

Innisfil Zoning Bylaw

to By-Law 054-04

THE CORPORATION OF THE TOWN OF INNISFIL

BY-LAW NO. 054-04

A By-law of The Corporation of the Town of Innisfil to consolidate the Zoning By-Laws of the former Township of West Gwillimbury, Township of Tecumseth, Township of Essa, and the Village of Cookstown as authorized under Section 34 of the Planning Act.

WHEREAS the Consolidated Zoning By-law for the Town of Innisfil as authorized under Section 34 of the Planning Act, as amended will:

- prohibit the use of land and the erection, location or use of buildings or structures except for certain purposes; and
- regulate the height, bulk, location, size, floor area, spacing, character and use of buildings or structures; and
- 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
- regulate minimum elevations for any doors, windows or other openings in the buildings or structures; and
- require loading and parking facilities for buildings or structures erected or used for certain purposes; and
- prohibit the making or establishment of pits and quarries within defined areas in the Town; and
- prohibit the erection of any class or classes of buildings or structures on land that is subject to flooding or on land with steep slopes, or that is rocky, low-lying, marshy, unstable, hazardous, subject to erosion, or to natural or artificial perils; and
- prohibit use of land or the erection, location or use of all or any class or classes of buildings or structures on land that is contaminated, a sensitive groundwater recharge area or headwater area or on land that contains a sensitive aquifer; and
- 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
- that is a significant wildlife habitat, wetland, woodland, ravine, valley or area of natural and scientific interest; and

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- that is a significant corridor or shoreline of a lake, river or stream, or
- that is a significant natural corridor, feature or area; and
- 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
- provide for the issuance of certificates of occupancy.

The Council of The Corporation of the Town of Innisfil enacts the following:

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SECTION 1

INTERPRETATION - ADMINISTRATION

1.1 TITLE AND SCOPE

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

1.2 APPLICATION

1.2.1 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 provisions of this By-law.

1.2.2 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.

1.2.3 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 in violation of 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 as the Zoning Administrator.

1.3 ZONES AND SYMBOLS

1.3.1 Schedule "A" attached form 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.

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

<u>ZONE</u>	<u>SYMBOL</u>
Residential Estate Zone	RE
Residential Rural Zone	RR
Residential Private Serviced Zone (detached)	RPS
Residential Serviced Zone	R1S
Residential Full Service Zone	R1FS
Residential Full Service Zone	R2FS
Residential Full Service Zone	R3FS
Residential Modular Home Zone	RSC
Residential Single/Semi Detached	RSS
Residential Multiple Townhouse Zone	RT
Residential Multiple Apartment Zone	RM
Commercial General Zone	CG
Commercial Highway Zone	CH
Commercial Tourist Zone	CT
Commercial Rural Zone	CR
Commercial Business Park	CBP
Commercial Core Zone	CC
Community Service Zone	CS
Institutional Zone	I
Industrial General Zone	IG
Industrial Extractive Zone	IE

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Industrial Business Park	IBP
Open Space	OS
Open Space Private Park Zone	OSP
Environmental Protection	EP
Agricultural General Zone	AG
Agricultural Intensive Zone	AI
Agricultural Marsh Zone	AM
Future Development Zone	FD

1.4 ZONE BOUNDARIES

1.4.1 Schedule “A” to this By-law includes the Key Map, Maps 101 to 140 and Maps 1 to 49. The Key Map sets out the specific locations of Maps 101 to 140. Maps 101 to 140 establish the zoning of the lands included within each Map and further where more detailed maps are necessary, also provides the location for the more detailed Maps 1 to 49. Maps 1 to 49 provide the zoning for areas such as Stroud, Alcona, the Shoreline Area, etc. where more detailed mapping is required.

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

- a) Each parcel of land within the Town is provided with a zone category, categories, thus, the boundary of the parcel forms the zone boundary.
- b) The Environmental Protection EP Zone is an exception to 1.4.2(a) in that the boundary reflects the natural features and the location of the boundary is determined by lot line, road railway line or where the zone does not abut any of the above by the scale of the map.

1.5 MANDATORY WORDING

1.5.1 The words “must“ or ” shall“ are mandatory.

1.6 SEVERABILITY

Should any Section, subsection, clause, paragraph or provision of this By-law, including any part of Schedules 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.

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1.7 LITIGATION

- 1.7.1** 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.

1.8 CERTIFICATE OF OCCUPANCY

- 1.8.1** 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.
- 1.8.2** 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.
- 1.8.3** Notwithstanding the foregoing, this Section shall only apply to non-residential uses and multiple residential uses including any use having a dwelling unit as an accessory use.

1.9 APPLICATION FOR CERTIFICATE OF OCCUPANCY

1.9.1 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.

1.9.2 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 lot 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, 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 lot,

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- 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 with the requirements of this By-law.
- c) Every application for a Certificate of Occupancy is to be signed by the registered owner of the lot, 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 lot 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 with the requirements of this By-law.

1.10 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.

1.11 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 buildings and structures shall be and the same are amended insofar as is necessary to give effect to the provisions of this By-law and the provisions of this By-law shall govern.

1.12 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.

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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 killing 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 or manufacturing process 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 **Agriculture** means the use of land, buildings or structure for the growing of field crops, berry crops, vegetables, flowers, mushrooms, tree crops; the grazing, breeding, raising, boarding or training of animals and livestock, market gardening; kennels; without limiting the generality of the foregoing, and other silvaculture, aquaculture, apiculture and hydroponics; and the sale of agricultural products from the farm on which they are produced.
- 2.5 **Agriculture, Intensive** means the housing, raising or feeding of livestock, poultry or fur bearing animals in a building, structure or confined area which has been specifically designed, constructed and is managed for an intensive use.
- 2.6 **Airport Hangar** means a building or structure designed and used for the shelter of aircraft.
- 2.7 **Airstrip, Private** means land used for the purpose of landing, storing, taxiing or taking-off of private aircraft.
- 2.8 **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 area of cubic contents of a building or structure.
- 2.9 **Amenity Area** means that area set aside for recreational and landscaping purposes and

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does not include any area occupied by buildings, parking areas, aisles, lanes and accesses, and accessory uses.

- 2.10 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.
- 2.11 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.
- 2.12 Automotive Sales Establishment (New and Used)** shall mean a building and/or lot used for the display and sale of new and used motor vehicles and may include the servicing, repair and repainting of motor vehicles, the leasing or renting of utility or boat trailers and motor vehicles and the sale of automotive accessories and related products, but shall not include any other defined automotive use.
- 2.12 (a) Automobile Service Station** means a building or place where gasoline, oil, grease, anti-freeze, tires, tubes, tire accessories, trucks and may include motorcycles and snowmobiles, light water craft and boats, are stored or kept for sale, or where such vehicles may be oiled, greased, washed or have their ignitions or brakes adjusted, tires inflated, batteries charged and where only repairs essential to the actual operation of such vehicles are executed or performed but where no other activities of a public mechanical garage are performed. Retail sales and food services are permitted as accessory uses to an automobile service station.
- 2.13 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.
- 213(a) Bed and Breakfast** means temporary lodging, located in a detached house, in which the owner resides and where for gain, sleeping quarters and breakfast for the traveling public is provided.
- 2.14 Block** means a parcel of land which contains a group of no less than eight attached dwelling units which may be subdivided for purposes of freehold rental or condominium tenure of one unit per lot.
- 2.15 Boat House** means an accessory structure used for the storage of boats and may include sleeping facilities but shall not include a kitchen or washroom facilities.
- 2.16 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.
- 2.17 Building Height** means the vertical distance between the established grade and:

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- 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 living space.

- 2.18 Building Permit** means a document which grants legal permission to start construction of a building as defined by the Building Code of Ontario.
- 2.19 Building, Principal** means the building or structure in which is carried on the principal use for which the building lot is used.
- 2.20 Bulk Storage Yard** means a place where land is used for the storage, in the open, of goods and materials, machinery, petroleum products or equipment.
- 2.21 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.
- 2.22 Campground** means the land on which camping vehicles or camping tents, plus accompanying towing or carrying 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.
- 2.23 Carport** means a 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.
- 2.24 Carwash** means a building or structure for the operation of motor vehicle washing.
- 2.25 Cemetery** means a cemetery or columbarium and may include a crematorium, all within the meaning of the Cemeteries Act, as amended.
- 2.26 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 dwelling.
- 2.27 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

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- 2.28 Church** means a building or buildings commonly used for public worship and may include a residence for a clergyman and a church hall, all of which may be located within a single building or separate buildings on one lot. A day nursery and Sunday School associated thereto are permitted as an accessory use within a church.
- 2.29 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.
- 2.30 Commercial School** means a school conducted for hire or gain such as a studio of dancing, art school, drama school, school of calisthenics, business or trade school or any other specialized school but shall not include a private academic, religious or philanthropic school.
- 2.31 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.
- 2.32 Conservation Use** shall mean the preservation, protection or improvement of the components of the natural environment through management and maintenance for the individual's or society's benefit.
- 2.33 Council** means the Council of The Corporation of the Town of Innisfil.
- 2.34 Day Nursery** means a day nursery within the meaning of the Day Nurseries Act, as amended.
- 2.35 Driveway** means an area of land which provides vehicular access from a street to a parking aisle.
- 2.36 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.
- 2.37 Dry Cleaning Establishment** means a building where dry cleaning, dyeing, cleaning and pressing of articles or goods of fabric is carried on.

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- 2.38 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.
- 2.39 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.
- 2.40 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.
- 2.41 Dwelling, Semi-Detached** means a building that is divided vertically into two (2) dwelling units each of which has independent entrances to the front and rear or side yard either directly or through a common vestibule.
- 2.42 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.
- 2.43 Dwelling, Single Detached** means a separate building designed and intended to be occupied as a single dwelling unit for one household.
- 2.44 Dwelling, Link House** means a dwelling horizontally attached to an adjacent dwelling.
- 2.45 Dwelling Garden Suite** means a dwelling unit that is to be used as a single independent and separate housekeeping unit that is accessory to an existing residential dwelling and is designed to be portable.
- 2.46 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, remodelling, renovating, moving, demolishing or effecting other structural

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- change;
- c) any work, the doing of which requires a building permit under the Building and Plumbing By-law of the Town.
- 2.47 Established Grade** means the average level of the approved or finished ground or sidewalk adjoining a building at all exterior walls.
- 2.48 Existing** means existing as of the date of the passing of this By-law.
- 2.49 Farm Implement Dealer** means an establishment for the repair and sale of agricultural implements including the sale of fuel, lubricants and related items for agricultural equipment on the same premises.
- 2.50 First Floor** means the floor of a building at least 50% above the established grade.
- 2.51 Floor Area, Gross** 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 private garage, porch, verandah, balcony, breezeway, sunroom, attic, cellar or a basement except where any of the foregoing are designed and finished as an integral living area having a minimum height of 2.286 metres from finished floor to finished ceiling.
- 2.51(a) Food Supermarket** means a building or part of a building where a balanced line of goods such as canned, bottled, packaged and frozen foods, fresh meat and poultry, fish, fresh fruits and vegetables, prepared food products, bakery products, dairy products, candy and confectionery and other food lines 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 but does not include a restaurant, a drive-in restaurant or a take-out restaurant.
- 2.51(b) Full-Line Department Store** is a building or part of a building where family clothing and apparel, furniture, appliances and home furnishings and other such commodities including paint, hardware, toiletries, cosmetics, photographic equipment, jewellery, toys, sporting goods provided no one commodity represents more than 50% of the total merchandise sold to the public and where there is limited storage of such goods but does not include the sale of food nor does it include a restaurant, a drive-in restaurant or a take-out restaurant.
- 2.52 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 winter automobile shelter.
- 2.53 Garage, Public Auto Body** means a building or place used as a motor vehicle repair shop including auto body repairs and spray painting where automobile fuel, lubricants and related mechanical repairs, washing or cleaning of motor vehicles may be carried on. Outside storage of unlicensed vehicles shall be prohibited.

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- 2.54 Garage, Public Mechanical** means a building or place used for the mechanical repair and equipping of motor vehicles and where any sale of automobile fuels, lubricants and related items and the washing and cleaning of motor vehicles are incidental to the main use. Outside storage of unlicensed vehicles shall be prohibited.
- 2.55 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.
- 2.56 Gas Bar** means one or more pump islands, each consisting of one or more fuel pumps and building or shelter having a floor area of not more than 9 square metres, excepting washrooms, and must not be used for repairs, oil changes or greasing but may include retail sales and food services as accessory uses.
- 2.57 Golf Course** means a public or private area operated for the purposes of playing golf, including a par 3 golf course, driving ranges, miniature courses and associated recreational uses such as a clubhouse, swimming pool and tennis courts.
- 2.57(a) 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 may include fresh meat and poultry, fresh fruit and vegetables. 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 but does not include a restaurant, a drive-in restaurant or a take-out restaurant.
- 2.58 Home Occupation** means an occupation for gain or support conducted entirely within a dwelling unit as clearly incidental or secondary use to the residential use, and only by those residing on the premises plus not more than one (1) assistant who is not a resident of the dwelling.
- 2.59 Hotel** which includes a motel, motor hotel, or inn 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.
- 2.60 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.
- 2.61 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, convent or similar use.
- 2.62 Kennel** means a building or structure where dogs, cats or other domestic household pets are kept or boarded and the operation is registered by an appropriate recognized professional organization or club.

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- 2.63 Landscaped Open Space** means open space on the lot, unobstructed by accessory equipment parking or loading areas and buildings and used exclusively for landscaping.
- 2.64 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.
- 2.65 Lane** means a thoroughfare or way, which affords only a secondary means of access to abutting property.
- 2.66 Laundry** means a building in which the business of a laundry is conducted on the first floor by means of one or more washers and drying, ironing, finishing and incidental equipment.
- 2.67 Laundry and Dry Cleaning Shop** 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 and includes a self-service laundry, and self-service dry cleaning.
- 2.68 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 of similar areas.
- 2.69 Lot** means:
- a) a parcel of land which has continuous frontage on a street and to which title can be legally conveyed subject to the provisions of the Planning Act, as amended; or
 - b) for the purpose of Section 3.14.2, a parcel of land to which title can be legally conveyed subject to the provisions of the Planning Act, as amended.
- 2.70 Lot Area** means the total horizontal area within the lot lines.
- 2.71 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 one hundred and thirty-five (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.

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- 2.72 Lot Coverage** means the combined lot area covered by all buildings including decks on the lot measured at ground level and expressed as a percentage of the lot area.
- 2.73 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.
- 2.74 Lot Frontage** means the distance between the side lot lines measured seven and one-half (7.5) metres back from the front lot line and parallel to the chord of the lot frontage and, for the purpose of this paragraph, the chord of the lot frontage is a straight line joining the two points where the side lot lines intersect the front lot line.
- 2.75 Lot Interior** means a lot other than a corner lot.
- 2.76 Lot Line** means any boundary of a lot.
- 2.77 Lot Line, Exterior Side** means the longer of the lot lines of a corner lot which abuts a street.
- 2.78 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 longer boundary dividing the lot from the street shall be deemed to be the front lot line and the opposite shorter boundary 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.
- 2.79 Lot Line, Rear** means the lot line farthest from and opposite to the front lot line.
- 2.80 Lot Line, Side** means any lot line other than a front or rear lot line.
- 2.81 Lot, Through** 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 purpose of this By-law.

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- 2.82 Marina** means a commercial establishment where a boat house, 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 accessories and refreshments.
- 2.83 Market Garden** means the use of land for the intensive commercial cultivation of vegetables, fruits or flowers.
- 2.83(a) Model Home** means a single detached dwelling, semi-detached dwelling or, townhouse block, temporarily used for the purpose of an office and/or show room and/or sales centre to promote the sale of residential units within the draft approved plan of subdivision on which the units are constructed.
- 2.84 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.
- 2.85 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.
- 2.86 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 and legally existed as of the date of the passing of this By-law.
- 2.87 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.
- 2.88 Nursing Home** means a nursing home within the meaning of the Nursing Home Act, as amended.
- 2.89 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.
- 2.90 Nursery School** means a day nursery within the meaning of the Day Nurseries Act, as amended, and includes a day care centre.
- 2.91 Open Space** means the open unobstructed space on a lot, including the open, unobstructed space accessible to all occupants of any residential or commercial building

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or structure on a lot 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.

- 2.92 Parking Aisle** means an area of land which abuts and provides direct vehicular access to one or more parking spaces.
- 2.93 Passive Recreation** means uses which are not considered to be structured activities such as walking, native trails, bird watching, etc.
- 2.94 Parking Space** means a rectangular area, exclusive of aisles, for the temporary parking of motor vehicles.
- 2.95 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.
- 2.96 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.
- 2.97 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.
- 2.98 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, but does not include any place of entertainment or amusement otherwise defined or classified herein.
- 2.99 Principal Use** means the main use to which the subject lands are devoted and the main purpose for which the subject lands are used.
- 2.100 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.
- 2.100(a) Promotional Department Store** is a building or part of a building where goods, merchandise, substances or articles are offered for retail sale directly to the public and such goods, merchandise, substances or articles have a certain commonality such as being sold at discounted pricing.
- 2.101 Rail Line** means a transportation line or network co-assisting of railroad track and the track bed.
- 2.102 Private Road** means a road or laneway or easement not assumed by the municipality and

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is usually traveled and maintained by a private individual or group of individuals.

2.103 Residential Special Community means a lot which has been planned and improved for the placement of modular and single detached homes as permanent dwellings together with accessory uses.

2.104 Residential Special Community Site means an area of land within a Residential Special Community intended to be occupied by only one modular or single detached home.

2.105 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.

2.105(a) Restaurant, Drive -Thru means the use of land, buildings or structures for the sale of food and/or beverage service through an attendant and/or at a window to persons remaining in motorized vehicles that are in a designated stacking lane. A drive-thru restaurant may be in combination with other uses.

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- 2.106 Restaurant, Take Out** means premises consisting of a building or structure, together with parking lot, where food is prepared and/or cooked and offered for sale or sold to the public for consumption either in a motor vehicle parked on the parking lot or for consumption on the premises and where dining tables may be provided but table service is not provided.
- 2.107 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.
- 2.108 School** means a public or separate elementary or secondary school, private school, continuation school, technical school, vocational school, college, university or other education institution, but not a commercial school.
- 2.109 Service Establishment** means a building or part of a building not otherwise classified or defined in this By-law and whether connected with a retail store or not, devoted primarily to the repair, servicing or renting of goods, articles, materials or commodities, and includes electrical store, appliance store, plumber, radio and television sales, tool sharpener but does not include industrial or manufacturing uses or the repairing of motor vehicles.
- 2.110 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.
- 2.111 Solar Collector** means any structure subordinate to a principal structure and designed specifically for the collection of solar energy purposes, or for the purposes of converting such energy for heating, lighting, water production or any other domestic or commercial use that may be obtained from such source.
- 2.112 Slot Machine** means any automatic machine or slot machine.
- a) That is used or intended to be used for any purpose other than vending merchandise or services; or
 - b) That is used or intended to be used for the purpose of vending merchandise or services if,
 - i) The result of one of any number or operations of the machine is a matter of chance or uncertainty to the operator;
 - ii) As a result of a given number of successive operations by the operator, the machine produces different results; or
 - iii) On any operation of the machine, it discharges or emits a slug or token, but does not include an automatic machine or slot machine or slot machine that dispenses as prizes only one or more free games on that machine.
- 2.112(a) Stacking Lane** means an on-site queuing lane for motorized vehicles which is

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separated from other vehicular and pedestrian aisleways and parking areas, by barriers, markings or signs.

- 2.113 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.
- 2.113(a) Specialty Retail Store** means a building or part of a building where goods, merchandise, substances or articles are offered for retail sale directly to the public and such goods, merchandise, substances or articles have a certain commonality being at least 50% of the total merchandise sold by the store, such as but not limited to electronic equipment, a music store or fitness equipment store.
- 2.114 Street Line** means the limit of the street allowance and is the dividing line between a lot and a street.
- 2.115 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.
- 2.116 Swimming Pool** means a body of water located outdoors, having an area of more than 9 square metres contained by artificial means, a depth greater than .6 metres at any point and which is used and maintained for the purpose of swimming, diving or bathing.
- 2.117 Tavern** means a restaurant with premises licensed under the Liquor License Act, as amended, as a lounge, but does not include premises licensed under the said Act as a public house.
- 2.118 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.
- 2.119 Town** means The Corporation of the Town of Innisfil.
- 2.120 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.
- 2.121 Travel Trailer** means a vehicle, self-propelled or otherwise, capable of being used for the living, eating or accommodation of persons.
- 2.122 Use** means the purpose for which any land, building or structure is occupied or maintained.
- 2.123 Veterinary Clinic** means a building or structure or part thereof used for the purpose of consultation, diagnosis and treatment of small animals, birds or pets and may also include boarding of such animals, birds and pets.
- 2.124 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

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and may also include the disposal or boarding of animals and birds.

2.125 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.

2.126 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) ancillary retail sales and display 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 food supermarkets, grocery stores, pharmacies, drug stores, full line department stores, promotional department stores, or specialty retail stores.

2.127 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 or any part of a municipal drain constructed within a road allowance.

2.128 Winter Automobile Shelter shall mean a structure which is generally constructed of tubular metal and covered by a plastic sheeting or similar material. Typically such structure comes in various manufactured sizes.

2.129 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.

2.130 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 distance between the exterior side lot line and the nearest wall of any principal or accessory building on the lot, according to the context in which the term is used.

2.131 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 any buildings or structures on the lot. The minimum front yard means the distance between the front lot line and the nearest wall of any principal or accessory building on the lot, according to the context in which the term is used.

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- 2.132 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 distance between an interior side lot line and the nearest wall of any principal or accessory building on the lot, according to the context in which the term is used.
- 2.133 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 distance between the rear lot line and the nearest wall of any principal building or accessory building on the lot, according to the context in which the term is used.
- 2.134 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.
- 2.135 Zone** means a designated area of land use shown on Schedule “A” of this By-law.
- 2.136 Zoning Administrator** means an officer or employee of the Corporation of the Town of Innisfil charged with the duty of administering this By-law.

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SECTION 3

GENERAL PROVISIONS

3.1 PROHIBITIONS

- 3.1.1** No person shall use any land or erect any buildings or structures within a 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.
- 3.1.2** 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, as amended.
- 3.1.3** Not more than one principal permitted use is allowed on a lot unless specifically permitted in this By-law.
- 3.1.4** All lands identified with a "Rail" notation on the map schedules which form part of the Zoning By-law are not allowed to be used for any uses except for a rail line use or alternatively, where lands are delineated by rail lines but without specific wording, on the schedules forming part of this by-law.
- 3.1.5** The use of land or the erection or use of buildings or structures may be prohibited in any zone unless municipal services are available to service the land, buildings or structures.

3.2 ZONE REGULATIONS

- 3.2.1** No person, except a public authority engaged in the implementation of public works or services, may reduce in area or frontage, any lot already built upon, either by conveyance or alteration of any portion thereof or otherwise, so that the lot coverage of the building exceeds the maximum permitted by this By-law or so that the area or frontage of the lot will be less than the minimum permitted by this By-law for the zone in which the lot is located.
- 3.2.2** No person may be deemed to be in contravention of lot coverage, area, frontage, or yards, reduced as a result of a part of a lot 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.

3.3 NON-COMPLIANCE WITH ZONE REGULATIONS

- 3.3.1** Where a building 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 setback or side yard or rear yard or lot coverage required by this By-law, the said building or structure may be enlarged, reconstructed, repaired or renovated provided that:

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- i) enlargement, reconstruction, repair or renovation does not further reduce a front yard or side yard or rear yard to less than the minimum required by the By-law or increase the lot coverage to exceed the maximum required by the By-law, except that this does not apply to prevent the erection of a perimeter foundation providing that the increase in the height of the building is not more than 102 centimetres; and
- ii) all other applicable provisions of this By-law are complied with.

3.3.2 Where a building has been lawfully erected prior to the date of the passing of this By-law with a gross floor area having less than the minimum required in the applicable zone of this By-law, the building may be enlarged, repaired or renovated provided that the repair or renovation does not further reduce the building's gross floor area.

3.3.3 Where a building or structure has been destroyed to the extent of more than seventy-five (75) percent of its value (inclusive of walls below grade) as at the date of the damage and that does not conform with the requirements of this By-law with respect to yards or height said building or structure may not be restored except in conformity with the regulations in the zone in which the said structure or building is located.

3.4 NON-CONFORMING USES

The provisions of this By-law may not apply to prevent:

- 3.4.1** The use of any lot, building or structure for any purpose prohibited by this By-law 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.
- 3.4.2** The erection or use for a purpose prohibited by this By-law of any building or structure, the plans for which have, prior to the passing of this By-law, been approved by the Chief Building Official so long as the building or structure when erected is used and continues to be used for the purpose for which it is erected and provided that the erection of such a building or structure is commenced within two years after the day of the passing of this By-law and the building or structure is completed within a reasonable time after the erection thereof is commenced.
- 3.4.3** The strengthening to a safe condition of any non-conforming building or structure or part thereof provided such strengthening does not increase the height, size or volume or change the use of such building or structure except that nothing set out applies to prevent the erection of a perimeter foundation under an existing dwelling provided that the increase in height is not more than 102 centimetres.

3.5 PUBLIC USES AND UTILITIES

Despite anything 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

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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, 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 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.

3.6 SPECIAL USES PERMITTED

The following are permitted in all zones 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 lot where it is situated and is necessary for the work in progress and until the work is completed or abandoned.

abandoned in this subsection means the failure to proceed expeditiously with the construction of a work, specifically, abeyance of construction for six months.

3.7 DETACHED ACCESSORY RESIDENTIAL BUILDINGS

Subject to Section 3.9, where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be complied with, provided that no dwelling shall be located closer than six (6) metres to any other building on the lot except a building accessory to the dwelling.

3.8 WAYSIDE PITS AND QUARRIES

3.8.1 Despite any other provision of this By-law, the Town, County of Simcoe and the Ministry of Transportation of Ontario or, any agent of the foregoing may, for public road purposes, use any lot not zoned for residential use, for environmental or conservation use, for the extraction and processing of road building material for the construction of a public road, by means of wayside pits and quarries.

3.8.2 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 unless prior to written approval has been issued by Council.

3.9 ACCESSORY USE OF LAND

3.9.1 Dwelling or Dwelling Unit as Accessory Use - Non Residential Zones.

A Dwelling or Dwelling Unit as an accessory use is permitted in non-residential

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zones as indicated in this By-law and in accordance with the following provisions:

- a) A dwelling unit may be permitted with a private water supply and sewage system having the approval of the appropriate approval authority, as provided in certain non-residential zones.
- b) A dwelling as a separate structure shall have a minimum floor area of 93 square metres or, as an apartment within a non-residential building, a minimum floor area of 56 square metres.
- c) A dwelling unit shall have separate bathroom and kitchen facilities from those of the non-residential use.
- d) Additional parking spaces shall be provided for each dwelling unit in accordance with the provisions of Section 3.23.1(m).
- e) The entrance to the dwelling unit must be separate from the building entrance provided for the non-residential zone.
- f) 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.
- g) The gross floor area of the residential portion of a non-residential building in a Commercial Zone must not exceed one hundred (100%) of the non-residential building floor area.
- h) Despite the provisions of this By-law, no dwelling unit may be located in a non-residential building that is used for an Automobile Service Station or Public Garage.

3.10 ACCESSORY BUILDINGS

- 3.10.1** The total lot coverage of accessory buildings and structures including decks, detached private garages must not exceed ten (10%) percent of the lot area except that where a swimming pool is provided the total lot coverage for accessory uses must not exceed twenty (20%) percent.
- 3.10.2** No accessory buildings may be permitted in front of a principal building except in accordance with Section 3.10.6. Where accessory buildings are located in front of the main buildings, they must be located in accordance with the provisions of the particular zone.
- 3.10.3** Where an accessory building is attached to the principal building, the front yard, side yard, rear yard and area requirements of this By-law must be complied with as if the accessory building was part of the main building.
- 3.10.4** Except in the case of an accessory building to an agriculture or intensive agriculture use, no accessory building shall exceed the height of the principal building on the lot or 5 metres, whichever is the lesser.
- 3.10.5** No persons may use an accessory building as a dwelling or dwelling unit except

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where permitted as an accessory building.

3.10.6 Despite anything contained in this Section, a detached accessory building may be permitted in the front yard of any agriculturally zoned lot and any residentially zoned lakefront lots provided the applicable minimum front yard requirements of this By-law are complied with.

3.10.7 Refer to Section 3.13 for additional provisions pertaining to decks.

3.10.8 Notwithstanding the minimum rear yard provisions for any residential zone, a boat house may be located in the required rear yard to the waters edge provided that it is not located closer than (1) metre from the side lot line.

3.11 SWIMMING POOL

Despite any other provisions of this By-law, except Subsection 3.17, a swimming pool is permitted as an accessory use in any Zone provided that:

3.11.1 No part of such pool shall be located closer to any lot line or street line than the minimum distance required for an accessory building located on the same lot.

3.11.2 The maximum height of such pool shall be two (2) metres above the established grade.

3.11.3 Any building or structure required for changing clothes or for pumping or filtering facilities, or other similar accessory may be permitted and must meet all of the accessory building requirements of the zone in which the pool is located.

3.12 HOME OCCUPATION OR INDUSTRY

Where a home occupation or industry is permitted in any zone, the following provisions apply.

3.12.1 The home occupation or industry must not change the residential character of the dwelling nor create or become a public nuisance, in particular in regard to noise, noxious odours, emissions of smoke, traffic or parking.

3.12.2 The home occupation or industry must not interfere with television or radio reception.

3.12.3 There must be no goods, wares or merchandise, publicly offered or exposed for sale on the premises outside of any buildings.

3.12.4 Not more than 25 percent of the gross floor area of the dwelling unit may be used for the purpose of home occupation or industry uses.

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- 3.12.5** On-site parking is provided in accordance with the provisions of Section 3.23.1(m).
- 3.12.6** Despite any other provision to the contrary, in an Agricultural Zone, a home occupation or industry is permitted in an accessory building or structure provided that the total floor area devoted to the home occupation or industry must not exceed 50 percent of the gross floor area of the dwelling and the use complies with all other provisions of this By-law.
- 3.12.7** No article or service may be sold or offered for sale on the premises, except as produced by the home occupation or industry.
- 3.12.8** The home occupation or industry must not require exterior construction features, equipment or machinery not customarily located in residential zones.
- 3.12.9** Not more than one (1) assistant who is not a resident in said dwelling may be employed in the home occupation or industry.

3.13 YARD ENCROACHMENTS PERMITTED

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

- 3.13.1** Sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters or other ornamental features, air conditioning units, bay windows and propane containers provided, however, that the same shall not project more than 60 centimetres into any required yard.
- 3.13.2** Drop awnings, clothes poles, garden trellises, TV or radio antennas, or similar accessories.
- 3.13.3** Fences, solar collectors, parking lots, retaining walls, driveways, patios and other uses as specifically permitted in this By-law.
- 3.13.4** Decks, provided, however, that same do not project closer than 1.2 metres from any interior lot line or rear line or closer than 3 metres from any front line or closer than 4 metres from any exterior lot line.
- 3.13.5** Despite the yard provisions of this By-law to the contrary, unenclosed and uncovered entranceway porches having a landing of not more than 2.3 square metres may project into any required yard a maximum distance of 1.2 metres provided that the porches are not more than 1.5 metres above the established grade.
- 3.13.6** Despite the yard provisions of this By-law to the contrary, balconies above the first floor may project into any required yard to a maximum distance of 1.5

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metres.

3.14 FRONTAGE ON A STREET

3.14.1 No person may 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. For the purpose of this Section, a street does not include an unopened road allowance or an un-assumed road. 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.

3.14.2 Section 3.14.1 above 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 all other provisions of this By-law apply.

3.15 FRONT LOT LINE AND LOT FRONTAGE

The front lot line must not be less than seventy-five (75%) percent nor more than one hundred and twenty-five (125%) percent of the lot frontage.

3.16 LANDS SEVERED FOR PUBLIC UTILITIES

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.

3.17 EXISTING UNDERSIZED LOTS

Despite any other provisions of this By-law, a lot held in distinct and separate ownership on the date of passing of this By-law having less than the minimum width and/or area required by this By-law may be used for a purpose provided that all other applicable provisions in this By-law are complied with. Except that this provision does not apply to a lot on a registered plan deemed not to be a plan under the Planning Act as amended.

3.18 MINIMUM SEPARATION DISTANCE BETWEEN INTENSIVE AGRICULTURE USES AND OTHER LAND USES

Notwithstanding any other provisions of this By-law to the contrary, a separation distance of 300 metres shall be provided between any building, structure or confined area and related facilities for storage of waste products and manures for an intensive agricultural operation and any Residential Zone, Community Services Zone, Commercial Zone, Industrial Zone and Open Space Zone.

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3.19 SIGHT TRIANGLES

On a corner lot, within the triangular space formed by the street lines and a line drawn from a point in the street line to a point in the other street line, each point being six (6) metres measured along the street line from the point of intersection of the 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 planted, erected or maintained of greater height than one (1) metre above the centerline of the adjacent road at the lowest point. Where the two street lines do not intersect at a point, the point of intersection of the street lines are deemed to be the intersection of the tangents of the street lines.

3.20 PLANNED WIDTH OF ROAD ALLOWANCE

Despite any other provisions contained in 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 and the following applicable distance from the centerline as listed as follows:

3.20.1 Eighteen (18) metres from the centerline of:

- a) County Roads 27 and 4 and 30;
- b) Highway 89.

3.20.2 Fifteen (15) metres from the centerline of:

- a) Five and Ten Sideroad;
- b) County Road 89;
- c) Innisfil Beach Road from County Road 27 to Thompson Street.

3.20.3 Thirteen (13) metres from the centerline of:

- a) County Road 39;
- b) Big Bay Point Road
- c) Twenty Five Sideroad from Big Bay Point Road to Innisfil Beach Road;
- d) Twenty Sideroad from Big Bay Point Road to Innisfil Beach Road;
- e) Maplevue Drive east from Twenty Five Sideroad to the west limit of Lot 13.
- f) Lockhart Road from Twenty Five Sideroad to County Road 4;
- g) Tenth Line from Twenty Five Sideroad to County Road 4;
- h) Ninth Line from Twenty Five Sideroad to Twenty Sideroad;
- i) Innisfil Beach Road from Thompson Street to Twenty Five Sideroad;
- j) St. John=s Road, Maple Road and Ewart Street;
- k) Seventh Line from St. John=s Road to County Road 39;
- l) Sixth Line from St. John=s Road to County Road 39;
- m) Belle Aire Road from Maple Road to County Road 39;
- n) Killarney Beach Road from Pine Avenue to County Road 4;

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- o) Shore Acres Drive from Neilly Road to County Road 4.

3.21 SPECIAL SETBACKS - RAIL LINE

No dwelling shall be erected closer than 30 metres from the property boundary of an existing or proposed rail line.

3.22 TEMPORARY TURNING CIRCLE

The minimum yard setbacks 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 metres, however, in no case shall any building or structure be erected within 2 metres of the temporary turning circle.

3.23 OFF-STREET PARKING PROVISIONS

3.23.1 Where lands 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 lot in accordance with the requirements outlined for the respective uses as specified below and in accordance with the other provisions contained in this Section.

Use	Minimum Parking Requirements
a) Bowling and billiard establishments	Three (3) spaces for each bowling lane and one (1) space for each billiard table.
b) Business or professional offices	One (1) space for every twenty-eight (28) square metres of gross floor area of metres of gross floor area on the first floor plus one (1) space for every thirty-seven (37) square metres of gross floor area above the first floor.
c) Church or place of worship, community halls, arenas and other places of assembly	One space for every four (4) persons to be accommodated according to maximum permitted capacity.
d) (1) Drive-in restaurant or take-out restaurant (2) Restaurant, tavern, banquet hall, excluding a drive-in or take-out restaurant	One (1) space for every two (2) square metres of gross floor area One (1) spaces for every eight (8) square metres of public floor area or one (1) space for every (4) persons of design capacity, whichever is the greater and one (1) additional space for every two (2) persons of design capacity for employee parking.

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dd) Full-Line Department Store, Promotional Department Store or Speciality Retail Store	One (1) space for every 19 m2 of gross floor area
e) Government or public utility	One (1) space for every twenty-three square metres of gross floor area.
ee) Grocery Store or Food Supermarket	One (1) space for every 19 m2 of gross floor area
f) Home Occupation	One (1) space for every thirty-seven (37) square metres of floor area devoted to the home occupation use and where such a use consists of the office of a doctor or dentist, there shall be a minimum of three (3) parking spaces provided on the same lot.
g) Hotel and motel	One (1) space for every guest room and one (1) space for every eight (8) square metres of gross floor area devoted to public use.
h) Industrial Establishments	One (1) space for every thirty-seven (37) square metres of gross floor area up to 3,000 square metres, plus one parking space for each additional 100 square metres of gross floor area up to 6,000 square metres, and one parking space for each 200 square metres over 6,000 square metres.
i) Marina	One (1) space for every boat slip and one (1) space for every eight (8) square metres of commercial floor area including sales and restaurant areas.
j) Private club or funeral parlour	One (1) space for every four (4) persons to be accommodated in the design capacity of the buildings, or the chapel in the case of a funeral parlour.
k) Private or public hospital or nursing home	One (1) space for every two (2) beds.
l) Retail and wholesale sales service establishment or studio	One (1) space for every nineteen (19) square metres of gross floor area.
m) Residential (including a dwelling unit in any zone	Two (2) spaces for every dwelling unit.

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n) Elementary Schools, other than commercial schools	One and one-half (1½) spaces for every teaching area or classroom.
o) Secondary Schools, other than commercial schools	Three (3) spaces for every teaching area or classroom.
p) Shopping Centre	One (1) space for every seventeen (17) square metres of gross floor area.
q) Theatre	One (1) space for every three (3) seats.
r) Warehouse or bulk storage yard	One (1) space for every employee working on the premises.
s) Automobile sales established, new and used	Minimum of five (5) spaces or one (1) space for every twenty-three (23) square metres of gross floor area to a maximum of twenty (20) spaces, whichever is greater in addition to the spaces needed to house vehicles for sale.
t) Uses permitted by this By-law other than those listed above but excluding accessory uses to single detached, semi-detached or seasonal dwellings or modular homes	One (1) space for every twenty-eight (28) square metres of gross floor area.

- 3.23.2** 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, semi-detached or seasonal dwelling or modular home.
- 3.23.3** The minimum size of parking spaces shall be a minimum width of 3 metres. 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.
- 3.23.4** 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) metres or 4 metres for a one-way aisle, except that in the case of a single detached, seasonal or semi-detached dwelling or modular home, the paved width may be reduced to 3.5 metres.
- 3.23.5** All off-street parking spaces, driveways and aisles required herein for a single family, semi-detached or seasonal dwellings, marinas, golf courses and parks 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 permitted use must have a cement or asphaltic binder or any other permanent type of surfacing.

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- 3.23.6** Where a ramp to parking aisles provides access from a street, the ramp must not be located closer than four (4) metres from the street line and a level stopping space must be provided between the ramp and the street grade so as to provide adequate vision to the street in both directions.
- 3.23.7** Where a lot, 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 lot, building or structure occupied by the separate types of uses.
- 3.23.8** 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 residential zone, the number of parking spaces as required for the zone are to be provided.
- 3.23.9** 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 spaces for each permitted use shall be increased to the next higher whole number.
- 3.23.10** 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.
- 3.23.11** A structure no more than four (4) metres in height and not more than five (5) square metres in area may be erected in the parking area for the use of parking attendants.
- 3.23.12** Where off-street parking for any use other than a residential use abuts a side or rear lot line in a Residential Zone, then a screen must be erected or planted and maintained along the side or rear lot line and the screen must have a minimum height of 1.5 metres and must be suitable for provisions of privacy, protection from vehicle lights and must be in keeping with the immediate landscape.
- 3.23.13** 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) metre of any lot line or street line or within one (1) metre of the boundary of any Residential Zone.
- 3.23.14** Where a drive-thru use is proposed which includes a food and/or beverage service, in addition to the required parking, a designated stacking lane which will accommodate a minimum of 10 vehicles will be required. For all other drive-thru uses that do not include a food and/or beverage service, a designated stacking lane which will accommodate a minimum of 4 vehicles will be required. The foregoing requirements are minimum standards and may be increased through the site plan approval process where deemed appropriate or

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necessary by municipal staff.

3.24 LOADING REQUIREMENTS

- 3.24.1** Where land, buildings or structures are used for any purposes involving the receiving, shipping, loading or unloading of animals, goods, wares, merchandise and raw materials, loading spaces, a minimum of one space are required for the purpose of loading or unloading animals, goods, wares and merchandise and raw materials so that no parking facility or part thereof required to be provided under this By-law, or any street allowance are used by any vehicle as an area for waiting to unload or load animals, goods, wares, merchandise and raw materials.
- 3.24.2** The driveways, aisles, loading and unloading spaces for marinas, golf courses and parks must 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 require a cement or asphaltic binder or any other permanent type of surfacing for any other permitted uses.
- 3.24.3** The loading requirements referred to do not apply to any building in existence at the date of enactment 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 use.
- 3.24.4** A loading space shall have a minimum of 12 metres in length and 3.6 metres in width and shall have a vertical clearance of a minimum of 4.2 metres.
- 3.24.5** Loading spaces for each premises shall be provided on the same lot in accordance with the following standards:

<u>Gross Floor Area</u>	<u>Spaces Required</u>
i) 0-1860 sq. m.	1
ii) 1861-2787 sq. m.	2
iii) Over 2787 sq. m.	3

- 3.24.6** 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, or Provincial Highway No. 400, if such space is located within the Special Zone Regulation Boundary shown on Maps 43, 44, 120 and 126.

3.25 BED AND BREAKFAST

Where a bed and breakfast use is permitted in any zone, the following provisions apply:

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- a) The 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) No person other than the person residing in the residence containing the bed and breakfast, shall be employed except as is necessary for housekeeping purposes;
- c) The guest rooms shall not contain kitchen facilities;
- d) Only one plate or sign, attached to the dwelling or located in the front yard size of any sign shall not exceed the dimensions of 90 cm by 90 cm (35.43"); and
- e) One (1) additional parking space shall be provided for each room used for overnight guest purposes.

3.26 GARDEN SUITE

A garden suite may be permitted by way of a Temporary Use By-law and furthermore may be subject to an agreement with the municipality. For the purpose of this By-law, a garden suite shall mean a 1-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing single detached dwelling and that is designed to be portable.

3.27 PLANTING OR LANDSCAPE STRIP

In all Commercial, Industrial and Institutional zones, this By-law requires that a planting strip be provided and maintained such planting strip shall be provided in accordance with the minimum following requirements. Landscape requirements may be increased through the site plan approval process where it is deemed appropriate or necessary by municipal staff. Where this Section conflicts with zone specific requirements, the greater requirement will apply.

- a) The planting strip shall have a minimum width of 3 metres.
- b) The planting strip shall consist of a solid and unbroken planting of shrubs or trees, the ultimate height of which is not less than 2.0 metres or a solid fence not less than the 1.8 metres in height.
- c) The planting strip required in this By-law shall be installed and maintained by the owner of the lot upon which the planting strip is required.
- d) The planting strip shall be completely contained on the lot or within the Zone for which the provision of planting strips is a requirement. Planting strips shall run along the entire length of the Zone boundary or lot line, unless otherwise specified.
- e) A planting strip shall not be required where a sight triangle is required, as defined in this By-law.

3.28 HOLDING ZONES

- a) Holding (H) Zones are established and identified on the Map Schedule to this

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- By-law in parenthesis following the zone symbol.
- b) 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.
 - c) 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.

3.29 MODEL HOMES

3.29.1 Draft Plan Approval I-T-0303 - Part of South Half of Lot 21, Concession 8

Notwithstanding any other provision of this By-law, and more particularly not withstanding any Holding Symbol (H) on the lands, where a model home agreement has been executed between the Town and the owner, and where:

- (a) Servicing is at the subdivision plan boundary; or
- (b) the required easements, agreements and securities are provide to facilitate servicing to the plan boundary,

one or more Model Homes may be constructed within the Plan boundary prior to registration of the plan of subdivision subject to the following restrictions:

- i. the type of Model Home shall be consistent with the zone classification in which the Model Home is to be located;
- ii. the Model Home shall be used for the purpose of a Model Home only and shall not be occupied as a dwelling unit prior to the date of the registration of the plan of subdivision, obtaining any required Building Permits and the satisfaction of any terms and conditions of the Subdivision Agreement;
- 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.

