shared common **rear lot line** and **interior lot line**, the minimum **rear yard setback** of the **boathouse** shall be 1.0 metre, and the **boathouse** may not project beyond the **shoreline** greater than that of the **boathouse** on the adjacent property.
- f) The total width of a **boathouse** shall be a maximum of 25% of the **water frontage** or 12.0 metres, whichever is less.
- g) No **boathouse** shall exceed a total length of 10.0 metres, and where permitted, no **boathouse** shall project beyond the **shoreline** and into the water more than 10.0 metres.



- h) Gazebos, pergolas, hot tubs and other similar **structures** shall not be permitted on or within a **dock** or a **boathouse**.
- e) The General Provisions section of this By-law is considered to apply to all lands within the Corporate limits of the Town of Innisfil, including those lands not specifically zoned.

3.11 BUNKHOUSES

Where permitted by this By-law, **bunkhouses** shall be located within 200 m of the associated farm **dwelling**. **Bunkhouses** shall also be subject to the requirements for **accessory buildings** and **structures**.

3.12 CAMPGROUNDS

Where permitted by this By-law, **campgrounds** shall be in accordance with the following provisions:

- a) Notwithstanding any other provision of this By-law, the minimum **lot area** for a **campground** shall be 4.0 hectares.
- b) **Accessory commercial uses**, including a **laundry and dry cleaning depot**, as well as required parking, shall not exceed 5% of the **lot area** or 930 square metres, whichever is the lesser.
- c) A minimum of 5% of the **lot area** shall be used for **outdoor recreation** facilities.
- d) **Campgrounds** shall meet the requirements of any By-law and amendments thereto passed by the Town of Innisfil in accordance with the provisions of the *Municipal Act*, as amended, or any successor legislation thereto and where there is a conflict between any such By-law and this By-law, the By-law having the more stringent provisions shall apply.

3.13 DRIVE-THROUGH FACILITIES AND STACKING SPACES

Where a **drive-through facility** is permitted as an **accessory use** as indicated in this By-law, the following provisions shall apply:

- a) A **drive-through facility** associated with a **restaurant** shall include designated **stacking spaces** which shall accommodate a minimum of 10 vehicles.
- b) A **drive-through facility** associated with any other **use** besides a **restaurant** shall include designated **stacking spaces** which shall accommodate a minimum of four (4) vehicles.
- c) **Stacking spaces** shall be located on the same **lot** as the **drive-through facility** and **principal use** of the **lot**.
- d) **Stacking spaces** shall be 5.5 metres in length and 3.0 metres in width.

- e) A **stacking lane** for a **drive-through facility** including that portion of the lane past the **lane** past the service window and/or automated machine where orders are taken shall be **setback** a minimum of 20 metres from any type of residential **zone**. The required **setback** may be reduced to a minimum of 7.5 metres, provided that a noise wall, certified by a professional engineer, no taller than 1.8 metres exclusive of decorative elements, is installed prior to occupancy of the **drive-through facility**. The noise levels will not exceed the maximum levels specified by the Ministry of Environment's noise levels for stationary sources of noise.

3.14 DWELLINGS PER LOT

Except where specifically provided by this By-law, only one (1) **dwelling unit** shall be permitted on a **lot**.

3.15 FRONTAGE ON A STREET

3.15.1 No **person** shall **erect** any **building** or **structure** in any **zone** unless the **lot** upon which such **building** or **structure** is to be **erected** fronts upon a **street**. The above provisions do not apply to prohibit the **erection** of any **building** on a **lot** on a registered plan of subdivision where a subdivision agreement has been entered into but the **streets** will not be assumed until the end of the maintenance period, or instances where a condominium agreement has been entered into for the provision of common **driveways** or where similar suitable access arrangements have been provided. For the purposes of this section, a **street** does not include an unopened road allowance.

3.15.2 Section 3.15.1 does not apply to prohibit the **erection** of any **buildings** or **structures** on any **lot existing** on a **private road** at the date of passing of this By-law, but where all other provisions of this By-law apply.

3.15.3 Where lands are acquired for the purpose of a public utility line and the acquisition deprives a parcel of land of **street** frontage, the part of such parcel so deprived of **street** frontage is deemed, for the purpose of this By-law, to have frontage on the **street** provided the land has a permanent right of access to the **street**.

3.16 FRONT LOT LINE AND LOT FRONTAGE

The **front lot line** must not be less than 75% and not more than 125% of the **lot frontage**.

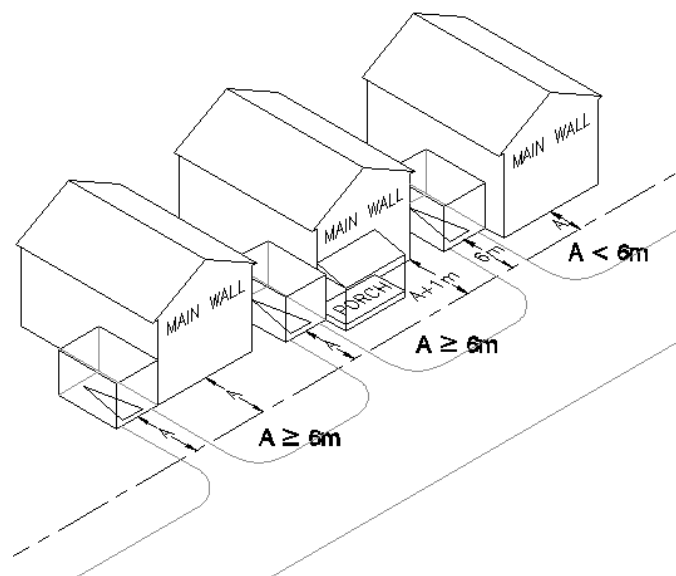
3.17 GARAGES

3.17.1 The following provisions shall apply to **garages**:

- a) The minimum **front yard setback** of a detached or attached **garage**, which faces the **street**, shall be 6.0 metres. Where the detached or attached **garage** faces a **side lot line**, the **front yard setback** shall be the same as the **principal building**.
- b) A **garage** shall not be considered as an **accessory building** or **structure**

if it is **attached** to the **principal building**. For clarification purposes, this provision means that the provisions of Section 3.3 apply to detached **garages**, and that the **attached garage** shall not be subject to the requirements of Section 3.3, but shall be subject to the applicable **yard** requirements for **principal buildings** on the **lot**, as contained in the **zone** regulations, as well as the provisions of this section.

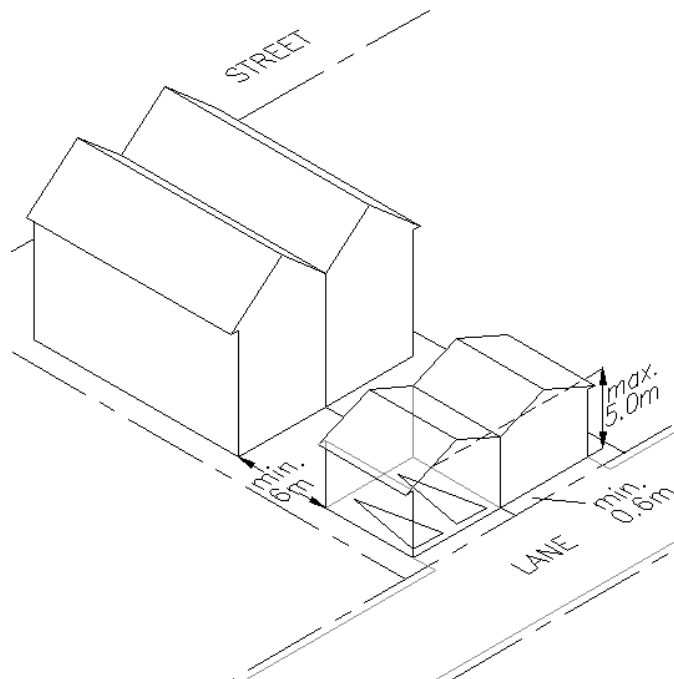
- c) A **garage** shall only be permitted in association with a **principal building** on the **lot**.
- d) A **garage** shall not be used for human habitation unless specific planning permissions have been granted.
- e) On **lots** with a **lot frontage** of less than 20.0 metres, a detached or **attached garage** shall not be permitted to project beyond the **main front wall** of the **principal building**. For the purposes of this section, the **main front wall** shall be determined to be the **main front wall** or that portion of the **main front wall** consisting of at least 50% of the **main front wall**. Where a front porch is provided, the detached or attached **garage** may project no more than 1.0 metre beyond the **main front wall** of the **principal building**.
- f) No **driveway** shall be permitted within a **daylighting triangle**.



- g) Only one (1) **driveway** shall be permitted per residentially zoned **lot** in a settlement area as defined by the Town of Innisfil Official Plan and zoned R1, R1A, R2, R3, RS, RT, excluding a **driveway** to access a **garage** by a rear lane. (By-law 031-17)

3.17.2 The following additional provisions shall apply to detached **garages** accessed by a rear **lane**:

- a) The minimum **rear yard** for a **garage** accessed by a rear **lane** shall be 0.6 metres.
- b) The minimum **interior side yard** of a **garage** accessed by a rear **lane** shall be equal to the **interior side yard** required for the main **building**. Notwithstanding this provision, a detached **private garage** may share a common wall with an adjacent detached **private garage** on an abutting **lot**.
- c) The maximum floor area of a **garage** accessed by a rear **lane** shall not exceed 20% of the **lot area**. For the purposes of this provision, the floor area of the **garage** shall not include a staircase or landing used to access the **garage** or any second **storey** above the **garage**.
- d) The maximum **height** of a detached **garage** accessed by a rear **lane** shall be 5.0 metres.
- e) A **private garage** accessed by a rear **lane** shall not be located closer than 6 metres to the **principal dwelling** on the same **lot**.

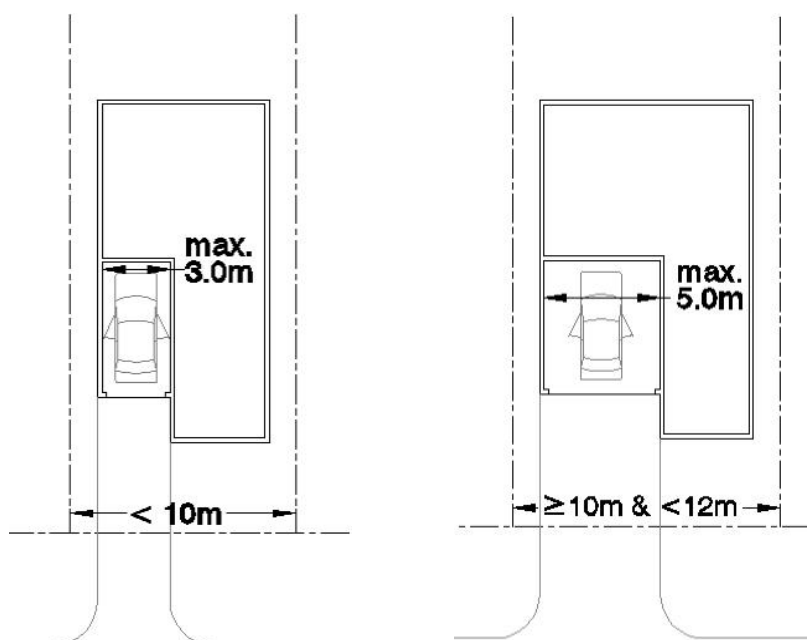


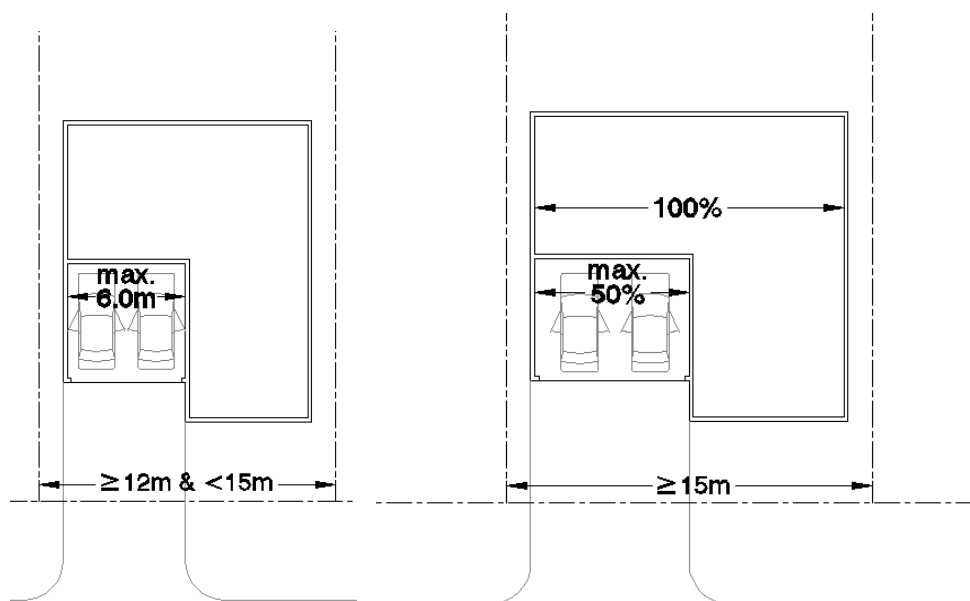
3.17.3 The maximum width of a **private garage** on a residentially zoned lot in an urban settlement area as defined by the Town of Innisfil Official Plan, excluding a **garage** accessed by a rear **lane**, shall be in accordance with the following provisions: (By-law 092-15)

- a) On **lots** with a **lot frontage** of less than 10 metres, the maximum interior

width of a **private garage** shall be 3.0 metres.

- b) On **lots** with a **lot frontage** equal to or greater than 10 metres but less than 12 metres, the maximum interior width of a **private garage** shall be 5.0 metres.
- c) On **lots** with a **lot frontage** equal to or greater than 12 metres and less than 15 metres, the maximum interior width of a **private garage** shall be 6 metres.
- d) On **lots** with a **lot frontage** equal to or greater than 15 metres, the maximum interior width of a **private garage** up to 50% of the width of the **main wall** of the **principal building** on the **lot**, to a maximum of 9 metres. This applies to a **private garage** with garage door opening(s) that face the **front yard**. (By-law 031-17)





3.17.4 Notwithstanding anything to the contrary, the general provisions of Section 3.17.1 e) and 3.17.3 a), b), c) and d), shall not apply to the lands described below:

- a) Registered Plan of Subdivision 51M-892 (South Part Lot 21, Concession 8)
- b) Registered Plan of Subdivision 51M-866 (North Part Lot 22, Concession 7)
- c) Registered Plan of Subdivision 51M-944 (South Part Lot 22, Concession 8)
- d) Registered Plan of Subdivision 51M-987 (North Part Lot 21, Concession 7)
- e) Draft Plan of Subdivision I-T-0502 (Block D and Part of Blocks B and C, 0.3 m Reserve and Sunshine Avenue, Registered Plan 1071).

3.17.5 Notwithstanding anything to the contrary, the general provisions of Section 3.17.1 e) and 3.17.3 d), shall not apply to the lands described below:

- f) Draft Plan of Subdivision I-T-90013 (Part Lot 15, Concession 3)
- g) Draft Plan of Subdivision I-T-880008 (South Part Lot 17, Concession 10)

3.17.6 Notwithstanding anything to the contrary, the general provisions of Section 3.17.1 e) shall not apply to the lands listed below:

- a) Registered Plan of Subdivision 51M-905 (Pt North Half Lot 23, Concession 7)

3.17.7 Notwithstanding anything to the contrary, the general provisions of Section 3.17.3 b) shall not apply to Lot 34, Plan 51M-905.

3.17.8 Notwithstanding anything to the contrary, the provisions of Section 3.17.3 b) shall not apply to the following lands:

- a) Registered Plan of Subdivision 51M-985
- b) Registered Plan of Subdivision 51M-1009
- c) Draft Plan of Subdivision I-T-0603 (Alcona Downs 2)
- d) Draft Plan of Subdivision I-T-0701 (Alcona Downs 3)

3.17.9 Notwithstanding anything to the contrary, the provisions of Section 3.17.1 e) and Section 3.17.3 b) shall not apply to the following lands:

- a) Registered Plan of Subdivision 51M-852
- b) Registered Plan of Subdivision 51M-897
- c) Registered Plan of Subdivision 51M-905

3.18 GARDEN SUITES

A **garden suite**, as defined in this By-law, may be permitted subject to the provisions for Accessory Second Dwelling Units in Section 3.5 and furthermore may be subject to an agreement with the **Town**. (By-law 016-16)

3.19 GROUP HOMES

Where permitted by this By-law, **group homes** shall be subject to the following provisions:

- a) Where permitted by this By-law, **group homes** shall be subject to the **zone** regulations within which the **group home** is permitted.
- b) A **group home** shall comprise the sole **use** of the **dwelling**.
- c) Parking for a **group home** shall be provided in accordance with Section 3.35.

3.20 HAZARD LANDS (REGULATED AREA) AND NATURAL ENVIRONMENTAL AREA

3.20.1 HAZARD LANDS (REGULATED AREA)

- a) Lands located within the Hazard Lands overlay illustrated on Schedule "A" are lands that are susceptible to flooding or erosion hazards, as mapped by the applicable Conservation Authority. The delineation of Hazard Lands is intended to illustrate the Conservation Authority's regulated area, which is based on the most current information available, and may not be accurate or up to date in some areas. No new **buildings** and **structures** or expansions to **existing buildings** and **structures**, or the removal or placement of fill, shall be permitted within Hazard Lands in accordance with the regulations of the underlying **zone** except

with prior written approval from the applicable Conservation Authority. This requirement does not apply to **lots** or blocks which have already received Conservation Authority permits.

- b) **Institutional uses** and essential emergency services, including: **day nurseries, community centres, government facilities, hospitals, long-term care homes or nursing homes, retirement homes, schools, and University and Colleges**, shall be prohibited in the regulatory flood plain, as more specifically defined by the Conservation Authority having jurisdiction.
- c) Notwithstanding any other provision in this By-law, no new **buildings** or **structures** shall be located within 30 metres of the top of bank of any **watercourse**, with the exception of lands within settlement areas as defined by the Growth Plan for the Greater Golden Horseshoe and the *Lake Simcoe Protection Act*. This provision shall not prevent the expansion or replacement of **buildings** or **structures** that legally existed prior to the passing of this By-law within the setback area, provided the expansion or replacement does not have the effect of reducing the **setback** from the top of bank of any **watercourse** or increasing the **floor area** of a **building** or **structure** in a minimum required **yard**.
- d) Notwithstanding any other provision in this By-law, no **building** or **structure** shall be located within 6.0 metres from the top of stable slope for slopes that generally exceed 33% or a 3:1 ratio.
- e) Notwithstanding any other provision in this By-law, no new **dwelling** shall be permitted in areas with extreme flood depths, to be determined in consultation with the appropriate Conservation Authority.

3.20.2 NATURAL ENVIRONMENTAL AREA

Lands located within the Natural Environmental Area illustrated on Schedules "B" to "B14" of the Town Official Plan are natural features that are considered to be significant at a Provincial, regional or local level. The delineation of the Natural Environmental Area is based on the most current information available, and may not be accurate or up to date in some areas.

- a) Development and site alteration shall not be permitted unless it is demonstrated through the completion of an environmental analysis, such as an Environmental Impact Study, in accordance with the policies of the Official Plan, and to the satisfaction of the **Town** and applicable Conservation Authority, that there will be no negative impacts on the natural features or on their functions. The environmental analysis shall identify appropriate **setbacks** and buffers where required.
- b) Subject to the above, all permitted **uses, lot** and **building** requirements shall be in accordance with the underlying **zone** where the Natural Environmental Area is shown and in accordance with all other applicable provisions of this By-law.
- c) Notwithstanding the above, **existing agricultural uses** and legally **existing uses** are permitted.

3.21 HOLDING ZONES (H SYMBOL)

- 3.20.1 Holding (H) Zones are established and identified on Schedule “A” to this By-law in parenthesis following the **zone** symbol.
- 3.20.2 Prior to the removal of the Holding (H) symbol, the only permitted **uses** on the lands subject to the Holding (H) symbol shall be those **uses** legally **existing** at the date the Holding (H) symbol is applied.
- 3.20.3 Where a Holding (H) symbol is imposed on any land, the By-law which places the Holding (H) symbol on said lands shall set out the conditions to be satisfied to effect its removal.

3.22 HOME INDUSTRIES

- 3.22.1 A **home industry** shall employ not more than two (2) **persons** in addition to the owner residing on the **premises**, on a full-time basis.
- 3.22.2 On **lots** less than 0.4 hectares, the maximum **gross floor area** of a permitted **home industry** shall be 50% of the **gross floor area** of the **principal dwelling** on the **lot**.
- 3.22.3 On **lots** greater than 0.4 hectares, the maximum **gross floor area** of a **home industry** shall be 500.0 square metres.
- 3.22.4 A **home industry** shall be clearly secondary to the main **use** of the **lot** and shall not change the character of the **lot** or create or become a public nuisance, particularly in regard to noise, traffic, loading or unloading, odours, dust, fumes or parking.
- 3.22.5 An **accessory building** or **structure** used for the **home industry** shall be permitted in accordance with the provisions for **Accessory Buildings** and **Structures** in Section 3.3.
- 3.22.6 An **accessory building** or **structure** used for the **home industry** shall be permitted only in the required **rear yard** and shall be subject to the provisions for **Accessory Buildings** and **Structures** in Section 3.3.
- 3.22.7 Parking shall be provided in accordance with the **Parking Provisions** in Section 3.35.
- 3.22.8 Notwithstanding the requirements of Section 3.35, a maximum of one (1) **parking space** shall be provided for **commercial motor vehicle parking**.

3.23 HOME OCCUPATIONS

- 3.23.1 A **home occupation** shall not **alter** the residential character of the **dwelling** nor create or become a public nuisance, in particular, with regard to noise, noxious odours, and emissions of smoke, traffic or parking.

- 3.23.2 A **home occupation** must not interfere with television or radio reception.
- 3.23.3 **Outside storage** or outdoor display of goods and materials shall not be permitted in association with a **home occupation**.
- 3.23.4 **Uses** in association with a permitted **home occupation** shall not occupy more than 25% of the **gross floor area** of the **dwelling unit** containing the **home occupation** or 100.0 square metres, whichever is the lesser.
- 3.23.5 Parking shall be provided in accordance with the provisions of Section 3.35.
- 3.23.6 The **home occupation** must not require additional exterior construction features, equipment or machinery than is needed for the **dwelling unit** containing the **home occupation**, except for a required **parking area** in accordance with Section 3.35.
- 3.23.7 A maximum of four (4) employees who do not reside in the dwelling unit containing the home occupation for an office use which contains all business functions and materials associated for an office use within the dwelling unit except for the associated parking area in accordance with Section 3.35. All other home occupation uses shall contain a maximum of one (1) employee who does not reside in the dwelling unit containing the home occupation. (089-19)
- 3.23.8 The operator of the **home occupation** shall be a resident of the **dwelling unit** containing the **home occupation**.
- 3.23.9 In a Residential **Zone**, all on-site activities of a **home occupation**, other than parking, shall be confined to the associated **dwelling unit**, and shall not be undertaken within an attached or detached **garage**, or **accessory building** or **structure**.

3.24 LANDSCAPED STRIPS

In all commercial, industrial and institutional **zones**, a **landscaped strip** shall be provided and maintained in accordance with the following minimum requirements:

- a) A **landscaped strip** shall be required in any commercial, mixed **use**, industrial or institutional **zone** in any **yard**:
 - i) abutting a residential, community service or open space **zone**; and
 - ii) abutting a **street**.
- b) The **landscaped strip** shall have a minimum width of 3.0 metres.
- c) The **landscaped strip** shall be provided along the entire length of the **yard**.
- d) The **landscaped strip** required in this By-law shall be installed and maintained by the owner of the **lot** upon which the **landscaped open space** is required.

- e) **Landscaped strips** shall not be required or permitted where a **daylighting triangle** is required in accordance with Section 3.39.
- f) **Landscaped strips** may be included in the calculation for minimum required **landscaped open space**, as required by the **zone** regulations.
- g) Notwithstanding the requirements of Section 3.24, where **landscaped strip** requirements are identified in the **zone** regulations, the requirements of the **zone** regulations shall apply.

3.25 LEGALLY EXISTING, NON-COMPLYING LOTS, BUILDINGS AND STRUCTURES

Where a **building** or **structure** has been legally **erected** prior to the date of the passing of this By-law on a **lot** having less than the minimum frontage, depth or area or having less than the minimum **front yard**, **side yard** or **rear yard** or **lot coverage** required by this By-law, the said **building** or **structure** may be enlarged, repaired or renovated provided that:

- a) the enlargement, repair or renovation maintains or does not further reduce the established non-compliance or complies with the By-law requirement, and complies with all other **setback** and zone regulations of the applicable **zone**, except that this does not apply to prevent the **erection** of a perimeter foundation provided that the increase in the **height** of the **building** is not more than 1.02 metres;
- b) all other applicable provisions of this By-law are complied with; and
- c) where a **building** on a **lot** with frontage on Lake Simcoe having less than the minimum **waterfront yard** required by this By-law has been legally **erected** prior to the date of the passing of this By-law, said **building** or **structure** may be enlarged, reconstructed, repaired or renovated, provided that:
 - i) the enlargement, repair or renovation complies with the provisions of 3.25 a) – 3.25 b); and
 - ii) the footprint of the enlargement, repair or renovation does not result in an increase of more than 50% to the **existing building** footprint of the **principal building**.

3.26 LEGALLY EXISTING, NON-CONFORMING USES

The following applies to **uses** which are legally **existing** but are no longer permitted by this By-law:

- a) The provisions of this By-law shall not apply to prevent the **use** of any **lot**, **building** or **structure** for any purpose not permitted by this By-law, or the repair, strengthening or restoration to a safe condition of any legally **existing building** or **structure** that is damaged or destroyed by means beyond the control of the owner, if such **lot**, **building** or **structure** was lawfully used for such purpose on the day of passing of this By-law, so long as it continues to be used for that purpose and

provided that the repair or renovation does not further increase the building's **gross floor area**.

- b) The provisions of this By-law shall not apply to prevent the **erection** or **use** for a purpose not permitted by the By-law of any **building** or **structure** for which a permit has been issued under subsection 8(1) of the *Building Code Act*, 1992, prior to the day of the passing of the By-law, so long as the **building** or **structure** when **erected** is used and continues to be used for the purpose for which it was **erected** and provided the permit has not been revoked under the *Building Code Act*, 1992.

3.27 LOADING PROVISIONS

- 3.27.1 Where land, **buildings** or **structures** are used for any purposes involving the receiving, shipping, loading or unloading of animals, goods, wares, assembled or unassembled merchandise and/or raw materials, **loading spaces** shall be provided in accordance with the provisions of this section.

- 3.27.2 **Loading spaces** for **professional offices** and **medical offices** shall be required in accordance with the following:

	Gross Floor Area	Minimum Number of Required Loading Spaces
a)	Less than or equal to 2,350 square metres	0
b)	Greater than 2,350 square metres but less than or equal to 11,600 square metres	1
c)	Greater than 11,600 square metres	1 space plus 1 additional space for each 9,300 square metres of gross floor area or portion thereof

- 3.27.3 **Loading spaces** for other **commercial**, **institutional** and **industrial uses** shall be required in accordance with the following:

	Gross Floor Area	Minimum Number of Required Loading Spaces
a)	Less than or equal to 250 square metres	0
b)	Greater than 250 square metres but less than or equal to 2,350 square metres	1
c)	Greater than 2,350 square metres but less than or equal to 7,500 square metres	2

d)	Greater than 7,500 square metres but less than or equal to 14,000 square metres	3
e)	Greater than 14,000 square metres	3 loading spaces plus 1 additional loading space for each 9,300 square metres of gross floor area or portion thereof

3.27.4 A minimum of one **loading space** shall be required for an **apartment dwelling** or **mixed use building** containing a minimum of 30 **dwelling units**.

3.27.5 Required **loading spaces** shall be provided adjacent to the primary **use** or **building** and on the same **lot** as the primary **use** or **building**.

3.27.6 No **loading space** shall be located in the **front** or **exterior side yards** of any **zone**.

3.27.7 No **loading space** shall be located closer than 6.0 metres to any abutting Residential **Zone**.

3.27.8 No **loading space** or platform or overhead vehicular door shall be located in any **yard** or wall of any **building** or **structure**, which adjoins or faces a **street**, or Provincial Highway No. 400, or County Road 21, if such space is located within the Primary Visual Impact Area shown on Schedule "A".

3.27.9 A **loading space** shall have an unobstructed rectangular area with a minimum length of 9.0 metres and a minimum width of 3.6 metres, and shall have a minimum vertical clearance of 4.2 metres.

3.27.10 The loading requirements shall not apply to any **building** which legally **existed** on the date of passing of this By-law, so long as the floor area as it **existed** at that date is not increased or the **uses** changed. If an addition is made or the **use** is changed, the **loading spaces** must be provided up to the number required for the addition or for the new **use**.

3.27.11 The **driveways**, **aisles** and **loading spaces** for **marinas**, **golf courses** and **parks** shall be constructed and maintained with a stable surface which is treated to prevent the raising of dirt or loose particles. All **parking/loading spaces** and **driveways** and **aisles** for any other permitted **uses** shall require a cement or asphaltic binder or any other similar permanent type of surfacing.

3.27.12 Access to **loading spaces** shall be provided by a **driveway**, **aisle** or **lane** which is at least 6.0 metres wide and provides direct access to a **street**.

3.28 MEDICAL MARIHUANA PRODUCTION FACILITIES

Notwithstanding any other provisions in this **by-law** to the contrary, the following provisions shall apply to permit medical marihuana production facilities in the permitted **zones** specified in this **by-law** within the Town of Innisfil:

- a) A **medical marihuana production facility** shall comply with all provisions of the **zone** that it is located within.
- b) A **medical marihuana production facility** will be prohibited on a **lot** within a residential **zone** and on any **lot** containing a **dwelling**.
- c) A **medical marihuana production facility** shall be located at least 70 metres away from a **lot** in a Residential **Zone** or Community Service **Zone** and from any **lot** containing a **school, park, community centre, or day nursery**.
- d) No outdoor signage or advertising shall be permitted.
- e) **Parking spaces** and **loading spaces** must be provided in accordance with the Loading Provisions and Parking Provisions specified in this **by-law**. A **medical marihuana production facility** will be interpreted as an 'other industrial use' for the purposes of calculating the required number of **parking spaces** and **loading spaces**.
- f) Site Plan approval, in accordance with the Town of Innisfil Site Plan By-law, as amended, will be required prior to permitting any development and the use of a **lot** for the purposes of a **medical marihuana production facility**. Through the Site Plan approval process, the Town may require sustainable design features that reduce environmental and servicing impacts such as the use of recycled water and low impact development measures.
- g) Access to municipal water supply is preferred, however in the case of a private water supply, the Town will require justification that there is sufficient water for daily usage (Ministry of Environment water taking permit may be required) and adequate fire suppression.
- h) Access to municipal sanitary sewer is preferred, however in the case of a private septic system or other on-site disposal system, the Town will require confirmation that discharge from the facilities can be safely treated in a private septic system or alternative. If discharge or treatment of product requires off-site handling, the owner(s) will provide documentation of agreement(s) with approved waste handlers.

3.29 MINIMUM DISTANCE SEPARATION BETWEEN LIVESTOCK AGRICULTURAL USES AND OTHER LAND USES

- 3.29.1 New and expanded livestock facilities, manure storage facilities and anaerobic digesters are subject to the Minimum Distance Separation II (MDS II) requirements according to the Minimum Distance Separation (MDS) Formulae, as developed by the Ministry of Food, Agriculture and Rural Affairs, and administered by the Town of Innisfil.
- 3.29.2 The location of a new **dwelling** on a **lot** of less than 19 hectares in **lot area**, within the Agriculture (AG) **Zone**, is subject to Minimum Distance Separation I (MDS I) requirements according to the Minimum Distance Separation (MDS) Formulae, as developed by the Ministry of Food, Agriculture and Rural Affairs, and administered by the Town of Innisfil. An **existing dwelling** may be enlarged, replaced or

repaired provided that the enlargement, replacement or repair does not result in the **dwelling** being located closer to the **lot** on which the livestock facility is located.

3.29.3 A livestock facility may be replaced, enlarged or repaired, provided that:

- a) the enlargement, repair or replacement of the facility does not result in increases in the values of Factors A, B or D, of the MDS Formulae, as developed by the Ministry of Food, Agriculture and Rural Affairs and administered by the Town of Innisfil, compared to what **existed** at the livestock facility prior to the catastrophic event;
- b) there is no switch to a livestock type with a higher odour potential;
- c) there is no increase in the number of nutrient units housed; and
- d) there is no switch to a manure type system with a higher odour potential.
- e) MDS I is applied to a proposed lot with an existing dwelling when the dwelling is presently located on the same lot as the subject facility.

3.30 MODEL HOMES, DEMONSTRATION UNITS AND SALES PAVILLIONS

3.30.1 Notwithstanding any other provision of this By-law, where a **model home** or **demonstration unit** agreement has been executed between the Town and the owner, and where:

- a) appropriate **municipal services** are available or are at the boundary of a draft-approved plan of subdivision; or
- b) the required easements, agreements and securities are provided to facilitate servicing to the boundary of a draft approved plan of subdivision, one or more **model homes** or **demonstration units**, to a maximum of six (6) or 10% of the number of **lots** on the draft approved plan of subdivision, whichever is less, may be constructed within the boundaries of the draft approved plan of subdivision, subject to the following provisions:
 - i) the **model home** or **demonstration unit**, shall be in accordance with the applicable **zone** provisions in which it is to be located and shall comply with all other provisions of this By-law, as though the unit was constructed on the **lot** within the registered plan of subdivision;
 - ii) the **model home** or **demonstration unit**, shall be used for the purpose of a showing prospective buyers what the aesthetics and finishes of a typical home in the proposed subdivision may look like, and shall not be occupied or used as a **dwelling unit** prior to the date of registration of the plan of subdivision, obtaining any required **building permits**, certificate of occupancy, and the satisfaction of any terms and conditions of the subdivision agreement; and

- iii) the **model home** or **demonstration unit** shall comply with all applicable terms and conditions of the said **model home** or **demonstration unit** agreement.

3.30.2 The construction, **erection** and the temporary **use** of a **sales pavilion** for the temporary sales or a rental office which is incidental to construction on a **lot**, whether on or off-site requires a site-specific amendment to this By-law. A **sales pavilion** does not require permanent water and sanitary sewer connections,

however, temporary water and sanitary facilities are required to the satisfaction of the **Town**. The **sales pavilion** shall comply with all applicable terms and conditions of the said **sales pavilion** agreement.

3.30.3 A **sales pavilion** for the temporary sales or a rental office shall be permitted within any Commercial or Mixed Use **Zone**.

3.30.4 Notwithstanding any other regulations to the contrary, up to ten (10) model homes or demonstration units are permitted within Draft Plan of Subdivision I-T-1301 (Part of the South Half of Lot 21, Concession 8)

3.31 MOTOR VEHICLE SERVICE STATIONS

The following provisions shall apply to **motor vehicle service stations**, where permitted by this By-law:

- a) No fuel pump or related canopy may be **erected** in the **front** or **side yards** within 6.0 metres of any **street** or **lot line**.
- b) On a **corner lot**, no fuel pump may be **erected** within 9.0 metres of the intersection of the **front** and **side lot lines**.
- c) The minimum **lot frontage** for an **interior lot** shall be 30.0 metres.
- d) The minimum **lot frontage** for a **corner lot** shall be 40.0 metres.
- e) The distance between **driveways** providing access to a **lot** shall be a minimum of 9.0 metres, except that on a **corner lot**, no **driveway** shall be located closer than 9.0 metres of the intersection of the **street line**, subject to the **yard** requirements of the **zone**.
- f) Each **driveway** shall have a maximum width of 9.0 metres and the interior angle formed between the **lot line** and **centerline** of the **driveway** must be between seventy (70) and ninety (90) degrees.
- g) No **driveway** shall be located within 3.0 metres of a **side lot line**.

3.32 MULTIPLE USES ON A LOT

Where any **building**, **structure** or **lot** is used for more than one purpose in accordance with the **uses** permitted by this By-law, the **building**, **structure** or **lot** shall comply with

the provisions of this By-law applicable to each **use**. Where there is conflict, the more stringent provision shall apply.

3.33 NON-COMPLIANCE DUE TO EXPROPRIATION

3.33.1 No **existing structure**, **lot area**, parking or **landscaping** on a **lot** shall be deemed to be in contravention of the provisions of this By-law as a result of a **lot** or part of a **lot** being conveyed or having been conveyed to, or acquired by the **Town of Innisfil**, the County of Simcoe, the Province of Ontario, or the Government of Canada. (By-Law 031-17)

3.33.2 For the purposes of this By-law, when calculating **setbacks** and **lot coverage**, any road reserves of the **Town of Innisfil**, the County of Simcoe or the Province of Ontario shall be applied as though they were part of the lands on which the **setback** or **lot coverage** is being applied to.

3.34 OUTSIDE STORAGE

The following provisions shall apply to outside storage, where it is permitted as an **accessory use** by this by-law:

- a) The location and extent of **outside storage** shall be established in the site plan agreement which shall also establish appropriate buffering, **landscaping** and/or fencing to screen the **outside storage** from public view, especially where the **lot** abuts a residential, commercial, mixed **use**, open space or institutional **zone**.
- b) Notwithstanding clause a) above, no **outside storage** shall be permitted in the **front yard** or **exterior side yard** or in any **yard** which abuts a residential **zone**.
- c) No **outside storage** shall be located in the minimum required **side yard setback** or the minimum required **rear yard setback** of the **zone**.
- d) Any permitted **outside storage** area, or vehicular access thereto, involving storage, parking or outside display of goods and materials, shall be constructed and maintained with a stable surface of asphalt, cement, gravel or crushed stone with dust control, and drained in accordance with the requirements of the **Town of Innisfil** and the approved site plan agreement.
- e) Any areas used for permitted outside storage shall be in addition to, and separate from, such areas as may be required by this By-law for the provision of off-**street parking** or **loading spaces**.
- f) The following additional special zone regulations shall apply to all the lands within the Primary Visual Impact Area as shown on Schedule "A" of this By-law:
 - i) **Outside storage** shall not be permitted.
 - ii) Only **uses** conducted wholly within a **building** shall be permitted.
 - iii) **Loading spaces** shall not be permitted in any **yard** facing Highway 400 or County Road No. 21.
 - iii) A **parking area**, an outside display, or any combination of the two shall not

exceed fifty percent (50%) of the area of any **yard** facing Highway 400 or County Road No. 21, unless the **parking areas** are screened, with a fence or landscaping, in which case they may be increased to a maximum of seventy-five (75%) of the **yard**.

3.35 PARKING PROVISIONS

3.35.1.1 NUMBER OF REQUIRED PARKING SPACES

Where land, **buildings** or **structures** are used in accordance with this By-law, every owner shall provide and maintain off-street motor vehicle **parking areas** for the sole **use** of the owner, occupant or **persons** making **use** of the **premises** on the same **lot** in accordance with the requirements outlined for the respective **uses** as specified in the table below and in accordance with the other provisions contained in this Section.

	Use	Minimum Number of Parking Spaces
	Residential Uses	
a)	Single detached dwelling	2.0 parking spaces (1)
b)	Semi-detached dwelling or duplex dwelling	2.0 parking spaces (1)
c)	Townhouse dwelling (street, block/cluster, back-to-back, stacked)	2.0 parking spaces per dwelling unit. With the exception of street townhouse dwellings , 0.25 parking spaces shall be designated as visitor parking spaces (1)
d)	Apartment dwelling in any Mixed Use Zone or apartment dwelling unit in a mixed use building	1.5 parking spaces per dwelling unit, of which 0.25 parking spaces shall be designated as visitor parking spaces
e)	Apartment dwelling in any other zone	1.75 parking spaces per unit, of which 0.25 parking spaces shall be designated as visitor parking spaces
f)	Accessory dwelling unit	1 space
g)	Group home dwelling	1 parking space per 3 supervised group home residents that can be accommodated in the group home dwelling, in addition to the required parking spaces for the dwelling
h)	Home occupation	1 parking space for every 37 square metres of gross floor area devoted to the home occupation use to a maximum of 3 parking spaces provided on the same lot. Parking spaces for the home occupation shall be in addition to the parking spaces required for the dwelling unit.
	Commercial and Office Uses (2)	
i)	Banquet hall	1 parking space per 10 square metres of gross floor area

	Use	Minimum Number of Parking Spaces
j)	Bed and breakfast	1 parking space for each guest room, which shall be provided in addition to the parking spaces required for the single detached dwelling
k)	Day nursery	1 parking space per 30 square metres of gross floor area
l)	Funeral home	1 parking space for every four (4) persons to be accommodated in the design capacity of the buildings
m)	Golf course	5.5 parking spaces per hole, plus the parking spaces required for other accessory uses
n)	Hotel or motel	1 parking space for every guest room plus any parking spaces required for any accessory uses , such as a restaurant , in accordance with this By-law
o)	Marina	1 parking space for every boat slip plus any parking spaces required for any accessory uses , such as a restaurant , in accordance with this By-law
p)	Medical office	1 parking space for every 15 square metres of gross floor area
q)	Motor vehicle dealership	5 parking spaces or 1 parking space for every 23 square metres of gross floor area to a maximum of fifty spaces (excluding outdoor display and storage of vehicles), whichever is greater, plus four (4) parking spaces per repair bay
r)	Motor vehicle service station	1 parking space for every 23 square metres of gross floor area
s)	Motor vehicle repair garage, motor vehicle body shop	4 parking spaces per repair bay
t)	Personal service establishment	1 parking space for every 28 square metres of gross floor area
u)	Place of entertainment	3 parking spaces for each bowling lane and 1 parking space for every three seats in a theatre. For all other uses, 1 parking space shall be required for every 23 square metres of gross floor area
v)	Professional office	1 parking space for every 28 square metres of gross floor area on the first floor plus 1 parking space for every 37 square metres of gross floor area above the first floor
w)	Private club	1 parking space for every 4 persons that can be accommodated in the design capacity of the buildings
x)	Recreational vehicle sales establishment	1 parking space for every 50 square metres of gross floor area
y)	Restaurant	1 parking space for every 8 square metres of gross floor area which is accessible to patrons or 1 parking space for every 4 persons that can be accommodated in the design capacity of the building , whichever is greater
z)	Restaurant, take-out	1 parking space for every 6 square metres of gross

	Use	Minimum Number of Parking Spaces
		floor area which is accessible to patrons or 1 parking space for every 4 persons that can be accommodated in the design capacity of the building , whichever is greater
aa)	Retail store	1 parking space for every 19 square metres of gross floor area
ab)	Self storage units	1 parking space per 650 square metres of gross floor area , inclusive of all storage areas and accessory office uses
ac)	Tourist cabin establishment or tourist commercial establishment	1 parking space for each guest room, cabin or suite
ad)	Other commercial uses	1 parking space per 28 square metres of gross floor area
<i>Institutional and Open Space Uses</i>		
ae)	Community centre or indoor recreational centre	1 parking space for every 4 persons to be accommodated in the design capacity of the buildings
af)	Government facility, including emergency services	1 parking space for every 23 square metres of gross floor area
ag)	Long term care home or nursing home	1 parking space for every 2 beds
ah)	Place of worship	1 parking space for every 4 persons to be accommodated in the design capacity of the buildings
ai)	Retirement home	1 parking space for every room or suite
aj)	School	Elementary schools – 2.0 parking spaces for every teaching area or classroom Secondary schools – 6.0 parking spaces for every teaching area or classroom
<i>Offices and Industrial Uses</i>		
ak)	Accessory retail uses	1 parking space for every 19 square metres of gross floor area
al)	Research establishment	1 parking space for every 28 square metres of gross floor area on the first floor plus 1 parking space for every 37 square metres of gross floor area above the first floor
am)	Transport terminal	1 parking space for every 20 square metres of gross floor area , plus 1 parking space for every 150 square metres of gross floor area for the non-office component
an)	Warehouse	1 parking space for every 100 square metres of gross floor area up to 7,000 square metres, plus 0.6 parking spaces per 100 square metres of gross floor area over 7,000 square metres of gross floor area
ao)	Other industrial uses	1 parking space for every 37 square metres of gross

	Use	Minimum Number of Parking Spaces
		floor area up to 3,000 square metres, plus 1 parking space for each additional 100 square metres of gross floor area up to 6,000 square metres, and 1 parking space for each 200 square metres over 6,000 square metres
	Agricultural Uses	
ap)	Agricultural produce warehouse	1 parking space for every 37 square metres of gross floor area up to 3,000 square metres, plus 1 parking space for each additional 100 square metres of gross floor area up to 6,000 square metres, and 1 parking space for each 200 square metres over 6,000 square metres
aq)	Home industry	1 parking space for each additional employee in addition to the parking spaces required for the dwelling unit

Notes:

- (1) Required **parking spaces** may be provided in **tandem parking**, except for required visitor parking.
- (2) Refer to the MU1 and MU2 **zone** regulations in Section 5.2 for minimum **parking space** requirements for **Commercial Uses** in those zones.

3.35.2 PARKING SPACE AND PARKING AREA PROVISIONS

Parking spaces and **parking areas** shall be designed and maintained in accordance with the following requirements:

- a) Each **parking space** shall be readily accessible at all times and arranged in such a manner to provide access and maneuvering space for the parking and removal of a **motor vehicle**, except that this does not apply in the case of a **single detached dwelling, semi-detached dwelling, modular home or street townhouse dwelling**.
- b) Except in accordance with Section 3.35.3, the minimum width of **parking spaces** shall be 3.0 metres. The minimum length for **parking spaces** shall be 5.7 metres and increased to 6.0 metres where overhang cannot be accommodated.
- c) Ingress and egress to and from **parking aisles** must be provided by a sufficient number of adequate, unobstructed **driveways** having a minimum width of 6.0 metres or 4.0 metres for a one-way **parking aisle**.
- d) The minimum width of **parking aisles** shall be 6.0 metres wide for two-way traffic and 4.0 metres wide for one-way traffic. Where **parking spaces** are provided at an angle not exceeding 45 degrees measured at the **aisle**, the minimum width of a one-way **parking aisle** shall be 3.6 metres.
- e) Where a **lot, building or structure** accommodates more than one type of **use**, the **parking space** requirements shall be the sum of the requirements

for the separate parts of the **lot, building or structure** occupied by the separate types of **uses**.

- f) Where an addition is made to a **building** or the **use** is changed, then additional **parking spaces** must be provided up to the number required for the addition or change in **use**.
- g) For the purposes of calculating the total number of **parking spaces**, where the application of ratios results in a fraction of a **parking space**, the required number of **parking spaces** for each permitted **use** shall be increased to the next higher whole number.
- h) The lights used for illumination of **parking spaces, aisles and driveways** must be so arranged as to divert the light away from adjacent **lots and streets**.
- i) Where off-street parking for any **use** other than a **residential use** abuts a **side lot line** or **rear lot line** in a Residential **Zone**, a screen shall be **erected** or planted and maintained along the side or **rear lot line** and the screen shall have a minimum height of 1.5 metres and shall be suitable for provision of privacy and protection from vehicle headlights.
- j) No **parking or loading area** or part thereof may be located and no land may be used for the temporary parking or storage of any licensed vehicle within 1.0 metres of any **lot line** or **street line** or within 1.0 metres of the boundary of any Residential **Zone**; excluding **single detached dwelling units, semi-detached dwelling units, accessory second dwelling units, duplex dwelling and townhouse dwelling units**. (By-law 031-17)
- k) **Parking** is permitted in the approved **driveway** or dedicated **parking space** only, and all other areas in the **front yard, interior side yard, exterior side yard, and rear yard** shall be considered **landscaped open space**. In a Residential **Zone** the minimum **landscaped open space** required in the **front yard** or **exterior side yard** shall be 40%. (By-law 031-17)
- l) All off street **parking spaces, driveways and aisles** required herein for a single detached **dwelling** or **semi-detached dwelling**, marina, golf course or park, must be constructed and maintained with a stable surface which is treated to prevent the raising of dirt or loose particles. All off street **parking spaces, driveways and aisles** required for any other **use** must have a cement or asphaltic binder permanent pavers or any other permanent type of surfacing. Agricultural **uses** are exempt from this requirement. (By-law 031-17)

3.35.3 DESIGNATION OF ACCESSIBLE PARKING SPACES

- a) Accessible **parking spaces** shall be designated in accordance the following table:

	Total number of parking spaces required in accordance with Section 3.33.1	Number of accessible parking required to be designated
i)	1 to 25 parking spaces	Minimum of 1 parking space
ii)	26 to 50 parking spaces	Minimum of 2 parking spaces
iii)	51 to 100 parking spaces	Minimum of 3 parking spaces
iv)	100 + parking spaces	3% of the total number of required parking spaces

- b) The calculation of accessible **parking spaces** shall be included as part of the total calculation of **parking spaces** required for any **lot, building or use**.
- c) Accessible **parking spaces** shall not be required for **single detached dwellings, semi-detached dwellings, townhouse dwellings, duplex dwellings or modular homes**.
- d) **Parking spaces** required to be designated as accessible **parking spaces** shall have a minimum size of 3.0 metres by 5.7 metres plus a 1.5 metre access aisle for a single space configuration. A double space configuration shall consist of two **parking spaces** each having a minimum size of 3.0 metres by 5.7 metres plus a 1.5 metre wide access aisle separating the two **parking spaces**. Where overhang cannot be accommodated, the length of the **parking space** shall increase from 5.7 metres to 6.0 metres.

3.36 PLANNED WIDTH OF ROAD ALLOWANCE

3.36.1 Notwithstanding any other provisions of this By-law, no **building or structure** is to be **erected** in any **zone** closer than the sum of the **yard** requirements for that **zone** plus half of the ultimate planned **street** width measured from the **street centerline**, for those **streets** identified in the **Town of Innisfil** Official Plan, Schedule C: Transportation Plan, and to the satisfaction of the **Town**.

3.36.2 Notwithstanding anything to the contrary, the County of Simcoe shall be consulted with respect to the ultimate planned road width of County Roads.

3.36.3 All Ministry of Transportation permit requirements must be met where applicable.

3.37 REFRESHMENT TRAILERS (080-18)

- 3.37.1 A **refreshment trailer** shall be permitted in all Commercial, Mixed Use, Industrial, and Institutional zones as referenced in this by-law.
- 3.37.2 A **refreshment trailer** shall be in accordance with the setbacks for the **principal building** specifically indicated in the zone regulations as referenced in this by-law and shall not be permitted within any rear yard setback.
- 3.37.3 A maximum of ten (10) **refreshment trailers** shall be permitted within the corporate limits of the Town at any one time subject to the zone restrictions and regulations contained within this section.
- 3.37.4 A maximum of one (1) **refreshment trailer** shall be permitted per **lot**.
- 3.37.5 A maximum size of a **refreshment trailer** shall not exceed twenty square metres (20m²) in area.
- 3.37.6 A **refreshment trailer** shall not be included in **lot coverage** calculations.
- 3.37.7 A **refreshment trailer** shall not be located on any required **landscaped open space**, **landscape strip(s)**, **landscaping**, and/or required **parking spaces/areas** for any other **use** located on the same **lot** as the **refreshment trailer**.
- 3.37.8 A maximum of ten (10) temporary seat(s) associated with the **refreshment trailer** may be provided. All temporary seat(s) must be removed when the **refreshment trailer** is not located on the **lot**.
- 3.37.9 A minimum of two (2) off **street parking spaces** shall be required for a **refreshment trailer** and be located on the same **lot**. The **parking spaces** must meet the parking provisions contained with the General Provisions section of this by-law.
- 3.37.10 A **refreshment trailer** may require a site plan or an amendment to a site plan agreement where applicable as regulated by the Site Plan Control By-law.

3.38 RAIL LINES AND SETBACKS FROM RAIL LINES

- 3.38.1 Permitted **uses** within **rail lines** shall include only those **uses** directly associated with the **rail line**.
- 3.38.2 No **dwelling** shall be **erected** closer than 30.0 metres from the property boundary of an **existing** or proposed **rail line** right-of-way.
- 3.38.3 Notwithstanding Section 3.38.2, where the **rear yard** of a **dwelling unit** abuts a **rail line** right-of-way, the required minimum **rear yard** shall be measured from the **rail line** right-of-way or toe of any berm associated with the **rail line**, whichever is greater.

3.39 DAYLIGHTING TRIANGLES

- 3.39.1 Notwithstanding any other provision of this By-law, a **daylighting triangle** shall be required on a **corner lot** at any at-grade intersection of two or more **streets** or of a **street** and a **rail line** right-of-way that is measured according to that set out below. The **street** classifications are set out in Schedule C: Transportation Plan of the Town's Official Plan.

Street Classification	Intersecting Street Classification	Minimum Daylighting Triangle (m)
Local	Local	3
	Collector (Minor & Major)	5
	Arterial	10
Collector (Minor & Arterial)	Local	5
	Collector (Minor & Major)	10
	Arterial	10
Arterial	Local	10
	Collector (Minor & Major)	10
	Arterial	15
County of Simcoe Arterial	All Streets	15
Rail line Right-of-way	All Streets	15

- 3.39.2 Within a **daylighting triangle**, no **buildings** or **structures** which would obstruct the vision of drivers of **motor vehicles** are to be **erected**, and no trees, signs, shrubs, hedges, fences or walls are to be planted, **erected** or maintained to a height greater than 1.0 metre above the **centerline** of the adjacent **street** at the lowest point.

3.40 SLEEPING CABINS

- 3.40.1 Notwithstanding any other provision of this By-law, a **sleeping cabin** shall only be permitted as an **accessory structure** on **lots zoned** with the "W" suffix.
- 3.40.2 Notwithstanding any other provision of this By-law, the required minimum **rear yard** of a **sleeping cabin** shall be equal to the required **rear yard setback** for the **principal dwelling**.
- 3.40.3 Notwithstanding any other provision of this By-law, the minimum **side yard setback** of a **sleeping cabin** shall be the same as the required **side yard setback** for the **principal dwelling**.
- 3.40.4 In addition to the above requirements, **sleeping cabins** shall also be subject to the other applicable provisions of Section 3.3.

3.41 STORAGE AND USE OF HAZARDOUS LIQUID OR LEACHABLE CHEMICALS

Hazardous liquid or leachable chemicals not classified as waste, including petrochemicals, shall be contained wholly within an enclosed **building** and shall be subject to the

approvals and regulations of the Ministry of Environment.

3.42 SWIMMING POOLS AND HOT TUBS

Notwithstanding any other provisions of this By-law, a **swimming pool** and a hot tub are permitted as **accessory structures** in any **zone**, provided that:

- a) A **swimming pool** or hot tub shall not be located closer to any **lot line** or **street line** than the minimum distance required for an **accessory building** located on the same **lot**.
- b) The maximum height of a **swimming pool** shall be 2.0 metres above **established grade**.
- c) Any **building** or **structure** required for changing clothes or for pumping or filtering facilities or other similar **accessory uses, buildings and structures** shall be permitted and shall be in accordance with applicable provisions for the **zone** and provisions for **accessory uses, buildings and structures**.

3.43 TEMPORARY SALES EVENT OR OCCASIONAL OR SPECIAL EVENT

3.43.1 A temporary sales event, including an outside **garage** sale or rummage sale, shall be permitted in all **zones** for a maximum of six (6) days within a calendar year.