3.29.2 Draft Plan Approval I-T-91049 - Part of the North Half of Lots 21 & 22, Concession 7

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

- (a) Servicing is at the subdivision plan boundary; or
- (b) the required easements, agreements and securities are provided to facilitate servicing to the plan boundary,

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One or more Model Homes may be constructed within the Plan boundary prior to registration of the plan of subdivision subject to the following restrictions:

- i) The type of Model Home shall be consistent with the zone classification in which the Model Home is to be located;
- ii) The Model Home shall be used for the purpose of a Model Home only and shall not be occupied as a dwelling unit prior to the date of the registration of the plan of subdivision, obtaining any required Building Permits and the satisfaction of any terms and conditions of the Subdivision Agreement;
- 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
- iii) The Model Home shall comply with all applicable terms and conditions of the said Model Home Agreement.

3.30 AVAILABILITY OF MUNICIPAL SERVICES

No use of land or the erection or use of buildings or structures are permitted unless there are available municipal services and related capacity available to service the land, buildings or structures

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SECTION 4

RESIDENTIAL ZONES

4.1 RESIDENTIAL ESTATE (RE) ZONE

4.1.1 Permitted Uses

- a) Single detached dwelling.

4.1.2 Accessory Uses

- a) Private garage
- b) Storage shed
- c) Swimming pool, change house
- d) Greenhouse
- e) Tennis court
- f) Boathouse
- g) Deck
- h) Home Occupation
- i) Gazebo.
- j) Bed and Breakfast
- k) any other similar use to the above considered to be accessory to a residential use

4.1.3 Regulations

- | | | |
|----|-------------------------------|---------------------|
| a) | Minimum Lot Area: | 5260 m ² |
| b) | Minimum Lot Frontage: | 45 m |
| c) | Minimum Yards, Principal Use: | |
| | i) front | 15 m |
| | ii) interior side | 6 m |
| | iii) exterior side | 15 m |
| | iv) rear | 15 m |
| d) | Minimum Yards, Accessory Use: | |
| | i) front | 15 m |
| | ii) interior side | 3 m |
| | iii) exterior side | 15 m |
| | iv) rear | 6 m |
| e) | Minimum First Floor Area | 140 square metres |
| f) | Maximum Lot Coverage | 15% |
| g) | Maximum Building Height | 11 m |

4.1.4 Planned Width of Road Allowance

See Section 3.20.

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4.1.5 Special Setback - Rail Line

See Section 3.21.

4.1.6 Residential Estate Zone RE-Exception

Notwithstanding the permitted uses and regulations of Section 4.1, the lands zoned on Schedule "A" with a Residential Estate Zone symbol RE followed by a number shall be subject to the uses and/or regulations set out in the following subsection and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law:

4.1.6.1 RE-1 (44-97) (Forest Valley)

Map No. 44

All of the provisions of Section 4.1 apply as for the Residential Estate Zone RE except that the following minimum standards shall apply:

- a) Minimum frontage 35 m
- b) Minimum lot area 3000 square metres
- c) Minimum gross floor area 135 square metres

4.1.6.2 RE-2

Map No. 44

In addition to those uses permitted in RE-2 Zone, and in accordance with all provisions for the RE-2 Zone, an apartment within a unit not exceeding 75 square metres may be permitted.

4.1.6.3 RE-3 (58-95) (Ladywood Estates)

Map No. 32

Principal and accessory uses permitted for an Estate Residential (RE) Zone set out in accordance with the following zone regulations.

- a) Minimum lot area 1.0 ha
- b) Minimum lot frontage of the most westerly lot 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

4.1.6.4 RE-4

Map No. 45

The minimum lot area for a lot zoned RE-4 shall be 3600 square metres, provided that the average minimum lot size of all lots is 5900 square metres.

Notwithstanding the Environmental EP Zone provisions and permitted

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uses, all lands within the subject property falling under the Environmental Protection EP Zone shall prohibit development, save and except for the provision of a stormwater management facility on Block 33.

4.1.6.5 RE-5 (29-00) (Wilkinson)

Map No. 32

All of the provisions of Section 4.1 apply as for the Residential Estate Zone RE except that the following special provisions shall apply:

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

4.1.6.6 RE-6(H)(081-03)

Map No. 2

The permitted use of lands zoned RE-6 shall be for single family detached dwellings with a minimum lot area of 4047 square metres (one acre) developed by plan of subdivision under the Planning Act together with associated services and amenities such as parks and stormwater management facilities.

A zone symbol followed by a Holding Symbol (H) shall be used for no other purpose than that which exists on October 1, 2003.

Council shall only consider the removal of the Holding Symbol (H) applying to the RE-6 Zone when Draft Approval for the Plan of Subdivision has been given by the County of Simcoe or its delegate.

4.1.6.7 RE-7 (42-05)

Map No. 44

All of the uses permitted in accordance with the RE-1 zone standards, except that a second dwelling unit, with an area of no more than 200 square metres be permitted within the principle dwelling unit.

4.2 RESIDENTIAL RURAL (RR) ZONE

4.2.1 Principal Permitted Use

- a) Single detached dwelling

4.2.2 Accessory Uses

- a) Private Garage
- b) Home Occupation
- c) Storage Shed
- d) Swimming Pool, Change House
- e) Greenhouse
- f) Tennis Court
- g) Boat House
- h) Deck
- i) Gazebo
- j) Bed and Breakfast
- k) any other similar use to the above considered to be accessory to a residential use

4.2.3 Regulations

- a) Minimum Lot Area 1900 square metres
- b) Minimum Lot Frontage 30 m
- c) Minimum Yards, Principal use:
 - i) front 10 m
 - ii) interior side 3 m
 - iii) exterior side 9 m
 - iv) rear 10 m
 - v) planned width of road allowance see Section 3.20
- d) Minimum Yards, Accessory Uses:
 - i) front 10 m
 - ii) interior side with the exception of an
 - Agricultural use 3 m
 - Agricultural use is 10 m
 - iii) exterior side 9 m
 - iv) rear 3 m
 - v) planned width of road allowance see Section 3.20
- e) Minimum Gross Floor Area 84 square metres
- f) Maximum Lot Coverage 25%
- g) Maximum Building Height 11 m

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4.2.4 Accessory Agriculture Use

Notwithstanding and in addition to any other provisions of this By-law to the contrary, in an RR Zone where agriculture is permitted as an accessory use, the following special zone regulations shall apply:

- a) No building or structure used for the purpose of housing poultry or livestock or storage of manure shall be located closer than 50 metres from a dwelling on an adjoining lot or any Residential Zone boundary.
- b) Where an adjoining lot is vacant, the 50 metres referred to in Clause (a) above shall be measured from a point in the adjoining lot where the minimum side yard intersects a line drawn parallel to and 20 metres from the chord of the front lot line.
- c) Outside storage of manure shall not be permitted.
- d) No poultry or livestock shall be permitted until a building or structure has been erected to house such poultry or livestock.
- e) The number of poultry or livestock permitted shall not exceed the capacity of the building or structure erected to house such poultry or livestock.

4.2.5 Planned Width of Road Allowance

See Section 3.20.

4.2.6 Special Setback - Rail Line

See Section 3.21.

4.2.7 Residential Rural Zone RR-Exception

Notwithstanding the permitted uses and regulations of Section 4.2, the lands zoned in Schedule "A" with a Residential Rural Zone symbol RR followed by a number shall be subject to the uses and regulations set out in the following subsection and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

4.2.7.1 RR-1

Map 107

All of the uses permitted in an RR Zone in accordance with the regulations except that despite the interior side yard requirements, no buildings or structure shall be located closer than 32 metres from the west limits of the zone boundary, being the west limits of the property.

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4.2.7.2 RR-2

Map No. 4

All of the uses permitted in accordance with the Residential Rural RR standards, except that the existing single detached dwelling shall be permitted as a principal use, and the following exceptions shall also apply:

Minimum lot area	4.5 hectares
Minimum frontage	27 metres

4.2.7.3 RR-3 (77-96)

Map No. 16

On the lands described as part Lot 20, Concession 7, in addition to the uses set out, the temporary establishment of a garden suite dwelling for a maximum period of 10 years shall be permitted until the 23rd day of October, 2006, at which time the Occupancy of the Garden Suite dwelling shall cease and its entire removal from the said lands shall be undertaken unless the use is extended by Council in accordance with the provisions of Section 39 of the Planning Act.

4.2.7.4 RR-4 (41-99)

Map No. 42

All of the uses permitted in accordance with the Residential Rural RR standards, except that a single detached dwelling shall be permitted as a principal use, and the following exceptions shall also apply:

Minimum frontage:	10 metres
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4.2.7.5 RR-5 (76-99)

Map No. 113

A Rural Business existing on the date of the passing of this By-law 76-99 (October 13, 1999).

4.2.7.6 RR-6 (1-00)

Map No. 132

On the lands described as 3220 10th Line, in addition to the uses set out in the establishment of a garden suite dwelling in an existing accessory building shall be permitted until the 5th day of January 2009, at which time the occupancy of the Garden Suite for residential purposes shall cease, and its entire removal from the accessory garage and workshop shall be undertaken, unless such use is extended by Council in accordance with the provisions of Section 39 of the Planning Act.

4.2.7.7 RR-7 (43-03)

Map No. 117

In addition to the uses permitted in the RR Zone and subject to all other

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provisions of the RR Zone, a second dwelling unit within a unit with a floor area not exceeding 70 square metres shall be permitted.

4.2.7.8 RR-8 (077-02)

Map No. 123

The permitted uses, and subject to all zone provisions for the RR Zone, shall apply to those lands zoned RR-8 on Map 123 except that the minimum frontage shall be 91 metres.

4.2.7.9 RR-9 (079-02)

Map No. 6

The permitted uses, and subject to all zone provisions for the RR Zone, shall apply to those lands zoned RR-9 on Map 6 except that the minimum frontage shall be 60 metres.

4.2.7.10 RR-10 (009-05)

Map No. 102

The westerly side yard for a principal structure or building shall be a minimum of 44 metres

4.2.7.11 RR-11 (008-07)

Map No. 128 and 16

In addition to the uses permitted in the RR Zone and subject to all other provisions of the RR Zone, a private music school shall be permitted within the existing building as of the date of the passing of this amending by-law.

That notwithstanding the provisions of Section 3.23.1, a minimum of six parking spaces shall be required.

4.2.7.12 RR-12 (034-08)

Map No. 42

The area identified on Schedule "A" attached and zoned RR-12 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 for residential purposes on the subject land shall be prohibited. The entire removal of the Garden Suite 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.

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- c) The total gross floor area of the Garden Suite shall not exceed 235 square metres.

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4.3 RESIDENTIAL PRIVATE SERVICE (RPS) ZONE

4.3.1 Principal Permitted Use

- a) Single detached dwelling

4.3.2 Permitted Accessory Uses

- a) Home Occupation
- b) Private Garage
- c) Boat house where the rear lot line abuts the shoreline of Lake Simcoe or Kempenfelt Bay
- d) Storage shed
- e) Swimming pool, Change House
- f) Greenhouse
- g) Tennis Court
- h) Deck
- i) Gazebo.
- j) Bed and Breakfast
- k) any other similar use to the above considered to be accessory to a residential use

4.3.3 Regulations

- a) Minimum Lot Area 1400 square metres
- b) Minimum Lot Frontage
 - i) with municipal water only 17 m
 - ii) without municipal water or sewers 22 m
- c) Minimum Yard Setback Requirements, Principal Use:
 - i) front 8 m
 - ii) interior side 1.5 m
 - iii) exterior side 6 m
 - iv) rear 6 m
 - v) planned width of road allowance see Section 3.20
- d) Minimum Yard Setback Requirements, Accessory Uses:
 - i) front 5 m
 - ii) interior side 1m
 - iii) exterior side 8 m
 - iv) rear 1 m
 - v) planned width of road allowance see Section 3.20
- e) Minimum Gross Floor Area 84 square metres
- f) Maximum Lot Coverage 35%
- g) Maximum Building Height 9 m

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4.3.4 Planned Width of Road Allowance

See Section 3.20.

4.3.5 Special Setback - Rail Line

See Section 3.21.

4.3.6 Residential Private Service Zone RPS-Exception

Notwithstanding the permitted uses and regulations of Section 4.3, the lands zoned in Schedule "A" with a Residential Private Service Zone symbol RPS followed by a number shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

4.3.6.1 RPS-1 (21-98)

Map No. 35 and 36

A single detached dwelling in accordance with the provision of the RPS Zone, except that the minimum lot frontage of 45 metres shall apply.

4.3.6.2 RPS-2 (16-03)(073-04)

Map No. 34 and 35

Principal and accessory uses permitted for a Residential Private Service RPS-2 Zone set out under subsections 4.3.1 and 4.3.2 in accordance with the following zone regulations:

Minimum Lot Area	7900 square metres
Minimum Lot Frontage	61 metres
Maximum Lot Coverage	15%
Minimum Gross Floor Area	180 square metres per unit
Minimum Front Yard Setback	10 metres
Minimum Interior Side Yard Setback	6 metres
Minimum Exterior Side Yard Setback	10 metres
Minimum Rear Yard Setback	10 metres

Minimum front yard setback for buildings not attached to main building	15 metres
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Minimum Interior Side Yard Setback for

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accessory buildings not attached to main building	6 metres
Minimum Exterior Side Yard Setback for accessory buildings not attached to main building	10 metres
Minimum Rear Yard for accessory buildings not attached to main building	10 metres
Maximum Building Height	11 metres

No residential dwelling on areas zoned RPS-2(a).

There are environmental sensitive lands zoned RPS-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 RPS-2 until such time as 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 RPS-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.

When the zone symbol is followed by the letter (H) on those lands zoned RPS-2, RPS-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 (H) suffix is removed in accordance with the Planning Act. The (H) provision shall be removed when:

- a) The Subdivision Agreement for the development has been executed by the Owner and the Town; and
- b) 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.

4.3.6.3 RPS-3, RPS-3(H)(48-99)

Map No. 25

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 RPS Zone shall apply.

The (H) provision shall be removed from part of the subject property

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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 an hydrology report for servicing, and development of septic systems providing for tertiary treatment.

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.

4.3.6.4 RPS-4

Map No. 1

The area identified on Schedule "A", Map 1 and zoned RPS-4 is subject to all the zone provisions of the RPS Zone, except the existing front yard setback of 6.06m as it applies to the building existing as of the date of passing of this by-law shall be permitted.

Any future expansions or additions to the existing house shall be required to meet the minimum front yard setback of 7.62 m.

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4.4 RESIDENTIAL SERVICED (R1S) ZONE

4.4.1 Principal Permitted Use

- a) Single detached dwelling

4.4.2 Accessory Uses

- a) Home Occupation
- b) Private Garage
- c) Storage shed
- d) Swimming Pool, Change Room
- e) Greenhouse
- f) Tennis Court
- g) Boat House
- h) Deck
- i) Gazebo
- j) Bed and Breakfast
- k) any other similar use to the above considered to be accessory to a residential use

4.4.3 Regulations

- a) Minimum Lot Area
 - i) with sanitary services 600 square metres
 - ii) without sanitary services 1400 square metres
- b) Minimum Lot Frontage
 - i) with sanitary services 15 m
 - ii) water only 17 m
 - iii) no services 22 m
- c) Minimum Yard, Principal Use:
 - i) front 8 m
 - ii) interior side 1.5 m
 - iii) exterior side 6 m
 - iv) rear 6 m
 - v) planned width of road allowance see Section 3.20
- d) Minimum Yard, Accessory Uses:
 - i) front 8 m
 - ii) interior side 1 m
 - iii) exterior side 8 m
 - iv) rear 1 m
 - v) planned width of road allowance see Section 3.20
- e) Minimum Gross Floor Area 84 square metres
- f) Maximum Lot Coverage 35%
- g) Maximum Building Height 9 m

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4.4.4 Planned Width of Road Allowance

See Section 3.20.

4.4.5 Special Setback - Rail Line

See Section 3.21.

4.4.6 Residential Serviced Zone R1S-Exception

Notwithstanding the permitted uses and regulations of Section 4.4, the lands zoned on Schedule "A" with a Residential Service Zone symbol R1S followed by a number, shall be subject to the uses and regulations set out in the following subsection and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law:

4.4.6.1 R1S-1 (15-01)

Map No. 7

All of the uses permitted in accordance with the R1S Zone standards, except that a second dwelling unit, with an area of no more than 150 square metres shall be permitted within the principal dwelling unit.

Parking shall be provided in accordance with the general provision of Section 3-23.

4.4.6.2 R1S-2 (39-01)

Map No. 44

On the lands described as Lot 9, Plan 51M-488, Concession 4 in the Town of Innisfil, in addition to the uses set out under Section 4, the temporary establishment of a Garden Suite Dwelling for a maximum period of ten (10) years, shall be permitted until the 6th day of June, 2011, at which time the occupancy of the "Garden Suite Dwelling" shall cease, and the existing single detached unit is to be re-instated, unless such use is extended by Council in accordance with the provisions of Section 39 of the Planning Act.

In the event the Garden Suite is occupied by anyone other than Mr. and Mrs. Peacock during the 10 year temporary time frame, the by-law shall cease to be in effect and the lands shall revert to the R1S Zone. The garden suite (second dwelling in a unit), shall be removed in its entirety by the owner of the property.

4.4.6.3 R1S-3 (16-89)

Map No. 42

All of the provisions of the Residential Serviced R1S Zone shall apply except that no dwelling shall be erected closer than 30 metres from the

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southwesterly limit of the railway right-of-way.

4.4.6.5 R1S-5(H)

Map No. 42

- 1.1 Notwithstanding the requirements of Section 3.14, "Frontage on a Street", those lands shown on Schedule "A", Map 42, attached hereto, shall be permitted to have frontage on an unopened municipal road allowance.
- 1.2 Notwithstanding the requirements of Section 4.4.1, "Principal Permitted Use", those lands shown on Schedule "A", Map 42, attached hereto, shall contain no more than two dwelling units within one building on the lot.
- 1.3 Notwithstanding the requirements of Section 4.4.3(a), "Regulations", those lands shown on Schedule "A", Map 42, attached hereto, shall be permitted to have a minimum lot frontage of 20 m.
- 1.4 Notwithstanding the requirements of Section 4.4.3(b), "Regulations", those lands shown on Schedule "A", Map 42, attached hereto, shall have a minimum lot area of 500 square metres.

The Holding (H) Symbol shall not be removed until:

- 2.1 The applicant conveys to the Town, prior to or at the time of issuance of the severance certificate, a 20 metre 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;
- 2.2 The applicant enters into an agreement with the Town providing for improvements to, access over and ongoing maintenance of the unopened municipal road allowance (as extended) for their residential purposes at no cost to the Town;
- 2.3 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;
- 2.4 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);
- 2.5 The applicant provides a letter from the Allandale Community Development Corporation advising that all of their conditions relating to

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the new lot have been met;

- 2.6 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.

4.5 RESIDENTIAL FULL SERVICE (R1FS) ZONE

4.5.1 Principal Permitted Use

- a) Public uses
- b) Single detached dwelling

4.5.2 Permitted Accessory Uses

- a) Home Occupation
- b) Private Garage
- c) Storage shed
- d) Swimming Pool, Change Room
- e) Greenhouse
- f) Tennis Court
- g) Boat House
- h) Deck
- i) Gazebo
- j) Bed and Breakfast
- k) any other similar use to the above considered to be accessory to a residential use

4.5.3 Regulations

- | | | |
|----|---------------------------------|-------------------|
| a) | Minimum Lot Area | 600 square metres |
| b) | Minimum Lot Frontage | 15 metres |
| c) | Maximum Lot Coverage | 35% |
| d) | Minimum Gross Floor Area | 84 square metres |
| e) | Minimum Yards | |
| | i) front | 8 metres |
| | ii) rear | 6 metres |
| | iii) interior side | 1.2 metres |
| | iii) exterior side | 6 metres |
| f) | Maximum Building Height | 9 metres |
| g) | Accessory Use | |
| | i) Minimum Front Yard | 8 metres |
| | ii) Minimum Interior Side Yard | 1 metre |
| | iii) Minimum Exterior Side Yard | 8 metres |
| | iv) Minimum Rear Yard | 1 metre |

4.5.4 Planned Width of Road Allowance

See Section 3.20.

4.5.5 Special Setback - Rail Line

See Section 3.21.

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4.5.6 Residential Full Service Zone RIFS-Exception

Notwithstanding the permitted uses and regulations of Section 4.5, the lands zoned in Schedule "A" with a Residential Full Service Zone symbol R1FS followed by a number shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

4.5.6.1 R1FS-1(059-01)

Map No. 19

Minimum Lot Area	420 square
metres	
Minimum Interior Side Yard	1.5 metres
Minimum Exterior Side Yard	4.2 metres

4.5.6.2 R1FS-2(H) (25-90)

Map No. 25 and 26

No purpose other than that which existed on January 31, 1990 until the symbol (H) is removed in accordance with Section 35 of the Planning Act, at which time the following shall apply:

- (i) Single detached, duplex and semi-detached dwelling units, non-commercial recreational uses serving the residential development included a golf course and administrative-community centre in accordance with the following provisions:
- (ii) A maximum of five hundred (500) dwelling units shall be permitted for all lands zoned R1FS-2. No more than fifty (50) dwelling units permitted shall be semi-detached or duplex dwelling units or a combination of the two. The remainder of the dwelling units shall be single detached dwellings as defined in Section 2.43.
- (iii) Dwellings grouped in clusters shall have no more than six units in each cluster.
- (iv) The following minimum separation distances between clusters shall apply:

Front Walls	20 metres
Side Walls	3 metres
Rear Walls	10 metres

- (v) For the purposes of this By-law, the front wall shall be defined as the exterior wall of any dwelling unit facing any driveway. The rear wall shall be defined as the exterior wall opposite the front wall. The side wall shall be defined as the exterior wall opposite the front wall. The side wall shall be defined as the walls on the sides of the outermost dwellings in any cluster. In cases where two different separation distances apply, the more stringent shall

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govern. The minimum building setback from the property boundaries or zone boundaries shall be 8 metres. The minimum gross floor area for each dwelling unit shall be 84 square metres.

- (vi) The minimum building setback from all property boundaries or zone boundaries shall be 8 metres.
- (vii) The minimum gross floor area for each dwelling unit shall be 84 square metres.
- (viii) Should the lands be developed in a series of phases, stages or segments, no more than ten percent (10%) of the total number of dwelling units in each phase shall be semi-detached or duplex dwelling units or a combination thereof.
- (ix) The minimum parking requirement shall be 1000 parking spaces incorporating a minimum of one (1) space per unit and a minimum of one (1) space per unit per visitor parking.
- (x) 0.75 spaces per unit for visitor parking shall be located no less than 150m from the dwelling units they are intended to serve and 0.25 spaces per unit may be located elsewhere.
- (xi) Visitor parking shall not have direct access from any driveway and no parking spaces shall be provided on any driveway.
- (xii) For the purpose of this By-law, the minimum paved, traveled portion of driveway, width shall be 8.5 metres wide.
- (xiii) The following special provision for driveways, off-street parking spaces and parking aisles shall apply:
 - a) 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.
 - b) All off street parking spaces, driveways and aisles required, shall have a cement or asphaltic binder or any other type of permanent type of surfacing and such spaces shall be outlined and maintained with a suitable paint.
 - c) All visitor parking spaces shall be adequately screened from dwelling units, and shall provide for privacy, protection from vehicle lights and be in keeping with the immediate landscape.
- (xv) The following definitions apply for the purposes of this paragraph:

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- a) “Semi-Detached Dwelling” shall mean a separate building containing two single family dwelling units separated vertically by a common wall, each unit having separate entrances and exit facilities.
- b) “Duplex Dwelling” 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.

4.5.6.3 R1FS-3(H)(25-90)

Map No. 26

No purpose other than that which existed on January 31, 1990 until the symbol (H) is removed in accordance with Section 35 of the Planning Act, at which time all of the requirements and provisions of the Residential Full Service Zone R1FS shall apply.

4.5.6.4 R1FS-4(12-94)

Map No. 8

In addition to the permitted uses listed under Section 4.5.1 and 4.5.2, an additional dwelling unit shall be permitted.

- a) Despite Section 4.5.3, or any other provision of this By-law to the contrary, the minimum gross floor area for the additional dwelling unit shall be 50 square metres.

4.5.6.5 R1FS-5 (19-02)

Map No. 22

All of the uses permitted in accordance with the R1FS Zone standards, except that a second dwelling unit, with an area of no more than 100 square metres shall be permitted within the principal dwelling unit.

Parking shall be provided in accordance with the general provision.

4.5.6.6 R1FS-6

Map No. 21

On those lands zoned R1FS-6, the minimum rear yard shall be 29m.

4.5.6.9 R1FS-9 (051-98)

Map No. 48

In the lands described as Lots 11, 12 and 13, Plan 260 and zoned in the Residential Full Service Exception R1FS-9 Zone, all of the permitted uses of the R1FS Zone shall apply and in addition:

- i) A Nursery School shall be considered a permitted home occupation use.
- ii) 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, and

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- iii) The floor area of the day nursery may not exceed 50% of the floor area of the dwelling.
- iv) A minimum of 4 parking spaces shall be required.

4.5.6.10 R1FS-10 (89-16)

Map No 48

Notwithstanding the regulations of the Residential Full Service R1FS Zone, the lands described as Part of Lot 13, Registered Plan 150 (42 Queen Street West) and zoned in the Residential Full Service Exception R1FS-10 Zone may be used for a duplex dwelling.

4.5.6.11 R1FS-11 (90-11)

Map No. 48

Notwithstanding the minimum regulations of the front yard and interior and exterior side yards of the Residential Full Service R1FS Zone, the lands zoned as Residential Full Service R1FS-11 Zone shall have a minimum lot frontage, interior side yard and exterior side yard of 5.2 metres, 0.9 metres and 2.2 metres respectively.

4.5.6.12 R1FS-12(H)(067-02)

Map No. 47

Notwithstanding any other provisions of this By-law as amended, the maximum permitted height for those lands zoned R1FS-12 shall be 11 metres and the minimum lot frontage shall be 15 metres.

Holding Provision

On those lands zoned with the (H) suffix following any residential zone symbol, only the uses existing as of the date of this by-law shall be permitted until such time as the Holding provision is removed in accordance with the provision of the Planning Act.

Prior to removal of the Holding provision, the Town shall be satisfied that the following conditions are met:

- a) the lands can be fully serviced with all necessary services;
- b) a program for monitoring of sewage capacity is in place;

a phasing plan reflecting monitoring of development proposals, such that the holding provision may be removed in phases at such time as it is demonstrated through the monitoring program that the remaining units may be developed, without risk of exceeding available reserve capacity in the Town's sewage treatment facility. An Engineer's report shall be submitted to Council confirming this prior to removal of the Holding provision in any phase of development for any residential plan of subdivision or multiple residential site plan proposal; and the necessary development agreements, including a site plan agreement or subdivision agreement as applicable, front ending agreements, cost sharing

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agreements, development charges by-laws, and external works agreements are executed to ensure servicing capability.

4.5.6.14 R1FS-14(H) (068-02)

Map No. 48

1) Permitted Uses:

- a) Single detached dwelling including a garage
- b) A public park
- c) A home occupation

2) Residential Zone Regulations:

- a) Minimum lot area:
 - i) Interior lot 450 square metres
 - ii) Exterior lot 550 square metres
- b) Minimum lot frontage:
 - i) Interior lot 15 metres
 - ii) Exterior lot 18 metres
- c) Maximum lot coverage: 40%
- d) Minimum gross floor area: 100 square metres
- e) Minimum yard requirements:
 - i) Front yard 7.5 metres
 - ii) Rear yard 9.0 metres
 - iii) Exterior side yard 3.5 metres
 - iv) Interior side yard 1.2 metres
- f) Maximum building height: 11 metres

4.5.6.15 R1FS-15(H) (068-02)

Map No. 47

Lots 68 to 74 Inclusive Draft Plan No. 43T-98005:

The minimum rear yard setback shall be 7.5 metres for all lots zoned R1FS-15.

4.5.6.16 R1FS-16(H) (068-02)

Map No. 47

Lots abutting the Trans Canada Pipeline Lots 1 and 42 to 46 inclusive Draft Plan No. 43T-98005:

The minimum setback from the pipeline right-of-way shall be 10 metres.

4.5.6.17 R1FS-17(H) (101-07)

Map No. 22

In addition to the uses permitted in the R1FS Zone and subject to all other provisions of the R1FS Zone, a second accessory residential unit, with an area of no more than 120 square metres shall be permitted within the basement of the existing principal single detached dwelling. Parking shall be provided in accordance with the General Provisions of

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Section 3.23.

4.5.6.18 R1FS-18 (024-08)

Map No. 48

In addition to the uses permitted in the R1FS Zone and subject to all other provisions of the R1FS Zone, a nursery school/daycare for pre-school children shall be a permitted use. However, only one (1) principle permitted use shall be carried on at the same time.

Notwithstanding Section 4.5.3 e) iii), the following provision shall apply:

Minimum Yards

iv)	Exterior side	1.46 metres
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All other provisions of the By-law shall apply.

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4.6 RESIDENTIAL FULL SERVICE (R2FS) ZONE

4.6.1 Principal Permitted Use

- a) Single detached dwelling
- b) Public uses

4.6.2 Permitted Accessory Uses

- a) Home Occupation
- b) Private Garage
- c) Storage shed
- d) Swimming Pool, Change Room
- e) Greenhouse
- f) Tennis Court
- g) Boat House
- h) Deck
- i) Gazebo
- j) Bed and Breakfast
- k) any other similar use to the above considered to be accessory to a residential use

4.6.3 Regulations

- a) Minimum Lot Area
 - i) Interior Lot 400 square metres
 - ii) Exterior Lot 500 square metres
- b) Minimum Lot Frontage
 - i) Interior Lot 12 metres
 - ii) Exterior Lot 12 metres
- c) Maximum Lot Coverage 45%
- d) Minimum Gross Floor Area 84 square metres
- e) Minimum Yards
 - i) front 6 metres
 - ii) rear 6 metres
 - iii) interior side 1.2 metres
 - iii) exterior side 4.2 metres
- f) Maximum Building Height 9 metres
- g) Accessory Use
 - i) Minimum Front Yard 6 metres
 - ii) Minimum Interior Side Yard 1 metre
 - iii) Minimum Exterior Side Yard 8 metres
 - iv) Minimum Rear Yard 1 metre

4.6.4 Planned Width of Road Allowance

See Section 3.20.

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4.6.5 Special Setback - Rail Line

See Section 3.21.

4.6.6 Residential Full Service Zone R2FS-Exception

Notwithstanding the permitted uses and regulations of Section 4.6, the lands zoned in Schedule "A" with a Residential Full Service Zone symbol R2FS followed by a number shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

4.6.6.1 R2FS-1

Map No. 17

Lots 129 to 131 inclusive draft I-T00001.

All of the uses permitted in the R2FS Zone, in accordance with the R2FS Zone provisions except that no buildings or accessory structures shall be located within 30 metres setback from the nearest property line of the railway.

4.6.6.2 R2FS-2

Map No. 17

Lot 101 draft plan I-T00001

All of the uses permitted in the R2FS Zone, in accordance with the R2FS Zone provisions except that the minimum rear yard setback shall be 3 metres.

4.6.6.3 R2FS-3 (040-03)

Map No. 17

All of the uses and provisions of the Residential Zone R2FS shall apply except as follows:

Minimum lot area of an interior lot	370 m ²
Minimum lot area of an exterior lot	460 m ²

4.6.6.4 R2FS-4 (062-08)

Map No. 17

All zone regulations for the R2FS zone shall apply to the lands zoned as R2FS-4 with the following exceptions:

Minimum lot frontage of an interior lot	15 m
Maximum building height	11 m
Minimum exterior side yard setback (accessory use):	4.2 m

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4.7 RESIDENTIAL FULL SERVICE (R3FS) ZONE

4.7.1 Principal Permitted Use

- a) Single detached dwelling
- b) Public uses

4.7.2 Permitted Accessory Uses

- a) Home Occupation
- b) Private Garage
- c) Storage shed
- d) Swimming Pool, Change Room
- e) Greenhouse
- f) Tennis Court
- g) Boat House
- h) Deck
- i) Gazebo
- j) Bed and Breakfast
- k) any other similar use to the above considered to be accessory to a residential use

4.7.3 Regulations

- a) Minimum Lot Area
 - i) Interior Lot 270 square metres
 - ii) Exterior Lot 360 square metres
- b) Minimum Lot Frontage
 - i) Interior Lot 9 metres
 - ii) Exterior Lot 12 metres
- c) Maximum Lot Coverage 40%
- d) Minimum Gross Floor Area 84 square metres
- e) Minimum Yards
 - i) front 6 metres
(but 8 metres if road allowance is more than 23 metres)
 - ii) rear 6 metres
 - iii) interior side 1.2 metres on one side and 0.6 metres on the other for an attached garage
 - iii) exterior side 4.2 metres
- f) Maximum Building Height 11 metres
- g) Accessory Use
 - i) Minimum Front Yard 6 metres
 - ii) Minimum Interior Side Yard 1 metre
 - iii) Minimum Exterior Side Yard 8 metres
 - iv) Minimum Rear Yard 1 metre

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4.7.4 Planned Width of Road Allowance

See Section 3.20.

4.7.5 Special Setback - Rail Line

See Section 3.21.

4.7.6 Residential Full Service Zone R3FS-Exception

Notwithstanding the permitted uses and regulations of Section 4.7, the lands zoned in Schedule "A" with a Residential Full Service Zone symbol R3FS followed by a number shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

4.7.6.1 R3FS-1 (90-20)

Map No. 48

Notwithstanding the permitted uses and regulations of the Residential Full Service R3FS Zone, the permitted uses and regulations of those lands zoned Residential Full Service Exception R3FS-1 Zone shall be as follows:

- i) Permitted uses - duplex dwelling
- ii) Regulations
 - Minimum Lot Frontage 15 metres
 - Minimum Lot Area 380 square metres
 - Minimum Front Yard 4 metres
 - Minimum Rear Yard .6 metres
 - Minimum Exterior Side Yard Nil
 - Minimum Interior Side Yard 1.2 metres
 - Minimum Lot Coverage 48%
- iii) Accessory Building
 - Minimum Rear Yard 0.6 metres
 - Minimum Exterior Side Yard 4.2 metres
 - Minimum Interior Side Yard 1 metre
 - Minimum Lot Coverage 10%
- iv) Additional Regulations
 - Daylighting Triangle 3 x 3metres

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4.8 RESIDENTIAL SPECIAL COMMUNITY (RSC) ZONE

4.8.1 Principal Permitted Uses

- a) Residential Special Community

4.8.2 Accessory Uses as Part of Residential Special Community

- a) Modular homes, single detached homes and accessory structures
- b) Swimming pools, change houses
- c) Administrative sales or rental office
- d) Private recreation, open space and park use
- e) General retail and commercial uses
- f) General storage compound, equipment and maintenance yards
- g) Meeting halls

4.8.3 Regulations

4.8.3.1 Residential Special Community

- a) Minimum Lot Area 20 ha
- b) Minimum Lot Frontage 150 m
- c) Minimum Yards, Principal Use:
 - i) front 15 m
 - ii) interior side 8 m
 - iii) exterior side 15 m
 - iv) rear 8 m
- d) Maximum Building Height 11 m
- e) A minimum of 8 percent of the lot area of the community shall be used for open space and recreation use.
- f) The maximum density shall be 16 home sites per hectare.
- g) Retail and commercial uses and their required accessory parking spaces shall not occupy more than one (1) percent of the lot area.
- h) Buildings containing accessory storage facilities must be located and designed so that each building provides storage space for a minimum of eight homes or alternatively storage space for each home unit should be provided within or attached to the home unit. The size of accessory storage facilities must be based on a minimum of 3.5 cubic metres of storage space for each home.
- i) Two car spaces shall be provided for each home.

4.8.3.2 Residential Special Community Site

- a) Each site shall be provided for in accordance with the following provisions:

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- 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 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

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by a railing or privacy screen.

4.8.4 Planned Width of Road Allowance

See Section 3.20.

4.8.5 Special Setback - Rail Line

See Section 3.21.

4.8.6 Residential Special Community (RSC) Zone - Exceptions

Notwithstanding the permitted uses and regulations of Section 4.8, the lands zoned on Schedule "A" with a Residential Special Community Zone symbol, RSC, followed by a number, shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

4.8.6.1 RSC-1(H) (073-07)

Map No. 47 and 48

Notwithstanding the regulations of the Residential Special Community (RSC) Zone, the lands zoned as Residential Special Community Exception (RSC-1) Zone shall be as follows:

- i) 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 as of the date of the passing of this amending By-law.
- ii) 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.

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4.9 RESIDENTIAL SINGLE SEMI (RSS) ZONE

4.9.1 Principal Permitted Uses

- a) Single detached dwelling
- b) Semi-detached dwelling
- c) Linked dwelling

4.9.2 Accessory Uses

- a) Private Garage
- b) Storage shed
- c) Swimming Pool, Change Room
- d) Greenhouse
- e) Deck
- f) Home Occupation
- g) Tennis Court
- h) Boat House
- i) Gazebo
- k) any other similar use to the above considered to be accessory to a residential use

4.9.3 Regulations

- a) Minimum Lot area:
 - i) Single detached 480 square metres
 - ii) Semi and linked
 - interior 300 square metres per unit
 - exterior 400 square metres per unit
- b) Minimum Lot frontage:
 - i) single detached 12 m
 - ii) semi and linked
 - interior 9 metres per unit
 - exterior 12 metres per unit
- c) Minimum Yards:
 - i) single detached
 - Front 8 m
 - Interior side 1.2 m
 - Exterior side 4.2 m
 - Rear 6 m
 - ii) semi and linked
 - Front 6 m
 - Interior side not common or linked wall 1.2 m
 - Exterior side 4 m

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	Rear	6 m
	Common or linked wall	0 m
d)	Minimum Yards:	
	i) Accessory Use	
	Front	8 m
	Interior side	1 m
	Exterior side	4m
	Rear	1m
e)	Minimum gross floor area	84 square metres
f)	Maximum lot coverage	45%
g)	Maximum building height	9 m

4.9.4 Planned Width of Road Allowance

See Section 3.20.

4.9.5 Special Setback - Rail Line

See Section 3.21.

4.9.6 Residential Single/Semi Zone (RSS) Exception

Notwithstanding the permitted uses and regulations of Section 4.9, the lands zoned on Schedule "A" with a Residential Single/Semi Zone symbol, RSS, followed by a number, shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

4.9.6.1 RSS-1(H) (058-03)

Map No. 11

All the provisions of Section 4.9 apply as for a Residential RSS zone except that any yard abutting the railway right-of-way shall be a minimum setback of 30 metres. No buildings or structure including accessory buildings or structures are permitted within this 30 metre setback.

Minimum Lot Frontage: Semi and Linked 9.5m per unit

4.9.6.2 RSS-2 (011-01)

Map No. 17

Lot 111 Draft Plan I-T00001

All of the uses permitted in the RSS Zone, in accordance with the RSS

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Zone provisions except that the minimum rear yard setback shall be 3 metres.

4.9.6.3 RSS-3 (011-01)

Map No. 17

All of the uses permitted in the RSS Zone, in accordance with the zone provisions except that the minimum front yard setback for lands zoned RSS-3 shall be 6 metres.

4.9.6.4 RSS-4 (011-01)

Map No. 17

All of the uses permitted in the RSS Zone, in accordance with the zone provisions except that the minimum front yard setback for the lands zoned RSS-4 shall be 6 metres.

4.9.6.5 RSS-5(H) (069-02)

Map No. 47

Lots zoned RSS-5(H) on Draft Plan 43T-88022 shall be subject to the following Special Standards:

Minimum Front Yard Setback	6.0 m
----------------------------	-------

4.9.6.6 RSS-6(H)

Map No. 11

a) Principal Permitted Uses
Single detached dwelling

b) Minimum Lot Frontage	9.75 metres
Minimum Lot Area	320 square metres

4.9.6.7 RSS-7(H) (108-05)

Map No. 20

a) Minimum Lot Area

(i) Single Detached	480 square metres
(ii) Semi and Linked	
Interior	300 square metres per unit
Exterior	400 square metres per unit

b) Minimum Lot Frontage

(i) Single Detached	12 metres
(ii) Semi and Linked	
Interior	9 metres per unit
Exterior	12 metres per unit
c) Minimum Front yard Setback	6 metres

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4.9.6.7 RSS-7(H) (012-07)

Map No. 11 & 12

All zone regulations for the RSS zone shall apply to the lands zoned RSS-7(H) with the following exception:

Minimum lot frontage	
Semi and Linked	9.5 m per unit

4.9.6.8 RSS-8(H) (062-08)

Map No. 17

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

Minimum lot area of an interior lot:	320 m ²
Minimum lot area of an exterior lot:	420 m ²
Minimum lot frontage of an interior lot:	9.75 m
Minimum lot frontage of an exterior lot:	12.75 m
Minimum front yard setback:	6 m

4.9.6.9 RSS-9 (046-07)

Map No. 17

All zone regulations for the RSS zone shall apply to the lands zoned RSS-9 with the following exception:

Permitted Use
Single detached dwelling

Minimum lot frontage	10 m per unit
Minimum lot area	330 square metres

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4.10 RESIDENTIAL TOWNHOUSE (RT) ZONE

4.10.1 Principal Permitted Uses

- a) Townhouses

4.10.2 Accessory Uses

- a) Private Garage
- b) Storage shed
- c) Swimming Pool, Change Room
- d) Greenhouse
- e) Deck
- f) Home Occupation
- g) Tennis Court
- h) Boat House
- i) Gazebo
- j) any other similar use to the above considered to be accessory to a residential use

4.10.3 Regulations

- a) Minimum lot area:
 - i) interior lot 180 square metres
 - ii) interior lot at the end of a block 240 square metres
 - iii) exterior lot 297 square metres
- b) Minimum lot frontage:
 - i) interior lot 6 m
 - ii) interior lot at the end of a block 8 m
 - iii) exterior lot 10.5 m
- c) Minimum Yards, Principal Use:
 - i) front 6 m
 - ii) interior side with corner wall 0 m
 - iii) other 2 m
 - iv) exterior lot 4.2 m
 - v) rear 7.5 m
- d) Minimum Yards, Accessory Use
 - i) front 6 m
 - ii) interior side with corner wall 0 m
 - iii) other 1 m
 - iv) exterior lot 4.2 m
 - v) rear 1 m
- e) Minimum gross floor area 84 square metres
- f) Maximum lot coverage 50%
- g) Maximum building height 11 m

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For the purpose of the RT Zone, calculation of coverage shall not include a storage shed or deck, not exceeding 20 square metres in area.

4.10.4 Planned Width of Road Allowance

See Section 3.20.

4.10.5 Special Setback - Rail Line

See Section 3.21.

4.10.6 Residential Townhouse Zone RT-Exception

Notwithstanding the permitted uses and regulations of Section 4.10, the lands zoned on Schedule "A" with a Residential Townhouse Zone symbol, RT, followed by a number, shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

4.10.6.1 RT-1

Map No. 17

Block 122 Draft Plan I-T000001. All of the uses permitted in the RT Zone, in accordance with the RT Zone provisions except that no buildings or accessory structures shall be located within 30 metres setback from the nearest property line of the railway.

4.10.6.2 RT-2(H)

Map No. 11

All the provisions of Section 4.10 apply as for a Residential RT Zone except as follows:

Permitted Use: In addition to condominium street townhouses, an apartment building shall also be permitted.

Zone Regulations:

i)	Maximum Density	52 units per hectare
ii)	Minimum Lot Frontage	30 metres
iii)	Minimum Front Yard Setback	6 metres
iv)	Minimum Interior Side Yard Setback	3 metres
v)	Minimum Exterior Side Yard Setback	6 metres
vii)	Maximum Height	4 stories
viii)	Minimum Parking	2 spaces/unit
		0.25 spaces per unit for visitor's parking

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- ix) No accessory buildings or structures shall be permitted in the front yard or exterior side yard.
- x) Amenity Area shall be provided at a minimum of 10m² per dwelling unit for an apartment building
- xi) A wooden privacy fence shall be erected where the lands for an apartment building abut a residential use.
- xii) A minimum of 20% of the lot area shall be landscaped.