3.43.2 An occasional or special event, whether or not for profit, shall be permitted in all **zones**. In any Residential **Zone**, occasional or special events shall only be permitted for a maximum of 4 days within a calendar year.

3.44 TEMPORARY STRUCTURES

3.44.1 A **temporary structure** shall be considered to be an **accessory structure** and shall be **erected** in accordance with the provisions of Section 3.3.

3.44.2 A **temporary structure** exceeding 20.0 square metres shall not be permitted in a Residential **Zone**, except where a permit has been issued by the **Town** to permit such a **structure**.

3.44.3 A **temporary structure** may be **erected** on a **lot**, as an **accessory structure** in a commercial or industrial **zone**, for a maximum of 150 days within a calendar year, exclusive of days associated with setup and take down of the **temporary structure**.

3.44.4 The provisions of Sections 3.44.1, 3.44.2 and 3.44.3 shall not apply to **temporary structures** associated with construction activities. The provisions of Section 3.47.4 shall apply to **temporary structures** associated with construction activities.

3.45 TEMPORARY TURNING CIRCLE

The minimum required **yards** and **lot area** requirements for lands forming part of a **temporary turning circle** shall be calculated as if the turning circle did not **exist**.

Notwithstanding the foregoing, the minimum **front yard setback** shall be 13.0 metres; however, in no case shall any **building** or **structure** be **erected** within 2.0 metres of the **temporary turning circle**.

3.46 TRANSCANADA PIPELINE

Notwithstanding any other provision of this By-law, no permanent **building** or **structure** shall be located within 7.0 metres of the pipeline right-of-way. **Accessory buildings** or **structures**, including **swimming pools**, **decks**, detached **garages**, sheds, and similar **structures**, shall have a minimum setback of 3.0 metres from the pipeline right-of-way.

3.47 USES PERMITTED IN ALL ZONES

3.47.1 The **Town of Innisfil** or the **County of Simcoe**, a utility operation providing a public utility service such as InnPower, InnServices, Innisfil Energy Services Ltd. or any local board thereof, as defined in the *Municipal Affairs Act*, any telecommunications company, any transportation system owned, operated or authorized by or for the **Town**, the Province of Ontario, or the Government of Canada, may for purposes of public service, **use** any land or **erect** or **use** any **building** or **structure** in any **zone**, provided that in any Residential **Zone**, the **building** or **structure** is in compliance with the **height**, coverage, **landscaped open space** and **yard** regulations prescribed for the **zone** and there is no outside storage in the **yards**. (By-Law 031-17).

3.47.2 Section 3.47.1 shall not apply to administrative offices, retail **uses**, sales outlets, **garages**, depots or **contractor's shops or yards** used in association with a telecommunications or cable company, unless such **uses** are specifically permitted by this By-law.

3.47.3 **Accessory buildings** and **structures** are permitted in all **zones**, provided that such **buildings** and **structures** occur in conjunction with the main permitted **use**, and they are in accordance with the **accessory building** and **structure** provisions of this By-law.

3.47.4 The construction, **erection** and the temporary **use** of a construction shed, scaffold or other **building** or **structure** which is incidental to construction on a **lot** where it is situated and is necessary for the work in progress and until the work is completed or abandoned, is permitted in all **zones**.

3.48 USES PROHIBITED IN ALL ZONES

3.48.1 No **use** is permitted which from its nature or materials used therein is declared by the Local Board of Health to be a noxious trade, business or manufacture under the *Health Protection and Promotion Act* or regulations thereunder, as amended.

3.48.2 The storage of inoperable **motor vehicles**, not including **motor vehicles** which are intended to be repaired in association with a **motor vehicle repair garage** or **motor vehicle body shop**, are prohibited.

3.49 WASTE DISPOSAL ASSESSMENT AREA OVERLAY

Lands located within the Waste Disposal Assessment Area as shown on Schedule “A”, shall be used for no other purpose than those **uses** which legally **existed** prior to the passing of this By-law. The **uses** permitted within the underlying zone shall not be permitted until a ground and surface water study (hydrology and hydrogeology study) and methane gas migration study, and any other study as may be required by the **Town** and/or County, have been completed to the satisfaction of the **Town** and/or County to demonstrate that there will be no adverse public health and safety risks associated with the former waste disposal site(s), and to require that owner enter into a development agreement with the **Town** to implement the recommendations of the studies.

Notwithstanding the above, such studies shall not be required for the following:

- a) interior **alterations** to **existing structures**;
- b) exterior **alterations** that do not expand the footprint of an **existing structure**;
- c) new **structures** or **alterations to existing structures** where such **structures** do not prevent the free movement of air into the atmosphere; and
- d) any **structure** that does not require a **building permit**.

3.50 WASTE PROCESSING AND TRANSFER FACILITY

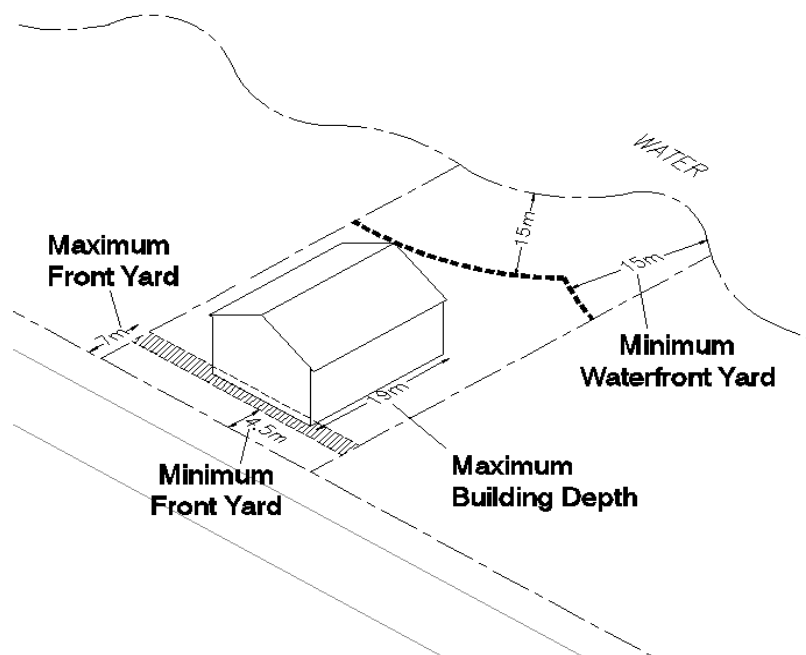
No portion of a **waste processing or transfer facility** shall be located within 800 metres of a Residential, Open Space or Mixed Use **Zone**, and a **waste processing or transfer facility** shall be in accordance with any requirements and approvals by the Ministry of the Environment.

3.51 WATERFRONT LOTS (“W” SUFFIX)

Where a “W” suffix is associated with a **zone** symbol, as shown on Schedule “A”, the following additional provisions shall apply:

- a) Notwithstanding any other provision of this By-law, the minimum **front yard setback** shall be 4.5 metres.
- b) Notwithstanding any other provision of this By-law, the maximum **front yard setback** shall be 7.0 metres.
- c) Notwithstanding any other provision of this By-law, the **principal building** or **structure** on the **lot** shall not have a length greater than 19.0 metres.
- d) The minimum **waterfront yard setback** shall be 15.0 metres or the **existing waterfront yard setback**, whichever is greater.
- e) Where the **lot depth** exceeds 60.0 metres, clauses a) to d) above shall not apply, and the minimum **waterfront yard setback** from Lake Simcoe shall be 30.0 metres.

- f) A minimum of 50% of the **waterfront yard** shall be maintained as a **naturalized vegetation area**.
- g) Notwithstanding any other provision of this By-law, no **accessory building** shall be located in the **waterfront yard**, except for one **accessory building** directly related to shoreline recreational **use**, such as a **boathouse**, **sleeping cabin**, or a storage shed.



3.52 WAYSIDE PITS AND QUARRIES

3.52.1 Notwithstanding any other provision of this By-law, the **Town of Innisfil**, the County of Simcoe, the Ministry of Transportation of Ontario, or any agent of the foregoing may, for public road purposes, **use** any **lot** not **zoned** Residential, Community Service, Mixed **Use**, Open Space or Environmental Protection, for the extraction and processing of road **building** material for the construction of a public road, by means of **wayside pits or quarries**.

3.52.2 The Ministry of Transportation of Ontario excepted, no **person** shall **use** or permit to be used, any land for the purpose of a **wayside pit or quarry** unless prior written approval has been issued by the **Town**.

3.53 WELLHEAD PROTECTION AREA AND INTAKE PROTECTION ZONE

3.53.1 Notwithstanding any other provisions of this By-law, **agricultural uses** involving livestock shall be prohibited within 100 metres of a well, within a Wellhead Protection Area. This restricted area is delineated as "Wellhead Protection Area A", and shown as an overlay on Schedule "A".

3.53.2 Notwithstanding any other provisions of this By-law, the storage of the following materials shall be prohibited within a two (2) year time of travel **zone** of a Wellhead Protection Area, delineated as "Wellhead Protection Area B" and shown as an overlay on Schedule "A":

- a) Animal manure;
- b) Petroleum fuels;
- c) Petroleum solvents and chlorinated solvents;
- d) Pesticides, herbicides and fungicides;
- e) Construction equipment;
- f) Inorganic fertilizers;
- g) Road salt; and
- h) Other contaminants listed in Schedule 3 ("Severely Toxic Contaminants") to Ontario Regulation 347 of the Revised Regulations of Ontario, 1990, as may be updated and amended from time to time.

3.53.3 Notwithstanding any other provisions of this By-law, the storage of the following materials shall be prohibited within an Intake Protection Zone, as shown as IPZ on Schedule "A":

- a) Animal manure;
- b) Petroleum fuels;
- c) Petroleum solvents and chlorinated solvents;
- d) Pesticides, herbicides and fungicides;
- e) Construction equipment;
- f) Inorganic fertilizers;
- g) Road salt; and
- h) Other contaminants listed in Schedule 3 ("Severely Toxic Contaminants") to Ontario Regulation 347 of the Revised Regulations of Ontario, 1990, as may be updated and amended from time to time.

3.54 YARD ENCROACHMENTS

Except as otherwise provided in this By-law, every part of any required **yard** shall be open and unobstructed by any **building** or **structure** from the ground to the sky except for:

	Accessory Building, Structure or Feature	Permitted Encroachment into Minimum Required Yard Setback
a)	Sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters, bay windows or other ornamental features	i) 0.6 metres into any required minimum yard setback
b)	Drop awnings, clothes poles, garden trellises, TV or radio antennas, air conditioning units, rainwater tanks, or similar accessory structures	i) No restriction on encroachment into any required minimum yard setback
c)	Fire escape	i) 1.5 metres into required minimum rear yard setback ii) 1.5 metres into required interior side yard setback
d)	Fences, signs, parking areas , retaining walls, driveways , walkways, patios , decks no higher than 0.2 metres above the established grade , landscaped open space and other similar accessory structures and features	i) No restriction on encroachment into any required minimum yard setback
e)	Uncovered stairs and uncovered wheelchair ramps	i) No restriction on encroachment into any required minimum yard setback
f)	Decks higher than 0.2 metres above established grade	i) No closer than 1.2 metres from any interior lot line or rear lot line ii) No closer than 3.0 metres from any front lot line iii) No closer than 4.0 metres from any exterior lot line
g)	Unenclosed porches and verandahs having a landing area of not more than 5.0 square metres and a height of not more than 1.5 metres above established grade (By-Law 031-17)	i) 3.0 metres into any required front yard setback ii) 3.0 metres into any required rear yard setback iii) 1.2 metres into any required interior side yard setback or exterior side yard setback , but no closer than 0.6 metres from any lot line
h)	Other unenclosed porches/verandahs and balconies	i) 3.0 metres into any required front yard setback ii) 3.0 metres into any required rear yard setback iii) Maximum of 50% of the minimum required exterior side yard setback

3.54 YARD ENCROACHMENTS

Except as otherwise provided in this By-law, every part of any required **yard** shall be open and unobstructed by any **building** or **structure** from the ground to the sky except for:

	Accessory Building, Structure or Feature	Permitted Encroachment into Minimum Required Yard Setback
a)	Sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters, bay windows or other ornamental features	i) 0.6 metres into any required minimum yard setback
b)	Drop awnings, clothes poles, garden trellises, TV or radio antennas, air conditioning units, rainwater tanks, or similar accessory structures	i) No restriction on encroachment into any required minimum yard setback
c)	Fire escape	i) 1.5 metres into required minimum rear yard setback ii) 1.5 metres into required interior side yard setback
d)	Fences, signs, parking areas , retaining walls, driveways , walkways, patios , decks no higher than 0.2 metres above the established grade , landscaped open space and other similar accessory structures and features	i) No restriction on encroachment into any required minimum yard setback
e)	Uncovered stairs and uncovered wheelchair ramps	i) No restriction on encroachment into any required minimum yard setback
f)	Decks higher than 0.2 metres above established grade	i) No closer than 1.2 metres from any interior lot line or rear lot line ii) No closer than 3.0 metres from any front lot line iii) No closer than 4.0 metres from any exterior lot line
g)	Unenclosed porches and verandahs having a landing area of not more than 5.0 square metres and a height of not more than 1.5 metres above established grade (By-Law 031-17)	i) 3.0 metres into any required front yard setback ii) 3.0 metres into any required rear yard setback iii) 1.2 metres into any required interior side yard setback or exterior side yard setback , but no closer than 0.6 metres from any lot line
h)	Other unenclosed porches/verandahs and balconies	i) 3.0 metres into any required front yard setback ii) 3.0 metres into any required rear yard setback iii) Maximum of 50% of the minimum required exterior side yard setback

SECTION 4 RESIDENTIAL ZONES

The Residential **Zones** consist of the following **zones**:

Residential Zones	
ZONE	SYMBOL
Residential Estate Zone	RE
Residential Rural Zone	RR
Residential 1 Zone	R1
Residential 1A Zone	R1A
Residential 2 Zone	R2
Residential 3 Zone	R3
Residential Semi Detached Zone	RS
Residential Townhouse Zone	RT
Residential Apartment Zone	RA
Residential Special Community Zone	RSC

4.1 Permitted Uses

Uses permitted in the Residential **Zones** are identified with a “●” in the column applicable to that **zone** and corresponding with the row for a specific permitted **use** in Table 4.1 – Permitted **Uses**. Where an “E” is identified in the column, only **uses** which legally existed on the date of passing of this By-law shall be permitted. All permitted **uses** shall be subject to the applicable **zone** regulations provided in Section 4.2 and the General Provisions provided in Section 3.0, where applicable.

Table 4.1 – Permitted Uses

	RE	RR	R1	R1A	R2	R3	RS	RT	RA	RSC
Principal Use										
Apartment dwelling									●	
Duplex dwelling							●			
Group home (1)	●	●	●	●	●	●	●			
Linked dwelling							●			
Public uses	●	●	●	●	●	●	●	●	●	●
Residential special community										●

	RE	RR	R1	R1A	R2	R3	RS	RT	RA	RSC
Residential special community site										•
Semi-detached dwelling							•			
Single detached dwelling	•	•	•	•	•	•	E			
Townhouse dwelling								•		
Accessory Uses, Buildings and Structures										
Accessory buildings and structures (1)(2)	•	•	•	•	•	•	•	•	•	•
Accessory Second Dwelling Unit	•	•	•	•	•	•	•	•		•
Bed and breakfast (1)	•	•	•	•	•	•				
Garden suite dwelling (1)	•	•	•	•	•	•				
Home occupation (1)	•	•	•	•	•	•	•	•	•	
Pet day care establishment		•								

Notes: (1) Subject to specific **use** provisions contained in the General Provisions of this By-law.

(2) See Section 4.1.1

4.1.1 – Accessory Uses as Part of the Residential Special Community (N Pt Lots 24 and 25, Concession 10 and S Pt Lot 25, Concession 11)

In the RSC **zone**, the following are permitted **accessory uses**:

- a) Modular homes, **single detached** homes and **accessory structures** to a residential **use**
- b) **Swimming pools**, change houses
- c) Administrative sales or rental office
- d) Private recreation, open space and park **use**
- e) Commercial plaza, including **uses** such as
 - i) General retail and commercial **uses**
 - ii) Professional offices
 - iii) Veterinary clinic (does not include boarding of animals, birds and pets, and does not include the treatment of livestock)
- f) General storage compound, equipment and maintenance yards
- g) Meeting halls

4.1.2 – Residential Special Community Site (N Pt Lots 24 and 25, Concession 10 and S Pt Lot 25, Concession 11)

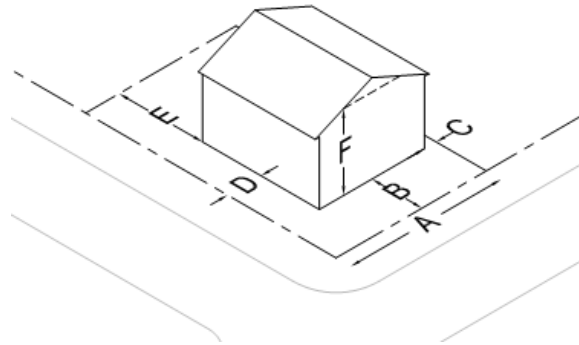
- a) Each site shall be provided for in accordance with the following provisions:
 - i) Despite any other provisions of this By-law, the word “site” as used below shall be interpreted as being the “home site” and the reference to various “yards” also applies to an individual “home site” as defined rather than a “lot”.

Minimum site area	372 square metres
Minimum distance between homes	3 m
Minimum gross floor area	74 square metres
Maximum site coverage	35%

- ii) The minimum distance between a home and any other **street** line for an internal special community road shall be five (5) metres.
 - iii) The minimum site frontage shall be six (6) metres while the average site frontage in any park shall be a minimum of twelve (12) metres. In no case shall there be more than two (2) abutting sites having the minimum site frontage and fronting on the same side of an internal special community road.
 - iv) Only one home will be permitted on each site and no **accessory building** or **structure** shall be permitted.
 - v) All services such as fuel supply, hydro, telephone, water and sewer connections and television cables shall be located underground.
 - vi) Each site must be accessible by means of an internal special community road which shall be hard surfaced.
- b) Every home located within the community shall be:
- i) Equipped to connect to approved sewage disposal facilities and hydro service.
 - ii) Anchored in a safe fashion to prevent wind damage.
 - iii) Constructed to meet or exceed the most current standards as set by regulations passed under the Building Code.
- c) A **deck** is permitted in any yard or between two homes if the separation distance between the homes is three (3) metres or greater, provided the **deck** does not exceed an area of 30% of the **gross floor area** of the home or 27 square metres whichever is the lesser, and does not project more than 30% into any separation distance between two homes or project into any yard a distance greater than three (3) metres. For the purposes of this Subsection, a **deck** means a horizontal surface greater than 2.3 square metres supported on piers free of any roof and which may be surrounded by a railing or privacy screen.

4.2 Zone Regulations

The following **zone** regulations identified in Table 4.2a and Table 4.2b shall apply to the respective Residential **Zones**.



Single detached dwelling

- A: Minimum lot frontage
- B: Minimum front yard
- C: Minimum interior side yard
- D: Minimum exterior side yard
- E: Minimum rear yard
- F: Maximum building height

Table 4.2a – Zone Regulations

	RE	RR	R1			R1A
			With Municipal Sewer Services	With Municipal Water Only	Without Municipal Water and Sewer Services	
Minimum Lot Area (Interior Lot)	5,260 m ²	1,900 m ²	600 m ²	1,400 m ²	1,400 m ²	450 m ²
Minimum Lot Area (Exterior Lot)	5,260 m ²	1,900 m ²	600 m ²	1,400 m ²	1,400 m ²	540 m ²
Minimum Lot Frontage (Interior Lot)	45 m	30 m	15 m	17 m	22 m	15 m
A: Minimum Lot Frontage (Exterior Lot)	45 m	30 m	15 m	17 m	22 m	18 m
B: Minimum Front Yard	15 m	10 m	8 m	8 m	8 m	4.5 m
C: Minimum Interior Side Yard	6 m	3 m	1.2 m	1.5 m	1.5 m	1.2 m
D: Minimum Exterior Side Yard	15 m	9 m	6 m	6 m	6 m	3 m

	RE	RR	R1			R1A
			With Municipal Sewer Services	With Municipal Water Only	Without Municipal Water and Sewer Services	
E: Minimum Rear yard	15 m	10 m	6 m	6 m	6 m	7.5 m
Maximum Lot Coverage	15%	25%	35%	35%	35%	40%
Minimum Landscaped Open Space	30%	30%	30%	30%	30%	30%
F: Maximum Building Height	11 m	11 m	9 m (1)	9 m (1)	9 m (1)	9 m (1)
Accessory Uses, Buildings and Structures						
Minimum Front Yard	15 m	10 m	6 m	6 m	6 m	6 m
Minimum Interior Side Yard	3 m	3 m	1 m	1 m	1 m	1 m
Minimum Exterior Side Yard	15 m	9 m	3 m	3 m	3 m	3 m
Minimum Rear yard	6 m	3 m	1 m	1 m	1 m	1 m

Notes:

- (1) In the case of a flat roof for a **single detached dwelling, semi-detached dwelling** or **townhouse dwelling**, the maximum **building height** shall be 1.5 m less the permitted maximum **building height**.

A: Minimum lot frontage

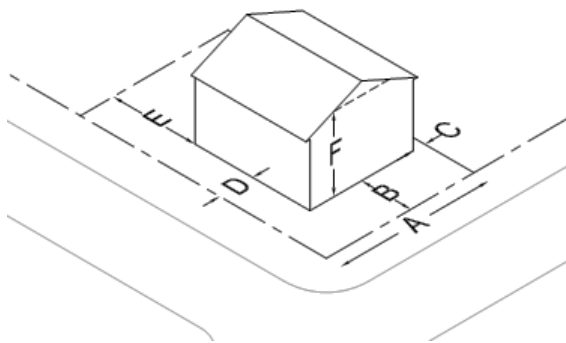
B: Minimum front yard

C: Minimum interior side yard

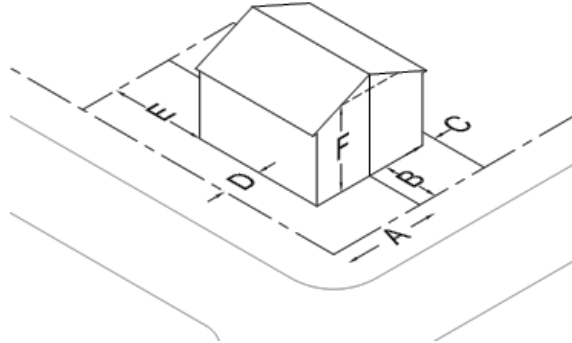
D: Minimum exterior side yard

E: Minimum rear yard

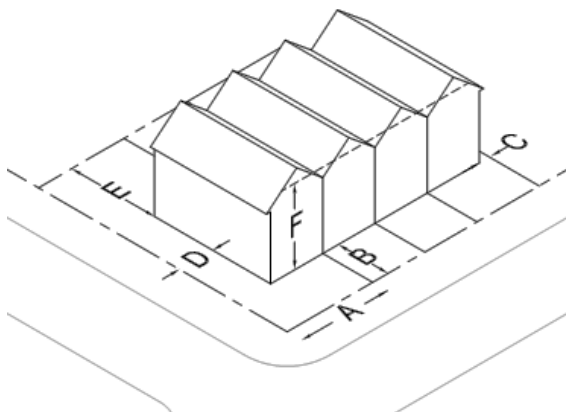
F: Maximum building height



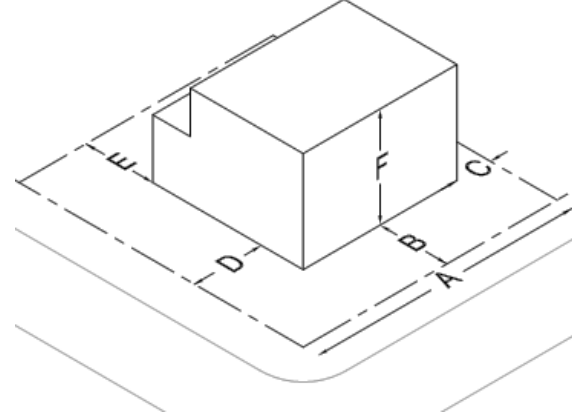
Single detached dwelling



Semi-detached dwelling



Townhouse Dwelling



Apartment Dwelling

Table 4.2b – Zone Regulations

	R2	R3	RS	RT	RA	RSC
Minimum Lot Area (Interior Lot)	360 m ²	270 m ²	240 m ² (semi-detached); 360 m ² (duplex dwelling)	180 m ² or 210 m ² at the end of a block	165 m ² per unit	20 ha
Minimum Lot Area (Exterior Lot)	450 m ²	360 m ²	330 m ² (semi-detached); 450 m ² (duplex dwelling)	270 m ²	165 m ² per unit	20 ha
Minimum Lot Frontage (Interior Lot)	12 m	9 m	8 m (semi-detached); 12 m (duplex	6 m	30 m	150 m

	R2	R3	RS	RT	RA	RSC
			dwelling)			
A: Minimum Lot Frontage (Exterior Lot)	15 m	12 m	11 m (semi-detached); 15 m (duplex dwelling)	9 m	30 m	150 m
B: Minimum Front Yard	4.5 m	4.5 m	4.5 m	4.5 m	8 m	15 m
C: Minimum Interior Side Yard	1.2 m or 1.2 m on one side and 0.6 m on the other side where a garage is attached	1.2 m or 1.2 m on one side and 0.6 m on the other side where a garage is attached	1.2 m and 0 m (semi-detached); 1.2 m or 1.2 m on one side and 0.6 m on the other side where a garage is attached (duplex dwelling)	0 m, or 1.2 m for an end unit	4 m	8 m
D: Minimum Exterior Side Yard	3 m	3 m	3 m	3 m	8 m	15 m
E: Minimum Rear Yard	7.5 m	7.5 m	7.5 m	7.5 m	8 m	8 m
Maximum Lot Coverage	45%	45%	45%	50%	50%	35%
Minimum Landscaped Open Space	30%	30%	30%	35%	35%	N/A
F: Maximum Building Height	9 m (1)	9 m (1)	9 m (1)	11 m (1)	12 m and subject to a 45 degree angular plane	11 m

	R2	R3	RS	RT	RA	RSC
<i>Accessory Uses, Buildings and Structures</i>						
Minimum Front Yard	6 m	6 m	6 m	6 m	8 m	Same as Principal Building
Minimum Interior Side Yard	1 m	1 m	1 m	0 m (interior), or 1.0 m (end of interior block of attached townhouses)	2 m	
Minimum Exterior Side Yard	3 m	3 m	3 m	3 m	4 m	
Minimum Rear Yard	1 m	1 m	1 m	1 m	8 m	

Notes:

- (1) In the case of a flat roof for a **single detached dwelling, semi-detached dwelling or townhouse dwelling**, the maximum **building height** shall be 1.5 m less the permitted maximum **building height**.

4.3 Zone Exceptions

Notwithstanding any other provisions of this By-law, the special regulations contained in this Section shall apply to the area or areas defined below and as shown on Schedule "A", and unless otherwise stated shall be subject to all other provisions of the applicable **zone** and By-law.

4.3.1 Residential Estate Zone (RE)

4.3.1.1 RE-1 (44-97) (Forest Valley) - Map No. 14, 58, 59, 60

All of the provisions of the Residential Estate **Zone** (RE) shall apply except that the following special provisions shall apply:

- a) Minimum **frontage**: 35 m
- b) Minimum **lot area**: 3,000 m²
- c) Minimum **gross floor area**: 135 m²

4.3.1.2 RE-2 - Map No. 14, 60

In addition to those **uses** permitted in RE **Zone**, and in accordance with all provisions for the RE **Zone**, an apartment within a unit not exceeding 75 m² shall be permitted.

4.3.1.3 RE-3 (58-95) (Ladywood Estates) - Map No. 49

Notwithstanding any other provision of this By-law, the following special provisions shall apply:

- a) Minimum **lot area**: 1.0 ha
- b) Minimum **lot frontage** of the most westerly lot, with the frontage being measured on the shoreline: 65 m
- c) Minimum **lot frontage**, with the exception of the most westerly lot: 65 m
- d) Minimum **front yard**: 25 m
- e) Minimum **interior side yard**: 5 m

4.3.1.4 RE-4 - Map No. 59

The minimum **lot area** for a **lot zoned** RE-4 shall be 3,600 m², provided that the average **lot** size of all **lots** is a minimum of 5,900 m².

Notwithstanding the Environmental Protection (EP) **Zone** provisions and permitted **uses**, all lands within the subject property falling under the EP **Zone** shall prohibit development, save and except for the provision of a storm water management facility which shall be permitted on Block 33.

4.3.1.5 RE-5 (29-00) (Wilkinson) - Map No. 49

All of the provisions of the Residential Estate (RE) **Zone** shall apply except that the following special provisions shall apply:

- a) No **buildings** or **structures** shall be located further than 50 m from the **front lot line**.
- b) No **buildings** or **structures** shall be located within 15 m of the centerline of the eastern most watercourse on the subject subdivision development lands.

4.3.1.6 RE-6(H) (081-03) (042-09) (084-13) - Map No. 6, 24

The permitted **use** of lands **zoned** RE-6(H) shall be for **single detached dwellings** with a minimum **lot frontage** of 28.0 metres and a minimum **lot area** of 2700 m². A minimum **exterior side** yard of 10 m is also permitted on lands **zoned** RE-6(H).

Where the RE-6 **zone** symbol is followed by a Holding Symbol (H), the subject lands shall be used for no other purpose than that which existed on October 1, 2003.

Council shall only consider the removal of the Holding Symbol (H) applying to the RE-6 **Zone** when a Subdivision Agreement has been entered into between the Developer and the **Town of Innisfil**, and water allocation for the subject lands has been granted by the **Town of Innisfil**.

4.3.1.7 RE-7 (42-05) - Map No. 14, 60

Permitted **uses** shall be in accordance with the RE **zone** standards, except that a second **dwelling** unit, with a maximum **gross floor area** of 200 m² shall also be permitted within the principal **dwelling**.

4.3.2 Residential Rural Zone (RR)

4.3.2.1 RR-1 - Map No. 2

Notwithstanding any other provision of this By-law, the minimum **interior side** yard shall be 32 m, as measured from the west limits of the **zone** boundary, being the west limits of the property.

4.3.2.2 RR-2 - Map No. 28

Notwithstanding any other provision of this By-law, the following provisions shall also apply to an existing **single detached dwelling**:

- a) Minimum lot area: 4.5 ha
- b) Minimum frontage: 27 m

4.3.2.3 RR-3 (41-99) - Map No. 19

Notwithstanding any other provision of this By-law, the minimum **lot frontage** shall be 10 m.

4.3.2.4 RR-4 (76-99) - Map No. 12

Additional permitted **uses** shall include a rural business existing on the date of the passing of By-law 76-99 (on October 13, 1999).

4.3.2.5 RR-5 (43-03) - Map No. 16

Notwithstanding any other provision of this By-law, a second **dwelling unit** with a floor area not exceeding 70 m² in an existing **dwelling** shall be an additional permitted **use**.

4.3.2.6 RR-6 (077-02) - Map No. 16

Notwithstanding any other provision of this By-law, the minimum **lot frontage** shall be 91 m.

4.3.2.7 RR-7 (079-02) - Map No. 16, 30

Notwithstanding any other provision of this By-law, the minimum **lot frontage** shall be 60 m.

4.3.2.8 RR-8 (009-05) - Map No. 2, 8

Notwithstanding any other provision of this By-law, the westerly minimum **interior side** yard for a principal **structure** or **building** shall be 44 m.

4.3.2.9 RR-9 (008-07) - Map No. 19

Notwithstanding any other provision of this By-law, a private music school shall be an additional permitted **use** within the existing principal **building**.

Notwithstanding any other provision of this By-law, a minimum of six **parking spaces** shall be required.

4.3.2.10 RR-10 (034-08) - Map No. 19

The area identified on Schedule “A” attached and **zoned** RR-10 is subject to a temporary **use** by-law which has been passed under Section 39 of the *Planning Act*, and the provisions are set out below:

- a) On lands described as 1923 10th line, a temporary **garden suite dwelling** shall be permitted until the 2nd day of April, 2018.
- b) Following this date, the **use** and occupancy of the **garden suite dwelling** for residential purposes on the subject land shall be prohibited. The entire removal of the **garden suite dwelling** from the property described as North Part Lot 18, Concession 9 in the **Town of Innisfil**, shall be required, unless such **use** is extended by Council in accordance with the provisions of Section 39 of the *Planning Act*.
- c) The total **gross floor area** of the **garden suite dwelling** shall not exceed 235 m².

4.3.2.11 RR-11 (019-09) - Map No. 38

(Rezoned to MU1 under By-law 095-15)

4.3.2.12 RR-12 (042-12) - Map No. 18, 19

- a) In addition to the **uses** permitted in the **RR Zone**, a Montessori **School** shall be permitted to occupy a maximum of 72% of the **gross floor area** of the existing **single detached dwelling**. **Accessory uses** associated with the permitted **uses** shall also be permitted.
- b) A minimum of 10 **parking spaces** shall be provided on the subject lands for the Montessori **School**. A minimum of two **parking spaces** shall also be provided for the **single detached dwelling**.
- c) Notwithstanding any other provision of this By-law, any off-street parking, **driveways** or **aisles** shall not be required to be paved.

4.3.2.13 RR-13 (116-12) - Map No. 20

Notwithstanding any other provision of this By-law, an addition to an existing **single detached dwelling** shall be permitted for the purpose of a second **dwelling unit**. All other provisions of this By-law shall apply.

4.3.2.14 RR-14 (095-13) – Maps No. 12 and 13

For those lands **zoned** “Residential Rural Exception (RR-14)”, the minimum **lot frontage** and **area** shall be approximately 95.6 metres and 1.03 hectares respectively for a single residential **lot**.

4.3.2.15 RR-15 (095-13) – Map No. 13

For those lands **zoned** “Residential Rural Exception (RR-15)”, the minimum **lot frontage** and **area** shall be approximately 78 metres and 1.03 hectares respectively for a single residential **lot**.

4.3.2.16 RR-16 (008-13) – Map No. 19

For those lands **zoned** “Residential Rural Exception (RR-16)”, the minimum **lot frontage** shall be 75 metres.

4.3.2.17 RR-18 (024-13) Maps No. 47, 52 and 53

Those lands **zoned** as RR-18 and EP-16 shall have a combined minimum **lot frontage** of 114 metres.

4.3.2.18 RR-18 (067-14) Map No. 1

For those lands **zoned** “Residential Rural Exception (RR-18) **Zone**,” the minimum **lot frontage** shall be 55 metres.

4.3.2.19 RR-19 (094-14) Map 3

Notwithstanding any other provisions of this By-law, lands **zoned** “Residential Rural Exception (RR-19)” and “Environmental Protection Exception (EP-15)” shall have a minimum **lot area** of 18,700 square metres.

4.3.2.20 RR-20 (013-15) Map No. 18 and 59

Notwithstanding any other provisions of this By-law, for those lands **zoned** “Residential Rural Exception (RR-20) **Zone**,” the minimum **lot frontage** shall be 50 metres.

4.3.2.21 RR-21 (042-15) Map No. 46, 47, 52 and 53

Lands **zoned** RR-21 shall have a minimum **lot frontage** of 60 metres.

4.3.2.22 RR-22 (042-15) Map No. 46, 47, 52 and 53

Lands **zoned** RR-22 and EP-16 shall have a minimum **lot frontage** of 80 metres.

4.3.2.23 RR-23 (114-16) – Map No. 4

Notwithstanding any other provision of this By-law, the minimum **lot frontage** shall be 10m and the minimum **lot area** shall be 1.3 ha.

4.3.3 Residential 1 Zone (R1)

4.3.3.1 R1-1 (21-98) - Map No. 52

Notwithstanding any other provision of this By-law, the minimum **lot frontage** shall be 45 m.

4.3.3.2 R1-2 (16-03)(073-04) - Map No. 50, 51 & R1-2a

- a) Notwithstanding any other provision of this By-law, a **dwelling** shall not be permitted on **lots zoned** R1-2 (H). On lands **zoned** R1-2, the following regulations shall apply:
- i) Minimum **lot area**: 7900 m²
 - ii) Minimum **lot frontage**: 61 m
 - iii) Maximum **lot coverage**: 15%
 - iv) Minimum **gross floor area**: 180 m² per unit
 - v) Minimum **front yard**: 10 m
 - vi) Minimum **interior side** yard: 6 m
 - vii) Minimum **exterior side** yard: 10 m
 - viii) Minimum **rear yard**: 10 m
 - ix) Minimum **front yard** setback for **accessory buildings** not attached to the main **building**: 15 m
 - x) Minimum **interior side** yard for **accessory buildings** not attached to the main **building**: 6 m
 - xi) Minimum **exterior side** yard for **accessory buildings** not attached to the main **building**: 10m
 - xii) Minimum **rear yard** for **accessory buildings** not attached to the main **building**: 10m
 - xiii) Maximum **building height**: 11m
 - xiv) Maximum **building height** of **accessory buildings** or **structures**: 5m
 - xivi) No Residential **dwelling** on areas **zoned** R1-2a
- b) There are environmentally sensitive lands **zoned** R1-2 which require development and **use** to occur in accordance with detailed site plans. Accordingly, no **use** or development shall be permitted on any **lot zoned** R1-2 until such time as a site plan has been approved by the Town and a specific site plan agreement has been entered into, between the owner of each individual **lot** and the Town to address such matters as are

set out on the General Site Plan registered on title for the entire development. For purposes of the R1-2 **Zone**, the terms **use** and development shall mean any vegetative or tree removal, grading, construction, alteration of the site, construction **building** or **accessory structure** construction or alteration.

4.3.3.3 R1-3, R1-3(H) (48-99) - Map No. 43

- a) When the **zone** symbol is followed by the letter (H), the lands shall be used for no other purpose than that which existed on July 7, 1999 until the (H) suffix is removed, at which time all of the provisions relating to the R1 **Zone** shall apply.
- b) The (H) provision shall be removed from part of the subject property fronting onto the municipal road, where **lots** may be created by land severance, when it can be demonstrated to the satisfaction of the Town that these **lots** can be adequately serviced by individual wells and septic systems. This shall include a requirement for a hydrology report for servicing, and development of septic systems providing for tertiary treatment.
- c) The (H) symbol shall be removed from the remainder of the subject lands when full municipal services are available for a development by plan of subdivision.

4.3.3.4 R1-4 - Map No. 6

- a) Notwithstanding any other provision of this By-law, the minimum front yard shall be 6.06 m, as it applies to the **building** legally existing as of the date of passing of this by-law.
- b) Any future expansions or additions to the existing **house** shall be required to meet the minimum front yard setback of 7.62 m.

4.3.3.5 R1-5 (130-10) - Map No. 44

Notwithstanding any other provision of this By-law, on lands **zoned** R1-5, a single detached dwelling in accordance with the R1 **Zone** shall be permitted on a private road for the creation of one (1) additional residential lot on each property, specifically 2919 Sussex Place, as per Consent Application B-012-10. All other provisions of this By-law shall apply.

4.3.3.6 R1-6 (130-10) - Map No. 44

Notwithstanding any other provision of this By-law, on lands **zoned** R1-6, a single detached dwelling in accordance with the provisions of the R1 **zone** shall be permitted on a private road for the creation of one (1) additional residential lot on each property, specifically 2941 Sussex Place, as per Consent Application B-013-10. All other provisions of this By-law shall apply.

4.3.3.7 R1-7 (15-01) - Map No. 28

- a) Notwithstanding any other provision of this By-law, a second **dwelling unit**, with a maximum **gross floor area** of 150 m², shall be permitted within the principal **dwelling**.
- b) Parking shall be provided in accordance with the General Provisions.

4.3.3.8 R1-8 (16-89) - Map No. 22, 55

Notwithstanding any other provision of this By-law, no **dwelling** shall be erected closer than 30 m from the southwesterly limit of the railway right-of-way.

4.3.3.9 R1-9 - Map No. 19

- a) Where shown on Schedule “A”, a Holding (H) Symbol shall not be removed until:
- i) The applicant conveys to the Town, prior to or at the time of issuance of the severance certificate, a 20 m road allowance, complete with one-foot reserves, along the eastern boundary of the proposed severed **lot** and that the applicant enter into any necessary agreement with the Town related to the conveyed lands;
 - ii) The applicant enters into an agreement with the Town providing for improvements to, access over and ongoing maintenance of the 3 unopened municipal road allowance (as extended) for their residential purposes at no cost to the Town;
 - iii) The applicant enters into an agreement with the Town to allow for a temporary private well which will be decommissioned, and the property connected to a municipal water supply, when instructed to do so by the Town;
 - iv) The applicant provides an easement to the Town, in wording satisfactory to the Town, for stormwater management purposes for the development of the adjacent subdivision (43T88008);
 - v) The applicant provides a letter from the Allandale Community Development Corporation advising that all of their conditions relating to the new **lot** are met; and
 - vi) The applicant receives approval from the County of Simcoe for a red line revision to the adjacent subdivision (43T88008) to remove the severed lot from Block 35.
- b) Upon removal of the Holding Symbol (H), notwithstanding any other provision of this By-law, the following shall apply to lands **zoned** R1-9:
- i) lands **zoned** R1-9 shall be permitted to have **frontage** on an unopened municipal road allowance.
 - ii) a maximum of two **dwelling units** shall be permitted within one **building** on the **lot**.
 - iii) the minimum **lot frontage** shall be 20 m.
 - iv) the minimum **lot area** shall be 500 m².

4.3.3.10 R1-10 (129-10) - Map No. 29

- a) Notwithstanding any other provision of this By-law, a secondary **accessory** residential **unit**, with a maximum **gross floor area** of 120 m², shall be permitted within the existing principal **single detached dwelling**.
- b) Parking shall be provided in accordance with the General Provisions.

4.3.3.11 R1-11(059-01) - Map No. 40

Notwithstanding any other provision of this By-law, the following **lot** requirements shall apply:

- a) Minimum **lot area**: 420 m²
- b) Minimum **interior side** yard: 1.5 m
- c) Minimum **exterior side** yard: 4.2 m

4.3.3.12 R1-12 - Map No. 44

All regulations for the R1 **zone** shall apply, with the following exceptions:

- a) Minimum **lot area**: 480 m²
- b) Maximum **lot coverage** for one storey **dwellings**: 45%; and
- c) Maximum **lot coverage** for 2 storey **dwellings**: 35%.

4.3.3.13 R1-13 (H) (25-90) - Map No. 29

Notwithstanding any other provision of this By-law, until such time as the Holding Symbol (H) is removed from lands **zoned** R1-13, only **uses** which existed on January 31, 1990 shall be permitted. Upon removal of the symbol (H), all of the permitted **uses** and provisions of the R1 **zone** shall apply.

4.3.3.14 R1-14 (12-94) - Map No. 29

- a) Notwithstanding any other provision of this By-law, a second **dwelling unit** shall be an additional permitted **use**.
- b) The minimum **gross floor area** for the second **dwelling unit** shall be 50 m².

4.3.3.15 R1-15 (19-02) - Map No. 40

- a) Notwithstanding any other provision of this By-law, a second **dwelling unit**, with a maximum **gross floor area** of 100 m² shall be permitted within the principal **dwelling**.
- b) Parking shall be provided in accordance with the General Provisions.

4.3.3.16 R1-17 (051-98) - Map No. 1, 62

In the lands described as Lots 11, 12 and 13, Plan 260 and **zoned** R1-17, all of the permitted **uses** of the R1 **Zone** shall apply and in addition:

- a) A **day nursery** shall be considered a permitted **home occupation use**;
- b) A maximum of 3 (three) employees or volunteers who do not reside on the premises may assist in the operation of a **day nursery** and tutoring service;
- c) The floor **area** of the **day nursery** may not exceed 50% of the floor **area** of the **dwelling**; and
- d) A minimum of 4 **parking spaces** shall be required.

4.3.3.17 R1-18 (89-16) - Map No. 1, 62

Notwithstanding the regulations of the R1 **Zone**, the lands described as Part of Lot 13, Registered Plan 150 (42 Queen Street West) and **zoned** R1-18 may be used for a duplex **dwelling**.

4.3.3.18 R1-19 (90-11) - Map No. 1, 62

Notwithstanding the minimum regulations of the **front yard** and interior and **exterior side** yards of the R1 **Zone**, the lands **zoned** R1-19 shall have a minimum **lot frontage**, **interior side** yard and **exterior side** yard of 5.2 m, 0.9 m and 2.2 m respectively.

4.3.3.19 R1-20 (126-12 and 074-14) - Map No. 62

- 1) All regulations for the R1 **zone** shall apply, with the following exceptions:
 - a) Minimum **lot frontage** 15 m
 - b) Maximum **building height** 11 m
 - c) Maximum **lot coverage** (one storey) 45%
 - d) Maximum **lot coverage** (two storey) 38%
 - e) For the purposes of this section, a front or rear basement walkout shall not be considered a storey.
- 2) Minimum yards for a Principal Permitted **Use**
 - a) Front 7 m
 - b) Rear 7 m
 - iii) **Exterior side** 4.5 m

- 3) Notwithstanding any other provisions of this By-law to the contrary, the provisions of Section 3.17 and Section 3.35.2 k) shall not apply to those lands **zoned** as R1-20.

4.3.3.20 R1-21 (068-02) (096-14) - Map No. 1, 62

- a) Notwithstanding any other provision of this By-law, the **uses** permitted shall include only:
- i) **Single detached dwelling** including a **garage**;
 - ii) A public **park**;
 - iii) A **home occupation**; and
 - iv) **Accessory buildings** and **structures**.
- b) Notwithstanding any other provision of this By-law, the **zone** regulations shall be in accordance with the following:
- i) The minimum **lot area** shall be in accordance with the following:
 - 1. Interior **lot**: 450 m²
 - 2. Exterior **lot**: 550 m²
 - ii) The minimum **lot frontage** shall be in accordance with the following:
 - 1. Interior **lot**: 15 m
 - 2. Exterior **lot**: 18 m
 - iii) Maximum **lot coverage**: 40%.
 - iv) Minimum **gross floor area**: 100 m²
 - v) Minimum yard requirements shall be as follows:
 - 1. Front yard: 7.5 m
 - 2. **Rear yard**: 9.0 m
 - 3. **Exterior side** yard: 3.5 m
 - 4. **Interior side** yard: 1.2 m
 - vi) The maximum **building height** shall be 11 m.
- c) Notwithstanding any other provisions of this By-law to the contrary, the provisions of Section 3.17 shall not apply to those lands **zoned** as R1-21.

4.3.3.22 R1-22 (068-02) (096-14) - Map No. 1, 62

Notwithstanding any other provision of this By-law, on **lots** 68 to 74 inclusive as shown on Draft Plan No. 43T-98005 and **zoned** R1-22, the minimum **rear yard** setback shall be 7.5 m.

Notwithstanding any other provisions of this By-law to the contrary, the provisions of Section 3.17 shall not apply to those lands **zoned** as R1-22.

4.3.3.23 R1-23 (068-02) (096-14) - Map No. 1, 62

Notwithstanding any other provision of this By-law, on **lots** abutting the Trans Canada Pipeline and shown as **lots** 1 and 46 to 62 inclusive on Plan 51M-1027, the minimum setback from the pipeline right-of-way shall be 10 m.

Notwithstanding any other provisions of this By-law to the contrary, the provisions of Section 3.17 shall not apply to those lands **zoned** as R1-23.

4.3.3.24 R1-24 (101-07) - Map No. 40

- a) Notwithstanding any other provision of this By-law, a second **accessory** residential **unit**, with a maximum **gross floor area** of no more than 120 m² shall be permitted within the basement of the existing principal **single detached dwelling**.
- b) Parking shall be provided in accordance with the General Provisions.

4.3.3.25 R1-25 (024-08) - Map No. 1, 62

- a) In addition to the **uses** permitted in the R1 **Zone** and subject to all other provisions of the R1 **Zone**, a nursery school/daycare for pre-school children shall be an additional permitted **use**. However, only one (1) principal permitted **use** shall be carried on at the same time.
- b) Notwithstanding any other provision of this By-law, the minimum **exterior side** yard shall be 1.46 m.

4.3.3.26 R1-26 (H) (070-08) - Map No. 11, 16, 27, 28, 31

- a) Permitted **uses** shall be in accordance with the R1 **Zone**.
- b) All **zone** regulations for the R1 **zone** shall apply to the lands **zoned** R1-26 with the following exceptions:
 - i) Minimum **Lot Area**: 420 m²
 - ii) Minimum **Lot Frontage**: 14.3 m
 - iii) Maximum **Lot Coverage**: 40%

For the purposes of this Section, **lot coverage** shall not include an unenclosed entranceway **porch**.

iv) Minimum Yards:

1. **front yard:** 4.5 m
2. **interior side:** 1.2 m
3. **interior side** yard where a side yard driveway is required to access a garage: 0.6 m on one side and 3.0 m on the other side
4. **exterior side:** 4.2 m

v) Maximum **Building Height:** 2 storeys and 10 m

For the purpose of this section a rear basement walkout shall not be considered a storey.

vi) **Accessory Uses, Buildings and Structures:**

1. Minimum **Interior Side** Yard: 0.6 m
2. Minimum **Exterior Side** Yard: 4.2 m

c) Where a **rear yard** abuts or flanks a noise berm, the noise berm shall not be considered part of the required minimum **rear yard** and shall be in addition to the required minimum **rear yard**.

d) Notwithstanding any other provision of this By-law, where there is an acoustical wall or fence is used to mitigate noise impacts, the maximum **height** of the acoustical wall or fence shall be 2.15 m.

e) Notwithstanding any other provision of this By-law, the following provisions shall apply to **decks**:

i) **Decks** may be located no closer to:

1. an **exterior side lot line** than 4.0 m;
2. a **front lot line** than 3.0 m;
3. a **rear lot line** than 4.0 m;
4. an **interior side lot line** than 0.6 m, provided the **deck** is than less than 1.0 m in **height**; and
5. an **interior lot line** than 1.2 m, where the **deck** is greater than 1.0 m in **height**.

- ii) No **deck** shall be permitted closer than 10 m to County Road 39, unless an exemption has been granted by the County.
- f) Notwithstanding any other provision of this By-law, the following regulation shall apply to entranceway **porches**:
 - i) An unenclosed entranceway **porch** may project into a required yard a maximum distance of 1.5 m. Stairs may project an additional 1.0 m.
 - ii) No entranceway **porch** may shall be permitted closer than 10 m to County Road 39, unless an exemption has been granted by the County.
- g) Notwithstanding any other provision of this By-law, the following shall apply to **garages**:
 - i) Attached **garages** may project a maximum of 1 m beyond the front wall of a **dwelling**, but in no case shall an attached **garage** door be located less than 6 m from the front or **exterior side lot line**.
 - ii) Attached **garage** door opening(s) shall have a maximum width not greater than 5.5 metres.
- h) Notwithstanding any other provision of this By-law, the pavement width shall be a minimum of 3 m measured at the **lot line**, and a maximum of the width which shall be no greater than the width of the **garage** door plus 0.2 m measured from either side of the door.
- i) For the purposes of this section, the specified **lot frontage**, setbacks and **lot area** may include 1 (one) foot reserves.

4.3.3.27 R1-27 (H) (070-08) - Map No. 11, 28

- a) Permitted **uses** shall be in accordance with the R1 **zone**.
- b) All **zone** regulations for the R1 **zone** shall apply to the lands **zoned** R1-27 with the following exceptions:
 - i) Minimum **Lot Area**: 420 m²
 - ii) Minimum **Lot Frontage**: 14.3 m
 - iii) Maximum **Lot Coverage**: 40%

For the purposes of this Section, **lot coverage** shall not include an unenclosed entranceway **porch**.

- iv) Minimum Yards:
 - 1. **Front yard**: 4.5 m
 - 2. **Interior side yard**: 1.2 m

3. **Interior side** yard where a side yard **driveway** is required to access a **garage**: 0.6 m on one side and 3.0 m on the other side
 4. **Exterior side** yard: 4.2 m
 - v) Maximum **Building Height**: 2 storeys and 10 m
- For the purpose of this section a rear basement walkout shall not be considered a storey.
- vi) **Accessory Uses, Buildings and Structures**:
 1. Minimum **Interior Side** Yard: 0.6 m
 2. Minimum **Exterior Side** Yard: 4.2 m
 - c) Notwithstanding any provisions to the contrary, no **accessory buildings, structures, swimming pools** or at grade **patios** shall be permitted within the required rear except for fences and elevated **decks** with provision for drainage between **deck** boards.
 - d) Notwithstanding any other provision of this By-law, the following provisions shall apply to **decks**:
 - i) **Decks** may be located no closer to:
 1. an **exterior side lot line** than 1.2 m;
 2. a **front lot line** than 3.0 m;
 3. a **rear lot line** than 4.0 m;
 4. an **interior side lot line** than 0.6 m, provided the **deck** is than less than 1.0 metre in **height**; and
 5. an **interior lot line** than 1.2 m, where the **deck** is greater than 1.0 m in **height**.
 - ii) No **deck** shall be permitted closer than 10 m to County Road 39, unless an exemption has been granted by the County.
 - e) Notwithstanding any other provision of this By-law, the following regulation shall apply to entranceway **porches**:
 - i) An unenclosed entranceway **porch** may project into a required yard a maximum distance of 1.5 m. Stairs may project an additional 1.0 m.
 - ii) No entranceway **porch** may shall be permitted closer than 10 m to County Road 39, unless an exemption has been granted by the County.
 - f) Notwithstanding any other provision of this By-law, the following shall apply to **garages**:

- i) Attached **garages** may project a maximum of 1.0 m beyond the front wall of a **dwelling**, but in no case shall an attached **garage** door be located less than 6.0 m from the front or **exterior side lot line**.
- ii) Attached **garage** door opening(s) shall have a maximum width not greater than 50% of the **house** width.
- g) Notwithstanding any other provision of this By-law, the pavement width shall be a minimum of 3.0 m measured at the lot line, and a maximum of the width which shall be no greater than the width of the garage door plus 0.2 m measured from either side of the door.
- h) For the purposes of this section, the specified **lot frontage**, setbacks and **lot area** may include 1 foot (0.3 m) reserves.

4.3.3.28 R1-28 (H) (070-08) - Map No. 11, 28

- a) Permitted **uses** shall be in accordance with the R1 **zone**.
- b) All **zone** regulations for the R1 **zone** shall apply to the lands **zoned** R1-28 with the following exceptions:

- i) Minimum **Lot Area**: 620 m²
- ii) Minimum **Lot Frontage**: 21.0 m
- iii) Maximum **Lot Coverage**: 40%

For the purposes of this Section, **lot coverage** shall not include an unenclosed entranceway **porch**.

- iv) Minimum Yards:

- 1. **Front yard**: 4.5 m
- 2. **Interior side yard**: 1.2 m
- 3. **Exterior side yard**: 4.2 m

- v) Maximum **Building Height**: 2 storeys and 10 m

For the purpose of this section, a rear basement walkout shall not be considered a storey.

- vi) **Accessory Uses, Buildings and Structures**:

- 1. Minimum **Interior Side Yard**: 0.6 m
- 2. Minimum **Exterior Side Yard**: 4.2 m

- c) Notwithstanding any other provision of this By-law, the following provisions shall apply to **decks**:
- i) **Decks** may be located no closer to:
 - 1. an **exterior side lot line** than 1.2 m;
 - 2. a **front lot line** than 3.0 m;
 - 3. a **rear lot line** than 4.0 m;
 - 4. an **interior side lot line** than 0.6 m, provided the **deck** is than less than 1.0 m in **height**; and
 - 5. an **interior lot line** than 1.2 m, where the **deck** is greater than 1.0 m in **height**.
- d) Notwithstanding any other provision of this By-law, an unenclosed entranceway **porch** may project into a required yard a maximum distance of 1.5 m. Stairs may project an additional 1.0 m.
- e) Notwithstanding any other provision of this By-law, the following shall apply to **garages**:
- i) Attached **garages** may project a maximum of 1.0 m beyond the front wall of a **dwelling**, but in no case shall an attached **garage** door be located less than 6.0 m from the front or **exterior side lot line**.
 - ii) Attached **garage** door opening(s) shall have a maximum width not greater than 50% of the **house** width.
- f) Notwithstanding any other provision of this By-law, the pavement width shall be a minimum of 3.0 m measured at the **lot line**, and a maximum of no greater than the width of the **garage** door plus 0.2 m measured from either side of the door.
- g) For the purposes of this section, the specified minimum **lot frontage**, setbacks and **lot area** may include 1 foot (0.3 m) reserves.

4.3.3.29 R1-29 (044-10) - Map No. 42

Notwithstanding any other provisions of this By-law, one (1) single detached private **garage** shall be permitted as a principal **use**. If a **single detached dwelling** is constructed on the subject lands, the single detached **private garage** shall revert to being defined under this By-law as an **accessory structure**.

4.3.3.30 R1-30 (033-14) - Map No. 39, 40

Notwithstanding any other provision of this By-law, the following **zone** provisions shall apply:

- a) The minimum **exterior side** yard shall be 5.3 m, with a 2.0 m encroachment permitted for entranceway **porches**.
- b) The following maximum **lot coverages** are permitted for lots within Draft Approved Plan I-T-0502:
 - i) Lot 10 42% for a one storey **dwelling** and 37% for a two storey **dwelling**
 - ii) Lot 11 42% for a one storey **dwelling** and 37% for a two storey **dwelling**

4.3.3.31 R1-31 (111-11) (093-14) Map No. 20, 38

- a) Notwithstanding any other provision of this Zoning By-law, the maximum **lot coverage** shall be 45% for bungalow style **single detached dwellings**. For the purposes of this section, bungalow shall mean a single storey **dwelling**.
- b) All other provisions of this By-law shall apply.

4.3.3.32 R1-32 (111-11) - Map No. 20, 38

- a) Notwithstanding any other provision of this Zoning By-law, the maximum **lot coverage** shall be 45% for bungalow style **single detached dwellings**. Further, the minimum **exterior side** yard setback shall be 4.2 m for bungalow style **single detached dwellings**. For the purposes of this section, bungalow shall mean a single storey **dwelling**.
- b) All other provisions of this By-law shall apply.

4.3.3.33 R1-33 (H) (037-12) (110-14) - Map No. 1, 62

- a) Notwithstanding any other provisions of this By-law, the following **zone** regulations shall apply:
 - i) The minimum **front yard** setback shall be 6.0 m.
 - ii) The minimum **exterior side** yard setback shall be 4.2 m.
 - iii) The minimum **lot area** shall be 550 m².
- b) On lands **zoned** R1-33 (H), only legally existing **uses** shall be permitted. The Holding Symbol (H) shall not be removed until sewer and water allocation for the subject lands have been granted by the Council of the Corporation of the **Town of Innisfil** in accordance with the application servicing allocation strategy.

4.3.3.34 R1-34(H) (077-13) Map No. 28

- 1) Permitted **uses** shall be in accordance with Section 4.1.
- 2) All **zone** regulations for the R1 **zone** shall apply to the lands **zoned** R1-34 with the following exceptions:

- a) Minimum **Lot Area** 420 square metres
- b) Minimum **Lot Frontage** 14.3 metres
- c) Maximum **Lot Coverage** 40%

For the purposes of this Section, **lot coverage** shall not include an un-enclosed entranceway porch.

d) Minimum Yards

- i) **Front yard** 4.5 metres
- ii) **interior side** 1.2 metres
- iii) **interior side** yard where a side yard **driveway** is required to access a **garage** 0.6 metres on one side and 3.0 metres on the other side
- iv) **exterior side** 4.2 metres

e) Maximum **Building Height** 2 storeys and 10 metres

f) **Accessory Use**

- i) Minimum **Interior Side** Yard 0.6 metre
- ii) Minimum **Exterior Side** Yard 4.2 metres

3) Notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply:

a) **Decks** may be located no closer to:

- i) an **exterior lot line** than 1.2 m
- ii) a **front lot line** than 3.0 m
- iii) a **rear lot line** than 4.0 m
- iv) an **interior side lot line** 0.6 m

- a) Provided the **deck** is less than 1.0 metre in **height**. For **decks** that are greater than 1.0 metre in **height** it may not be closer than 1.2 metres to an **interior side lot line**

4) Notwithstanding any other provisions of this By-law to the contrary, the following regulation shall apply:

- a) An unenclosed entranceway **porch** may project into a required (side) yard a maximum distance of 1.5 metres.

5) Notwithstanding any other provisions of this By-law to the contrary, the following regulation shall apply:

- a) Attached **garages** may project a maximum of 1.0 metre beyond the front wall that contains the front door of a **dwelling**, but in no case shall the wall containing an attached **garage** door be located less than 6 metres from the front or **exterior side lot line**. No portion of the upper storey shall be setback greater than 2 metres from the **garage** door.

- b) Attached **Garage** Door opening(s) shall have a maximum width not greater than 50% of the **house** width.
- 6) Notwithstanding any other provisions of this By-law to the contrary, the following regulation shall apply:
 - a) Pavement width shall be a minimum of 3.0 metres measured at the **lot line**, and a maximum of the width of the **garage** door plus 0.2 metres measured from either side of the door.
- 7) For the purposes of this section, R1-34, **lot frontage**, setbacks and **lot area** may include one foot reserves.
- 8) For any new residential lot in R1–34 **zone** that abuts Lots 1 to 17 on Registered Plan 973, the lot width shall be no less than 18 metres, measured at the rear **lot line**.

4.3.3.35 R1-35 (126-12 and 074-14) Map No. 62

- 1) All **zone** regulations for the R1 **zone** shall apply to the lands **zoned** R1-35 with the following exceptions:
 - i) Minimum **Lot Frontage** 15 metres
 - ii) Maximum **Building Height** 11 metres
 - iii) Maximum **Lot Coverage** (one storey) 45%
 - iv) Maximum **Lot Coverage** (two storey) 38%
 - v) For the purpose of this section a front or rear basement walkout shall not be considered a storey
- 2) Minimum Yards for a Principal Permitted **Use**
 - i) Front 6 metres
 - ii) Rear 2.4 metres
 - iii) East Side Yard 1.2 metres
 - iv) West Side Yard 6 metres
- 3) Minimum Yards for an **Accessory Use**
 - i) Front 6 metres
 - ii) Rear 1 metres
 - iii) East Side Yard 1 metres
 - iv) West Side Yard 1 metres

- v) For the purpose of this **zone**, the front **lot line** shall be considered to be the southern **lot line** which abuts the municipal road to the south
- 4) Those lands **zoned** as “R1-35” shall be exempt from the provisions of Section 3.34.2 k) and 3.17.

4.3.3.36 R1-36 (033-14) Map No. 39 and 40

Notwithstanding any other provisions of this By-law, the following **zone** provisions shall apply:

- a) The minimum **exterior side** yard shall be 5.3 m with a 2.0 m encroachment permitted for entrance **porches**
- b) The minimum **front yard** shall be 6.0 m
- c) The following maximum **lot coverages** are permitted for **lots** within Draft Approved Plan I-T-0502:

Lot 27	37%
Lot 28	39% for a one storey dwelling
Lot 30	36% for a one storey dwelling
Lot 31	38% for a one storey dwelling

4.3.3.37 R1-37 Map 38

- a) For those lands **zoned** as “R1-37”, the maximum **lot coverage** shall be 45% for bungalow style **single detached dwellings**. Further, the minimum **exterior side** yard setback shall be 4.2 m for bungalow style **single detached dwellings**. For the purposes of this section, bungalow shall mean a single storey **dwelling**.
- b) Notwithstanding any other provisions of this By-law to the contrary, the provisions of Section 3.17.1 e) shall not apply to those lands **zoned** as R1-37.

4.3.3.38 R1-38 Map 38

Notwithstanding any other provisions of this By-law to the contrary, the provisions of Section 3.17.1 e) shall not apply to those lands **zoned** as R1-38.

4.3.3.39 R1-39 (033-14) Map 40

Notwithstanding any other provisions of this By-law, the following maximum **lot coverages** are permitted for **lots** within Draft Approved Plan I-T-0502:

Lot 12	41% for a one storey dwelling
Lot 13	41% for a one storey dwelling

4.3.3.40 R1-40 (052-14) Map 62

Notwithstanding any other provisions of this By-law, the minimum **interior side** yard setback shall be 0.3m and the minimum **front yard** setback shall be 3.4m for a principal **use**. These

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Including amendments up to April, 2017

setbacks shall apply exclusively to the **buildings** and **structures** that existed as of the date of the passage of this By-law. Any new **buildings** and **structures** shall comply with the standard provisions of this By-law for an R1 **Zone**.

Notwithstanding any other provisions of this By-law, the minimum **lot area** shall be 507 m².

4.3.3.41 R1-41(H) (052-14) Map 62

Notwithstanding any other provisions of this By-law, the minimum **lot area** shall be 507 m².

4.3.3.42 R1-42(H) (128-15) Map No. 31, 32, 34 and 35

Notwithstanding any other provisions of this By-law, the following shall apply to those lands **zoned** R1-42:

- a) the minimum **lot frontage** shall be 13.5 metres
- b) the minimum **lot area** shall be 475 square metres
- c) the minimum **exterior side** yard setback shall be 3 metres
- d) the maximum **lot coverage** for a 1 storey or 1.5 storey **dwelling** shall be 45%. The maximum **lot coverage** for a 2 storey **dwelling** shall be 40% (By-law 099-16)
- e) where the grade change from the front main wall to the rear main wall of a **building** exceeds 1 metre, the maximum permitted **height** of a **single-detached dwelling** shall be 10 metres above established grade.
- f) the minimum **front yard** setback shall be 6.0 metres.

4.3.3.43 R1-43 (082-14) Map No. 40

Notwithstanding any other provisions of this By-law to the contrary, for those lands **zoned** "Residential 1 Exception (R1-43) **Zone**," the maximum **lot coverage** shall be 38%, and the maximum **building height** for the principal permitted **use** shall be 9 metres.

4.3.3.44 R1-44-W (057-15) Map No. 54

For those lands **zoned** "Residential 1 Exception Waterfront (R1-44-W) **Zone**", a **single-detached dwelling** in accordance with the provisions of the "Residential 1 Waterfront (R1-W) **Zone**" shall be permitted on a private road for the creation of one (1) additional residential **lot** on the property, specifically 3833 Stonegate Place. A maximum total of two (2) **dwellings** shall be permitted.

4.3.3.45 R1-45 (087-15) - Map No. 6

Notwithstanding any other provision of this By-law, where a Model Home Agreement has been executed between the Town and the owner, one (1) Model Home shall be permitted on the subject lands. A sales office used exclusively for the sale of the residential units within the Christina Homes (Gilford) development shall be permitted to locate inside the garage of the Model Home, and an associated parking area shall also be permitted on the subject lands exclusively for **use** by customers and staff of the Model Home and sales office.

4.3.3.46 R1-45(H) (114-15) - Map No. 34, 37 and 38

All regulations for the R1 **Zone** shall apply, with the following exceptions:

- a) Minimum **lot area** for an interior lot: 530 m²
- b) Minimum **front yard** setback for an interior lot: 4.5 m
- c) Minimum **side yard** setback for an exterior lot: 3 m
- d) Maximum **lot coverage**: 45%
- e) Maximum **building height**: 11.0 m
- f) Notwithstanding any other provisions of this By-law to the contrary, the provisions of Section 3.17.1 e) shall not apply to those lands **zoned** as R1-46
- g) Notwithstanding any other provisions of this By-law to the contrary, the provisions of Section 3.35.2 k) shall not apply to those lands **zoned** as R1-46

4.3.4 Residential 1A Zone (R1A)

None at this time

4.3.5 Residential 2 Zone (R2)

4.3.5.1 R2-1 - Map No. 34

Notwithstanding any other provision of this By-law, no **buildings** or **accessory structures** shall be located within 30 m from the nearest property line of the railway.

4.3.5.2 R2-2 - Map No. 34

Notwithstanding any other provision of this By-law, the minimum **rear yard** setback shall be 3 m.

4.3.5.3 R2-3 (040-03) - Map No. 34, 35

Notwithstanding any other provision of this By-law, the minimum **lot area** of an interior **lot** shall be 370 m² and the minimum **lot area** of an exterior **lot** shall be 460 m².

4.3.5.4 R2-4 (062-08) - Map No. 11, 16, 20, 27, 28, 30, 31, 38

Notwithstanding any other provision of this By-law, the following provisions shall apply:

- a) Minimum **lot frontage** of an interior exterior lot 15 m
- b) Maximum **building height** 11 m
- c) Minimum **exterior side** yard setback
(**accessory uses, buildings and structures**) 4.2 m
- d) Minimum **rear yard** setback 6 m
- e) In addition to the foregoing, the provisions of Section 3.17.1 e) shall not apply to lands **zoned** as "R2-4"

4.3.5.5 R2-5 (H) (070-08) - Map No. 27, 28, 30 and 31

- a) Permitted **uses** shall be in accordance with the R2 **zone**.
- b) All **zone** regulations for the R2 **zone** shall apply to the lands **zoned** R2-5 with the following exceptions:
 - i) Minimum **Lot Area**:
 - 1. Interior lot: 335 m²
 - 2. Exterior lot: 435 m²
 - ii) Minimum **Lot Frontage**:
 - 1. Interior Lot: 11.5 m
 - 2. Exterior Lot: 12 m

iii) Maximum **Lot Coverage**: 40%

For the purposes of this section, **lot coverage** shall not include an unenclosed entranceway or **porch**.

iv) Minimum Yards:

1. Front 4.5 m
2. **Interior side** 1.2 m on one side 0.6 m on the other side
3. **Exterior side** 4.2 m
4. Rear 6 m

v) Maximum **Building Height**: 2 storeys and 10 m

For the purposes of this section, a rear basement walkout shall not be considered a storey.

vi) **Accessory Uses, Buildings and Structures**:

- i) Minimum **interior side** yard: 0.6 m
- ii) Minimum **exterior side** yard: 4.2 m

c) Where a **rear yard** abuts or flanks a noise berm, the noise berm shall not be considered part of the required minimum **rear yard**.

d) Notwithstanding any other provision of this By-law, where an acoustical wall or fence is used to mitigate noise impacts, the maximum **height** of the acoustical wall or fence **structure** shall be 2.15 m.

e) Notwithstanding any other provision of this By-law, the following provisions shall apply:

- i) **Decks** attached to a **dwelling unit** shall be excluded for the purposes of calculating **lot coverage** for **accessory buildings** and **structures**.
- ii) The total **lot coverage** for detached **private garages** shall not exceed 12% of the total **lot area**.

f) Notwithstanding any other provision of this By-law, the following provisions shall apply to **decks**:

- i) **Decks** may be located not closer to:
 1. an **exterior side lot line** than 1.2 m;
 2. a **front lot line** than 3.0 m;
 3. a **rear lot line** than 4.0 m;

4. an **interior side lot line** than 0.6 m, provided the **deck** is than less than 1.0 m in **height**; and
 5. an **interior lot line** than 1.2 m, where the **deck** is greater than 1.0 m in **height**.
- ii) No **deck** shall be permitted closer than 10 m to County Road 39, unless an exemption has been granted by the County.
- g) Notwithstanding any other provision of this By-law, the following regulations shall apply to entranceway **porches**:
- i) an unenclosed entranceway **porch** may project into a required yard a maximum distance of 1.5 m. Stairs may project an additional 1.0 m; and
 - ii) no entranceway **porch** shall be permitted closer than 10.0 m to County Road 39, unless an exemption has been granted by the County.
- h) Notwithstanding any other provision of this By-law, the following regulation shall apply:
- i) Attached **garages** may project a maximum of 1.0 m beyond the front wall of a **dwelling**, but in no case shall an attached **garage** door be located less than 6.0 m from the front or **exterior side lot line**.
 - ii) Attached **garage** door opening(s) shall:
 1. for **lot** frontages of 11.5 m and greater but less than 12.5 m, have a maximum width of 5.0 m;
 2. for **lot** frontages of 12.5 m and greater but less than 14.3 m, have a maximum width of 5.5 m; and
 3. for **lot** frontages greater than 14.3 m, have a maximum width not greater than 50% of the **house** width.
- i) Notwithstanding any other provision of this By-law, pavement width shall be a minimum of 3.0 m measured at the **lot** line, and a maximum of the width of the **garage** door, plus 0.2 m measured from either side of the door.
- j) For the purposes of this section, **lot** frontage, setbacks and **lot area** may include one foot (0.3 m) reserves.

4.3.5.6 R2-6 (H) (070-08) (072-16) - Map No. 11, 16, 27, 30, 31

- a) Permitted **uses** shall be in accordance with the R2 **zone**.
- b) All **zone** regulations for the R2 **zone** shall apply to the lands **zoned** R2-6 with the following exceptions:

- i) Minimum **Lot area**:
 - 1. Interior **lot**: 290 m²
 - 2. Exterior **lot**: 400 m²
- ii) Minimum **Lot Frontage**:
 - 1. Interior **lot**: 10.0 m
 - 2. Exterior **lot**: 12.0 m
- iii) Maximum **Lot coverage**: 45%

For the purposes of this section, **lot coverage** shall not include an unenclosed entranceway or porch.
- iv) Minimum Yards:
 - 1. Front: 4.5 m
 - 2. Rear: 6.0 m
 - 3. **Interior side**: 1.2 m on one side 0.6 m on the other side
 - 4. **Exterior side**: 4.2 m
- v) Maximum **Building Height**: 2 storeys and 10 m

For the purposes of this section, a rear basement walkout shall not be considered a storey.
- vi) **Accessory Uses, Buildings and Structures**:
 - i) Minimum **interior side** yard: 0.6 m
 - ii) Minimum **exterior side** yard: 4.2 m
- c) Where a **rear yard** abuts or flanks a noise berm, the noise berm shall not be considered part of the required minimum **rear yard**.
- d) Notwithstanding any other provision of this By-law, where an acoustical wall or fence is used to mitigate noise impacts, the maximum **height** of the acoustical wall or fence **structure** shall be 2.15 m.
- e) Notwithstanding any other provision of this By-law, the following provisions shall apply:
 - i) **Decks** attached to a **dwelling** unit shall be excluded for the purposes of calculating **lot coverage** for **accessory buildings** and **structures**.

- ii) The total **lot coverage** for detached private **garages** shall not exceed 12% of the total **lot area**.
- f) Notwithstanding any other provision of this By-law, the following provisions shall apply to **decks**:
 - i) **Decks** may be located not closer to:
 - 1. an **exterior side lot** line than 1.2 m;
 - 2. a front **lot** line than 3.0 m;
 - 3. a rear **lot** line than 4.0 m;
 - 4. an **interior side lot** line than 0.6 m, provided the **deck** is than less than 1.0 m in **height**; and
 - 5. an interior **lot** line than 1.2 m, where the **deck** is greater than 1.0 m in **height**.
 - ii) No **deck** shall be permitted closer than 10 m to County Road 39, unless an exemption has been granted by the County.
- g) Notwithstanding any other provision of this By-law, the following regulations shall apply to entranceway porches:
 - i) an unenclosed entranceway **porch** may project into a required yard a maximum distance of 1.5 m. Stairs may project an additional 1.0 m; and
 - ii) no entranceway **porch** shall be permitted closer than 10 m to County Road 39, unless an exemption has been granted by the County.
- h) Notwithstanding any other provision of this By-law, the following regulation shall apply:
 - i) Attached **garages** may project a maximum of 1.0 m beyond the front wall of a **dwelling**, but in no case shall an attached **garage** door be located less than 6.0 m from the front or **exterior side lot** line.
 - ii) Attached **garage** door opening(s) shall:
 - 1. for **lot frontages** of 11.5 m and greater but less than 12.5 m, have a maximum width of 5.0 m;
 - 2. for **lot frontages** of 12.5 m and greater but less than 14.3 m, have a maximum width of 5.5 m; and
 - 3. for **lot frontages** greater than 14.3 m, have a maximum width not greater than 50% of the house width.

- i) Notwithstanding any other provision of this By-law, pavement width shall be a minimum of 3.0 m measured at the **lot** line, and a maximum of the width of the **garage** door, plus 0.2 m measured from either side of the door.
- j) For the purposes of this section, **lot** frontage, setbacks and **lot area** may include one foot (0.3 metre) reserves.

4.3.5.7 R2-7 - Map No. 44

All regulations for the R2 **zone** shall apply, with the following exceptions:

- a) Minimum **lot area** for an interior **lot**: 384 m²
- b) Minimum **lot area** for an exterior **lot**: 480 m²
- c) Maximum **lot coverage** for 1 storey **dwellings**: 50%
- d) Maximum **lot coverage** for 2 storey **dwellings**: 45%

4.3.5.8 R2-8 (142-12), Lot 12, Registered Plan 51M-897- Map No. 35

Notwithstanding any other provision of this By-law, where a Model Home Agreement has been executed between the Town and the owner, one (1) Model Home shall be permitted on the subject lands. A sales centre shall be permitted to locate inside the **garage**.

4.3.5.9 R2-9 (H) (077-13) Map No. 28

- 1) Permitted **uses** in shall be in accordance with Section 4.1.
- 2) All **zone** regulations for the R2 **zone** shall apply to the lands **zoned** R2-9 with the following exceptions:
 - a) Minimum **Lot area**
 - i) Interior 335 square metres
 - ii) Exterior 390 square metres
 - b) Minimum Yards
 - i) front 4.5 metres
 - ii) **interior side** 1.2 metres on one side, 0.6 metres on the other side
 - c) Maximum **Building Height** 2 storeys and 10 metres
 - d) **Accessory Use**
 - i) Minimum **Interior side** Yard 0.6 metre
 - ii) Minimum **Exterior side** Yard 4.2 metre
- 3) Where a **rear yard** abuts or flanks a noise berm, the noise berm shall not be considered part of the required minimum **rear yard** and shall be in addition to the required minimum **rear yard**.

- 4) Notwithstanding any other provisions of this By-law, where an acoustical wall or fence is used to mitigate noise impacts, the maximum **height** of the acoustical wall or fence **structure** shall be 2.5 metres.
- 5) Notwithstanding any other provisions of this By-law, to the contrary, the following provisions shall apply:
 - a) **Decks** attached to a **dwelling** unit shall be excluded for the purposes of calculating **lot coverage** for **accessory buildings** and **structures**.
- 6) Notwithstanding any other provisions of this By-law to the contrary, an unenclosed entranceway **porch** is exempt from **lot coverage** in this **zone**.
- 7) Notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply:
 - a) The total **lot coverage** for detached **private garages** shall not exceed 12% of the total **lot area**.
- 8) Notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply:
 - a) **Decks** may be located no closer to:

i) an exterior side lot than	1.2 metres
ii) a front lot line than	3.0 metres
iii) a rear lot line than	4.0 metres
iv) an interior side lot line	0.6 metres

provided the **deck** is less than 1.0 metre in **height**. For **decks** that are greater than 1.0 metre in **height** it may not be closer than 1.2m to an **interior side lot line**
- 9) Notwithstanding any other provisions of this By-law to the contrary, the following regulation shall apply:
 - a) An unenclosed entranceway **porch** may project into a required **side yard** a maximum distance of 1.5 metres.
- 10) Notwithstanding any other provisions of this By-law to the contrary, the following regulation shall apply:
 - a) Attached **garages** may project a maximum of 1.0 metre beyond the front wall that contains the front door of a **dwelling**, but in no case shall the wall containing an attached **garage** door be located less than 6 metres from the front or **exterior side lot line**. No portion of the upper storey shall be setback greater than 2 metres from the **garage** door.
 - b) Attached **Garage** Door opening(s) shall:
 - i) For **lot frontages** of 11.5 metres and greater but less than 12.5 metres, have a maximum width of 5.0 metres;
 - ii) For **lot frontages** of 12.5 metres and greater but less than 14.3 metres, have a maximum width of 5.5 metres; and

- iii) For **lot frontages** greater than 14.3 metres, have a maximum width not greater than 50% of the house width.
- 11) Notwithstanding any other provisions of this By-law to the contrary, the following regulation shall apply:
 - a) Pavement width shall be a minimum of 3.0 metres measured at the **lot line**, and a maximum of the width of the **garage** door plus 0.2 metres measured from either side of the door.
- 12) For the purposes of this section, R2-9, **lot frontage**, setbacks and **lot area** may include one foot reserves.

4.3.5.10 R2-10 (084-14) Map No. 38

- 1) Notwithstanding any other provisions of this By-law, the following regulation shall apply:
 - a) Minimum **rear yard** setback 6.0 metres
 - b) Maximum **building height** 11.0 metres
- 2) In addition to the foregoing, the provisions of Section 3.17.1 e) shall not apply to lands **zoned** as “R2-10”.

4.3.5.11 R2-11(H) (092-15) Map No. 37

All regulations for the R2 **Zone** shall apply, with the following exceptions:

- a) Minimum **lot** frontage for an exterior **lot**: 14.0 m
- b) Minimum **rear yard** setback: 6.0 m
- c) Maximum **building height**: 11.0 m
- d) Notwithstanding any other provisions of this By-law to the contrary, the provisions of Section 3.17.1 e) shall not apply to those lands **zoned** as R2-12
- e) Notwithstanding any other provisions of this By-law to the contrary, the provisions of Section 3.35.2 k) shall not apply to those lands **zoned** as R2-12

4.3.5.12 R2-12(H) (114-15) - Map No. 34, 37 and 38

Notwithstanding any other provision of this By-law, the minimum **Rear yard** Setback shall be measured from the Rear **Lot Line**, rather than the “Residential 2 Exception Hold (R2-11(H)) **Zone**” boundary. A three (3) metre restrictive covenant from the Rear **Lot Line** denoting the “Environmental Protection (EP) **Zone**” on these lands will be registered on title for each **lot** restricting vegetation removal, except as required for the installation of fencing, in which case any affected vegetation will be restored or replaced as necessary.

4.3.5.13 R2-13(H) (128-15) - Map No. 31, 32, 34 and 35

Notwithstanding any other provision of this By-law, the following shall apply to those lands **zoned** R2-13:

- a) Where the grade change from the front main wall to the rear main wall of a **building** exceeds 1 metre, the maximum permitted **height** of a single-detached **dwelling** shall be 10 metres above established grade.

4.3.5.15 R2-15(H) (042-19) – Map Nos. 27, 28, 30, 31

- a) Permitted uses shall be in accordance with the R2 zone.
- b) All zone regulations for the R2 zone shall apply to the lands zoned R2-15 with the following exceptions:
 - i) Minimum Lot Area:
 - 1. Interior lot: 335 m²
 - 2. Exterior lot: 435 m²
 - ii) Minimum Lot Frontage:
 - 1. Interior lot: 11.5 m
 - 2. Exterior lot: 12 m
 - iii) Maximum Lot Coverage: 40%
For the purposes of this section, lot coverage shall not include an unenclosed entranceway or porch.
 - iv) Minimum Yards:
 - 1. Front 4.5 m
 - 2. Interior side 1.2 m on one side 0.6 m on the other side
 - 3. Exterior side 4.2 m
 - 4. Rear 6m
 - v) Maximum Building Height: 11.0 m
For the purposes of this section, a rear basement walkout shall not be considered a storey.
 - vi) Accessory Uses, Buildings and Structures:
 - i) Minimum interior side yard: 0.6 m
 - ii) Minimum exterior side yard: 4.2 m
- c) Where a rear yard abuts or flanks a noise berm, the noise berm shall not be considered part of the required minimum rear yard.
- d) Notwithstanding any other provision of this By-law, where an acoustical wall or fence is used to mitigate noise impacts, the maximum height of the acoustical wall or fence structure shall be 2.15 m.

- e) Notwithstanding any other provision of this By-law, the following provisions shall apply:

- i) Decks attached to a dwelling unit shall be excluded for the purposes of calculating lot coverage for accessory buildings and structures.
 - ii) The total lot coverage for detached private garages shall not exceed 12% of the total lot area.
- f) Notwithstanding any other provision of this By-law, the following provisions shall apply to decks:
- i) Decks may be located not closer to:
 - 1. an exterior side lot line than 1.2 m;
 - 2. a front lot line than 3.0 m;
 - 3. a rear lot line than 4.0 m;
 - 4. an interior side lot line than 0.6 m, provided the deck is than less than 1.0 m in height; and
 - 5. an interior lot line than 1.2 m, where the deck is greater than 1.0 m in height.
 - ii) No deck shall be permitted closer than 10 m to County Road 39, unless an exemption has been granted by the County.
- g) Notwithstanding any other provision of this By-law, the following regulations shall apply to entranceway porches:
- i) an unenclosed entranceway porch may project into a required yard a maximum distance of 1.5 m. Stairs may project an additional 1.0 m; and
 - ii) no entranceway porch shall be permitted closer than 10.0 m to County Road 39, unless an exemption has been granted by the County.
- h) Notwithstanding any other provision of this By-law, the following regulation shall apply:
- i) Attached garages may project a maximum of 1.0 m beyond the front wall of a dwelling, but in no case shall an attached garage door be located less than 6.0 m from the front or exterior side lot line.
 - ii) Attached garage door opening(s) shall:
 - 1. for lot frontages of 11.5 m and greater but less than 12.5 m, have a maximum width of 5.0 m;
 - 2. for lot frontages of 12.5 m and greater but less than 14.3 m, have a maximum width of 5.5 m; and
 - 3. for lot frontages greater than 14.3 m, have a maximum width not greater than 50% of the house width.
 - iii) Interior garage width shall be a maximum of 0.5 metres wider than the attached garage door opening as permitted in h) ii) above.
- i) Notwithstanding any other provision of this By-law, pavement width shall be a minimum of 3.0m measured at the lot line, and a maximum of 0.5m wider than the attached garage door opening as permitted in h) ii) above.

- j) For the purposes of this section, lot frontage, setbacks and lot area may include one foot (0.3 m) reserves.”

4.3.5.15 R2-16 (H) (042-19) – Map Nos. 27, 30, 31

- a) Permitted uses shall be in accordance with the R2 zone.
- b) All zone regulations for the R2 zone shall apply to the lands zoned R2-16 with the following exceptions:
 - i) Minimum Lot Area:
 - 1. Interior lot: 290 m²
 - 2. Exterior lot: 400 m²
 - ii) Minimum Lot Frontage:
 - 4. Interior lot: 10.0 m
 - 5. Exterior lot: 12.0 m
 - iii) Maximum Lot Coverage: 45%
For the purposes of this section, lot coverage shall not include an unenclosed entranceway or porch.
 - iv) Minimum Yards:
 - 1. Front 4.5 m
 - 2. Rear 6.0 m
 - 3. Interior side 1.2 m on one side 0.6 m on the other side
 - 4. Exterior side 4.2 m
 - v) Maximum Building Height: 11.0 m
For the purposes of this section, a rear basement walkout shall not be considered a storey.
 - vi) Accessory Uses, Buildings and Structures:
 - i) Minimum interior side yard: 0.6 m
 - ii) Minimum exterior side yard: 4.2 m
- c) Where a rear yard abuts or flanks a noise berm, the noise berm shall not be considered part of the required minimum rear yard.
- d) Notwithstanding any other provision of this By-law, where an acoustical wall or fence is used to mitigate noise impacts, the maximum height of the acoustical wall or fence structure shall be 2.15 m.
- e) Notwithstanding any other provision of this By-law, the following provisions shall apply:
 - i) Decks attached to a dwelling unit shall be excluded for the purposes of calculating lot coverage for accessory buildings and structures.

- ii) The total lot coverage for detached private garages shall not exceed 12% of the total lot area.
- f) Notwithstanding any other provision of this By-law, the following provisions shall apply to decks:
- i) Decks may be located not closer to:
 - 1. an exterior side lot line than 1.2 m;
 - 2. a front lot line than 3.0 m;
 - 3. a rear lot line than 4.0 m;
 - 4. an interior side lot line than 0.6 m, provided the deck is than less than 1.0 m in height; and
 - 5. an interior lot line than 1.2 m, where the deck is greater than 1.0 m in height.
 - ii) No deck shall be permitted closer than 10 m to County Road 39, unless an exemption has been granted by the County.
- g) Notwithstanding any other provision of this By-law, the following regulations shall apply to entranceway porches:
- i) an unenclosed entranceway porch may project into a required yard a maximum distance of 1.5 m. Stairs may project an additional 1.0 m; and
 - ii) no entranceway porch shall be permitted closer than 10 m to County Road 39, unless an exemption has been granted by the County.
- h) Notwithstanding any other provision of this By-law, the following regulation shall apply:
- i) Attached garages may project a maximum of 1.0 m beyond the front wall of a dwelling, but in no case shall an attached garage door be located less than 6.0 m from the front or exterior side lot line.
 - ii) Attached garage door opening(s) shall:
 - 1. for lot frontages of 10.4 m and greater but less than 12.5 m, have a maximum width of 5.0 m;
 - 2. for lot frontages of 12.5 m and greater but less than 14.3 m, have a maximum width of 5.5 m; and
 - 3. for lot frontages greater than 14.3 m, have a maximum width not greater than 50% of the house width.
 - iii) Interior garage width shall be a maximum of 0.5 metres wider than the attached garage door opening as permitted in h) ii) above.
- i) Notwithstanding any other provision of this By-law, pavement width shall be a minimum of 3.0m measured at the lot line, and a maximum of 0.5m wider than the attached garage door opening as permitted in h) ii) above.

- j) For the purposes of this section, lot frontage, setbacks and lot area may include one foot (0.3 m) reserves.”
- 2. Notwithstanding any other provisions of By-law No. 042-19, for lands zoned R2-15(H) and R2-16(H), on Schedule ‘A’, attached hereto, until the H symbol is removed, the only permitted uses shall be those uses that were existing at the time of the passing of this By-law. The Holding (H) symbol shall not be removed from the subject lands until the following matters are addressed:
 - a) A development agreement has been entered into between the Town of Innisfil and the owner of the property and registered on title to the property;
 - b) Within a Waste Disposal Assessment Area, provision of all required studies in accordance with the development agreement and the Town of Innisfil and County of Simcoe requirements to demonstrate that there will be no unmitigatable public health and safety risks;
 - c) That the appropriate approval authority is satisfied that there is sufficient sewage and water capacity and facilities available and that it has been allocated for that phase of development;
 - d) For blocks where site plan approval applies, it shall have been issued in accordance with the Town of Innisfil Site Plan Control By-law No. 135-17 as amended; and,
 - e) Parkland dedication requirements for part lots and future residential lots shall be provided to the satisfaction of the Town.

4.3.6 Residential 3 Zone (R3)

4.3.6.1 R3-1 (90-20) - Map No. 1, 62

Notwithstanding the permitted **uses** and regulations of the R3 **Zone**, the permitted **uses** and regulations of those lands **zoned** R3-1 shall be in accordance with the following:

a) Permitted **uses** shall include duplex **dwellings** and **accessory uses** only.

b) Regulations:

- i) Minimum **Lot Frontage**: 15 m
- ii) Minimum **Lot area**: 380 m²
- iii) Minimum **Front Yard**: 4 m
- iv) Minimum **Rear yard**: 0.6 m
- v) Minimum **Exterior side** Yard: Nil
- vi) Minimum **Interior side** Yard: 1.2 m
- vii) Minimum **Lot coverage**: 48%

c) **Accessory Buildings**:

- i) Minimum **Rear yard**: 0.6 m
- ii) Minimum **Exterior side** Yard: 4.2 m
- iii) Minimum **Interior side** Yard: 1 m
- iv) Minimum **Lot coverage**: 10%

d) Additional Regulations:

- i) **Daylighting Triangle**: 3 x 3 m

4.3.6.2 R3-2 (133-12) - Map No. 39

a) Notwithstanding any other provision of this By-law, where a model home agreement has been executed between the Town and the owner, and where:

- i) appropriate servicing is available or is at the boundary of a draft-approved plan of subdivision; or
- ii) the required easements, agreements and securities are provided to facilitate servicing to the boundary of a draft approved plan of subdivision, one or more model homes may be constructed on each of the **lots zoned** R3-2 within the boundaries of the draft approved plan of subdivision prior to registration of the plan of subdivision, and subject to the following provisions:

- i) the type of model home shall be in accordance with the R3 **Zone**;
- ii) the model home shall be used for the purpose of a model home and shall not be occupied or used as a **dwelling unit** prior to the date of registration of the plan of subdivision, obtaining any required **building** permits and satisfaction of any terms and conditions of the Subdivision Agreement; and
- iii) the model home shall comply with all other provisions of this By-law, as though the units were constructed on the **lot** within the registered plan of subdivision; and
- iv) the model home shall comply with all applicable terms and conditions of the said model home agreement.

4.3.6.3 R3-3 - Map No. 44

All regulations for the R3 **zone** shall apply, with the following exceptions:

- a) Maximum **lot coverage** for 1 storey **dwellings** 50%
- b) Maximum **lot coverage** for 2 storey **dwellings** 45%

4.3.6.4 R3-4 (H) (077-13) Map No. 28

- 1) Permitted **uses** shall be in accordance with Section 4.1.
- 2) All **zone** regulations for the R3 **zone** shall apply to the lands **zoned** R3-4 with the following exceptions:
 - a) Minimum **Lot area**
 - i. Interior 285 square metres
 - ii. Exterior **Lot** 370 square metre
 - b) Minimum **Lot Frontage** 9.75 metres
 - c) Minimum Yards
 - i. Front 4.5 metres
 - ii. **Interior side** 1.2 metres on one side,
0.6 metres on the other side
- 3) Maximum **Building Height** 2 storeys and 10 metres
- 4) **Accessory Use**
 - i) Minimum **Interior side** Yard 0.6 metre
 - ii) Minimum **Exterior side** Yard 4.2 metre
- 5) Where a **rear yard** abuts or flanks a noise berm, the noise berm shall not be considered part of the required minimum **rear yard** and shall be in addition to the required minimum **rear yard**.

- 6) Notwithstanding any other provisions of this By-law, where an acoustical wall or fence is used to mitigate noise impacts, the maximum **height** of the acoustical wall or fence **structure** shall be 2.5 metres.
- 7) Notwithstanding any other provisions of this By-law to the contrary, an unenclosed entranceway porch is exempt from **lot coverage** in this **zone**.
- 8) Notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply:
 - a) **Decks** attached to a **dwelling** unit shall be excluded for the purposes of calculating **lot coverage** for **accessory buildings** and **structures**.
 - b) The total **lot coverage** for detached private **garages** shall not exceed 12% of the total **lot area**.
- 9) Notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply:
 - a) **Decks** may be located no closer to:
 - i) An **exterior side lot line** than 1.2 m
 - ii) A **front lot line** than 3.0 m
 - iii) A **rear lot line** than 4.0 m
 - iv) An **interior side lot line** 0.6 metresprovided the **deck** is less than 1.0 metre in **height**. For **decks** that are greater than 1.0 metre in **height** it may not be closer than 1.2 metres to an **interior side lot line**
- 10) Notwithstanding any other provisions of this By-law to the contrary, the following regulation shall apply:
 - a) An unenclosed entranceway **porch** may project into a required side yard a maximum distance of 1.5 metres. Stairs may project an additional 1.0 m
- 11) Notwithstanding any other provisions of this By-law, the following regulation shall apply:
 - a) Attached **garages** may project a maximum of 1.0 metre beyond the front wall that contains the front door of a **dwelling**, but in no case shall the wall containing an attached **garage** door be located less than 6 metres from the front or **exterior side lot line**. No portion of the upper storey shall be setback greater than 2 metres from the **garage** door.
 - b) Attached **Garage** Door opening(s) shall:
 - i) For **lot frontages** of 9 metres and greater, but less than 11.5 metres, have a maximum width of 4.9 metres;
 - ii) For **lot frontages** of 11.5 metres and greater, but less than 12.5 metres, have a maximum width of 5.0 metres; and

- iii) For **lot frontages** of 12.5 metres and greater, but less than 14.3 metres, have a maximum width of 5.5. metres.
- 12) Notwithstanding any other provisions of this By-law to the contrary, the following regulation shall apply:
- i) Pavement width shall be a minimum of 3.0 metres measured at the **lot line**, and a maximum of the width of the **garage** door plus 0.2 metres measured from either side of the door.

4.3.6.5 R3-5 Map No. 38

- 1) Notwithstanding any other provisions of this By-law, the following regulation shall apply:
- a) Minimum **rear yard** setback 6.0 metres
 - b) Maximum **building height** 11.0 metres
- 2) In addition to the foregoing, the provisions of Section 3.17.1 e) shall not apply to lands **zoned** as “R3-5”.

4.3.6.6 R3-6(H) (128-15) - Map No. 31, 32, 34 and 35

Notwithstanding any other provisions of this By-law, the maximum width for a **private garage** for those lands **zoned** as R3-6 shall be 5.65 metres.

4.3.6.7 R3-7(H) (128-15) - Map No. 31, 32, 34 and 35

Notwithstanding any other provisions of this By-law,

- a) Up to 9 model homes or demonstration **units** are permitted on lands **zoned** R3-7.
- b) For **lots** with frontages less than 12 metres, the maximum interior width for a **private garage** shall be 5.65 metres.

4.3.6.8 R3-8(H) (128-15) Map No. 31, 32, 34 and 35

Notwithstanding any other provisions of this By-law,

- a) For **lots** with frontages less than 12 metres, the maximum interior width for a **private garage** shall be 5.65 metres
- b) **A Sales Pavilion** is a permitted **use**, subject to an executed **Sales Pavilion** Agreement.
- c) Parking for the **Sales Pavilion** shall be provided at a rate of 1 space per 28 square metres of **gross floor area**.
- d) The **Sales Pavilion** shall be subject to the following regulations:
 - i) Minimum Yard Setback (All Yards) – 6 metres
 - ii) Maximum **Height** – 11 metres
 - iii) The yard setbacks shall be determined from the front and **exterior side lot** lines of the eight (8) **lots** on the Draft Plan of Subdivision that comprise the lands upon which the **Sales Pavilion** shall be located (Lots 356-359 and

- Lots 379-382 on Draft Approved Plan I-T-1302).
- e) Minimum **Landscaped Open Space** for the **Sales Pavilion use** shall be established through the implementing **Sales Pavilion Agreement**.

4.3.6.9 R3-9(H) (114-15) – Map No. 34, 37 and 38

All regulations for the R3 **Zone** shall apply, with the following exceptions:

- c) Minimum **rear yard** setback: 6.0 m
- d) Maximum **building height**: 11.0 m
- e) Notwithstanding any other provisions of this By-law to the contrary, the provisions of Section 3.17.1 e) shall not apply to those lands **zoned** as R3-9
- f) Notwithstanding any other provisions of this By-law to the contrary, the provisions of Section 3.35.2 k) shall not apply to those lands **zoned** as R3-9

4.3.7 Residential Semi Detached Zone (RS)

4.3.7.1 RS-1 (H) (058-03) – Map No. 34

- a) Notwithstanding any other provision of this By-law, no **buildings** or **structures** including **accessory buildings** or **structures** shall be permitted within 30 m of the railway right-of-way.
- b) Notwithstanding any other provision of this By-law, the minimum **lot** frontage for semi-detached **dwellings** and linked **dwellings** shall be 9.5 m.

4.3.7.2 RS-2 (011-01) - Map No. 34

Notwithstanding any other provision of this By-law, the minimum **rear yard** setback shall be 3 m.

4.3.7.3 RS-3 (011-01) - Map No. 34

Notwithstanding any other provision of this By-law, the minimum **front yard** setback shall be 6 m.

4.3.7.4 RS-4 (011-01) - Map No. 34

Notwithstanding any other provision of this By-law, the minimum **front yard** setback shall be 6 m.

4.3.7.5 RS-5 (H) (069-02) – Map No. 1, 62

On those lands **zoned** as “RS-5” a single detached **dwelling** is a permitted **use**.

- d) Minimum **lot area** 480 sq m
- e) Minimum **lot frontage** 12 m
- f) Minimum **interior side** yard setback 1.2 m
- g) Minimum **rear yard** setback 6 m

Additionally, those lands **zoned** as “RS-5” shall be exempt from the provisions of Section 3.35.2 k) and Section 3.17.

4.3.7.6 RS-6 (H) (116-12) – Map No. 1, 62

On those lands **zoned** as “RS-6” a **single detached dwelling** is a permitted **use**.

- a) The minimum **front yard** setback shall be 6.0 m.
- b) The maximum **building height** shall be two storeys and 9.5 m. For the purposes of this section, a rear basement walkout shall not be considered a storey.
- c) Minimum **lot area** 320 sq m

- h) Minimum **lot** frontage 9.75 m
- i) Minimum **interior side** yard setback 1.2 m
- j) Minimum **rear yard** setback 6 m

Additionally, those lands **zoned** as “RS-6” shall be exempt from the provisions of Section 3.35.2 k) and Section 3.17.

4.3.7.7 **RS-7 (108-05) – Map No. 20, 37, 38**

- a) Notwithstanding any other provision of this By-law, the minimum **lot area** shall be in accordance with the following:
 - i) **Single detached dwellings:** 480 m²
 - ii) **Semi-detached dwellings** and linked **dwellings:** 300 m² for interior **lots** and 400 m² for exterior **lots**
- b) Notwithstanding any other provision of this By-law, the minimum **lot** frontage shall be in accordance with the following:
 - i) Single detached **dwellings:** 12 m
 - ii) Semi-detached **dwellings** and **linked dwellings:** 9 m per unit for interior **lots** and 12 m per unit for exterior **lots**
- b) Notwithstanding any other provision of this By-law, the minimum **front yard** shall be 6 m.

4.3.7.8 **RS-8 (012-07) – Map No. 35**

Notwithstanding any other provision of this By-law, the minimum **lot frontage** for **semi-detached dwellings** and **linked dwellings** shall be 9.5 m.

4.3.7.9 **RS-9 (062-08) – Map No. 20, 38**

All **zone** regulations for the RS **zone** shall apply to the lands **zoned** RS-8 with the following exceptions:

- a) Minimum **lot area** of an interior **lot** 320 m²
- b) Minimum **lot area** of an exterior **lot** 420 m²
- c) Minimum **lot frontage** of an interior **lot** 9.75 m
- d) Minimum **lot frontage** of an exterior **lot** 12.75 m
- e) Minimum **front yard** setback 6 m

- f) Minimum **interior side** yard setback 1.2 m on one side and 0.6 m on the other side for an attached **garage**
- g) Minimum **rear yard** setback 6.0 m
- h) In addition to the foregoing, the provisions of Section 3.17.3 e) shall not apply to those lands **zoned** as “RS-9”

4.3.7.10 RS-10 (046-07) – Map No. 20, 38

- a) Notwithstanding any other provision of this By-law, permitted **uses** shall include only **single detached dwellings** and **accessory uses, buildings and structures**.
- b) Notwithstanding any other provision of this By-law, the minimum **lot frontage** shall be 10 m per unit.
- c) Notwithstanding any other provision of this By-law, the minimum **lot area** shall be 330 m².

4.3.7.11 RS-11(H) - Map No. 62

Notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply to those lands **zoned** as “RS-11”:

- a) A **single detached dwelling** is a permitted **use**
- b) Minimum **lot area** 480 sq m
- c) Minimum **lot frontage** 12 m
- d) Minimum **interior side** yard 1.2 m
- e) Minimum **rear yard** setback 6 m
- f) Additionally, those lands **zoned** as “RS-11” shall be exempt from the provisions of Section 3.35.2 k) and Section 3.17.

4.3.7.12 RS-12 (095-15) - Map No. 35

On those lands **zoned** as “RS-12”, a **single detached dwelling** is a permitted **use**.

4.3.7.13 RS-13(H) (114-15) - Map No. 34, 37 and 38

All regulations for the RS **Zone** shall apply, with the following exceptions:

- a) A **Duplex Dwelling** is not a permitted **use**
- b) Minimum **lot area** for an exterior **lot**: 280 m²
- c) Minimum **lot frontage** for an exterior **lot**: 10 m

- d) Minimum **rear yard** setback: 6.0 m
- e) Maximum **building height**: 11.0 m
- f) Notwithstanding any other provisions of this By-law to the contrary, the provisions of Section 3.17.1 e) shall not apply to those lands **zoned** as RS-13
- g) Notwithstanding any other provisions of this By-law to the contrary, the provisions of Section 3.17.3 a) shall not apply to those lands **zoned** as RS-13
- h) Notwithstanding any other provisions of this By-law to the contrary, the provisions of Section 3.34.2 k) shall not apply to those lands **zoned** as RS-13

4.3.7.14 RS-14(H) (114-15) - Map No. 34, 37 and 38

All regulations for the RS **Zone** shall apply, with the following exceptions:

- a) A Duplex **Dwelling** is not a permitted **use**
- b) Minimum **lot area** for an interior **lot**: 230 m²
- c) Minimum **lot area** for an exterior **lot**: 280 m²
- d) Minimum **lot frontage** for an interior **lot**: 7.5 m
- e) Minimum **lot frontage** for an exterior **lot**: 10 m
- f) Minimum **rear yard** setback: 6.0 m
- g) Maximum **building height**: 11.0 m
- h) Notwithstanding any other provisions of this By-law to the contrary, the provisions of Section 3.17.1 e) shall not apply to those lands **zoned** as RS-14
- i) Notwithstanding any other provisions of this By-law to the contrary, the provisions of Section 3.35.2 k) shall not apply to those lands **zoned** as RS-14

4.3.8 Residential Townhouse Zone (RT)

4.3.8.1 RT-1 - Map No. 34

Notwithstanding any other provision of this By-law, no **buildings** or **accessory structures** shall be located within 30 m from the nearest property line of the railway.

4.3.8.2 RT-2 (H) - Map No. 34

- a) In addition to condominium street townhouses, an apartment **building** shall also be permitted.
- b) Notwithstanding any other provision of this By-law, the following **lot** requirements shall apply:
 - i) Maximum Density: 52 units per hectare
 - ii) Minimum **Lot Frontage**: 30 m
 - iii) Minimum **Front Yard**: 6 m
 - iv) Minimum **Interior side** Yard: 3 m
 - v) Minimum **Exterior side** Yard : 6 m
 - vi) Maximum **Height**: 4 storeys
 - vii) Minimum Parking: 2 spaces/unit, with 0.25 spaces per unit designated for visitor's parking
- c) No **accessory buildings** or **structures** shall be permitted in the front yard or **exterior side** yard.
- d) An **amenity area** shall be provided at a minimum of 10 m² per **dwelling** unit for an apartment **building**.
- e) A wooden privacy fence shall be erected where the lands for an apartment **building** abut a residential **use**.
- f) A minimum of 20% of the **lot area** shall be landscaped.

4.3.8.3 RT-3 (042-02) - Map No. 20, 38

Notwithstanding any other provision of this By-law, the minimum **interior side** yard shall be 1.8 m and nil where the **building** has a common wall with any **building** on an adjacent **lot**.

4.3.8.4 RT-4 (H) (040-03) - Map No. 35

All of the **uses** and provisions of the RT **Zone** shall apply except as follows:

- a) The minimum **lot area** for an interior **lot** at the end of a block shall be 225 m².

- b) The minimum **lot frontage** for an interior **lot** at the end of a block shall be 7.5 m.
- c) The minimum **interior side** yard shall be 1.5 m and nil where a **building** has a common wall with any **building** on an adjacent **lot**.

4.3.8.5 RT-5 (H) - Map No. 43, 44

All **zone** regulations for the RT **zone** shall apply, with the following exceptions:

- a) In addition the **uses** permitted in the RT **zone**, **single detached dwellings** and **semi-detached dwellings** shall be permitted in a plan of condominium.
- b) The minimum **lot area**, minimum **lot frontage**, minimum yards for principal **uses**, minimum yards for **accessory uses** and the maximum **lot coverage** for the RT **zone** shall not apply.
- c) The following minimum yards shall apply to principal **uses**:
 - i) All **lot** lines, except a **lot** line that functions as the boundary of the R2 **zone**: 6.0 m;
 - ii) Any **lot** line which functions as the boundary of the R2 **zone**: 7.5 m.
- d) The following minimum yards shall apply to **accessory uses**:
 - i) Front: 6.0 m
 - ii) **Interior side**: 1.2 m
 - iii) **Exterior side**: 4.2 m
 - iv) Rear: 1.0 m
- e) The maximum **lot coverage** is 60%.

4.3.8.6 RT-6 (062-08) - Map No. 20, 38

All **zone** regulations for the RT **zone** shall apply to the lands **zoned** RT-6 with the following exceptions:

- a) Minimum **lot area** of an interior **lot** 225 m²
- b) Minimum **lot area** of an exterior **lot** 270 m²
- c) Minimum **lot frontage** of an interior **lot** 7.5 m
- d) Minimum **lot frontage** of an exterior **lot** 9 m
- e) Maximum **lot coverage** 55%

(sheds or **decks** less than 20 m² in area shall not be included in the calculation of **lot coverage**)

- f) Minimum interior end side yard setback 1.5 m
- g) Minimum **exterior side** yard setback 3.0 m
- h) Minimum **exterior side** yard setback
(**accessory uses, buildings and structures**) 3.0 m
- i) Maximum number of **dwelling units** in a block 9 units
- j) In addition to the foregoing, the provisions of Section 3.17.3 e) shall not apply to lands **zoned** as “RT-6”.

4.3.8.7 RT-7 (062-08) - Map No. 20, 38

All **zone** regulations for the RT **zone** shall apply to the lands **zoned** RT-7 with the following exceptions:

- a) Minimum **lot area** of an interior end **lot** 225 m²
- b) Minimum **lot area** of an exterior **lot** 270 m²
- c) Minimum **lot frontage** of an interior end **lot** 7.5 m
- d) Minimum **lot frontage** of an exterior **lot** 9 m
- e) Maximum **lot coverage** 55%
- f) Minimum interior end side yard setback 1.5 m
- g) Minimum **exterior side** yard setback 3.0 m
- h) Minimum **exterior side** yard setback (**accessory use**) 3.0 m
- i) Setback to east property limit 10 m
- j) A landscape strip shall be required along the **rear lot line**
- k) In addition to the foregoing, the provisions of Section 3.17.3 e) shall not apply to lands **zoned** as “RT-7”.

4.3.8.8 RT-8 (H) - Map No. 34

- a) All of the permitted **uses** of the RT **zone** in accordance with the RT **zone** provisions except that:
 - i) the **front yard** setback shall be 3.0 m;

- ii) the **rear yard** setback shall be 6.0 m;
 - iii) all **dwelling**s abutting the 7th Line shall have a front door, **porch**, and windows facing the 7th Line, and
 - iv) no direct vehicle access of **dwelling** units on the 7th Line.
- b) The Holding (H) provision shall be considered for lifting upon the submission and approval of an Urban Design Brief, approval of the Draft Plan of Condominium, the approval of a Site Plan Application, and the execution of a Site Plan Agreement with the Town.