4.10.6.3 RT-3(H) (042-02)

Map No. 18

On those lands zoned RT-3 on Schedule “A” attached hereto, all the permitted uses and provisions in accordance with the RT zone regulations, shall apply, except that:

The minimum interior side yard shall be 1.8 metres and nil where the building has a common wall with any building on an adjacent lot.

4.10.6.4 RT-4(H) (040-03)

Map No. 17

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

Minimum lot area for an interior lot at the end of a block:	225 m ²
Minimum lot frontage for an interior lot at the end of a block:	7.5 m
Minimum interior side yard:	1.5 m and nil where a building has a common wall with any building on an adjacent lot

4.10.6.5 RT-5(H) (011-07)

Map No. 11

Blocks 198, Draft Plan I-T00001

All of the permitted uses of the RT zone in accordance with the RT zone provisions except that:

- i) that no buildings or accessory structures shall be located within the 30 metre setback from the nearest property line of the railway, and
- ii) provided all other zoning provisions can be met, the density provisions shall be in accordance with overall maximum provisions for the medium density designation of the Alcona Secondary Plan.

4.10.6.6 RT-6(H) (062-08)

Map No. 17

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

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Minimum lot area of an interior end lot:	225 m ²
Minimum lot area of an exterior lot:	270 m ²
Minimum lot frontage of an interior end lot:	7.5 m
Minimum lot frontage of an exterior lot:	9 m
Maximum lot coverage:	55% (shed or deck <20m ² not incl)
Minimum interior end side yard setback:	1.5 m
Minimum exterior side yard setback:	3.0 m
Minimum exterior side yard setback (accessory use):	3.0 m

4.10.6.7 RT-7(H) (062-08)

Map No. 17

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

Minimum lot area of an interior end lot:	225 m ²
Minimum lot area of an exterior lot:	270 m ²
Minimum lot frontage of an interior end lot:	7.5 m
Minimum lot frontage of an exterior lot:	9 m
Maximum lot coverage:	55%
Minimum interior end side yard setback:	1.5 m
Minimum exterior side yard setback:	3.0 m
Minimum exterior side yard setback (accessory use):	3.0 m
Setback to east property limit: rear lot line	10m landscape strip along

4.10.6.6 RT-6(H)

Map No. 11

Block 209, Registered Plan 51M-701

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 metres;
- ii) the rear yard setback shall be 6.0 metres;
- iii) that all dwellings 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.

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.

4.10.6.7 RT-7 (H) (071-07)

Map Nos. 11, and 17

Block 212, Registered Plan 51M-701

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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 metres;
- ii) the rear yard setback shall be 3.0 metres;
- iii) that all dwellings abutting 7th Line shall have a front door, porch, and windows facing 7th Line;
- iv) that all dwellings 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.

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.

4.10.6.7 RT-7 (156-07)

Map Nos. 11, and 17

Block 211, Registered Plan 51M-701

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 metres;
- ii) the interior side yard setback shall be 0 metres;
- iii) the exterior side yard setback shall be 3.0 metres;
- iv) the rear yard setback shall be 3.0 metres;
- 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.

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.

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4.11 RESIDENTIAL MULTIPLE (RM) ZONE

4.11.1 Permitted Uses

- a) Apartments

4.11.2 Accessory Uses

- a) Private garage
- b) Storage shed
- c) Swimming pool
- d) Recreation facility
- e) Storage and maintenance facilities in a central building
- f) Playground and play structure

4.11.3 Regulations

- | | | |
|----|---|-------------------------|
| a) | Minimum lot area:
(with sanitary sewers) | 265 square metres /unit |
| b) | Minimum lot frontage:
(with sanitary sewers) | 30 metres |
| c) | Minimum yard requirements: | |
| | - front yard | 8 metres |
| | - rear yard | 8 metres |
| | - interior side yard | 4 metres |
| | - exterior side yard | 8 metres |
| d) | Maximum lot coverage: | 30% |
| e) | Minimum gross floor area/unit: | 74 square metres |
| f) | Maximum building height: | 12 metres |

Minimum Yard Requirements for Accessory Buildings or Structures

- | | | |
|----|-----------------------------|----------|
| a) | Minimum front yard: | 8 metres |
| b) | Minimum rear yard: | 2 metres |
| c) | Minimum interior side yard: | 2 metres |
| d) | Minimum exterior side yard: | 8 metres |

4.11.4 Density

Notwithstanding and in addition to the provisions of this section, in any RM Zone, the number of dwelling units on any lot shall not exceed fifty-two units per hectare.

4.11.5 Planned Width of Road Allowance

See Section 3.20.

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4.11.6 Special Setback - Rail Line

See Section 3.21.

4.11.7 Residential Multiple Zone RM-Exception

Notwithstanding the permitted uses and regulations of Section 4.11, the lands zoned on Schedule "A" with a Residential Multiple Zone symbol, RM, followed by a number, shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

4.11.7.1 RM-1

Map No. 42

An apartment for "rent" geared to income accommodation in accordance with the following procedures:

Maximum Number of Units	40 units
Minimum lot area	4000 square metres
Minimum parking requirement	one (1) parking space per unit

4.11.7.2 RM-2 (50-02)

Map No. 8

Notwithstanding the Residential Multiple Zone Regulations of Section 4.11.3, the following zone regulations shall apply to the lands described as Lot 3, Reference Plan 1149, Town of Innisfil.

Minimum Lot Area	797 square metres
Minimum Lot Frontages	19.8 m
Minimum Front Yard Setback	5.7 m
Minimum Front Yard Setback from Site Triangle	4.5 m
Minimum Interior Side Yard Setback	3.6 m
Minimum Exterior Side Yard Setback	3.5 m
Minimum Separation Distance between Residential Units	5 m

4.11.7.3 RM-3(88-16)

Map No. 48

Notwithstanding the permitted uses and regulations of the Residential RM Zone, the following uses and regulations shall apply to those lands zoned in the Residential Multiple RM-3 Zone.

1) Permitted Uses:

- a) An apartment dwelling house which is defined as a building containing four (4) or more dwelling units;

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- b) Uses, buildings or structures accessory to the above permitted use.

2) Zone Regulations

- a) Minimum Lot Frontage 20m
- b) Minimum Lot Area with public water supply & sanitary sewer 3300 square metres
- c) Minimum Yard Requirements
 - i) Front Yard 8 metres
 - ii) Rear Yard 12 metres
 - iii) Interior Side Yard 6 metres
- d) Minimum Apartment Floor Area Per Dwelling Unit:
 - i) Bachelor Unit 40 square metres
 - ii) One Bedroom 50 square metres
 - iii) Two Bedrooms 60 square metres
 - iv) Three Bedrooms 70 square metresFor each additional bedroom above 3, an additional 10 square metres is required.
- e) Minimum Landscaped Open Space 30%
- f) Minimum Play Area 4%
- g) Maximum Building Height 11 metres
- h) Parking Area Location

Where a parking area of five (5) or more spaces is required, such spaces:

- i) Shall be located in an area other than the minimum front yard or the required exterior side yard;
- ii) Shall be located not less than 1.5 metres from any rear lot line;
- iii) Shall not be located within 1.5 metres of any Residential Full Service R1FS Zone;
- iv) Shall be located so as not to impair the view from entrances and front yards, and be at least 6 metres away from windows of habitable rooms, at or below grade where the sill is less than 2 metres above grade, and 2 metres away from a wall containing a window to a habitable room where the sill is more than 2 metres above grade;
- i) Minimum Parking Requirements:
Parking spaces for each dwelling unit 1.5.
- j) The total number of dwelling units in Part Block A, Plan M94 shall not exceed 23 units.

4.11.7.4 RM-4 (97-91)

Map No. 48

Notwithstanding the maximum number of dwelling units permitted on

.../

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the north half of Lot 24, Concession 14 and zoned in the Residential Multiple Exception RM-4 Zone, the maximum number of dwelling units shall not exceed 18 units. Additionally, a "Play Area" is not required.

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SECTION 5

COMMERCIAL ZONES

In any Commercial Zone, no person shall use any building or structure or land, in whole or part nor erect any building or structure, except in accordance with the following provisions.

5.1 GENERAL PROVISIONS

Unless otherwise specified, the following applies to all Commercial Zones in addition to other requirements of this By-law.

5.1.1 Number of Buildings per Lot

No more than one building may be located on any lot unless the Town has approved plans showing all existing buildings, access driveways, parking facilities, and other site features located on the lot as well as proposed alterations and improvements of such features on the lot as will be carried out in order to ensure that additional building(s) will not detrimentally affect vehicular access to the lot, or vehicular circulation on the lot and will be properly integrated with other building(s) on the lot.

5.1.2 External Building Materials

The front exterior wall and any wall which faces a street, or faces a Residential Zone, must be constructed of brick, masonry, glass brick, anodized aluminum, precast concrete, enameled aluminum, decorative wood, or equivalent or better, or any combination thereof. All other exterior walls must be constructed of the same materials as front exterior walls, or stucco, or decorator concrete block and where painted, it shall be painted and maintained painted in a uniform colour.

5.1.3 Mobile Buildings

No person is permitted to use a mobile, relocatable, portable or transportable building, temporarily or otherwise, for any retail, office, storage display or other use permitted by this By-law in a Commercial Zone without an amendment to this By-law.

5.1.4 Yard Exceptions Abutting Waterway

Despite any provision of this section to the contrary, a dock or accessory structure is permitted in the rear or side yard where the rear or side yard abuts a navigable waterway.

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5.1.5 Special Zone Regulations Automobile Service Station or Gas Bar

Despite any other provision to the contrary, in this By-law, the following provisions apply to an automobile service station or gas bar:

- a) Minimum front yard shall be 12 metres and no fuel pump may be erected in the front or side yards within 6 metres or any street or lot line.
- b) On a corner lot, no fuel pump may be erected within 9 metres of the intersection of the front and side lot lines.
- c) The minimum lot frontage for an interior lot is 30 metres.
- d) The minimum lot frontage for a corner lot is 40 metres.
- e) The distance between means of access or ramps is a minimum of 9 metres and on a corner lot no ramp may be located within 9 metres of the intersection of the street line, subject to the setback requirements of Section 3.20.
- f) Each ramp must have a maximum width of 9 metres and the interior angle formed between the lot line and centerline of the ramp must be between seventy (70) and ninety (90) degrees.
- g) No ramp may be located within 3 metre of a side lot line.
- h) Food and confectionery sales or a restaurant and take-out restaurant must not occupy more than 40 percent of the total gross floor area.

5.1.6 Loading Spaces

In addition to the Loading Requirements of Section 3.24, required loading spaces are not permitted within the front or exterior side yard within an area zoned Commercial.

5.1.7 Landscaped Buffer Strip

See Section 3.27.

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5.2 COMMERCIAL GENERAL (CG) ZONE

5.2.1 Permitted Uses

- a) Bank
- b) Professional Office
- c) Business Office
- d) Place of Entertainment
- e) Day Nursery
- f) Restaurant
- g) Restaurant Take Out
- h) Retail Store or Plaza
- i) School Commercial
- j) Service Establishment
- k) Laundromat, Laundry and Dry Cleaning Establishment
- l) Accessory uses which are clearly incidental to, associated and co-located with permitted commercial uses as listed above.
- m) Funeral Home
- n) Taxi Stand/Dispatch Office

5.2.2 Regulations

- a) Minimum Lot Area:
 - i) with sanitary sewers 1000 m²
 - ii) without sanitary sewers 1400 m²
- b) Minimum Lot Frontage:
 - i) with sanitary sewers 15 m
 - ii) without sanitary sewers 25 m
- c) Maximum Lot Coverage:
 - i) with sanitary sewers 50%
 - ii) without sanitary sewers 40%
- d) Minimum Yard Setbacks with or without sanitary sewers
 - i) Front 6m
 - ii) Interior Side 1m except where the interior side yard abuts a residential zone the interior side yard is 5 metres
 - iii) Exterior Side 8m
 - iv) Rear 6m except where the rear yard abuts a residential zone the rear yard is 9 metres
- e) Maximum Height 11 m
- f) Planned Width of Road Allowance See Section 3.20
- g) Special Setback - Rail Line See Section 3.21.

5.2.3 Special Zone Regulations As Delineated in Map No. 21 and 22

- a) All buildings and structures shall be setback from the centerline of Innisfil Beach Road at least a distance of 26 m.

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- b) No minimum interior side yard is required except where street access to a rear yard on an interior lot is only available from the subject lot, one interior side yard shall be provided and the minimum yard width shall be 4.5 metres.
- c) The minimum rear yard shall be 15 metres.

5.2.4 Special Use Exceptions

Notwithstanding the permitted uses and regulations of Section 5.2, the lands zoned on Schedule "A" with a Commercial General Zone Symbol CG followed by a number, shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

5.2.4.1 CG-1

Map No. 21

a) Permitted Uses:

- i) public use
- ii) retail store with enclosed storage
- iii) parking lot or structure
- iv) personal service establishment including a barber shop, beauty salon, dressmaking or tailoring, laundry and dry cleaning shop or similar use
- v) business and professional office including office building, bank, financial lending institution or clinic
- vi) restaurant including banquet hall, tavern, take-out restaurant and drive-in restaurant
- vii) health club, billiard or bowling establishment or similar commercial recreational establishment, theatre, cinema or other place of entertainment
- viii) shopping centre
- ix) commercial school
- x) service shop
- xi) dwelling units on the floors above the first floor and each dwelling unit shall comply with the relevant provisions of Section 3(9)
- xii) an accessory use to any principal use
- xiii) all the uses of the CG Zone.

b) Zone Regulations:

The zone regulations for the CG Zone shall apply to the area zoned CG-1 with the following exceptions:

- i) The minimum front yard shall be 13 metres and all buildings and structures shall be set back from the centerline of Innisfil

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Beach Road, a distance equal to the sum of 13 metres plus the applicable minimum front or exterior side yard as required by this By-law.

- ii) No minimum interior side yard is required except where street access to a rear yard on an interior lot is only available from the subject lot, one interior side yard shall be provided and the minimum yard width shall be 4.5 metres. For the purposes of this section, a right-of-way across an abutting lot or lots linking the rear yard to a street would constitute street access. Such a right-of-way shall not lie within any Residential (R1S) Zone.
 - iii) The minimum rear yard shall be 15 metres.
 - iv) Notwithstanding Part ii) above, one interior side yard having a minimum width of 4.5 metres shall be provided every 120 metres in each block.
- c) Loading Spaces:

In addition to the Loading Requirements of Section 3.24, no required loading spaces shall be permitted within the front or exterior side yard within the area zoned CG-1.

- (d) Landscaped Buffer Strip:

Where a Commercial CG-1 Zone abuts a residential zone, either a continuous landscaped buffer strip of a minimum width of 2.0 metres or a 2.0 metre high tight board fence shall be provided along the lot line abutting the residential zone. The landscaped buffer strip shall be planted with native tree species and planting materials approved by the Town of Innisfil which have a minimum height of 2.0 metres and shall be spaced at 3.0 metre centres in a manner which will serve to effectively screen the yard or lot.

5.2.4.2 CG-2

Map No. 21

- a) **Permitted Uses:**

- i) a private club
- ii) all uses permitted in the CG Zone.

- b) **Zone Regulations:**

The zone regulations for the CG Zone shall apply to the area zoned CG-2 with the following exceptions:

- i) The minimum front yard shall be 13 metres and all buildings and structures shall be set back from the centerline of Innisfil Beach Road a distance equal to the sum of 13 metres plus the

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applicable minimum front or exterior side yard as required by this By-law.

- ii) No minimum interior side yard is required except where street access to the rear yard on an interior lot is only available from the subject lot, one interior side yard shall be provided and the minimum yard width shall be 4.5 metres. For the purposes of this section, a right-of-way across an abutting lot or lots linking the rear yard to a street would constitute street access. Such a right-of-way shall not lie within any Residential R1S Zone.
- iii) The minimum rear yard shall be 15 metres.
- iv) Notwithstanding Part ii) above, one interior side yard having a minimum width of 4.5 metres shall be provided every 120 metres in each block.

c) **Loading Spaces:**

In addition to the Loading Requirements of Section 3.24, no required loading spaces shall be permitted within the front or exterior side yard within the area zoned CG-2.

d) **Landscaped Buffer Strip:**

Where a Commercial CG-2 Zone abuts a residential zone, either a continuous landscaped buffer strip of a minimum width of 2.0 metres or a 2.0 metre high tight board fence shall be provided along the lot line abutting the residential zone. The landscaped buffer strip shall be planted with Austrian Pines or Norway Spruce which have a minimum height of 2.0 metres and shall be spaced at 3.0 metre centres in a manner which will serve to effectively screen the yard or lot.

5.2.4.3 CG-3 (07-85)

Map No. 37

A hairdressing and beauty parlour, retail sales, and a single family residence with real estate as a home occupation.

5.2.4.4 CG-4

Map No. 9

A restaurant or restaurant take-out.

5.2.4.5 CG-5 (07-85)

Map No. 24

A retail store with enclosed storage, restaurant, single detached residence, rental of fish huts.

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5.2.4.6 CG-6 (066-05)

Map No.27

Convenience Store and one accessory dwelling unit in accordance with the relevant provisions of Section 3(9).

In addition notwithstanding Section 5.2.2(d)(ii) 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.

5.2.4.7 CG-7(H)(25-90)

Map No. 25

No purpose other than that which existed on January 31, 1990 until the Symbol (H) is removed in accordance with Section 35 of the Planning Act, at which time the following shall apply:

- a) A barber and beauty shop, a dry cleaning depot with coin operated laundry, a take-out restaurant, a convenience store, and a gas bar in accordance with the regulations set out in Subsection 5.2.2, except that the distance between means of access or ramps shall be a minimum of 12 metres.
- b) The permitted uses in the CG-7 Zone shall be subject to the following provisions:
 - i) The maximum gross floor area for any one use shall not exceed 325 square metres.
 - ii) The maximum size of the commercial building shall not exceed 1400 square metres.

5.2.4.8 CG-8 (103-91)

Map No. 4

In addition to all of the Principal Permitted Uses set out under Section 5.2.1 for a Commercial General CG Zone, Lot 14 on Plan M15 and Part of Lot 23, Concession 4, 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 Commercial General CG Zone.

5.2.4.9 CG-9 (24-98)

Map No. 47

All of the permitted uses in accordance with the CG Commercial uses in accordance with the provisions of the CG Zone shall apply, to those lands zoned CG-9, with the exception of the following:

The minimum parking requirement for a shopping centre shown on the lands shown as Commercial General Exception on Map No. 47 shall be

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one space for every thirty (30) square metres 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 sixty (60) metres of the lot on which the principal use is located.

5.2.4.10 CG-10 (13-00)

Map No. 41

This zone applies to the lands described as Lot 9, Plan M37, Concession 10.

All principal permitted uses under the Commercial General Zone CG in accordance with the provisions of Section 5.2.2 except that the provisions of Section 5.2.2 d) ii) shall not apply to northern side yard of the property lands in the CG-10 Zone.

5.2.4.11 CG-11 (38-00)

Map No. 21

This zone applies to the lands described as South Part of Lot 23, Concession 8. All principal permitted uses under the General Commercial zone CG in accordance with all of the provisions of the CG Zone except that the minimum setback from Innisfil Beach Road shall be 13 metres and all buildings and structures shall be setback from the centerline of Innisfil Beach Road a distance equal to the sum of 15 metres plus 13 metres.

5.2.4.12 CG-12(H)(57-01)

Map No. 18

For those lands zoned as CG-12(H), the front lot line shall be the lot line that abuts Innisfil Beach Road.

5.2.4.13 CG-13 (88-03)

Map No. 41

An accessory residential dwelling located in the basement.

5.2.4.14 CG-14

Map No. 3

A retail store with enclosed storage and single residence.

5.2.4.15 CG-15

Map. 19

Retail sales and single residence.

5.2.4.17 CG-17

Map No. 22

Restaurant or take out restaurant.

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5.2.4.18 CG-18

Map No. 22

Retail sales and single residence.

5.2.4.19 CG-19

Map No. 24

A restaurant with lodging facilities.

5.2.4.20 CG-20

Map No. 28

Retail sales with enclosed storage and single residence.

5.2.4.21 CG-21

Map No. 27

Convenience store and one accessory dwelling unit in accordance with the relevant provisions of Section 3(9).

In addition notwithstanding Section 5.2.2(d)(ii) 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.”

5.2.4.22 CG-22

Map No. 102

In addition to the permitted uses contained in Section 5.2.1 an automobile wrecking yard shall be permitted. A detached single dwelling house for occupancy by a caretaker, watchman or similar person employed on the lot which such dwelling house is located shall also be permitted.

5.2.4.23 CG-23(H) (096-05)

Map No. 129

Notwithstanding the permitted uses of Section 5.2.1, those lands shown as CG-23(H) shall be used for no other purpose than:

- i) a retail supermarket,
- ii) an automotive gas bar in association with the provisions of Section 5.1.5.,
- iii) a medical clinic.

The zone regulations for the CG Zone shall apply to the area zoned CG-23(H) with the following exceptions:

- i) The maximum permitted retail supermarket gross floor area (or component of any building) shall be 5,000 square metres. This does not include non-retail uses such as offices, community meeting rooms with kitchen facilities, seating and rest areas,

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supply, mechanical and storage areas and public washroom facilities.

- ii) The maximum permitted retail gross floor area of (or component of any building) traditional Department Store Type Merchandising (DSTM) shall be 2,500 square metres.
- iii) The minimum permitted medical clinic gross floor area (or component of any building) shall be 100 square metres if within the supermarket, or 200 s.m. if in a building separate from the supermarket.
- iv) This development shall be subject to site plan control under section 41 of the Planning Act. Individual applications for development shall be required to enter into a site plan control agreement.
- v) In addition to the Parking and Loading Requirements of Section 3, no required loading spaces shall be permitted within the front or exterior side yard. Parking spaces shall be permitted to encroach within the required front yard to a maximum of 6 metre.
- vi) Notwithstanding any other section of this By-law, an automotive gas bar 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 s.m. in size and shall not be located in the front yard.
- vii) For those lands zoned CG-23(H), the front lot line shall be the lot line that abuts Innisfil Beach Road.
- viii) The minimum front yard shall be 13 metres.
- ix) The minimum interior side yard shall be 5 metres.
- x) Where the lands abut a residential zone, either a continuous landscaped buffer strip of a minimum width of 2.0 metres or a 2.0 metre high tight board fence shall be provided along the lot line abutting the residential zone.
- xi) Implementation and construction of the development scheme contemplated herein shall be phased as follows, provided that a specific site plan control agreement has been executed for the phase contemplated:
 - 1. Phase 1 - Retail supermarket store and a medical clinic, either combined, separate or joined as a plaza structure.
 - 2. Phase 2 – Automotive gas bar.
 - 3. Phase I and 2 may be constructed concurrently, but in no case shall Phase 2 be permitted until the medical clinic has been constructed and occupied.

5.2.4.24 CG-24(H) (132-07)

Map No. 18

For those lands zoned Commercial General Exception-Holding (CG-24)(H) Zone, notwithstanding the permitted uses in the Commercial General (CG) Zone, a drive-through in conjunction with a restaurant shall

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not be permitted on the subject lands. For the purposes of this Section, a drive-through in conjunction with a restaurant is defined as an establishment whereby a customer may order, and take delivery of food or refreshments in his/her vehicle to be consumed on the site or elsewhere.

Until such time as the Holding (H) provision is lifted, the only permitted use of the property shall be those uses existing at the time of the passing of this By-law on November 21, 2007.

All other provision of this By-law shall apply.

The Holding (H) provision shall be considered for lifting upon the execution of a Site Plan Agreement between the Corporation of the Town of Innisfil, and the Owner of the lands; provision of documentation that the subject lands are merged in title with the lands adjoining to the west.

5.2.4.24 CG-24

Map No. 7

Bait and Tackle Shop is a permitted use.

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5.3 COMMERCIAL HIGHWAY (CH) ZONE

5.3.1 Principal Permitted Uses

- a) Any combination of a restaurant, retail convenience or automobile service station;
- b) Car wash accessory to retail convenience store or automobile service station;
- c) Gas pumps accessory to a retail convenience store;
- d) Self-Storage Units;
- e) Motel, Hotel;
- f) Restaurant;
- g) Garden Centre;
- h) Accessory uses which are clearly incidental to, associated and co-located with permitted commercial uses as listed above;
- i) Public mechanical garage;
- j) Sale, service, storage or repair of small internal combustion engines such as snow machines, outboard motors and lawnmowers; and
- k) A new and used automobile, motorcycle, snowmobile, boat and truck sales and service establishment including the sale of parts and petroleum products incidental thereto.
- l) Taxi Stand/Dispatch Office

5.3.2 Regulations

- | | | |
|----|--|--|
| a) | Minimum Lot Area | 2000 sq. metres |
| b) | Minimum Lot Frontage | 45 m. |
| c) | Minimum Yard Setbacks Requirement | |
| | i) front | 6 m. |
| | ii) interior side | 1 m. except where the interior side yard abuts a residential zone the interior side yard is 5 metres |
| | iii) exterior side | 8 m. |
| | iv) rear | 6 m. except where the rear yard abuts residential zone the rear yard is 9 metres |
| d) | Maximum Lot Coverage | 30% |
| e) | Maximum Building Height | 11 m. |
| f) | In the case 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. | |

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5.3.3 Planned Width of Road Allowance

See Section 3.20.

5.3.4 Special Setback – Rail Line

See Section 3.21.

5.3.5 Special Use Exceptions

Notwithstanding the permitted uses and regulations of Section 5.3, the lands zoned on Schedule “A” with a Commercial Highway Zone Symbol CH followed by a number, shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

5.3.5.1 CH-1

Map No. 8

An automobile service station with food and confectionary sales or a restaurant or take-out restaurant as an accessory use.

Sales, service, storage or repair of small internal combustion engines such as snow machines, outboard motors and lawnmowers.

A public mechanical garage.

5.3.5.2 CH-2 (5-88)

Map No. 22

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;
- c) A three bay self-serve car wash.

5.3.5.3 CH-3(H)(69-95)

Map No. 40

This By-law affects that part of the subject property which is zoned Commercial Highway Special Use Exception CH-3 (H) Hold, described as Part of Lot 15, Concession 9.

- i) Despite to the contrary, the provisions of Section 3(3)(d) to Zoning By-law No. 24-83, more than one principal use shall be permitted.
- ii) In addition to the principal permitted uses listed under Section 5.3.1 for a Commercial Highway CH Zone, a self-storage establishment and space, extensive uses are permitted such as

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specialty retail sales establishments, which includes such uses as furniture stores, carpet outlets, factory-retail outlets and hardware-lumber centres. However, uses such as department stores, food supermarkets or grocery stores are not permitted.

- iii) Bulk storage will not be permitted with the exception of the following:
 - a) a nursery stocks and accessories associated with garden centres;
 - b) new and used motor vehicles such as cars, trucks, motor homes, recreational vehicles, etc.
- iv) Despite Subsection (iii) to the contrary, limited external display of finished goods and merchandise shall be permitted. Items such as garden chairs, children's swing sets, lawn mowers, etc. would constitute external display.
 - a) External display shall not exceed 10% of the gross floor area for each permitted use.

While the zone is followed by the letter (H), the lands shall be used for no other purpose but which existed on the date of the By-law, passed on October 25th, 1995.

5.3.5.4 CH-4 (35-99)

Map No. 125

This zone applies to the lands described as part of the south half of Lot 1, Concession 8, and consisting of 2.28 hectares (5.63 acres).

- a) All principal permitted uses under the Commercial Highway Zone CH in addition to a motor vehicle gasoline bar.
- b) A single detached unit may be permitted as an accessory use in conjunction with any principal permitted uses of the Commercial Highway Zone CH in accordance with all the provisions of Section 3.9, except for provision 3.9(h), which shall not apply.
- c) The zone regulations of the CH Zone shall apply, with the exception of 5.1.5(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 metres from the property line, or 25.9 metres from the centerline of the road, whichever is the greater.
- d) All the General Provisions of the By-law shall apply except for Section 3.19.
- e) 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;

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- 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.
- f) The holding provision attached to the CH-4 Zone shall only be removed in accordance with Section 36 of the Planning Act, when all of the following conditions have been met to the satisfaction of the Town of Innisfil:
 - i) The requirements of the Innisfil Official Plan are met.

5.3.5.5 CH-5(H)(38-03)

Map No. 116

In addition to the uses permitted in the CH Zone and subject to all other provisions of the CH Zone, a self storage facility is permitted. A “self storage facility” means 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.

The Holding zone shall not be removed until a satisfactory site plan has been prepared and a Site Plan Agreement has been entered into between the Town and Owner. In addition, it shall be demonstrated to the satisfaction of the Town or applicable approval authority that an adequate water supply and sewage disposal facilities, stormwater management and access can be provided to the site.

5.3.5.6 CH-6 (89-15(a), 79-91)

Map No. 48

Notwithstanding anything contained in this By-law to the contrary, the lands zoned in the Commercial Highway Exception CH-6 Zone may be used as follows:

Permitted Uses:

- a) Retail food outlets such as a restaurant, takeout restaurant, donut shop, bake shop, fruit market, and grocery store.
- b) 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.
- c) Electronic and appliance service shops.
- d) Professional and business offices, including financial institutions.
- e) 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.

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- f) Notwithstanding anything to the contrary, the following shall be prohibited:
 - i) The outside storage of goods and materials.
 - ii) Places of Amusement. For the purposes of this sub-section, 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.
 - iii) Servicing of small engines.

Regulations:

- a) No loading space is required.
- b) Buffer strips consisting of the following shall be provided:
 - i) A 1.8m opaque fence along the eastern lot line and an adjacent minimum 1.5m open space area; and
 - ii) A 1.0m opaque fence along the southern lot line, setback 7m from the western lot line, and an adjacent minimum 1.5m open space area; and
 - iii) A 1.0m opaque fence along the northern lot line and an adjacent minimum 1.5m open space are; and
- c) No parking space or part shall be located within 1.5m of the boundary of any Residential Zone or 1.0m of any street line.

5.3.5.7 CH-7 (10-95)

Map No. 48

Notwithstanding the provisions of this By-law to the contrary, the lands zoned as Commercial Highway Exception CH-7 Zone are subject to 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 business consisting of the retail and restoration of antique furniture.
- b) The existing detached dwelling will constitute the permitted accessory dwelling unit. A detached garage shall be permitted as accessory to the existing detached dwelling.
- c) The required minimum number of parking spots 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 not 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

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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 metre |
| | ii) | Minimum Interior Side Yard | 2 metres |
| | iii) | Maximum Lot Coverage | 30% |

5.3.5.8 CH-8(H) (042-02)

Map No. 18

The following uses in accordance with the (CH) Zone provisions and regulations:

- a) A public use
- b) A garden centre
- c) A retail store with enclosed storage
- d) A funeral parlour.
- e) A veterinary clinic.
- f) A day nursery or day care centre.
- g) A personal service establishment including a barber shop, beauty salon, dressmaking or tailoring, laundry and dry cleaning shop or similar use.
- h) A business and professional office, including bank financial lending institution or clinic.
- i) A restaurant, including banquet hall, tavern, takeout restaurant and drive-in restaurant.
- k) A health club, billiard or bowling establishment, theatre, cinema or other place of entertainment.
- l) A commercial school.
- m) A hotel or motel.
- n) A new and used automobile, motorcycle, snowmobile, boat and truck sales and service establishment including the sale of parts and petroleum products incidental thereto.
- o) An automatic coin operated car wash.
- p) An automobile service station with food and confectionary sales or restaurant or take out restaurant, or variety store as an accessory use.
- q) A public mechanical garage.
- r) Sale of lumber and building materials.
- s) A service shop.

5.3.5.9 CH-9

Map No. 49

In addition to the permitted uses of the CH Zone, the following additional uses are permitted:

- a) Seasonal farm produce sales outlet.

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- b) Single dwelling.
- c) Convenience retail.

5.3.5.10 CH-10

Map No. 102

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 land described as Part of Lot 6, Concession 15 (formerly the Township of West Gwillimbury).

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.

5.3.5.11 CH-11 (067-01)

Map No. 102

Notwithstanding the permitted uses of the Commercial Highway CH Zone, the use of the lands zoned CH-11 is subject to the provision of services as approved by the Town of Innisfil and/or the Ministry of the Environment.

5.3.5.12 CH(H)-12 (041-07)

Map No. 14

All zone regulations for the CH Zone shall apply to the lands zoned CH(H)-12 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
 - (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 percent of the lot area is used for outside display and storage purposes.
- b) That a 1.8 metre solid wood fence be erected along the boundary of those properties zoned CH-12 and CH-13 where it abuts

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residential uses.

- c) Notwithstanding Section 5.1.1, on those lands zoned as CH-12 and CH-13, not more than three buildings shall be permitted.

5.3.5.13 CH(H)-13 (041-07)

Map No. 14

All zone regulations for the CH Zone shall apply to the lands zoned CH(H)-13 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
 - (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 percent of the lot area is used for outside display and storage purposes.
- b) That a 1.8 metre solid wood fence be erected along the boundary of those properties zoned CH-12 and CH-13 where it abuts residential uses.
- c) Notwithstanding Section 5.1.1, on those lands zoned as CH-12 and CH-13, not more than three buildings shall be permitted.

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5.4 COMMERCIAL RURAL (CR) ZONE

5.4.1 Permitted Uses

- a) Abattoir
- b) Agricultural equipment repair
- c) Agricultural produce warehouse
- d) Farm auction barn
- e) Farm implement dealer
- f) Feedmill
- g) Seedmill
- h) Veterinary Clinic
- i) Veterinary Hospital
- j) Uses accessory, which are clearly incidental to, associated and co-located with permitted commercial uses as listed above.

5.4.2 Zone Regulations

- | | | |
|----|----------------------------|-------|
| a) | Minimum Lot Area | 1 ha. |
| b) | Minimum Lot Frontage | 60 m. |
| c) | Minimum Yards Requirements | |
| | i) front | 8 m. |
| | iv) rear | 8 m. |
| | ii) interior side | 6 m. |
| | iii) exterior side | 8 m. |
| d) | Maximum Lot Coverage | 35% |
| e) | Maximum Building Height | 11 m. |

5.4.3 Planned Width of Road Allowance

See Section 3.20.

5.4.4 Special Setback - Rail Line

See Section 3.21.

5.4.5 Special Use Exceptions

Notwithstanding the permitted uses and regulations of Section 5.4, the lands zoned on Schedule "A" with a Commercial Rural Zone Symbol CR followed by a number, shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

5.4.5.1 CR-1 (23-88)

Map No. 131

- a) A log and lumber storage and drying operation which shall be

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subject to the following regulations: The boundaries of the storage and drying area shall be clearly marked.

The boundary of the log and lumber storage site shall not be located closer than:

225 metres from the southerly CR-1 Zone boundary;
175 metres from the northerly CR-1 Zone boundary;
60 metres from the westerly CR-1 Zone boundary;
90 metres from the westerly limits of the Trans Canada Pipeline Easement.

- b) Accessory buildings and uses to the principal use shall be permitted.
- c) Ingress and egress to the lands zoned CR-1 shall occur solely from the Tenth Concession Road.
- d) Berming and landscaping shall be provided to protect against visual and noise impact on residentially used lands to the west and northwest. Such berming and landscaping may be located on agriculturally zoned lands abutting the CR-1 Zone boundary.
- e) No waste or residue resulting from the operation shall be stored or disposed of on-site except for temporary storage pending disposal off-site and the temporary storage area shall be clearly delineated and not be located closer than 30 metres from any zone boundary.

5.4.5.2 CR-2 (24-88)

Map No. 131

- a) Sawmill operation, and for the purposes of this sub-clause, a sawmill operation includes a planning mill, two dry kilns, and a warehouse for the storage of lumber for shipping, but does not include retail sales of lumber, manufacturing or assembling of wood products, or any process requiring the use of chemicals.
- b) The sawmill operation shall be subject to the following regulations:
 - i) No buildings or structures shall be located closer than 10 metres from the limits of the Trans Canada Pipelines Easement limits;
 - ii) Planning Mill and Warehouse:
 - Minimum Distance from west zone boundary: 60 metres
 - Minimum Distance from north boundary: 80 metres
 - iii) Dry Kilns:
 - Minimum Distance from west zone boundary: 130 metres

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- Minimum Distance from north boundary: 80 metres
- iv) Sawmill:
 - Minimum Distance from west zone boundary: 210 metres
 - Minimum Distance from north boundary: 100 metres
 - Minimum Distance from south boundary: 60 metres
- v) No buildings or structures shall be located closer than 150 metres from the east zone boundary.
- vi) No waste or residue resulting from any operation shall be stored within the zone boundary except temporarily pending disposal off the site. An area for temporary storage shall be clearly delineated and shall comply with the setback requirements of sub-clause a), d) and e).

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5.5 COMMERCIAL TOURIST (CT) ZONE

5.5.1 Permitted Uses

- a) Commercial fishing outfitting establishment
- b) Driving Range
- c) Golf Course
- d) Marina
- e) Campground
- f) Miniature golf course
- g) Tourist cabins
- h) Open Space use

5.5.2 Accessory Uses

- a) Restaurant as an accessory use to a marina.
- b) Dwelling in accordance with the provisions of Section 3.9.
- c) Accessory uses which are clearly incidental to, associated and co-located with permitted commercial uses as listed above.

5.5.3 Zone Regulations

- | | |
|--------------------------------|-------|
| a) Minimum Lot Area | 1 ha. |
| b) Minimum Lot Frontage | 30 m. |
| c) Minimum Yards Requirements: | |
| i) front | 6 m. |
| iv) rear | 8 m. |
| ii) interior side | 3 m. |
| iii) exterior side | 6 m. |
| d) Maximum Lot Coverage | 50% |
| e) Maximum Building Height | 11 m. |

5.5.4 Planned Width of Road Allowance

See Section 3.20.

5.5.5 Special Setback - Rail Line

See Section 3.21.

5.5.6 Special Zone Regulations - Campgrounds

- a) Notwithstanding the provisions of Section 5.5.3, the minimum lot area for campgrounds shall be 4 hectares.
- b) Accessory commercial uses to campgrounds including a laundromat and required parking for such uses shall not exceed 5 percent of the lot area or

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- 930 square metres, whichever is the lesser.
- c) A minimum of 5 percent of the lot area shall be used for open space recreation purposes such as tennis courts, swimming pools or other similar uses.
 - 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.

5.5.7 Special Use Exceptions

Notwithstanding the permitted uses and regulations of Section 5.5, the lands zoned on Schedule "A" with a Commercial Tourist Zone Symbol CT followed by a number, shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

5.5.7.1 CT-1

Map No. 22

Tourist cabins.

5.5.7.2 CT-2 (48-94)

Map No. 103

This By-law affects the subject lot having an area of 25.3 hectares (62.5 acres) and described as Part of the South Half of Lot 7, Concession 1.

Despite to the contrary the provisions of Section 3(3)(d) to Zoning By-law No. 24-83, 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 shall include such uses as the following:

- a) Go-cart track, batting cage, mini-golf, putting green, golf driving range, baseball and/or recreational.
- b) Playing field, walking trail, skating circuit, swimming pool, picnic area, snack booth and accessory administrative buildings.
- c) A site plan agreement for the proposed development has been entered into.
- d) A satisfactory method of water supply and sewage disposal have been determined by the proponent, acceptable to the municipality.
- e) A stormwater management study has been completed for the site to the satisfaction of the Conservation Authority and the County.
- f) The Town has 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.

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5.5.7.3 CT-3

Map No. 33, 138

A campground, an agricultural use.

5.5.7.4 CT-4

Map No. 2

Notwithstanding the permitted uses of Section 5.5.1 to the contrary, those lands zoned as CT-4 shall be used for no other purpose other than the storage of boats.

5.5.7.5 CT-5

Map No. 7

Tourist cabins

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5.6 COMMERCIAL BUSINESS PARK (CBP) ZONE

5.6.1 Principal Permitted Uses

- a) Public use in accordance with Section 3.5;
- b) Business and professional offices;
- c) Restaurant including banquet hall, tavern, take-out restaurant, drive-in restaurant;
- d) Hotel or Motel;
- e) Automobile service station;
- f) New and used automobile, motorcycle, snowmobile, boat and recreational vehicle sales, rental and service establishment, including the sale of accessories, parts and petroleum products incidental thereof;
- g) Public mechanical garage;
- h) Tourist commercial establishment;
- i) Antique shop;
- j) Gift shop;
- k) Variety store;
- m) Tourist Information Centre;
- n) Garden centre, fruit and vegetable produce market, or a combination of the two;
- o) Gas bar;
- q) Indoor recreational centre such as fitness centre and private clubs;
- r) Prefabricated home sales establishment;
- s) Mobile homes and modular homes sales and display;
- t) Swimming pool sales and display;
- u) Financial institution;
- v) A communication tower; and
- w) Taxi Stand/Dispatch Office

5.6.2 Accessory Uses

An accessory use to any principal use other than accessory residential uses.

5.6.3 Special Restrictions

- a) Despite the list of uses provided for, the use of each lot will be subject to sewage servicing limitations based on maximum permitted flows per day in accordance with the specifications of the appropriate approval authority.
- b) No premise may be occupied unless serviced by an individual septic tank system except, where a premise forms part of a multiple tenancy under single ownership, and a building under leasehold arrangement, each may be serviced by a common septic system.
- c) Only 1 use is to be permitted on a lot.

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5.6.4 Zone Regulations

- a) Minimum Lot Frontage:
 - i) Interior Lot: 45 metres
 - ii) Corner Lot: 50 metres
- b) Minimum Yard Requirements:
 - i) Front Yard 8 metres
 - ii) Rear Yard 8 metres
 - iii) Interior Side Yard 3 metres
 - iv) Exterior Side Yard 8 metres or 1.4 times the height of the building whichever is greater.
- v) Notwithstanding the above, a minimum setback of 14 metres is required for any yard which abuts Provincial Highway 400 or County Road 21.
- vii) 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.
- c) Minimum distance from any adjoining residential building: 30 metres
- d) Maximum building height: 11 metres

5.6.5 Landscaped Open Space Abutting Streets or Highways

Notwithstanding the provisions of Section 3.27:

- a) Every lot within a CBP Zone which abuts County Road No. 21 or Provincial Highway No. 400 must provide a strip of land having a minimum depth of 9 metres immediately abutting the street line or highway to be used only for landscaped open space.
- b) Every lot within a CBP Zone which abuts any other street must provide a strip of land having a minimum depth of 6 metres, immediately abutting the street line, to be used only for landscaped open space.
- c) Access ramps are permitted to cross the landscaped open space provided they are more or less perpendicular to the street line.

5.6.6 Planned Width of Road Allowance

See Section 3.20.

5.6.7 Special Setback - Rail Line

See Section 3.21.

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5.6.8 Special Zone Regulations

The following special zone regulations shall apply to all of the lands between the Special Zone Regulation Boundaries shown on Map No. 43 and Map No. 44 to Schedule "A" of this By-law:

- a) Outside storage shall not be permitted.
- b) Only uses conducted wholly within a building shall be permitted.
- c) Loading areas shall not be permitted in any yard facing Highway 400 or County Road No. 21.
- d) 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.

5.6.9 Special Use Exceptions

Notwithstanding the permitted uses and regulations of Section 5.6, the lands zoned on Schedule "A" with a Commercial Business Park Zone Symbol CBP followed by a number, shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

5.6.9.1 CBP-1

Map No. 44

In addition to all the principal permitted uses of the Commercial Business Park, 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. Notwithstanding the requirements of Subsection 6A(7)(c)(iii), the minimum interior side yard along the northerly property boundary shall be 2.5 metres.

5.6.9.2 CBP-2

Map No. 44

In addition to all 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.

For the purpose of this Section, a combination flea market and farmers market means a business involved in the rental of space within a

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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 3.23, a minimum of ten parking spaces each having a width of three metres and a length of six metres, must be provided for each 93 square metres 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.

All off-street parking spaces must have a cement or asphaltic binder and the spaces must be outlined and maintained with a suitable paint.

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.

In addition to the above, a commercial plaza containing 2 or more permitted uses as set out in Section 5.6.1 of the CBP Zone may be permitted in accordance with the regulations of Section 5.6.4 and subject to site plan control.

5.6.9.3 CBP-3

Map No. 44

In addition to all of the Principal Permitted Uses of a Commercial Business Park CBP Zone, Lot 2, Plan 1640 may be used for the manufacture and sales of wood furniture.

5.6.9.4 CBP-4

Map No. 44

In addition to all of the permitted uses of a Commercial Business Park Zone CBP, Lots 3 and 4, Plan 1640 and Part 1 Plan 51R-15955 may be used for retail uses such as the sale of furniture, housewares and accessory wares. Manufacturing uses will not be permitted.

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5.6.9.5 CBP-5

Map No. 44

In addition to all the principal permitted uses of the Commercial Business Park Zone CBP, Lot 5, Plan 1640 may be used for the purpose of a mini-storage operation.

5.6.9.6 CBP-6

Map No. 44

In addition to all the principal permitted uses of the Commercial Business Park Zone CBP, Lot 7, Plan 1640, may be used for one or a combination of the following:

- i) the retail sale of wood furniture;
- ii) the manufacturing and warehousing of glassware together with public viewing areas, retail sales and a restaurant;
- iii) the sale of handicrafts and gifts in a separate building; and
- iv) the location and sale of model log constructed homes.

5.6.9.7 CBP-7

Map No. 44

In addition to all the principal permitted uses of the Commercial Business Park Zone CBP, Lot 8, Plan 1640 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.

5.6.9.8 CBP-8

Map No. 44

In addition to all the permitted uses of the Commercial Business Park Zone CBP, Lot 9, Plan 1640 may be used for the sale of docks, marine equipment and satellite dishes.

5.6.9.9 CBP-9

Map No. 44

Development on Lot 1, Plan 1640 is permitted in accordance with the approved site plan agreement registered as Instrument No. 01180521.

5.6.9.10 CBP-10 (56-93)

Map No. 103

All permitted uses in the Commercial Business Park Zone CBP 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.

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5.6.9.11 CBP-11(H) (71-97)

Map No. 103

The lands may not be used for any purpose other than that which legally existed on the 22nd Day of October, 1997 until the Holding (H) symbol is removed in accordance with Section 36 of the Planning Act.

The Holding Symbol 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.

Despite the provisions of Section 5.6 to the following uses are permitted in the CBP-11 Zone:

- a) A public use in accordance with Section 3.5.
- b) Business and professional offices.
- c) Take out restaurant, a drive-through restaurant, a full service restaurant with a maximum of 25 seats.
- d) An automobile service station.
- e) 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.
- f) A public mechanical garage.
- g) A tourist commercial establishment.
- h) Antique Shop.
- i) A gift shop.
- j) A variety store.
- k) A tourist information centre.
- l) A garden centre, fruit and vegetable produce market, or a combination of the two.m) 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.
- n) A gas bar.
- o) Mobile home and modular sales and display.
- p) A financial institution.
- q) A self storage operation.

5.6.9.12 CBP(H)-12 (104-06)

Map No. 44

- 1. All zone regulations for the CBP Zone shall apply to the lands zoned CBP(H)-12 with the following exceptions:
 - a) Two commercial uses may be permitted on one lot.

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- b) A third commercial use may be permitted on one lot subject to a hold provision.
- c) Notwithstanding Section 2.5.6, 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.
- d) Notwithstanding Section 3.24.6, the loading space associated with the gas bar may be located in a yard facing a street.
- e) Notwithstanding any future severance or division of the subject lands, the parcel will be considered as one lot for the purpose of zoning.

2. The Hold (H) Symbol shall not be removed until:

- a) full municipal servicing is available to the site,
- b) the existing septic system located on the property is satisfactorily removed,
- c) 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.

5.6.9.13 CBP-13 (126-07)

Map No. 44, 120 & 126

Notwithstanding the provisions of Section 5.6.1, the following are the Principal Permitted Uses for Part of Lot 7, Concession 8, more particularly described as Parts 8, 15 and 16 on Plan 51R-29789:

Public Use in accordance with Section 3.5
Business and professional offices
Hotel or Motel
Tourist commercial establishment
Antique shop
Gift shop
Variety store
Tourist information centre
Indoor recreational centre such as fitness centre and private clubs
Prefabricated home sales establishment
Swimming pool sales and display
Financial institution
Commercial/retail dock equipment sales, and service

In addition to the uses permitted in the Commercial Business Park (CBP) Zone and subject to ne, Part of Lot 7, Concession 8, more particularly described as Parts 8, 15 and 16 on Plan 51R-29789 may be used for the purpose of a commercial/retail dock equipment sales, and service, subject to the provisions of Site Plan Control.

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5.7 COMMERCIAL CORE (CC) ZONE

5.7.1 Permitted Uses

- a) Retail store;
- b) Service shop;
- c) Business and professional offices;
- d) Medical clinic;
- e) Bank;
- f) Photography or artist's studio;
- g) Artisan workshop;
- h) Bakery;
- i) Printing and publishing establishment;
- j) Telephone exchange;
- k) Undertaker establishment;
- m) Restaurant;
- n) Bowling alley;
- o) Assembly Hall;
- p) Dwellings over stores, offices, banks and studios.
- q) Taxi Stand/Dispatch Office

5.7.2 Regulations

- a) Minimum Lot frontage: 15 metres
- b) Minimum Lot area: 1,400 square metres
- c) Yard Requirements: Front yard - no front yard required
Rear yard - minimum 7.5 metres
Side yard - no side yard required
- d) Lot coverage: maximum - 50 percent
- e) Height: maximum - 10.5 metres
- f) Where a dwelling is permitted over a store, office, bank or studio, each dwelling unit shall have a minimum net floor area of 55 square metres, exclusive of public or common wall and stairways, and the thickness of walls.
- g) No open storage of goods and materials is permitted in a Commercial Core CC Zone.
- h) Off-Street Parking Requirements

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 3.23.

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i) Minimum Landscaping

See Section 3.27

j) Parking and Loading Regulations

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 metres of the boundary of any Residential Zone.

k) Accessory Buildings

- i) Yard Requirements: Front or Side Yard minimum -Nil
Rear Yard minimum -1.5 metres
- ii) Maximum height shall be 5 metres.

5.7.3 Planned Width of Road Allowance

See Section 3.20.

5.7.4 Special Use Provisions

Notwithstanding the permitted uses and regulations of Section 5.7, the lands zoned on Schedule "A" with a Commercial Core Zone Symbol CC followed by a number shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

5.7.4.1 CC-1

Map No. 48

The lands may be used in accordance with Sections 5.7.1, 5.7.2 and shall be further regulated by the following provisions:

- a) Maximum floor area for non-residential purposes shall not exceed 60 square metres.
- 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 metre from any Residential Zone boundary.

5.7.4.2 CC-2 (86-23)

Map No. 48

- a) Minimum Lot Area: 725 metres

The minimum width of the planting strip to be provided adjacent to the

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eastern property line shall be 1.5 metres or as established by existing buildings or structures.

The required minimum regulations shall be as established by the existing use. Any new structures shall conform to the zone regulations.

5.7.4.3 CC-3 (90-24)

Map No. 48

- a) Minimum Lot Frontage: 10 metres
- b) Lot Area: 700 square metres minimum
- c) Privacy yard and storage facilities not required.

A graveled driveway 2.5 metres 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.

An area of Open Space in the form of a 1.5 metre planting strip is not required for those areas abutting a Residential Zone.

5.7.4.4 CC-4 (90-16)

Map No. 48

- a) The minimum rear yard area for two dwelling units shall be 150 square metres.
- b) Parking for dwelling units may be provided on a lot within 60 metres 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.

5.7.4.5 CC-5 (90-17)

Map No. 48

- a) The only permitted use for those lands zoned CC-5 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 the suffix "(H)" added to the Core Commercial CC Zone symbol 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 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.

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5.7.4.6 CC-6 (68-94)

Map No. 48

- a) Minimum driveway width: 3.5 metres
- b) The driveway and parking area shall have a northerly side yard setback of a minimum of 1 metre and a southerly side yard setback of a minimum of 1.5 metres. 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.

5.7.4.7 CC-7 (27-96)

Map No. 48

- 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 metres.
- c) The maximum lot coverage shall be 58 percent.
- d) A minimum of two parking spaces shall be provided on the property.

5.7.4.8 CC-8 (024-98)

Map No. 46

The minimum parking requirement for a shopping centre on the lands shown as Commercial General Exception CC-8 shall be one (1) space for every thirty (30) square metres 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 sixty (60) metres of the lot on which the principal use is located.

5.7.4.9 CC-9

Map No. 48

In addition to the permitted uses of the Core Commercial (CC) Zone, a guest room or bed and breakfast is a permitted use on lands zoned "CC-9"

5.7.4.10 CC-10(H)

Map No. 48

Notwithstanding the permitted uses of Section 5.7.1, the lands zoned "Core Commercial Exception Hold (CC-10(H))", 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."

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SECTION 6

COMMUNITY SERVICES

6.1 COMMUNITY SERVICES (CS) ZONE

6.1.1 Principal Permitted Uses

- a) Any undertaking established or maintained by a Governmental Authority, Board, Agency or Commission thereof, and without limiting the generality of this clause, including municipal offices, libraries, post offices, police stations, fire halls, community hall, and any undertaking of a utility company such as a gas company, telephone, cable or hydra-technical company;
- b) A church and accessory uses;
- c) Nursery school;
- d) Nursing home;
- e) Hospital;
- f) School;
- g) University;
- h) College;
- i) Library;
- j) Seniors Housing;
- k) Cemetery;
- l) Doctors Office
- m) Medical clinic
- n) Parks and recreation facilities
- o) Uses buildings and structures accessory to any of the above uses.

6.1.2 Zone Regulations

- a) Minimum Lot Area:
 - i) with municipal sanitary sewers 1,000 sq. m.
 - ii) without municipal sanitary sewers 1,672 sq. m.
- b) Minimum Lot Frontage:
 - i) with municipal sanitary sewers 15 m.
 - ii) without municipal sanitary sewers 30 m.
- c) Minimum Yards:
 - i) Front Yard 8 m.
 - ii) Rear Yard 8 m.
 - iii) Interior Side Yard 5 m.
 - iv) Exterior Side Yard 8 m.
 - v) Maximum Lot Coverage 40%
 - vi) Maximum Building Height 11 m.
 - vii) Notwithstanding the above, where a Rear or interior side yard abuts a

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Residential Zone, the abutting yard shall be a minimum of 9 metres.

6.1.3 Planned Width of Road Allowance

See Section 3.20.

6.1.4 Special Setback - Rail Line

See Section 3.21.

6.1.5 SPECIAL USE EXCEPTIONS

Notwithstanding the permitted uses and regulations of Section 6.1, the lands zoned on Schedule "A" with a Community Service Zone Symbol CS followed by a number shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

6.1.5.1 CS-1 (76-96)

Map No. 18

In addition to the permitted uses of Section 6.1.1, on the property zoned CS-1, an additional building is permitted which shall be used as a residence for the manager/caretaker of the retirement home.

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SECTION 7

INSTITUTIONAL (I) ZONE

7.1 Permitted Uses

- a) Any undertaking established or maintained by a Government Authority, board, Agency or Commission thereof and without limiting the generality of this clause, including municipal offices, libraries, post offices, community centres, arenas, police stations, fire halls, hospitals, schools, universities, colleges, nursing homes;
- b) Any undertaking of a utility company such as Enbridge Gas, Bell Canada;
- c) A religious retreat or camp or conference centre;
- d) A cemetery;
- e) A church;
- f) Uses, buildings and structures accessory to any permitted use.

7.2 Zone Regulations

- a) Minimum Lot Area
 - (i) with municipal sanitary sewers 1,115 sq. m.
 - (ii) without municipal sanitary sewers 1,672 sq. m.
- b) Minimum Lot Frontage
 - (i) with municipal sanitary sewers 23 metres
 - (ii) without municipal sanitary sewers 30 metres
- c) Minimum Front Yard 8 metres
- d) Minimum Rear Yard 8 metres
- e) Minimum Interior Side Yard 5 metres
- f) Minimum Exterior Side Yard 8 metres
- g) Maximum Lot Coverage 40 percent
- h) Maximum Building Height 11 metres
- i) Notwithstanding the above, where an interior side yard and/or rear yard abuts a Residential Zone then such interior yard and/or rear yard shall be a minimum of 9 metres.

7.3 Planned Width of Road Allowance

See Section 3.20.

7.4 Special Setback – Rail Line

See Section 3.21.

7.5 Special Use Exceptions

Notwithstanding the permitted uses and regulations of Section 7, the lands zoned on

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Schedule “A” with an Institutional Zone Symbol (I) followed by a number shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

7.5.1 I-1

Map No. 120

A sanitary landfill site.

7.5.2 I-2 (07-85)

Map No. 16

A church and for the purposes of this clause, despite the provisions of Section 2.27, 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.

7.5.3 I-3(H) (31-91,100-9)

Map No. 15

a) Principal Permitted Uses:

A church, including a multi-purpose building for worship and a community use.

b) Accessory Permitted Uses:

A religious retreat or camp or conference centre, a nursery school, a playing field, and related buildings and structures accessory to the principal use.

- c) When the zone symbol is followed by the letter(H), the lands shall be used for no other purpose than that which existed on the date this By-law takes effect, until the symbol (H) is removed in accordance with Section 35 of the Planning Act, at which time the provisions, requirements and restrictions of the zone symbol preceding the letter (H) shall apply.

7.5.4 I-4 (H) (060-97)

Map No. 25

The lands may be used for no other purpose than that which legally existed on September 3rd, 1997, until the Holding Symbol (H) Symbol is removed in accordance with Section 36 of the Act.

The Holding (H) Symbol 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.

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Upon removal of the Holding (H) Symbol, the following shall apply:

Notwithstanding the permitted uses of the Institutional I Zone, the lands Zoned I-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.

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 |

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 square metres in size. The accessory commercial uses shall be limited to use by the residents, their guests, and employees only.

Notwithstanding the parking provision of Section 3.23, 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 3.23.

7.5.5 I-5 (31-91)

Map No. 122

- i) A church in accordance with the regulations set out under this Section;
- ii) When the zone symbol is followed by the letter (H), the lands shall be used for no other purpose than that which existed on the date this by-law takes effect, until the symbol (H) is removed in accordance with Section 35 of the Planning Act, at which time the provisions, requirements and restrictions of the zone symbol preceding the letter (H) shall apply.

7.5.6 I-6 (011-03)

Map No. 131

In addition to the uses permitted in accordance with Section 7.1, the following uses are also permitted in the I-6 Zone:

- a) Private School
- b) Daycare

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- c) Manse
- d) Parkland
- e) Internal accessory uses to the church may include office space and meeting rooms, a kitchen, a community fellowship room and a library resource centre.

In all other cases, the provisions of the Institutional I Zone shall apply.

7.5.7 I-7 (26-00)

Map No. 47

Notwithstanding the regulations of the Institutional I Zone, the lands zoned in the Institutional Exception I-7 Zone shall have a minimum:

Front Yard Setback	20 metres
Side Yard Setback	3 metres

7.5.8 I-8 (046-99)

Map No. 18

Despite the provisions of the Institutional Zone, the maximum building height shall be 13 metres.

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SECTION 8

INDUSTRIAL ZONES

8.1 GENERAL PROVISIONS

Unless otherwise specified, the following shall apply to all Industrial Zones in addition to other requirements of this By-law.

8.1.1 Number of Buildings Per Lot

No more than one building shall be located on any lot unless the Town has approved plans showing all existing buildings, access driveways, parking facilities, and other site features located on the Lot as well as proposed alterations and improvements of such features on the lot as will be carried out in order to ensure that the additional building(s) will not detrimentally affect vehicular access to the lot, or vehicular circulation on the lot and will be properly integrated with other building(s) on the lot.

8.1.2 Use Limitations

Permitted uses shall be restricted to dry industry.

8.1.3 Railway Spur

Despite any other provisions of this By-law, in an Industrial Zone, a railway spur shall be permitted within a required interior side or rear yard.

8.1.4 Accessory Industrial Equipment

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

- a) Despite the rear yard requirements in this Section, accessory industrial equipment may be located in the required rear yard, however, no accessory industrial equipment shall be located closer than three (3) metres to any lot line.
- b) Despite 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.
- c) 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.

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8.1.5 Accessory Uses

- a) Accessory uses shall be permitted within the principal building or in one or more separate accessory building.
- b) Buildings or structures normally incidental and subordinate to any permitted use shall be permitted.

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8.2 INDUSTRIAL GENERAL (IG) ZONE

8.2.1 Principal Permitted Uses

- a) Manufacturing, industrial or warehousing undertaking, including storage warehouses and research establishments
- b) Storage and warehouse operation in an enclosed building
- c) Research establishment
- d) Service industry
- e) Service shop
- f) Cartage, express or truck terminal
- g) Assembly operation
- h) Bulk storage yard
- i) Shop for the repair of motor vehicles and equipment including a public auto body garage
- j) Industrial plaza containing two (2) or more permitted Industrial IG uses in one building either held in single ownership or condominium ownership subject to the same minimum requirements for a single industrial IG use and in accordance with the Parking and Loading provisions for each use within the building.
- k) Any shops for the repair, processing or treatment of small goods and wares, bakeries, printing or dry cleaning establishments and any other service industries if conducted wholly within an enclosed building.
- l) A communication tower.
- m) Taxi Stand/Dispatch Office

8.2.2 Accessory Uses

- a) A commercial undertaking or wholesale business office incidental to an industrial operation.

8.2.3 Regulations

- a) Minimum lot area:
 - i) with sanitary sewers 1900 square metres
 - ii) without sanitary sewers 1900 square metres
- b) Minimum lot frontage:
 - i) with sanitary sewers 30 m
 - ii) without sanitary sewers 30 m
- c) Minimum Yards, principal use:
 - i) front 11 m
 - ii) interior side 6 m
 - iii) exterior side 6 m
 - iv) rear 8 m
- d) Maximum lot coverage 50%
- e) Maximum building height 11 m

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|-------------------------------------|------------------|
| f) Planned width of road allowance, | See Section 3.29 |
| g) Parking requirements | see Section 3.23 |
| h) Loading requirements | see Section 3.24 |

8.2.4 Planned Width of Road Allowance

See Section 3.20.

8.2.5 Special Setback - Rail Line

See Section 3.21.

8.2.6 Special Use Exceptions

Notwithstanding the permitted uses and regulations of Section 8.2, the lands zoned on Schedule "A" with an Industrial General Zone Symbol IG followed by a number shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

8.2.6.1 IG-1

Map No. 14

A construction yard and office.

8.2.6.2 IG-2 (7-85)

Map No. 121

- i) One or a combination of any of the following uses:
 - a) The operation of a business to pump and clean septic tanks and haul water.
 - b) The manufacture, storage, repair, service rental and sale of portable construction site structures and portable privies.
 - c) Outside storage of such uses, including trailers and equipment related thereto.
 - d) Parking of, and incidental running repairs to motor vehicles related thereto.
 - e) 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 by 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.
- ii) Zone Regulations
 - a) Maximum site area 2.5 hectares

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- b) Maximum site dimensions:
 - i) North, south boundary 140 metres
 - ii) East, west boundary 180 metres
- c) Maximum building height 15 metres
- d) Minimum site setback from lot lines:
 - i) North boundary 45 metres
 - ii) East boundary 280 metres
 - iii) West boundary 120 metres
- e) 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.
- iii) 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.

8.2.6.3 IG-3 (27-84)

Map No. 108

Principal Permitted Uses

- a) A public use in accordance with the provisions of 3.5 of this By-law. An industrial use for the purpose of fabrication, assembling and sales of machinery and equipment.

Accessory Permitted Uses

- a) Outside storage of finished products.

Zone Regulations

- a) Minimum lot frontage 152 metres
- b) Minimum lot area 2.8 ha
- c) Minimum front yard 11 metres
- d) Minimum interior side yard 6 metres
- e) Minimum rear yard 8 metres
- f) Maximum lot coverage 50%
- g) Maximum building height 11 metres

Disposal of Effluent

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.

8.2.6.4 IG-4

Map No. 102

A Stockyard.

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8.3 INDUSTRIAL EXTRACTIVE (IE) ZONE

8.3.1 Principal Permitted Uses

- a) Excavation, storage, crushing, screening or washing of sand, gravel, ballast or any other surface or sub-surface material
- b) Concrete manufacturing
- c) Agricultural, conservation, forestry and reforestation uses.

8.3.2 Accessory Uses

- a) An accessory building to any permitted use

8.3.3 Zone Regulations

- a) No excavation shall proceed closer than 15 metres to a lot line or street line.
- b) No building, structure, plan or product stockpile shall be located on any lot closer than:
 - i) 30 metres of any lot line; or
 - ii) 91 metres of any residential zone boundary.
- c) Planned width of road allowances, see Section 3.20.
- d) Special Setback - Rail Line, see Section 3.21.

8.3.4 Special Use Exceptions

Notwithstanding the permitted uses and regulations of Section 8.3, the lands zoned on Schedule "A" with an Industrial Extractive Zone Symbol IE followed by a number shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

8.3.4.1 IE-1 (7-85)

Map No. 131

The manufacture and sale of paving stones and other concrete products including retaining walls, roof decks and other concrete tiles.

8.3.4.2 IE-2 (7-85)

Map No. 36

The excavation, storage, crushing, screening or washing of sand, gravel, ballast or any other surface or sub-surface material.

8.3.4.3 IE-3

Map No. 131

Principal Permitted Uses

- a) Excavation, storage, crushing, screening or washing of sand,

.../

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- gravel, ballast or any other surface or sub-surface material.
- b) Agriculture, conservation, forestry and reforestation uses.

Accessory Uses to Principal Uses

- a) An accessory building to any permitted use.
- b) A single family detached dwelling for a caretaker or watchman as an accessory use to the principal use permitted in Section 8.3.1
- c) A radio, television, telephone or other communication tower.

Zone Regulations

- a) No excavation shall proceed closer than 15 metres to a lot line or street line. No building, structure, plant or product stockpile shall be located within:
 - i) 30 metres of any lot line, or
 - ii) 91 metres of any residential zone boundary.

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8.4 INDUSTRIAL-BUSINESS PARK (IBP) ZONE

8.4.1 Principal Permitted Uses

One or a combination of the following uses shall be permitted provided that any such use constitutes a dry use:

- a) Public use in accordance with Section 3.5 to this By-law
- b) Storage or warehouse operation
- c) Retail use
- d) Research establishment
- e) Motel or hotel
- f) Business and professional office
- g) Service industry and service commercial use
- h) Financial institution
- i) Tourist information centre
- j) Commercial industrial school or training facility
- k) Printing establishment
- m) Bakery
- n) Assembly operation/manufacturing operation
- o) Contractors shop or yard
- p) Sale of lumber or building materials
- q) Light or heavy equipment sales, rental and servicing
- r) New and used automobile, motor cycle, snowmobile, boat and recreational vehicle sales, rental and servicing establishment, including the sale of accessories, parts or petroleum products incidental thereto.
- s) Sale, service, storage or repair of small internal combustion engines such as snow machines, outboard motors and lawnmowers
- t) Automobile service station
- u) Gas bar combined with convenience retail
- v) Public mechanical garage
- w) Plumbing, heating or air conditioning establishment
- x) Machine or welding shop
- y) Custom workshop
- z) Motor vehicle body shop
- aa) Radio, television, telephone or other communications tower
- ab) Restaurant including banquet hall, tavern, take-out restaurant and drive-in restaurant
- ac) Farm implement dealer
- ad) Indoor recreational centre such as a fitness centre and private club
- ae) Cartage, express, truck or bus depot or terminal
- af) Bulk storage yard
- ag) Bulk Fuel Dealer
- ah) Agricultural produce warehouse
- ai) Feed mill
- aj) Auction barn

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- ak) Veterinary clinic
- al) A communication tower
- am) Taxi Stand/Dispatch Office

8.4.2 Accessory Uses

- a) Accessory convenience commercial uses
- b) Open storage uses accessory to a permitted use
- c) Storage building.

8.4.3 Special Restrictions

- a) Despite the list of uses provided for, the use of each lot will be subject to sewage servicing limitations based on maximum permitted flows per day in accordance with the specifications of the appropriate approval authority.
- b) No premise may be occupied unless serviced by an individual septic tank system except, where a premises forms part of a multiple tenancy building under single ownership, and a building under leasehold arrangement, each may be serviced by a common septic system.
- c) Only one use is permitted on a lot.

8.4.4 Zone Regulations

- a) All permitted uses shall provide a building which shall be a minimum of 11 square metres.
- b) Minimum lot frontage:
 - i) Interior lot 45 metres
 - ii) Corner lot 50 metres
- c) Minimum yard requirements:
 - i) Front yard 8 metres
 - ii) Rear yard 8 metres
 - iii) Interior side yard 3 metres
 - iv) Exterior side yard 8 metres or 1.4 times the height of the building whichever is greater
- v) Any yard abutting Provincial Highway 400: 14 metres
- vi) Any yard abutting County Road 21: 14 metres
- vii) 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.
- d) Minimum distance from any adjoining residential building: 60 metres
- e) Maximum building height: 11 metres
- f) Access ramps are permitted to cross the landscaped open space provided

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they are more or less perpendicular to the street line.

8.4.5 Landscaped Open Space Abutting Streets or Highways

Notwithstanding Section 3.27:

- 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 metres 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 metres immediately abutting the street line, to be used only for landscaped open space.

8.4.6 Planned Width of Road Allowance

See Section 3.20.

8.4.7 Special Setback - Rail Line

See Section 3.21.

8.4.8 Special Zone Regulations

The following Special Zone Regulations shall apply to all of the lands between the Special Zone Regulation boundaries shown on Map No. 43, 120 and 126 to Schedule "A" of this By-law.

- a) Outside storage shall not be permitted.
- b) Only uses conducted wholly within a building shall be permitted.
- c) Loading areas or accessory industrial equipment shall not be permitted in any yard adjacent to Provincial Highway No. 400, County road 21, Seventh Line or Ninth Line.
- 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.

Where any provision of this Section conflicts with any other provision of this By-law, the provisions of this Section apply.

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8.4.9 Special Use Exceptions

Notwithstanding the permitted uses and regulations of Section 8.4, the lands zoned on Schedule "A" with an Industrial Business Park Zone Symbol IBP followed by a number shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

8.4.9.1 IBP-1

Map No. 126

A crematorium as principal use.

- a) Accessory uses shall include a cemetery, mausoleums, columbarium, chapel, administrative offices, a dwelling unit in accordance with Section 3.9.
- b) Accessory uses shall be permitted within the principal building or in one or more separate accessory buildings.
- c) Buildings or structures normally incidental and subordinate to any permitted use shall be permitted.

8.4.9.2 IBP-2

Map No. 43

In addition to the permitted uses for the IBP Zone, the manufacture of concrete products, including outside display of finished products.

8.4.9.3 IBP-3

Map No. 126

In addition to all other uses permitted in the IBP Zone, the following uses are permitted: a horse racing track, slot machine gaming facility, a restaurant and any other incidental or accessory use or structure. Despite Clause 8.4.4(e), the maximum building height for the racetrack grandstand is 16 metres.

"slot machine" means any automatic machine or slot machine:

- a) That is used or intended to be used for any purpose other than vending merchandise or services, or
- b) That is used or intended to be used for the purpose of vending merchandise or services if,
 - i) the result of one of any number or operations of the machine is a matter of chance or uncertainty to the operator.
 - ii) as a result of a given number of successive operations by the operator the machine produces different results, or

.../

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- iii) on any operation of the machine it discharges or emits a slug or token, but does not include an automatic machine or slot machine that dispenses as prizes only one or more free games on that machine.

8.4.9.4 IBP4 and IBP5 (058-02)

Map No. 126, 42

Notwithstanding the regulations of Sections 8.4.4 and 3.15 to the contrary, the Zone Regulation of the lands zoned IBP-4, IBP-5 are:

ZONE Item	IBP-4 (Highway Frontage)	IBP-5 (Interior)
a) Minimum Building	11m ²	11m ²
b) Minimum Lot Frontage		
Interior	45m	45m
Corner	50m	50m
c) Minimum Yard Requirements		
1) Front Yard	8m	8m
2) Rear Yard	8m	8m
3) Interior Side Yard	3m	3m
4) Exterior Side Yard	8m	8m
5) Any yard abutting Provincial Highway 400 or Industrial Park Road	14m	9m
d) Minimum Distance from the adjoining rural residential lot which fronts on road allowance between Concessions VIII and IX	n/a	60m
e) Maximum Building Height	11m	11m
f) Open Storage	Not Permitted	Permitted on lots adjacent to Industrial Park Road at 9m landscaped setback to Industrial Park Road with 2m high screen fencing or other effective

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		visual screening and at 6m landscaped setback to other streets. Permitted on other lots at 6m landscaped setback.
g) Ratio Front Lot Line and Lot Frontage 3.15	The front lot line shall not be less than 55% of the lot frontage.	As per Section 3.15
h) Landscaped Open Space	9m adjacent Highway 6 m adjacent Street	9m adjacent Industrial Park Road

8.4.9.4.1 ARCHITECTURAL CONTROLS

On those lands zoned as IBP-4 and IBP-5 on Schedule 126 and 42, the following architectural controls relating to the type of construction shall apply:

- a) The exterior walls of all buildings shall be constructed of:
 - architectural concrete block;
 - architectural pre-cast concrete;
 - steel white enamel finish;
 - clay brick;
 - glass;
 - stone facing;
 - stucco;
 - or a combination of the above.
- b) Fascias, spandrels, trim and all special details shall be constructed of:
 - stainless steel;
 - aluminum;
 - bronze;
 - steel with enamel finish;
 - architectural pre-cast concrete;
 - stone, granite or marble;
 - or a combination of the above.

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8.4.9.6 IBP-6(H) (073-05)

Map No. 43

All of the uses permitted and regulations required in the IBP-5 zone standards except the height of the stockpiles and buildings shall not exceed 18 metres and 34 metres respectively”

For the purposes of Section 8.4.4 c (vii), 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.

SECTION 9

OPEN SPACE AND ENVIRONMENTAL PROTECTION ZONES

9.1 OPEN SPACE OS ZONE

9.1.1 Principal Permitted Uses

- a) Park or playground
- b) Playing field
- c) Swimming pool
- d) Beach
- e) Conservation area
- f) Picnic area
- g) Tennis court
- h) Handball and squash court
- i) Bowling green
- j) Golf Course
- k) Skating rink
- m) Outdoor natural rink
- n) Cross country ski trail
- o) Bandstand
- p) Community centre hall
- q) Any combination of the uses permitted above

9.1.2 Accessory Uses

- a) Refreshment booth and pavilion
- b) Clubhouse

9.1.3 Zone Regulations

- a) Minimum Lot Area:
 - i) with sanitary sewers 1200 m²
 - ii) without sanitary sewers 1700 m²
- b) Minimum Lot Frontage:
 - i) with sanitary sewers 23 m
 - ii) without sanitary sewers 30 m
- c) Minimum Yard requirements:
 - i) front 8 m
 - ii) interior side 8 m
 - iii) exterior side 8 m
 - iv) rear 8 m
- d) Maximum lot coverage 25%
- e) Maximum Height 11 m

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- f) Planned width of road allowance - see Section 3.20
- g) Special setback - Rail Line - see Section 3.21.

9.1.4 Special Use Exceptions

Notwithstanding the permitted uses and regulations of Section 9.2, the lands zoned on Schedule "A" with an Open Space Zone Symbol OS followed by a number shall be subject to the uses and/or regulations set out in the following subsection and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

9.1.4.1 OS-1 (41-97)

Map No. 17

Permitted uses are limited to passive recreational uses, and public community forest to be maintained in accordance with good management practices.

9.1.4.2 OS-2 (16-03)(-073-04)

Map No. 34 and 35

Permitted Uses:

- conservation, wildlife management, passive recreation,
- a municipal parking lot
- picnic area and accessory structures
- public uses

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.

When the zone symbol is followed by the letter (H) on those lands zoned RPS-2, RPS-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 (H) suffix is removed in accordance with the Planning Act. The (H) provision shall be removed when:

- a) The Subdivision Agreement for the development has been executed by the owner and the Town, and
- b) 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.

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9.1.4.3 OS-3 (062-08)

Map No. 17

In addition to the uses permitted in the OS zone, the following uses shall be permitted:

Stormwater Management Pond

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9.2 OPEN SPACE PRIVATE (OSP) ZONE

9.2.1 Principal Permitted Uses

One or a combination of the following uses shall be permitted:

- a) Park or playground
- b) Playing field
- c) Swimming pool
- d) Beach
- e) Conservation area
- f) Picnic area
- g) Tennis court
- h) Handball and squash court
- i) Bowling green
- j) Golf Course
- k) Skating rink
- m) Outdoor natural rink
- n) Cross country ski trail
- o) Bandstand
- p) Any combination of the uses permitted above
- q) Community centre hall
- r) Golf driving range
- s) Curling rink

9.2.2 Accessory Uses

Accessory uses which are clearly incidental to and located within the permitted Open Space Uses listed above such as:

- a) Refreshment booth and pavilion
- d) Clubhouse
- c) Restaurant as an accessory to a golf course
- d) Single detached dwelling as an accessory use to any permitted use in accordance with the provisions of Section 3.9
- e) Miniature golf course to a golf driving range.

9.2.3 Zone Regulations

- a) Minimum Lot Area:
 - i) with sanitary sewers 1200 m²
 - ii) without sanitary sewers 1700 m²
- b) Minimum Lot Frontage:
 - i) with sanitary sewers 23 m
 - ii) without sanitary sewers 30 m
- c) Minimum Yard requirements:

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i)	front	8 m
ii)	interior side	8 m
iii)	exterior side	8 m
iv)	rear	8 m
d)	Maximum lot coverage	25%
e)	Maximum Height	11 m
f)	Planned width of road allowance - see Section 3.20	
g)	Special setback - Rail Line - see Section 3.21.	

9.2.4 Special Use Exceptions

Notwithstanding the permitted uses and regulations of Section 9.3, the lands zoned on Schedule "A" with an Open Space Private Zone Symbol OSP followed by a number shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

9.2.4.1 OSP-1 (7-85)

Map No. 122

An automobile racetrack.

9.2.4.2 OSP-2 (47-88)

Map No. 3

A market garden, principal permitted uses under Section 9.3.1.

9.2.4.3 OSP-3 (51-99)

Map No.19

In addition to the permitted uses of Section 9.3.1, and subject to all other provisions of this By-law except as stated otherwise, the lands zoned on Schedule "B" with an Open Space Private Exception OSP-3 Zone Symbol may also be used for a daycare centre.

Notwithstanding the requirements of Section 3.23, 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.

9.2.4.4 OSP-4(09-84)

Map No. 4 and 111

a) Principal Permitted Uses:

A public use in accordance with the provisions of Section 3.5 of this By-law:

Park or playground

Playing field

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Swimming pool
Picnic area
Tennis court
Handball and squash court
Outdoor natural skating rink
Cross Country skiing
Any combination of the principal permitted uses above.

b) **Accessory Permitted Uses**

Refreshment booth and pavilion
Chapel
Storage building for maintenance equipment and supplies
incidental to the principal use
Washroom facilities

c) **Zone Regulations**

Minimum lot area	1700 sq. m
Minimum lot frontage	30 m
Minimum front yard	8 m
Minimum rear yard	8 m
Minimum side yard	8 m
Maximum lot coverage	40%
Maximum building height	11 m

9.2.4.6 OSP-6(H)

Map No. 5

a) **Principal Permitted Uses:**

A public use in accordance with Section 3.5 of this By-law;
Park or playground
Playing field
Swimming pool
Beach
Conservation area
Picnic area
Tennis court
Golf Course
Outdoor natural rink
Cross country ski trail
Bowling green
Any combination of the uses permitted above,
Agricultural and conservation uses including fish farming
Market garden

.../

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b) Accessory Uses to Principal Permitted Uses:

Refreshment booth and pavilion.

The Holding (H) Symbol 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.

9.2.4.7 OSP-7(H)

Map No. 14

A Golf Course shall be permitted.

The Holding (H) Symbol 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.

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9.3 ENVIRONMENTAL PROTECTION (EP) ZONE

9.3.1 Permitted Uses

- a) Conservation Use
- b) Passive Recreation
- c) Agriculture

9.3.2 Accessory Uses

- a) Accessory buildings or structures to any permitted use.

9.3.3 Zone Regulations

- a) Minimum Yard requirements:
 - i) Front 10 m
 - ii) Interior side 10 m
 - iii) Exterior side 10 m
 - iv) Rear 10 m
- b) Maximum lot coverage n/a
- c) Maximum height 11 m
- d) Fill and Flood Regulations:

Where any lands in a EP Zone lies within either the fill lines or floodlines mapped by the Conservation Authority, no building or placing or removing of fill shall take place and no building permit shall be issued without the written approval of the Conservation Authority having jurisdiction.
- e) Planned width of road allowance - see Section 3.20
- f) Special setback - Rail Line - see Section 3.21.

9.3.4 Special Use Exceptions

Notwithstanding the permitted uses and regulations of Section 9.4, the lands zoned on Schedule "A" with an Environmental Protection Zone Symbol EP followed by a number shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

9.3.4.1 EP-1

Map No. 127

- a) A single family detached dwelling; and
- b) All of the permitted uses set out under Sections 9.4.1 and 9.4.2; and
- c) Accessory buildings or structures to the residential, agricultural, conservation and fish farming uses.

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9.3.4.2 EP-2 (OMB Order 58-95)

Map No. 32

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 metres, 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 metres back from and parallel to the top of bank.

9.3.4.3 EP-3 (OMB Order 58-95, 29-00)

Map No. 32

Permitted uses are limited to passive recreational uses, conservation uses and forestry uses in accordance with good management practices.

9.3.4.3 EP-3 (062-08)

Map No. 17

All zone regulations for the EP-3 zone shall additionally apply to the lands zoned EP-3 on Map 17.

9.3.4.4 EP-4 (68-96)

Map No. 31

Those uses normally accessory to the permitted uses within the Residential Serviced R2-S Zone and uses which existed on the date of passing of the By-law, October 16, 1996.

9.3.4.5 EP-5 (12-97)

Map No. 21

Public use not including any buildings, in accordance with Section 3.5.

- a) Park or playground
- b) Playing field
- c) Conservation area
- d) Cross Country ski trail
- e) Any combination of the above uses.

9.3.4.6 EP-6 (38-97)

Map No. 103

- a) Conservation use
- b) cross country ski trails for skiing, hiking and bicycles only.

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9.3.4.7 EP-7 (38-97)

Map No. 103

- a) Spray irrigation system
- b) Sewage stabilization pond
- c) Resource and wildlife management

9.3.4.8 EP-8 (016-03) (073-04)

Map No. 34 and 35

Permitted uses:

- a) Conservation, wildlife management, passive recreation.
- b) A shoreline access structure.
- c) A temporary dock.

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(H) unless such development 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. 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.

9.3.4.9 EP-9 (44-97)

Map No. 43

Permitted uses are limited to passive recreational uses, conservation uses and forestry uses in accordance with good management practices.

9.3.4.10 EP-10 (29-00)

Map No. 31, 32

Permitted uses are limited to passive recreational uses, conservation uses and forestry uses in accordance with good management practices.

9.3.4.11 EP-11

Map No. 133

In addition to a conservation and passive recreation use, the subject lands known as National Pines may be used for a golf course.

9.3.4.12 EP-12

Map No. 133

In addition to a conservation and passive recreational use, the subject lands known as Innisbrook Golf Course may be used for a golf course.

9.3.4.13 EP-13(H)

Map No. 103

Notwithstanding the permitted uses of Section 9.3, on those lands zoned

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on Schedule "A" as Environmental Protection Exception Hold EP-13(H) Zone, the following uses may also be permitted:

A single detached dwelling.

The Holding (H) Symbol 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.

SECTION 10

AGRICULTURAL ZONES

10.1 AGRICULTURAL GENERAL (AG) ZONE

10.1.1 Principal Uses

- a) Agriculture
- b) Conservation uses including forestry, reforestation and other activities connected with the conservation of soil and wildlife.
- c) Nursery, Garden Centre.
- d) A public use.
- e) Kennels.
- f) Veterinary Clinic and/or Veterinary Hospital.
- g) A communications tower.

10.1.2 Accessory Uses

- a) Accessory buildings to any principal use
- b) Dwelling or dwelling unit as an accessory use.
- c) Home occupation or industry.
- d) a second dwelling, apartment or bunk house for agricultural employees

10.1.3 Zone Regulations

- a) Agriculture
 - i) Minimum lot frontage 150 m
 - ii) Minimum lot area 40 ha
 - iii) Minimum required yards 10 m
 - iv) Maximum building height 15 m
- b) Conservation uses including forestry, reforestation and other activities connected with the conservation of soil and wildlife:
 - i) Minimum lot frontage 75 m
 - ii) Minimum lot area 1 ha
 - iii) Minimum required yards 10 m
 - iv) Maximum building height 11 m
- c) Accessory Building or Structure to a Residential use:
 - i) Minimum Front yard 10 metres

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ii) Minimum Interior side yard	3 metres
iii) Minimum Exterior side yard	8 metres
iv) Minimum Rear yard	3 metres

10.1.4 Planned Width of Road Allowance

See Section 3.20.

10.1.5 Special Setback - Rail Line

See Section 3.21.

10.1.6 Special Use Exceptions

Notwithstanding the permitted uses and regulations of Section 10.1 the lands zoned on Schedule "A" with an Agricultural General Zone Symbol AG followed by a number shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

10.1.6.1 AG-1 **Map No. 107**

A cheese manufacturing operation.

10.1.6.2 AG-2 (58-91)(87-03) **Map No.107**

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.

10.1.6.3 AG-3 **Map No. 108**

An observatory.

10.1.6.4 AG-4 **Map No. 108**

An establishment for the servicing and display of timepieces.

10.1.6.5 AG-5 (07-85) **Map No. 121**

- i) Anyone of the following:
 - a) Agriculture, intensive agriculture and conservation uses

.../

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including forestry, reforestation, and other activities connected with the conservation of soil or wildlife.

- b) Veterinary clinic or veterinary hospital.
- c) Nursery.
- d) Private airfield in accordance with the provisions of Subclause iii) to this Subsection.

ii) In addition, any combination of the following:

- a) Radio, television, telephone or other communication tower.
- b) Accessory buildings to any permitted use.
- c) A dwelling or dwelling unit as an accessory use in accordance with Section 3.9.
- (d) An additional single family detached dwelling as an accessory use on the same lot as the principal building.
- (e) A home occupation in accordance with the provisions of Section 3.12.
- (f) Driveway access to lands zoned Industrial IG-2 as shown on Map 121 of Schedule "B" to the By-law.

iii) Private Airfield

- a) The minimum lot area for a private airfield shall be 10 hectares.
- b) No more than two (2) aircraft shall be maintained or stored on any private airfield.
- c) On 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 metres from any non-residential building, and 60 metres from any building used for residential purposes.

10.1.6.6 AG-6 (24-88)

Map No. 132

In addition to the uses permitted under Subsection 10.1.1, a haul route to the Industrial Extractive (IE) Zone.

10.1.6.7 AG-7(63-93)

Map No. 109

In addition to the accessory uses permitted under Section 10.1.2, a single family detached dwelling unit and accessory uses shall be permitted.

10.1.6.8 AG-8 (014-03)(078-06)

Map No. 14

A temporary Sales Real Estate trailer which shall be permitted to be used until August 9, 2009 after which date the permitted uses shall only

.../

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be those permitted in the General Agricultural Zone AG.

10.1.6.9 AG-9 (46-97)

Map No. 105

On Part Lot 17, Concession 1, in addition to the uses set out under Section 9, the temporary establishment of a Garden Suite Dwelling shall be permitted until the 13th day of August 2007, at which time the occupancy of the Garden Suite Dwelling shall cease and its entire removal from the said lands shall be undertaken, unless the use is extended by Council in accordance with Section 39 of the Planning Act.

10.1.6.10 AG-10 (39-98)

Map No. 132

All of the uses permitted in accordance with the AG standards except that a single detached dwelling shall be permitted as a principal use, and the following exceptions shall apply:

- | | |
|--|---------------|
| i) minimum lot area | 17 hectares |
| ii) minimum frontage | 44 metres |
| iii) minimum floor area accessory dwelling | 70 sq. metres |

10.1.6.11 AG-11 (015-01)

Map No. 105

On the lands described as Part of Lots 19 and 20, Concession 1, in addition to the uses set out under Section 10, the temporary establishment of a Garden Suite Dwelling for a maximum period of ten (10) years shall be permitted until the 7th day of March 2011, at which time the occupancy of the Garden Suite Dwelling shall cease, and its entire removal from said lands shall be undertaken, unless such use is extended by Council in accordance with the provisions of Section 39 of the Planning Act.

In the event the Garden Suite is not occupied by Mr. & Mrs. Masters during the 10 year temporary time frame, the By-law shall cease to be in effect and the lands shall revert to the AG Zone. The Garden Suite shall be removed in its entirety by the owner of the property.