4.3.8.9 RT-9 (H) (071-07) - Map No. 34

- a) All of the permitted **uses** of the RT **Zone** shall be in accordance with the RT **Zone** provisions, except that:
- i) the **front yard** setback shall be 3.0 m;
 - ii) the **rear yard** setback shall be 3.0 m;
 - iii) all **dwelling**s abutting 7th Line shall have a front door, **porch**, and windows facing 7th Line;
 - iv) all **dwelling**s abutting Fox Hill Street shall have a front door, **porch**, and windows facing Fox Hill Street; and,
 - v) no direct vehicle access of **dwelling** units to Fox Hill Street or 7th Line.
- b) The Holding (H) provision shall be considered for lifting upon the submission and approval of an Urban Design Brief, approval of the Draft Plan of Condominium, the approval of a Site Plan Application, and the execution of a Site Plan Agreement with the Town.

4.3.8.10 RT-10 (156-07) - Map No. 34

- a) All of the permitted **uses** of the RT **Zone** shall be in accordance with the RT **Zone** provisions, except that:
- i) the **front yard** setback shall be 3.0 m;
 - ii) the **interior side** yard setback shall be 0 m;
 - iii) the **exterior side** yard setback shall be 3.0 m;
 - iv) the **rear yard** setback shall be 3.0 m;
 - v) Fox Hill Street shall be deemed as the front **lot line**; and,
 - vi) no direct vehicle access of **dwelling** units on Fox Hill Street or the 7th Line.

- b) The Holding (H) provision shall be considered for lifting upon the submission and approval of an Urban Design Brief, approval of the Draft Plan of Condominium, and the approval of a Site Plan Application and the execution of a Site Plan Agreement with the Town.

4.3.8.11 RT-11 (070-08) (072-16) - Map No. 11, 16, 27, 30 and 31

- a) In addition to the permitted **uses** in the RT **zone**, **semi-detached dwellings** shall be permitted.

- b) All **zone** regulations for the RT **zone** shall apply to the lands **zoned** RT-11 with the following exceptions:

i) Minimum **Lot area**:

1. **Townhouse Dwelling:**

- | | | |
|----|---------------------------|--------------------|
| a. | Interior: | 180 m ² |
| b. | Interior at end of block: | 240 m ² |
| c. | Exterior: | 297 m ² |

2. **Semi-Detached Dwelling**

- | | | |
|----|-----------|--------------------|
| a. | Interior: | 240 m ² |
| b. | Exterior: | 310 m ² |

ii) Minimum **Lot Frontage**:

1. **Townhouse Dwelling:**

- | | | |
|----|--------------------------------------|--------|
| a. | Interior Lot : | 6.7 m |
| b. | Interior Lot at end of block: | 7.9 m |
| c. | Exterior Lot : | 10.5 m |

2. **Semi-Detached Dwelling:**

- | | | |
|----|-----------------------|--------|
| a. | Interior Lot : | 8.55 m |
| b. | Exterior Lot : | 11.0 m |

iii) Maximum **Lot coverage**:

- | | | |
|----|--------------------------------|-----|
| 1. | Semi-Detached Dwelling: | 50% |
| 2. | Townhouse Dwelling: | 50% |

- iv) Minimum Yards:
 - 1. Rear: 6.0 m
 - 2. **Interior side:** 1.2 m
 - 3. Front: 4.2 m
 - 4. **Exterior side:** 4.2 m
- v) Maximum **Building Height:** 11 m
- vi) **Accessory Uses, Buildings and Structures:**
 - 1. Minimum **Interior side** Yard: 0.6 m
 - 2. Minimum **Exterior side** Yard: 4.2 m
- c) Where a **rear yard** abuts or flanks a noise berm, the noise berm shall not be considered part of the minimum **rear yard** and shall be in addition to the required minimum **rear yard**.
- d) Notwithstanding any other provision of this By-law, where an acoustical fence is used to mitigate noise impacts, the maximum **height** of the acoustical wall or fence **structure** shall be 2.15 m.
- e) Notwithstanding any other provision of this By-law, the following provisions shall apply to **decks**:
 - i) **Decks** attached to a **dwelling unit** shall be excluded for the purpose of calculating **lot coverage** for **accessory buildings** and **structures**.
 - ii) The total **lot coverage** for detached **private garages** shall not exceed 12% of the total **lot area**.
 - iii) **Decks** may be located no closer to:
 - 1. an **exterior side lot** line than 1.2 m;
 - 2. a front **lot** line than 3.0 m;
 - 3. a rear **lot** line than 4.0 m;
 - 4. an **interior side lot** line than 0.6 m, provided the **deck** is less than 1.0 metre in **height**; and
 - 5. For **decks** that are greater than 1.0 m in **height**, a **deck** shall not be closer than 1.2 m to an **interior side lot** line.

- iv) No **deck** shall be permitted closer than 10 m to County Road 39, unless an exemption has been granted by the County.
- f) Notwithstanding any other provision of this By-law, the following regulation shall apply:
 - i) An unenclosed entranceway **porch** may project into a required yard a maximum distance of 1.5 m. Stairs may project an additional 1.0 m.
 - ii) No entranceway **porch** shall be permitted closer than 10 m to County Road 39, unless an exemption has been granted by the County.
- g) Notwithstanding any other provision of this By-law, **accessory uses** shall not be permitted for the live/work residential **dwelling units**.
- h) Notwithstanding the provisions to the contrary, the following regulations shall apply:
 - i) Attached **garages** may project a maximum of 1.0 m beyond the front wall of a **dwelling**, but in no case shall an attached **garage** door be located less than 6 m from the front of **exterior side lot** line.
 - ii) Attached **garage** door opening(s) shall:
 - 1. For townhouses, have a maximum width of 3.7 m; and
 - 2. For semi-detached **lots**, have a maximum width of 4.0 m.
- i) Notwithstanding any other provision of this By-law, pavement width shall be a minimum of 3.0 m measured at the **lot line**, and a maximum of the width of the **garage** door plus 0.2 m measured from either side of the door.
- j) For the purposes of this section, **lot coverage**, setbacks and **lot area** may include one foot (0.3 m) reserves.

4.3.8.12 RT-12 (H) (070-08) (072-16) - Map No. 11, 27

- a) In addition to the permitted **uses** in the RT **zone**, **semi-detached dwellings** shall be permitted.
- b) All **zone** regulations for the RT **zone** shall apply to the lands **zoned** RT-12 with the following exceptions:
 - i) Minimum **Lot area**:
 - 1. **Townhouse Dwelling:**
 - a. Interior: 180 m²
 - b. Interior at end of block: 240 m²
 - c. Exterior: 297 m²

2. **Semi-Detached Dwelling:**
 - a. Interior: 240 m²
 - b. Exterior: 310 m²
- ii) **Minimum Lot Frontage:**
 1. **Townhouse Dwelling:**
 - a. Interior **Lot**: 6.7 m
 - b. Interior **Lot** at end of block: 7.9 m
 - c. Exterior **Lot**: 10.5 m
 - 2) **Semi-Detached Dwelling:**
 - a. Interior **Lot**: 8.55 m
 - b. Exterior **Lot**: 11.0 m
- iii) **Maximum Lot coverage:**
 1. Semi-Detached: 50%
 2. Townhouse: 50%
- iv) **Minimum Yards:**
 1. rear: 6.0 m
 2. **interior side**: 1.2 m
 3. front: 5.0 m
 4. **exterior side**: 4.2 m
- v) **Maximum Building Height** 11 m
- vi) **Accessory Uses, Buildings and Structures**
 1. Minimum **Interior side** Yard: 0.6 m
 2. Minimum **Exterior side** Yard: 4.2 m
- c) For the purposes of this Section, the **front yard** shall be the yard abutting County Road 39 and the **rear yard** shall be the yard abutting the local street.
- d) An entrance to each unit shall face the **front yard**, and fences shall be limited to a maximum **height** of 1 m in the **front yard**.

- e) Notwithstanding any other provision of this By-law, the following provisions shall apply to **decks**:
- i) **Decks** attached to a **dwelling unit** shall be excluded for the purpose of calculating **lot coverage** for **accessory buildings** and **structures**.
 - ii) The total **lot coverage** for detached **private garages** shall not exceed 12% of the total **lot area**.
 - iii) **Decks** may be located no closer to:
 - 1. an **exterior side lot** line than 1.2 m;
 - 2. a front **lot line** than 3.0 m;
 - 3. a rear **lot line** than 4.0 m;
 - 4. an **interior side lot** line than 0.6 m, provided the **deck** is less than 1.0 m in **height**; and
 - 5. For **decks** that are greater than 1.0 m in **height**, a **deck** shall not be closer than 1.2 m to an **interior side lot** line.
 - iv) No **deck** shall be permitted closer than 10 m to County Road 39, unless an exemption has been granted by the County.
- f) Notwithstanding any other provision of this By-law, the following regulation shall apply:
- i) An unenclosed entranceway **porch** may project into a required yard a maximum distance of 1.5 m. Stairs may project an additional 1.0 m.
 - ii) No entranceway **porch** shall be permitted closer than 10 m to County Road 39, unless an exemption has been granted by the County.
- g) Notwithstanding the provisions to the contrary, the following regulations shall apply:
- i) In no case shall an attached **garage** door be located less than 6 m from the rear of **exterior side lot line**.
 - ii) Attached **garage** door opening(s) shall:
 - 1. For townhouses, have a maximum width of 3.7 m; and
 - 2. For semi-detached **lots**, have a maximum width of 4.0 m.
- h) Notwithstanding any other provision of this By-law, pavement width shall be a minimum of 3.0 m measured at the **lot** line, and a maximum of the width of the **garage** door plus 0.2 m measured from either side of the door.

- i) For the purposes of this section, **lot coverage**, setbacks and **lot area** may include one foot (0.3 m) reserves.

4.3.8.13 RT-13(H) (128-15) - Map No. 31, 32, 34 and 35

Notwithstanding any other provisions of this By-law, the following shall apply to those lands **zoned** RT-13:

- a) the minimum **rear yard** setback for **garages** attached to a principal **building** for those lands **zoned** RT-13 shall be 6 metres.
- b) the maximum side yard projection for a **deck** attached to a residential **use** shall be the permitted interior or **exterior side** yard setback of the Principal **Use** in the RT **Zone**.
- c) **uses** associated with a permitted **home occupation** shall not occupy more than 33% of the **gross floor area** of the **dwelling** unit containing the **home occupation** or 132.0 square metres, whichever is lesser.
- d) a maximum of two (2) employees who do not reside in the **dwelling unit** containing the **home occupation** may be employed in the **home occupation**.

4.3.8.14 RT-14(H) (075-14) Map No. 31, 32, 34 and 35

Notwithstanding any other provisions of this By-law, the following shall apply to those lands **zoned** RT-14:

- a) the minimum **rear yard** setback for **garages** attached to a principal **building** shall be 6 metres.
- b) the maximum side yard projection for a **deck** attached to a residential **use** shall be the permitted interior or **exterior side** yard setback of the Principal **Use** of the RT **Zone**.
In addition to the permitted **uses** in Table 4.1, Live-Work Unit is also a permitted **use**.
The following regulations shall apply to Live-Work Units:
 - i) The business establishment shall be restricted to the first story
 - ii) The business establishment may employ one or more persons residing within the associated household, and no more than three additional employees.

4.3.8.15 RT-15 (092-15)(013-19) Map No. 37

- a) The following **uses** shall be permitted in addition to the permitted **uses** of the "Residential Townhouse (RT) **Zone**" listed in Table 4.1:
 - i. Apartment **Dwelling**
 - ii. Long term care home or nursing home
 - iii. Retirement home
- b) Notwithstanding any other provision of this By-law, the following **lot** requirements shall apply for the **uses** listed in 4.3.8.15.a):
 - i. Maximum Density: 40 units per hectare
 - ii. Minimum **Lot Frontage**: 30 m
 - iii. Minimum **Interior side** Yard: 1.2 m
 - iv. Maximum **Building Height**: 12 m

- v. Minimum Parking Requirement: 1 parking space per **dwelling** unit, of which 0.25 **parking spaces** shall be designated as visitor **parking spaces**

c) Notwithstanding any other provision of this By-law, a **sales pavilion** may be permitted, in compliance with the applicable terms and conditions of the **sales pavilion** agreement.

4.3.8.16 RT-16(H) (114-15) - Map No. 34, 37 and 38

All regulations for the RT **Zone** shall apply, with the following exceptions:

- a) Maximum **lot coverage**: 55%
- b) Maximum **height**: 12.0m
- c) Notwithstanding any other provisions of this by-law to the contrary, the provisions of Section 3.17.1 e) shall not apply to those lands **zoned** as RT-16
- d) Notwithstanding any other provisions of this by-law to the contrary, the provisions of Section 3.17.3 a) shall not apply to those lands **zoned** as RT-16
- e) Notwithstanding any other provisions of this by-law to the contrary, the provisions of Section 3.35.2 k) shall not apply to those lands **zoned** as RT-16
- f) Where a **rear yard** abuts or flanks a noise berm, the noise berm shall not be considered part of the required minimum **rear yard** and shall be in addition to the required minimum **rear yard**. The minimum **rear yard** setback to the toe of a noise berm shall be 6.0m.

4.3.8.17 RT-17(H) (128-15) - Map No. 31, 32, 34 and 35

Notwithstanding any other provision of this By-law, the following shall apply to those lands **zoned** RT-17:

- a) The maximum side yard projection for a **deck** attached to a residential **use** shall be the permitted interior or **exterior side** yard setback of the Principal **Use** in the RT **Zone**.

4.3.8.18 RT-18 (002-17) - Map No. 20 and 39

- a) That the lands **zoned** RT-18 shall be used for no other purpose than:
 - i) A **Street townhouse dwelling**
- b) That the following **Zone** regulations identified below shall apply in addition to Table 4.2b of **Zone** By-law No. 080-13, as amended, for Residential **uses** provided in the RT-18 **Zone**:
 - i) Minimum **Lot Frontage** (Exterior **Lot**): 7.8m; and
 - ii) Maximum Number of attached **Street Townhouse Dwelling Units** of 9 be permitted.

4.3.8.21 RT-21(H) (108-18) – Map No. 27

- a) Notwithstanding any other provisions of this by-law to the contrary, the following provisions shall apply to those lands zoned RT-21.

Provision	Provided
Minimum Lot Area (Interior Lot)	140 sq.m or 180 sq.m. at end of a block
Minimum Lot Area (Exterior Lot)	180 sq.m
Minimum Lot Frontage (Interior Lot)	5.5 m or 6.8 m at end of a block
Minimum Lot Frontage (Exterior Lot)	7.5 m
Minimum Exterior Side Yard (Dwelling)	1.5 m
Minimum Rear Yard	7 m
Minimum Rear Yard (Lot 8 only)	2.8 m
Maximum Lot Coverage per lot	60%
Minimum Landscaped Open Space	25%
Maximum Building Height (for any roof type, including a flat roof)	11 m

- b) Notwithstanding any other provisions of this by-law to the contrary, porches, decks, steps, verandahs and patios for lots in the RT-21 Zone are exempt from lot coverage, and may encroach to a setback of 0 m within the exterior side yard.
- c) For the purposes of zoning, the internal roadway shall be classified as a municipal street.

4.3.8.22 RT-22(H) (071-19) – Map No. 38

- a) Notwithstanding any other provisions of this by-law to the contrary, the following provisions shall apply in addition to Table 4.2b to those lands zoned RT-22:

Provision	Provided
Minimum Lot Area – interior lot	117 sq.m.
Minimum Lot Area – end unit	149 sq.m
Minimum Lot Area – exterior lot	240 sq.m.
Minimum Lot Frontage - interior lot	5.99m
Minimum Front Yard	4 m
Minimum Rear Yard	1.5 m
Minimum Exterior Side Yard	1.9m
Minimum Landscaped Open Space - interior unit	13%
Maximum Lot Coverage	76%
Maximum Building Height	11.85m

- b) For the purposes of zoning, the internal roadway shall be classified as a municipal street, and the front lot line shall be considered the lot line abutting Corm Street.
- c) That notwithstanding Section 3.35.2 b) the minimum width of parking spaces located on townhouse driveways shall be 2.99 metres.

4.3.8.23 RT-23(H) (071-19) – Map No. 38

a) **Back-to-Back Townhouse Dwelling shall be a permitted use.**

b) Notwithstanding any other provisions of this by-law to the contrary, the following provisions shall apply in addition to Table 4.2b to those lands zoned RT-23:

Provision	Provided
Minimum Lot Area – interior lot	96 sq.m.
Minimum Lot Area – end unit	118 sq.m
Minimum Lot Area – exterior lot	130 sq.m.
Minimum Lot Frontage - interior lot	5.99m
Minimum Front Yard	4 m
Minimum Rear Yard	0 m
Minimum Exterior Side Yard	1.8m
Minimum Landscaped Open Space- interior unit	6.1%
Minimum Landscaped Open Space- end unit	28%
Minimum Landscaped Open Space in the front yard	30%
Maximum Lot Coverage	72%
Maximum Building Height	11.65m

c) For the purposes of zoning, the internal roadway shall be classified as a municipal street.

d) That notwithstanding Section 3.35.2 b) the minimum width of parking spaces located on townhouse driveways shall be 2.99 metres and any parking space or visitor parking space not located on a driveway shall be a minimum width of 3.0 metres.

4.3.8.24 RT-24(H) (071-19) – Map No. 38

a) Notwithstanding any other provisions of this by-law to the contrary, the following provisions shall apply in addition to Table 4.2b to those lands zoned RT-24:

Provision	Provided
Minimum Lot Area – interior lot	160 sq.m.
Minimum Lot Area – end unit	205 sq.m
Minimum Lot Frontage - interior lot	5.99m
Minimum Front Yard	4 m
Minimum Rear Yard	7 m
Minimum Landscaped Open Space - interior unit	29.51%
Minimum Landscaped Open Space in the front yard	21%
Maximum Lot Coverage	60%
Maximum Building Height	11.6m

b) For the purposes of zoning, the internal roadway shall be classified as a municipal street.

c) That notwithstanding Section 3.35.2 b) the minimum width of parking spaces located on townhouse driveways shall be 2.99 metres and any parking space or visitor parking space not located on a driveway shall be a minimum width of 3.0 metres.

d) That the maximum number of attached Townhouse units for the easternmost block of townhouses on lands zoned RT-24 shall be 10 dwelling units.

4.3.9 Residential Apartment Zone (RA)

4.3.9.1 RA-1 - Map No. 19, 55

An apartment **building** shall be permitted in accordance with the following provisions:

- a) Maximum number of units: 40 units
- b) Minimum **lot area**: 4,000 m²
- c) Minimum parking requirement: one (1) parking space per unit

4.3.9.2 RA-2 (50-02) - Map No. 32

Notwithstanding the requirements of the RA **zone**, the following regulations shall apply:

- a) Minimum **Lot area**: 797 m²
- b) Minimum **Lot Frontage**: 19.8 m
- c) Minimum **Front Yard** Setback: 5.7 m
- d) Minimum **Front Yard** Setback from Sight Triangle: 4.5 m
- e) Minimum **Interior side** Yard Setback: 3.6 m
- f) Minimum **Exterior side** Yard Setback : 3.5 m
- g) Total Number of Residential Units: 5

4.3.9.3 RA-3(88-16) - Map No. 1, 62

Notwithstanding the permitted **uses** and regulations of the Residential RA **Zone**, the following **uses** and regulations shall apply to those lands **zoned** in the RA-3 **Zone**.

- a) Notwithstanding any other provision of this By-law, permitted **uses** shall include:
 - i) An apartment **dwelling** which is defined as a **building** containing four (4) or more **dwelling units**;
 - ii) **Uses, buildings or structures accessory** to the above permitted **use**.
- b) **Lot** requirements shall be in accordance with the following:
 - i) Minimum **Lot Frontage**: 20 m
 - ii) Minimum **Lot area** with public water supply & sanitary sewer: 3,300 m²
 - iii) Minimum Yard Requirements
 - 1) **Front Yard**: 8 m

- 2) **Rear yard:** 12 m
- 3) **Interior side Yard:** 6 m
- iv) Minimum Apartment Floor Area Per **Dwelling Unit**:
 - 1) Bachelor Unit: 40 m²
 - 2) One Bedroom: 50 m²
 - 3) Two Bedrooms: 60 m²
 - 4) Three Bedrooms: 70 m²
 - 5) For each additional bedroom above 3, an additional 10 m² is required.
- v) Minimum **Landscaped Open Space**: 30%
- vi) Minimum Play Area: 4%
- vii) Maximum **Building Height**: 11 m
- viii) Where a parking area of five (5) or more spaces is required, such spaces:
 - 1) Shall be located in an area other than the minimum **front yard** or the required **exterior side** yard;
 - 2) Shall be located not less than 1.5 m from any rear **lot**;
 - 3) Shall not be located within 1.5 m of any R1 **Zone** which is fully serviced;
 - 4) Shall be located so as not to impair the view from entrances and front yards, and be at least 6 m away from windows of habitable rooms, at or below grade where the sill is less than 2 m above grade, and 2 m away from a wall containing a window to a habitable room where the sill is more than 2 m above grade.
 - 5) Minimum Parking Requirements: 1.5 parking spaces shall be provided for each **dwelling** unit.
- c) The total number of **dwelling** units in Part Block A, Plan M94 shall not exceed 23 units.

4.3.9.4 RA-4 (97-91) - Map No. 1, 62

Notwithstanding any other provision of this By-law, the maximum number of **dwelling units** shall not exceed 18 units. Additionally, a "Play Area" is not required.

4.3.9.5 RA-5(H) (166-12) - Map No. 38

Notwithstanding the permitted **uses** and regulations for the RA **Zone**, the following **uses** and regulations apply to **lots zoned** RA-5(H):

1.) Principal Permitted **Uses**:

- a) Apartment **Dwelling**
- b) Multiple-Unit **Dwelling**

For the purposes of the RA-5(H) **Zone**, a Multiple-Unit **Dwelling** is defined as a **building** containing 3 or more **dwelling** units which may have common areas such as entrances, halls and stairs. Such **dwelling**s include, but are not limited to, triplexes, fourplexes and sixplexes.

- c) **Townhouse Dwelling** including Block/Cluster, Stacked and **Street Townhouse Dwellings**

For the purpose of the RA-5(H) **Zone** the following definitions apply:

Block or Cluster **Townhouse Dwelling** means a minimum of three **dwelling** units which are attached above and below grade by either the entire length of the **garage** or by the entire length of the main common wall and which are grouped on the same **lot**.

Stacked **Townhouse Dwelling** means either block townhouse, cluster townhouse or street townhouses in which one unit is located above another unit, with no enclosed corridor system.

Street Townhouse Dwelling means a minimum of three **dwelling** units which are attached above and below grade by either the entire length of the **garage** or by the entire length of the main common wall and all of which front on a street and each of which is located on a separate **lot**.

- d) **Semi-Detached** and **Linked Dwelling**
- e) Public **Uses**

2.) **Accessory Uses**:

Any **uses**, **buildings** or **structures accessory** to the permitted residential **uses** such as, but not limited to:

- a) Detached **private garage**
- b) **Deck**
- c) **Shed**
- d) **Swimming Pool**
- e) **Tennis Court**
- f) **Change Room**
- g) **Gazebo**
- h) **Greenhouse**
- i) **Home occupation**
- j) **Private parking lot**
- k) **Playground and play structures**

- l) **Amenity area**
- m) Club house
- n) Storage and maintenance facilities in a central **building**

3.) Zone Regulations for Principal Permitted Uses:

	Apartment/Multi-Unit	Townhouses (Condominium)	Townhouses (Street)
Min Lot area :	6000 m2 (i)	6000m2 (i)	180m2 for interior lot or 240m2 at the end of a block
Min Lot Frontage :	30m (i)	30m (i) and 6m per interior unit or 8m at the end of a block	6m for internal lot or 8m at the end of a block
Min Yards:			
- Front Yard:	6m (i)	6m (i)	6m
- Rear yard :	7m (i)	7m (i)	7m
- Interior side Yard:	3m (i)	2m (i)	2m at end unit
- Interior side with Common Wall:	0m	0m	0m
- Exterior side :	N/A	N/A	N/A
Max Lot coverage	35% (i)	50% (i)	50%
Min Landscaped Area:	20% (i)	20% (i)	N/A
Maximum Building Height :	12m	11m	11m
Parking Spaces:	1.75p/u of which 0.25 spaces may be designated as visitor parking	1.75p/u of which 0.25 spaces may be designated as visitor parking	2p/u
Max number of Dwelling Units :	25	25	25

4.) Minimum Yard Requirements for **Accessory Uses**:

	Apartments/Multi-Unit	Townhouses (Condominium)	Townhouses (Street)
Min Front:	6m (i)	6m (i)	6m
Min Rear:	1m (i)	1m (i)	1m

Min Interior side:	1m (i)	1m (i)	1m
Min Interior side with Common Wall:	0m	0m	0m
Min Exterior side:	N/A	N/A	N/A

Note (i): Where noted by (i) the identified regulations apply to the site and /or **lot** in its entirety.

5.) **Zone** standards for Semi-Detached and Linked **Dwellings**: The **zone** standards of the Residential Semi Detached (RS) **Zone** (Section 4.0) apply to Semi-Detached and Linked **Dwellings**.

6.) Frontage on a Street: Notwithstanding any other provision of this By-law to the contrary, frontage on a public street is not required when condominium road access is provided.

4.3.10 Residential Special Community Zone (RSC)

4.3.10.1 RSC-1 (H) (073-07) - Map No. 1, 62

The lands **zoned** as Residential Special Community Exception (RSC-1) **Zone** shall be subject to the regulations of the Residential Special Community (RSC) **Zone**, except as follows:

- a) In addition to the **uses** permitted in the RSC **Zone** and subject to all other provisions of the RSC **Zone**, the minimum **lot area** shall be 6.0 hectares.
- b) Where shown on Schedule "A", the Holding (H) provision shall not be lifted until appropriate municipal water and sewage capacity has been committed to the land by The Corporation of the Town of Innisfil, and the execution of development agreements.

**SECTION 5
COMMERCIAL AND MIXED USE ZONES**

The Commercial and Mixed **Use Zones** consist of the following **zones**:

Commercial Zones	
ZONE	SYMBOL
Commercial Neighbourhood Zone	CN
Commercial Village Zone	CV
Commercial Highway Zone	CH
Commercial Tourist Zone	CT
Commercial Business Park	CBP
Mixed Use Zones	
ZONE	SYMBOL
Mixed Use 1 (Alcona) Zone	MU1
Mixed Use 2 (Alcona) Zone	MU2
Mixed Use 4 (Lefroy) Zone	MU4
Mixed Use 5 (Cookstown) Zone	MU5

5.1 Permitted Uses

Uses permitted in the Commercial and Mixed **Use Zones** are identified with a “•” in the column applicable to that **zone** and corresponding with the row for a specific permitted **use** in Table 5.1 – Permitted **Uses**. Where an “E” is identified in the column, only **uses** which legally existed on the date of passing of this By-law shall be permitted. All permitted **uses** shall be subject to the applicable **zone** regulations provided in Section 5.2 and the General Provisions provided in Section 3.0, where applicable.

Table 5.1 – Permitted Uses

	CN	CV	CH	CT	CBP	MU1	MU2	MU4	MU5
Principal Use									
Residential Uses									
Apartment dwelling						•	• (2)	• (2)	• (2)
Duplex dwelling						•			
Group home (1)						•			
Single detached dwelling						•			

	CN	CV	CH	CT	CBP	MU1	MU2	MU4	MU5
Semi detached dwelling						•			
Townhouse dwelling						•			
Commercial Uses									
Auction establishment	•	•	•		•				
Bake shop	•	•		•	•	•	•	•	•
Banquet hall	•	•	•	•		•	•	•	•
Building supply outlet			•		•				
Campground (1)				•					
Commercial school	•	•	•	•		•	•	•	•
Convenience store	•	•	•	•	•	•	•	•	•
Custom workshop	•	•	•		•	•	•	•	•
Day nursery	•	•				•	•	•	•
Equipment sales, rental and servicing			•		•				
Farm implement dealer			•						
Financial institution	•	•			•	•	•	•	•
Fitness centre	•		•		•	•	•	•	•
Fruit and vegetable produce market	•	•	•	•	•	•	•	•	•
Funeral home		•			•	•	•	•	•
Garden centre or nursery			•						
Golf course				•					
Grocery store	•					•	•	•	
Hotel, motel	•	•	•	•	•	•	•	•	•
Indoor Recreational Centre			•			•	•	•	•
Laundry and dry cleaning depot	•	•	•		•	•	•	•	•
Marina				•					
Medical office	•	•				•	•	•	•
Motor vehicle dealership			•		•				
Motor vehicle gas bar		•	•		•				E
Motor vehicle repair garage	E	•	•		•				E
Motor vehicle service station (1)		•	•		•				E
Motor vehicle washing			•		•				

	CN	CV	CH	CT	CBP	MU1	MU2	MU4	MU5
establishment									
Personal service establishment	•	•				•	•	•	•
Pet day care establishment	•	•		•		•	•	•	•
Photography or artist's studio	•	•				•	•	•	•
Place of entertainment			•	•	•	•	•	•	•
Prefabricated home sales establishment or modular home sales and display			•		•				
Printing and publishing establishment	•				•	•	•	•	•
Professional office	•	•			•	•	•	•	•
Recreational vehicle sales establishment			•		•				
Restaurant	•	•	•	•	•	•	•	•	•
Restaurant, take-out	•	•	•	•	•	•	•	•	•
Retail store	•	•		•		•	•	•	•
Self storage units					•				
Service and repair establishment	•	•	•			•	•	•	•
Shopping centre	•					•	•	•	
Taxi stand or dispatch office	•		•		•	•	•	•	•
Tourist cabin establishment				•					
Tourist commercial establishment			•	•	•				
Tourist information centre			•	•	•				
Veterinary clinic	•	•				•	•	•	•
Warehouse retail			•						
Institutional Uses									
Government facility	•	•	•	•	•	•	•	•	•
Long term care home or nursing home						•	•	•	•
Park				•		•	•	•	•
Place of worship	•	•	•	•	•	•	•	•	•
Public parking lot or structure						•	•	•	•
Public uses	•	•	•	•	•	•	•	•	•

	CN	CV	CH	CT	CBP	MU1	MU2	MU4	MU5
Retirement home						•	•	•	•
School						•	•	•	•
University or college						•	•	•	•
Accessory Uses, Buildings and Structures									
Accessory buildings and structures (1)	•	•	•	•	•	•	•	•	•
Accessory dwelling unit (1)	•	•	•	•	•	•	•	•	•
Drive-through facility (1)	•	•	•	•	•	• (4)	• (3)	• (3) (4)	• (3)
Garden suite dwelling (1)						•			
Outdoor patio	•		•(6)			• (5)	• (5)	• (5)	•
Outdoor rooftop patio (accessory use)							• (6)		
Restaurant or private club that is accessory to a golf course, marina or other use permitted in the Commercial Tourist zone				•					

Notes:

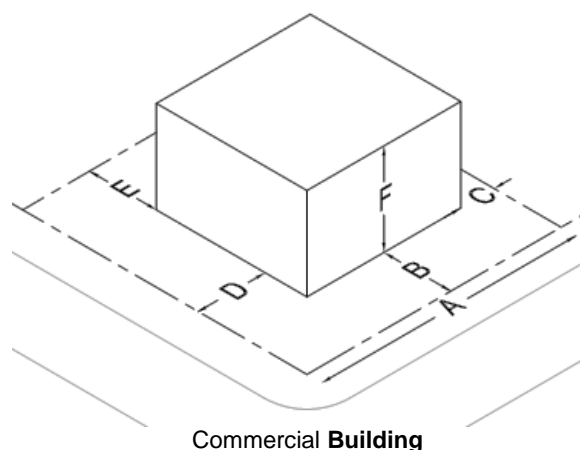
- (1) Subject to specific **use** provisions contained in the General Provisions of this By-law.
- (2) Residential **dwelling units** are only permitted as part of a **building** containing at least 50% non-residential **uses** on the ground floor. Residential **dwelling units** are not permitted in the basement or on the main floor level if they front Innisfil Beach Road or Killarney Beach Road (i.e. in the first storey). Residential **dwelling** units are permitted to maintain frontage along side streets.
- (3) The establishment of a drive-through service facility on a **lot** fronting on Innisfil Beach Road, Killarney Beach Road, Queen Street or Church Street is not permitted.
- (4) A **stacking lane** for a drive-through facility shall not be located between the **building** face and Innisfil Beach Road and/or Killarney Beach Road, or between the **building** face and the **exterior side** yard, and shall be setback a minimum of 20 m from any type of residential **zone**. The required setback may be reduced to a minimum of 7.5 m, provided that a noise wall, certified by a professional engineer no taller than 1.8 m, exclusive of decorative elements is installed prior to occupancy of the drive-through facility. The noise levels will not exceed the maximum levels specified by the Ministry of Environment's noise levels for stationary sources of noise.
- (5) Patios are only permitted in the MU1, MU2, MU4 and MU5 **zones**.
- (6) Commercial outdoor rooftop patios are to be situated within the front half of a **building**, oriented towards Innisfil Beach Road and are not permitted within **buildings** containing

residential **uses**.

- (7) Patios are only permitted within the front yard or **exterior side** yard.

5.2 Zone Regulations

The following **zone** regulations identified in Table 5.2a, Table 5.2b, and Table 5.2c shall apply to the respective Commercial and Mixed **Use Zones**.



- A: Minimum lot frontage
- B: Minimum front yard
- C: Minimum interior side yard
- D: Minimum exterior side yard
- E: Minimum rear yard
- F: Maximum building height

Commercial Building

Table 5.2a – Commercial Zone Regulations

Principal Use	CN	CV	CH	CT	CBP
Minimum Lot area	1,000 m ²	1,000 m ²	2,000 m ²	10,000 m ²	2,000 m ²
A: Minimum Lot Frontage	15 m	15 m	45 m	30 m	Interior lot : 45 m Exterior lot : 50 m
B: Minimum Front Yard	6 m	6 m	6 m	6 m	8 m
C: Minimum Interior side Yard	1 m, except where the interior side yard abuts a residential zone , in which case 5 m	1 m, except where the interior side yard abuts a residential zone , in which case 5 m	1 m, except where the interior side yard abuts a residential zone , in which case 5 m	3 m	3 m
D: Minimum Exterior side Yard	8 m	8 m	8 m	6 m	8 m or 1.4 times the height of the building , whichever is greater
E: Minimum Rear	6 m, except	6 m, except	6 m, except	8 m	8 m

Principal Use	CN	CV	CH	CT	CBP
yard	where the rear yard abuts a residential zone , in which case 9 m	where the rear yard abuts a residential zone , in which case 9 m	where the rear yard abuts a residential zone , in which case 9 m		
Maximum Lot coverage	50%	50%	30%	50%	N/A
Minimum Landscaped Open Space	20%	20%	20%	20%	20%
F: Maximum Building Height	11 m	11 m	11 m	11 m	11 m
Other Zone Regulations					See Note (1)

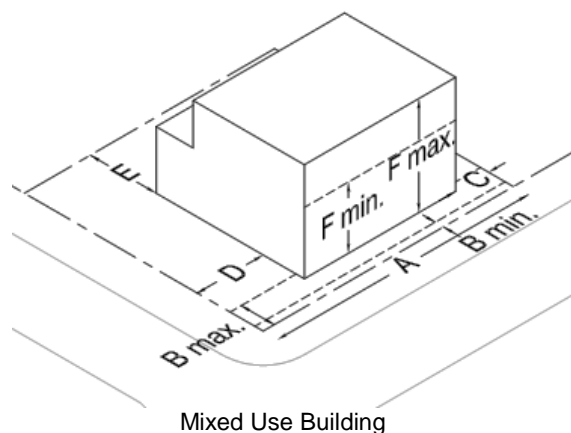
Notes:

(1) The following provisions shall also apply to the CBP **zone**:

- a) The minimum distance between any **building** or **structure** from any residential **building** on an abutting **lot** shall be 30.0 m.
- b) The minimum setback of 14 m shall be required for any yard abutting Provincial Highway 400 or County Road 21.
- c) Every **lot** within a CBP **Zone** which abuts County Road No. 21 or Provincial Highway No. 400 must provide a **landscaped strip** having a minimum width of 9 m immediately abutting the **street** line or highway.
- d) Every **lot** within a CBP **Zone** which abuts any other street must provide a strip of land having a minimum depth of 6.0 m, immediately abutting the **street** line, to be used only for **landscaped open space**.
- e) In cases where two or more abutting **lots** are combined under one development, the regulations shall apply to the total area as if the combined **lots** constituted one **lot**.

(2) The following provision shall also apply to the CH **zone**:

- a) In cases where two or more abutting **lots** are combined under one development, the regulations shall apply to the total area as if the combined **lots** constituted one **lot**.



- A: Minimum lot frontage
 B: Minimum/maximum front yard
 C: Minimum interior side yard
 D: Minimum exterior side yard
 E: Minimum rear yard
 F: Minimum/maximum building height

Table 5.2b – Mixed Use Zone Regulations (1 of 2)

Principal Use	MU1 (Alcona)					MU2 (Alcona)
	Commercial, Community Services, Mixed Use Buildings	Single Detached Dwellings	Semi- detached Dwellings	Townhouse Dwellings	Apartments	
Minimum Lot area	2,000 m ²	230 m ² (interior lot) 320 m ² (exterior lot)	300 m ² (interior lot) 400 m ² (exterior lot)	150 m ² (interior lot) 210 m ² (interior lot at the end of a block) 267 m ² (exterior lot)	500 m ²	1000 m ²
A: Minimum Lot Frontage	15 m	8 m per lot 10.5m (exterior lot)	8 m per unit (interior lot) 10.5 m per unit (exterior lot)	5 m per unit (interior lot) 9.5 m (exterior lot)	15 m	15 m
Minimum Building Frontage	N/A	N/A	N/A	N/A	N/A	See (1)
B: Minimum Front Yard	1 m (3)	3 m (3)	3 m (3)	3 m (3)	1 m (3)	1 m (8)(3)
B: Maximum Front Yard	4 m (3)	N/A	N/A	N/A	4 m (3)	4 m (8)(3)

Principal Use	MU1 (Alcona)					MU2 (Alcona)
	Commercial, Community Services, Mixed Use Buildings	Single Detached Dwellings	Semi- detached Dwellings	Townhouse Dwellings	Apartments	
C: Minimum Interior side Yard	0 m	1.2 m on one side, and 0.6 m on the other	1.2 m on one side, and 0.6 m on the other	1.2 m on one side, and 0.6 m on the other	0 m	0 m or 7.5 m and subject to the 45 degree angular plane (2) where the interior side yard abuts an R1 Zone.
D: Minimum Exterior side Yard	0 m	2.4 m	2.4 m	2.4 m	2.4 m	6 m
E: Minimum Rear yard	7.5 m	6 m	6 m	6 m	7.5 m	7.5 m and subject to the 45 degree angular plane (2)
Maximum Lot coverage	N/A	40%	45%	N/A	N/A	N/A
F: Minimum Building Height	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m and subject to the 45 degree angular plane (2)(9)(10)
F: Maximum Building Height	15 m (4) and subject to a 45 degree angular plane (2)	9 m (4)	9 m (4)	12 m (4) and subject to a 45 degree angular plane (2)	14 m (4) and subject to a 45 degree angular plane (2)	30 m for all commercial buildings, and subject to the 45 degree angular plane (2) (8)(4) 24 m (8)(4) for mixed

Principal Use	MU1 (Alcona)					MU2 (Alcona)
	Commercial, Community Services, Mixed Use Buildings	Single Detached Dwellings	Semi- detached Dwellings	Townhouse Dwellings	Apartments	
						use, and subject to the 45 degree angular plane (2)
Minimum landscaped open space	20%	30%	30%	35%	35%	N/A
Minimum width of landscaped strip at front and exterior side lot lines	0 m	2.4 m	2.4 m	2.4 m	1 m – 4 m (5)	1 m – 4 m (5)
Minimum width of landscaped strip at rear lot line	3 m, if the rear lot line abuts a Residential zone or 1.5 m, if the rear lot line abuts an Open Space or Environment al Protection Zone	1.5 m	1.5 m	1.5 m	3 m, if the rear lot line abuts a Residential zone or 1.5 m, if the rear lot line abuts an Open Space or Environme ntal Protection Zone	0 m; except where the yard abuts a Residential Zone in which case the minimum required yard is 3 m or where the yard abuts an Open Space or Environment al Protection Zone, in which case the minimum required yard is 1.5 m
Minimum width of landscaping adjacent to the interior lot lines	0 m	1.2 m	1.2 m	1.2 m	0 m	0 m
Minimum	4 m ² per residential	N/A	N/A	At grade common	4 m ² per residential	4 m ² per residential

Principal Use	MU1 (Alcona)					MU2 (Alcona)
	Commercial, Community Services, Mixed Use Buildings	Single Detached Dwellings	Semi-detached Dwellings	Townhouse Dwellings	Apartments	
Amenity Space	unit (6)			open space must be provided at 6 m ² per unit (7)	unit (6)	unit (6)
Maximum Density	N/A	20 units per net residential hectare	40 units per net residential hectare	52 units per net residential hectare	N/A	N/A
Maximum Garage Width	N/A	3 m on lots less than 12 m 6 m on lots equal to or greater than 12 m	3 m on lots less than 12 m 6 m on lots equal to or greater than 12m	3m on lots less than 8 m 6 m on lots equal to or greater than 8 m	N/A	N/A
Minimum floor area for a residential dwelling unit	47 m ²	47 m ²	47 m ²	47 m ²	47 m ²	47 m ²
Notwithstanding anything to the contrary the following Minimum Number of Parking Spaces are required.	Commercial Uses - 1 space per 37 m ² of all leasable area. Place of Worship - 1 space per every 6 persons to be accommodated.	In accordance with General Provisions				Commercial Uses - 1 space per 40 m ² of all leasable area. Place of Worship - 1 space per every 6 persons to be accommodated.

Notes:

- (1) Where the **lot** frontage is less than 30 m, a minimum of sixty (60) percent of the **lot** frontage abutting the front **lot** line/required setback shall be **building(s)**. Where the **lot** frontage is greater than 30 m, a minimum of fifty (50) percent of the **lot** frontage abutting the front **lot** line/required setback shall be **building(s)**.
- (2) Refer to definition of the 45 degree angular plane.
- (3) Notwithstanding any other provisions of this By-law, where a **lot** directly abuts Innisfil Beach Road, the front **lot** line (front yard) will considered to be the property line abutting the planned width of Innisfil Beach Road.
- (4) Whichever is greater.
- (5) The required landscaping will correspond to the setback provided.
- (6) Units shall have amenity space provided at a minimum rate of 4 m² per unit, of which: a minimum of 2 m² per unit shall be indoor amenity space; a minimum of 40 m² shall be outdoor amenity space in a location adjoining or directly accessible to the indoor amenity space.
- (7) Consolidated at grade common open space shall be provided in addition to the required per unit **rear yard** area for cluster/block, street and stacked townhouses.
- (8) Where the **building height** is greater than 4 storeys or 15 m, at and above the four storey or 15 m whichever is the lesser a **building** must be setback a minimum of 1 m more than the provided setback from the front **lot line** as set out, and from the **exterior side yard**.
- (9) Notwithstanding any other provisions of this By-law, parcels which maintain frontage on Innisfil Beach Road at the northeast and southeast corner of the intersection of Innisfil Beach Road and Jans Boulevard shall maintain a minimum **height** of 10 m. The northeast corner shall include the first two (2) properties with frontage onto Innisfil Beach Road.
- (10) Notwithstanding any other provisions of this By-law, a drive-through financial institution shall be within a **building** containing a minimum of 2 storeys.

5.2b.1 Special Provisions for MU1 and MU2 Zones

The following additional special provisions shall apply to lands **zoned** MU1 and MU2:

(1) Permitted Front Yard Encroachments on to Innisfil Beach Road

- a) Private Lands
Notwithstanding any other provisions of this By-law, front yard encroachments for balconies, porches, canopies, eaves and bay windows are permitted up to 1 m.
- b) Public Lands
Notwithstanding any of the provisions of this By-law, front yard encroachments for outdoor patios are permitted to the near side of the sidewalk.

(2) Outdoor Roof Top Patios

Outdoor Roof Top Patios are permitted in the Mixed **Use 2 (MU2) Zone**. Those seeking to develop roof-top patios are required to submit scaled, dimensioned drawings to be approved by Town Planning Staff. Notwithstanding any provisions of this By-law, every outdoor commercial patio shall comply with the following:

- a) Seating Capacity Requirements:

No outdoor patio shall provide for:

- i) More than 50% of the seating accommodation permitted under the Liquor License Act, R.S.O. 1990, c.L.19, as amended, to the restaurant with which the outdoor commercial patio is associated; or,
 - ii) Seating accommodation for more than thirty (30) persons, whichever is the greater.
- b) **Prohibition of Commercial Entertainment and Recreation:**
That portion of a **lot** on which the outdoor patio is permitted shall not be used for commercial entertainment or commercial recreation including live or recorded music or dance facilities.
- c) **Lighting**
Direct any lighting away from adjoining properties and streets.
- d) **Exit(s)**
Regular ingress and egress must be provided from the interior of the **building**, and any exterior stair access shall only be used for emergency and fire in accordance with the Ontario **Building Code**.
- e) **Sound Attenuation**
Where a proposed roof-top patio is adjacent a residential **use**, a noise study will be required which may recommend the installation of an acoustical wall to attenuate noise from the roof-top patio to acceptable limits.

(3) **Parking Standards**

In addition to the **Parking Provisions** of Section 3.35, the following additional provisions shall apply:

- a) Parking spaces shall not be located between the **building** face and Innisfil Beach Road, or between the **building** face, and the **exterior side** yard.
- b) When a parking area or driveway is in a yard that abuts any residential **zones**, the width of landscaping between the parking area or driveway, and the residential **zone** must be a minimum of 1.5 m wide.
- c) Individual residential **lots**/units consisting of single detached, semi-detached and townhouses in the MU1 **Zone** are not permitted to have direct vehicular access to Innisfil Beach Road, separately from each unit/**lot**.
- d) The difference between the minimum required parking established in this By-law may be addressed by the collection of cash-in-lieu.

(4) **Parking Standards for Detached Private Garages**

Notwithstanding anything to the contrary, detached **private garages** associated with a residential **use** that is accessed from a rear **street** or lane is subject to the following requirements:

Detached Private Garage Standards		
1.	Minimum distance of access lane and garage from the rear lot line	0.6 m (1)
2.	Minimum required exterior side yard	A minimum distance equal to the exterior side yard requirement for the main building.
3.	Minimum required interior side yard	A minimum distance equal to the interior side yard requirement for the main building. Notwithstanding the above standard, a detached private garage may share a common wall with another detached private garage on an abutting lot.
4.	For shared detached garages erected on a common interior side yard	0 m
5.	Minimum setback of detached garage from main building on the lot	6 m
6.	Parking of motor vehicles in the setback area	The parking of motor vehicles is not permitted in the setback area required by item 5.
7.	Maximum height	7.5 m
8.	Maximum coverage of detached private garage	20% (2)
9.	Encroachments:	Unenclosed stairs and landings that access the first storey or any storey above the first storey of a detached private garage may encroach into the required setbacks, up to a distance of 0.6 m.

Notes:

- (1) A detached **private garage** shall be prohibited from facing the laneway if the **garage** is located less than 6 m from the laneway.
- (2) The floor area of a staircase and/or landing to access used to access the detached private **garage** or any storey above a detached private **garage** shall be excluded from the **lot coverage** calculation.

(5) Accessory Buildings and Storage

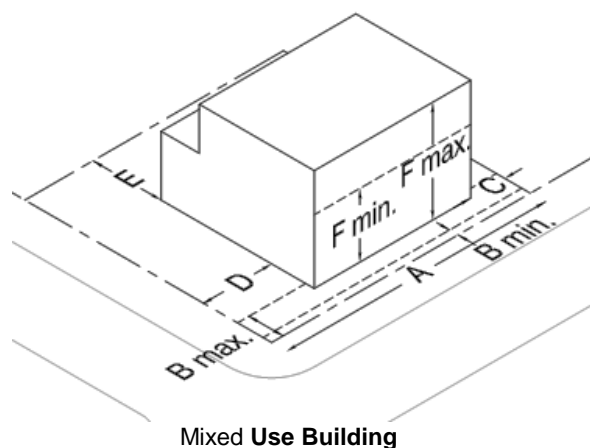
Notwithstanding any provisions to the contrary, **accessory buildings** and storage within the MU1 and MU2 **Zones** shall comply with the following:

- a) **Accessory buildings** and storage shall only be permitted in the **rear yard**;
- b) All storage must be completely enclosed in a **building**; and
- c) **Outdoor storage** is not permitted.

(6) Garbage Containment

- a) For all **uses** except **single detached, semi-detached** and freehold multiple attached **dwelling**s (townhouses) the following regulations shall apply to garbage containers:

- i) Garbage containers shall only be permitted if located within a commercial and/or commercial/residential **building** (mixed **use**) and/or apartment **buildings**.



- A: Minimum lot frontage
 B: Minimum/maximum front yard
 C: Minimum interior side yard
 D: Minimum exterior side yard
 E: Minimum rear yard
 F: Minimum/maximum building height

Table 5.2c – Mixed Use Zone (2 of 2)

Principal Use	MU4 (Lefroy)	MU5 (Cookstown)
Minimum Lot area	1,000 m ²	1,400 m ²
A: Minimum Lot Frontage	15 m	15 m
B: Minimum Front Yard	1 m (1)(3)	1 m (1)(3)
B: Maximum Front Yard	4 m (3)	4 m
C: Minimum Interior side Yard	N/A	N/A
D: Minimum Exterior side Yard	2 m	N/A
E: Minimum Rear yard	7.5 m	7.5 m
Maximum Lot coverage	N/A	50%
F: Maximum Building Height	15 m and in accordance with the 45 degree angular plane (2)	10.5 m and in accordance with the 45 degree angular plane (2)
Minimum Landscaped Open Space	N/A	N/A
Minimum width of a landscaped strip adjacent to the front and exterior side lot lines	1.0 m to 4.0 m (4)	1.0 m to 4.0 m (4)
Minimum width of a landscaped strip adjacent to the rear lot lines	0.0 m, except where (a) the yard abuts a Residential zone in which case the minimum required landscaping width is 3.0m; or (b) the yard abuts an Open Space or Environmental	0.0 m, except where (a) the yard abuts a Residential zone in which case the minimum required landscaping width is 3.0m; or (b) the yard abuts an Open Space or Environmental Protection zone, in which

Principal Use	MU4 (Lefroy)	MU5 (Cookstown)
	Protection zone, in which case the minimum required landscaping width is 1.5m.	case the minimum required landscaping width is 1.5m.
Minimum floor area for a residential dwelling unit	47 m ²	47 m ²
Minimum required amenity space	4 m ² per residential unit (5)	4 m ² per residential unit (5)

Notes:

- (1) Where the **building height** is greater than 3 storeys or 12.0 m, at and above the third storey or 12.0 m whichever is the lesser a **building** must be setback a minimum of 1.0 metre more than the provided setback from the front **lot** line as set out, and from the **exterior side** yard.
- (2) Refer to definition of the 45 degree **angular plane**.
- (3) Front **lot line** shall be the property line abutting the planned width of Killarney Beach Road.
- (4) The required landscaping will correspond to the setback provided.
- (5) Units shall have **amenity space** provided at a rate of 4.0 m² per unit of which: a minimum of 2 m² per unit shall be indoor **amenity space**; a minimum of 40.0 m² shall be outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**.

5.3 Zone Exceptions

Notwithstanding any other provisions of this By-law, the special regulations contained in this Section shall apply to the area or areas defined below and as shown on Schedule "A".

5.3.1 Commercial Neighbourhood Zone (CN)

5.3.1.1 CN-1 (07-85) - Map No. 54

A hairdressing and beauty parlour, retail sales, and a single detached **dwelling** with a real estate office as a home occupation shall be permitted.

5.3.1.2 CN-2 - Map No. 32

A restaurant or take-out restaurant and **accessory uses** shall be the only **uses** permitted.

5.3.1.3 CN-3 (07-85) - Map No. 42

A retail store with enclosed storage, restaurant, single detached residence, and rental of fish huts shall be permitted.

5.3.1.4 CN-4 (H) (25-90) - Map No. 43

No purpose other than that which existed on January 31, 1990 shall be permitted until the Holding Symbol (H) is removed in accordance with Section 36 of the *Planning Act*, at which time the following shall apply:

a) Permitted **uses** shall include:

- i) Bank
- ii) Professional office
- iii) Business office
- iv) Personal service establishment including a barber shop, beauty salaon, dressmaking or tailoring, laundry and dry cleaning shop or similar **uses**.
- v) Day nursery
- vi) Restaurant
- vii) Restaurant Take Out
- viii) Retail store or plaza
- ix) School, commercial
- x) Service establishment

- xi) **Accessory uses** which are clearly incidental to, associated and co-located with permitted commercial **uses** as listed above
- xii) Funeral home
- b) The permitted **uses** in the CN-4 **Zone** shall be subject to the following provisions:
 - i) The maximum gross floor area for any one **use** shall not exceed 325 m².
 - ii) The maximum size of the commercial **building** shall not exceed 1,400 m².

5.3.1.5 CN-5 (103-91) - Map No. 28

In addition to all of the **uses** permitted in the CN **zone**, lands **zoned** CN-5, may be used for the indoor storage and sale of lumber and **building** supply materials.

Except for those **buildings** existing on the date of the passage of this By-law (103-91), all new **buildings** or **structures** shall comply with the regulations of the CN **Zone**.

5.3.1.6 CN-6 - Map No. 39

Retail sales and a single detached **dwelling** shall be permitted.

5.3.1.7 CN-7 - Map No. 41, 42

A restaurant or take out restaurant shall be the only **uses** permitted.

5.3.1.8 CN-8 - Map No. 41

A retail sales establishment and single **dwelling** unit shall be permitted.

5.3.1.9 CN-9 - Map No. 46

A retail sales establishment with enclosed storage and a single detached **dwelling** shall be permitted.

5.3.1.10 CN-10 - Map No. 29

A business office shall be permitted.

5.3.1.11 CN-11(H) (070-08) (072-16) - Map No. 31

- a) In addition to the **uses** permitted in the CN **Zone**, the following **uses** shall also be permitted:
 - i) A gas bar, excluding an auto body shop.
- b) The **zone** regulations for the CN **zone** shall apply.

- c) The landscape buffer strip shall be provided adjacent to any residential **zone** with a minimum width of 2.0 m.

5.3.1.12 CN-12(H) (070-08) - Map No. 11, 27

- a) In addition to the **uses** permitted in the CN **zone**, the following **uses** shall be permitted:
- i) Clinic
 - ii) Financial institution
 - iii) Indoor recreation centre
 - iv) Private club
 - v) Personal service establishment
 - vi) Pharmacy
 - vii) Photography or artist's studio
 - viii) Artisan workshop
 - ix) Shoe repair
 - x) Tailor
 - xi) Church
 - xii) Dry cleaning depot
 - xiii) Fire hall
 - xiv) Library
 - xv) Live/Work Residential **Dwelling** Units separate from and ancillary to the **uses** permitted above are permitted. Each such **dwelling** unit shall comply with the relevant provisions of the RT-11(H) **zone**.
 - xvi) **Dwelling** units on floors above the first floor shall be permitted. Each such **dwelling** unit shall comply with the relevant provisions of Section 3.4.
 - xvii) A drive-through restaurant is permitted, provided that no drive-through facility face County Road 39 or Killarney Beach Road, and any drive through facilities shall be subject to the provisions of this section.
- b) Funeral Homes and laundry and dry cleaning establishments shall not be permitted.
- c) For the purposes of this by-law, a Live/Work Residential **Dwelling** unit shall mean a Townhouse or Semi-Detached **dwelling** unit wherein a permitted commercial **use** is carried out on the ground floor of the **dwelling** unit.