10.1.6.12 AG-12 (033-03)

Map No. 14

In addition to the uses permitted in accordance with Section 10, the following uses are also permitted in the AG-12 Zone:

- A mini-storage establishment.

.../

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In all other cases, the provisions of the Agricultural AG Zone shall apply.

10.1.6.13 AG-13 (16-03)

Map No. 35, 139

Principal and accessory uses permitted for an Agricultural AG Zone subject to the following special regulations:

- a) Within existing agricultural buildings, limit uses 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 metres to a residential lot line.
- c) Grain and corn driers shall be located no closer than 500 metres to a residential lot line.
- d) Pesticide, herbicide, fertilizer and fuel storage shall be located no closer than 500 metres to a residential lot line.

10.1.6.14 AG-14 (020-02)

Map No.102

In addition to the permitted uses of Section 10.1.1 in an 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:

Maximum permitted floor area 112 square metres.

Minimum parking requirement two spaces per unit.

10.1.6.15 AG-15 (021-02)

Map No. 102

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 14th Line, a temporary "Garden Suite" dwelling shall be permitted until the 30th day of March 2012.
- b) 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

.../

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described as Part of the West half of the North half of Lot 3, Concession 14 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.

10.1.6.16 AG-16 (070-05)

Map No. 7

Notwithstanding the permitted uses of Section 10.1.1 and 10.1.2 on those lands zoned as AG-16 as shown on Map No. 7, the only permitted uses shall be a single family dwelling and accessory residential uses.

10.1.6.17(AG-17) (015-06)

Map No. 114 and 115

1. On that portion of the lands identified on Schedule "A" attached hereto to this by-law, the following provisions shall apply for a temporary period of two years from the date of enactment of, provided, however, that all other provisions of By-law 054-04, as amended, shall continue to apply:

- a) Temporary Additional Permitted Use:

One meteorological measurement tower, not to exceed 50 metres in height.

2. Lands zoned AG-17 are hereby designated as subject to site plan control approval under Section 41 of the Planning Act to the extent and for the purposes of the temporary uses granted in this By-law.

10.1.6.17 AG-17(151-07)

Map Nos. 101, and 47

For those lands zoned "Agricultural General Exception (AG-17)" Zone, 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.

10.1.6.18 AG-18

Map No. 14

Notwithstanding the permitted uses of Section 10.1.1, on those lands zoned on Schedule "A" as Agricultural General Exception AG-18, the following uses may also be permitted:

Private equestrian school, horse farm and a single family detached dwelling.

.../

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10.1.6.18 AG-18 (023-08)

Map No. 106

For those lands zoned “Agricultural General Exception (AG-18)” Zone, the minimum lot frontage shall be 585.2 metres, and minimum lot area shall be 23.0 hectares.

All other provisions of this By-law shall apply.

10.1.6.18(AG-18) (068-07)

Map No. 45 and 121

In addition to the permitted uses in Section 10.1, 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.

Such uses shall be limited to not more than 6 trucks and 6 truck trailers at any one time.

10.1.6.19(AG-19) (068-07)

Map No. 45 and 121

In addition to the permitted uses in Section 10.1, the following uses shall also be permitted:

- a) The existing single detached dwelling use.

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10.2 AGRICULTURAL INTENSIVE (AI) ZONE

10.2.1 Principal Uses

- a) Intensive agriculture
- b) Conservation uses including forestry, reforestation and other activities connected with the conservation of soil or wildlife
- c) Veterinary clinic or veterinary hospital
- d) Kennels
- e) A public use in accordance with the provisions of Section 3.5 to this By-law
- f) Riding and racing stable

10.2.2 Accessory Uses

- a) Accessory buildings to any principal use.
- b) Dwelling or dwelling unit as an accessory use.
- c) Home occupation or industry.

10.2.3 Zone Regulations

- a) Intensive agriculture:
 - i) Minimum lot frontage 120 m
 - ii) Minimum lot area 4 ha.
 - iii) Minimum required yards 10 m
 - iv) Maximum building height 15 m
- b) Conservation uses including forestry, reforestation and other activities connected with the conservation of soil or wildlife:
 - i) Minimum lot frontage 75 m
 - ii) Minimum lot area 1 ha.
 - iii) Minimum required yards 10 m
 - iv) Maximum building height 11 m
- c) Veterinary clinic or veterinary hospital:
 - i) Minimum lot frontage 30 m
 - ii) Minimum lot area 1900 sq. m
 - iii) Minimum required yards
 - Rear 10 m
 - Exterior 9 m
 - Interior 3 m
 - Front 10 m
 - iv) Maximum building height 11 m

10.2.4 Planned Width of Road Allowance

See Section 3.20.

to By-Law 054-04

10.2.5 Special Setback - Rail Line

See Section 3.21.

10.2.6 Special Use Exceptions

Notwithstanding the permitted uses and regulations of Section 10.2, the lands zoned on Schedule "A" with an Agricultural Intensive Zone Symbol AI followed by a number shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

to By-Law 054-04

10.3 AGRICULTURAL MARSH (AM) ZONE

10.3.1 Principal Uses

- a) Conservation uses including forestry, reforestation and other activities connected with the conservation of soil or wildlife
- b) Nursery, Garden Centre
- c) Market garden

10.3.2 Accessory Uses

- a) Accessory buildings to any principal use including any residential use.

10.3.3 Zone Regulations

- a) Market Garden:
 - i) Minimum lot frontage 120 m
 - ii) Minimum lot area 4 ha.
 - iii) Minimum required yards 10 m
 - iv) Maximum building height 15 m
- b) Nursery, Garden Centre:
 - i) Minimum lot frontage 75 m
 - ii) Minimum lot area 1 ha.
 - iii) Minimum required yards 5 m
 - iv) Maximum building height 11 m
- c) Conservation uses including forestry, reforestation and other activities connected with the conservation of soil or wildlife:
 - i) Minimum lot frontage 75 m
 - ii) Minimum lot area 1 ha.
 - iii) Minimum required yards 10 m
 - iv) Maximum building height 11 m

10.3.4 Planned Width of Road Allowance

See Section 3.20.

10.3.5 Special Setback - Rail Line

See Section 3.21.

10.3.6 Special Use Exceptions

Notwithstanding the permitted uses and regulations of Section 10.3, the lands zoned on Schedule "A" with an Agricultural Marsh Zone Symbol AM followed by a number shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

.../

SECTION 11

11.1 FUTURE DEVELOPMENT (FD) ZONES

11.1.1 Permitted Uses

- a) Existing uses
- b) Public or private parks

11.1.2 Existing Uses

Where a building or structure had previously been erected or plans approved and/or land used at the date of the passing of this By-law, such uses may continue and may be enlarged, reconstructed, repaired or renovated provided that such enlargement, reconstruction, repair or renovation does not contravene the requirements of this By-law.

11.1.3. Zone Requirements

- a) Minimum lot area 20 ha
- b) Minimum lot frontage 150 m
- c) Minimum front yard 8 m
- d) Minimum rear yard 8 m
- e) Minimum interior side yard 6 m
- f) Minimum exterior side yard 8 m
- g) Maximum building height 11 m
- h) Parking requirements in accordance with Section 3.23
- i) Planned Width of Road Allowance - See Section 3.20.
- j) Special Setback - Rail Line - See Section 3.21.

11.1.4 FUTURE REZONING

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.

11.1.5 SPECIAL USE EXCEPTIONS

Notwithstanding the permitted uses and regulations of Section 11, the lands zoned on Schedule "A" with a Future Development Zone Symbol FD followed by a number shall be subject to the uses and/or regulations set out in the following sub-section and, unless otherwise stated, shall be subject to all other provisions of this Zone and By-law.

to By-Law 054-04

11.1.5.1 FD-1

Map No. 18

A single family detached dwelling with a home occupation consisting of a video store.

The following provisions shall apply:

- a) **Signage** -not more than two (2) signs: one of which shall be erected over the entrance to the video store and shall have an area of not more than 2 square metres; the other shall not be erected closer than 3 metres from the front of the property and shall have an area of not more than 6 square metres and a height of not more than 2 square metres; the other shall not be erected closer than 3 metres from the front of the property and shall have an area of not more than 6 square metres and a height of not more than 3.35 metres (11 feet).
- b) **Size** - the video store shall not occupy more than 50% of the total floor rea of the single family detached dwelling and shall be confined to the basement level.
- c) **Articles Sold/Services Provided** - video tapes and related equipment may be kept for sale or rent.

11.1.5.2 FD-2(H)

Map No. 47 & 101

- i) 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 metres, 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.

11.1.5.3 FD-2 (062-08)

Map No. 17

All zone regulations for the FD zone shall apply to the lands zoned FD-2 with the following exceptions:

The minimum lot area and minimum lot frontage requirements of Section 11.1.3 shall not apply to lands zoned FD-2.

to By-Law 054-04

READ A FIRST TIME AND TAKEN AS READ A SECOND TIME THIS 25TH, DAY OF AUGUST, 2004.

____ "Original Signed By" _____
Brian H. Jackson, Mayor

____ "Original Signed By" _____
Paul G. Landry, Clerk

READ A THIRD TIME AND FINALLY PASSED THIS 22ND, DAY OF SEPTEMBER, 2004.

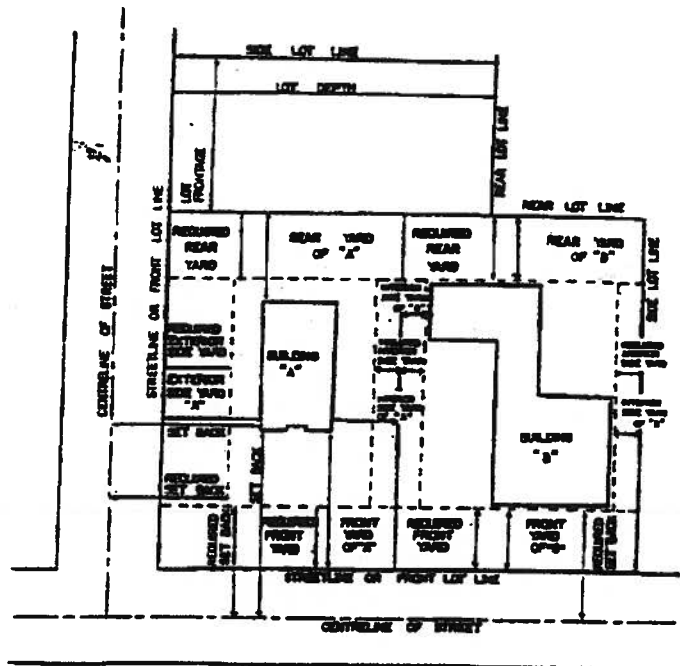
____ "Original Signed By" _____
Brian H. Jackson, Mayor

____ "Original Signed By" _____
Paul G. Landry, Clerk

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Appendix "A"

ILLUSTRATION OF YARD DEFINITIONS



Note:

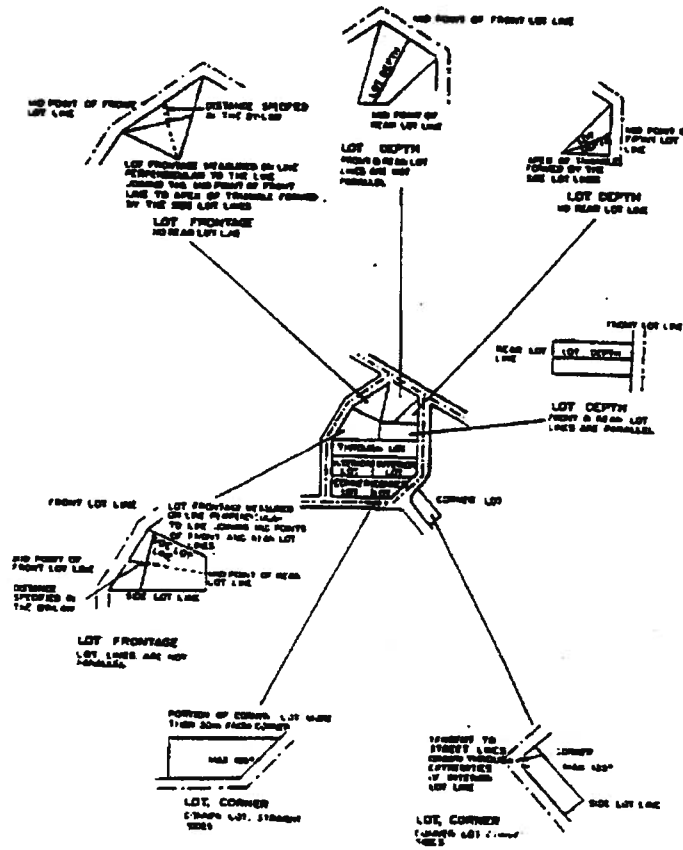
Appendix "A" is for clarification and convenience and does not form part of the By-law.

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Appendix "3"

ILLUSTRATION OF LOT DEFINITIONS



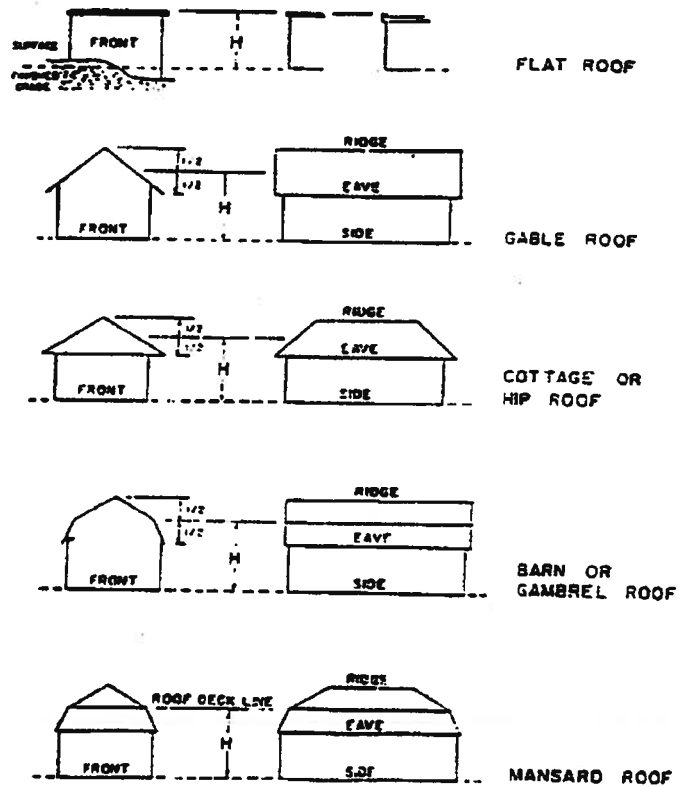
Note:

Appendix "3" is for clarification and convenience and does not form part of this By-law.

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Appendix "C"

ILLUSTRATION OF BUILDING
HEIGHT DEFINITIONS



Note:

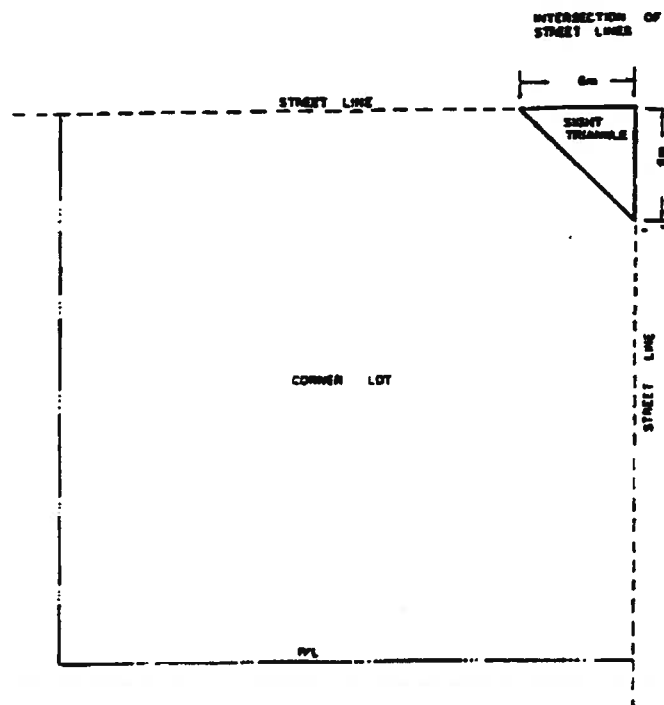
Appendix "C" is for clarification and convenience and does not form part of this By-law.

H - HEIGHT OF BUILDING

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to By-Law 054-04

Appendix "D"

ILLUSTRATION OF SIGHT TRIANGLE



Note:

Appendix "D" is for clarification
and convenience and does not form
part of this By-law.

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Appendix "E"

METRIC CONVERSION GUIDE

1 foot = .3048 metres
1 yard = .914 metres
1 square foot = .0929 square metres
1 acre = .4047 hectares

1 tonne = 2,204 pounds

1 metre = 3.281 feet
1 metre = 1.094 yards
1 square metre = 10.765 square feet
1 hectare = 2.471 acres

EXAMPLE: Minimum Front Yard = 15 metres
= 15 x 3.281
= 49.22 feet

EXAMPLE: Minimum Floor Area = 186 square metres
= 186 square metres x 10.765
= 2,002 square feet

EXAMPLE: Minimum Lot Area = 20 hectares
= 20 x 2.471
= 49.4 acres

Notes:

Appendix "E" is for clarification
and convenience and does not form
part of this By-law.

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Appendix "F"

FILL AND FLOODLINE MAPPING

Generally fill and floodline mapping has been completed by the South Lake Simcoe Conservation Authority and the Nottawasaga Valley Conservation Authority on watersheds having an area of one-half mile or more and along the Townships entire shoreline. There are, however, some watercourse areas within the jurisdiction of the South Lake Simcoe Conservation Authority which are fill line mapped only.

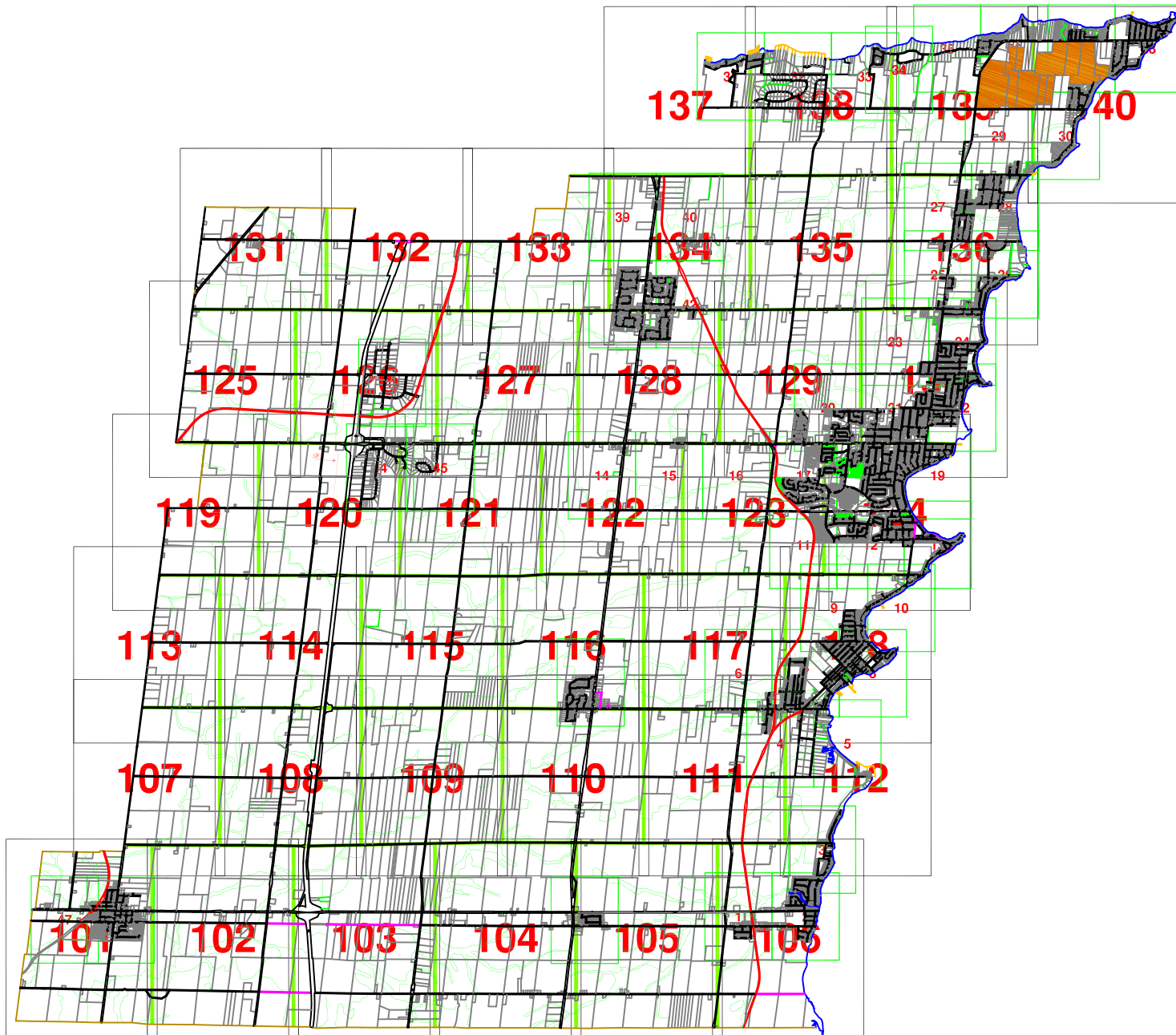
The respective Authorities have made Regulations under the Conservation Authorities Act and these are registered as Ontario Regulation 179/80, as amended, for the South Lake Simcoe Conservation Authority and Ontario Regulation 121/80 for the Nottawasaga Valley Conservation Authority.

Where any lot lies within either the fill lines or floodlines mapped by the Conservation Authorities, the written approval of the Conservation Authority having jurisdiction shall be obtained and submitted with any building permit application. Written Conservation Authority approval is also required for alteration to watercourses and the placing or removal of fill, whether originating on site or elsewhere.

Generally, if your lot is located near the shoreline of Lake Simcoe, in the proximity of a watercourse, or embankment, is subject to periodic flooding or is located in a low lying area having extensive organic soils or poor drainage, you should check with the respective Conservation Authority to see if your lot is subject to the aforementioned regulations.

Application forms are available at the Townships Municipal Offices and we will do the necessary mailing for you.

Note: Appendix "F" is for information purposes only and is not a part of this By-law.



X

XI

2

1

XV

47

48

COOKSTOWN

XIV

14TH LINE

COUNTY RD No 27

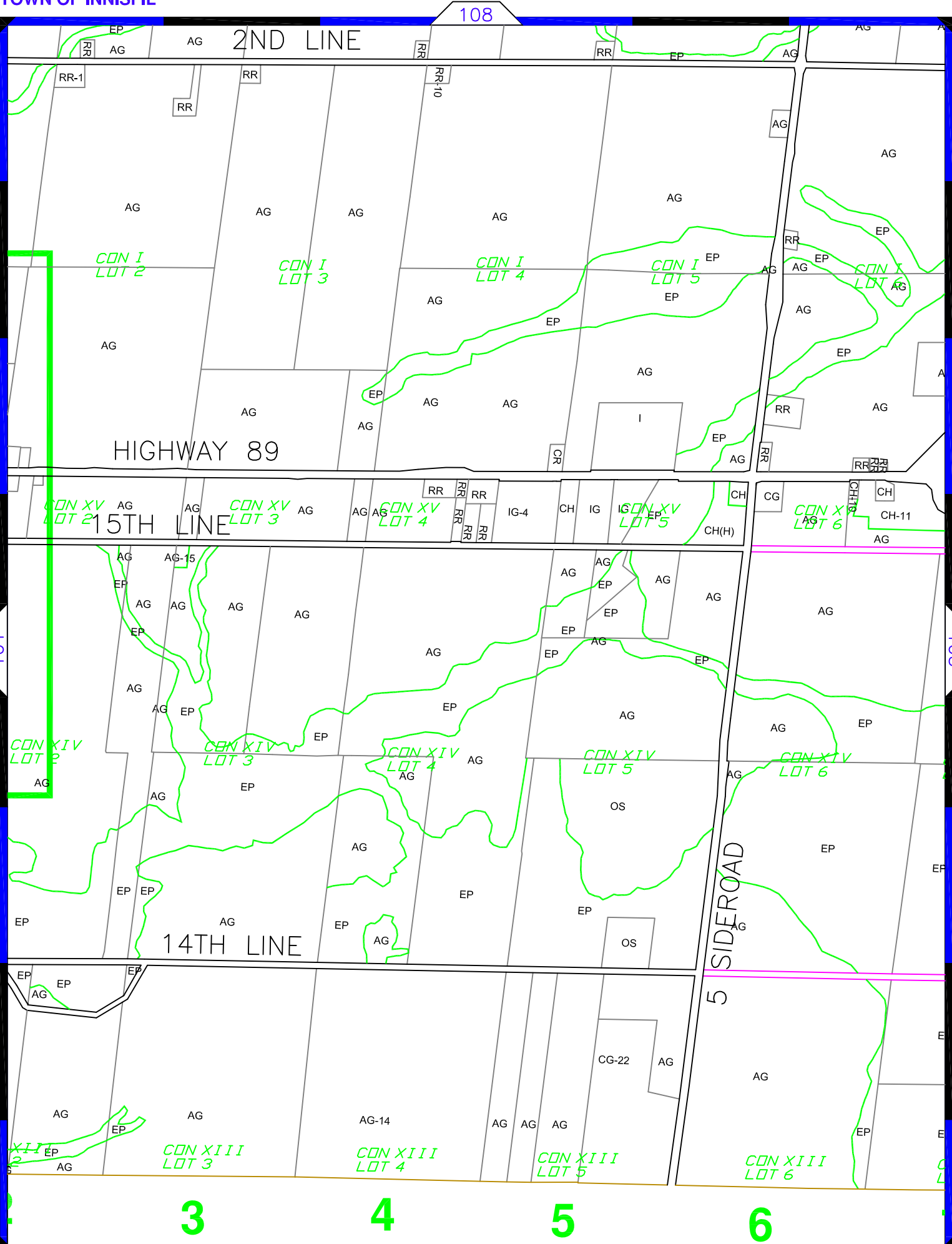
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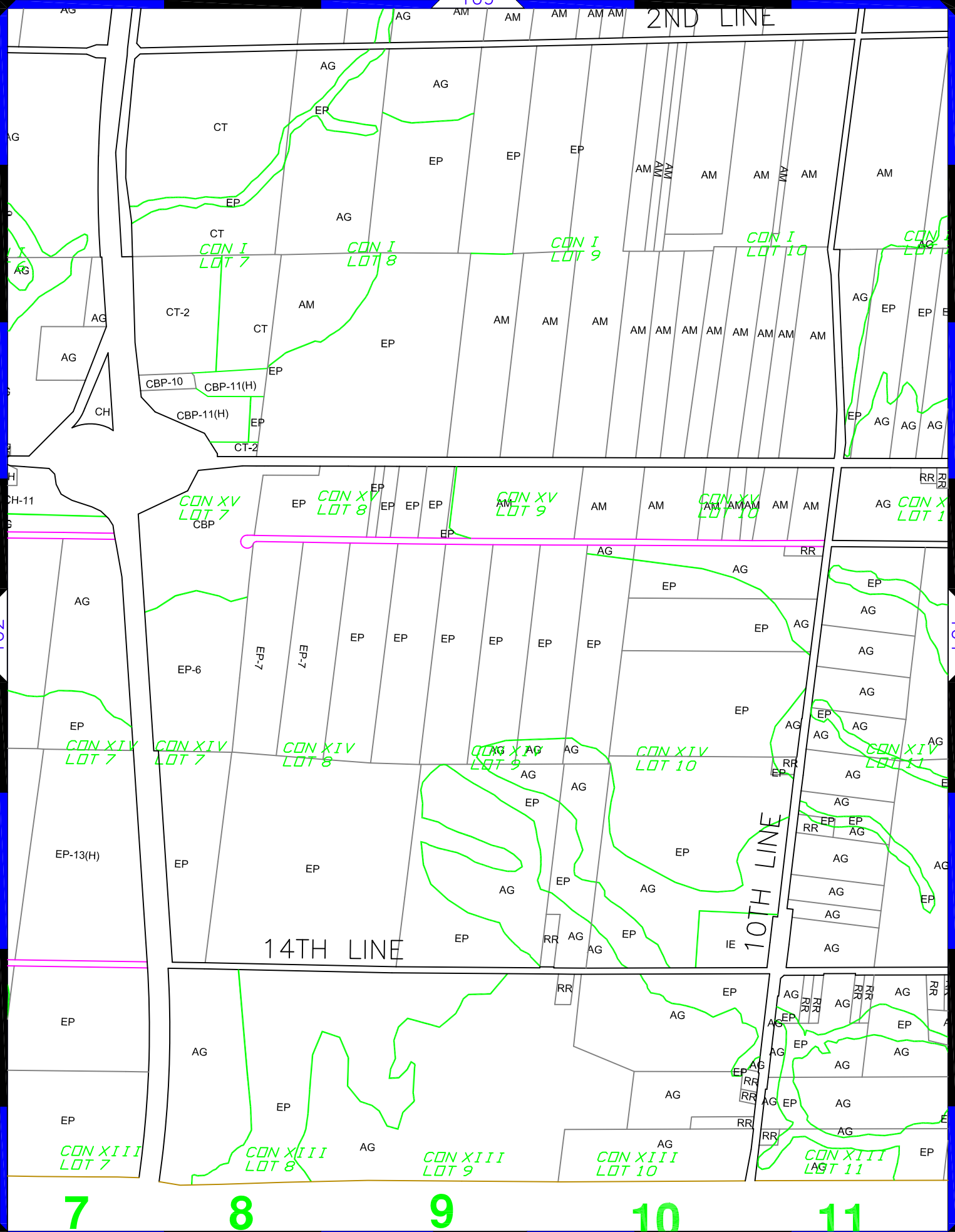
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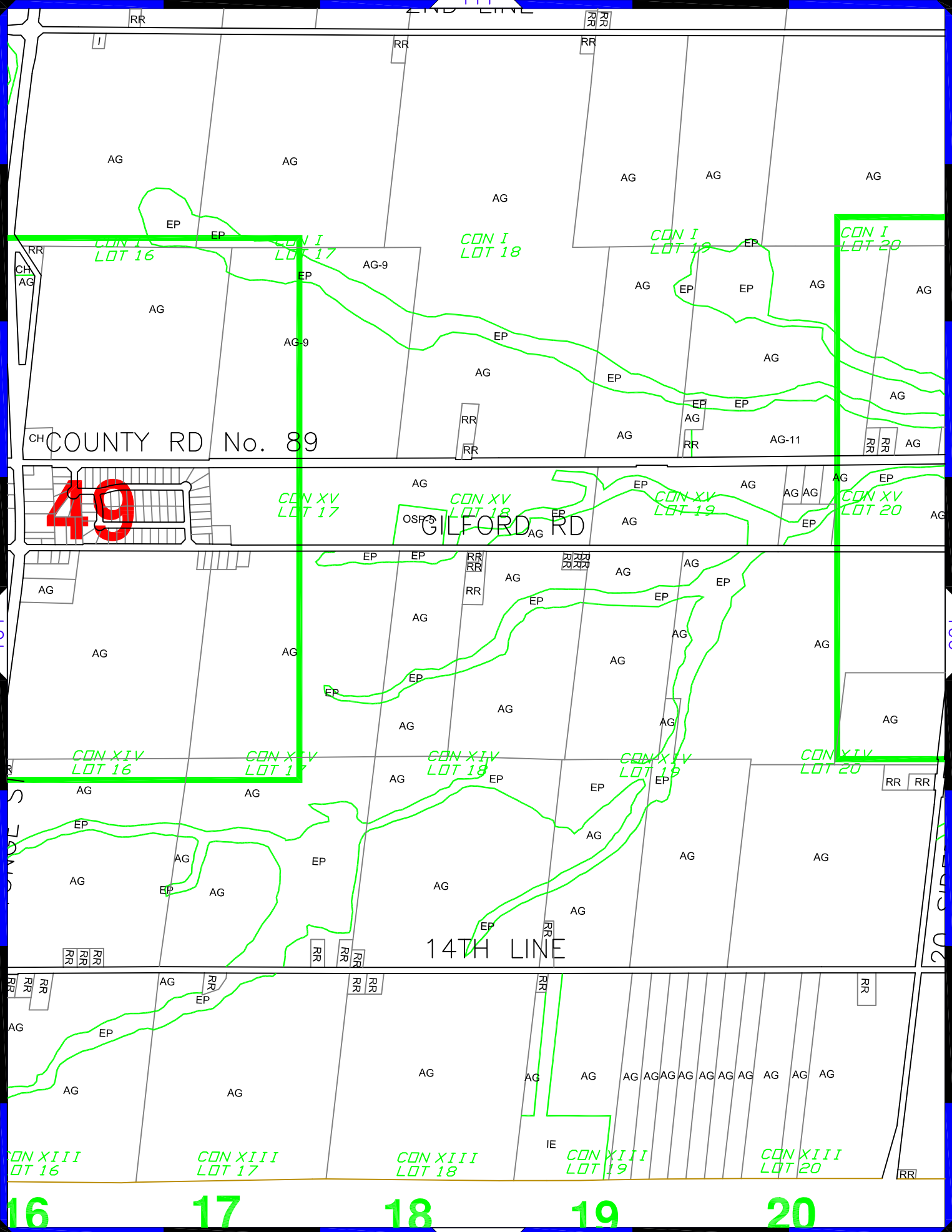
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2ND LINE







113

4T

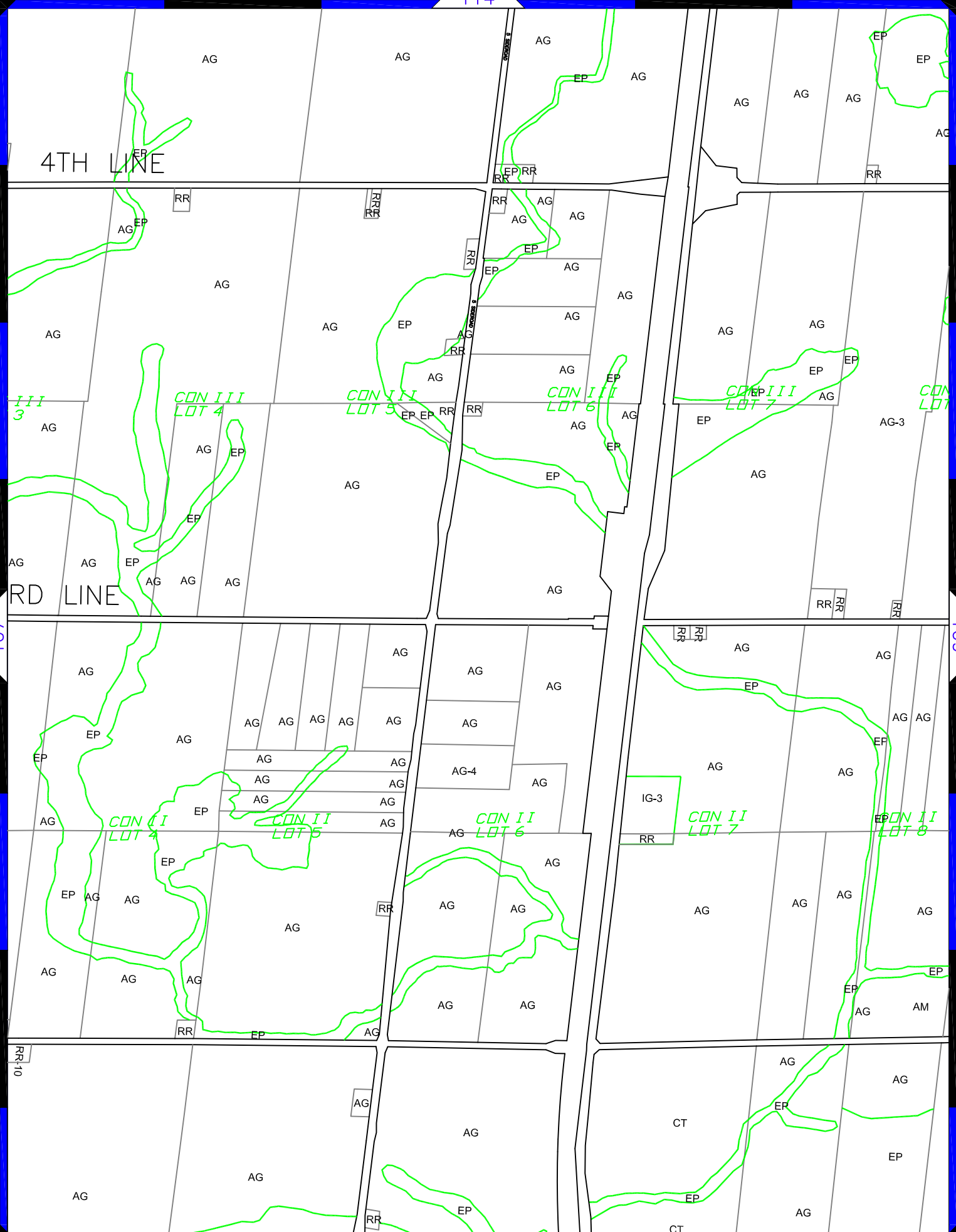
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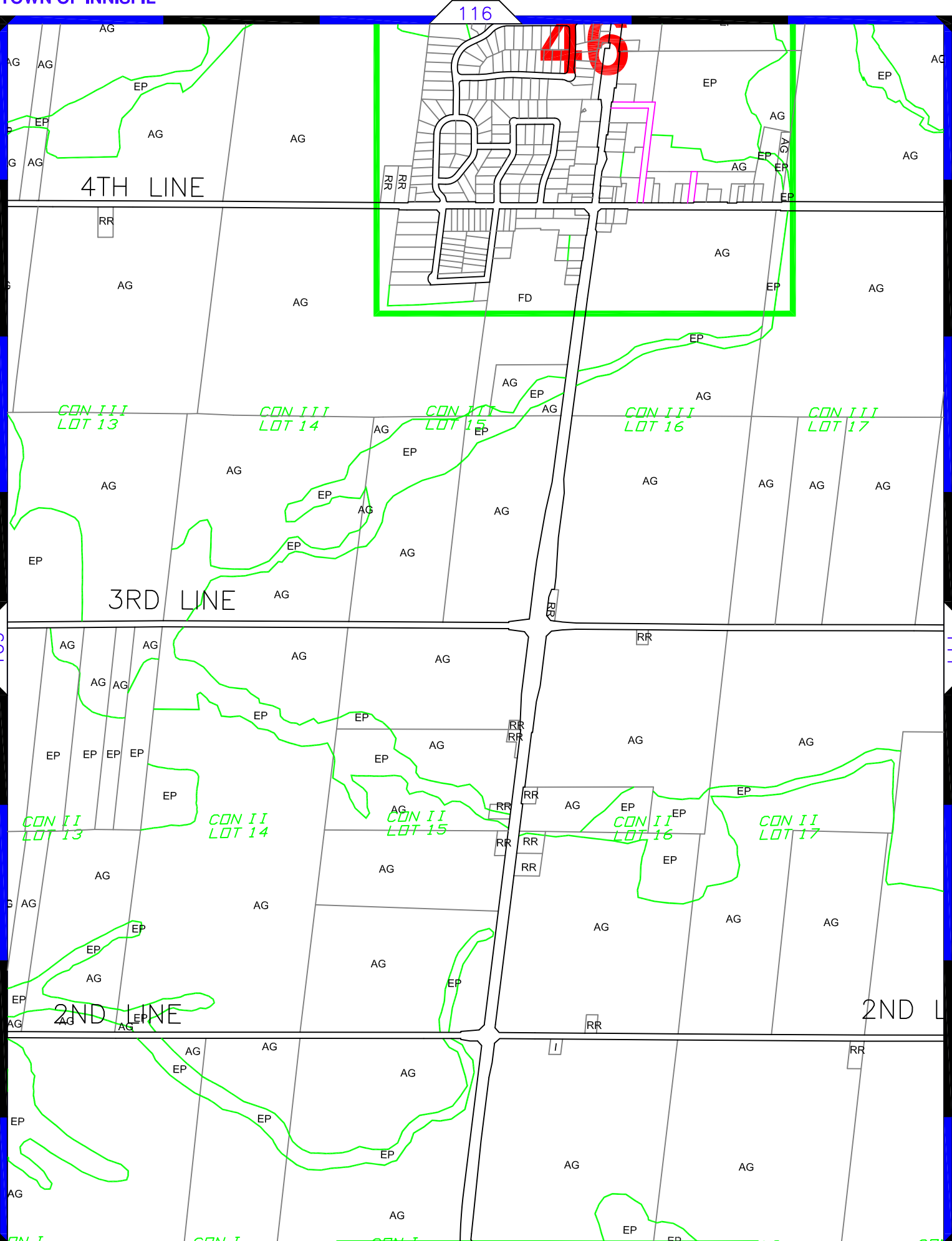
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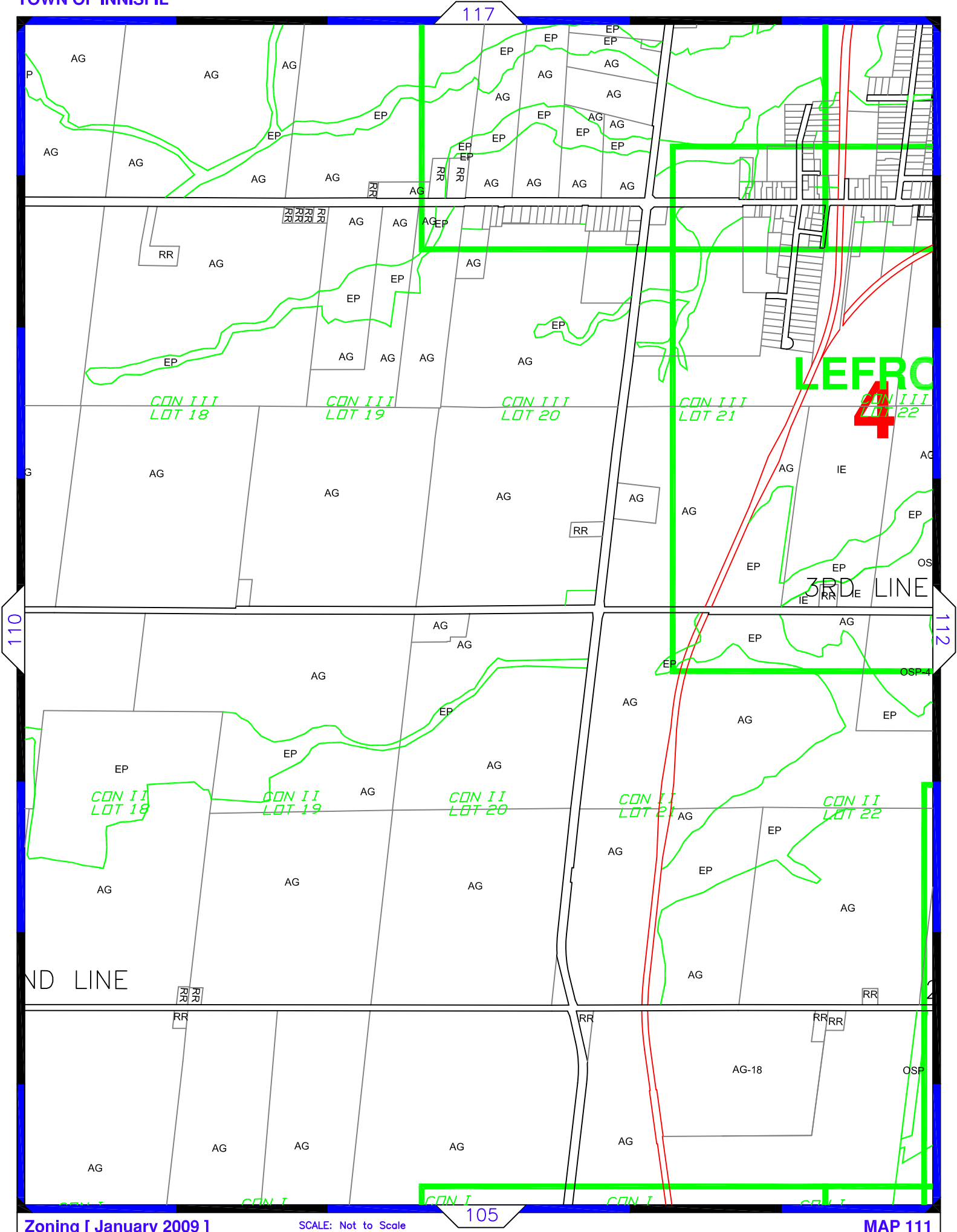
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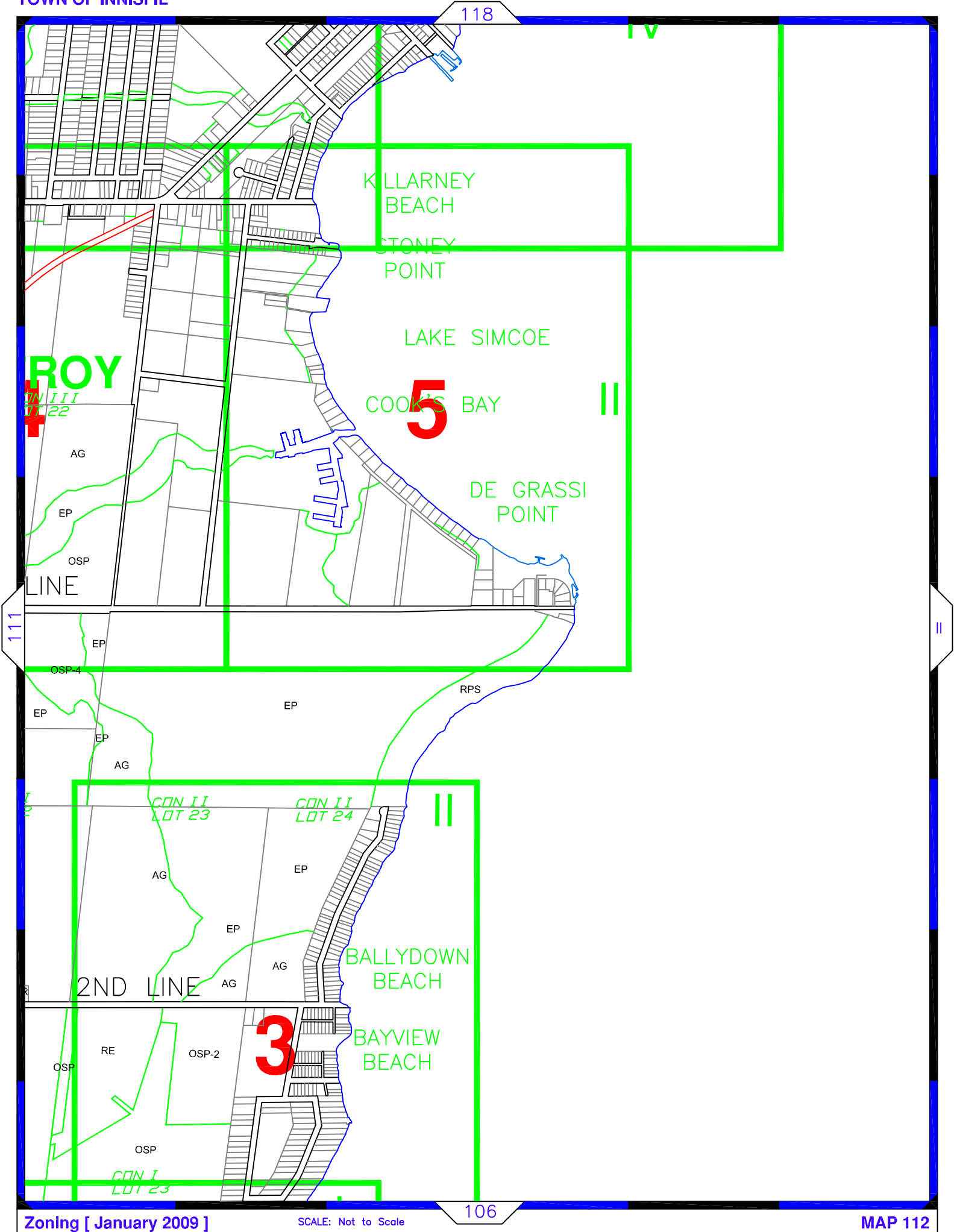
MAP 107

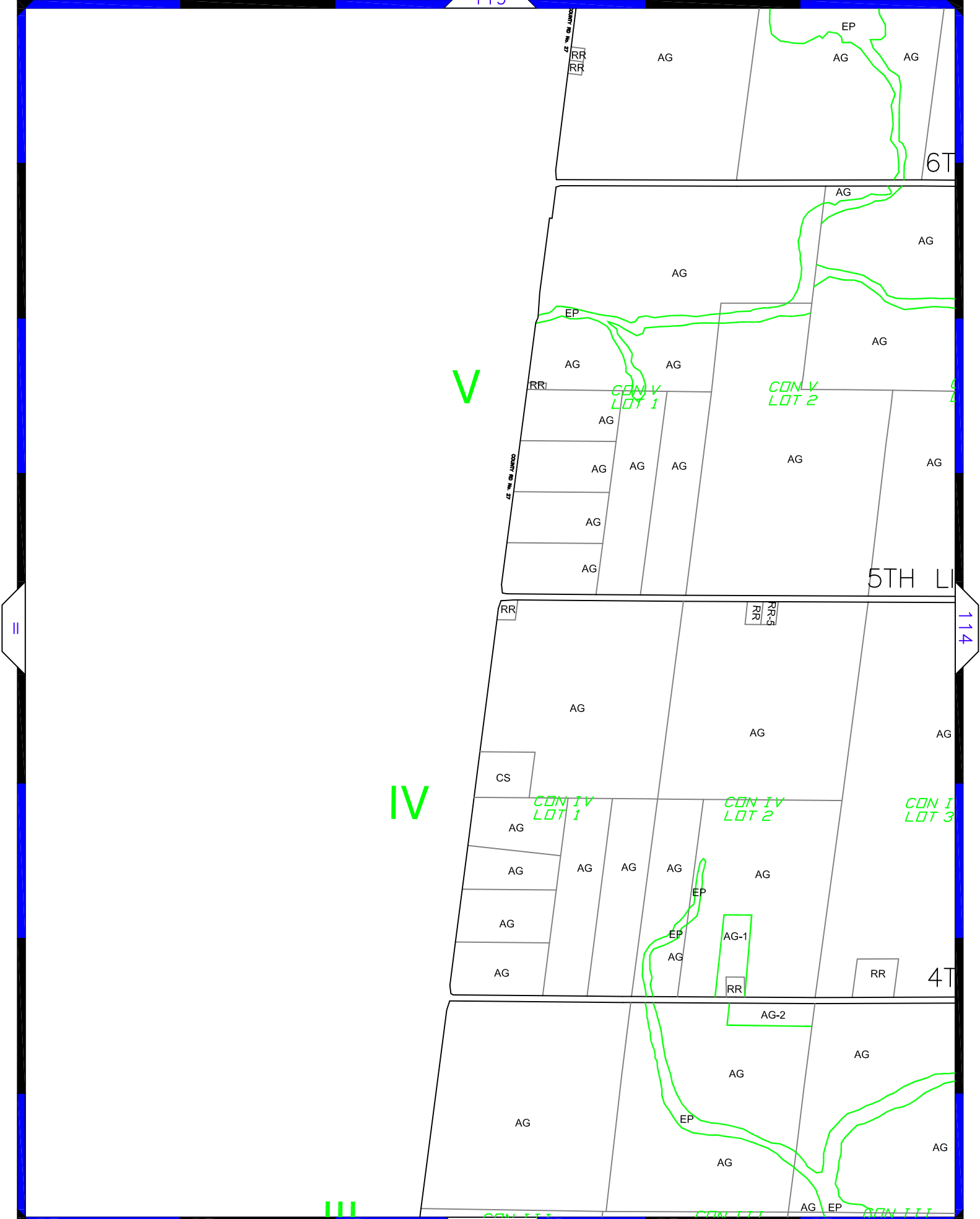


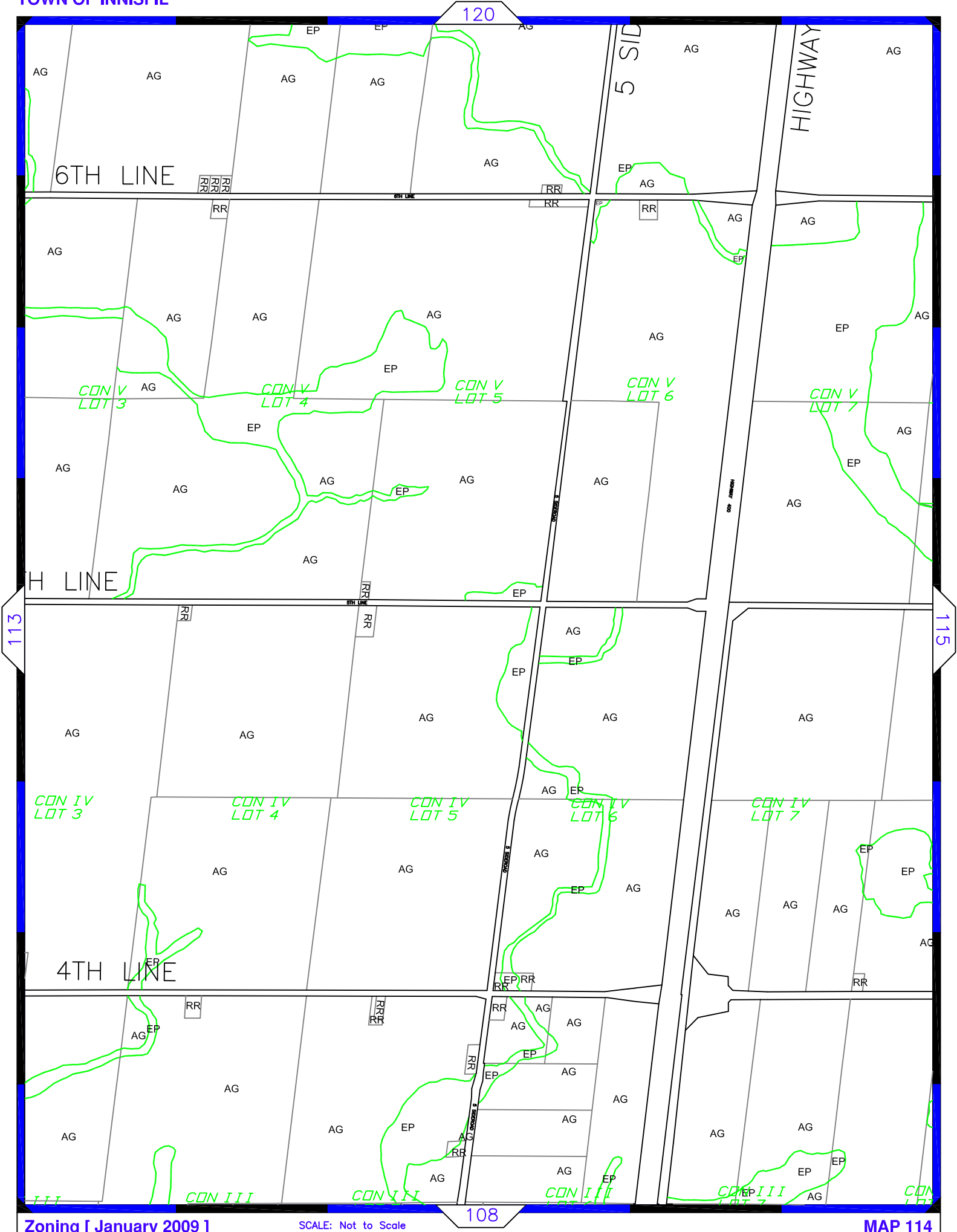


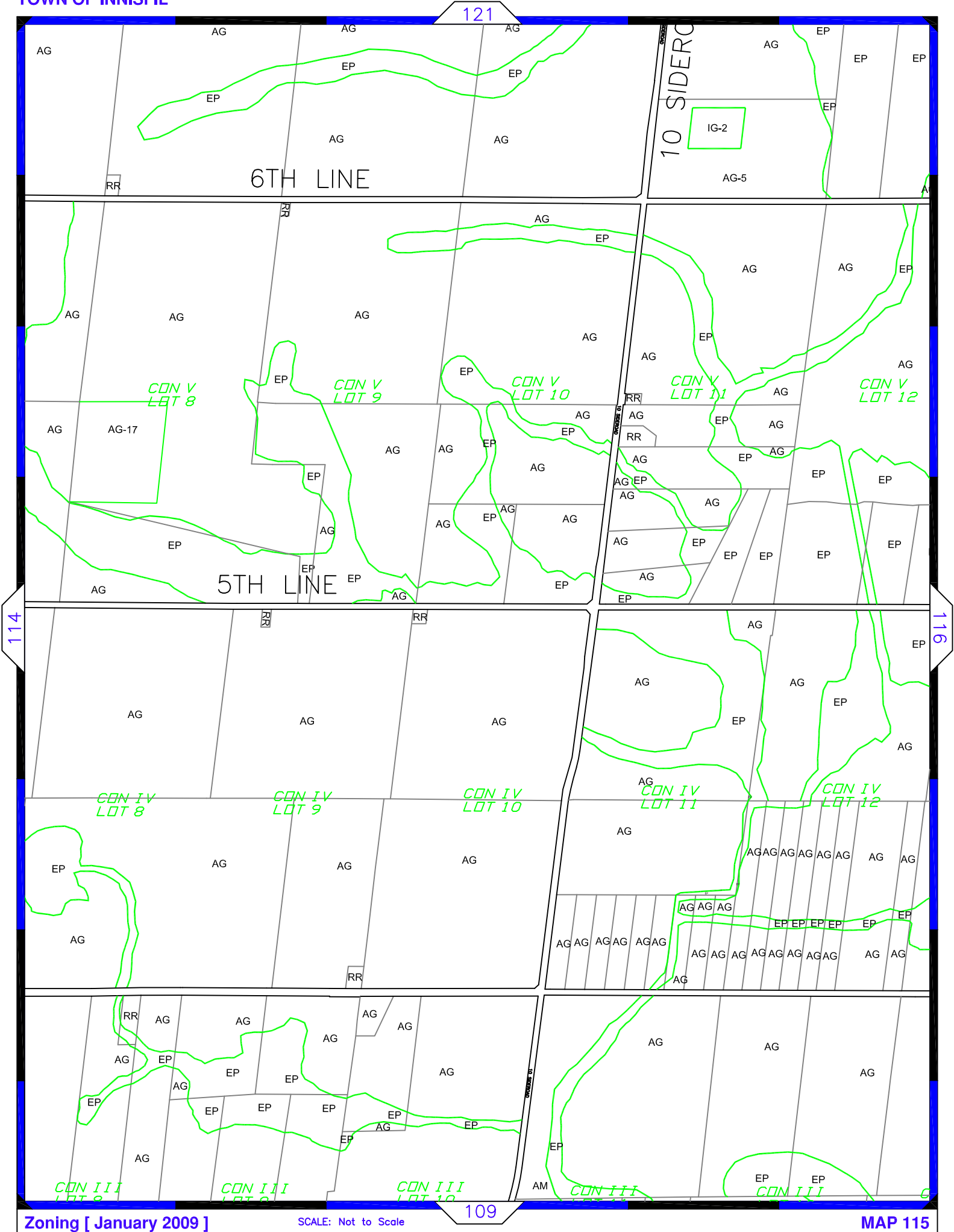


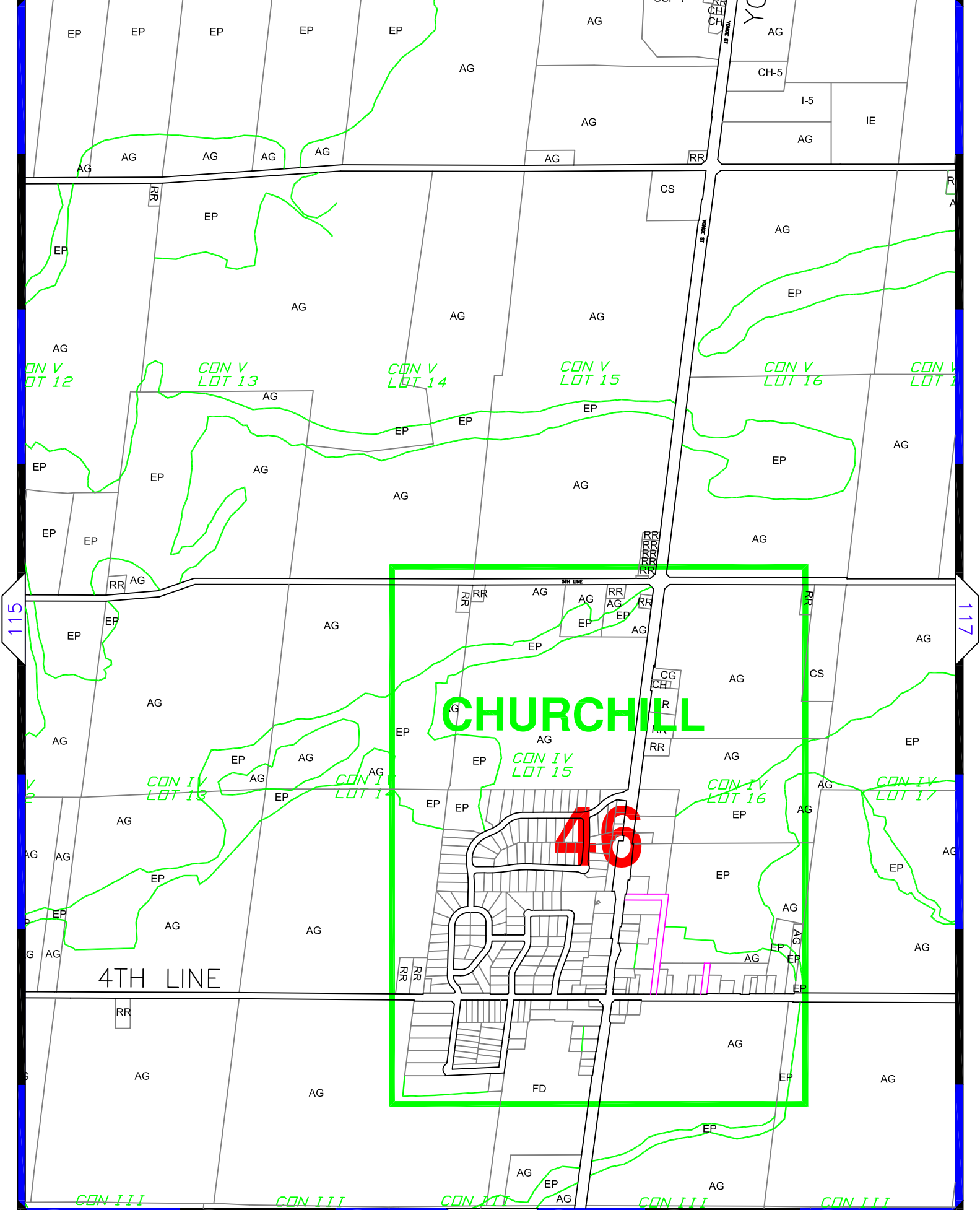


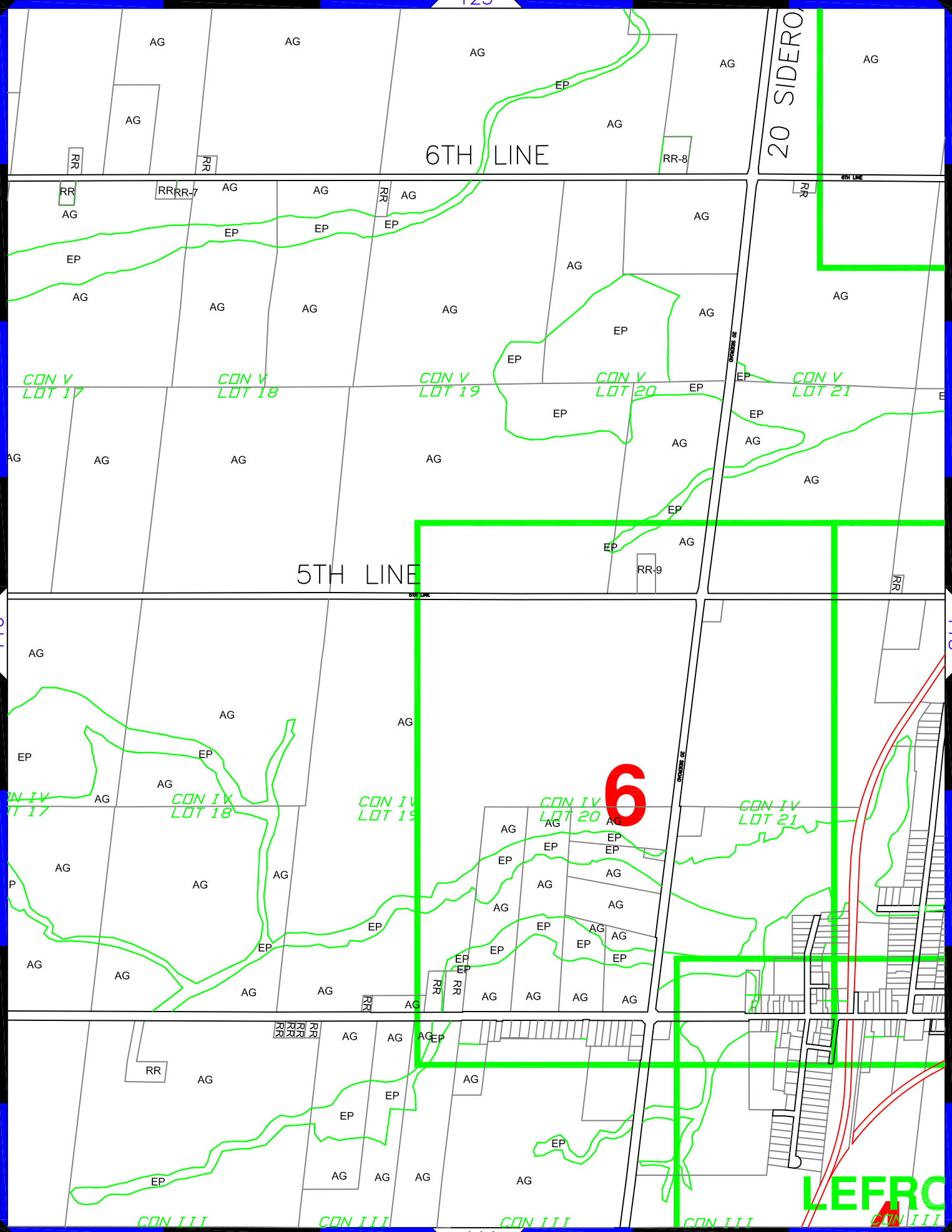


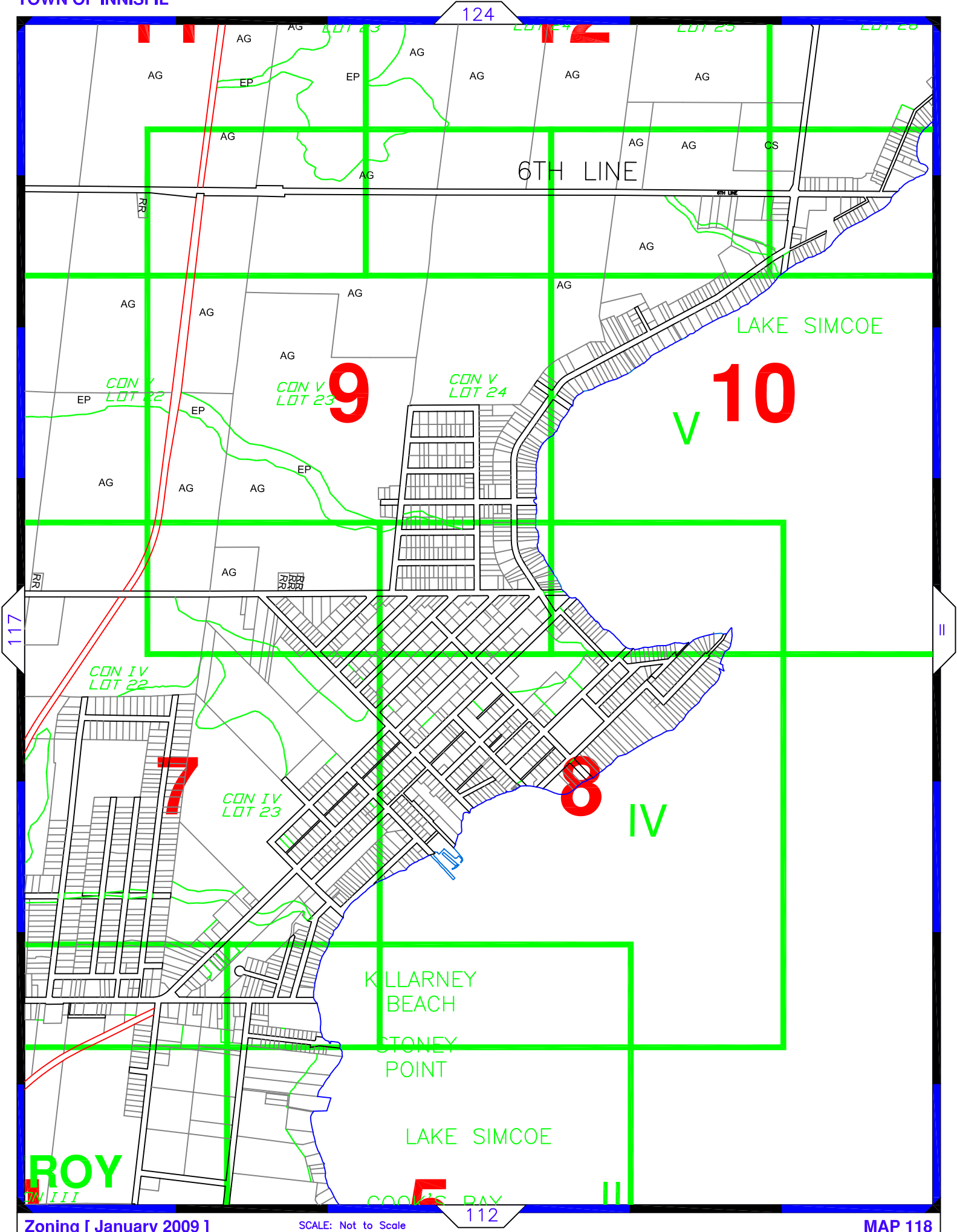


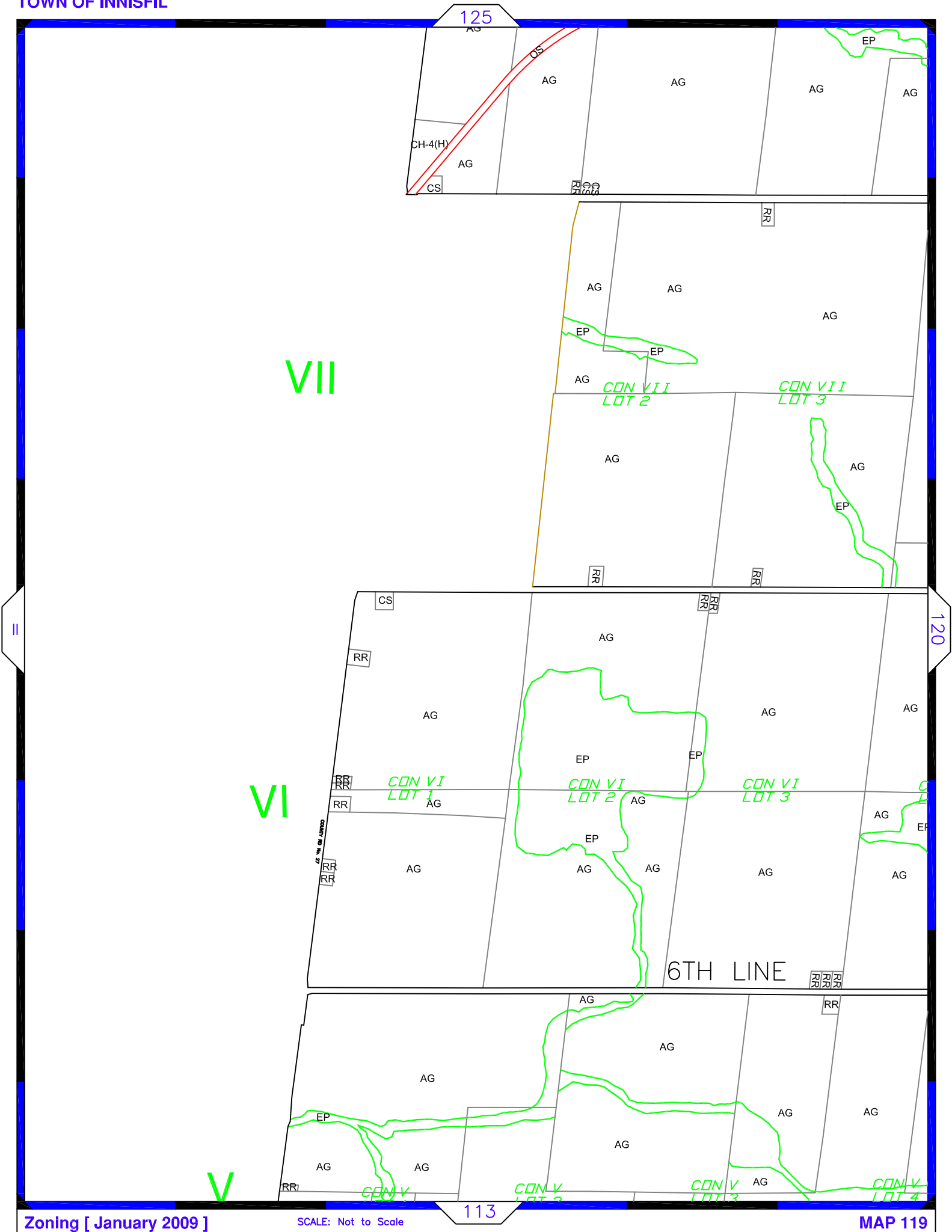


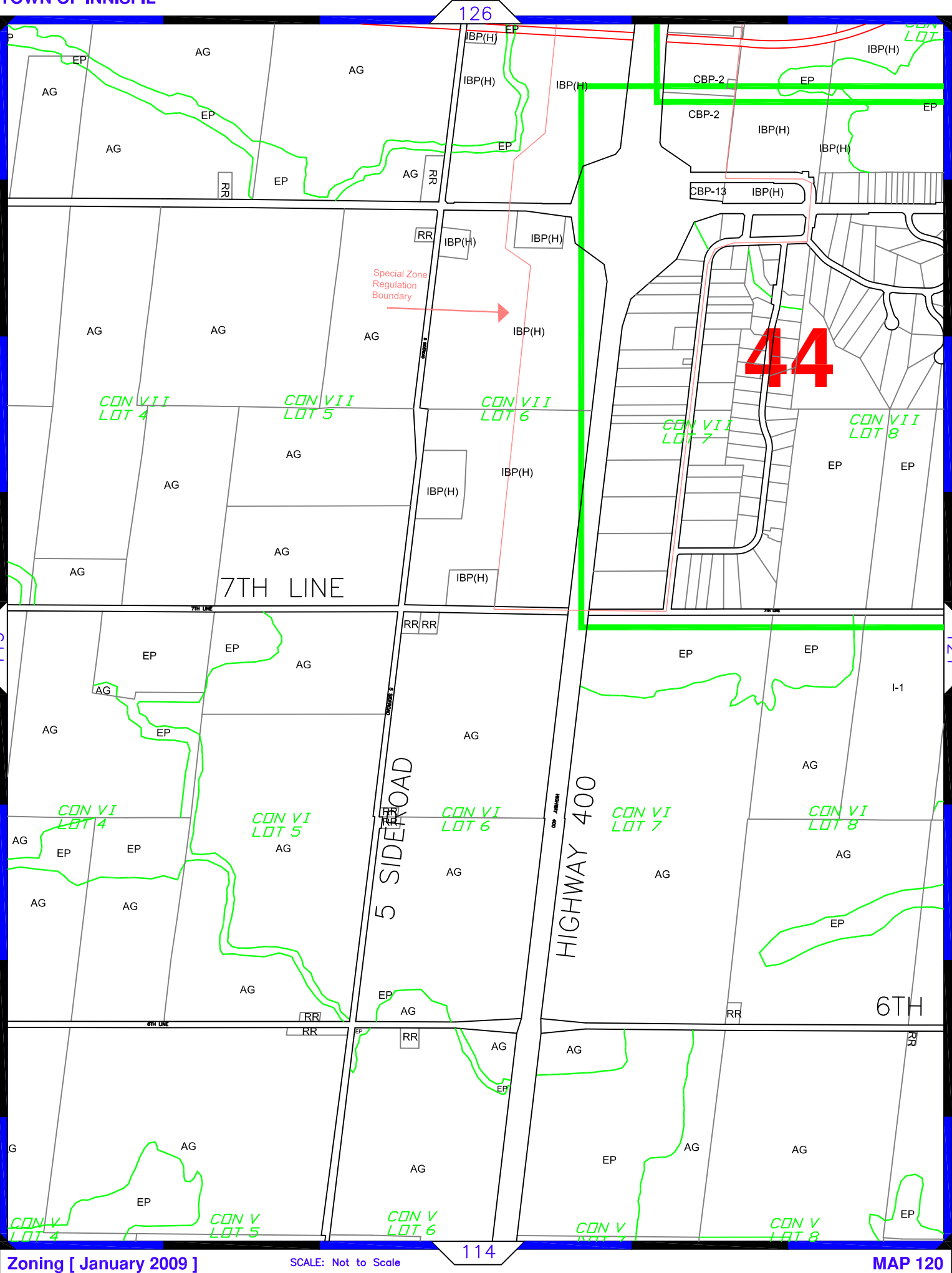


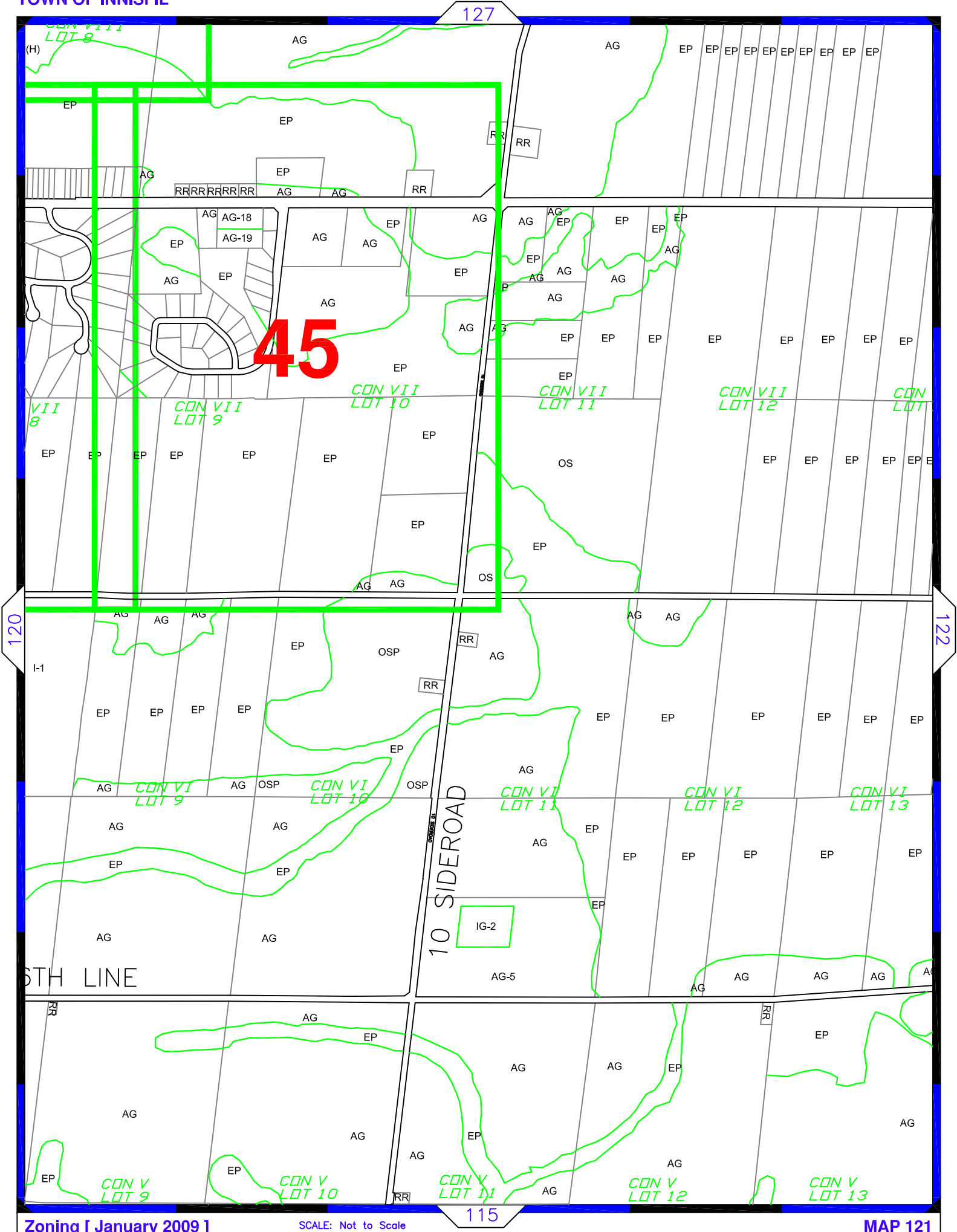












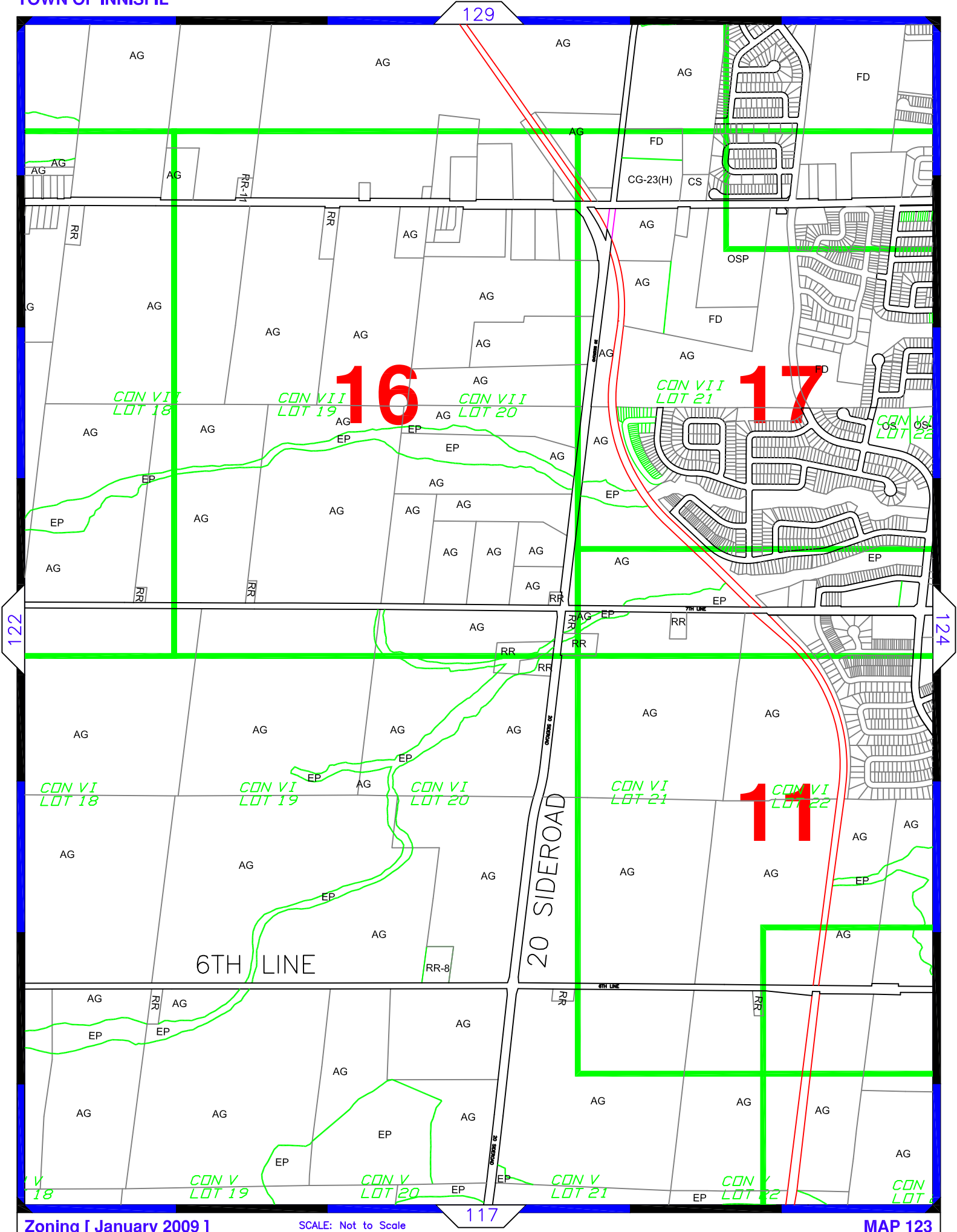
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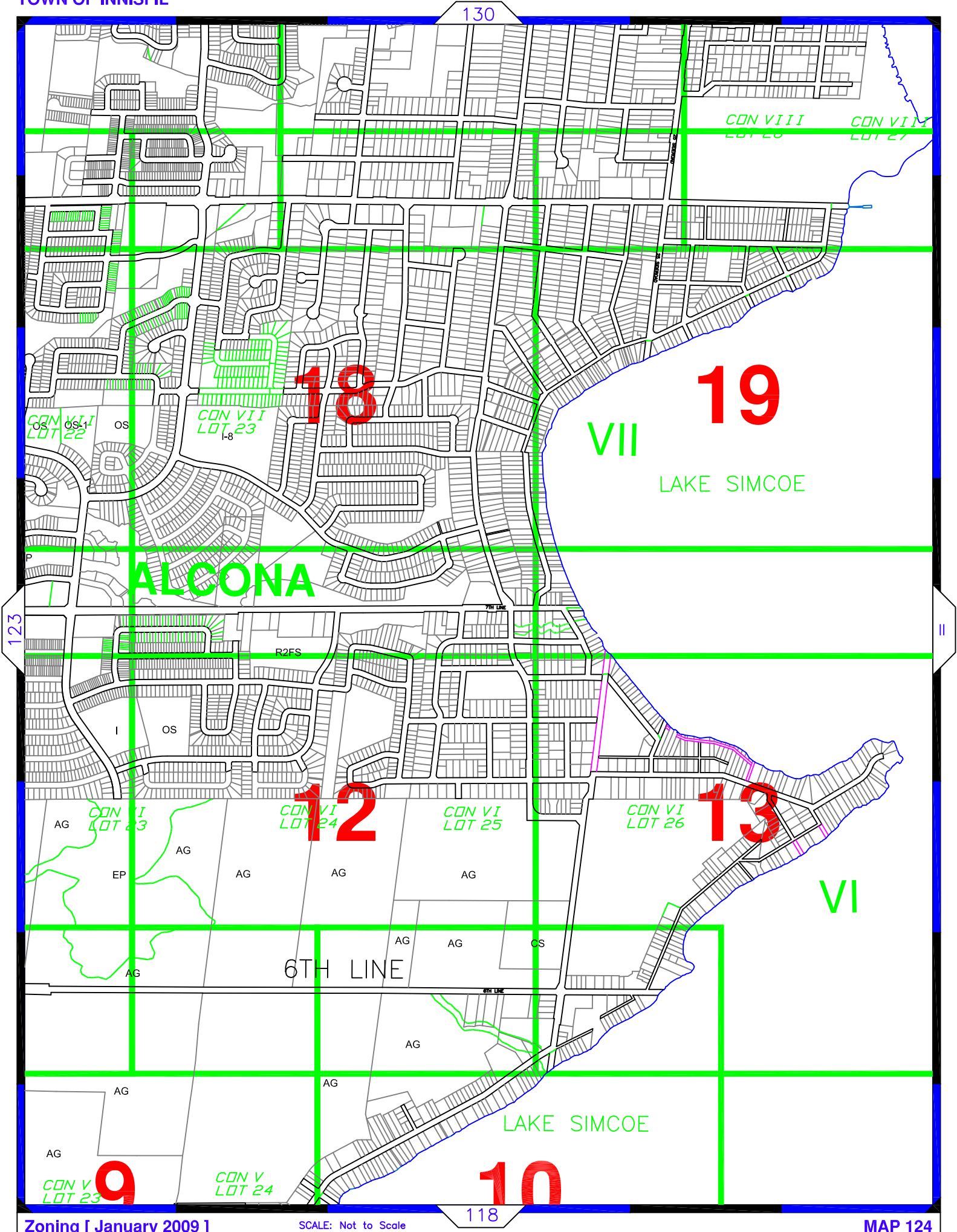
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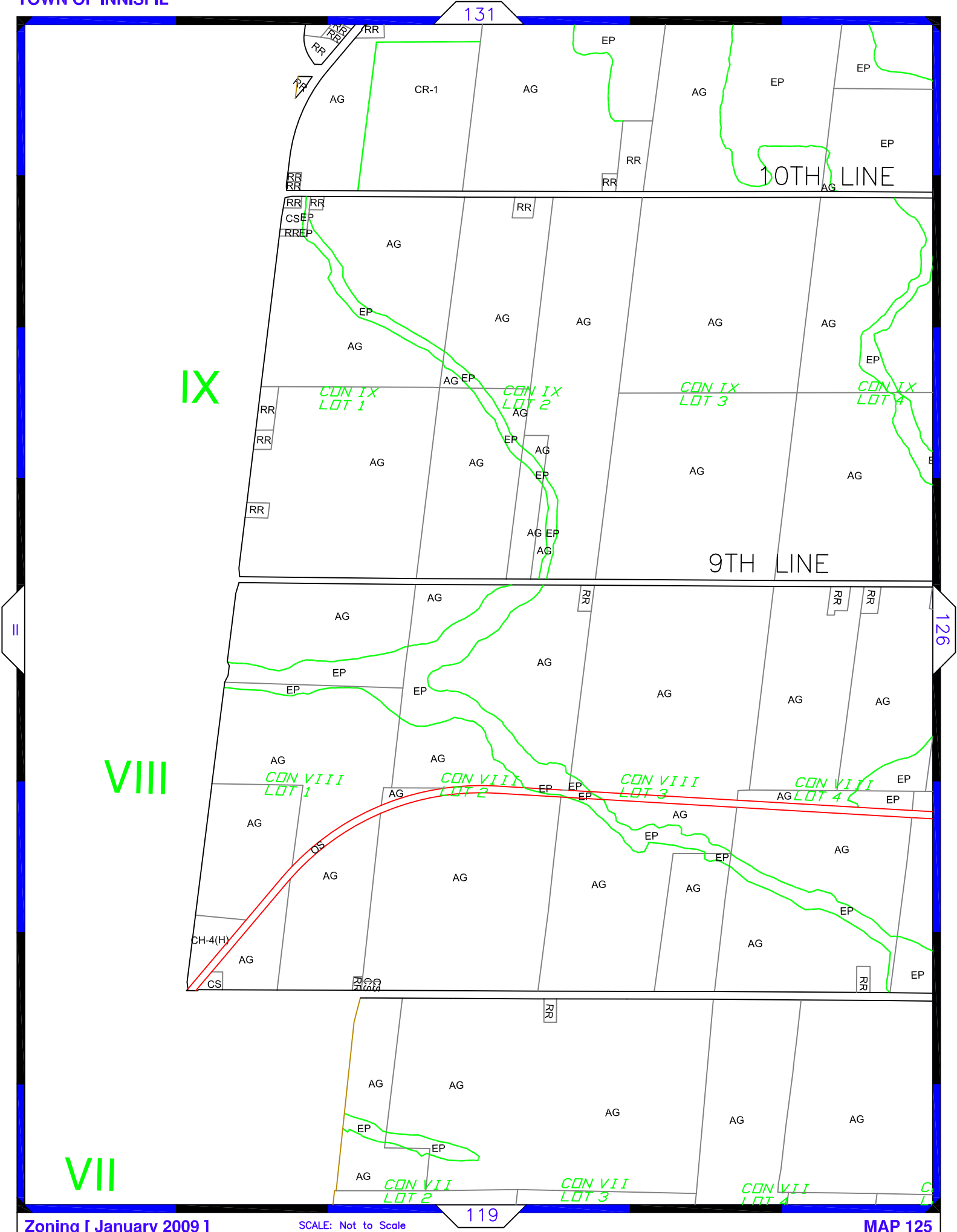
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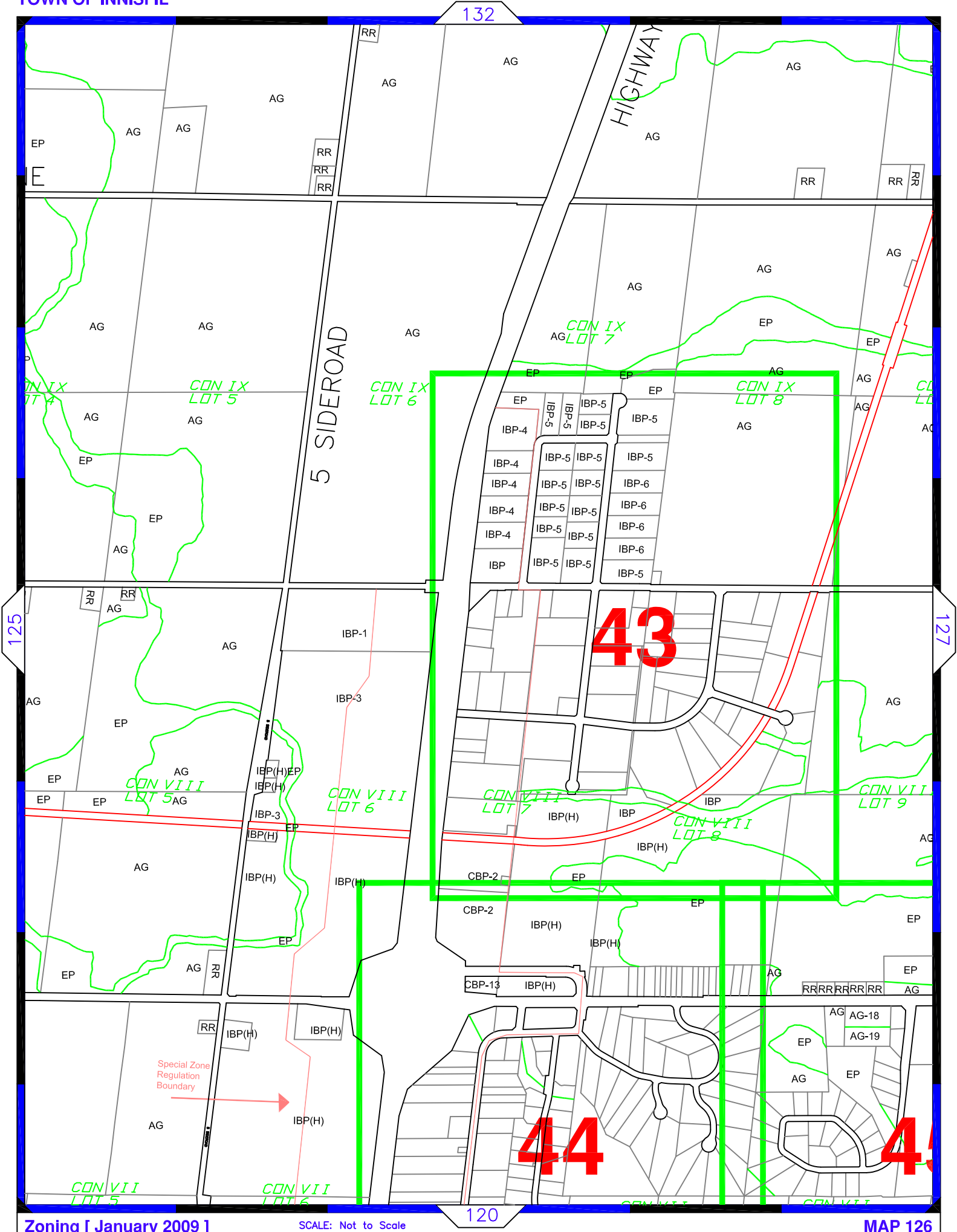
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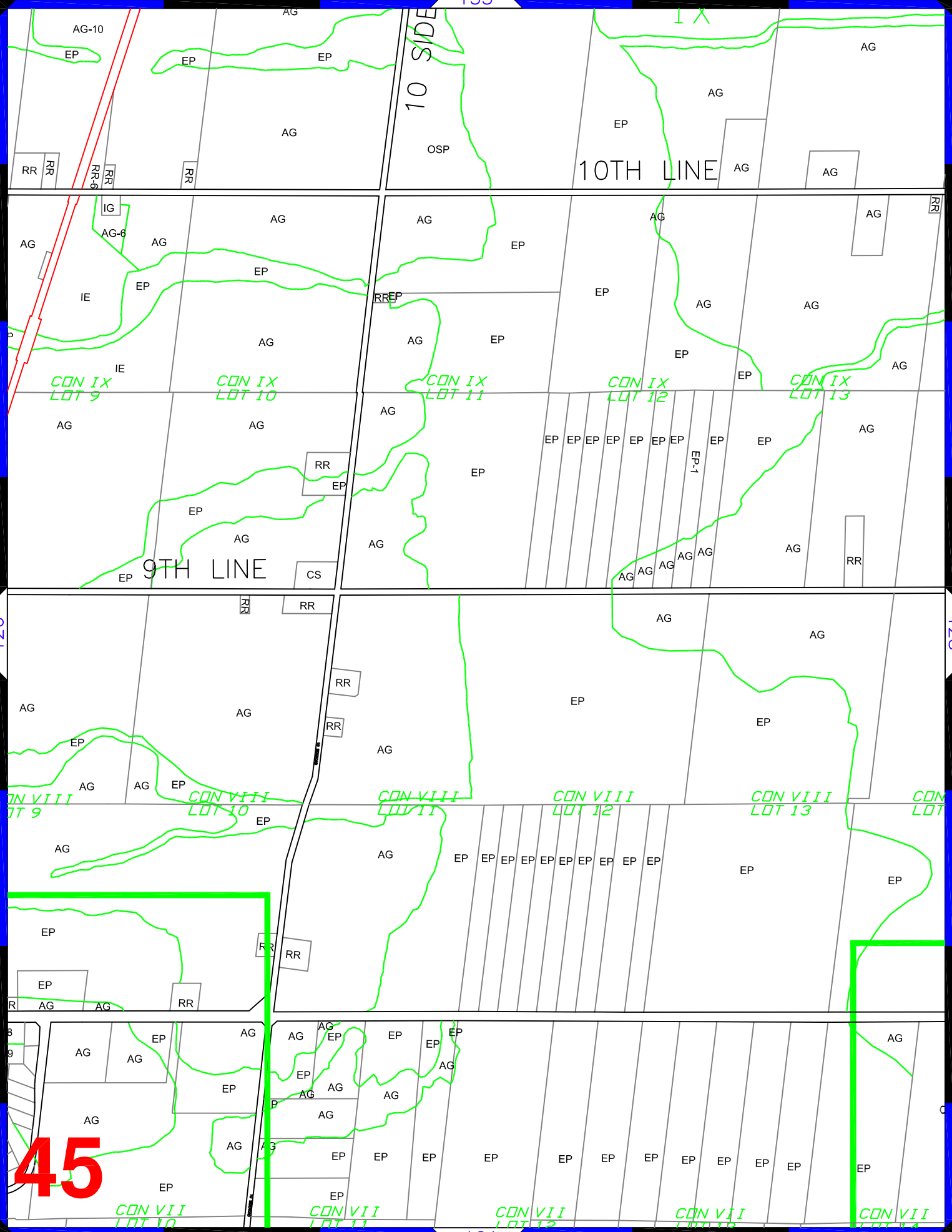