- d) For the purposes of this by-law, parking shall be located to the rear or side of a **building**. No parking, drive-aisles, lanes, drive through lanes or stacking spaces shall be permitted between a **building** and the property line adjacent to County Road 39 or Killarney Beach Road.
- e) The **zone** regulations for the CN **zone** shall apply to the area **zoned** CN-12(H) except for setbacks from County Road 39 which shall be a minimum of 5.0 m and Killarney Beach Road which shall be a minimum of 1.0 metre and a maximum of 4.0 m for a minimum of 75% of the frontage of the **building**.
- f) Permitted **uses** in the CN **zone** and in subsection 5.3.1.12a) iii), vi), and vii) shall provide for a minimum of 4,000 m² (43,055.6 ft²) of floor space.

5.3.1.13 CN-13 (024-98) - Map No. 1, 62

The minimum parking requirement for a shopping centre on the lands shown as CN-13 shall be one (1) space for every 30 m² of gross floor area. The parking facilities shall be provided and maintained either on the same **lot** on which the principal **use** is located or on a **lot** within 60 m of the **lot** on which the principal **use** is located.

5.3.1.14 CN-14 - Map No. 29, 32

Permitted **uses** shall include the following **uses**:

- a) An automobile service station with food and confectionary sales or a restaurant or take-out restaurant as an **accessory use** shall be permitted.
- b) Sales, service, storage or repair of small internal combustion engines such as snow machines, outboard motors and lawnmowers shall be permitted.
- c) A public mechanical **garage** shall be permitted.

5.3.1.15 CN-15 (5-88) - Map No. 41, 42

Permitted **uses** shall include one or a combination of the following **uses**:

- a) A public mechanical **garage**;
- b) A retail convenience store as an addition to the public mechanical **garage**; and
- c) A three bay self-serve car wash.

5.3.1.16 CN-16 (89-15(a), 79-91) - Map No. 1, 62

Notwithstanding anything contained in this By-law to the contrary, the lands shall be used in accordance with the following:

- a) Permitted **uses** shall include:

- i) Retail food outlets such as a restaurant, takeout restaurant, donut shop, bake shop, fruit market, and grocery store.
 - ii) Home and **building** supply retail outlets. For the purposes of this subsection, a home and **building** supply retail outlet shall not include any manufacturing or final processing thereof.
 - iii) Electronic and appliance service shops.
 - iv) Professional and business offices, including financial institutions.
 - v) Local convenience retail and personal service stores. For the purposes of this subsection, local convenience retail shall include **uses** such as a variety store, a flower shop, a **clothing** and accessories store, video rental and sales store and a photo development store.
 - vi) Notwithstanding anything to the contrary, the following shall be prohibited:
 - 1. The outside storage of goods and materials.
 - 2. Places of Amusement. For the purposes of this subsection, a place of amusement shall mean an establishment operated for commercial gain or profit wherein amusement facilities are provided such as an arcade show or penny arcade, billiard or pool room, and amusement or pinball machines.
 - 3. Servicing of small engines.
- b) **Lot** and **building** requirements shall be in accordance with the following:
- i) No **loading space** is required.
 - ii) Buffer strips consisting of the following shall be provided:
 - 1. A 1.8 m opaque fence along the eastern **lot** line and an adjacent minimum 1.5 m open space area; and
 - 2. A 1.0 m opaque fence along the southern **lot** line, setback 6.0 m from the western **lot** line, and an adjacent minimum 1.5 m open space area; and
 - 3. A 1.0 m opaque fence along the northern **lot** line and an adjacent minimum 1.5 m open space are; and
 - c) No parking space or part shall be located within 1.5 m of the boundary of any Residential **Zone** or 1.0 m of any street line.

5.3.1.17 CN-17 (10-95) - Map No. 1, 62

Notwithstanding any other provision of this By-law, the lands **zoned** as CN-17 shall be in
Town of Innisfil Zoning By-law 080-13

COUNCIL ADOPTED
Including amendments up to April, 2017

accordance with the following:

- a) In addition to the permitted **uses**, retail service commercial **uses** shall be permitted. For the purpose of this By-law, a retail and service commercial **use** would include such **uses** as a business consisting of the retail and restoration of antique furniture.
- b) The existing **single detached dwelling** will constitute the permitted **accessory dwelling unit**. A detached **garage** shall be permitted as **accessory** to the existing **single detached dwelling**.
- c) The required minimum number of **parking spaces** will be four for a business consisting of the retail and restoration of antique furniture.
- d) No off-street **loading space** will be required.
- e) There will be no required setback for parking facilities from any **lot line** or **street**, except when abutting a Residential **Zone**.
- f) Buffering shall consist of a 1.5 metre wood board fence along the east side of the **lot line** extending from the rear **lot line** to the rear face of the **garage** and all undeveloped areas will remain an open space area. For the purpose of this By-law, open space shall take the form of a planting strip consisting of grass, bushes, shrubs, trees and similar vegetation.
- g)
 - i) Minimum **Rear yard**: 1 m
 - ii) Minimum **Interior side Yard**: 2 m
 - iii) Maximum **Lot coverage**: 30%

5.3.1.18 CN-18 (86-23) - Map No. 1, 62

- a) Minimum **Lot area**: 725 m
- b) The minimum width of the planting strip to be provided adjacent to the eastern property line shall be 1.5 m or as established by existing **buildings** or **structures**.
- c) The required minimum regulations shall be as established by the existing **use**. Any new **structures** shall conform to the **zone** regulations.

5.3.1.19 CN-19 (68-94) - Map No. 1, 62

- a) Minimum driveway width: 3.5 m
- b) The driveway and parking area shall have a northerly side yard setback of a minimum of 1 m and a southerly side yard setback of a minimum of 1.5 m. Buffering shall consist of the extension of the existing wood clad fence on the south side **lot line** to a point opposite the west edge of the parking area and the provision of a planting strip containing trees, bushes or shrub which provide screening along the west side of the

parking area.

- c) A loading space shall not be required.

5.3.1.20 CN-20 - Map No. 1, 62

Notwithstanding any other provision of this By-law, the **uses** which legally existed on the date of adoption of this By-law shall be permitted, in addition to the **uses** of the CN **zone**. The **lot** and **building** requirements for the existing **use** shall be as they existed on the date of adoption of this By-law. The **lot** and **building** requirements for any other **use** shall be in accordance with the CN **zone**.

5.3.1.21 CN-21 – Map No. 45

- a) A convenience store and one **accessory dwelling** unit shall be permitted in accordance with the relevant provisions of Section 3.26
- b) Notwithstanding the provisions of the CN **zone** as it relates to minimum side yard, the minimum southerly side yard shall be 0 metres for the existing **building** as of the date of the passing of this by-law.

5.3.1.22 CN-22 (128-15) – Sleeping Lion 3

5.3.1.23 CN-23 (067-19) – Map No. 55

Notwithstanding any other provisions of this By-law to the contrary, the following provisions shall apply to those lands zoned CN-23.

- a) That notwithstanding Table 5.1, an **All-Terrain Vehicle and Lawn Equipment Establishment** shall be included as a permitted use on the lands zoned CN-23. Retail uses, including indoor and outdoor display areas, shall not exceed 400m². Repair uses shall be confined to wholly enclosed buildings.
- b) That notwithstanding Table 5.2a, the following provisions shall apply to the lands zoned CN-23 for existing structures on the passing date of this By-law:

Provision	Provided
Minimum Front Yard Setback	2.1 m
Minimum Interior Side Yard Setback	2.5 m
Minimum Rear Yard Setback	0.9 m
Minimum Landscaped Open Space	8%

- d) That notwithstanding Section 3.3(a), the total lot coverage of detached accessory buildings and structures shall not exceed 19%.
- e) That notwithstanding Section 3.3(d), this provision shall not apply

- f) That notwithstanding Section 3.24(a(i))(b)(c), a landscaped strip abutting the residential zone shall be reduced to 2.5 metres for the existing detached accessory structure in the northeast corner of the subject lands on the passing date of this By-law. A landscaped strip abutting a street shall have a minimum width of 1.5 metres.
- g) That notwithstanding Section 3.27.6, a loading space shall be permitted in the front yard.
- h) That notwithstanding Section 3.35.1.1, 1 parking space for every 70 metres of Gross Floor Area shall be provided for an **All-Terrain Vehicle and Lawn Equipment Establishment** use”.

5.3.2 Commercial Village Zone (CV)**5.3.2.1 CV-1 (13-00) - Map No. 19, 55**

All principal permitted **uses** shall be in accordance with the provisions of the CV **Zone**, except that the minimum required side yard shall not apply to the northern side yard of the property.

5.3.2.2 CV-2 (88-03) - Map No. 19, 55

A second residential **dwelling** located in the basement of the **dwelling** shall be permitted.

5.3.2.3 CV-3 (043-10) - Map No. 19, 22, 55

For those lands **zoned** CV-3, business and professional offices shall be the only **uses** permitted. All other provisions of this By-law shall apply.

5.3.2.4 CV-4 (039-10) - Map No. 19, 22, 55

For those lands **zoned** CV-4, business and professional offices shall be the only **uses** permitted. All other provisions of this By-law shall apply.

5.3.2.5 CV-5 (121-10) - Map No. 19, 55

For those lands **zoned** CV-5, a retail sales office and a single residence shall be the only **uses** permitted. All other provisions of this By-law shall apply.

5.3.2.6 CV-6 Maps 4 and 5

In addition to the permitted **uses** of the CV **zone**, the following additional **uses** are permitted:

- a) Seasonal farm produce sales outlet
- b) Single **dwelling**
- c) Convenience retail

5.3.3 Commercial Highway Zone (CH)

5.3.3.1 CH-1 (24-98) - Map No. 1

All of the permitted **uses** in accordance with the CH in accordance with the provisions of the CH **Zone** shall apply to those lands **zoned** CH-1, except that the minimum parking requirement for a shopping centre shown on the lands shown as CH-1 shall be one space for every 30 m² of gross floor area. The parking facilities shall be provided and maintained either on the same **lot** on which the principal **use** is located, or on the **lot** within 60 m of the **lot** on which the principal **use** is located.

5.3.3.2 CH-2 (071-11) - Map No. 19

In addition to the **uses** permitted in the CH **Zone** and subject to all other provisions of the CH **Zone**, two (2) secondary **accessory** residential units, each with an area of no more than 105 m², shall be permitted. Parking shall be provided in accordance with the General Provisions of this By-law.

5.3.3.3 CH-3 (69-95) - Map No. 19, 55

- a) Despite any other provision of this By-law to the contrary, more than one principal **use** shall be permitted on lands **zoned** CH-3.
- b) In addition to the principal permitted **uses** of the CH **Zone**, a self-storage establishment and space-extensive **uses** and specialty retail sales establishments such as furniture stores, carpet outlets, factory-retail outlets and hardware-lumber centres, are permitted. However, **uses** such as department stores, food supermarkets or grocery stores are not permitted.
- c) Bulk storage will not be permitted with the exception of the following:
 - i) a nursery stock and accessories associated with garden centres; and
 - ii) new and used motor vehicles such as cars, trucks, motor homes, recreational vehicles, etc.
- d) Limited external display of finished goods and merchandise shall be permitted. Items such as garden chairs, children's swing sets, lawn mowers, etc. shall constitute external display.
- e) External display shall not exceed 10% of the gross floor area for each permitted **use**.
- f) Where the **zone** is followed by the Holding Symbol (H), the lands shall be used for no other purpose but which legally existed on October 25th, 1995.

5.3.3.4 CH-4 (H) (35-99) - Map No. 17

- a) Permitted **uses** shall include all principal permitted **uses** under the CH **Zone** in addition to a motor vehicle gas bar.
- b) The regulations of motor vehicle service stations shall apply, with the exception of 3.31(e) as it relates to:
 - i) the distance between access ramps; and
 - ii) the setback from the property frontage along County Road 27, which shall be a minimum of 10.6 m from the property line, or 25.9 m from the centerline of the road, whichever is the greater.
- c) All the General Provisions of the By-law shall apply except for Section 3.39.
- d) In addition, the following special provisions shall apply:
 - i) The front **lot** line shall be the **lot** line abutting Country Road No. 27, and **lot** frontage shall be calculated along the property line abutting the County Road;
 - ii) One or more principal permitted **uses** are permitted on a **lot** in one or more **buildings**;
 - iii) The minimum number of parking spaces for motor vehicle gasoline bar shall be 3; and
 - iv) While the CH-4 **Zone** is followed by the letter (H), the lands shall be used for no other purpose than the existing **use**.
- e) The requirements of the Innisfil Official Plan are met.

5.3.3.5 CH-5 (38-03) - Map No. 15, 16

In addition to the **uses** permitted in the CH **Zone** and subject to all other provisions of the CH **Zone**, a self storage facility shall be permitted. For the purposes of this section, a “self storage facility” shall mean a **building** or **buildings** which are divided into small sections having individual secure accesses with said sections being leased for the storage of goods, but does not include a warehouse.

5.3.3.6 CH-6 - Map No. 2

In addition to the permitted **uses** of the CH **Zone**, a public **garage** for the mechanical repair of motor vehicles shall be considered a permitted **use**. For the purpose of this section, a public **garage** shall not include auto body repair and spray painting. Permanent or temporary storage of wrecked or damaged vehicles will not be permitted.

5.3.3.7 CH-7 (067-01) - Map No. 2, 3

Notwithstanding the permitted **uses** of the CH **Zone**, the **use** of the lands **zoned** CH-7 is subject to the provision of services as approved by the Town of Innisfil and/or the Ministry of the Environment.

5.3.3.8 CH-8 (041-07) - Map No. 19

All **zone** regulations for the CH **Zone** shall apply to the lands **zoned** CH-8 with the following exceptions:

- a) The only **uses** permitted are:
 - i) any combination of a restaurant, restaurant take-out, retail convenience or service station;
 - ii) car wash **accessory** to a retail convenience store;
 - iii) gas pumps **accessory** to a retail convenience store;
 - iv) **accessory uses** which are clearly incidental to, associated and co-located within permitted commercial **uses** permitted as listed above;
 - v) public mechanical **garage**;
 - vi) Automotive sales establishment as an **accessory use** to a service station;
 - vii) Parking associated with the permitted **uses**; and
 - viii) Sale, service, storage or repair of small internal combustion engines such as snow machines, all-terrain vehicles, outboard motors and lawnmowers provided not more than 15% of the **lot area** is used for outside display and storage purposes.
- b) A 1.8 metre solid wood fence shall be erected along the boundary of those properties **zoned** CH-8 and CH-9 where the boundary abuts residential **uses**.
- c) Notwithstanding any other provision of this By-law, on those lands **zoned** as CH-8 and CH-9, not more than three **buildings** shall be permitted.

5.3.3.9 CH-9 (H) (041-07) - Map No. 19

All **zone** regulations for the CH **Zone** shall apply to the lands **zoned** CH-9(H) with the following exceptions:

- a) The only **uses** permitted are:
 - i) any combination of a restaurant, restaurant take-out, retail convenience or service station;

- ii) car wash **accessory** to a retail convenience store;
 - iii) gas pumps **accessory** to a retail convenience store;
 - iv) **accessory uses** which are clearly incidental to, associated and co-located within permitted commercial **uses** permitted as listed above;
 - v) public mechanical **garage**;
 - vi) Automotive sales establishment as an **accessory use** to a service station;
 - vii) Parking associated with the permitted **uses**; and
 - viii) Sale, service, storage or repair of small internal combustion engines such as snow machines, all-terrain vehicles, outboard motors and lawnmowers provided not more than 15% of the **lot area** is used for outside display and storage purposes.
- b) A 1.8 metre solid wood fence shall be erected along the boundary of those properties **zoned** CH-8 and CH-9 where the boundary abuts residential **uses**.
- c) Notwithstanding Section 5.1.1, on those lands **zoned** as CH-8 and CH-9, not more than three **buildings** shall be permitted.

5.3.3.10 CH-10 (56-93) - Map No. 3

All **uses** permitted in the CH **Zone** shall be permitted, provided they are in accordance with the "Fill, Construction and Alteration to Waterways" regulations of the Nottawasaga Valley Conservation Authority, noting that the lands may be subject to flooding, The Regional Storm Floodline elevation for the subject site is 228.3 m or 749.1 feet c.g.d.

5.3.3.11 CH-11(H) (71-97) - Map No. 3

- a) The lands may not be used for any purpose other than that which legally existed on October 22, 1997 until the Holding Symbol (H) is removed in accordance with Section 36 of the *Planning Act*.
- b) The Holding Symbol (H) shall not be removed until the following has been completed:
- i) The Ministry of Environment and/or the approval agency approves servicing of the site; and
 - ii) A site plan agreement has been executed.
- c) Notwithstanding any other provision of this By-law, the following **uses** are permitted:
- i) A public **use** in accordance with Section 3.47.
 - ii) Business and professional offices.

- iii) Take out restaurant, a drive-through restaurant, a full service restaurant with a maximum of 25 seats.
- iv) An automobile service station.
- v) A new or used automobile, motorcycle, snowmobile, boat establishment and recreational vehicles sales rental and services establishment, including sale of accessories, parts and petroleum products incidental thereto.
- vi) A public mechanical **garage**.
- vii) A tourist commercial establishment.
- viii) Antique Shop.
- ix) A gift shop.
- x) A variety store.
- xi) A tourist information centre.
- xii) A garden centre, fruit and vegetable produce market, or a combination of the two.
- xiii) A commercial plaza containing two or more permitted special highway commercial **uses** in one or more **buildings** subject to the same minimum requirements for a special single special commercial **use**.
- xiv) A gas bar.
- xv) Mobile home and modular sales and display.
- xvi) A financial institution.
- xvii) A self-storage operation.

5.3.4 Commercial Tourist Zone (CT)**5.3.4.1 CT-1 - Map No. 42**

Tourist cabins shall be permitted.

5.3.4.2 CT-2 (48-94) - Map No. 3

- a) A second principal **use** shall be permitted on the subject **lot** in addition to but outside the **use** within the CT **Zone**. This second principal permitted **use** shall be a recreational amusement facility within the CT-2 **Zone** and may include such **uses** as the following:
 - i) Go-cart track, batting cage, mini-golf, putting green, golf driving range, baseball and/or recreational.
 - ii) Playing field, walking trail, skating circuit, **swimming pool**, picnic area, snack booth and **accessory** administrative **buildings**.
- b) A site plan agreement shall be entered into by the Owner and the Town for the proposed development.
- c) A method of water supply and sewage disposal that is satisfactory to the **Town of Innisfil** shall be provided.
- d) A storm water management study shall be completed for the site to the satisfaction of the Conservation Authority and the County.
- e) The Town shall have received written confirmation from the County of Simcoe that the required entrance permits, traffic study and road improvements, have been approved or addressed to the satisfaction of the County.

5.3.4.3 CT-3 - Map No. 45

A campground and an agricultural **use** shall be permitted.

5.3.4.4 CT-4 - Map No. 6, 24

Notwithstanding any other provision of this By-law, those lands **zoned** as CT-4 shall be used for no other purpose other than the storage of boats.

5.3.4.5 CT-5 - Map No. 28

Tourist cabins shall be permitted.

5.3.4.6 CT-6 - Map No. 26

A retail store with enclosed storage and single residence shall be permitted.

5.3.4.7 CT-7 - Map No. 42

A restaurant with lodging facilities shall be permitted.

5.3.5 Commercial Business Park (CBP)**5.3.5.1 CBP-1 - Map No. 58**

- a) In addition to all of the principal permitted **uses** of the CBP **Zone** the south half of **Lot 8**, Plan 1640, may be used for the wholesaling, inside storage and distribution of turf management and other supplies to golf courses, parks and other recreational users.
- b) Notwithstanding any other provision of this By-law,, the minimum **interior side** yard along the northerly property boundary shall be 2.5 m.

5.3.5.2 CBP-2 - Map No. 58

- a) In addition to all of the principal permitted **uses** of the Commercial Business Park CBP **Zone**, Part of the South-West Quarter of **Lot 7**, Concession 8, more particularly described as Parts 2 and 5 and on Reference Plan 51R-23427 may be used for a combination Flea Market and Farmers Market.
- b) For the purpose of this Section, a combination flea market and farmers market means a business involved in the rental of space within a **building** to vendors, for the temporary exhibit, storage and temporary associated retail sales of merchandise, goods, wares, produce, crafts and arts for the utilization and consumption of the general public and is subject to all of the following provisions:
 - i) The temporary exhibit, storage and temporary associated retail sales may occur as an **accessory use** outside of a **building** within covered exterior stalls along its side walls or within an area located along the sides and rear of the **building** which has been designed and physically constructed for such purpose and which is in close proximity to the **building**.
 - ii) Auction sales may be held as an **accessory use** to a combination flea market and farmers market.
 - iii) The sale of livestock is not permitted.
 - iv) Any area intended for the sale of food for immediate consumption must be located within the principal **building**.
 - v) Despite the provisions of Section 3.35, a minimum of 10 parking spaces each having a width of 3.0 m and a length of 6.0 m, must be provided for each 93 m² of the sum of the gross floor area of the principal **building**, plus the total area of the retail space outside of the principal **building**.
 - vi) All off-street parking spaces must have a cement or asphaltic binder and the spaces must be outlined and maintained with a suitable paint.
 - vii) Despite the minimum required spaces, no parking is permitted on any area that does not have a cement or asphaltic binder and that is not outlined and maintained with a suitable paint.

- c) In addition to the above, a commercial plaza containing 2 or more permitted **uses** may

be permitted in accordance with the regulations of the CBP **Zone** and shall be subject to site plan control.

5.3.5.3 CBP-3 - Map No. 58

In addition to all of the permitted **uses** of the CBP **Zone**, lands **zoned** CBP-3 may be used for the manufacture and sales of wood furniture.

5.3.5.4 CBP-4 - Map No. 58

In addition to all of the permitted **uses** of the CBP **Zone**, lands **zoned** CBP-4 may be used for retail **uses** such as the sale of furniture, housewares and **accessory** wares. Manufacturing **uses** will not be permitted.

5.3.5.5 CBP-5 - Map No. 58

In addition to the principal permitted **uses** of the CBP **Zone**, lands **zoned** CBP-5 may be used for the purpose of a mini-storage operation.

5.3.5.6 CBP-6 - Map No. 58

In addition to all the permitted **uses** of the CBP **Zone**, lands **zoned** CBP-6 may be used for one or a combination of the following:

- a) the retail sale of wood furniture;
- b) the manufacturing and warehousing of glassware together with public viewing areas, retail sales and a restaurant;
- c) the sale of handicrafts and gifts in a separate **building**; and
- d) the location and sale of model log constructed homes.

5.3.5.7 CBP-7 - Map No. 58

In addition to the permitted **uses** of the CBP **Zone**, lands **zoned** CBP-7 may be used for the purpose of the sale of boats and marine equipment, and outside storage subject to the provisions of site plan control.

5.3.5.8 CBP-8 - Map No. 14, 58, 60

In addition to all the permitted **uses** of the CBP **Zone**, lands **zoned** CBP-8 may be used for the sale of docks, marine equipment and satellite dishes.

5.3.5.9 CBP-9 - Map No. 58

Development on lands **zoned** CBP-9 is permitted in accordance with the approved site plan agreement registered as Instrument No. 01180521.

5.3.5.10 CBP-10 (H) (104-06) - Map No. 58, 59

- a) All regulations for the CBP **Zone** shall apply to the lands **zoned** CBP-10 (H) with the following exceptions:
 - i) Two commercial **uses** may be permitted on one **lot**.
 - ii) A third commercial **use** may be permitted on one **lot** subject to a holding provision.
 - iii) Notwithstanding any other provision of this by-law, the gas bar may have a **building** with a maximum floor area of 190 m² which may be used for retail sales and food services **accessory** to the gas bar.
 - iv) Notwithstanding Section 3.27.6, the loading space associated with the gas bar may be located in a yard facing a street.
 - v) Notwithstanding any future severance or division of the subject lands, the parcel will be considered as one **lot** for the purpose of zoning.
- b) The Holding Symbol (H) shall not be removed until:
 - i) full municipal servicing is available to the site,
 - ii) the existing septic system located on the property is satisfactorily removed,
 - iii) site plan approval has been granted by the Town, and a site plan agreement entered into by the owners of the land with the Town.

5.3.5.11 CBP-11 (126-07) - Map No. 58

Notwithstanding the provisions of Section 5.6.1, the following **uses** shall be permitted:

- a) Public **uses** in accordance with Section 3.47;
- b) Business and professional offices;
- c) Hotel or motel;
- d) Tourist commercial establishment;
- e) Antique shop;
- f) Gift shop;
- g) Variety store;
- h) Tourist information centre;
- i) Indoor recreational centre such as fitness centre and private clubs;

- j) Prefabricated home sales establishment;
- k) **Swimming pool** sales and display;
- l) Financial institution; and
- m) Commercial/retail dock equipment sales, and service.

5.3.6 Mixed Use 1 (Alcona) Zone (MU1)**5.3.6.1 MU1-1 (098-16) - Map No. 20, 37**

- a) That the lands **zoned** MU1-1 shall be **used** for no other purpose than:
- i. The Commercial **Use** provided for the MU1 **Zone** listed in Table 5.1 – Permitted **Uses**, of Zoning By-law 0800-13, as amended;
 - ii. Garden Centre or Nursery;
 - iii. Motor Vehicle Service Station in association with the provisions of Section 3.31;
 - iv. The Institutional **Uses** provided for the MU1 **Zone** listed in Table 5.1 – Permitted **Uses** of Zoning By-law No. 080-13, as amended;
 - v. Library; and
 - vi. Community Centre.
- b) That the following **Zone** regulations identified below shall apply in addition to Table 5.2b of Zoning By-law 080-13, as amended, for Commercial **uses** provided in the MU1-1 **Zone**:
- i. Minimum **Lot area**: 3.8 ha;
 - ii. Minimum **Lot Frontage**: 190 m;
 - iii. Maximum **Lot coverage**: 50%
 - iv. Minimum **Front Yard**: 12 m
 - v. Minimum **Interior side** Yard: 5 m;
 - vi. Minimum **Exterior side** Yard: 8 m;
 - vii. Minimum **Rear yard**: 9 m;
 - viii. Minimum **Landscaped Open Space**: 20%;
 - ix. Minimum Landscaped Buffer (Front Yard): 6 m;
 - x. Minimum Landscaped Buffer (Rear and **Interior side** Yard) 3 m;
 - xi. Minimum Number of **Parking Spaces** Provided: 350 spaces;
 - xii. Maximum **Building Height**: 11 m;
 - xiii. Minimum **Building Height**: 6 m; and
 - xiv. Minimum of 36% of the **lot frontage** abutting the front **lot line**/required setback shall be **building(s)**
- c) That the following special provisions shall apply to the lands **zoned** MU1-1:
- i. This development shall be subject to Site plan Control under Section 41 of the *Planning Act*, R.S.O, c.P. 13, as amended. Individual applications for development shall be required to enter into a Site Plan Control Agreement;
 - ii. That the required loading spaced are permitted to encroach into the **Exterior side** Yard;
 - iii. That a maximum of 5 dedicated loading spaced are required on the **lot**;
 - iv. That **parking spaces** are permitted to encroach within the required Front Yard to a maximum of 6 m;
 - v. That Notwithstanding any other section to a permitted **use** of Zoning By-law No. 080-13, as amended, a Motor Vehicle Service Station shall only be permitted as

an **accessory use**, shall not exceed six pumps, may only have an attached **accessory** sales kiosk not to exceed 40 square metres in size, and shall not be located in the Front Yard;

- vi. That for the lands **zoned** MU1-1, the front **lot** line shall be the **lot** line which abuts Innisfil Beach Road;
- vii. That garbage enclosures/garbage containment shall be permitted as standalone **structure(s)** and meet the minimum required setbacks as per Zoning By-law 080-13 and this By-law; and
- viii. That a minimum 2 m tight-board fence be required abutting the MU1-4 **Zone**.
- ix. That a minimum 2 m tight-board fence be required abutting any residentially-**zoned** lands.

5.3.6.2 MU1-2 - Map No. 20, 37

a) Permitted **uses** shall include:

- i) Bank
- ii) Professional Office
- iii) Business Office
- iv) Day Nursery
- v) Restaurant
- vi) Restaurant Take-Out
- vii) Restaurant Drive-Thru
- viii) Retail Store or Plaza
- ix) School Commercial
- x) Service Establishment
- xi) Laundry
- xii) Motor Vehicle Gas Bar
- xiii) Shopping Centre
- xiv) Specialty Retail Store
- xv) Personal Services Establishment, including a barber shop, beauty salon, dressmaking, or tailoring, or similar **use**

- xvi) Clinic
 - xvii) Veterinary Clinic for small, and/or domestic animals
 - xviii) Taxi Stand/Dispatch Office
 - xix) **Accessory uses**, including but not limited to, outdoor sales and display (such as seasonal garden centre) and drive-throughs, which are clearly incidental to, associated, and co-located with permitted commercial **uses** as listed above.
- b) Notwithstanding any other provisions of this By-law to the contrary on lands **zoned Mixed Use Exception (MU1-2) Zone** the following regulations shall apply:
- i) Minimum **building** setbacks shall be as follows:
 - 1) A westerly setback from the property line of 6 m to the property line.
 - 2) A southerly setback from an Open Space (OS) **Zone**, Agricultural General (AG) **Zone** or an Environmental Protection (EP) **Zone** of 9 m, save an except for garbage or loading **structures**/facilities which can encroach into the required setback to a maximum of 3 m.
 - 3) An easterly setback of 11 m to the property line.
 - 4) A minimum setback of 1.5 m from the Innisfil Beach Road street line.
 - 5) For **buildings** within 30 m of the Innisfil Beach Road street line, there shall be a maximum setback of 4 m from the Innisfil Beach Road street line.
 - ii) For **buildings** within 30 m of the Innisfil Beach Road street line, there shall be a minimum **building height** of 5 m.
 - iii) There shall be no restrictions on the number of **buildings** permitted on an individual **lot**.
 - iv) Maximum gross floor area, excluding seasonal garden centres, shall be 10,225 m².
 - v) Required parking for all **uses** on the lands **zoned Mixed Use Exception (MU1-2) Zone** shall be 1 space per 19 m² of gross leasable floor area. For the purpose of this calculation, gross leasable floor area shall be defined as: the sum total of the area of the floor of floors, measured from the exterior walls of the **building** or **structure** at the level of each floor or

mezzanine level but shall not include: basements; ancillary offices; storage areas inaccessible to the general public; floor area common by the tenants of a **building** such as a mall, isle or hallway, or elevator shaft or lobby; stairwells; washrooms; maintenance, mechanical, electrical or utility rooms; seasonal garden centres and garbage enclosures.

- vi) In the event of land division approved by the Town of Innisfil, the lands **zoned** Mixed **Use** Exception (MU1-2) **Zone**, shall be treated as one parcel for the purpose of meeting zoning standards for setbacks, **lot area**, **lot frontage**, parking, and **lot coverage** and similar regulations.
- vii) Loading spaces per **building** shall be provided as follows:

1) 0 to 1,860 m ² of gross floor area:	0
2) 1,862 to 2,787 m ² of gross floor area:	1
3) Over 2,787 m ² of gross floor area:	2
- viii) No drive-through facility and/or stacking lane shall be permitted in any required yard between the street line, and any **building** directly adjacent to Innisfil Beach Road, and shall be setback a minimum of 20 m from any type of residential **zone**.
- ix) The outdoor display and sale of goods, such as seasonal garden centres, shall be permitted in accordance with the following provisions:
 - 1) The size shall not be more than 10% of the **gross floor area** of the main **use**;
 - 2) Shall not be located within a required yard.
 - 3) Shall not obstruct or occupy and required parking area or loading space; and,
 - 4) The outdoor display area is to be located on a hard surface material of asphalt, concrete, pavers or similar **building** material.
- x) Notwithstanding the provisions of Section 3.31, the following provisions apply to a gas bar:
 - 1) A minimum setback of 1.5 m and a maximum setback of 4 m shall be required from the Innisfil Beach Road street line. This regulation will not apply to either a fuel pump or canopy.
 - 2) No fuel pump or canopy may be erected in the front, side yards, or within 11.8 m of any street line, or **lot** line.

- 3) The distance between means of access or ramps is a minimum of 9 m.
 - 4) Each ramp may have a maximum width of 11 m, and there will be no interior angle requirement formed between the **lot** line, and centerline of the ramp.
 - 5) No ramp may be located within 1.5 m of a side **lot** line.
 - 6) Food and confectionary sales are permitted as an **accessory use**.
 - 7) A **building** or shelter associated with a gas bar may have a gross floor area up to 110 m². The gas bar is permitted up to 4 pumps, which consist of 8 fuelling nozzles.
 - 8) The maximum **height** of a fuel canopy shall be 5.7 m.
- c) The Holding Symbol (H) may be lifted in the whole or in part upon Application by the Proponent, if Council is satisfied with the following:
- i) That the plans be submitted and approved by the Town of Innisfil satisfactorily address the “Community Gateway” aspects outlined herein;
 - ii) That servicing arrangements satisfactory to the Town of Innisfil have been made for the site;
 - iii) That the Town of Innisfil is satisfied that appropriate arrangements are set out in a Site Plan Control Agreement;
 - iv) that the plans submitted, and approved by the Town of Innisfil with respect to the relocation of the watercourse are to the satisfaction of the Lake Simcoe Region Conservation Authority (LSRCA);
 - v) Confirmation that there is allocation of sewer, and water capacity by resolution of Council to service the development;
 - vi) Confirmation that all the properties have merged as one (1) parcel on title including the parcel to the south referred to in Consent Application B-017-08, and the lands known municipally as 1449 Innisfil Beach Road;
 - vii) Should phasing of the development be proposed, a Phasing Plan is to be submitted to the satisfaction of the Town of Innisfil; and,
 - viii) That the Proponent has executed the “Alcona Developers Cost Share Agreement”, and provided written confirmation from that Trustee that they are members in good standing.
- d) All other provisions of this By-law shall apply.

5.3.5.3 MU1-3 (011-17) – Map No. 38

Notwithstanding any other provisions of this by-law to the contrary, the following provisions shall apply to those lands **zoned** MU1-3.

- a) That notwithstanding Table 5.2b, the following provisions shall apply to Block 1 (row of townhouse **dwelling**s fronting Innisfil Beach Road) on the lands **zoned** MU1-3:

Table X.Y	
Provision	Provided
Minimum Lot area – interior lot of Block 1	128 sq.m
Minimum Lot area – end unit of Block 1 (West)	155 sq.m
Minimum Lot area – end unit of Block 1 (East)	198 sq.m

- b) That notwithstanding Section 5.2b(7), the required at grade common open space/amenity space shall be a minimum of 168 square metres in a consolidated form.

5.3.6.4.1 MU1-4 (098-16) – Map No. 37

- a) That the lands **zoned** MU1-4 shall be **used** for no other purpose than:
- i. Townhouse **Dwellings**;
 - ii. Apartment **Dwellings**;
 - iii. Long Term Care or Nursing Homes;
 - iv. Retirement Homes; and
 - v. **Accessory uses** associated with Long Term Care Homes, Nursing Homes or Retirement Homes including but not limited to an adult daycare facility, medical or health clinic and **accessory** commercial used, including a beauty salon, barber shop and tuck shop. The **accessory** commercial **uses** shall be limited to **use** by the residents, their guests, and employees only and shall not be open to the general public.
- b) That **lot** and **building** requirements shall be in accordance with Table 5.2b – Mixed **Use Zone** Regulations of Zoning By-law No. 080-13, as amended.

5.3.7 Mixed Use 2 (Alcona) Zone (MU2)**5.3.7.1 MU2-1 - Map No. 39**

- a) In addition to the permitted **uses** of the “Mixed **Use** (MU2) **Zone**”, a lumber storage shed may also be a permitted **use**.
- b) Parking shall be a minimum of one hundred and sixteen (116) spaces.
- c) All other provisions of this By-law shall apply.
- d) This By-law shall come into force and take effect on the day it is passed subject to the appeal provisions set out in Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.

5.3.7.3 MU2-3 & MU2-3-H (117-18) - Map No. 38

Notwithstanding any other provisions of this by-law to the contrary, the following shall apply to those lands **zoned** MU2-3 & MU2-3-H:

- a) That all internal lot lines shall be removed in order that the entire parcel may be treated as a single lot for zoning purposes.
- b) That a maximum of two (2) **accessory** Drive-Through Facility **uses** be permitted in addition to the **uses** permitted in the MU2 **Zone**. Any Drive Through Facility located as part of Building C and/or and Building D, shall be located a minimum of 4.5 metres from the front property line.
- c) That in addition to the permitted **uses** of the MU2 **Zone**, Townhouse **Dwellings** are a permitted **use**, and subject to the following provisions on the lands zoned MU2-3-H:
 - i. That a maximum of 3 Townhouse Blocks totaling a maximum of 18 Townhouse **Dwelling** Units be permitted; and
 - ii. That the standards and provisions of Table X.Y, shall apply to Townhouse **Dwelling** Units on the lands **zoned** MU2-3-H:

Table X.Y	
Provision	Required
Minimum Lot area per unit	138 sq.m.
Minimum Lot Frontage (Interior Lot)	6 m
Minimum Lot Frontage (Exterior Lot)	6 m
Minimum Front Yard (from curb)	4.5 m
Minimum Interior side Yard	0 m, or 1.2 m for an end unit
Minimum Exterior side Yard	3 m
Minimum Rear yard	7.0 m for a Dwelling unit 4.0 , for decks
Maximum Lot coverage (per townhouse unit) or per lot area	50%

Building Height (max.)	11 m for a peaked roof and 9.5 m for a flat roof and no 45 degree angular plane
Minimum landscaped open space	30%
Amenity Space (min.)	Outdoor – 0 sq.m per unit Indoor – 0 sq.m. per unit
Notwithstanding anything to the contrary the following minimum number of parking spaces are required for Townhouse Dwelling units	Townhouse unit – 2 parking spaces per dwelling unit, and 0.23 parking spaces for visitor parking.

- d) That notwithstanding Table 5.2b, the following provisions shall apply to Mixed Use buildings on the lands zoned MU2-3:

Provision	Provided
Minimum Front Yard	Building B – 0.0 m may be provided for the ground floor and second floor to a maximum of two (2) storeys and all other storeys shall meet by-law standards and provisions of the MU2 zone.
Minimum Exterior side Yard (Jans Boulevard)	Building A – 4 m, where the building height is greater than three (3) storeys or 12 m, whichever is the lesser the building must be setback a minimum of 5 m. Building A – A parking structure that is 90% located below grade shall be permitted an exterior side yard setback of 0.0 m and not exceed a height of 1.5 m above established grade.
Minimum Rear Side Yard	Building A – 3.5 m, for an exterior egress stairwell structure only.
Minimum Front Yard and Exterior Side Yard Landscaped Strips	Building A – The exterior side yard landscape areas shall correspond to the setbacks provided for a structure, excluding parking areas, areas for driveways, walkways and sidewalks.
Building Height (min. – max.)	Building A – maximum 29.9 m Building C – minimum 5.8 m Building D – minimum 5.4 m
Loading Spaces	Building B – minimum 1 loading space required
Parking (Exterior Side yard)	A maximum of two (2) parking spaces shall be permitted abutting Jans Boulevard
Garbage Containment	Shall be permitted to be located outside of a commercial building (Building C)
Maximum Front Yard Encroachments on to Innisfil Beach Road	1.5 m, for architectural features (Building B)

5.3.8 Mixed Use 3 Zone (MU3)

None at this time.

5.3.9 Mixed Use 4 (Lefroy) Zone (MU4)**5.3.9.1 MU4-1 - Map No. 28**

- a) The permitted **uses** shall include a maximum of 8 residential units and 1 commercial office unit in the southernmost **building**, and 12 residential units in the northernmost **building**.
- b) The minimum front yard shall be 2.0 m
- c) The minimum **rear yard** shall be 1.2 m.
- d) The minimum **interior side** yard (on the west side) for the northernmost **building** shall be 4.5 m.
- e) The existing single storey **accessory building** shall be located a minimum of 0.3 m from the property line and shall have a maximum floor area of 40 square metres. Notwithstanding any other provision of this By-law, the existing **accessory building** shall be permitted to be located between the two principal **use buildings** in the MU4-1 **Zone**.

5.3.9.2 MU4-2(H) (077-13) - Map No. 28

- 1) In addition to the **uses** permitted in Section 5.1 the following **uses** shall also be permitted:
 - i) Long Term Health Facilities
 - ii) Mixed residential/commercial **buildings**
 - iii) Personal Service Establishment
 - iv) Hotel
 - v) Motel
 - vi) Medical Clinics
 - vii) Seniors Apartments
 - viii) Nursing Home
 - ix) Live/Work Residential **Dwelling Units** separate from and ancillary to the **uses** permitted in Section 5.1 and each **dwelling** shall comply with the relevant provisions of Section 4.10.6.8 of the RT-11(H) **zone**.
 - x) **Dwelling units** on floors above the first floor and each **dwelling unit**, shall comply with the relevant provisions of Section 3.4
- 2) Notwithstanding any other provisions of this By-law, drive through facilities are prohibited
- 3) All **zone** regulations for the MU4 **zone** shall apply to the lands **zoned** MU4-2 with the following exceptions:
 - a) Minimum Yards
 - i) Side Yard adjacent to a residential **zone**:
 - a) 1.5 metres for the first 4 metres in **building height**,

- b) 3 metres for any portion of the **building** in excess of 4 metres in **height** up to 9 metres in **height**;
 - c) 6 metres for any portion of the **building** in excess of 9 metres in **height** up to 12 metres in **height**; and
 - d) 9 metres for any portion of the **building** in excess of 12 metres in **height** up to 15 metres in **height**.
- b) Maximum Yards
- i) Front Yard 3 metres
- c) Maximum Building Height 15 metres and 4 storeys
- d) Maximum Density 100 units / hectare
- e) Off-Street Parking
- i) Notwithstanding any other provisions of this By-law to the contrary, 1.25 parking spaces per **dwelling unit** will be required and shall be inclusive of visitor space requirements.
 - ii) Provision shall be made on the side or rear areas of every property to fully accommodate any vehicle which will be required to park while loading or unloading. One additional parking space shall also be provided for parking of vehicles associated with each residential **use** permitted and shall be in accordance with the requirements of Section 3.35.
 - iii) No parking or loading facility or part thereof shall be located and no land shall be **used** for the temporary parking or storage of any motor vehicle within 1.5 metres of any street line, or within 3.0 metres of the boundary of any Residential **Zone**.
 - iv) No parking, **driveways**, **lanes** or **aisles** should be permitted between **buildings** and the public sidewalk.
- f) Loading
- i) No parking or loading facility or part thereof shall be located and no land shall be **used** for the temporary parking or storage of any motor vehicle within 1.5 metres of any street line, or within 3.0 metres of the boundary of any Residential **Zone**.
 - ii) No **loading space** or platform or overhead vehicular door may be located in any yard or wall of any **building** or **structure**, which adjoins or faces a street.
 - iii) Loading facilities shall be limited to the rear of any **building**.

5.3.10 Mixed Use 5 (Cookstown) Zone (MU5)**5.3.10.1 MU5-1 - Map No. 1, 62**

The lands may be used in accordance with the MU5 **Zone** and shall be further regulated by the following provisions:

- a) Maximum floor area for non-residential purposes shall not exceed 60 m².
- b) Existing bushes, shrubs, trees and similar vegetation located adjacent to any Residential **Zone** shall be maintained and where necessary, replaced to a depth of 1 m from any Residential **Zone** boundary.

5.3.10.2 MU5-2 (90-24) - Map No. 1, 62

- a) Minimum **Lot Frontage**: 10 m
- b) Minimum **Lot area**: 700 m²
- c) A privacy yard and storage facilities shall not be required.
- d) A graveled **driveway** 2.5 m in width and a graveled 3 car parking area shall be deemed to satisfy the parking and access requirements. No public parking shall be permitted.
- e) An area of Open Space in the form of a 1.5 m planting strip is not required for those areas abutting a Residential **Zone**.

5.3.10.3 MU5-3 (90-16) - Map No. 1, 62

- a) The minimum **rear yard** area for two **dwelling** units shall be 150 m².
- b) Parking for **dwelling units** may be provided on a **lot** within 60 m of the **lot** with the principal **use** and is not required to be located on the **lot** with the principal **use** provided the **lot** with the principal **use** and the **lot** for the parking is under the same **lot** ownership.
- c) Separate storage facilities for each **dwelling** unit are not required.
- d) A maximum of two **dwelling** units may be permitted over a restaurant **use**.

5.3.10.4 MU5-4 (90-17) - Map No. 1, 62

- a) The only permitted **use** for those lands **zoned** MU5-4 will be for the parking and temporary storage of motor vehicles in a parking area.
- b) The lands described as Part of **Lots** 1 and 2 on Plan 32 (formerly the Village of Cookstown) have had a Holding Symbol (H) added, and, therefore, the lands described above shall be used for no other purpose than that which existed on the date this By-law takes effect, until the Holding Symbol (H) is removed in accordance with Section 36 of the *Planning Act*, R.S.O. 1990, Chapter P.13, at which time the provisions, requirements and restrictions of the **zone** symbol preceding the symbol "(H)" shall apply.

5.3.10.5 MU5-5 (27-96) - Map No. 1, 62

- a) The minimum **lot area** shall be the size of the existing Part **Lot 1**, Plan 99.
- b) The minimum **rear yard** shall be 0 m.
- c) The maximum **lot coverage** shall be 58%.
- d) A minimum of two parking spaces shall be provided on the property.

5.3.10.6 MU5-6 - Map No. 1, 62

In addition to the permitted **uses** of the MU5 **Zone**, a guest room or bed and breakfast is a permitted **use** on lands **zoned** MU5-6.

5.3.10.7 MU5-7 (H) - Map No. 1, 62

Notwithstanding the permitted **uses** of the MU5 **Zone**, the lands **zoned** MU5-7 shall be **used** for no other purpose than a retail store for hand crafted cabinets and fine furniture as well as one **accessory dwelling** unit over the retail **use**.

**SECTION 6
INDUSTRIAL ZONES**

The Industrial **Zones** consist of the following **zones**:

Industrial Zones	
ZONE	SYMBOL
Industrial General Zone	IG
Industrial Business Park	IBP
Industrial Extractive Zone	IE

6.1 Permitted Uses

Uses permitted in the Industrial **Zones** are identified with a “●” in the column applicable to that **zone** and corresponding with the row for a specific permitted **use** in Table 6.1 – Permitted **Uses**. Where an “E” is identified in the column, only **uses** which legally existed on the date of passing of this By-law shall be permitted. All permitted **uses** shall be subject to the applicable **zone** regulations provided in Section 6.2 and the General Provisions provided in Section 3.0, where applicable.

Table 6.1 – Permitted Uses

	IG	IE	IBP
<i>Principal Use</i>			
Agricultural processing establishment			●
Agricultural produce warehouse			●
Agricultural use, conservation uses, forestry and reforestation		●	
Assembly operation	●		●
Bakery	●		●
Building supply outlet			●
Bulk fuel depot			●
Bulk storage yard	●		●
Cartage, express or truck terminal	●		●
Commercial school			●
Concrete or Asphalt Batching or Recycling Facility		●	
Contractors shop or yard			●

	IG	IE	IBP
Convenience store			•
Custom workshop			•
Dry cleaning establishment	•		
Equipment sales, rental and servicing			•
Excavation, storage, crushing, screening or washing of sand, gravel, ballast or similar material		•	
Farm implement dealer			•
Fitness centre			•
Hotel, motel			•
Laundry and dry cleaning depot			•
Light manufacturing	•		•
Manufacturing	•		•
Medical Marihuana Production Facility	•		•
Motor vehicle auto body shop	•		•
Motor vehicle dealership			•
Motor vehicle repair garage	•		•
Motor vehicle service station (1)			•
Printing and publishing establishment	•		•
Professional office			•
Public uses	•	•	•
Recreational vehicle sales establishment			•
Research establishment	•		•
Restaurant			•
Restaurant, take-out			•
Retail use			•
Self storage units	•		
Service and repair establishment	•		•
Service industry	•		
Taxi stand or dispatch office	•		•
Tourist information centre			•
Utility yard	•		
Veterinary clinic			•

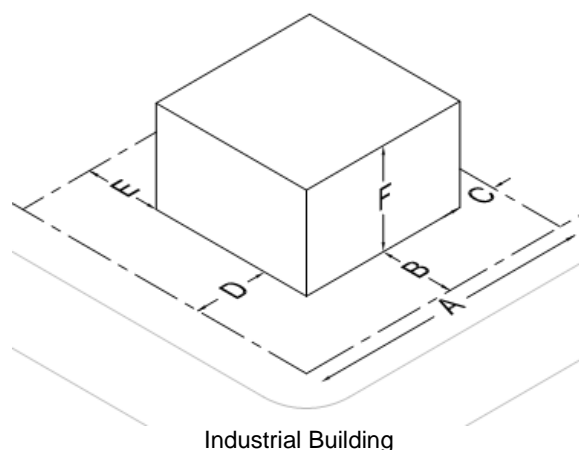
	IG	IE	IBP
Warehouse	•		•
<i>Accessory Uses, Buildings and Structures</i>			
Accessory buildings and structures (1)	•		•
Accessory retail use (1)	•		•
Drive-through associated with a permitted commercial use (1)			•
Outside storage (1)		•	•
Outside display and sales area			•

Notes:

(1) Subject to specific **use** provisions contained in the General Provisions of this By-law.

6.2 Zone Regulations

The following **zone** regulations identified in Table 6.2 shall apply to the respective Industrial **Zones**.



- A: Minimum lot frontage
- B: Minimum front yard
- C: Minimum interior side yard
- D: Minimum exterior side yard
- E: Minimum rear yard
- F: Maximum building height

Table 6.2 – Regulations for the Industrial Zones

Principal Use	IG	IE	IBP
Minimum Lot area	1,900 m ²	N/A	2,000 m ²
A: Minimum Lot Frontage	30 m	N/A	Interior Lot: 45 m Exterior Lot: 50 m
B: Minimum Front Yard	11 m	N/A	8 m
C: Minimum Interior side Yard	6 m	N/A	3 m
D: Minimum Exterior side Yard	6 m	N/A	6 m
E: Minimum Rear yard	8 m	N/A	8 m or 1.4 times the principal building height, whichever is greater
Maximum Lot coverage	50%	N/A	N/A
F: Maximum Building Height	11 m	N/A	11 m
Minimum Landscaped Open Space	N/A	N/A	20%
Other		See (1)	See (2)

Notes:

(1) The following additional requirements shall apply to the IE **zone**:

- a) No excavation of sand and gravel shall be permitted closer than 122 m from the

property line of lands **zoned** for residential, community, institutional or **parks** and open space **uses**.

- b) No extraction of quarry stone or the processing of sand, gravel or stone shall be permitted closer than 213 m from the property line of lands **zoned** for residential, community, institutional or parks and open space **uses**.
- c) Excavations shall be setback a minimum of 30 m from a **street** and a minimum of 15 m from a property line.

(2) The following additional requirements shall apply to the IBP **zone**:

- a) Every **lot** within an IBP **Zone** which abuts County Road 21 or Provincial Highway No. 400 must provide a strip of land having a minimum depth of 9 m immediately abutting the street line or highway, to be **used** only for landscaped open space.
- b) Every **lot** within an IBP **Zone** which abuts any other street must provide a strip of land having a minimum depth of 6 m immediately abutting the street line, to be **used** only for **landscaped open space**.
- c) The minimum distance between any **building** or **structure** in the IBP **zone** and any residential **zone** shall be 60 m.
- d) A parking area, an outside display, or any combination of the two shall not exceed fifty percent (50%) of the area on any yard facing Highway No. 400 or County Road No. 21, unless such parking areas are screened with a fence or landscaping in which case they may be increased to a maximum of seventy-five percent (75%) of the yard.
- e) Any yard abutting Provincial Highway 400 or County Road 21 shall be a minimum of 14.0 m.
- f) In cases where two or more abutting **lots** are combined under one development, the regulations shall apply to the total area as if the combined **lots** constituted one **lot**.

6.3 Zone Exceptions

Notwithstanding any other provisions of this By-law, the special regulations contained in this Section shall apply to the area or areas defined below and as shown on Schedule "A".

6.3.1 Industrial General Zone (IG)**6.3.1.1 IG-1 - Map No. 19, 55**

For those lands **zoned** IG-1, vehicle sales as an additional **use** to the permitted **uses** in the IG **Zone** shall only be permitted. All other provisions of this By-law shall apply.

6.3.1.2 IG-2 (7-85) - Map No. 14

- a) One or a combination of any of the following **uses** shall be permitted:
 - i) The operation of a business to pump and clean septic tanks and haul water.
 - ii) The manufacture, storage, repair, service rental and sale of portable construction site **structures** and portable privies.
 - iii) Outside storage of such **uses**, including trailers and equipment related thereto.
 - iv) Parking of, and incidental running repairs to motor vehicles related thereto.
 - v) Storage and treatment of sewage or any other type of effluent in an inground container or vault of a maximum capacity of 45,500 litres approved in accordance with the *Environmental Protection Act*, being Chapter 141, R.S.O. 1980, as amended. For purposes of this paragraph, effluent does not include Industrial Waste as defined in the *Environmental Protection Act*, Chapter 141, R.S.O. 1980, as amended.
- b) **Lot** and **building** requirements shall be in accordance with the following regulations:
 - i) Maximum site area: 2.5 hectares
 - ii) Maximum site dimensions:
 - 1) North, south boundary: 140 m
 - 2) East, west boundary: 180 m
 - iii) Maximum **building height**: 15 m
 - iv) Minimum site setback from **lot** lines:
 - 1) North boundary: 45 m
 - 2) East boundary: 280 m

- 3) West boundary: 120 m
- v) Despite any other section of this By-law, site shall mean the area of land within the **lot**, intended to be occupied by the permitted **uses**.
- c) All off-street parking and loading spaces, driveways and aisles must be constructed and maintained with a stable surface which is treated to prevent the raising of dirt or loose particles.

6.3.1.3 IG-3 (27-84) - Map No. 8

- a) A public **use** in accordance with the provisions of 3.45 of this By-law shall be permitted. An industrial **use** for the purpose of fabrication, assembling and sales of machinery and equipment shall be permitted.
- b) Outside storage of finished products shall be a permitted **accessory use**.
- c) **Lot** and **building** requirements shall be in accordance with the following regulations:
 - i) Minimum **lot frontage**: 152 m
 - ii) Minimum **lot area**: 2.8 ha
 - iii) Minimum **front yard**: 11 m
 - iv) Minimum **interior side yard**: 6 m
 - v) Minimum **rear yard**: 8 m
 - vi) Maximum **lot coverage**: 50%
 - vii) Maximum **building height**: 11 m
- d) The disposal of any type of effluent including Industrial Waste as defined in the *Environmental Protection Act* as amended, shall not be permitted except for private washroom facilities for the **use** of staff.

6.3.1.4 IG-4 - Map No. 2

In addition to the permitted **uses** contained in the IG **Zone**, an automobile wrecking yard shall be permitted. A **single detached dwelling** for occupancy by a caretaker, watchman or similar person employed on the **lot** which such **dwelling** is located shall also be permitted.

6.3.1.5 IG-5- Map No. 2

- a) Notwithstanding any other provision of this By-law, in addition to the **uses** permitted in the IG **zone**, the following **uses** are also permitted:
 - i) agricultural processing establishment

- ii) agricultural produce warehouse
- iii) bulk fuel depot
- iv) concrete or asphalt batching or recycling facility
- v) contractors shop or yard
- vi) equipment sales, rental and servicing
- vii) farm implement dealer
- viii) stockyard
- ix) veterinary clinic
- x) **accessory uses**

6.3.2 Industrial Business Park (IBP)**6.3.2.1 IBP-1 - Map No. 56, 58**

- a) A crematorium shall be permitted as a principal **use**.
- b) **Accessory uses** shall include a **cemetery**, mausoleums, columbarium, chapel, administrative offices, and a **dwelling** unit in accordance with Section 3.4.
- c) **Accessory uses** shall be permitted within the principal **building** or in one or more separate **accessory buildings**.
- d) **Buildings** or **structures** normally incidental and subordinate to any permitted **use** shall be permitted.

6.3.2.2 IBP-2 - Map No. 58

In addition to the permitted **uses** for the IBP **Zone**, the manufacture of concrete products, including outside display of finished products shall be permitted.

6.3.2.3 IBP-3 - Map No. 58

- a) In addition to all other **uses** permitted in the IBP **Zone**, the following **uses** are permitted:
 - i) a horse racing track;
 - ii) slot machine;
 - iii) gaming facility;
 - iv) a restaurant; and
 - v) any other incidental or **accessory use** or **structure**.
- b) Notwithstanding any other provision of this By-law, the maximum **building height** for the racetrack grandstand is 16 m.

6.3.2.4 IBP-4 and IBP-5 (058-02) - Map No. 56 and 57

- a) Notwithstanding any other provision of this By-law, the **lot** and **building** requirements for the lands **zoned** IBP-4 and IBP-5 shall be in accordance with the following table:

ZONE	IBP-4	IBP-5
Regulation	(Highway Frontage)	(Interior)
a) Minimum Building	11 m ²	11 m ²
b) Minimum Lot Frontage		

ZONE Regulation	IBP-4 (Highway Frontage)	IBP-5 (Interior)
1) Interior lot	45 m	45 m
2) Corner lot	50 m	50 m
c) Minimum Yard Requirements		
1) Front Yard	8 m	8 m
2) Rear yard	8 m	8 m
3) Interior side Yard	3 m	3 m
4) Exterior side Yard	8 m	8 m
5) Any yard abutting Provincial Highway 400 or Industrial Park Road	14 m	9 m
d) Minimum distance from the adjoining rural residential lot which fronts on the road allowance between Concessions VIII and IX	n/a	60 m
e) Maximum Building Height	11 m	11 m
f) Open Storage	Not permitted	Permitted on lots adjacent to Industrial Park Road at 9 m landscaped setback to Industrial Park Road with 2 m high screen fencing or other effective visual screening and at 6 m landscaped setback to other streets. Permitted on other lots at 6 m landscaped setback.
g) Ratio Front Lot Line and Lot Frontage (Applicability of Section 3.16)	The front lot line shall not be less than 55% of the lot	In accordance with Section 3.16.

ZONE	IBP-4 (Highway Frontage)	IBP-5 (Interior)
Regulation		
	frontage. Section 3.16 does not apply.	
h) Landscaped Open Space	9 m on the lot boundaries adjacent to Highway 400 6 m on the lot boundaries adjacent to any other street	9 m on the lot boundaries adjacent to Industrial Park Road

b) On those lands **zoned** as IBP-4 and IBP-5, the following architectural controls relating to the type of construction shall apply:

i) The exterior walls of all **buildings** shall be constructed of:

1. architectural concrete block;
2. architectural pre-cast concrete;
3. steel white enamel finish;
4. clay brick;
5. glass;
6. stone facing;
7. stucco;
8. or a combination of the above.

ii) Fascias, spandrels, trim and all special details shall be constructed of:

1. stainless steel;
2. aluminum;
3. bronze;
4. steel with enamel finish;
5. architectural pre-cast concrete;

6. stone, granite or marble;
7. or a combination of the above.

6.3.2.6 IBP-6 (073-05) - Map No. 57

All of the **uses** permitted and regulations of the IBP-5 **zone** shall apply, except that the **height** of the stockpiles and **buildings** shall not exceed 18.0 m and 34.0 m respectively.

For the purposes of 2(f) of Table 6.2 (Industrial **Zone** Regulations), **Lots** 23-26, Plan 51M-806 shall be deemed to be 'one development' as long as a restriction under Section 118 of the *Land Titles Act* R.S.O. 1990, c.L.5 is registered on title of the said **lots**.

6.3.3 Industrial Extractive Zone (IE)**6.3.3.1 IE-1 (075-13) – Maps No. 15 and 16**

1. In addition to the permitted **uses** of the “Industrial Extractive (IE) **zone**”, the following **use** shall also be permitted:
 - i) The storing of material associated with hydro evacuation. This process would involve the drying of a mud slurry product associated with a hydro evacuation (ie: hydro-vac) business, and the **use** of this material to further fill and rehabilitate the former gravel pit. The by-product of this business is an inert material that is composed of dirt and water (ie: wet mud).
2. The subject lands shall be under Site Plan Control as per Section 41 of the Planning Act, R.S.O. 1990, c.P. 13, as amended.

SECTION 7 COMMUNITY SERVICE, OPEN SPACE AND ENVIRONMENTAL PROTECTION ZONES

The Community Service, Open Space and Environmental Protection **Zones** consist of the following **zones**:

Community Service, Open Space and Environmental Protection Zones	
ZONE	SYMBOL
Community Service Zone	CS
Open Space	OS
Environmental Protection	EP

7.1 Permitted Uses

Uses permitted in the Community Service, Open Space and Environmental Protection **Zones** are identified with a “•” in the column applicable to that **zone** and corresponding with the row for a specific permitted **use** in Table 7.1 – Permitted **Uses**. Where an “E” is identified in the column, only **uses** which legally existed on the date of passing of this By-law shall be permitted. All permitted **uses** shall be subject to the applicable **zone** regulations provided in Section 7.2 and the General Provisions provided in Section 3.0, where applicable.

Table 7.1 – Permitted Uses

	CS	OS	EP
Principal Use			
Agricultural use		E	E
Cemetery	•		
Community centre	•		
Conservation use	•	•	•
Government facility	•		
Hospital	•		
Indoor recreational centre	•		
Library	•		
Long term care home or nursing home	•		
Medical office	•		
Outdoor recreation use	•	•	

	CS	OS	EP
Park	•	•	
Passive recreation	•	•	•
Place of worship	•		
Public uses	•	•	•
Religious retreat or camp	•		
Retirement home	•		
School	•		
University or college	•		
<i>Accessory Uses, Buildings and Structures</i>			
Accessory buildings and structures (1)(2)	•	•	•
Accessory dwelling unit (1)	•		

Notes:

(1) Subject to specific **use** provisions contained in the General Provisions of this By-law.

(2) In the EP **zone**, **accessory uses**, **buildings** and **structures** shall be non-habitable

7.2 Zone Regulations

The following **zone** regulations identified in Table 7.2 shall apply to the respective Community Service, Open Space and Environmental Protection **Zones**.

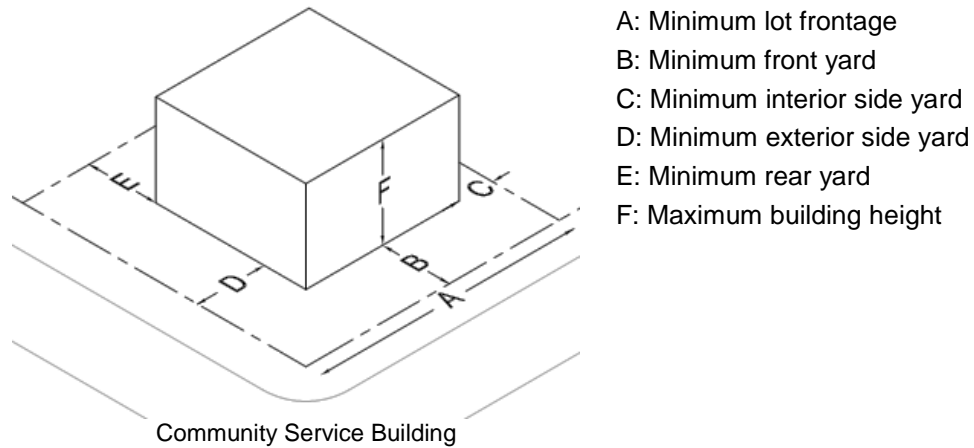


Table 7.2 – Zone Regulations

Principal Use	CS	OS	EP
Minimum Lot area	1,000 m ²	N/A	N/A
A: Minimum Lot Frontage	15 m	15 m	N/A
B: Minimum Front Yard	6 m	6 m	10 m
C: Minimum Interior side Yard	5 m	5 m	10 m
D: Minimum Exterior side Yard	6 m	6 m	10 m
E: Minimum Rear yard	8 m	8 m	10 m
Maximum Lot coverage	40%	40%	N/A
F: Maximum Building Height	12 m	11 m	N/A
Minimum Landscaped Open Space	20%	N/A	N/A
Other	Where a rear or interior side yard abuts a Residential Zone, the abutting minimum rear or interior side yard shall be 9 m		

7.3 Zone Exceptions

Notwithstanding any other provisions of this By-law, the special regulations contained in this Section shall apply to the area or areas defined below and as shown on Schedule "A".

7.3.1 Community Service Zone (CS)

7.3.1.1 CS-1 - Map No. 14, 60

A sanitary landfill site shall be permitted.

7.3.1.2 CS-2 (07-85) - Map No. 20, 37

A church shall be permitted. For the purposes of this exception, a church shall mean a **building** or **buildings** commonly used by any religious organization for public worship, and may also include a rectory or manse, church hall, **day nursery** or Sunday **School** associated with, and **accessory** thereto.

7.3.1.3 CS-3(H) (31-91,100-9) - Map No. 19

- a) A church, including a multi-purpose **building** for worship and a community **use**, shall be permitted as a principal **use**.
- b) A religious retreat or camp or conference centre, a nursery school, a playing field, and related **buildings** and **structures accessory** to the principal **use** shall be permitted.
- c) When the **zone** symbol is followed by Holding Symbol (H), the lands shall be used for no other purpose than that which existed on the date this By-law takes effect, until the Holding Symbol (H) is removed in accordance with Section 36 of the *Planning Act*, at which time the provisions, requirements and restrictions of the **zone** symbol preceding the letter (H) shall apply.

7.3.1.4 CS-4 (H) (060-97) - Map No. 43

- a) The lands may be used for no other purpose than that which legally existed on September 3rd, 1997, until the Holding Symbol (H) is removed in accordance with Section 36 of the *Planning Act*.
- b) The Holding symbol (H) shall not be removed until such time as the following has been completed:
 - i) A Development Agreement has been entered into with the Town outlining servicing requirements, allocation timing requirements and servicing easements.
 - ii) A site plan agreement has been entered into with the Town.
- c) Upon removal of the Holding Symbol (H), the following shall apply:
 - i) Notwithstanding the permitted **uses** of the CS **Zone**, the lands **zoned** CS-4 shall

be used for a retirement campus only. For the purposes of this By-law, a retirement campus shall mean senior's apartments, a retirement home and a nursing home either singly or in combination.

- d) For the purposes of establishing density, the total number of units shall not exceed the equivalent population of 200 condominium units at 2.0 persons per unit. To establish equivalency, the following chart will be used:
 - i) Seniors Apartment Unit: 1.33 units as equivalent to 1.0 condominium units
 - ii) Retirement Unit: 1.67 units as equivalent to 1.0 condominium units
 - iii) Nursing Home Bed: 2.0 beds as equivalent to 1.0 condominium units
- e) **Accessory uses** associated with senior's apartments, a retirement home and nursing home shall also be permitted. The **accessory** units may include an adult daycare facility, medical or health clinic, and **accessory commercial uses**, including a beauty salon, barber shop and tuck shop not more than 40 m² in size. The **accessory commercial uses** shall be limited to **use** by the residents, their guests, and employees only.
- f) Notwithstanding the parking provisions of Section 3.35, a minimum of 1.25 spaces per seniors apartment unit and a minimum of 0.5 per retirement unit or nursing bed shall be required. The medical or health clinic will be required to meet the minimum parking requirements of Section 3.34.

7.3.1.5 CS-5 (31-91) - Map No. 15, 16

- a) A church shall be permitted.
- b) When the **zone** symbol is followed by the Holding Symbol (H), the lands shall be **used** for no other purpose than that which existed on the of passing of this By-law, until the Holding Symbol (H) is removed in accordance with Section 36 of the *Planning Act*, at which time the provisions, requirements and restrictions of the **zone** symbol preceding the Holding Symbol (H) shall apply.

7.3.1.6 CS-6 (H) (070-08) (072-16) - Map No. 11, 16, 27, 30

- a) Notwithstanding any other provision of this By-law, only the following **uses** shall be permitted:
 - i) A church; and
 - ii) **Dwelling units** shall be permitted in accordance with the provisions of the R2-5 **zone**.

7.3.1.7 CS-7 (26-00) - Map No. 1, 62

Notwithstanding the regulations of the CS **Zone**, the lands **zoned** CS-7 shall have a minimum:

- a) Front yard setback: 20 m
- b) Side yard setback: 3 m

7.3.1.8 CS-8 (046-99) - Map No. 20, 35, 38, 39

Despite the provisions of the CS **Zone**, the maximum **building height** shall be 13 m.

7.3.1.9 CS-9 - Map No. 19

A fruit and vegetable produce market shall be an additional permitted **use**.

7.2.1.10 CS-10(H) (072-16) – Map No. 16, 31

Notwithstanding any provision of this By-law, only the following **uses** shall be permitted:

- a) A Place of Worship; and
- b) **Dwelling** units shall be permitted in accordance with the provisions of the RT-11 **Zone**.

7.2.1.11 CS-11 (039-17) – Map No. 16 and 19

To permit the **use** of a day care centre ('Day Nursery') on the subject lands as an **accessory use** within the existing Innpower **building** up to a maximum total floor area of 510m². A fenced outdoor play area up to a maximum area of 150m² is also permitted outside of the Innpower **building** for the day care **use**.

7.3.2 Open Space (OS)

7.3.2.1 OS-1 (41-97) - Map No. 20, 34, 35, 38

Permitted **uses** shall be limited to passive recreational **uses**, and public community forest to be maintained in accordance with good management practices.

7.3.2.2 OS-2 (16-03)(-073-04) - Map No. 51

- a) Permitted **uses** shall include:
- i) conservation, wildlife management, passive recreation;
 - ii) a municipal parking **lot**;
 - iii) picnic area and **accessory structures**; and
 - iv) public **uses**.
- b) Any development, including the placement, erection or establishment of any **structures**, placement of fill, soil disturbance, removal or clearing of vegetation and planting of vegetation shall be prohibited on those lands **zoned** OS-2 unless such development is in accordance with a Town approved site plan.
- c) When the **zone** symbol is followed by the Holding Symbol (H) on those lands **zoned** R1-2, R1-2(a), and EP-8, or OS-2, the lands shall be used for no other purpose than that which existed on January 1, 2003 until the Holding Symbol (H) suffix is removed in accordance with the *Planning Act*. The (H) provision shall be removed when:
- i) The subdivision agreement for the development has been executed by the owner and the Town, and
 - ii) A general site plan agreement has been registered over the entire development stipulating such matters as to be addressed in detailed site plan required for each individual **lot**.

7.3.2.3 OS-3 (062-08) - Map No. 20, 35, 38

In addition to the **uses** permitted in the OS **zone**, a storm water management pond shall also be permitted.

7.3.2.4 OS-4 (7-85) - Map No. 15

An automobile racetrack shall be permitted.

7.3.2.5 OS-5 (47-88) - Map No. 6, 24, 25

A market garden shall be an additional principal permitted **use**.

7.3.2.6 OS-6 (51-99) - Map No. 39

- a) In addition to the permitted **uses** of the OS **Zone**, and subject to all other provisions of this By-law except as stated otherwise, the lands **zoned** OS-6 may also be used for a daycare centre.
- b) Notwithstanding the requirements of Section 3.35, a total of eight parking spaces shall be provided for the exclusive **use** of the daycare centre when in operation, and such parking spaces shall be constructed and maintained with a stable surface which is treated to prevent the raising of dirt and loose particles.

7.3.2.7 OS-7 (09-84) - Map No. 25

- a) Principal permitted **uses** shall include:
 - i) A public **use** in accordance with the provisions of Section 3.47 of this By-law;
 - ii) **Park** or playground;
 - iii) Playing field;
 - iv) **Swimming pool**;
 - v) Picnic area;
 - vi) Tennis court;
 - vii) Handball and squash court;
 - viii) Outdoor natural skating rink;
 - ix) Cross Country skiing; and
 - x) Any combination of the principal permitted **uses** above.
- b) Permitted **accessory uses** shall include:
 - i) Refreshment booth and pavilion;
 - ii) Chapel;
 - iii) Storage **building** for maintenance equipment and supplies incidental to the principal **use**; and
 - iv) Washroom facilities.
- c) All **lot** and **building** requirements shall in accordance with the following:
 - i) Minimum **lot area**: 1700 m²
 - ii) Minimum **lot frontage**: 30 m

iii)	Minimum front yard :	8 m
iv)	Minimum rear yard :	8 m
v)	Minimum side yard :	8 m
vi)	Maximum lot coverage :	40%
vii)	Maximum building height :	11 m

7.3.2.8 OS-8(H) - Map No. 25

a) Permitted **uses** shall include:

- i) A public **use** in accordance with Section 3.47 of this By-law;
- ii) **Park** or playground;
- iii) Playing field;
- iv) **Swimming pool**;
- v) Beach;
- vi) Conservation area;
- vii) Picnic area;
- viii) Tennis court;
- ix) Golf Course;
- x) Outdoor natural rink;
- xi) Cross country ski trail;
- xii) Bowling green;
- xiii) Any combination of the **uses** permitted above;
- xiv) Agricultural and conservation **uses** including fish farming; and
- xv) Market garden.

b) A refreshment booth and pavilion shall be a permitted **accessory use**.

c) The Holding Symbol (H) shall not be removed until such time as the **Town of Innisfil** shall have approved, after circulation to the Lake Simcoe Region Conservation Authority and the Ministry of Natural Resources, an environmental impact study undertaken by the landowner and a Site Plan Control Agreement between the **Town of Innisfil** and the landowner shall have been executed.

7.3.2.9 OS-9(H) - Map No. 15, 18, 19

- a) A golf course shall be permitted.
- b) The Holding Symbol (H) shall not be removed until such time as the **Town of Innisfil** shall have approved, after circulation to the Lake Simcoe Region Conservation Authority and the Ministry of Natural Resources, an environmental impact study undertaken by the landowner and a Site Plan Control Agreement between the **Town of Innisfil** and the landowner shall have been executed.

7.3.2.10 OS-10 - Map No. 5

A go-cart track and **accessory uses** shall be permitted.

7.3.2.11 OS-11 – Map No. 14

- a) In addition to the permitted **uses** of the OS **Zone**, and subject to all other provisions of this By-law except as stated otherwise, the following **uses** are permitted:
 - i) **Park** or playground
 - ii) Playing field
 - iii) **Swimming pool**
 - iv) Beach
 - v) Conservation area
 - vi) Picnic area
 - vii) Tennis court
 - viii) Handball and squash court
 - ix) Bowling green
 - x) Golf Course
 - xi) Skating rink
 - xii) Outdoor natural rink
 - xiii) Cross country ski trail
 - xiv) Bandstand
 - xv) Any combination of the **uses** permitted above
 - xvi) Community centre hall

xvii) Golf driving range

xviii) Curling rink

xix) **Accessory uses** which are clearly incidental to and located within the permitted Open Space **Uses** listed above such as: refreshment booth and pavilion, clubhouse, restaurant as an **accessory** to a golf course; and a single detached **dwelling** as an **accessory use** to any permitted **use** in accordance with the provisions of Section 3, and a miniature golf course to a golf driving range.

7.3.2.12 OS-12 - Map No. 44

a) Permitted **uses** shall include a private community centre.

b) **Lot** and **building** requirements shall be in accordance with the following:

- | | | |
|------|------------------------------------|---------|
| i) | Minimum lot area : | 0.60 ha |
| ii) | Minimum lot frontage : | 100 m |
| iii) | Minimum interior side yard: | 3 m |
| iv) | Minimum exterior side yard: | 6 m |
| v) | Maximum lot coverage : | 50% |
| vi) | Maximum building height : | 11 m |

7.3.2.13 OS-13 - Map No. 44

a) The only **uses** permitted are a storm water management facility and conservation areas.

7.3.2.14 OS-14 (143-12) - Map No. 39

a) A stormwater management pond shall be permitted in addition to the **uses** permitted in the OS **zone**.

b) Minimum **lot frontage**: 12 m

c) Minimum **lot area**: 900 m²

7.3.2.15 OS-15 (By-law No. 064-14) - Map No. 14

In addition to the permitted **uses** of Section 7.1 “Open Space (OS) **Zone**” the following land **use** shall be permitted:

- Commercial Water Taking.

For the purposes of this exception, Commercial Water Taking is defined as:

“the off-site removal of surface and/or well water in accordance with any

Ministry of the Environment approval(s)".

A well housing **structure** shall have a minimum **interior side** yard setback of 3 metres to the southern property line of the subject lands.

7.3.2.16 OS-16 (075-14) Map No. 31, 32, 34, 35

Notwithstanding Table 7.2, the Minimum **Lot** Frontage for those lands **zoned** as OS-16 shall be 10m.

7.3.2.17 OS-17 (092-15) Map No. 37

In addition to the **uses** permitted in the "Open Space (OS) **Zone**", a stormwater management pond shall also be permitted.

7.3.2.18 OS-18 (092-15) Map No. 37

In addition to the **uses** permitted in the "Open Space (OS) **Zone**", a stormwater management pond shall also be permitted.

7.3.2.17 OS-18 (095-15) Map No. 54

Notwithstanding any other provisions of this by-law to the contrary, an existing one storey cottage may be expanded to a maximum of 50% of its original footprint at August 2015.

7.3.3 Environmental Protection (EP)

7.3.3.1 EP-1 - Map No. 18

- a) A single family detached **dwelling** shall be permitted;
- b) All of the permitted **uses** in the EP **Zone**; and
- c) **Accessory buildings** or **structures** to the residential, agricultural, conservation and fish farming **uses**.

7.3.3.2 EP-2 (OMB Order 58-95) - Map No. 49

Accessory structures which are limited to staircase **structures**, boathouses, and docks. The **accessory structures** shall be set back from the interior **lot line**, or the projection of the interior **lot line**, a minimum of 1.5 m, with the exception of staircase **structures** which shall not have a required minimum setback from the interior **lot line**. In addition, there shall be no setback required for boathouses and staircase **structures** from the rear **lot line**. Furthermore, septic systems which are defined as a system of pipes underneath ground level which are intended to be **used** to dispose effluent underneath the ground, are not permitted in this **zone**. This **zone** shall extend from Kempenfelt Bay shoreline to a line that is 40.0 m back from and parallel to the top of bank.

7.3.3.3 EP-3 (OMB Order 58-95, 29-00, By-law 062-08) - Map No. 20, 38, 48, 49, 50

Permitted **uses** are limited to passive recreational **uses**, conservation **uses** and forestry **uses** in accordance with good management practices.

7.3.3.4 EP-4 (68-96) - Map No. 48

Those **uses** normally **accessory** to the permitted **uses** within the R2 **Zone** and **uses** which legally existed on October 16, 1996.

7.3.3.5 EP-5 (12-97) - Map No. 39, 41

Public **uses** not including any **buildings**, shall be permitted in accordance with Section 3.46. Additionally, the following shall be permitted:

- a) **Park** or playground;
- b) Playing field;
- c) Conservation area;
- d) Cross Country ski trail; and
- e) Any combination of the above **uses**.

7.3.3.6 EP-6 (38-97) - Map No. 3

- a) Conservation **use** shall be permitted.
- b) Cross country ski trails for skiing, hiking and bicycles only shall be permitted.

7.3.3.7 EP-7 (38-97) - Map No. 3

- a) Permitted **uses** shall include:
 - i) A spray irrigation system shall be permitted.
 - ii) A sewage stabilization pond shall be permitted.
 - iii) Resource and wildlife management shall be permitted.

7.3.3.8 EP-8 (016-03) (073-04) - Map No. 50, 51

- a) Permitted **uses** shall include:
 - i) Conservation, wildlife management, passive recreation.
 - ii) A shoreline access **structure**.
 - iii) A temporary dock.
- b) Any development, including the placement, erection or establishment of any **structures**, placement of fill, soil disturbance, removal and clearing of vegetation and planting of vegetation shall be prohibited on those lands **zoned** EP-8 unless such development is a permitted **use** as identified in subsection a), and is in accordance with a Town approved site plan, and until such time as the owner of the subject property has entered into a site plan agreement with the Town, any development shall be in accordance with the approved Shoreline Access Study, Environmental Review Study, and Site Plan Development Guidelines for Southshore Woods. Such site plan and agreement are to address such matters as set out in the General Site Plan to be registered on title for the entire development. All development in an EP-8 **zone** is subject to site plan control.

7.3.3.9 EP-9 (44-97) - Map No. 58, 59

Permitted **uses** are limited to passive recreational **uses**, conservation **uses** and forestry **uses** in accordance with good management practices.

7.3.3.10 EP-10 (29-00) - Map No. 48

Permitted **uses** are limited to passive recreational **uses**, conservation **uses** and forestry **uses** in accordance with good management practices.

7.3.3.11 EP-11 - Map No. 18, 21

In addition to a conservation and passive recreation **use**, the subject lands known as National Town of Innisfil Zoning By-law 080-13

Pines may be **used** for a golf course.

7.3.3.12 EP-12(H) - Map No. 3

Notwithstanding the permitted **uses** of the EP **Zone**, on those lands **zoned** EP-12 (H), a single detached **dwelling** shall be permitted at such time as the Holding Symbol (H) is removed. The Holding Symbol (H) shall not be removed until such time as the Town of Innisfil shall have approved, after circulation to the Nottawasaga Valley Conservation Authority and the Ministry of Natural Resources, an environmental impact study undertaken by the landowner.

7.3.3.13 EP-13 (042-09) - Map No. 24

Land **zoned** EP-13 shall be used exclusively for conservation and passive recreation **uses** and for storm water management purposes associated with the End Fields Subdivision. No tree clearing, grading or **structures** will be permitted under this **Zone**. The land included in this **Zone** shall be included as part of the minimum **lot area** in the adjoining RE-6 **Zone** on the same lot.

7.3.3.14 EP-14 (024-13) - Maps No. 47, 52 and 53

Lands **zoned** EP-14 shall be used exclusively for conservation and passive recreation **uses**. No tree clearing, grading or **structures** shall be permitted within the EP-14 **zone**.

7.3.3.15 EP-15 (094-14) Map 3 (OMB File No. PL 141248)

Lands **zoned** EP-15 shall be used exclusively for conservation and passive recreation **uses**. No tree clearing, grading or **structures** shall be permitted within the EP-15 **Zone**. Notwithstanding this, 1 non-habitable open-sided outdoor **structure** with a maximum gross floor area of 60m² is permitted within lands zoned EP-15, to be used for the passive enjoyment of the natural environment. The location of said open-sided outdoor structure shall be in accordance with Figure 3 of the Addendum to Scoped Environmental Impact Study by Azimuth Environmental Consulting Inc., dated June 10, 2015.

7.3.3.16 EP-16 (042-15) Map No. 46, 47, 52 and 53

Lands **zoned** EP-16 shall be used exclusively for conservation **uses** and passive recreation **uses**. No **structures** shall be permitted within the EP-16 **Zone**, and no tree clearing or grading shall be permitted unless approved by the Town.

SECTION 8
AGRICULTURAL AND FUTURE DEVELOPMENT ZONES

The Agricultural and Future Development **Zones** consist of the following **zones**:

Agricultural and Future Development Zones	
ZONE	SYMBOL
Agricultural General Zone	AG
Agricultural Specialty Crop Zone	ASC
Agricultural Rural Zone	AR
Future Development Zone	FD

8.1 Permitted Uses

Uses permitted in the Agricultural and Future Development **Zones** are identified with a “●” in the column applicable to that **zone** and corresponding with the row for a specific permitted **use** in Table 8.1 – Permitted **Uses**. Where an “E” is identified in the column, only **uses** which legally existed on the date of passing of this By-law shall be permitted. All permitted **uses** shall be subject to the applicable **zone** regulations provided in Section 8.2 and the General Provisions provided in Section 3.0, where applicable.

Table 8.1 – Permitted Uses

	AG	ASC	AR
<i>Principal Use</i>			
Agricultural use	●	●	●
Agricultural processing establishment			●
Agricultural produce warehouse			●
Auction establishment			●
Farm implement dealer			●
Kennel			●
Nursery	E		●
Riding and racing stable	●		●
Veterinary hospital			●
<i>Accessory Uses, Buildings and Structures</i>			
Accessory buildings and structures (1)	●	●	●

	AG	ASC	AR
Agricultural use, secondary	•	•	•
Accessory Second Dwelling Unit	•	•	•
Bed and breakfast (1)	•		•
Bunkhouse (1)	•	•	•
Farm gate sales or accessory retail use which is agriculturally related (1)	•	•	•
Fruit and vegetable produce market			•
Garden Suite dwelling (016-16)	•	•	•
Home industry (1)	•	•	•
Pet day care establishment	•	•	•
Single detached dwelling	•	•	•

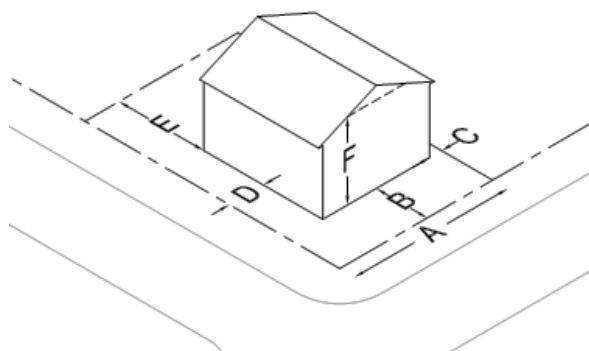
Notes:

(1) Subject to specific **use** provisions contained in the General Provisions of this By-law.

(2) **Uses** permitted in the Future Development **Zone** (FD) include only those **uses** which legally existed at the time of passing of this By-law.

8.2 Zone Regulations

The following **zone** regulations identified in Table 8.2 shall apply to the respective Agricultural and Future Development **Zones**.



- A: Minimum lot frontage
- B: Minimum front yard
- C: Minimum interior side yard
- D: Minimum exterior side yard
- E: Minimum rear yard
- F: Maximum building height

Single detached dwelling or Agricultural Building

Table 8.2 – Zone Regulations

Principal Use	AG	ASC	AR	FD
Minimum Lot area	40 ha	16 ha	40 ha	40 ha
A: Minimum Lot Frontage	150 m	120 m	150 m	150 m
B: Minimum Front Yard	10 m	10 m	10 m	8 m
C: Minimum Interior side Yard	10 m	10 m	10 m	6 m
D: Minimum Exterior side Yard	10 m	10 m	10 m	8 m
E: Minimum Rear yard	10 m	10 m	10 m	8 m
Maximum Lot coverage	N/A	N/A	N/A	N/A
F: Maximum Building Height	11 m	11 m	11 m	11 m
Other				See (1)

Notes:

(1) The following additional provision shall apply to the FD **zone**:

- a) Lands within the Future Development (FD) **Zone** may, upon application to the Corporation, be rezoned to a specific **zone** in conformity with the Official Plan. Until such time as the lands are rezoned to a specific **zone**, no person shall change the **use** of any **building**, **structure** or land or erect and **use** any **building** or **structure** except in conformity with the provisions of this By-law.

8.3 Zone Exceptions

Notwithstanding any other provisions of this By-law, the special regulations contained in this Section shall apply to the area or areas defined below and as shown on Schedule "A".

8.3.1 Agricultural General Zone (AG)

8.3.1.1 AG-1 - Map No. 7

A cheese manufacturing operation only is permitted.

8.3.1.2 AG-2 (58-91)(87-03) - Map No. 7

A private academic school with boarding facilities for students and faculty. On those lands **zoned** AG-2(H), the Holding **Zone** shall not be removed until a satisfactory site plan has been prepared and a Site Plan Agreement has been entered into and the appropriate approval authority is satisfied that an adequate water supply and sewage disposal facilities are available to service the proposed **use**.

8.3.1.3 AG-3 - Map No. 9

An observatory shall be permitted.

8.3.1.4 AG-4 - Map No. 8

An establishment for the servicing and display of timepieces shall be permitted.

8.3.1.5 AG-5 (07-85) - Map No. 14, 15

a) Any one of the following **uses** shall be permitted:

- i) Agriculture, intensive agriculture and conservation **uses** including forestry, reforestation, and other activities connected with the conservation of soil or wildlife;
- ii) A veterinary clinic or veterinary hospital;
- iii) A nursery; or
- iv) A private airfield in accordance with the provisions of clause c) to this subsection.

b) In addition, any combination of the following **uses** shall be permitted

- i) Radio, television, telephone or other communication tower;
- ii) **Accessory buildings** to any permitted **use**;
- iii) A **dwelling** or **dwelling unit** as an **accessory use** in accordance with Section 3.4;

- iv) An additional single family detached **dwelling** as an **accessory use** on the same **lot** as the principal **building**;
 - v) A **home occupation** in accordance with the provisions of Section 3.23 or a home industry in accordance with Section 3.22; and
 - vi) **Driveway** access to lands **zoned** IG-2.
- c) A private airfield shall be **used** in accordance with the following regulations:
- i) The minimum **lot area** for a private airfield shall be 10 hectares.
 - ii) No more than two (2) aircraft shall be maintained or stored on any private airfield.
 - iii) An **accessory building** for the purpose of parking or storing an aircraft shall be permitted on a **lot**, but shall be separate from, and located not less than 30 m from any non-residential **building**, and 60 m from any **building used** for residential purposes.

8.3.1.6 AG-6 - Map No. 19

A construction yard and office shall be permitted.

8.3.1.7 AG-7 (067-10) - Map No. 20

For those lands **zoned** "Agricultural General Exception (AG-7) **Zone**", an addition to the existing single detached **dwelling** shall be permitted for the purpose of a second **dwelling** unit. All other provisions of this By-law shall apply.

8.3.1.8 AG-8 (014-03) (078-06) (058-09) - Map No. 19

~~A temporary sales real estate trailer which shall be permitted to be **used** until August 9, 2015 after which date the permitted **uses** shall only be those permitted in the AG **zone**. (Expired)~~

8.3.1.9 AG-9 (068-10) - Map No. 5

The area identified on Schedule "A" attached, is **zoned** "Agricultural General Exception (AG-9) **Zone**", and "Environmental Protection (EP) **Zone**" is subject to a Temporary **Use** By-law, that has been passed under Section 39 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, and the provisions are set out below:

- a) On lands described as 2018 Shore Acres Drive, a temporary "**garden suite**" shall be permitted until the 19th day of May, 2013.
- b) Section 39.1.2 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, and this By-law defines a "garden suite" as follows:
 - i) "**garden suite**" means a one-unit detached residential **structure** containing bathroom and **kitchen** facilities that is ancillary to an existing residential

structure and that is designed to be portable.

- c) Following this date, the **use**, and occupancy of the “garden suite” for residential purposes on the subject lands shall be prohibited. The entire removal of the “garden suite” from the property described as South Part of **Lot** 17, Concession 1, known municipally as 2018 Shore Acres Drive, formerly Township of Innisfil, now in the **Town of Innisfil**, shall be required, unless such **use** is extended by Council in accordance with the provisions of Section 39 of the Planning Act, R.S.O. 1990, c. P. 13, as amended.
- d) In the event the “**garden suite**” is not occupied by anyone during the three (3) year timeframe, the By-law shall cease to be in effect, and the lands revert to the AG **Zone** and “Environmental Protection (EP) **Zone**”. The “garden suite” shall be removed in its entirety by the Owner of the property.
- e) All other provisions of this By-law shall apply.

8.3.1.10 AG-10 - Map No. 1

Notwithstanding any other provision of this By-law, a temporary **structure** shall be permitted on the **lot**, as an **accessory structure** for a maximum of 180 days within a calendar year, and the temporary **structure** shall be subject to the following minimum yard provisions:

- a) Minimum front yard: 15 m
- b) Minimum northern side yard: 3 m

8.3.1.11 AG-11 (032-14) - Map No. 5

The area **zoned** AG-11 is subject to a Temporary **Use** By-law, that has been passed under Section 39 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, and the provisions are set out below:

- a) On lands described as 1572 Shore Acres Drive, a temporary “**garden suite**” shall be permitted until the 3rd day of May, 2017.
- b) Section 39.1.2 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, and this By-law defines a “garden suite” as follows:
 - i) “**garden suite**” means a one-unit detached residential **structure** containing bathroom and **kitchen** facilities that is ancillary to an existing residential **structure** and that is designed to be portable.
- c) The execution of an agreement with The Corporation of the Town of Innisfil as provided in Section 39.1(1) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.
- d) Following this date, the **use**, and occupancy of the “**garden suite**” for residential purposes on the subject lands shall be prohibited. The entire removal of the “**garden suite**” from the property described as South Part of **Lot** 19, and 20, Concession 1,

known municipally as 1572 Shore Acres Drive, formerly Township of Innisfil, now in the Town of Innisfil, shall be required, unless such **use** is extended by Council in accordance with the provisions of Section 39 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.

- e) In the event the “**garden suite**” is not occupied by anyone during the three (3) year timeframe, the By-law shall cease to be in effect, and the lands revert to the AG **Zone**. The “garden suite” shall be removed in its entirety by the Owner of the property.
- f) All other provisions of this By-law shall apply

8.3.1.12 AG-12 (033-03) - Map No. 15

In addition to the **uses** permitted in the AG **Zone**, the following **uses** are also permitted in the AG-12 **Zone**:

- a) A mini-storage establishment.

In all other cases, the provisions of the AG **Zone** shall apply.

8.3.1.13 AG-13 (16-03) - Map No. 45, 46, 51, 52

Principal and **accessory uses** permitted for an AG **Zone** shall be subject to the following special regulations:

- a) Within existing agricultural **buildings**, **uses** shall be limited to dry storage of agricultural machinery and produce, and housing of livestock to a maximum of 10 units of Animal Group 1 as defined in the Minimum Distance Separation 1 Manual of the Ministry of Agriculture, Food and Rural Affairs.
- b) Livestock housing in existing **structures** shall be located no closer than 30 m to a residential **lot line**.
- c) Grain and corn driers shall be located no closer than 500 m to a residential **lot line**.
- d) Pesticide, herbicide, fertilizer and fuel storage shall be located no closer than 500 m to a residential **lot line**.

8.3.1.14 AG-14 (020-02) - Map No. 2

In addition to the permitted **uses** of the AG **zone**, in the area **zoned** AG-14, a second **dwelling** unit in the form of an apartment within the existing **dwelling unit** may be permitted subject to the following requirements:

- a) The maximum permitted floor area shall be 112 m².
- b) The minimum parking requirement shall be two spaces per unit.

8.3.1.15 AG-15 (021-02) - Map No. 2

The area identified on Schedule "A" attached is **zoned** AG-15 is subject to a temporary **use** by-law has been passed under Section 39 of the *Planning Act*, and the provisions are set out below:

- a) On lands described as 4015 and 4041 14th Line, a temporary garden suite **dwelling** shall be permitted until the 1st Day of May, 2015.
- b) The execution of an agreement with the Corporation of the Town of Innisfil in accordance with Section 39.1(1) of the *Planning Act*, shall be required.
- c) Following this date, the **use** and occupancy of the garden suite **dwelling** for residential purposes on the subject lands shall be prohibited. The entire removal of the garden suite **dwelling** from the property described as Part of the West half of the North half of **Lot** 3, Concession 14, known municipally as 4015 and 4041 15th Line in the Former Township of West Gwillimbury, now in the Town of Innisfil, shall be required, unless such **use** is extended by Council in accordance with the provisions of Section 39 of the *Planning Act*.
- d) in the event that the garden suite **dwelling** is not occupied by anyone during the three (3) year timeframe, the By-law shall cease to be in effect and the lands revert to the AG **Zone**. The garden suite shall be removed in its entirety by the Owner of the property.
- e) All other provisions of this By-law shall apply.

8.3.1.16 AG-16 (070-05) - Map No. 28

On those lands **zoned** AG-16, the only permitted **uses** shall be a single family **dwelling** and **accessory** residential **uses**.

8.3.1.17 AG-17 (151-07) - Map No. 1

For those lands **zoned** AG-17, the only **uses** that shall be permitted are conservation **uses**. No **buildings** or **structures** are permitted on the subject lands. All other provisions of this By-law shall apply.

8.3.1.18 AG-18 - Map No. 15

Notwithstanding the permitted **uses** of the AG **Zone**, on those lands **zoned** on Schedule "A" as AG-18, the following **uses** may also be permitted:

- a) A private equestrian school, horse farm and a single family detached **dwelling**.

8.3.1.19 AG-19 (023-08) - Map No. 6, 11, 25

For those lands **zoned** AG-19, the minimum **lot frontage** shall be 585.2 m, and the minimum **lot area** shall be 23.0 hectares. All other provisions of this By-law shall apply.

8.3.1.20 AG-20 (068-07) - Map No. 59

In addition to the permitted **uses** in the AG **Zone**, the following **uses** shall also be permitted:

- a) Truck and trailer parking and storage as an additional **use** to the existing single detached **dwelling use**.
- b) Such **uses** shall be limited to not more than 6 trucks and 6 truck trailers at any one time.

8.3.1.21 AG-21 (068-07) - Map No. 59

In addition to the permitted **uses** in the AG **Zone**, the following **uses** shall also be permitted:

- a) The existing **single detached dwelling use**.

8.3.1.22 AG-22 (010-09) - Map No. 1

Lands **zoned** AG-22 are subject to a Temporary **Use** By-law that has been passed under section 39 of the *Planning Act*, and the provisions are set out below:

- a) On the lands described as 5265 11th Line, a temporary “**Garden Suite Dwelling**” shall be permitted until the 28th day of January, 2019.
- b) Following this date, the **use**, occupancy of the “**Garden Suite Dwelling**” for residential purposed in the subject land shall be prohibited. The entire removal of the “**Garden Suite Dwelling**” from the property described as Part of **Lot 2**, Concession 11, formerly Township of Essa, known municipally as 5265 11th Line, now in the Town of Innisfil, shall be required, unless such **use** is extended by Council in accordance with the provisions of Section 39 of the *Planning Act*.
- c) In the event the “**Garden Suite Dwelling**” is not occupied by anyone during this ten (10) year timeframe, the By-law shall cease to be in effect, and the lands revert to the AG **Zone**. The “**Garden Suite Dwelling**” shall be removed in its entirety by the Owner of the Property.
- d) All other provisions of this By-law shall apply.

8.3.1.23 AG-23 (097-010), (070-12) - Map No. 4

- a) For those lands **zoned** AG-23, the subject lands shall permit Special Events within the existing barns, and adjacent areas thereto, as an **accessory use**, in addition to the principle **uses** in the AG **Zone** on the subject lands.
- b) For the purposes of AG-23, Special Events shall include the holding of an assembly of persons for the purpose of weddings, parties, educational events and other similar gatherings.
- c) The subject lands shall be exempt from requiring paving of the **driveway** and parking **lot** if the Event Centre is not **used** on a year round basis.

- d) All other provisions of this By-law shall apply.

8.3.1.24 AG-24 (016-10) - Map No. 8, 13

The area identified on Schedule “A” attached and **zoned** AG-24 is subject to a temporary **use** by-law which had been passed under Section 39 of the *Planning Act*, and the provisions are set below:

- a) On lands described as 3887 5th Line a Temporary “Garden Suite **Dwelling**” shall be permitted until the 3rd day of February, 2020.
- b) Following this date, the **use** and occupancy of the Garden Suite for residential purposes on the subject land shall be prohibited, The entire removal of the Garden Suite from the property described as Concession 4, north Part **Lot** 4 in the Town of Innisfil, shall be required, unless such **use** is extended by Council in accordance with the provisions of Section 39 of the Planning Act.
- c) The total gross floor area of the Garden Suite shall not exceed 100 m².

8.3.1.25 AG-25 - Map No. 2, 19

- a) Notwithstanding any other provision of this By-law, the following **uses** shall be permitted:
 - i) An abattoir which legally existed on the date of adoption of this By-law;
 - ii) Agricultural equipment repair;
 - iii) Agricultural produce warehouse
 - iv) Farm auction barn
 - v) Farm implement dealer
 - vi) Feedmill
 - vii) Seedmill
 - viii) Veterinary Clinic
 - ix) Veterinary Hospital
 - x) **Uses accessory**, which are clearly incidental to, associated and co-located with permitted commercial **uses** as listed above.
- b) **Lot** and **building** requirements shall be in accordance with the following:
 - i) Minimum **Lot area**: As it existed on the date of adoption of this By-law
 - ii) Minimum **Lot Frontage**: 60 m

- iv) Minimum **front yard**: 8 m
- v) Minimum **rear yard**: 8 m
- vi) Minimum **interior side yard**: 6 m
- vii) Minimum **exterior side yard**: 8 m
- viii) Maximum **Lot coverage**: 35%
- ix) Maximum **Building Height**: 11 m

c) All other provisions of this By-law shall apply.

8.3.1.26 AG-26 (092-13) Map No. 31 and 34

Notwithstanding any other provision of this By-law, the storage and maintenance of construction equipment for the purpose of marine lakeshore restoration shall be permitted until September 18, 2016, after which the permitted **uses** shall only be those permitted in the Agricultural General (AG) **Zone**.

8.3.1.27 AG-27 (095-13) Map No. 12, and 13

- a) For those lands **zoned** "Agricultural General Exception (AG-27) **Zone**," no **dwelling** units shall be permitted.
- b) The existing equine operation on the subject lands, consisting of a barn/riding arena and surrounding paddocks, shall be limited to the current configuration and equine numbers existing as of the date of the adoption of this By-law.

8.3.1.28 AG-28 (067-14) Map No. 1

For those lands **zoned** "Agricultural General Exception (AG-28) **Zone**", the minimum **lot frontage** shall be 86 metres, and a maximum of one (1) **dwelling** (existing) is permitted, and no further severances for residential purposes are permitted.

8.2.1.29 AG-29 (114-16) – Map No. 4

Notwithstanding any other provision of this By-law, the minimum **lot frontage** shall be 160m and the minimum **lot area** shall be 20.0 ha.

~~**8.2.1.30 AG-30 (101-17) – Map No. 1, 2, 7**~~

~~Notwithstanding any other provisions of this By-law, no dwelling units shall be permitted on lands zoned AG-30. (066-19)~~

8.3.1.31 AG-31 (068-18) - Map No. 1, 2 and 62

Notwithstanding any other provisions of this By-law, no additional dwelling units shall be permitted on lands zoned "AG-31", and the following exceptions shall apply:

- a) A Minimum Lot Area of 1.92 ha.
- b) A Minimum Lot Frontage of 76.2 m on Highway 89.

8.3.2 Agricultural Specialty Crop Zone (ASC)**8.3.2.1 ASC-1(63-93) - Map No. 9**

- a) In addition to the **accessory uses** permitted in the ASC **Zone**, a single family detached **dwelling** unit and **accessory uses** shall be permitted.
- b) A kennel shall be an additional permitted **use**.

8.3.2.2 ASC-2 (045-16) – Map No. 9

Notwithstanding any other provisions of this By-law, no **Dwelling** units shall be permitted on lands **zoned** ASC-2.

8.3.3 Agricultural Rural Zone (AR)

8.3.3.1 AR-1 - Map No. 23

Recreational vehicle storage shall be an additional permitted **use**.

8.3.4 Future Development Zone (FD)**8.3.4.1 FD-1(H) - Map No. 1**

- a) In addition to the **uses** permitted in the FD **Zone** and subject to all other provisions of the FD **Zone**, the minimum **lot** frontage shall be 38.0 m, and the minimum **lot area** shall be 7.78 hectares respectively.
- b) The Holding (H) provision shall not be lifted until appropriate municipal water and sewage capacity has been committed to the land by The Corporation of **the Town of Innisfil**, and the execution of development agreements.

READ A FIRST TIME ON THE _____ DAY OF _____, 2013

READ A SECOND TIME ON THE _____ DAY OF _____, 2013

READ A THIRD TIME AND FINALLY PASSED ON THE

_____ DAY OF _____, 2013

_____ Mayor

_____ Clerk

ORIGINAL

THE CORPORATION OF THE TOWN OF INNISFIL

BY-LAW NO. 029-05

A By-law of The Corporation of the Town of Innisfil to establish a Resort Recreational Community Zoning By-law containing, Definitions, General Provisions and various *zones* including Low Density Resort Residential 1 (LDRR1) Zone, Low Density Resort Residential 2 (LDRR2) Zone, Medium Density Resort Residential 1 (MDRR1) Zone, Medium Density Resort Residential 2 (MDRR2) Zone, Medium Density Resort Residential 3 (MDRR3) Zone, High Density Resort Residential 1 (HDRR1) Zone, High Density Resort Residential 2 (HDRR2) Zone, High Density Resort Residential 3 (HDRR3) Zone, High Density Resort Residential 4 (HDRR4) Zone, Resort Recreational Commercial (RRC) Zone, Resort Recreational Hotel Commercial (RRHC) Zone, Resort Recreational Civic (RRCV) Zone, Urban Open Space (UOS) Zone, Rural Open Space (ROS) Zone and Natural Open Space (NOS) Zone, as authorized under Section 34 of the Planning Act.

WHEREAS By-law 054-04, as amended is the main comprehensive Zoning By-law of The Corporation of the Town of Innisfil; and

WHEREAS the Council of The Corporation of the Town of Innisfil deems it appropriate to establish a separate Resort Residential Community Zoning By-law that shall only apply to certain land within the *Town*; and

WHEREAS this Zoning By-law for the Town of Innisfil as authorized under Section 34 of the Planning Act will:

1. prohibit the *use* of land and the *erection*, location or *use* of *buildings* or *structures* except for certain purposes; and
2. regulate the *height*, bulk, location, size, floor area, spacing, character and *use* of *buildings* or *structures*; and
3. regulate the minimum *frontage* depth and area of a parcel of land, the density of development and the proportions of the area thereof that any *building* or *structure* may occupy; and
4. require loading and parking facilities for *buildings* or *structures erected* or *used* for certain purposes; and
5. prohibit all or any *use* of land, the *erection*, location or *use* of all or any class or classes of *buildings* or *structures* within any defined area or areas; and
6. prohibit all or any *use* of land and the *erection*, location or *use* of all or any class or classes of *buildings* or *structures* on land that is a locally significant woodland; or
7. prohibit all or any *use* of land and the *erection*, location or *use* of all or any class or classes of *buildings* or *structures* on land that is a locally significant natural feature or area; and
8. prohibit all or any *use* of land and the *erection*, location or *use* of all or any class or classes of *buildings* or *structures* on land that is the site of a significant archaeological resource; and
9. provide for the issuance of certificates of occupancy.

WHEREAS The *Town* intends to make this by-law applicable to certain lands throughout the Town (including to the land known as the Big Bay Point Resort Secondary Plan, more particularly described as Part of Lots 26, 27, 28, 29 and 30 Concession 13 and Lots 1 and 2 Registered Plan 1021 as shown on Schedule "A" to this by-law) by the enactment of further zoning by-law amendments which will utilize the holding symbol (H) under the Planning Act.

AND WHEREAS the Town has had the necessary public meetings to pass this by-law.

NOW THEREFORE the Council of The Corporation of the Town of Innisfil enacts the following:

THE ZONING BY-LAW FOR RESORT RECREATIONAL COMMUNITIES
SECTION 1
INTERPRETATION – ADMINISTRATION

1.1 APPLICATION

- 1.1.1** No *building, structure* or land shall be *used* and no *building* or *structure* shall be *erected*, structurally altered or enlarged or demolished except in compliance with the standards and requirements set out in this By-law
- 1.1.2** No person shall *use* any land or *erect*, alter, enlarge and *use* any *building* or *structure* except in accordance with the standards and requirements set out in this By-law.
- 1.1.3** No municipal permit, certificate or license may be issued if the permit is required for a *use* of land or *erection, alteration*, enlargement or use of any *building* or *structure* that is in violation of this By-law.
- 1.1.4** Despite any other provisions of this By-law, the Chief Building Official of the *Town* may not issue a *building permit* for the development or redevelopment of any land or *buildings* or *structures* or any part thereof within the area of the *Town* to which this By-law applies unless in accordance with the provisions of a By-law of the *Town* enacted pursuant to Section 41 of the Planning Act.
- 1.1.5** The lack of a survey, or a mistake or an error or omission by any person required to comply with the provisions of this By-law does not relieve that person from liability for failure to comply with the provisions of this By-law.
- 1.1.6** The Zoning Administrator is charged with the responsibility for the administering of this By-law.
- 1.1.7** Schedule “A” attached hereto forms part of this By-law.

1.2 ZONES AND SYMBOLS

- 1.2.1** The *zones* are referred to by the following names and symbols and are identified by the symbols:

<u>ZONE</u>	<u>SYMBOL</u>
Low Density Resort Residential 1 Zone	LDRR1
Low Density Resort Residential 2 Zone	LDRR2
Medium Density Resort Residential 1 Zone	MDRR1
Medium Density Resort Residential 2 Zone	MDRR2
Medium Density Resort Residential 3 Zone	MDRR3
High Density Resort Residential 1 Zone	HDRR1
High Density Resort Residential 2 Zone	HDRR2
High Density Resort Residential 3 Zone	HDRR3

High Density Resort Residential 4 Zone	HDRR4
Resort Recreational Commercial Zone	RRC
Resort Recreational Hotel Commercial Zone	RRHC
Resort Recreational Civic Zone	RRCV
Urban Open Space Zone	UOS
Rural Open Space Zone	ROS
Natural Open Space Zone	NOS

1.3 ZONE BOUNDARIES

Respecting the *zone* boundaries of the *zones*, each parcel of land within the area to which this By-law applies is provided with a *zone* category, thus, the boundary of the parcel forms the *zone* boundary.

1.4 MANDATORY WORDING

The words “must” or “shall” are mandatory.

1.5 SEVERABILITY

Should any section, subsection, clause, paragraph or provision of this By-law, including any part of Schedule “A” to this By-law, be declared by a court of competent jurisdiction to be invalid, or any part thereof, other than the provision or part of the schedule so declared to be invalid, the same shall not affect the validity of the By-law as a whole.

1.6 LITIGATION

This By-law does not affect the rights of any person or land owner concerned in any action, litigation or other proceeding pending on the date of final passage, except to the extent to be determined in the final adjudication of action, litigation or other proceedings.

1.7 CERTIFICATE OF OCCUPANCY

1.7.1 No land may be *used* or occupied, and no *building* or *structure* which has been *erected* or altered may be *used* or changed in *use*, in whole or in part, until a Certificate of Occupancy by the Zoning Administrator under Section 34 of the Planning Act has been issued stating that the proposed *use* and occupancy of the land, *building* or *structure* complies with the provisions of this By-law.