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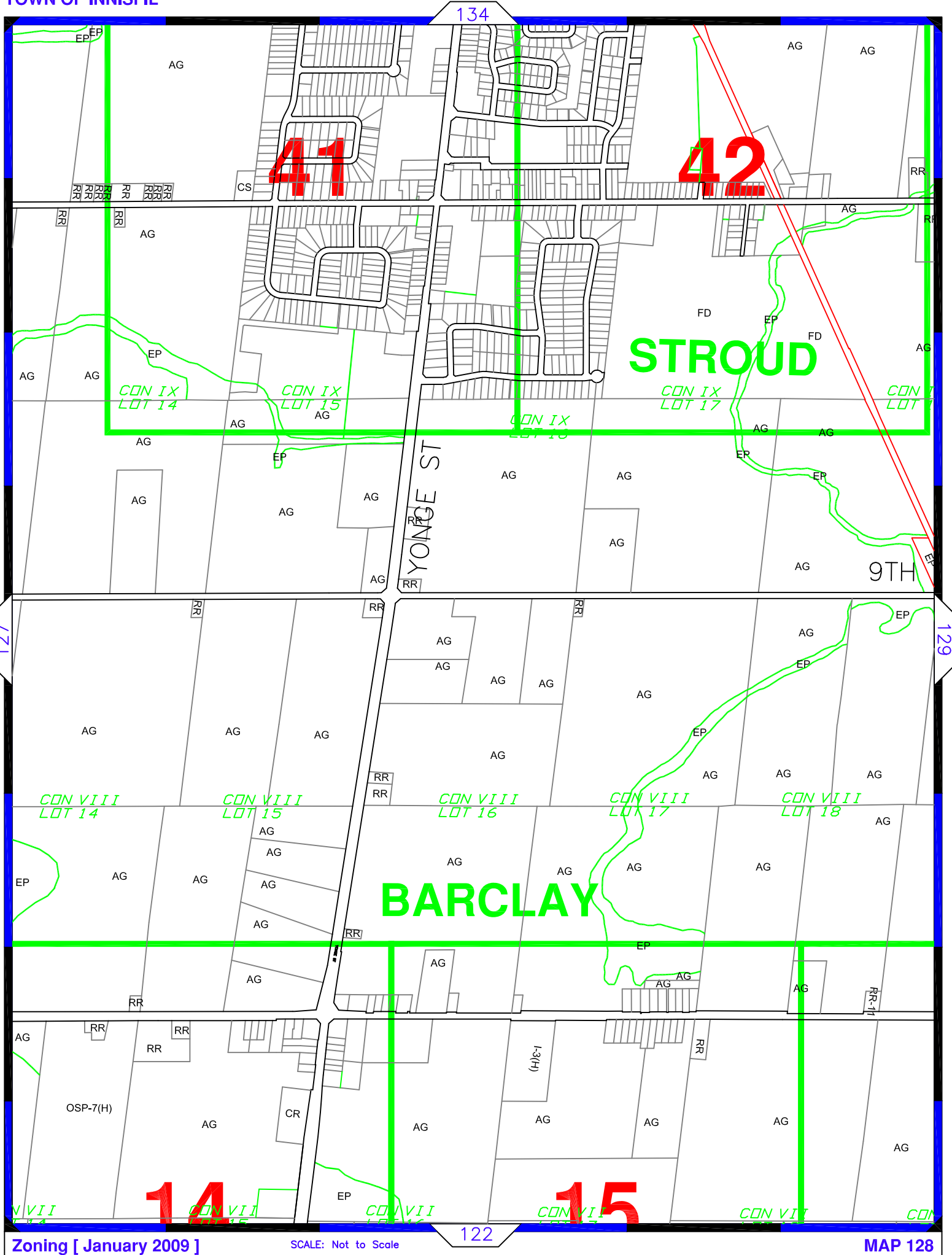


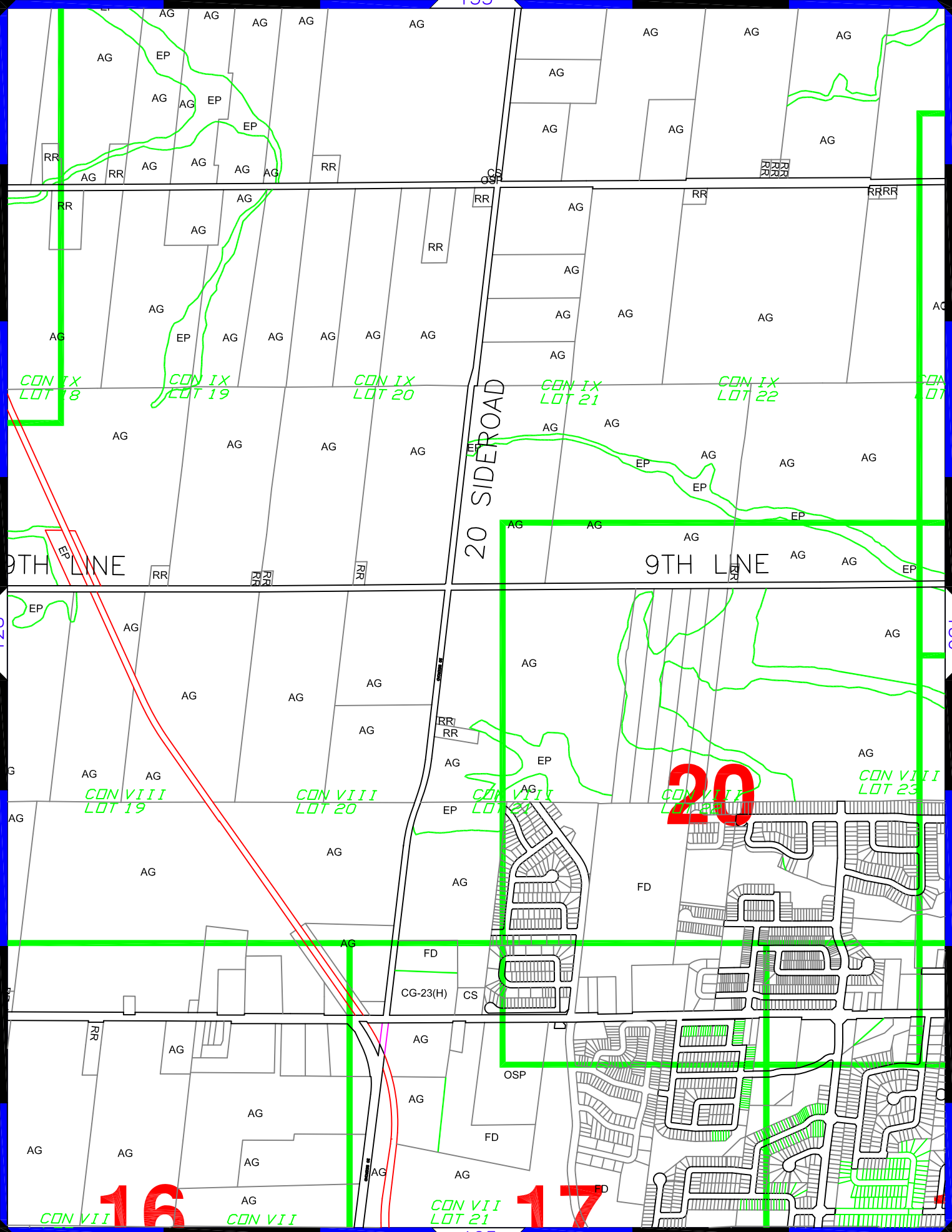










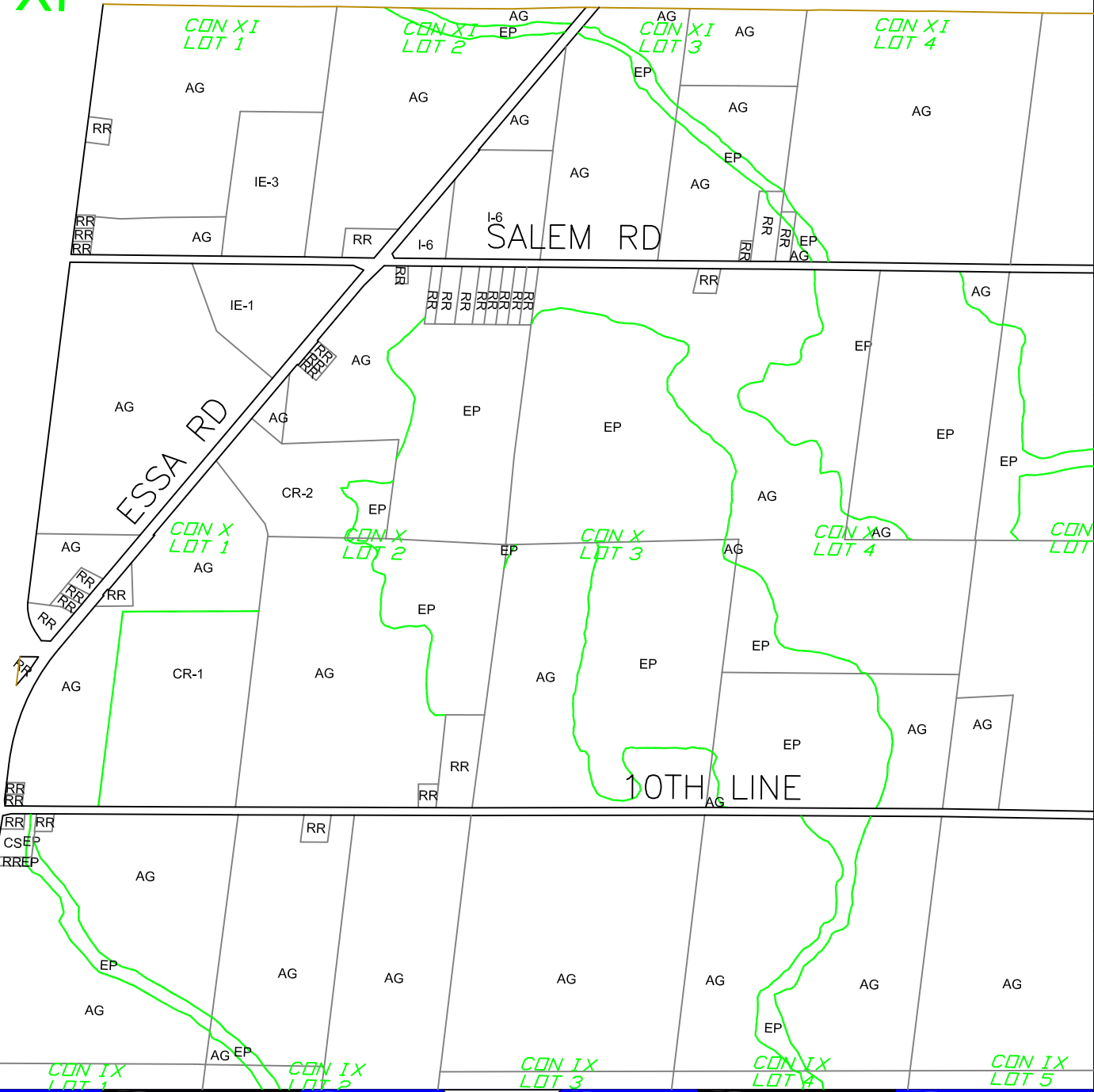


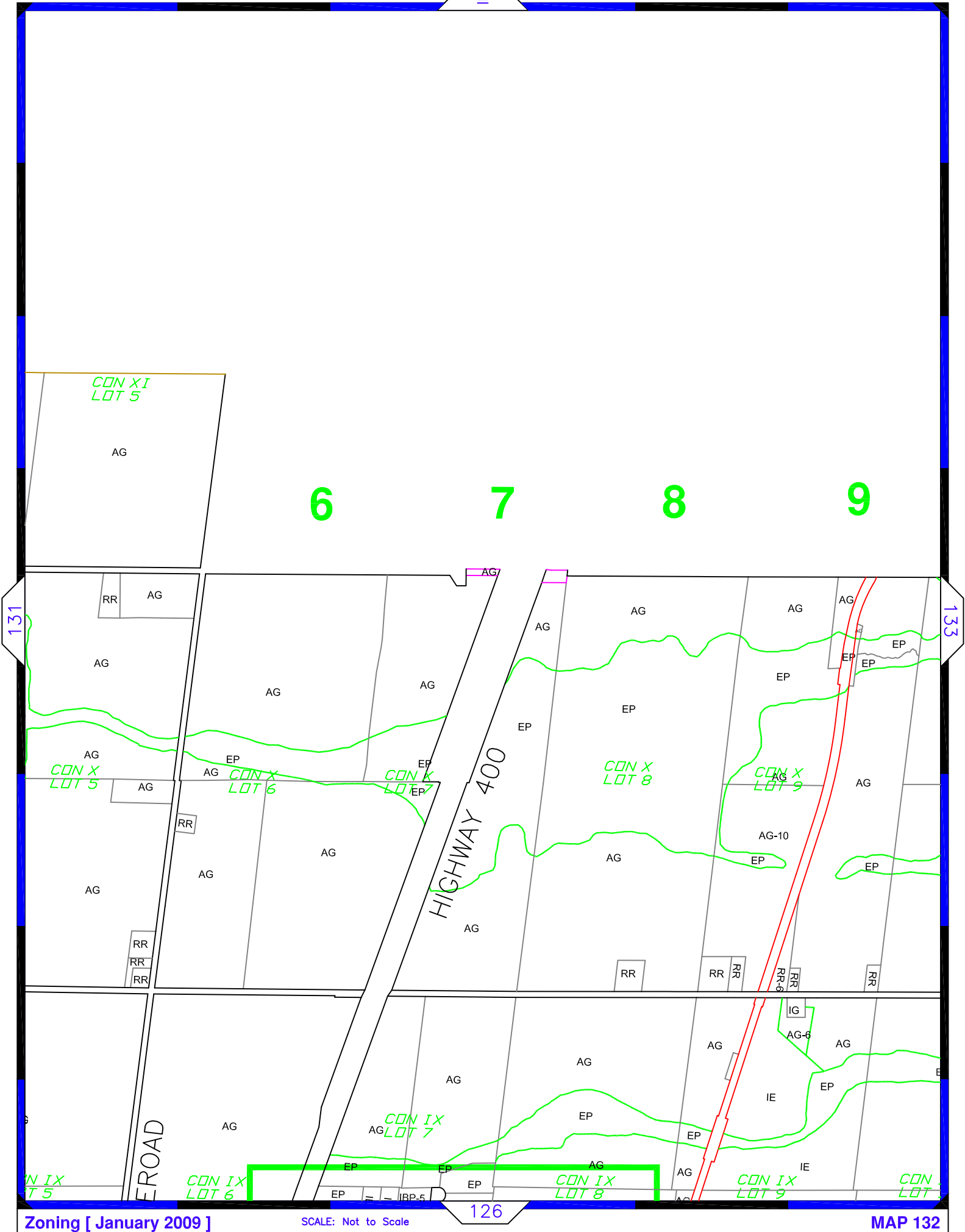


XI

X

132





CITY OF BARRIE

10

11

132

134

10 SIDEROAD

10TH LINE

CON X LOT 10

CON X LOT 11

CON X LOT 12

CON X LOT 13

CON X LOT 14

IX

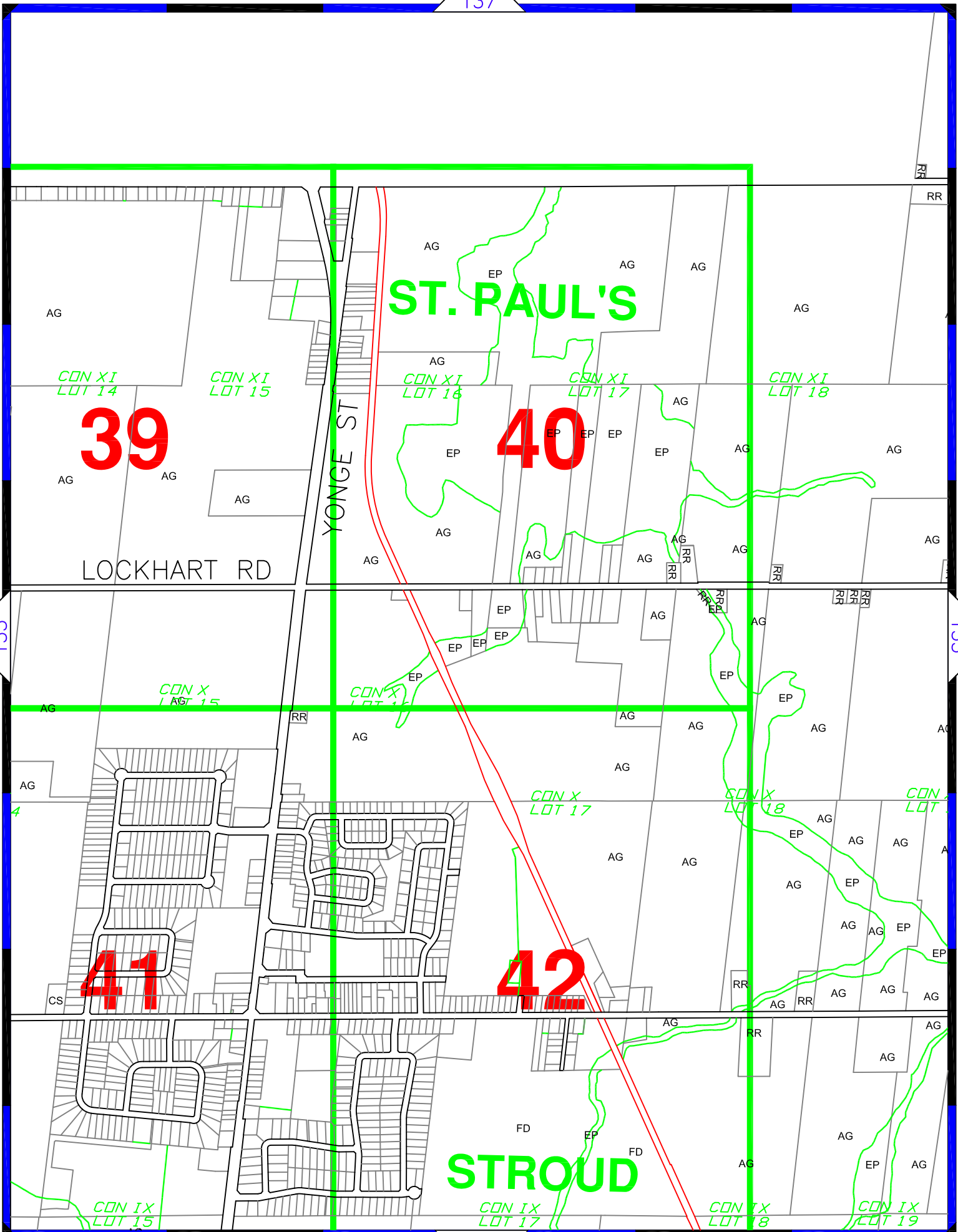
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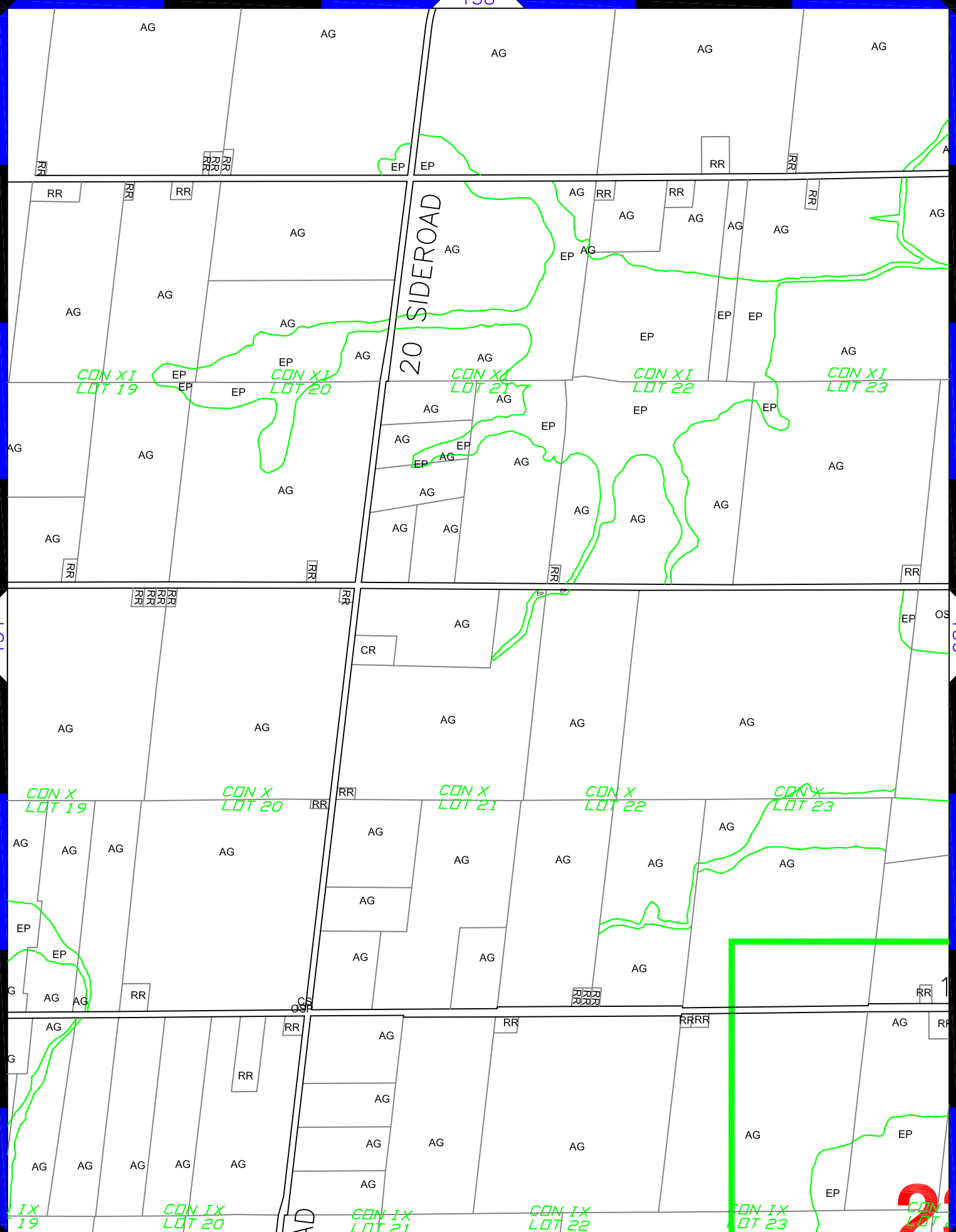
CON IX LOT 11

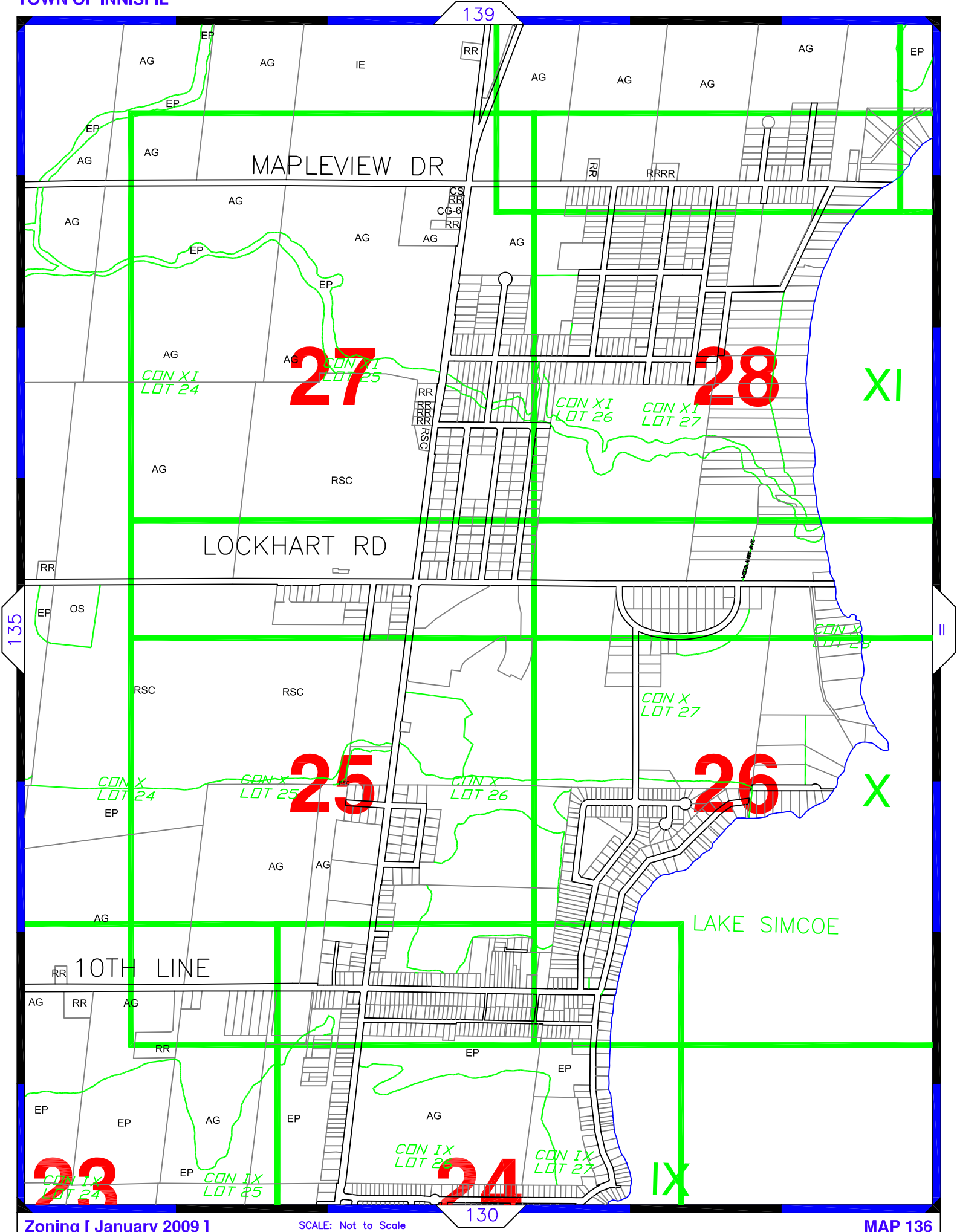
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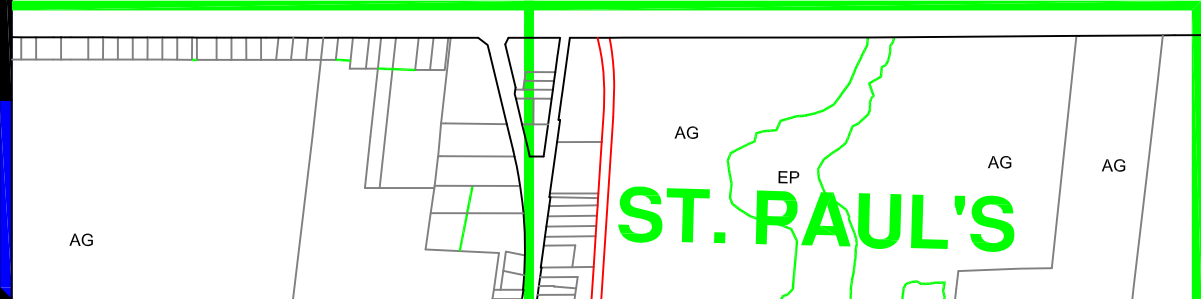
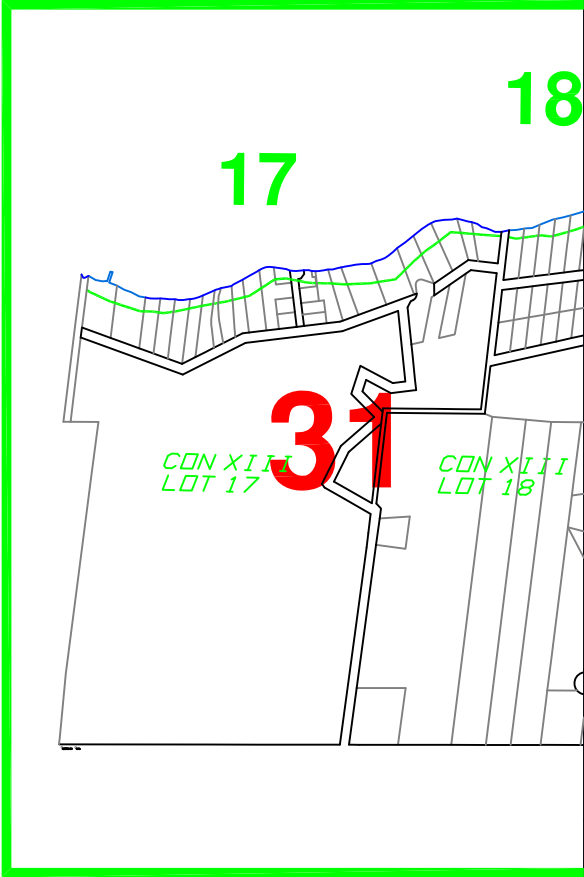
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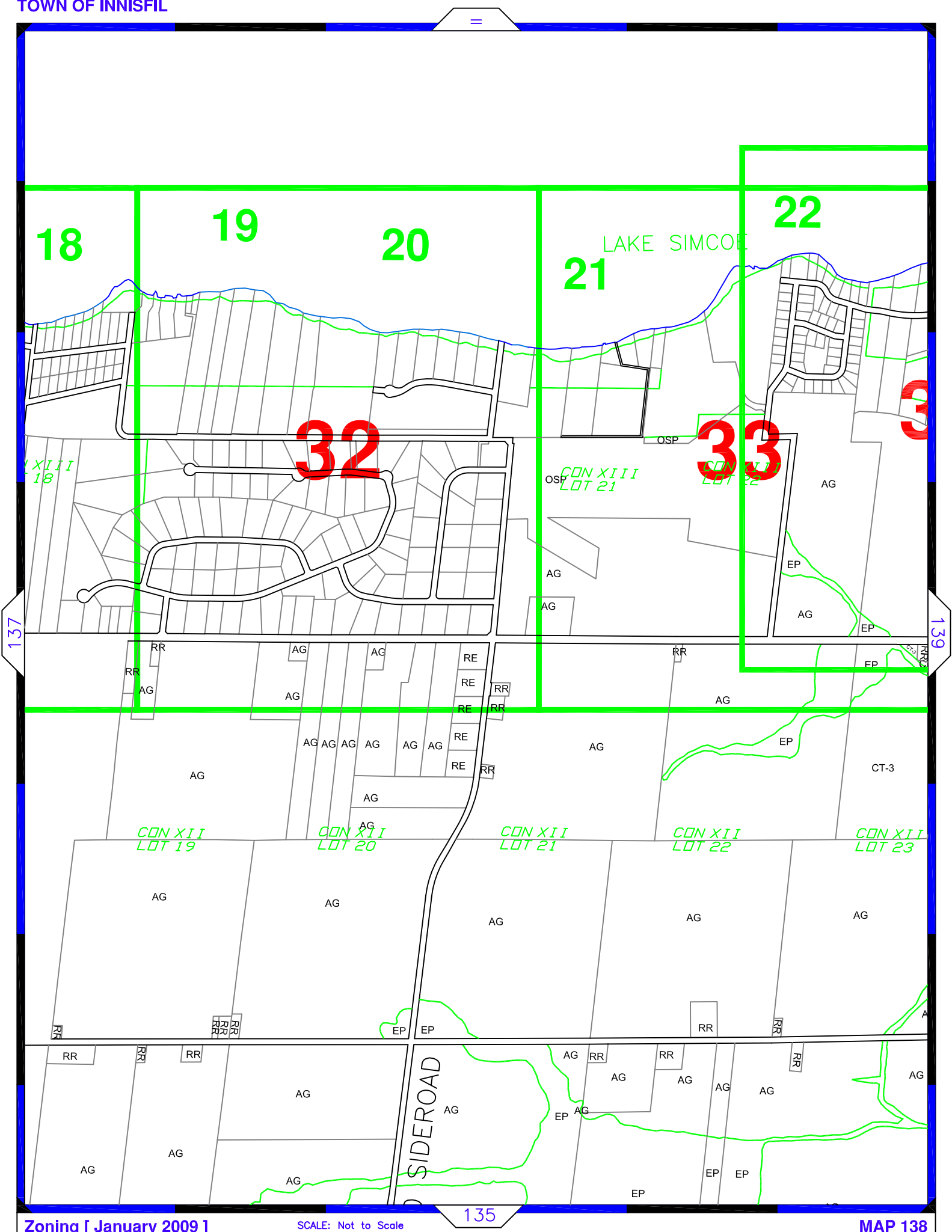
CON IX LOT 14