1.7.2 No Certificate of Occupancy, no *building permit* and no approval of an application for any municipal license may be issued where the proposed *use*, *building* or *structure*, is contrary to the provisions of this By-law.

1.7.3 Notwithstanding the forgoing, this section shall only apply to non-residential *uses* and multiple residential *uses* including any *use* having a *resort residential unit* as an *accessory use*.

1.8 APPLICATION FOR CERTIFICATE OF OCCUPANCY

1.8.1 A Certificate of Occupancy must be applied for:

- a) coincident with every application for a *building permit*,
- b) any municipal license where a change of *use* is proposed, or
- c) where any change of *use* is proposed.

1.8.2 Application for Certificate of Occupancy

- a) A Certificate of Occupancy is to be applied for coincident with every application for a *building permit*.
- b) Every application for a Certificate of Occupancy is to be accompanied by plans, in duplicate, drawn to a scale of either 1:120 or as required, based on actual survey by an Ontario Land Surveyor and showing;
 - i) the true shape and dimensions of the *building envelope* or any part thereof to be *used*, or upon which it is proposed to *erect* or alter any *building* or *structure*,
 - ii) the proposed location, *building height* and dimensions of the *building*, *structure* or work in respect of which the permit is applied for.
 - iii) the location of every *building* or *structure* already *erected* on or *erected* partly on the *building envelope*,
 - iv) the proposed location of *parking spaces*, *driveways*, *loading spaces* and *landscaping* areas, and
 - v) such other information as is considered necessary to determine whether every *building*, *structure* or work conforms to the requirements of this By-law.
- c) Every application for a Certificate of Occupancy is to be signed by the registered owner of the *building envelope*, or by the registered owner's agent duly authorized in writing and filed with the Zoning Administrator, and is to set forth in detail:
 - i) the current and proposed *use* of the *building envelope* and each *building* or *structure*, or part of each *building* or *structure*, and
 - ii) all information as may be required to determine whether every proposed *use* of land, *building* or *structure* conforms to the requirements of this By-law.

1.9 VIOLATIONS

Any person who contravenes this By-law is guilty of an offence and, each day a breach of this By-law continues constitutes a separate offence and on summary conviction, the offender is liable to a fine as provided for under the Planning Act.

1.10 EFFECTIVE DATE

This By-law comes into force and takes effect on the day it is finally passed by Council subject to the appeal provisions set out in the Planning Act, and is subject to OPA 17 having come into effect.

SECTION 2
DEFINITIONS

For the purpose of this By-law, the definitions and interpretations in this section shall govern:

- 2.1** **Accessory** when used to describe a *use, building or structure*, means a *use*, or a *building or structure*, that is naturally and normally incidental, subordinate and exclusively devoted to supporting the *principal use, principal building or structure* and located on the same *building envelope* therewith.
- 2.2** **Accessory Dwelling Unit** means a *dwelling unit* in an *outbuilding* in a LDRR1, LDRR2, MDRR1 or MDRR2 Zone.
- 2.3** **Alteration** means any change in a bearing wall or partition, column, beam, girder or other supporting member of a *building or structure* or any increase in the area of cubic contents of a *building or structure*.
- 2.4** **Apartment Building** means a *building* containing more than four *resort residential units*, each having access from an internal corridor.
- 2.5** **Apartment House 1** means a *building* accommodating between 4 and 8 *resort residential units* disposed above and beside each other, sharing a common entry with a maximum *building envelope* coverage of 60%. *Apartment house* is a *rear yard building* type.
- 2.6** **Apartment House 2** means a *building* accommodating between 4 and 8 *resort residential units* disposed above and beside each other, sharing a common entry with a maximum *building envelope* coverage of 80%. *Apartment house* is a *rear yard building* type.
- 2.7** **Attached** means a *building* otherwise complete in itself, which depends for structural support or complete enclosure upon a division wall or walls shared in common with an adjacent *building or buildings*.
- 2.8** **Back Building** means an ancillary segment of the *principal building* extending into the *rear yard*. A *back building* may connect the *principal building* to an *outbuilding*.
- 2.9** **Basement** means that space of a *building* which is partly below grade and which has more than one-half of its height measured from floor to ceiling above the *established grade* around the exterior of a *building*.
- 2.10** **Block** means a parcel of land that contains a group of *building envelopes* that may be subdivided for purposes of condominium tenure.
- 2.11** **Boardwalk** means a wooden or similar material *boardwalk* along the edge of the *marina* water basin.
- 2.12** **Boathouse** means an area within a *waterfront rowhouse* used for the storage of boats owned by the resident of the *waterfront rowhouse*.

- 2.13 Building** means any *structure* whether temporary or permanent, used or *erected* for the shelter, accommodation or enclosure of persons, animals, materials, produce or equipment.
- 2.14 Building Envelope** means the land around and contiguous to a *principal building* or activity, any common elements exclusive to a unit and any *accessory buildings* required to comply with the *building* setback and other provisions of this By-law.
- 2.15 Building Envelope Area** means the total horizontal area of the *building envelope*.
- 2.16 Building Envelope Coverage** means the combined area covered by all *buildings* and *structures* including decks on the *building envelope* measured at ground level and expressed as a percentage of the *building envelope area*.
- 2.17 Building Envelope Depth** means the horizontal distance between the midpoints of the *front building envelope line* and *rear building envelope line* and where there is no *rear building envelope line*, means the length of a line within the *building envelope* between the midpoint of the *front building envelope line* and the apex of a triangle formed by the *side building envelope lines*.
- 2.18 Building Envelope Frontage** means the distance between the *side building envelope lines* measured at the minimum *building* setback from the *front building envelope line* and parallel to the chord of the *building envelope frontage* and, for the purpose of this paragraph, the chord of the *building envelope frontage* is a straight line joining the two points where the *side building envelope lines* intersect the *front building envelope line*.
- 2.19 Building Envelope Line** means any boundary of a *building envelope*.
- 2.20 Building Height** means the vertical distance between the *established grade* and:
- a) the highest point of a flat roof;
 - b) the deck line of a mansard roof;
 - c) the mean height between the eaves and ridge of a gabled or hip roof;
- but exclusive of roof or penthouse *structure* accommodating an elevator, staircase, tank, ventilating fan or other similar equipment, or other utilitarian *structure* which does not provide habitable living space.
- Building height* shall be calculated in accordance with the provisions of Section 3.3 and the provisions set out for each *zone*.
- 2.21 Building Permit** means a document that grants legal permission to start construction of a *building* as defined by the Building Code Act of Ontario.
- 2.22 Business or Professional Office** shall mean a *building* or part of a *building* in which one or more persons are employed in the management, direction or conducting of a business, or where professionally qualified persons and their staff serve clients or patients who seek advice, consultation or treatment.

- 2.23** **Cellar** means the space of a building that is partly or entirely below grade which has less than one-half of its height measured from floor to ceiling above the *established grade* around the exterior of the *building*.
- 2.24** **Chief Building Official** means the officer or employee of the *Town* from time to time charged by Council with the duty of administering the provisions of the Building Code Act of Ontario.
- 2.25** **Church** means a *building* or *buildings* commonly used for public worship and may include a meeting hall, all of which may be located within a single *building* or separate *buildings* on one *building envelope*. A *day nursery* or an accessory educational facility associated thereto is permitted as an *accessory use* within the definition of a church.
- 2.26** **Clinic** means a *building* or part of a *building* that is used solely for the purpose of consultation, diagnosis and office treatment of human beings and does not include a private hospital.
- 2.27** **Corner Building Envelope** means a *building envelope* abutting one or more parts of the same *street*, or on two or more *streets* in which an interior angle of less than one hundred and thirty-five (135) degrees is contained by the two straight lines which adjoin the foremost point of the *building envelope* with the two points at which the *interior side building envelope line* and the *rear building envelope line* meet the *street* or *streets*.
- 2.28** **Council** means the Council of The Corporation of the Town of Innisfil.
- 2.29** **Country House** means a single detached *resort residential unit* with a minimum *building envelope frontage* of twelve (12.0) metres.
- 2.30** **Cottage** means a single detached *resort residential unit* with a minimum *building envelope frontage* of nine (9.0) metres.
- 2.31** **Cottage Villa** means a single detached *resort residential unit* with a minimum *building envelope frontage* of ten (10.0) metres.
- 2.32** **Day Nursery** or nursery school means a *day nursery* within the meaning of the Day Nurseries Act, as amended.
- 2.33** **Detached** means not *attached*.
- 2.34** **Driveway** means an area of land that provides vehicular access from a *public street* or *private street* to a *parking aisle*.
- 2.35** **Dwelling** means a *building* containing one or more *resort residential dwelling units* constructed on site and shall not include travel trailers, mobile homes, double wide mobile homes, tourist trailers, campers and motor vehicles, hotels or boarding or rooming houses, motels or *institutions*.

- 2.36 Dwelling Unit** means one room or a group of rooms in a *dwelling*, used, or if vacant, designed and intended to be used by only one household as a single independent and separate housekeeping establishment:
- a) in which food preparation, sleeping and sanitary facilities are provided for the *use* of the occupants; and
 - b) which has a private entrance from outside the *building* or from a common hallway or stairway inside the *building*.
- 2.37 Erect** when used in this By-law includes construction, reconstruction and relocation of *buildings* and *structures* and, without limiting the generality of the work, also includes:
- a) any preliminary physical operation such as excavating, filling or regrading or draining;
 - b) altering any existing *building* or *structure* by adding, enlarging, extending, remodeling, renovating, moving, demolishing or effecting other structural change;
 - c) any work, the doing of which requires a *building permit* under the Building Code Act.
- 2.38 Established Grade** means the average level of the proposed or finished ground or sidewalk adjoining a *building* at all exterior walls.
- 2.39 Existing** means existing as of the date of the passing of this By-law.
- 2.40 Exterior Side Building Envelope Line** means the longer of the *building envelope lines* of a *corner building envelope* that abuts a *public street* or *private street*.
- 2.41 Exterior Side Yard** means the *side yard* of a *corner building envelope* which *side yard* extends from the *front yard* to the *rear yard* between the *side building envelope line* and the nearest wall of any *building* or *structure* on the *corner building envelope*. The minimum *exterior side yard* means the minimum distance between the *exterior side building envelope line* and the nearest wall of any *principal building* or *accessory building* on the *building envelope*, according to the context in which the term is used.
- 2.42 First Floor** means the floor of a *building* at or immediately above the *established grade*.
- 2.43 Flexbuilding** means a *building* containing both *resort residential units* and *grade related retail and service commercial uses* where the *grade related retail and service commercial uses* are not internally accessible to the *resort residential units* in the *building*. *Flexbuildings* are *rear yard building* types and have building footprints that are generally deeper than residential ones.

- 2.44 Flexhouse** means a *building* with a *resort residential unit* and a *single grade related retail and service commercial use* and where the *resort residential unit* is above or behind a *grade related retail and service commercial use* and is internally accessible to the *resort residential unit*. The owner of the *resort residential unit* shall own and operate the *grade related retail and service commercial use* within the *building* and may employ not more than two (2) staff employees. A *Flexhouse* is a *rear yard building type*.
- 2.45 Front Building Envelope Line** means the *building envelope line* that divides the *building envelope* from a *public street* or *private street*, but
- a) in the case of a *corner building envelope*, the shorter of the *building envelope lines* abutting the *public street* or *private street*; or
 - b) in the case of a *corner building envelope* with two *public street* or *private street* lines of equal length, the *building envelope line* that abuts the narrower *public street* or *private street* shall be deemed to be the *front building envelope line*, and in the case of both *public street* or *private streets* being under the same jurisdiction, or of the same width, the *Town* may designate either *public street* or *private street* line as the *front building envelope line*; or
 - c) in the case of a *corner building envelope* abutting a 0.3 metre reserve, the *building envelope line* so abutting the 0.3 metre reserve shall be deemed an *exterior side building envelope line* and the other line abutting the *public street* or *private street* shall be deemed the *front building envelope line*; or
 - d) in the case of a *through building envelope*, the shorter boundary dividing the *building envelope* from the *public street* or *private street* shall be deemed to be the *front building envelope line* and the opposite shorter boundary shall be deemed to be the *rear building envelope line*. In case each of the *building envelope lines* should be of equal length, the *Town* may designate either the *public street* or *private street* line as the *front building envelope line*.
- 2.46 Front Yard** means the *yard* extending across the full width of the *building envelope* between the *front building envelope line* of the *building envelope* and the nearest wall of any *buildings* or *structures* on the *building envelope*. The minimum *front yard* means the minimum distance between the *front building envelope line* and the nearest wall of any *principal building* or *accessory building* on the *building envelope*, according to the context in which the term is used.
- 2.47 Frontage** means the privately held land between the *building façade* and a *frontage line*.
- 2.48 Frontage Line** means any *building envelope line* or back of sidewalk easement that abuts a UOS or ROS Zone or a *public street* or *private street*.
- 2.49 Garage** means a separate *building* or part of the *principal building* used for the temporary parking or storage of licensed vehicles of not more than three tonnes gross vehicle .
- 2.50 Golf Course** means a public or private area operated for the purposes of playing golf, including a par 3 *golf course*, driving ranges and miniature courses.

- 2.51 Grade Related Retail and Service Commercial Uses** means *retail stores* and such uses as *restaurants* with or without outdoor patios, cafes, coffee shops, bistros, pubs, *business or professional offices*, sporting good rental and sales establishments, bake shops, administrative offices, banks and financial institutions, bicycle repair shops, medical *clinics*, a *church*, art galleries, laundry shops, personal service shops such as hair salons and tailor shops, pharmacies, day-care nurseries, showrooms, tailoring shops and associated *accessory uses*.
- 2.52 Gross Floor Area** means the total floor area within a *building* measured between the exterior faces of the exterior walls or from the centerline of a joint partition and excludes any mezzanine areas, mechanical rooms, storage rooms, common walls, stair wells, garbage and electrical rooms, parking *structures* or *garages* and similar *uses* which are *accessory* to the *principal use*.
- 2.53 Height** means the maximum vertical measurement from the *established grade* to the highest point of a *structure* but does not apply to *building height*.
- 2.54 Hotel and Convention Complex** means a *building* or *structure* used for the purpose of catering to the needs of the traveling public by supplying sleeping accommodations, food, entertainment and refreshments and shall include meeting rooms, conference/convention facilities and may include *resort recreation establishments*.
- 2.55 House** means a single detached *resort residential unit* with a minimum *building envelope frontage* of eleven (11.0) metres.
- 2.56 Institution** means a *building* or part of a *building* used for non-commercial purposes by an organized body, religious group or society such as a public hospital, library or similar *use*.
- 2.57 Interior Building Envelope** means a *building envelope* other than a *corner building envelope*.
- 2.58 Interior Side Yard** means the *side yard* extending from the *front yard* to the *rear yard* between the *side building envelope line* and the nearest wall of any *building* or *structure* on any *building envelope* and excluding any *exterior side yard*. The minimum *interior side yard* means the minimum distance between an *interior side building envelope line* and the nearest wall of any *principal* or *accessory building* on the *building envelope*, according to the context in which the term is used.
- 2.59 Landscaped Open Space** means open space on the *building envelope*, unobstructed by *accessory* equipment, *parking spaces* or *loading spaces* and *buildings* and used exclusively for *landscaping*.
- 2.60 Landscaping** means any combination of trees, grass or other horticultural elements, decorative stonework, signboards, paving, other than parking areas, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property and to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land.

- 2.61 Laundry Shop** means a *building* or part of a *building* used for the purpose of receiving articles or goods or fabric to be subjected to a commercial process of laundering, dyeing or cleaning elsewhere and for the pressing and distribution of any such articles or goods which have been subjected to any such process and includes a self-service laundry.
- 2.62 Loading Space** means an unencumbered area of land which is provided and maintained upon the same *building envelope* or *building envelopes* upon which the *principal use* is located and which area:
- a) is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicle and such parking shall not be for the purpose of sale or display;
 - b) is suitable for the temporary parking of one commercial motor vehicle;
 - c) has adequate access to permit ingress and egress of a commercial motor vehicle from a *public street* or *private street* by means of *driveways*, *parking aisles*, maneuvering areas of similar areas; and
 - d) does not include a waste collection or transfer facility.
- 2.63 Marina** means a commercial establishment where boat launching and hauling facilities, in-water boat storage, minor repair facilities for boats, boat rental, piers, docks and boat slips or any combination of the foregoing are available for all types of marine craft.
- 2.64 Municipal By-Law Enforcement Officer** means the officer or employee of the Town of Innisfil with the duty of enforcing the provisions of municipal by-laws.
- 2.65 Open Space** means the open unobstructed space on a *building envelope*, including the open, unobstructed space accessible to all occupants of any residential or commercial *building* or *structure* on a *building envelope* which is suitable and used for the growth and maintenance of grass, flowers, bushes and other *landscaping* and may include any surface pedestrian walk, patio, pools or similar area but does not include any *driveway*, ramp or *parking spaces*, *parking aisles*, *loading spaces*, maneuvering areas and similar areas.
- 2.66 Outbuilding** means a *building* that is *accessory* to a *principal building*.
- 2.67 Parking Aisle** means an area of land that abuts and provides direct vehicular access to one or more *parking spaces*.
- 2.68 Parking Space** means a rectangular area, exclusive of *parking aisles*, for the temporary parking of motor vehicles.
- 2.69 Passive Recreation** means *uses* that are not considered to be structured activities such as walking, nature trails, bird watching.
- 2.70 Person(s)** means any human being, association, firm, partnership, *private club*, incorporated company, corporation, agent or trustee and the heirs, executors, or other legal representatives of a person to whom the context can apply according to law.

- 2.71 **Premise** means the area of a *building* occupied or used by a single business or enterprise. In a multiple tenancy *building*, occupied by more than one (1) business, each individual business area shall be considered a separate premise.
- 2.72 **Principal Building** means the *building* or *structure* in which is carried on the *principal use* for which the *building envelope* is used.
- 2.73 **Principal Use** means the main *use* to which the subject lands are devoted and the main purpose for which the subject lands are used.
- 2.74 **Private Club** means a *building* or part of a *building* used as a meeting place for the members of a philanthropic organization, not operated for profit, chartered or recognized nationally, provincially or locally, dedicated to recreational, education or community-service goals and in which membership is open generally to all residents of the *Town* and may be operated by a condominium corporation.
- 2.75 **Private Street** means a highway not assumed by the municipality that is usually traveled and maintained by a private individual, group of individuals or condominium corporation, which afford a means of access to an abutting *building envelope* and may include *landscaping* elements.
- 2.76 **Public Street** means a public highway which affords the principal means of access to an abutting *building envelope* and which is dedicated to, assumed by and maintained by the *Town*.
- 2.77 **Rear Building Envelope Line** means the *building envelope line* farthest from and opposite to the *front building envelope line*.
- 2.78 **Rear Yard** means the *yard* extending across the full width of the *building envelope* between the *rear building envelope line* of the *building envelope* and the nearest wall of any *principal building* on the *building envelope*. Where a *rear yard* is required for an *accessory building* in this By-law then this definition applies except the words *accessory building* are to be substituted for *principal building*. The minimum *rear yard* means the minimum distance between the *rear building envelope line* and the nearest wall of any *principal building* or *accessory building* on the *building envelope*, according to the context in which the term is used.
- 2.79 **Rear Yard Building Type** means a *building* that has no *front yard* on a *building envelope* with minimal *side yard* space.
- 2.80 **Resort Recreational Establishment** means a *building* or *structure* or part thereof where facilities are provided for recreation and may include a *golf course* club house and half way house, fitness centre, bowling alley, tennis and squash courts, simulated golf facilities, *swimming pools*, ancillary commercial *uses*, and social and meeting facilities.
- 2.81 **Resort Residential Unit** means condominium *dwelling unit* permitted within the LDRR1, LDRR2, MDRR1, MDRR2, MDRR3, HDRR1, HDRR2, HDRR3 and HDRR4 Zones.

- 2.82 **Restaurant** means an establishment that has full kitchen facilities for the preparation of meals and is engaged in the sale and service of meals to the public for consumption on the *premises* and, may include *premises* licensed under the Liquor License Act as a dining lounge, dining room, entertainment lounge and a patio.
- 2.83 **Retail Store** means a *building* or part of a *building* where goods, merchandise, substances or articles are offered for retail sale directly to the general public and includes storage on the store *premises* of limited quantities of such goods, merchandise, substances, articles or things sufficient only to service such store, but does not include mechanical or electronic gaming machines to be used for the purpose of gambling.
- 2.84 **Rowhouse 1** means a single *resort residential unit* with common walls on the *side building envelope lines* with the facades forming a continuous *frontage line* with a minimum *building envelope area* of one hundred and eighty (180.0) square metres. A *rowhouse 1* is a *rear yard building type*.
- 2.85 **Rowhouse 2** means a single *resort residential unit* with common walls on the *side building envelope lines* with the facades forming a continuous *frontage line* with a minimum *building envelope area* of ninety (90.0) square metres. A *rowhouse 2* is a *rear yard building type*.
- 2.86 **Side Building Envelope Line** means any *building envelope line* other than a *front* or *rear building envelope line*.
- 2.87 **Side Yard** means the *yard* extending from the *front yard* to the *rear yard* between the *side building envelope line* and the nearest wall of any *building* or *structure* on the *building envelope*.
- 2.88 **Single Detached** means a separate *building* designed and intended to be occupied by one *resort residential unit* owner or renter at a time, and containing not more than one kitchen, and having *front yard*, *side yard* and *rear yard* separation from other *buildings* and includes a *country house*, a *house*, a *cottage* and a *cottage villa*.
- 2.89 **Stacked Rowhouse** means a *building* containing a series of *resort residential units*, each having direct access from the outside, and where the *resort residential units* are positioned above or below one another
- 2.90 **Storey** means a part of a *building* which is situated between any floor level and the floor, ceiling or roof next above it and shall include a *basement* but shall not include a *cellar* or *attic*.
- 2.91 **Structure** means anything constructed or *erected*, the *use* of which requires location on the ground, or which is *attached* to something having location on the ground.
- 2.92 **Swimming Pool** means a body of water located indoors or outdoors, having an area of more than 9 square metres contained by artificial means, a depth greater than 0.6 metres at any point and which is used and maintained for the purpose of swimming, diving or bathing.

- 2.93 Through Building Envelope** means a *building envelope* bounded on two opposite sides by *public streets* or *private streets* provided, however, that if any *building envelope* qualifies as being both a *corner building envelope* and *through building envelope* as herein defined, such *building envelope* is deemed a *corner building envelope* for the purpose of this By-law.
- 2.94 Town** means The Corporation of the Town of Innisfil.
- 2.95 Use** means the purpose for which any land, *building* or *structure* is occupied or maintained.
- 2.96 Waterfront Rowhouse** means a *resort residential unit* within a *building* containing a series of *resort residential units*, each having direct access from the outside and with exposure to the waterfront area, and in some instances having an integrated *boathouse* or boat slip.
- 2.97 Yard** means the space abutting a *building* or *structure* on the same *building envelope* which is open, uncovered and unoccupied except for such *accessory buildings, structures* or *uses* which are specifically permitted by this By-law. In determining *yard* measurements, the minimum horizontal distance from the respective *building envelope lines* is to be used.
- 2.98 Zone** means a designated area of land use shown on any schedule to this By-law.
- 2.99 Zoning Administrator** means an officer or employee of the Corporation of the Town of Innisfil charged with the duty of administering this By-law.

SECTION 3
GENERAL PROVISIONS

3.1 ACCESSORY BUILDINGS

- 3.1.1 The total *building envelope coverage* of *accessory buildings* and *structures* including a *detached garage* in any zone that permits *resort residential units* shall not exceed fifty six (56.0) square metres.
- 3.1.2 No *accessory buildings* may be permitted in front of a *principal building*.
- 3.1.3 Where an *accessory building* is *attached* to the *principal building*, the *front yard building envelop*, *side yard building envelop*, *rear yard building envelop* and area requirements of this By-law must be complied with as if the *accessory building* was part of the *principal building*.
- 3.1.4 No persons may use an *accessory building* as a *dwelling unit* except where permitted by this By-law.
- 3.1.5 No *building envelope* in a zone that permits *detached resort residential units* or *rowhouse 1* or *rowhouse 2 resort residential units* shall contain more than one (1) *accessory building*.

3.2 ACCESSORY DWELLING UNITS

Occupancy of an *accessory dwelling unit* shall not be permitted until the *Town* has issued a Certificate of Occupancy.

The *use* of any land and the *erection*, renovation, *use* and maintenance of any *building* for an *accessory dwelling unit* shall be subject to the provisions and standards of Ontario Regulation 384/94, as amended.

3.3 BUILDING HEIGHT

- 3.3.1 The *building height* of *buildings* and *building elements* shall be:
- a) Measured in *storeys* and each *storey* shall not exceed four (4.0) metres for *resort residential unit buildings* and four and one half (4.5) metres for non-*resort residential unit buildings* or the ground floor of *building types* occupied by *grade related retail and service commercial uses*; and
 - b) Measured from *established grade* taken anywhere along the *front building envelope line*.
- 3.3.2 A portion of a *building* no greater than twenty-five (25.0) square metres may exceed the *building height* limits contained in this By-law, subject to approval by the *Town*

3.3.3 Minimum and maximum *building heights* shall be in accordance with the provisions set out for each *zone*.

3.4 FRONTAGE ON A PUBLIC OR PRIVATE STREET

No person may *erect* any *building* or *structure* in any *zone* unless the *building envelope* upon which such *building* or *structure* is to be *erected* fronts upon a *public street* or *private street*

3.5 GENERAL BUILDING SETBACK

Notwithstanding any other provision of this By-law, all *principal buildings* and *accessory buildings* shall be set back a minimum of six (6.0) metres from the boundary of Schedule "A".

Notwithstanding any other provision of this By-law, all *buildings* and *structures* shall be set back a minimum of one (1.0) metres from any *public street* or *private street* unless otherwise stated in this By-law.

3.6 HOLDING ZONES

3.6.1 Holding (H) Zones are in parenthesis following the *zone* symbol.

3.6.2 Prior to the removal of the Holding (H) symbol, the only permitted *uses* on the lands subject to the Holding (H) symbol shall be those *uses* existing at the date the Holding (H) symbol is applied.

3.6.3 Where a Holding (H) symbol is imposed on any land, the By-law which places the Holding (H) symbol on said lands shall set out the conditions to be satisfied to effect its removal.

3.7 LAND SEVERED FOR PUBLIC UTILITIES

Where land is acquired for the purpose of a public utility line and the acquisition deprives a parcel of land of street frontage, the part of such parcel so deprived of street frontage shall be deemed, for the purpose of this By-law, to have *frontage* on the *public street* or *private street* provided the land has a permanent right of access to the *public street* or *private street*.

3.8 MINIMUM DISTANCE SEPARATION

Notwithstanding any other provisions of this By-law, the minimum distance separation between agricultural operations and *uses* permitted within the area identified on Schedule "A" shall be in accordance with Provincial standards and guidelines.

3.9 NON-PERMANENT RESIDENTIAL UNITS

- 3.9.1 Notwithstanding the *uses* permitted in the LDRR1, LDRR2, MDRR1, MDRR2, MDRR3, HDRR1, HDRR2, HDRR3 and HDRR4 Zones, all *resort residential units* shall be non-permanent *resort residential units*.
- 3.9.2 Non-permanent *resort residential units* shall mean any combination of fractional ownership *resort residential units* or restricted occupancy *resort residential units*.
- 3.9.3 Fractional ownership *resort residential units* shall mean *resort residential units* that are fractionally owned by two or more owners and not occupied by any one owner for more than 185 days per calendar year.
- 3.9.4 Restricted occupancy *resort residential units* shall mean *resort residential units* owned by one or more unrelated owners and owner occupied for no more than 185 consecutive days per calendar year, with a minimum required unoccupied period of 30 consecutive days and a maximum aggregate owners' occupancy of less than 300 days per calendar year.

3.10 PARKING AND LOADING PROVISIONS

3.10.1 Parking

Where land or *buildings* are used in accordance with this By-law, every owner shall provide and maintain motor vehicle parking facilities for the sole use of the owner, occupant or persons making use of the *premises* on the same *building envelope* in accordance with the requirements outlined for the respective *uses* as specified below and in accordance with the other provisions contained in this By-law.

Use	Minimum Parking Requirements
a) Church, community halls and other places of assembly	One (1.0) space for every four (4.0) persons to be accommodated according to maximum permitted occupant load.
b) Government <i>building</i> or public <i>use</i>	One (1.0) space for every twenty-three (23.0) square metres of <i>gross floor area</i> .
c) <i>Grade related retail and service commercial</i>	Three (3.0) space for every 100 m ² of <i>gross floor area</i> or part thereof.
d) <i>Hotel</i>	One (1.0) space for every guest room plus four (4.0) spaces for every 100 m ² of <i>gross floor area</i> not directly related to the <i>hotel</i> operations

e) <i>Marina</i>	One (1.0) space for every boat slip. Boat slips designated for water-born arrivals or integrated with <i>resort residential units</i> or <i>apartment buildings</i> shall not be required to provide for <i>parking spaces</i>
f) <i>Resort Recreational establishments</i> not otherwise identified	One (1.0) space per one hundred (100.0) square metres of <i>gross floor area</i> .
g) <i>Single detached resort residential units</i> and <i>rowhouse 1</i> and <i>rowhouse 2</i>	Two (2.0) spaces on every individual <i>building envelope</i> plus one-quarter (0.25) of a space for every <i>building envelope</i> provided off-site.
h) <i>Flexhouse</i>	Two (2.0) spaces on the <i>building envelope</i> for every <i>resort residential unit</i> plus one (1.0) space on the <i>building envelope</i> for any <i>grade related retail and service commercial use</i> on the <i>building envelope</i> .
i) <i>Apartment House 1</i> and <i>Apartment House 2</i>	One and one half (1.5) spaces for every <i>resort residential unit</i>
j) <i>Apartment Building</i> and <i>flexbuilding units</i>	One and one half (1.5) spaces for every <i>resort residential unit</i>
k) Theatre or amphitheatre	One (1.0) space for every five (5.0) seats.
l) <i>Golf course</i>	Four (4.0) spaces per golf hole plus four (4.0) spaces for every one hundred (100.0) square metres of <i>gross floor area</i> of the clubhouse
m) <i>Uses</i> permitted by this By-law other than those listed above	One (1.0) space for every twenty-eight (28.0) square metres of <i>gross floor area</i> .

Each *parking space* must be readily accessible at all times and arranged in such a manner to provide access and maneuvering space for the parking and removal of a motor vehicle except that this does not apply in the case of a *single detached resort residential unit*.

The minimum size of *parking spaces* shall be a net minimum width of 2.85 metres, and free of any and all obstructions, such as curbs, sign posts, light poles, hydrant connections, steps and structural columns. The minimum length for a 90 degree parking stall shall be 5.7 metres and increased to 6.0 metres where overhang cannot be accommodated.

No parking space may be counted more than once to satisfy the parking requirements of any other use.

All required resident parking for *resort residential units* within the HDRR3 Zones shall be provided within the *building envelope*.

The required resident parking for *resort residential units* within the HDRR4 Zones shall be provided as follows: (a) a minimum of one space per *resort residential unit* shall be provided within the *building envelope*; and (b) the balance of the requirement shall be provided within 150 metres of the *building envelope*, but not on a *public* or *private street*.

Ingress and egress to and from the *parking aisles* prescribed by this section must be provided by a sufficient number of adequate, unobstructed *driveways* having a minimum width of six (6.0) metres or four (4.0) metres for a one-way *parking aisle*, except that in the case of a *single detached resort residential unit*, the paved width may be reduced to three and one half (3.5) metres. All off-street *parking spaces*, *driveways* and *parking aisles* required herein for a *single detached resort residential unit*, *marinas* and *golf courses* must be constructed and maintained with a stable surface which is treated to prevent the raising of dirt or loose particles. All off-street *parking spaces*, *driveways* and *parking aisles* required for any other permitted *use* must have a cement or asphaltic binder or any other permanent type of surfacing and the spaces must be outlined and maintained with a suitable paint.

Where a ramp to *parking aisles* provides access from a *public street* or *private street*, the ramp must not have a grade steeper than 5% within six (6.0) metres of the *building envelope line* where access is provided so as to provide adequate vision to the *public street* or *private street* in both directions. Where a *building envelope*, *building* or *structure* accommodates more than one type of *use*, the parking requirements for the whole *building* is the sum of the requirements for the separate parts of the *building envelope*, *building* or *structure* occupied by the separate types of *uses*.

Where an addition is made to a *building* or the *use* is changed, then additional *parking spaces* must be provided up to the number required for the addition or change in *use* with the exception that where a *garage* is *erected* in any *zone* that permits resort residential units, the number of *parking spaces* as required for the *zone* are to be provided.

Where the application of parking standards results in a fraction of a *parking space*, the required number of spaces is to be increased to the next whole number. The lights used for illumination of *parking spaces*, *parking aisles* and *driveways* must be so arranged as to divert the light away from adjacent *building envelopes* and *streets*.

A *structure* no more than four (4.0) metres in *height* and not more than five (5.0) square metres in area may be *erected* in the parking area for the *use* of parking attendants.

No sign may be *erected* in any parking area other than directional signs, signs necessarily incidental to the efficient operation of a commercial parking lot and a sign that gives the name of the owner. The maximum size of the sign is one (1.0) square metre.

Where off-street parking for any *use* other than a resort residential *use* abuts a *side building envelope line* or *rear building envelope line* in a zone that permits *resort residential units*, then a screen must be *erected* or planted and maintained along the *side building envelope line* or *rear building envelope line* and the screen must have a minimum *height* of one and one half (1.5) metres and must be suitable for provisions of privacy, protection from vehicle lights and must be in keeping with the immediate landscape.

Any *private street* less than 10 m in right of way width shall be designated a fire vehicle route in accordance with the applicable legislation, shall be signed so as to prohibit parking at any location on the *private street* and shall have posted the required regulatory signs.

No parking or loading facility or part thereof may be located and no land may be used for the temporary parking or storage of any licensed vehicle within one (1.0) metre of any *building envelope line* or within one (1.0) metre of the boundary of any zone that permits *resort residential units*.

No on-site *parking space* in a zone that permits *resort residential units* shall be used for the storage or parking of watercraft, trailers or commercial vehicles.

3.10.2 Loading

Where land, *buildings* or *structures* are used for any purposes involving the receiving, shipping, loading or unloading, goods, wares, merchandise and raw materials, a minimum of one space is required for the purpose of loading or unloading goods, wares and merchandise and raw materials. No *private street* shall be used by any vehicle as an area to unload or load goods, wares, merchandise and raw materials, except adjacent to the HDRR3, HDRR4 and RRHC Zones.

The *driveways*, *parking aisles*, *loading spaces* for *marinas* and *golf courses* must be constructed and maintained with a stable surface that is treated to prevent the raising of dirt or loose particles. All *parking spaces*, *loading spaces* and *driveways* and *parking aisles* require a cement or asphaltic binder or any other permanent type of surfacing for any other permitted *uses*.

A loading space shall have a minimum of twelve (12.0) metres in length and 3.6 metres in width and shall have a vertical clearance of a minimum of 4.2 metres.

Loading spaces for each *premise* shall be provided on the same *building envelope* in accordance with the following standards:

<u>Gross Floor Area</u>	<u>Spaces Required</u>
i) 0-1860 sq. m.	1.0
ii) 1861-2787 sq. m.	2.0
iii) Over 2787 sq. m.	3.0

except that for *premises* having a gross floor area of less than 80 square metres, and notwithstanding section 3.10.1, the loading space may be provided on an adjacent *private street* and the designated loading space may be a parking space on the adjacent *private street*.

3.11 SETBACK FROM BIG BAY POINT ROAD

Despite any other provisions contained in this By-law, no *building* or *structure* is to be *erected* in any *zone* closer than thirteen (13.0) metres from the centerline of Big Bay Point Road.

3.12 PROHIBITIONS

- 3.12.1 No person shall use any land or *erect* any *buildings* or *structures* within any *zone* except for a permitted *use* and in accordance with the regulations provided by this By-law for the *zone* in which it is located.
- 3.12.2 No *use* is permitted which from its nature or materials used therein is declared by the Local Board of Health to be a noxious trade, business or manufacture under the Health Protection and Promotion Act or regulations there under.
- 3.12.3 Not more than one *principal use* is allowed on a *building envelope* unless specifically permitted in this By-law.
- 3.12.4 No land to which the provisions of this By-law apply shall be used and no *building* or *structure* shall be *erected* for the purpose of a public or private elementary or secondary school.
- 3.12.5 No *rowhouse 1* or *rowhouse 2 building* shall contain more than eight (8) *resort residential units*.

3.13 PUBLIC USES AND UTILITIES

Despite any other provisions contained in this By-law, the Town of Innisfil, a utility operation providing a public utility service such as Innisfil Hydro or any local board thereof, as defined in the Municipal Affairs Act, any telephone or telegraph company, any transportation system owned, operated or authorized by or for the *Town*, any Department of the Dominion or Provincial Government of Ontario, or any other Municipal jurisdiction, may for purposes of public service, use any land or *erect* or use any *building* or *structure* in any *zone*, except in the Natural Open Space (NOS) Zone and provided that in any *zone* that permits *resort residential units*, the *building* or *structure* is in compliance with the *building height*, *coverage*, *landscaped open space* and *yard* regulations prescribed for the *zone* and there is no open storage in the *yards* of goods, materials or equipment and that any *building erected* or used under the provisions of this section is of a character and maintained in general harmony with *buildings* of the type permitted in the *zone*.

3.14 SIGHT TRIANGLES

On a *corner building envelope* abutting a *public street*, within the triangular space formed by the *public street* lines and a line drawn from a point in the *public street* line to a point in the other *public street* line, each point being six (6.0) metres measured along the *public street* line from the point of intersection of the *public street* lines, no *building* or *structure* which would obstruct the vision of drivers of motor vehicles may be *erected* and no trees, signs, shrubs, hedges, fences or walls are to be planned, *erected* or maintained of greater *height* than one (1.0) metre above the centerline of the adjacent *public street* at the lowest point. Where the two *public street* lines do not intersect at a point, the point of intersection of the *public street* lines are deemed to be the intersection of the tangents of the *public street* lines.

3.15 SPECIAL USES PERMITTED

The following are permitted in all *zones* except the Natural Open Space (NOS) Zone within the *Town*; construction, *erection* and the temporary *use* of a construction shed, scaffold or other *building* or *structure* including a temporary sales or rental office which is incidental to construction on a *building envelope* where it is situated and is necessary for the work in progress and until the work is completed or abandoned, and *Private Streets*.

Abandoned in this subsection means the failure to proceed expeditiously with the construction of a work, specifically, abeyance of construction for six months.

3.16 SWIMMING POOL

Despite any other provisions contained in this By-law a *swimming pool* is permitted as an *accessory use* in any Resort Recreational Commercial Zone or Urban or Rural Open Space Zones provided that:

- 3.16.1 No part of a *swimming pool* shall be located closer to any *public street* line than the minimum distance required for an *accessory building* located on the same *building envelope*.
- 3.16.2 The maximum *height* of every outdoor *swimming pool* shall be two (2.0) metres above the *established grade*.
- 3.16.3 Every outdoor *swimming pool erected* in any *zone*, must be enclosed by a fence of at least 1.21 metres in *height* and located at a distance of not less than 1.21 metres from the pool, the gate to which must be equipped with self-locking device and kept closed when the pool is not in use.
- 3.16.4 Every indoor *swimming pool* must be within an area equipped with self-locking doors that are kept closed when the pool is not in use.

3.17 ZONE REGULATIONS

- 3.17.1 No person, except a public authority engaged in the implementation of public works or services, may reduce in *area* or *frontage*, any *building envelope* already built upon, either by conveyance or *alteration* of any portion thereof or otherwise, so that the *building envelope coverage* of the *building* exceeds the maximum permitted by this By-law or so that the *area* or *frontage* of the *building envelope* will be less than the minimum permitted by this By-law for the *zone* in which the *building envelope* is located.
- 3.17.2 No person may be deemed to be in contravention of *building envelope coverage*, *building envelope area*, *building envelope frontage*, or *building envelope yards*, if the contravention arose as a result of a part of a *building envelope* being conveyed or having been conveyed to, or acquired by, the *Town*, County of Simcoe, Her Majesty in the Right of Ontario, or Her Majesty in the Right of Canada, or Local Boards of the *Town*.

SECTION 4
RESORT RESIDENTIAL ZONES

4.1 LOW DENSITY RESORT RESIDENTIAL ONE (LDRR1) ZONE

4.1.1 Principal Permitted Use

- a) *Country House*
- b) *House*

4.1.2 Accessory Uses

- a) *Attached or detached garage*
- b) *Accessory dwelling unit in a detached garage or a detached building*

4.1.3 Regulations

	Country House	House
Minimum <i>building envelope area</i>	384.0 sq m	330.0 sq m
Minimum <i>building envelope frontage</i>	12.0 m	11.0 m
Maximum <i>building envelope coverage</i>	50%	60%
Maximum <i>height – principal building</i>	2.5 storeys	3 storeys
Maximum <i>height – accessory building</i>	2 storeys	2 storeys
Maximum <i>building coverage– accessory building</i>	56.0 sq. m.	56.0 sq. m
Minimum <i>gross floor area – principal building</i>	84 sq. m.	84 sq. m.
Min. <i>building setback from a public street</i>	4.2 m	4.2 m

4.1.4 Special Provisions

- a) An *attached garage* shall only be *attached* to the side of the *principal building* and shall be located a minimum of seven (7.0) metres behind the front façade of the *principal building*.

4.2 LOW DENSITY RESORT RESIDENTIAL TWO (LDRR2) ZONE

4.2.1 Principal Permitted Use

- a) *House*
- b) *Cottage*
- c) *Cottage Villa*

4.2.2 Accessory Uses

- a) *Attached or detached garage, except in association with a cottage villa*
- b) *Accessory dwelling unit in a detached garage or a detached building, except in association with a cottage villa*

4.2.3 Regulations

	House	Cottage	Cottage Villa
Minimum <i>building envelope area</i>	330.0 sq m	225.0 sq m	150 sq m
Minimum <i>building envelope frontage</i>	11.0 m	9.0 m	10.0 m
Maximum <i>building envelope coverage</i>	60%	60%	60%
Maximum <i>height – principal building</i>	3 storeys	3 storeys	2 storeys
Maximum <i>height – accessory building</i>	2 storeys	2 storeys	n/a
Maximum <i>building coverage – accessory building</i>	56.0 sq. m.	56.0 sq. m	n/a
Minimum <i>gross floor area – principal building</i>	84 sq. m.	84 sq. m.	84 sq. m.
Min <i>building setback from a public street</i>	4.2 m	4.2 m	4.2 m

4.2.4 Special Provisions

- a) *An attached garage shall only be attached to the side of the principal building and shall be located a minimum of seven (7.0) metres behind the front façade of the principal building.*

4.3 MEDIUM DENSITY RESORT RESIDENTIAL ONE (MDRR1) ZONE

4.3.1 Principal Permitted Use

- a) *Rowhouse 1*

4.3.2 Accessory Uses

- a) *Attached or detached garage, accessed from a private street*
- b) *Accessory dwelling unit in a detached garage*

4.3.3 Regulations

- a) Minimum *building envelope area*: 180.0 sq. m
- b) Minimum *building envelope frontage*: 6.0 m
- c) Maximum *building envelope coverage*: 60.0%
- d) Maximum *building height – principal building*: 4.0 storeys
- e) Maximum *building height – accessory building*: 2.0 storeys
- f) Maximum *building coverage – accessory building*: 56.0 sq. m
- g) Minimum *gross floor area – principal building*: 84 sq. m.
- h) Minimum *building setback from a public street*: 4.2 m

4.3.4 Special Provisions

- a) *An attached garage shall only be attached to the rear of the principal building and shall be no wider than the principal building.*
- b) *A detached garage shall be no wider than the principal building and in no case shall be wider than seven (7.0) metres.*

4.4 MEDIUM DENSITY RESORT RESIDENTIAL TWO (MDRR2) ZONE

4.4.1 Principal Permitted Use

- a) *Rowhouse 2*
- b) *Flexhouse*

4.4.2 Accessory Uses

- a) *Attached or detached garage, accessed from an private street .*
- b) *Accessory dwelling unit in a detached garage*
- c) *Grade related retail and service commercial uses in a flexhouse*

4.4.3 Regulations

- a) Minimum *building envelope area*:
 - i) *Rowhouse 2* 90.0 sq. m
 - ii) *Flexhouse* 120.0 sq. m
- b) Minimum *building envelope frontage* 6.0 m
- c) Maximum *building envelope coverage* 80.0%
- d) Maximum *building height – principal building* 4.0 storeys
- e) Maximum *building height – accessory building* 2.0 storeys
- f) Maximum *building coverage – accessory building* 56.0 sq. m
- g) Minimum *gross floor area – principal building unit* 74 sq. m./dwelling
- h) Minimum *building setback from a public street* 4.2 m

4.4.4 Special Provisions

- a) *Grade related retail and service commercial uses in a flexhouse shall be limited to business or professional offices and personal services shops, shall be located on the ground floor and shall not exceed two hundred (200.0) square metres gross floor area on any one building envelope.*

4.5 MEDIUM DENSITY RESORT RESIDENTIAL THREE (MDRR3) ZONE

4.5.1 Principal Permitted Use

- a) *Waterfront Rowhouse*

4.5.2 Accessory Uses

- a) *Attached garage, accessed from an private street*
- b) *Boathouse or boat slip*

4.5.3 Regulations

- a) Minimum *building envelope area*: 90.0 sq. m
- b) Minimum *building envelope frontage*: 6.0 m
- c) Maximum *building envelope coverage*: 100.0%
- d) Maximum *building height*: 4.0 storeys
- e) Minimum *gross floor area – principal building*: 74 sq. m./dwelling unit

4.6 HIGH DENSITY RESORT RESIDENTIAL ONE (HD RR1) ZONE

4.6.1 Principal Permitted Use

- a) *Apartment House 1*

4.6.2 Accessory Uses

- a) None

4.6.3 Regulations

- | | | |
|----|--|--------------------------|
| a) | Minimum <i>building envelope area</i> : | 660.0 sq. m |
| b) | Minimum <i>building envelope frontage</i> | 22.0 m |
| c) | Maximum <i>building envelope coverage</i> | 60.0% |
| d) | Maximum <i>building height</i> | 3.0 storeys min and max, |
| e) | Minimum <i>building setback from a public street</i> | 4.2 m |
| e) | Minimum <i>gross floor area – principal building</i> | 74 sq. m./dwelling unit |

4.7 HIGH DENSITY RESORT RESIDENTIAL TWO (HDRR2) ZONE

4.7.1 Principal Permitted Use

- a) *Apartment House 2*

4.7.2 Accessory Uses

- a) None

4.7.3 Regulations

- | | | |
|----|--|---------------------------|
| a) | Minimum <i>building envelope area</i> | 660.0 sq. m |
| b) | Minimum <i>building envelope frontage</i> | 22.0 m |
| c) | Maximum <i>building envelope coverage</i> | 80.0% |
| d) | Maximum <i>building height</i> | |
| | i) <i>Principal building</i> | 4.0 storeys min. and max. |
| | ii) <i>Accessory building</i> | 2.0 storeys |
| e) | Minimum <i>building setback from a public street</i> | 4.2 m |
| f) | Minimum <i>gross floor area – principal building</i> | 74 sq. m./dwelling unit |

4.8 HIGH DENSITY RESORT RESIDENTIAL THREE (HD RR3) ZONE

4.8.1 Principal Permitted Use

- a) *Flexbuilding*

4.8.2 Accessory Uses

- a) None

4.8.3 Regulations

- a) Minimum *building envelope area* 576.0 sq. m
- b) Minimum *building envelope frontage* 24.0 m
- c) Maximum *building envelope coverage* 100.0%
- d) Maximum *building height* 4.0 storeys
- e) Minimum *building setback from a public street* 2.0 m
- f) Minimum *gross floor area – principal building* 74 sq. m./dwelling unit

4.8.4 Special Provisions

- a) Notwithstanding the provisions of Sections 4.8.1, on the land identified as HD RR3-1 in this By-law, the *golf course* clubhouse shall have a minimum of 800 square metres and *grade related and service commercial uses*, in conjunction with a *golf course* clubhouse are permitted to a maximum of 120.0 square metres.
- b) All required parking associated with *resort residential units* within a *flexbuilding* shall be provided on-site and underground.
- c) Required parking associated with non-residential uses within *flexbuildings* may be provided along *private streets*, underground, within surface parking areas, or any combination thereof, within 150 metres of the *building envelope*.

4.9 HIGH DENSITY RESORT RESIDENTIAL FOUR (HRRR4) ZONE

4.9.1 Principal Permitted Use

- a) *Apartment Building*

4.9.2 Accessory Uses

- a) None

4.9.3 Regulations

- | | | |
|----|--|-------------------------|
| a) | Minimum <i>building envelope area</i> | 576.0 sq. m |
| b) | Minimum <i>building envelope frontage</i> | 24.0 m |
| c) | Maximum <i>building envelope coverage</i> | 100.0% |
| d) | Maximum <i>building height</i> | 4.0 storeys |
| e) | Minimum <i>building setback from a public street</i> | 2.0 m |
| f) | Minimum <i>gross floor area – principal building</i> | 74 sq. m./dwelling unit |

4.9.4 Special Provisions

- a) A minimum of 90% of the required parking for *resort residential units* that is to be provided in the *building envelope* shall be provided underground.

SECTION 5
RESORT RECREATIONAL COMMERCIAL ZONES

5.1 RESORT RECREATIONAL COMMERCIAL (RRC) ZONE

5.1.1 Permitted Uses

- a) *Marina*
- b) *Golf course clubhouse and halfway house*
- c) *Resort recreational establishment*

5.1.2 Accessory Uses

- a) *Uses* which are clearly incidental to, associated with and located on the same *building envelope* as the permitted *uses* as listed above

5.1.3 Regulations

- a) Minimum *building envelope area* 0.0 sq. m
- b) Minimum *building envelope frontage* 0.0 m
- c) Maximum *building envelope coverage* 100.0%
- d) *Building height – principal building*
 - i) Minimum 2 storeys
 - ii) Maximum 4 storeys

5.1.4 Special Provisions

- a) Notwithstanding the provisions of Sections 5.1.1 and 5.1.2, on the land identified as RRC-1 in this By-law, the *golf course clubhouse* shall have a minimum of 50.0 square metres and *grade related and service commercial uses*, in conjunction with a *golf course clubhouse* are permitted to a maximum of 120.0 square metres.
- b) Notwithstanding the *uses* permitted under Section 5.1.1, on land identified as RRC-2 in this By-law, permitted *uses* shall be limited to a *marina* and associated facilities which may include, water supply and sewage pump-out facilities, the fuelling of marine craft and *buildings or structures* for accessory restaurant facilities and water related recreational uses.
- c) A maximum of ten percent (10%) of boat slips associated with the *marina* may be covered.
- d) Notwithstanding the *uses* permitted under Section 5.1.1, in the area identified as RRC-3 in this By-law, permitted *uses* shall be limited to boat slips and pedestrian and vehicle access bridges.
- e) Notwithstanding the *uses* permitted under Section 5.1.1, *resort recreational establishments* shall only be permitted in the RRC-4 Zone.

5.2 RESORT RECREATIONAL HOTEL COMMERCIAL (RRHC) ZONE

5.2.1 Permitted Uses

- a) *Hotel and convention complex*

5.2.2 Accessory Uses

- a) *Ground related retail and service commercial uses*
- b) *Uses which are clearly incidental to, associated with and located on the same building envelope as the permitted uses as listed above*

5.2.3 Regulations

- a) Minimum *building envelope area* 0.0 sq. m
- b) Minimum *building envelope frontage* 0.0 m
- c) Maximum *building envelope coverage* 100.0%
- d) *Building height – principal building*
 - i) Minimum 2 storeys
 - ii) Maximum 4 storeys

5.2.4 Special Provisions

- a) The hotel portion of the *hotel and convention complex* shall contain a minimum of 200 accommodation rooms, a spa and the convention complex portion shall have a minimum *gross floor area* of 18,500 square metres.

SECTION 6
RESORT RECREATIONAL CIVIC ZONES

6.1 RESORT RECREATIONAL CIVIC (RRCV) ZONE

6.1.1 Permitted Uses

- a) Indoor and outdoor concert and live theatre facility
- b) Movie theatre
- c) Emergency response facilities

6.1.2 Accessory Uses

- a) *Uses* which are clearly incidental to, associated with and located on the same *building envelope* as the permitted *uses* as listed above

6.1.3 Regulations

- | | | |
|----|--|-------------|
| a) | Minimum <i>building envelope area</i> | n/a |
| b) | Minimum <i>building envelope frontage</i> | n/a |
| c) | Maximum <i>building envelope coverage</i> | 50.0% |
| d) | Maximum <i>building height</i> | 4.0 storeys |
| e) | Minimum <i>building setback from a public street</i> | 4.2 m |

6.1.4 Special Provisions

- a) Notwithstanding the *uses* permitted under Section 6.1.1, in the area identified as RRCV-1 in this By-law, permitted *uses* shall be limited to a live indoor or outdoor live theatre facility with a minimum seating capacity of 300 seats and emergency response facilities.
- b) Any movie theatre shall have a minimum seating capacity of 300 seats.

SECTION 7
OPEN SPACE ZONES

7.1 URBAN OPEN SPACE (UOS) ZONE

7.1.1 Permitted Uses

- a) Parks, parkettes, greens, squares and plazas
- b) Tennis courts, *swimming pools* and associated facilities
- c) Pedestrian and bicycle trails and paths
- d) *Landscaping* and decorative elements and features
- e) *Passive recreation*

7.1.2 Accessory Uses

- a) *Uses* which are clearly incidental to, associated and co-located with permitted *uses* as listed above

7.1.3 Regulations

- a) Minimum *building envelope area* n/a
- b) Minimum *building envelope frontage* n/a
- c) Maximum *building envelope coverage* n/a
- d) Maximum *height* 2 metres
- e) Minimum *building setback from a public street* n/a

7.2 RURAL OPEN SPACE (ROS) ZONE

7.2.1 Permitted Uses

- a) *Golf course* and associated *uses*
- b) Pedestrian and bicycle trails and paths
- c) *Landscaping* and decorative elements and features
- d) *Passive recreation*

7.2.2 Accessory Uses

- a) *Uses* which are clearly incidental to, associated and co-located with permitted *uses* as listed above

7.2.3 Regulations

- a) Minimum *building envelope area* n/a
- b) Minimum *building envelope frontage* n/a
- c) Maximum *building envelope coverage* n/a
- d) Maximum *height* 2 metres
- e) Minimum *building setback from a public street* n/a

7.2.4 Special Provisions

- a) Notwithstanding the *uses* permitted under Section 7.2.1, on land identified as ROS-1 in this By-law, permitted *uses* shall also include stormwater management facilities.
- b) Notwithstanding the *uses* permitted under Section 7.2.1, a *golf course* clubhouse or *golf course* halfway house is not permitted in the ROS Zone

7.3 NATURAL OPEN SPACE (NOS) ZONE

7.3.1 Permitted Uses

- a) Pedestrian trails and paths
- b) Naturalized areas
- c) *Passive recreation*

7.3.2 Accessory Uses

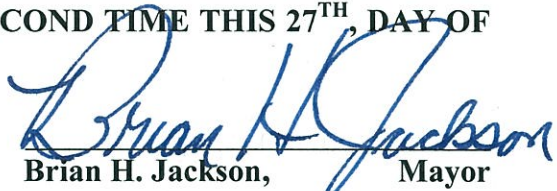
- a) *Uses* which are clearly incidental to, associated and co-located with permitted *uses* as listed above


7.3.3 Regulations

- a) Minimum *building envelope area* n/a sq. m
- b) Minimum *building envelope frontage* n/a m
- c) Maximum *building envelope coverage* n/a
- d) Maximum *building height* n/a
- e) Minimum *building setback from a public street* n/a

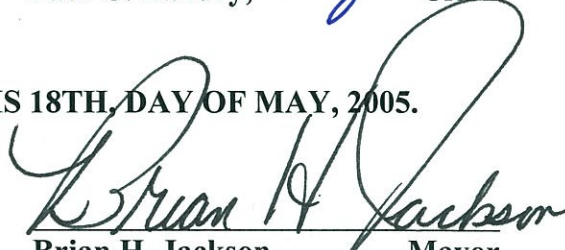
7.3.4 Special Provisions

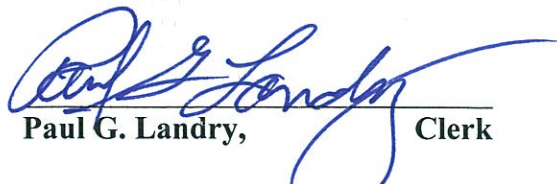
READ A FIRST TIME AND TAKEN AS READ A SECOND TIME THIS 27TH, DAY OF APRIL, 2005.


Brian H. Jackson, Mayor

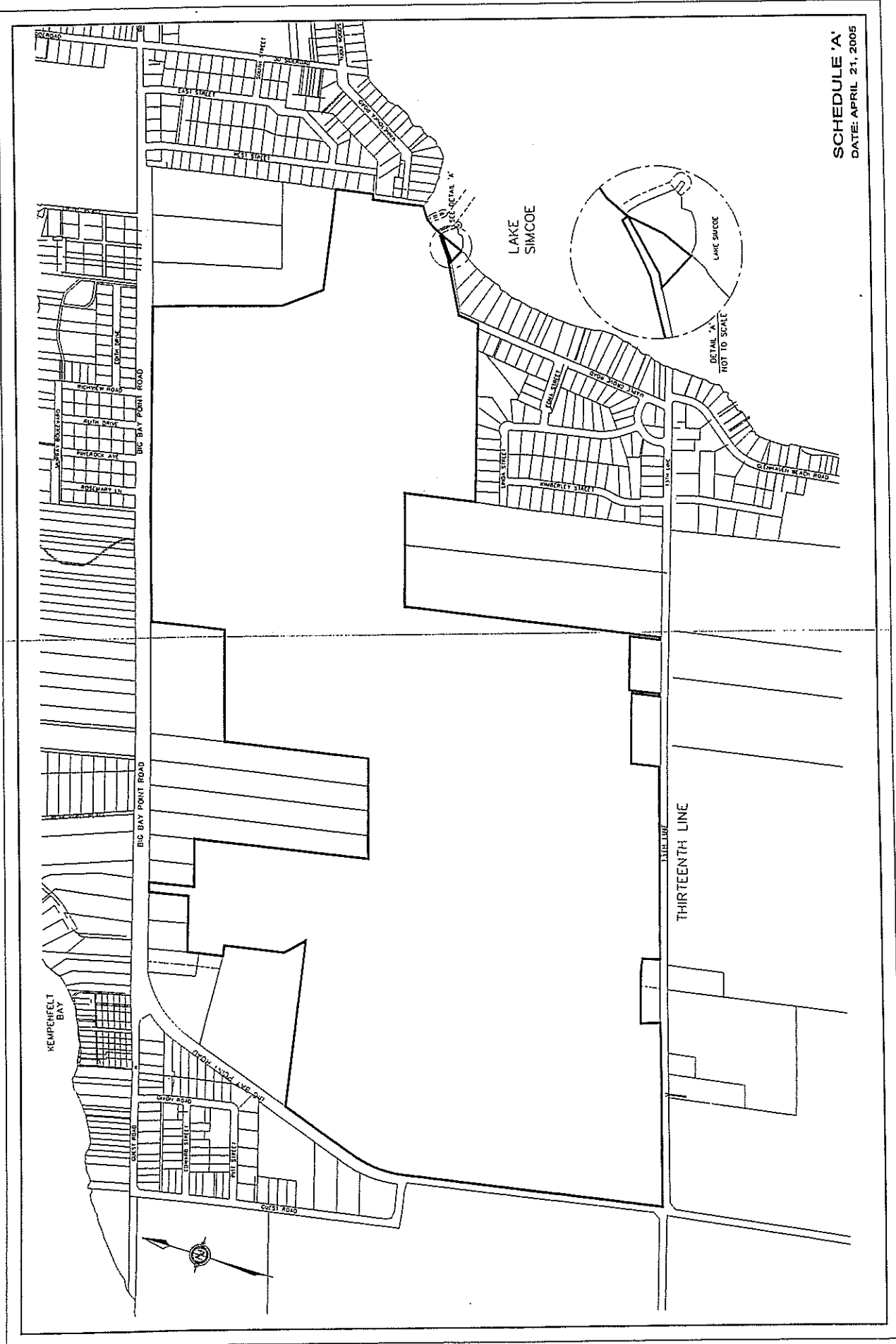

Paul G. Landry, Clerk

READ A THIRD TIME AND FINALLY PASSED THIS 18TH, DAY OF MAY, 2005.


Brian H. Jackson, Mayor


Paul G. Landry, Clerk

SCHEDULE 'A'
DATE: APRIL 21, 2005



THE CORPORATION OF THE TOWN OF INNISFIL

BY-LAW NO. 083-15

A By-law of The Corporation of the Town of Innisfil to amend Zoning By-law No. 029-05 for the Big Bay Point Resort Secondary Plan Lands, as amended, by rezoning certain lands within the Secondary Plan Area, described as Block 1, Registered Plan 51M-997 and known municipally as 0 Big Bay Point Road, Town of Innisfil, County of Simcoe.

WHEREAS the Council of The Corporation of the Town of Innisfil deems it desirable to approve an application to rezone certain lands in the Big Bay Point Resort Secondary Plan area, described as Block 1, Registered Plan 51M-997 and known municipally as 0 Big Bay Point Road, from “High Density Resort Residential Two (HDDR2(H)) Holding Zone” and “High Density Resort Residential Three (HDDR3(H)) Holding Zone” to “Resort Recreational Hotel Commercial (RRHC(H)) Holding Zone”; from “Resort Recreational Hotel Commercial (RRHC(H)) Holding Zone” to “High Density Resort Residential Two (HDDR2(H)) Holding Zone” with a six-storey permission; from “High Density Resort Residential Three (HDDR3(H)) Holding Zone”, “High Density Resort Residential Three -1 (HDDR3-1(H)) Holding Zone” and High Density Resort Residential Three -1 (HDDR3-1) Zone” to “Medium Density Resort Residential Three (MDRR3(H)) Holding Zone” and “Medium Density Resort Residential Three (MDRR3) Zone”; to amend the parking standard and/or location provisions for all “High Density Resort Residential Two and Three (HDDR2(H) and HDDR3(H)) Holding Zone”, “Medium Density Resort Residential One, Two and Three ((MDRR1(H), MDRR2(H) & MDRR3(H)) Holding Zone”, “Resort Commercial (RC(H)) Holding Zone” and Resort Recreational Commercial-2 (RRC-2(H)) Holding Zone” zones; to permit interim parking lots as a permitted use in all “Medium Density Resort Residential One (MDRR1(H)) Holding Zone”, “Medium Density Resort Residential Two (MDRR2(H)) Zone”, “High Density Resort Residential Two and Three (HDDR2(H) & HDDR3(H)) Holding Zone”, “Resort Recreational Hotel Commercial (RRHC(H)) Holding Zone” and Resort Recreational Commercial -1 and -3 ((RRC-1(H)) and (RRC-3(H)) Holding Zone” zones; to provide dimensions for parallel parking spaces; and to remove Schedule “C”; and,

WHEREAS the authority to pass this By-law is provided pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

NOW THEREFORE the Council of The Corporation of The Town of Innisfil enacts as follows:

1. Schedule “A” attached hereto forms part of this By-law.
2. Schedule “A” to By-law No. 029-05, as amended, is hereby further amended by rezoning those lands shown on Schedule “A” attached hereto from:
 - a. “High Density Resort Residential 2 (HDDR2(H)) Holding Zone” and “High Density Resort Residential 3 (HDDR3(H)) Holding Zone” to “Resort Recreational Hotel Commercial (RRHC(H)) Holding Zone”;
 - b. “Resort Recreational Hotel Commercial (RRHC(H)) Holding Zone” to “High Density Resort Residential 2 (HDDR2(H)) Holding Zone”; and

By-law No. 083-15

- c. “High Density Resort Residential 3 (HRR3(H)) Holding Zone”, “High Density Resort Residential 3-1 (HRR3-1(H)) Holding Zone” and “High Density Resort Residential 3-1 (HRR3-1) Zone” to “Medium Density Resort Residential 3 (MDRR3(H)) Holding Zone” and “Medium Density Resort Residential 3 (MDRR3) Zone”.
3. Paragraphs 3 and 5 of the enacting recitals section of By-law No. 029-05 at its page 2, are hereby amended by amending the wording to read as follows:

“Paragraph 3

Schedules “A” and “B” attached hereto form part of this By-law.”

“Paragraph 5

For the purpose of phasing, the Big Bay Point Resort Secondary Plan Lands have been divided into phases, the elements of which are defined in Section 8 – Holding Provisions of this By-law.”

4. Section 3.11.1 Parking is hereby amended by amending the wording to read as follows:

For item j) *Apartment Building* and *flexbuilding* units in the Minimum Parking Requirements table: “One and one quarter (1.25) spaces for every *resort residential unit*.”
5. Section 3.11.1.2 is hereby amended by adding a new sentence to its end, to read as follows:

“The minimum dimension for a parallel parking space shall be a width of 2.5 metres and a length of 6.7 metres.”
6. Section 3.11.1 Parking is hereby further amended by adding a new subsection .19, which reads as follows:

“3.11.1.19

Surface parking shall be permitted as an interim use in all “Medium Density Resort Residential One (MDRR1)”, “Medium Density Resort Residential Two (MDRR2)”, “High Density Resort Residential Two and Three (HRR2 & HRR3)”, “Resort Recreational Hotel Commercial (RRHC)”, “Resort Recreational Commercial-1 (RRC-1)” and “Resort Recreational Commercial-3 (RRC-3)” Zones subject to the provision of suitable screening as defined in section 3.11.1.12 of this bylaw, and subject to a storm water management plan prepared to the Town’s satisfaction.”

7. Section 4.1.4 Special Provisions of Section 4.1 MEDIUM DENSITY RESORT RESIDENTIAL ONE (MDRR1) ZONE is hereby amended by amending paragraph c) to read as follows:

“Notwithstanding the provisions of Section 3.11.1, a maximum of 1.25 spaces per *resort residential unit* of required parking, may be provided along *private streets* or in surface parking areas within the resort lands subject of this By-law.”

By-law No. 083-15

8. Section 4.2.4 Special Provisions of Section 4.2 MEDIUM DENSITY RESORT RESIDENTIAL TWO (MDRR2) ZONE is hereby amended by amending paragraph a) to read as follows:

“Notwithstanding the provisions of Section 3.11.1, a maximum of 1.25 spaces per *resort residential unit* of required parking, may be provided along *private streets* or in surface parking areas within the resort lands subject of this By-law.”
9. Section 4.3.4 Special Provisions of Section 4.3 MEDIUM DENSITY RESORT RESIDENTIAL THREE (MDRR3) ZONE is hereby amended by amending paragraph a) to read as follows:

“Notwithstanding the provisions of Section 3.11.1, a maximum of 1.25 spaces per *resort residential unit* of required parking, may be provided along *private streets* or in surface parking areas within the resort lands subject of this By-law.”
10. Section 4.5.4 Special Provisions of Section 4.5 HIGH DENSITY RESORT RESIDENTIAL TWO (HRRR2) ZONE is hereby amended by:
 - a. amending paragraph a) to read as follows:

“A minimum of 1.0 of the 1.25 parking spaces required for *resort residential units* within a *flexbuilding* shall be provided on-site and underground. The remainder may be provided along *private streets*, underground, within surface parking areas, or any combination thereof within the resort lands subject of this By-law.”
 - b. amending paragraph b) to read as follows:

“Required parking associated with non-residential uses within flexbuildings may be provided along *private streets*, underground, within surface parking areas, or any combination there-of, within the resort lands subject of this By-law.” ; and,
 - c. adding a new paragraph d), which reads as follows:

“Those buildings located on the east side of the marina basin between the Resort Recreational Commercial-3 (RRC-3) zone and the Resort Recreational Hotel Commercial (RRHC) zone on Schedule “B” shall have a minimum height of 4.0 *storeys* and a maximum height of 6.0 *storeys*. Any *storey* above the fourth *storey* shall be setback a minimum of 1.5 m from the storey below.”
11. Section 4.6.4 Special Provisions of Section 4.6 HIGH DENSITY RESORT RESIDENTIAL THREE (HRRR3) ZONE is hereby amended by amending paragraph b) to read as follows:

“Notwithstanding the provisions of Section 3.11.1, a maximum of one quarter (0.25) space per *resort residential unit* may be located along *private streets*, underground, within surface parking areas, or any combination thereof, within the resort lands subject of this By-law.”

By-law No. 083-15

12. Section 5.1.4 Special Provisions of Section 5.1 RESORT RECREATIONAL COMMERCIAL (RRC) ZONE is hereby amended by amending paragraph e) to read as follows:

“Notwithstanding the provisions of Section 3.11.1 of this By-law, required parking for the *resort marina* may be permitted along *private streets* or in parking areas within the resort lands subject of this By-law.”
13. Section 5.3.4 Special Provisions of Section 5.3 RESORT COMMERCIAL (RC) ZONE is hereby amended by revising paragraph a) with wording as follows:

“Required parking associated with *grade related retail and service commercial uses* may be provided along *private streets*, underground, within surface parking areas, or any combination thereof, within the resort lands subject of this By-law.”
14. Paragraphs (a), (b), (c) and (d) in Section 8 HOLDING PROVISIONS are hereby amended to read as follows:
 - a. “Prior to lifting the holding provisions on the Phase 1 land, the following shall be satisfied:”
 - b. “Prior to lifting the holding provisions on a maximum of 800 *resort residential units* on the Phase 2 land, the following shall be satisfied:”
 - c. “Prior to lifting the holding provisions on a maximum of 400 *resort residential units* on the Phase 3 land, the following shall be satisfied:”
 - d. “Prior to lifting the holding provisions on the remainder of the *resort residential units* on the Phase 4 land, the following shall be satisfied:”
15. Schedule “C” to Zoning By-law 029-05 is hereby deleted.
16. All other provisions of this By-law shall apply.
17. This By-law shall come into force, and take effect on the day it is passed subject to the appeal provisions set out in Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.

PASSED THIS 8th DAY OF JULY, 2015.

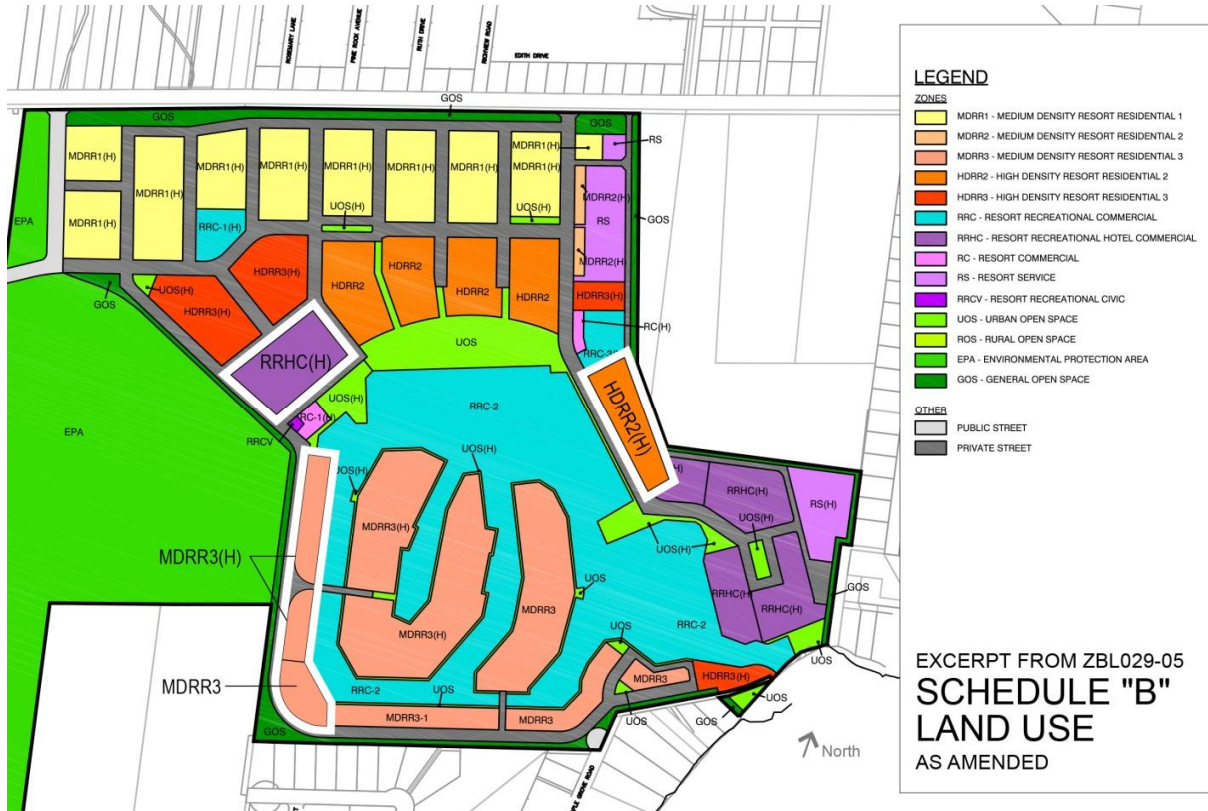
Gord Wauchope,

Mayor

Kevin Jacob,

Alternate Deputy Clerk

SCHEDULE 'A'



THE CORPORATION OF THE TOWN OF INNISFIL

BY-LAW NO. 091-16

A By-law of The Corporation of the Town of Innisfil to amend Zoning By-law No. 029-05 for the Big Bay Point Resort Secondary Plan Lands, as amended, by rezoning certain lands within the Secondary Plan Area, described as part of Block 1, Registered Plan 51M-997 and known municipally as 0 Big Bay Point Road, Town of Innisfil, County of Simcoe.

WHEREAS the Council of The Corporation of the Town of Innisfil deems it desirable to approve an application to rezone certain lands in the Big Bay Point Resort Secondary Plan area, described as Block 1, Registered Plan 51M-997 and known municipally as 0 Big Bay Point Road, from “Urban Open Space (UOS(H)) Holding Zone” to “Urban Open Space Exception (UOS-1(H)) Holding Zone”; and,

WHEREAS the authority to pass this By-law is provided pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

NOW THEREFORE the Council of The Corporation of The Town of Innisfil enacts as follows:

1. Schedule “A” attached hereto forms part of this By-law.
2. Schedule “A” to By-law No. 029-05, as amended, is hereby further amended by rezoning those lands shown on Schedule “A” attached hereto from “Urban Open Space (UOS(H)) Holding Zone to “Urban Open Space Exception (UOS-1(H)) Holding Zone”.
3. Section 1.2.1 Zones and Symbols is hereby amended by adding a new zone and symbol to the existing list of zones and symbols which reads as follows:

“Urban Open Space Exception Zone UOS-1.”

4. Section 7.1 Urban Open Space (UOS) Zone is hereby further amended by adding a new subsection .4, which reads as follows:

“7.1.4 Special Provisions

- a) Lands zoned Urban Open Space Exception (UOS-1) Zone shall be subject to the following provisions:

Permitted Uses

- i) Offices accommodating marina management and security functions
- ii) Marine fuel sales
- iii) Marine sewage pump-out
- iv) *Grade-Related Retail and Service Commercial Uses*
- v) *Resort Service Use*

By-law No. 091-16

Accessory Uses

- i) Public washrooms, showers, laundry and amenity space for marina users

Regulations

- i) Maximum *building height* 10.0 metres (2.0 storeys)"

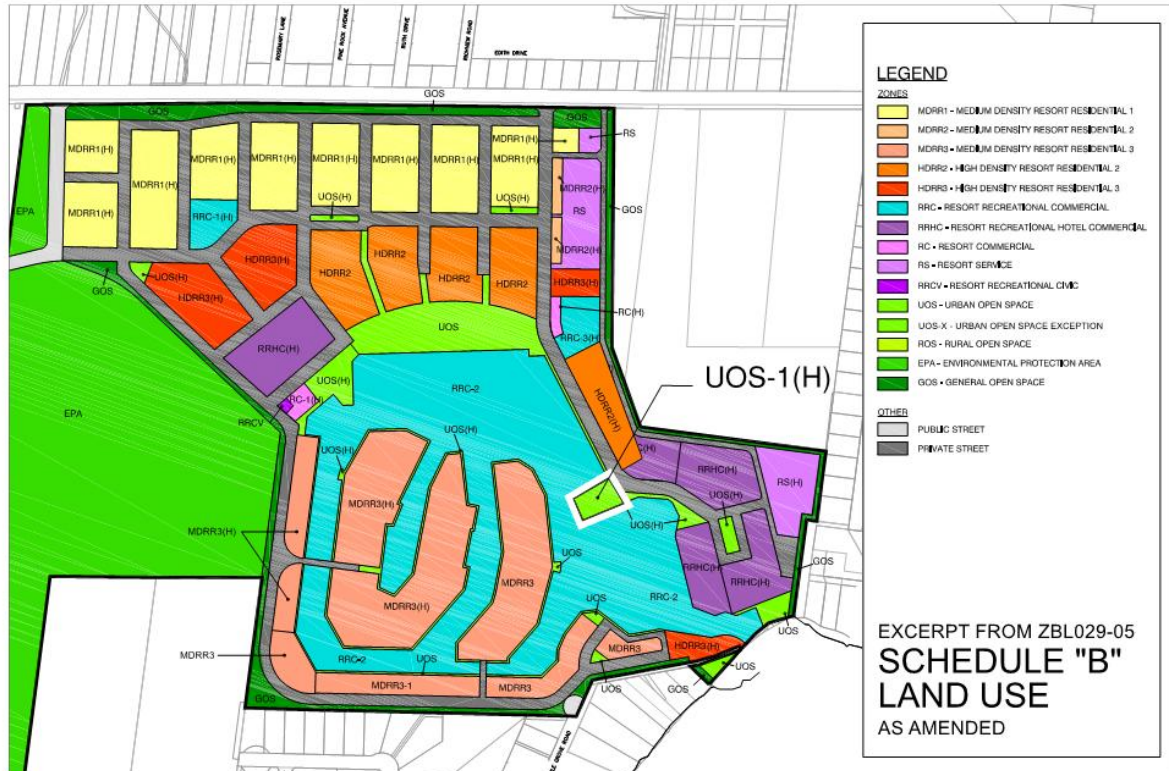
- 5. All other provisions of this By-law shall apply.
- 6. This By-law shall come into force, and take effect on the day it is passed subject to the appeal provisions set out in Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.

PASSED THIS 5TH DAY OF OCTOBER, 2016.

Gord Wauchope, Mayor

Lee Parkin, Clerk

SCHEDULE 'A'





THE CORPORATION OF THE TOWN OF INNISFIL

BY-LAW NO. 097-17

A By-law of The Corporation of the Town of Innisfil to amend Zoning By-law No. 029-05, as amended, for the Big Bay Point Resort Secondary Plan Lands, by merging the phasing provisions expressed in the By-law's Section 8 Holding Provisions such that the current Phase 2 and Phase 3 provisions are expressed in a new Phase 2, and the current Phase 4 provisions are expressed in a re-numbered Phase 3.

WHEREAS the Council of The Corporation of the Town of Innisfil deems it desirable to approve an application to amend the Section 8 holding provisions of Zoning By-law No. 029-05, as amended, for the Big Bay Point Resort Secondary Plan Lands in the Town of Innisfil; and,

WHEREAS the authority to pass this By-law is provided pursuant to Section 34 and 36 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

NOW THEREFORE the Council of The Corporation of The Town of Innisfil enacts as follows:

1. Section 8.1 Holding Symbol is hereby further amended by:
 - a. Deleting Section 8.1 (b) and replacing it with the following:

“(b) Prior to lifting the holding provisions on each sub-phase up to a maximum of 1,200 *resort residential units* in Phase 2, the following shall be satisfied:

 - i. The Phase 1 *golf course* and *golf course* clubhouse shall have been completed to the satisfaction of the *Town*;
 - ii. The Phase 1 *resort marina* and *boardwalk* shall have been completed to the satisfaction of the *Town*;
 - iii. All forestation required by the Planning Reforestation Compensation Plan (as defined in Town Official Plan Amendment No. 17) both on and off the Big Bay Point Resort Secondary Plan Lands shall have been completed to the satisfaction of the *Town* and the Lake Simcoe Region Conservation Authority (the "LSRCA");
 - iv. The Open Space and Trails Plan required by Town Official Plan Amendment No. 17 shall have been completed to the satisfaction of the *Town*, the County and the appropriate Provincial regulatory authorities in consultation with other public bodies;
 - v. Trails Impact and Management Study shall have been completed to the satisfaction of the *Town*, the County and the Province in consultation with other public bodies;
 - vi. Any negative impacts on *existing* wells resulting from construction activities have been remedied to the satisfaction of the *Town*, in consultation with the County Simcoe (the "County") and the Ministry of the Environment (the "MOE");

By-law No. 097-17

- vii. Any negative impacts on the water quality of Lake Simcoe and the resort marina basin associated with construction and ongoing maintenance shall have been remedied to the satisfaction of the *Town* in consultation with the County, LSRCA, the Province and the Department of Fisheries and Oceans (the "DFO");
- viii. The Plan of Subdivision for the Big Bay Point Resort Secondary Plan Lands shall have been registered;
- ix. The public road connecting the Thirteenth Line and Big Bay Point Road shall have been completed to the satisfaction of the *Town*;
- x. Documentation has been prepared indicating that a sufficient supply of parking is available for Phases 1 and 2 to the satisfaction of the *Town*;
- xi. Documentation shall have been prepared indicating that the sewage generation rates and water consumption rates used for Phase 2 are acceptable, to the satisfaction of the *Town*, and that all necessary municipal water and sewage capacity shall have been allocated for Phase 2 in accordance with the subdivision agreement;
- xii. Any necessary off-site road improvements shall have been completed to the satisfaction of the *Town*;
- xiii. A site plan development agreement or agreements in accordance with the subdivision agreement related to the Phase 2 lands or its relevant sub-phases shall have been executed;
- xiv. The Amphibian and Reptile Protection and Enhancement Works shall have been completed to the satisfaction of the Province, the County and the *Town*;
- xv. The majority of Collector Roads shall have been completed to the satisfaction of the *Town*;
- xvi. The Internal Road Network and General Open Space uses as necessary to accommodate the components of Phases 1 and 2 shall have been completed to the satisfaction of the *Town*;
- xvii. The system of pedestrian trails and bicycle pathways described in the Open Space and Trails Plan shall have been completed as required to accommodate the components of Phase 2 and to create a continuous connection between Big Bay Point Road in the north and Thirteenth Line in the south;
- xviii. Documentation has been prepared indicating that occupied Phase 2 *resort residential units* are being occupied on a non-permanent basis to the satisfaction of the *Town*;
- xix. Any negative impacts on natural heritage features and functions resulting from construction activities, development or site alteration determined as a result of monitoring as required under Official Plan Amendment No. 17, Section 8.13.8, have been remedied to the satisfaction of the *Town* and the County, in consultation with the Province."

By-law No. 097-17

b. Deleting Section 8.1(c) and replacing it with the following:

“(c) A hotel(s), conference facilities, resort theatre, grade related retail and service commercial uses may be built as outlined in Section 3.4, any time after the holding (H) symbol has been removed from the Phase 2 lands.”

c. Deleting Section 8.1(d) and replacing it with the following:

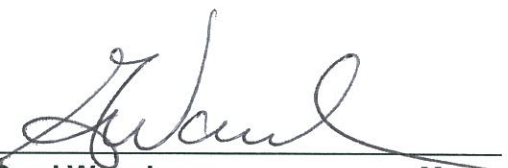
“(d) Prior to lifting the holding provisions on each sub-phase comprising the remainder of the *resort residential units* in Phase 3, the following shall be satisfied:

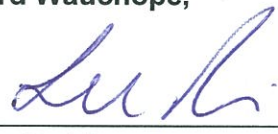
- i. All necessary municipal water and sewage capacity shall have been allocated for Phase 3;
- ii. A minimum of 75% of the Phase 2 *resort residential units* shall have been built, transferred in title and occupied;
- iii. A minimum of 8,000 square metres of *grade related retail and service commercial gross floor area* shall have been built and minimum of 4,000 square metres shall have been leased;
- iv. A minimum of 400 *hotel* rooms shall have been completed to the satisfaction of the *Town*;
- v. A minimum of 5,000 square metres of resort *conference facilities* floor space, which may be integrated with a *hotel* use, shall have been completed to the satisfaction of the *Town*;
- vi. The Internal Road Network, trails and bicycle pathways and General Open Space uses necessary to accommodate the components of Phase 2 shall have been completed to the satisfaction of the *Town*;
- vii. Any negative impacts on *existing* wells resulting from construction activities in Phase 2 have been remedied to the satisfaction of the *Town*, in consultation with the County and the MOE;
- viii. Any negative impacts on the water quality of Lake Simcoe and the resort *marina* basin associated with construction and the ongoing maintenance of Phase 2 shall have been remedied to the satisfaction of the *Town* in consultation with the County, LSRCA, the MNR, the MOE and the DFO.
- ix. Documentation has been prepared indicating that the Phase 2 *resort residential units* are being occupied on a non-permanent basis to the satisfaction of the *Town*;
- x. Documentation shall have been prepared indicating that a sufficient supply of parking is available for Phase 3 to the satisfaction of the *Town*;
- xi. Documentation shall have been prepared indicating that the sewage generation rates and water consumption rates used for Phase 3 are acceptable to the satisfaction of the *Town*;
- xii. Any necessary additional off-site road improvement shall have been completed to the satisfaction of the *Town*;

By-law No. 097-17

- xiii. A site plan development agreement or agreements in accordance with the subdivision agreement related to the Phase 3 lands or its relevant sub-phases has been executed; and
 - xiv. Any negative impacts on natural heritage features and functions resulting from construction activities, development or site alteration in Phases 1 and 2 determined as a result of monitoring as required under Official Plan Amendment No. 17, Section 8.13 .8, have been remedied to the satisfaction of the *Town* and the County, in consultation with the Province.”
2. This By-law shall come into force, and take effect on the day it is passed subject to the appeal provisions set out in Section 34 and 36 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.

PASSED THIS 9TH DAY OF AUGUST, 2017.


Gord Wauchope, Mayor


Lee Parkin, Clerk



THE CORPORATION OF THE TOWN OF INNISFIL

BY-LAW NO. 047-18

A By-law of the Corporation of the Town of Innisfil to amend the site-specific Zoning By-law No. 029-05, as amended for the Big Bay Point Resort Secondary Plan Lands, as amended, by modifying the definition of “Resort Recreational Establishment”, by permitting swimming pools in Resort Residential and Resort Recreational Hotel Commercial Zones, and by amending Schedule “B” Land Use in regard to the Lake Club facility.

WHEREAS the Council of The Corporation of the Town of Innisfil deems it desirable to approve an application to amend the provisions of Zoning By-law 029-05, as amended, related to lands in the Marina District area of the Big Bay Point Resort Secondary Plan area in the Town of Innisfil; and

WHEREAS authority to pass this By-law is provided pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended;

NOW THEREFORE the Council of The Corporation of The Town of Innisfil enacts as follows:

1. By-law No. 029-05, as amended, is hereby further amended by:
 - a. Making the following text deletions shown in ~~strikeout~~, and text additions shown in underline:
 - i) Modifying Section 2.78 such that it reads “**Resort Recreational Establishment** means a *building* or *structure* or part thereof and associated outdoor spaces where facilities are provided for recreation and may include uses such as a fitness centre, spa/health & wellness facilities, bowling alley, tennis and squash courts, simulated golf facilities, *swimming pools*, ancillary commercial *uses*, and social and meeting facilities.”;
 - ii) Modifying Section 3.17 such that it reads

“Swimming Pool

Despite any other provisions contained in this By-law a *swimming pool* is permitted as an *accessory use* in any Resort Residential Zone, Resort Recreational Commercial Zone, Resort Recreational Hotel Commercial Zone or Urban or Rural Open Space Zones in accordance with the requirements of the Town of Innisfil, as applicable, for a swimming pool use, provided that:

3.17.1 No part of a *swimming pool* shall be located closer to any *public street* line than the minimum distance required for an *accessory building* located on the same *building envelope*.

~~**3.17.2** The maximum height of every outdoor swimming pool shall be two (2.0) metres above the established grade.~~

By-law 047-18

~~3.17.3 Every outdoor swimming pool erected in any zone, must be enclosed by a fence of at least 1.21 metres in height and located at a distance of not less than 1.21 metres from the pool, the gate to which must be equipped with self-locking device and kept closed when the pool is not in use.~~


~~3.17.4 Every indoor swimming pool must be within an area equipped with self-locking doors that are kept closed when the pool is not in use.”;~~


2. Modifying the current Schedule “B” in accordance with Schedule ‘A’ attached.

All other provisions of this By-law shall apply.

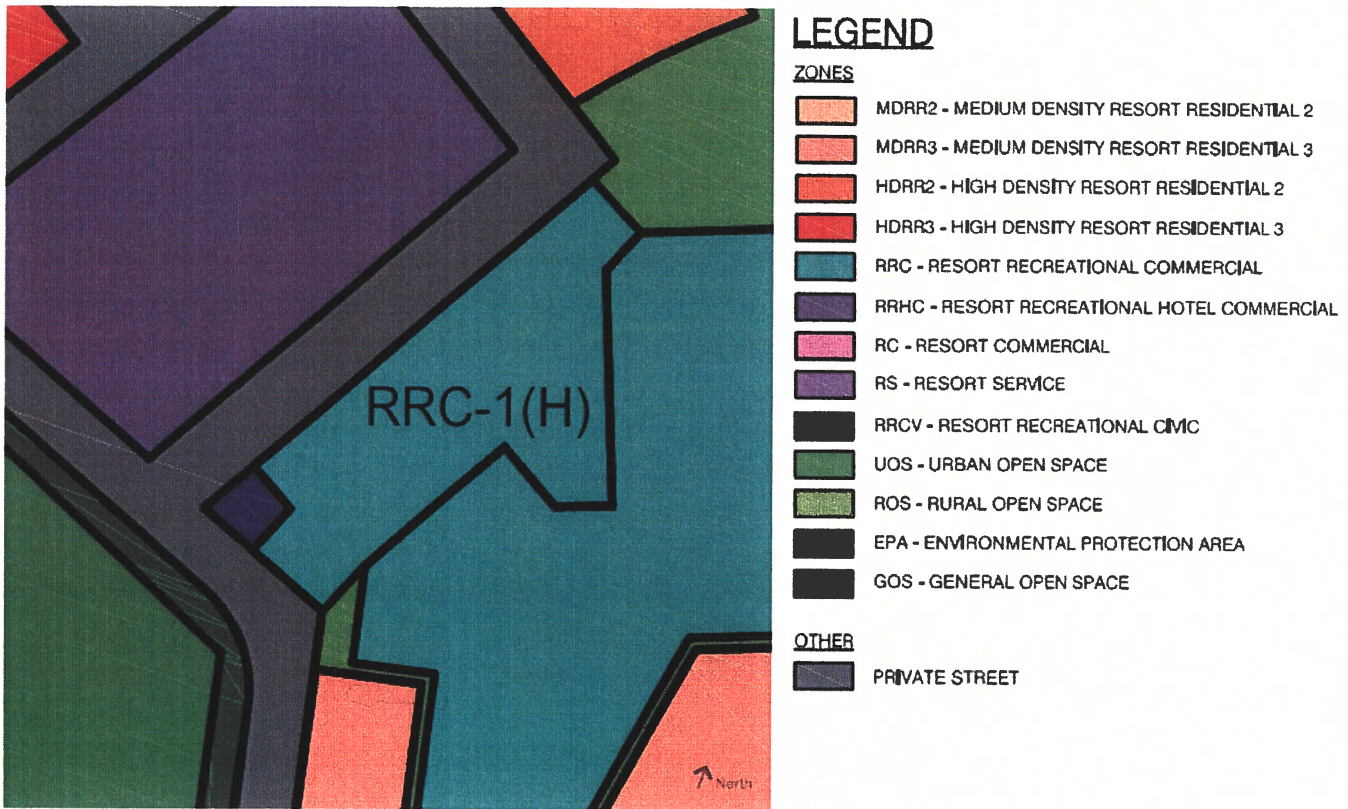
This By-law shall come into force, and take effect on the day it is passed subject to the appeal provisions set out in Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.

READ THIS 11TH DAY OF APRIL, 2018


Gord Wauchope MAYOR


Lee Parkin CLERK

SCHEDULE 'A'
BY-LAW NO. 047-18



Block 1, Registered Plan 51M-997, Town of Innisfil
Big Bay Point Resort Secondary Plan



THE CORPORATION OF THE TOWN OF INNISFIL

BY-LAW NO. 062-18

A By-law of the Corporation of the Town of Innisfil to amend the site-specific Zoning By-law No. 029-05, as amended for the Big Bay Point Resort Secondary Plan Lands, as amended, by increasing the permission for Resort Residential Units in the marina village district by 1,000, by modifying various definitions, by modifying the requirement for grade related retail and service commercial uses in *Flexbuildings*, by permitting a three storey parking structure, by implementing refined phasing policies for the Secondary Plan, by adding additional recreational and resort uses in the Resort Recreational Commercial Zone, Resort Recreational Hotel Commercial Zone and the Recreational Open Space Zone and by amending Schedule "B" Land Use.

WHEREAS the Council of The Corporation of the Town of Innisfil deems it desirable to approve an application to amend the provisions of Zoning By-law 029-05, as amended, related to lands in the Marina District area of the Big Bay Point Resort Secondary Plan area in the Town of Innisfil; and

WHEREAS authority to pass this By-law is provided pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.

NOW THEREFORE the Council of The Corporation of The Town of Innisfil enacts as follows:

1. By-law No. 029-05, as amended, is hereby further amended by:
 - a. Making the following text deletions shown in ~~strikeout~~, and text additions shown in underline:
 - i) Modifying Section 1.1.7 such that it reads "Schedules "A" and "B" attached hereto form part of this By-law."
 - ii) Adding Section 1.10 "Amendments to this By-law" that reads "Notwithstanding Section 34 (10.0.0.1) and Sections 45(1.2) to 45(1.2) of the Planning Act, R.S.O. 1990, applications for Zoning By-law amendments and minor variances shall be permitted for lands outlined on Schedule "B".";
 - iii) Modifying Section 2.40 such that it reads "**Flexbuilding** means a *building* containing ~~both resort residential units and~~ may, but shall not be required to, include grade related retail and service commercial uses.";
 - iv) Modifying Section 2.51 such that it reads "**Hotel** means a *building or structure* used for the purpose of catering to the needs of the travelling public by supplying sleeping accommodations, food, ~~entertainment and~~ refreshments and may include entertainment.";
 - v) Modifying Section 2.81 such that it reads "**Resort Service Use** means a service area that may house resort security and grounds keeping services, a

Laundry Shop or facilities, and may also be the location where waste and recycling bins are stored for collection.”;

- vi) Modifying Section 2.82 such that it reads “**Resort Theatre** means an indoor or outdoor facility that is used for live theatrical and concert performances and contains a minimum of 300 seats per facility.”;
- vii) Modifying Section 2.85 such that it reads “**Retail Store** means areas within or outside a building or part of a building including temporary / moveable retail kiosks, food carts and stalls where goods, merchandise, substances or articles are offered for retail sale directly to the general public and includes storage on the store *premises* or limited quantities of such goods, merchandise, substances, articles or things sufficient only to service such store, but does not include mechanical or electronic gaming machines to be used for the purpose of gambling.”;
- viii) Adding a new Section 2.88 definition for **Stacked Townhouse** to read “means a Townhouse form in which one unit is located above another unit, with no common enclosed corridor system”; and renumbering subsequent Sections accordingly;
- ix) Modifying Section 2.90 such that it reads “**Structured Parking Facility** means a *building* or structure that contains *parking aisles* and *parking spaces* used for the temporary parking of motor vehicles, that may contain a maximum of two three levels of covered parking and one level of parking on the roof.”;
- x) Modifying Section 3.4.1 a) such that it reads “No more than a total of 2,000 3,000 ~~residential resort residential~~ units and *hotel* units shall be permitted.”;
- xi) Modifying Section 3.4.1 b) such that it reads “A maximum of 1,600 2,600 ~~residential units~~ shall be permitted, subject to Section 8.1, in accordance with Section 4.”;
- xii) Modifying Section 3.4.1 d) such that it reads “A minimum of 5,000 square metres of *Conference Facilities* shall be provided in accordance with Sections 5.2 and 7.2.”;
- xiii) Modifying Section 3.4.1 e) such that it reads “A minimum of 8,000 square meters of indoor and/or outdoor grade related retail and service commercial uses shall be provided, in accordance with Sections 4.5, 5.3 and 7.2 provided that a minimum of 4,000 square metres of indoor retail and service commercial space is open to the general public.”;
- xiv) Modifying Section 3.4.1 g) such that it reads “A *resort recreational establishment* or establishments shall be provided with a minimum total indoor and/or outdoor gross floor area of 3,000 square metres in accordance with Section 5.1. Conference facilities and ancillary retail and service space will not count towards the minimum requirement.”;
- xiv) Adding Principal Permitted Use Section 4.1.1 b) in Section 4.1 Medium Density Resort Residential One (MDRR1) Zone to add permission for the *Stacked Townhouse* form;

- xv) Deleting Special Provision 4.5.4 c) and renumbering subsequent Sections accordingly;
- xvi) Adding Special Provision 4.5.4 d) in Section 4.5 High Density Resort Residential Two (HRRR2) Zone to read "Notwithstanding the height regulations in Section 5.1.3, *Flexbuildings* in the HRRR2-1 zone may have a maximum *building height* of 6 *storeys* provided, however, that it is located a minimum of 50 metres from any *existing* residential zone. Any *storey* above the fourth *storey* shall be setback a minimum of 1.5 m from the storey below.";
- xvii) Adding Special Provision 4.5.4 e) in Section 4.5 High Density Resort Residential Two (HRRR2) Zone to read "In addition to the *uses* permitted under Section 4.5.1, *Townhouse 1* shall be a permitted use in the HRRR2-1 Zone, subject to the provisions of the Medium Density Resort Residential 1 (MDRR1) Zone.";
- xviii) Modifying Special Provision 5.1.4 b) in section 5.1 Resort Recreational Commercial (RRC) Zone such that it reads "Notwithstanding the *uses* permitted under Section 5.1.1, on land identified in RRC-2 in this By-law, permitted *uses* shall be limited to a *resort marina*, *grade related retail and service commercial uses*, and pedestrian and vehicle access bridges.";
- xix) Modifying Special Provision 5.1.4 d) in section 5.1 Resort Recreational Commercial (RRC) Zone such that it reads "Notwithstanding the *uses* permitted under Section 5.1.1, in the area identified as RRC-3 in this By-law, permitted *uses* shall be limited to an *indoor resort theatre facility* or an *outdoor resort theatre facility* without amplified sound with a minimum seating capacity of 300 seats *per facility* and *grade related retail and service commercial uses*. An *outdoor resort theatre facility* with amplified sound with a minimum seating of 300 seats may be permitted subject to the lifting of a holding provision";
- xx) Modifying Section 5.2.1 in Section 5.2 Resort Recreational Hotel Commercial (RRHC) Zone to add a new item c) "*Resort Recreational Establishment*" as a stand alone permitted use.
- xxi) Modifying Special Provision 5.2.4 a) in section 5.2 Resort Recreational Hotel Commercial (RRHC) Zone such that it reads "The hotel(s) shall contain a minimum of 400 accommodation rooms and a spa and the *The conference facilities* located within this zone, the RRC-1 zone and the Rural Open Space (ROS) zone shall have a *total combined* minimum *gross floor area* of 5,000 square metres, ~~both of which.~~ Both of these uses shall be phased in accordance with Section 8 of this By-law.
- xxii) Modifying Special Provision 5.2.4 by adding a new subsection d) as follows: "Notwithstanding the *uses* permitted under Section 5.2.1, *flexbuilding* shall be a permitted use in the RRHC-1 zone, subject to the provisions of the High-Density Resort Residential Two (HRRR2) Zone. Notwithstanding the height regulations in sections 4.5.3 and 5.2.3, a *flexbuilding* in the RRHC-1 zone may have a maximum *building height* of 6 *storeys* provided, however, that it is located a minimum of 50 metres from any *existing* residential zone. Any *storey*

above the fourth storey shall be setback a minimum of 1.5 m from the storey below. “

- xxiii) Adding Special Provision 7.1.4.b) in Section 7.1 Urban Open Space (UOS) Zone to read “Notwithstanding the uses permitted under Section 7.1.1, on land identified as UOS-2 in this By-law, grade related retail and service commercial uses and outdoor patios associated with a restaurant in the HRR2 zone shall be permitted uses in squares and plazas.”;
- xxiv) Modifying Section 7.2.1 in Section 7.2 Rural Open Space (ROS) Zone to add a new item g) “spa/health & wellness facilities” as a permitted use.
- xxv) Modifying Special Provision 7.2.4 b) of Section 7.2 Rural Open Space (ROS) Zone such that it reads “The golf course clubhouse shall have a minimum gross floor area of 500 square metres and g. Grade related retail and service commercial uses in conjunction with a golf course clubhouse are permitted to a maximum of 120.0 square metres. Conference facilities are also permitted in conjunction with a golf course clubhouse.
- xxvi) Modifying the opening paragraph of Section 8.1 (b) such that it reads “Prior to lifting the holding provisions on each sub-phase up to a maximum of 1,200 1,350 resort residential units in Phase 2, the following shall be satisfied.”;
- xxvii) Modifying the opening paragraph of Section 8.1 (d) such that it reads “Prior to lifting the holding provisions on each sub-phase to a maximum of comprising the remainder of the resort residential units, 950 resort residential units in Phase 3, the following shall be satisfied.”
- xxviii) Modifying Section 8.1 d) i. such that it reads “All external servicing improvements as required, including but not limited to the Mapleview Pump Station, Pump Station 3, Pump Station 4, together with buildings, pumps and forcemains, shall be constructed to the satisfaction of the Town. Building occupancy will not be granted for more than 1,600 resort residential units until sufficient capacity is confirmed by Council resolution and/or planned improvements have been completed to the Alcona Waste Water Treatment Plant to the satisfaction of the Town.

With respect to municipal water supply, modifications will be made as required to the Friday Harbour water storage facility for the purpose of fire protection to the satisfaction of the Town. Building occupancy will not be granted for more than 1,600 resort residential units until sufficient capacity is confirmed by Council resolution and/or planned improvements have been completed at the Alcona Water Treatment Plant to the satisfaction of the Town.”

- xxix) Modifying Section 8.1 d) ii. such that it reads “A minimum of 75% of the Phase 2 resort residential units shall have been built, transferred in title and occupied issued full building permits”];
- xxx) Modifying Section 8.1 d) iii. such that it reads “A minimum of 8,000 square metres of grade related retail and service commercial gross floor area indoor and/or outdoor area shall have been built of which 4,000 square metres shall

be indoor and minimum of 4,000 square metres shall have been leased or offers of lease have been executed.”;

- xxxii) Modifying Section 8.1 d) iv. such that it reads “A minimum of ~~400~~200 *hotel* rooms shall have been completed to the satisfaction of the *Town*.”
- xxxiii) Modifying Section 8.1 d) v. such that it reads “A minimum of ~~5,000~~2,700 square metres of resort *conference facilities* floor space, which may be integrated with a *hotel* use, shall have been completed to the satisfaction of the *Town*.”
- xxxiiii) Modifying Section 8.1 d) viii. such that it reads “Documentation has been prepared indicating that resort residential units are being occupied on a non-permanent basis to the satisfaction of the Town”;
- xxxv) Modifying Section 8.1 d) xi. such that it reads “A Traffic Impact Analysis shall be undertaken to confirm that the resort is functioning as proposed with anticipated/acceptable traffic impacts. Any required improvements road improvements shall be identified and completed to the satisfaction of the Town. In addition, intersection improvements shall be made at the 13th Line and Friday Harbour Drive to the satisfaction of the Town acting reasonably.”
- xxxvi) Adding Section 8.1 d) in Section 8.1 Holding Symbol to read “Prior to lifting the holding provision on each sub-phasing comprising the remainder of the 300 resort residential units, the following shall be satisfied:
 - i. The remainder of the Hotel accommodation units, being a minimum of 400 Hotel rooms in total shall have been completed to the satisfaction of the Town;
 - ii. The remainder of the resort conference facilities having a total minimum gross floor area of 5,000 square metres;
 - iii. Water and wastewater servicing shall be confirmed by Council resolution;
 - iv. A Traffic Impact Analysis shall be undertaken to confirm that the resort is functioning as proposed with anticipated/acceptable traffic impacts. Any required improvements road improvements shall be identified and completed to the satisfaction of the Town;
 - v. Documentation shall be provided confirming a sufficient supply of parking is available for the final phase to the satisfaction of the Town.
- xxxvii) Adding Section 8.1 e) in Section 8.1 Holding Symbol to read “Prior to lifting the holding provision on an outdoor *resort theatre facility* with amplified sound the following shall be satisfied:
 - i. A site plan application has been submitted for the outdoor *resort theatre facility*;

- ii. A noise study has been conducted to determine means of mitigating noise from the *resort theatre facility* on nearby residential dwellings.


b. Modifying the current Schedule "B" in accordance with Schedule 'A' attached.

All other provisions of this By-law shall apply.

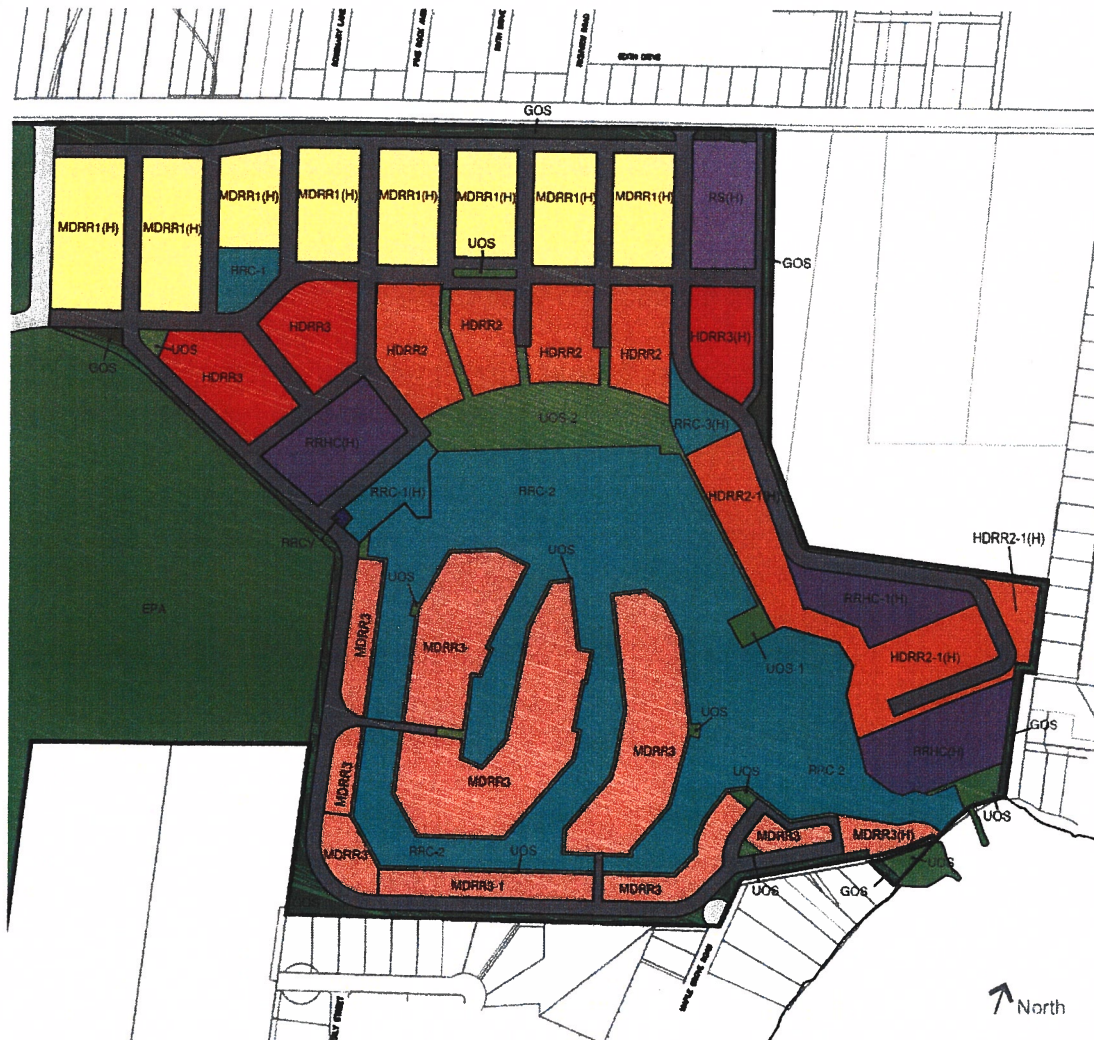
2. This By-law shall come into force, and take effect on the day it is passed subject to the appeal provisions set out in Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended.

READ THIS 16TH DAY OF MAY, 2018


Gord Wauehope MAYOR


Lee Parkin CLERK

SCHEDULE 'A'
BY-LAW NO. 062-18



LEGEND

ZONES

- MDRR1 - MEDIUM DENSITY RESORT RESIDENTIAL 1
- MDRR2 - MEDIUM DENSITY RESORT RESIDENTIAL 2
- MDRR3 - MEDIUM DENSITY RESORT RESIDENTIAL 3
- HDOR2 - HIGH DENSITY RESORT RESIDENTIAL 2
- HDOR3 - HIGH DENSITY RESORT RESIDENTIAL 3
- RRC - RESORT RECREATIONAL COMMERCIAL
- RRHC - RESORT RECREATIONAL HOTEL COMMERCIAL
- RC - RESORT COMMERCIAL
- RS - RESORT SERVICE
- RRCV - RESORT RECREATIONAL CIVIC

- UOS - URBAN OPEN SPACE
- ROS - RURAL OPEN SPACE
- EPA - ENVIRONMENTAL PROTECTION AREA
- GOS - GENERAL OPEN SPACE

OTHER

- PUBLIC STREET
- PRIVATE STREET

Marina District, Big Bay Point Resort Secondary Plan, Town of Innisfil