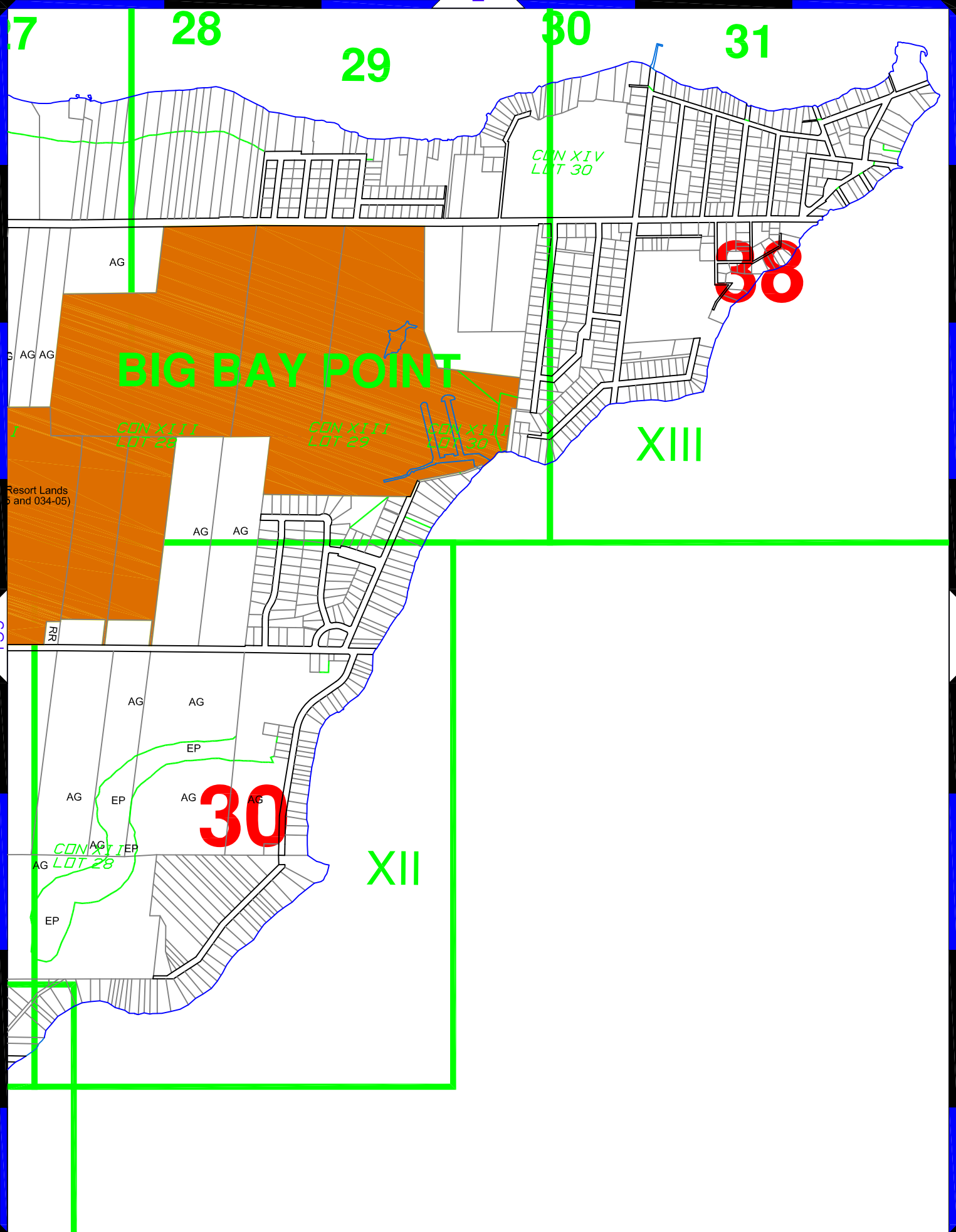


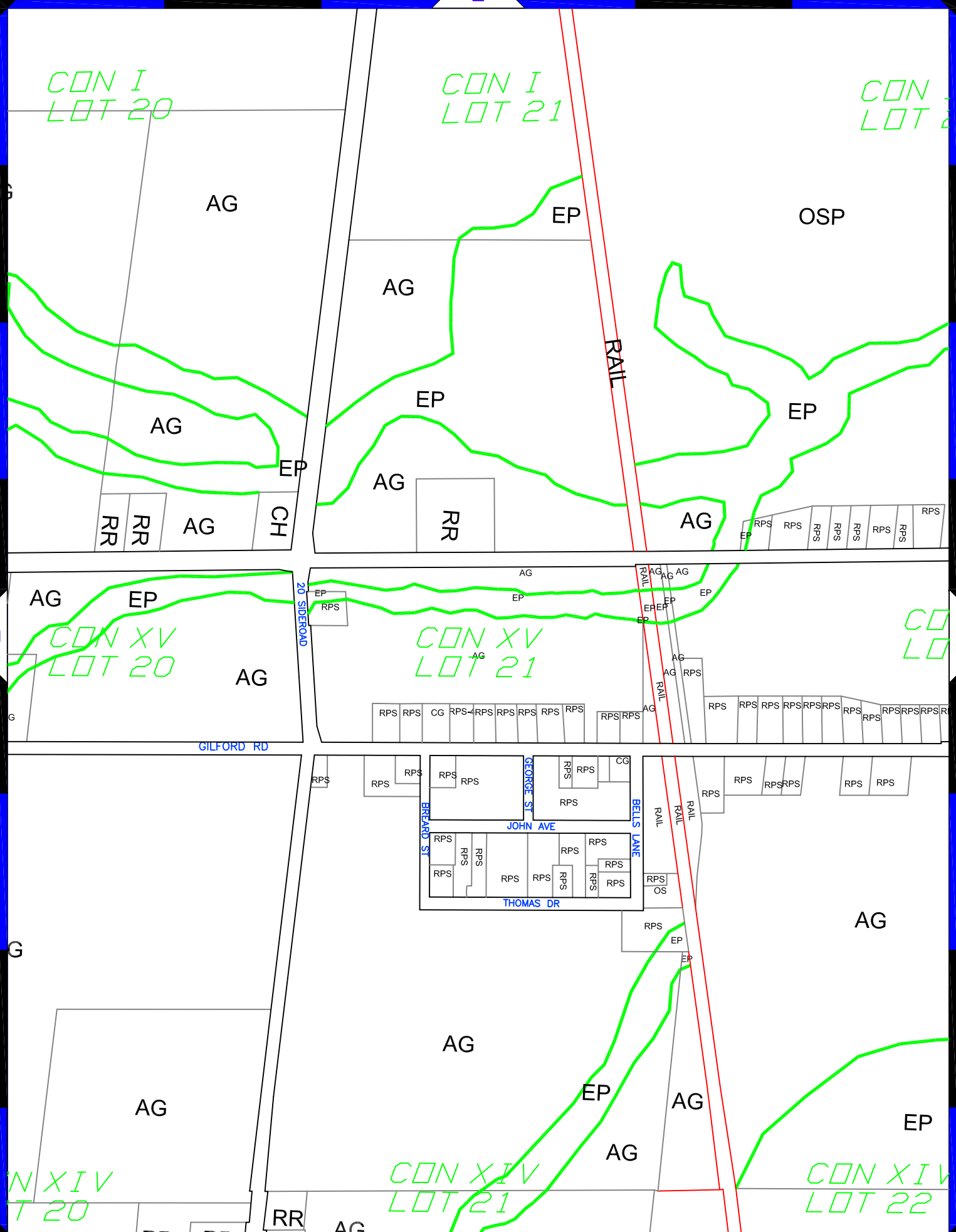


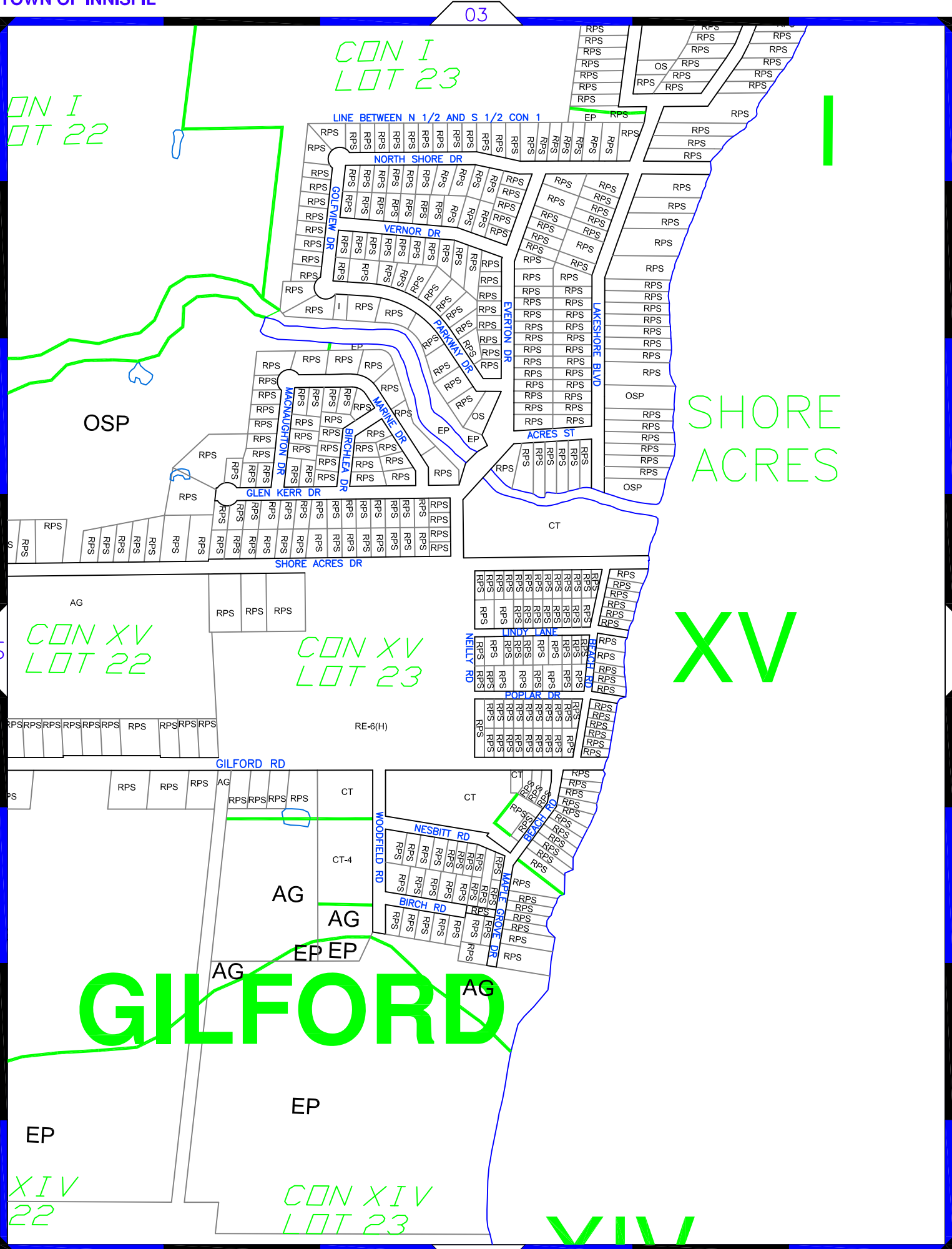


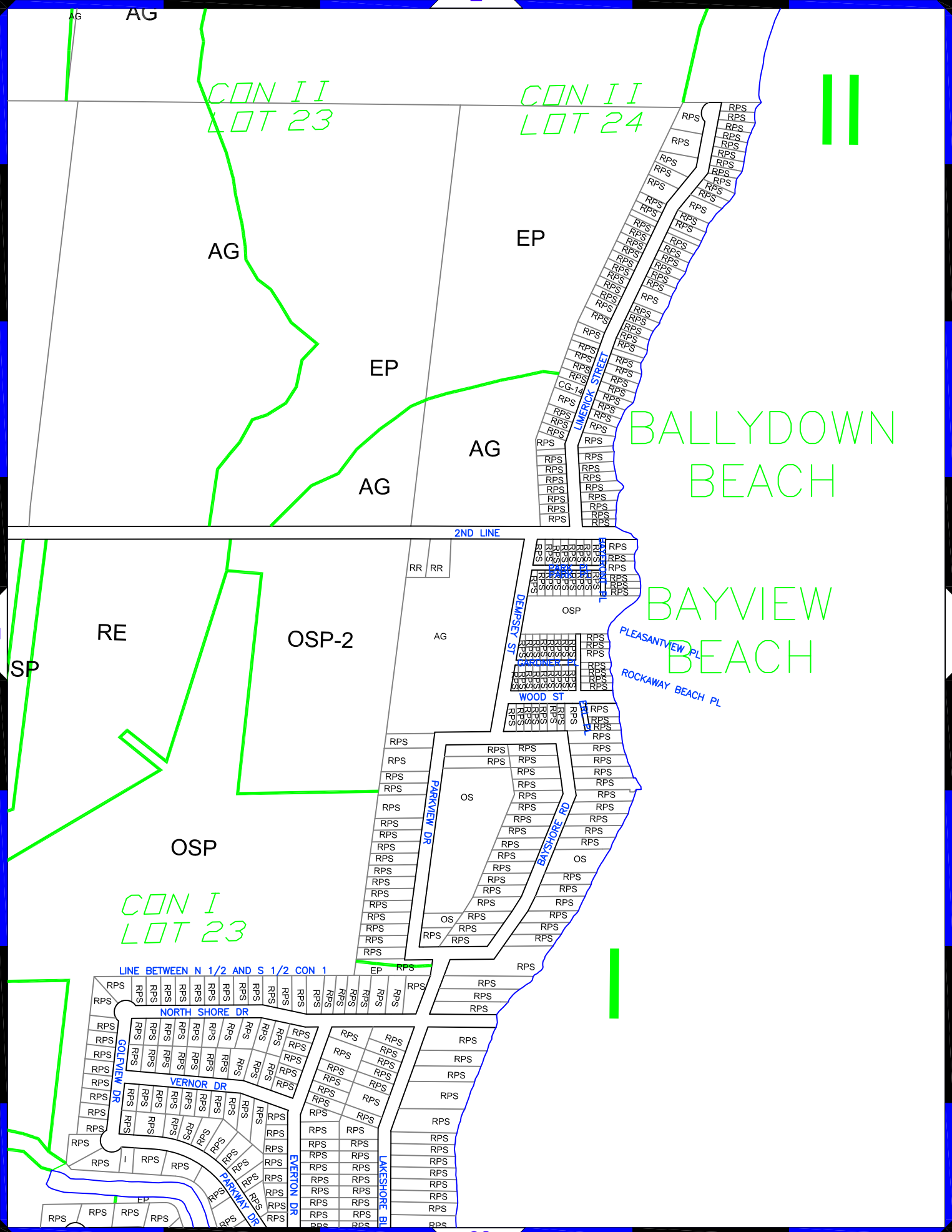


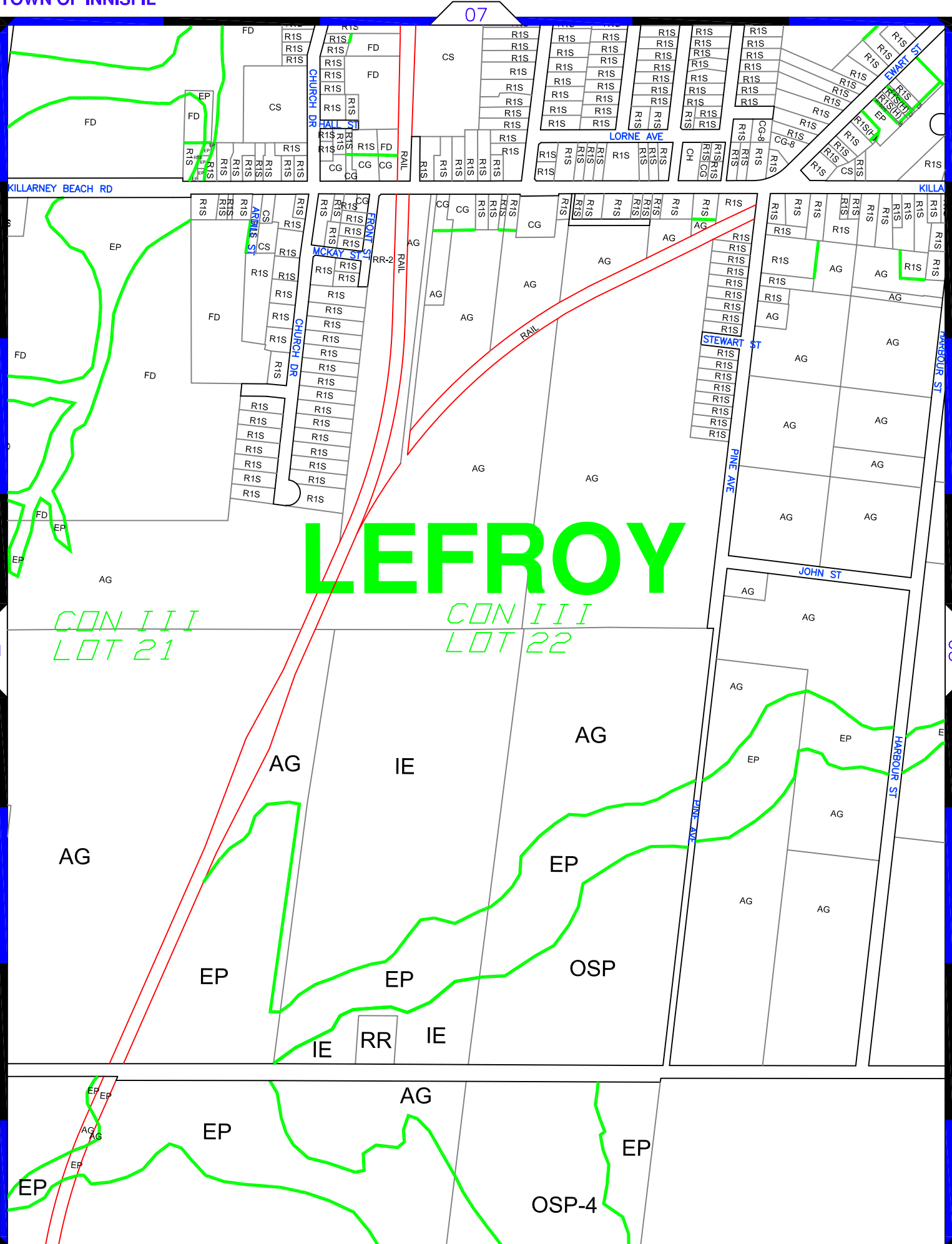












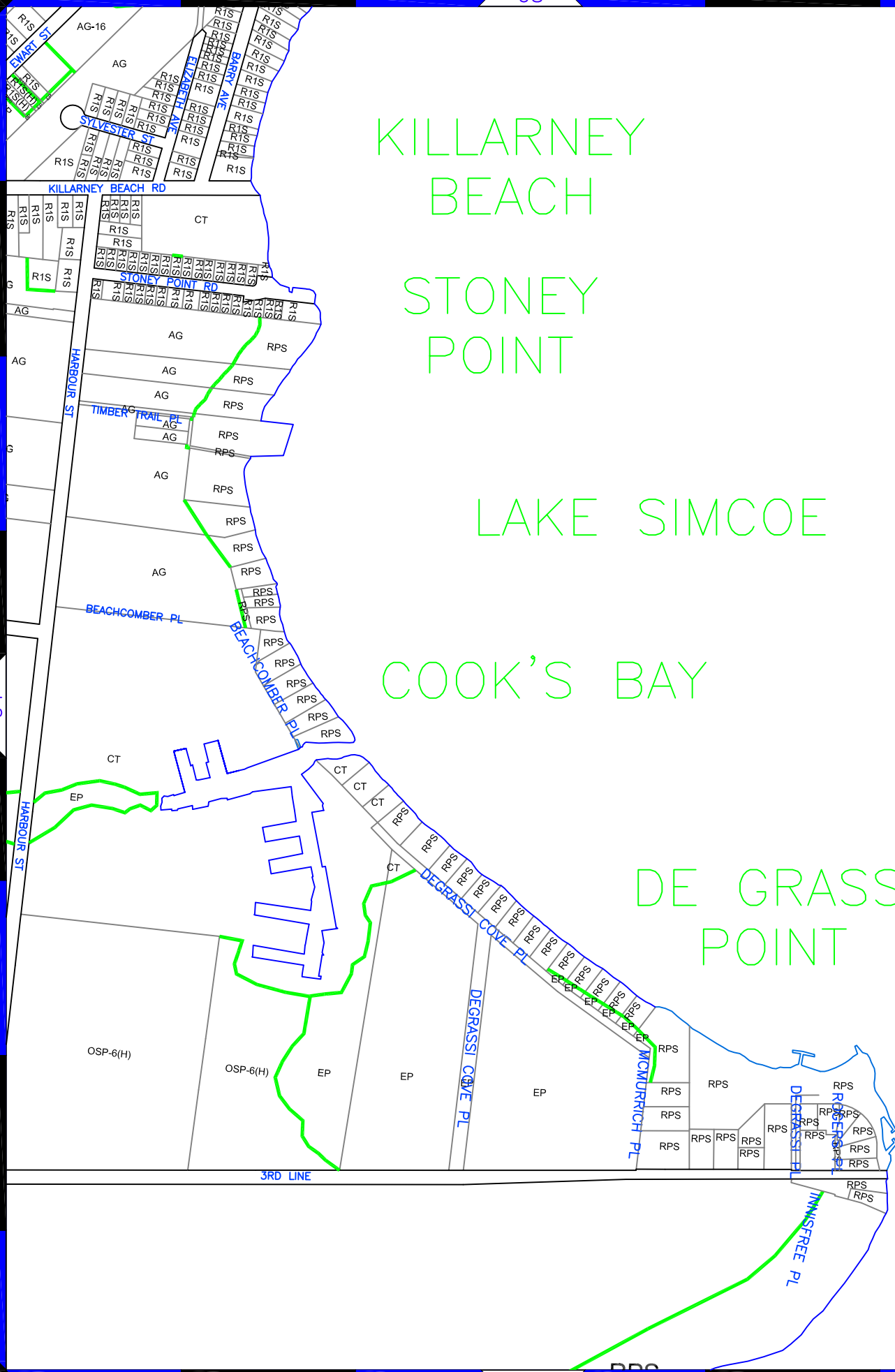
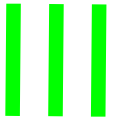
KILLARNEY
BEACH

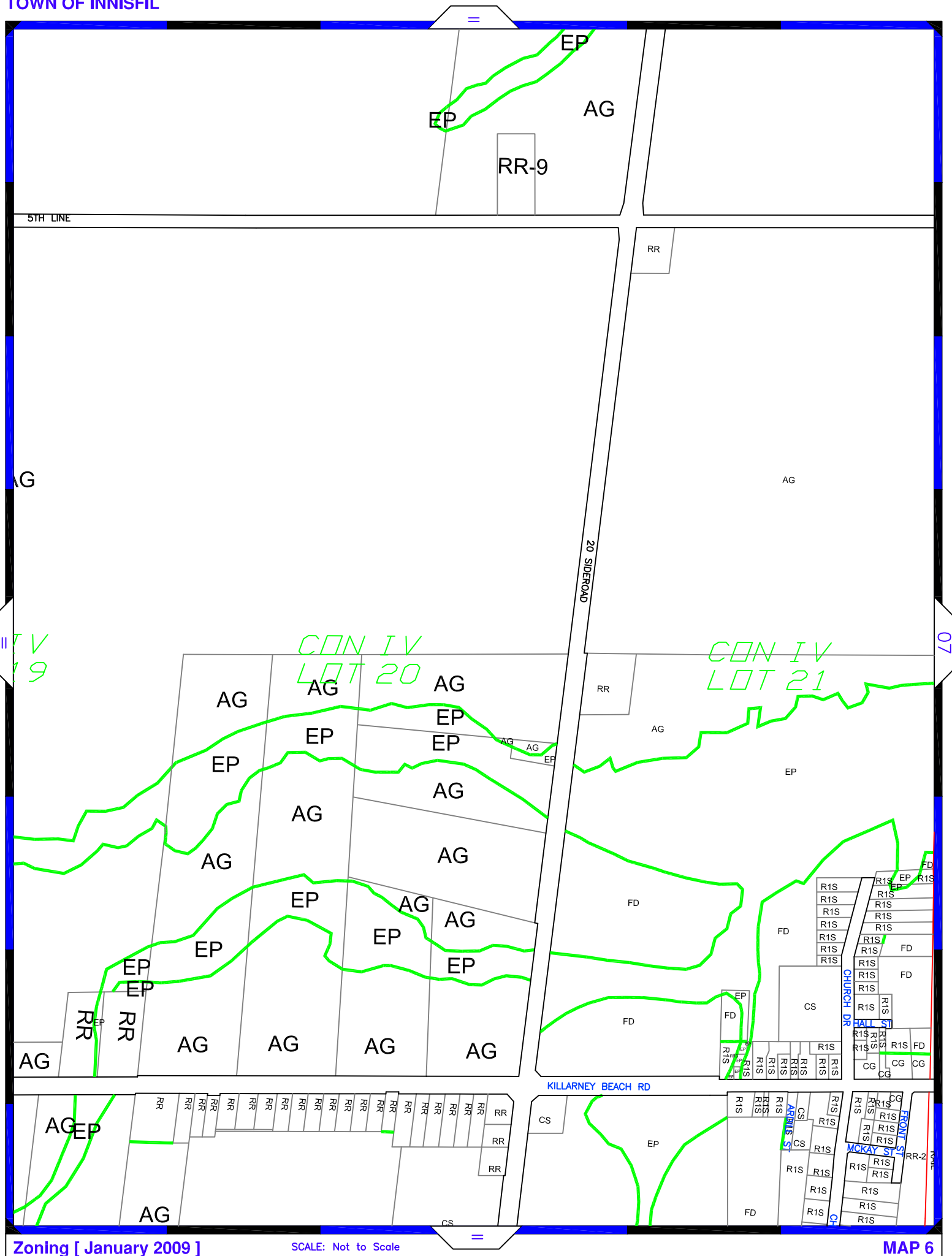
STONEY
POINT

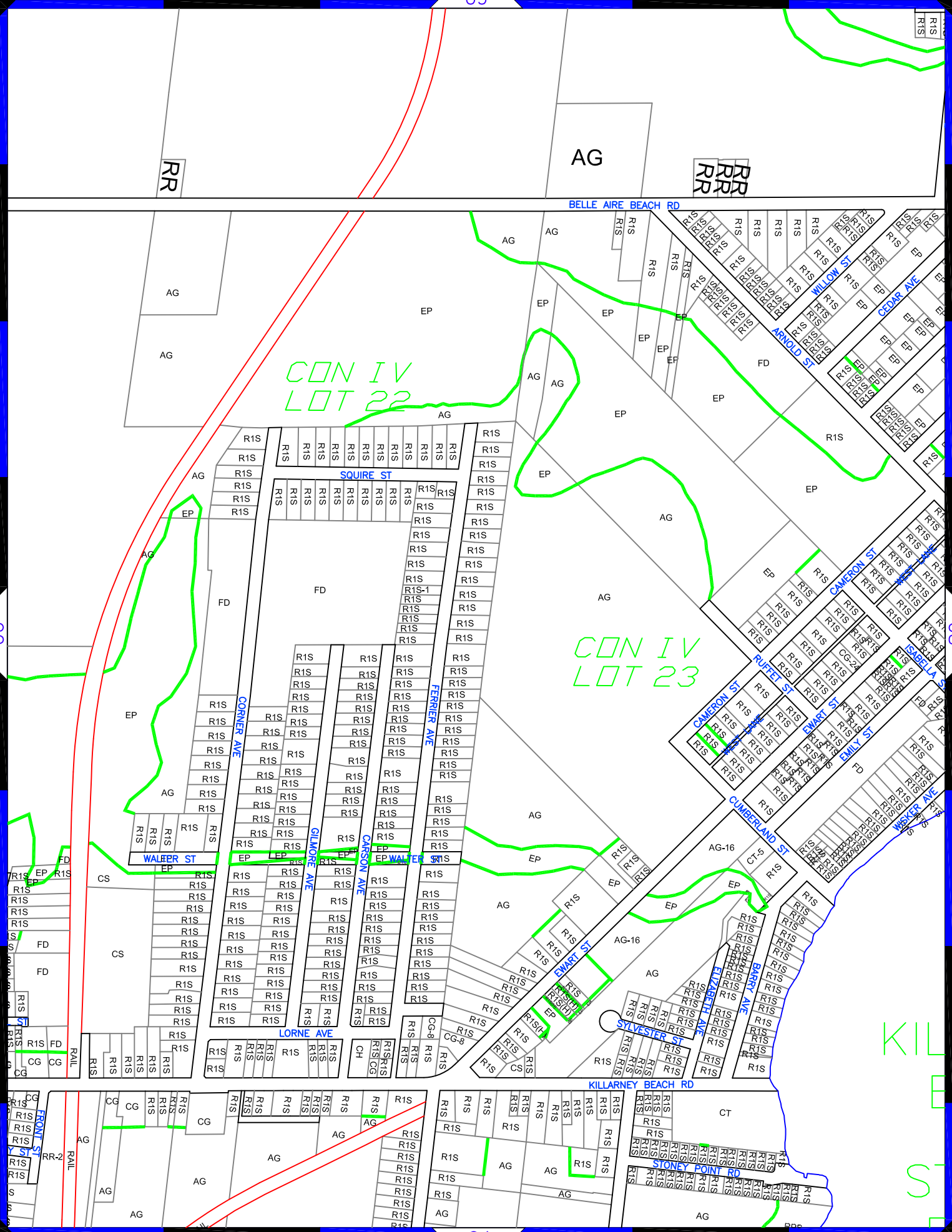
LAKE SIMCOE

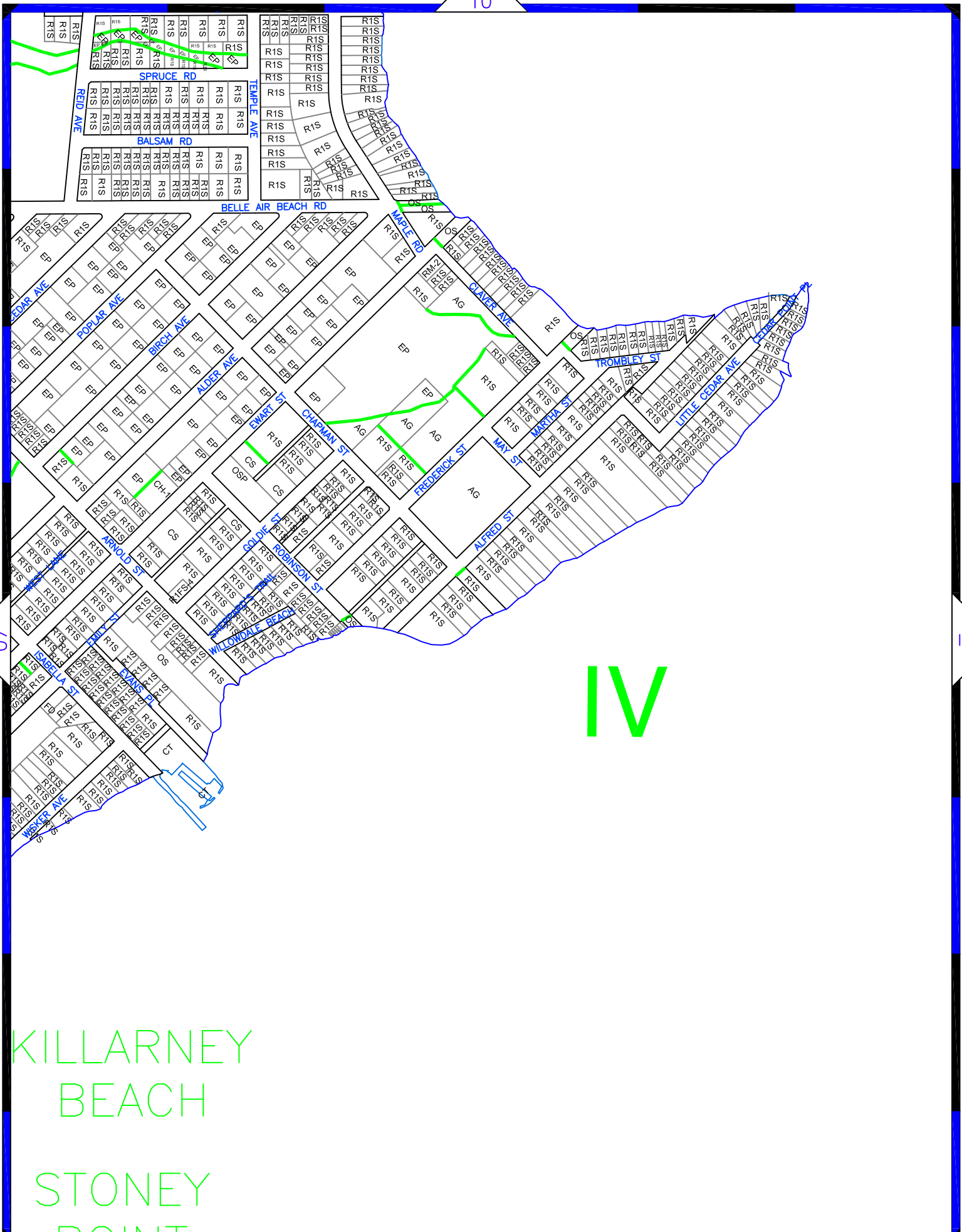
COOK'S BAY

DE GRASSI
POINT

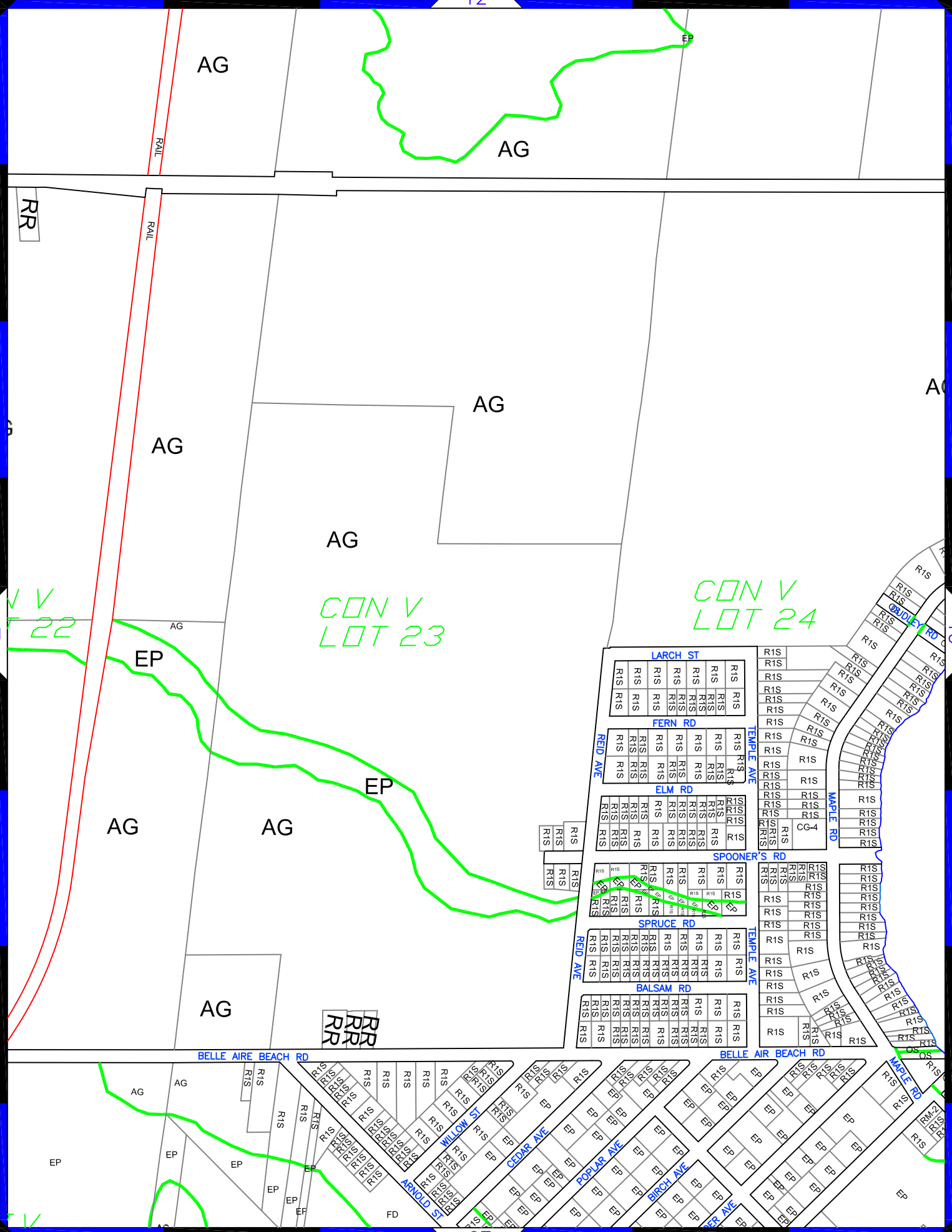


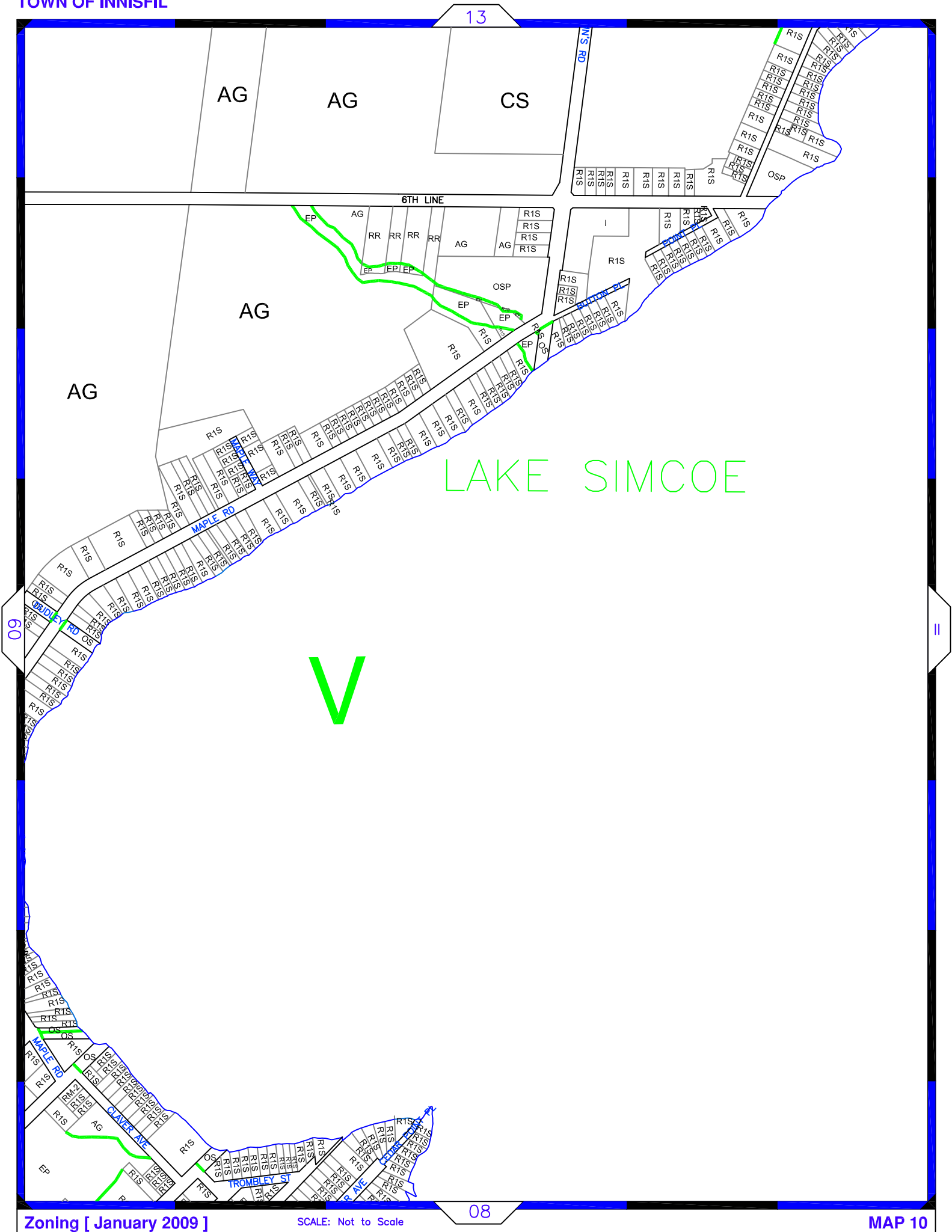


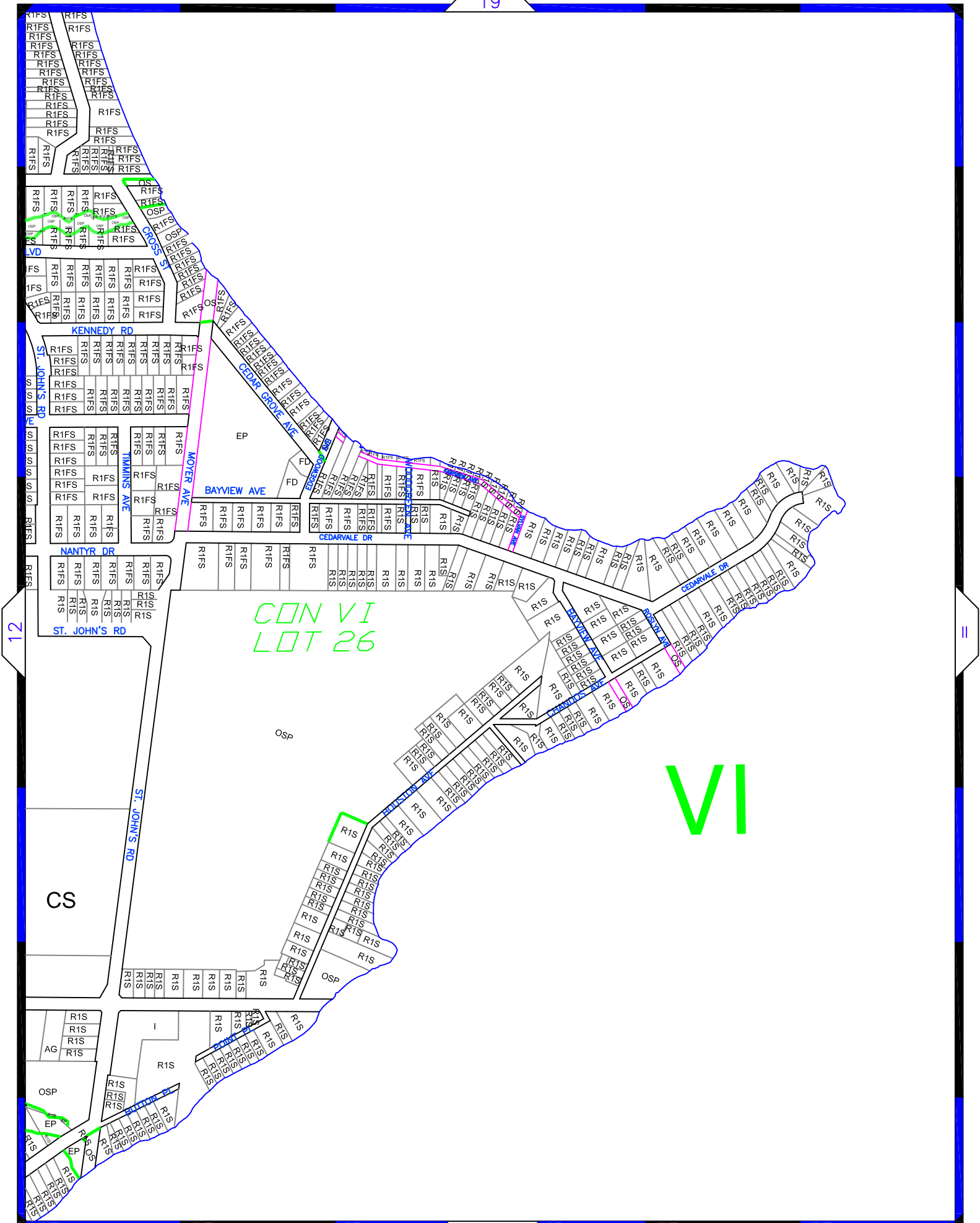


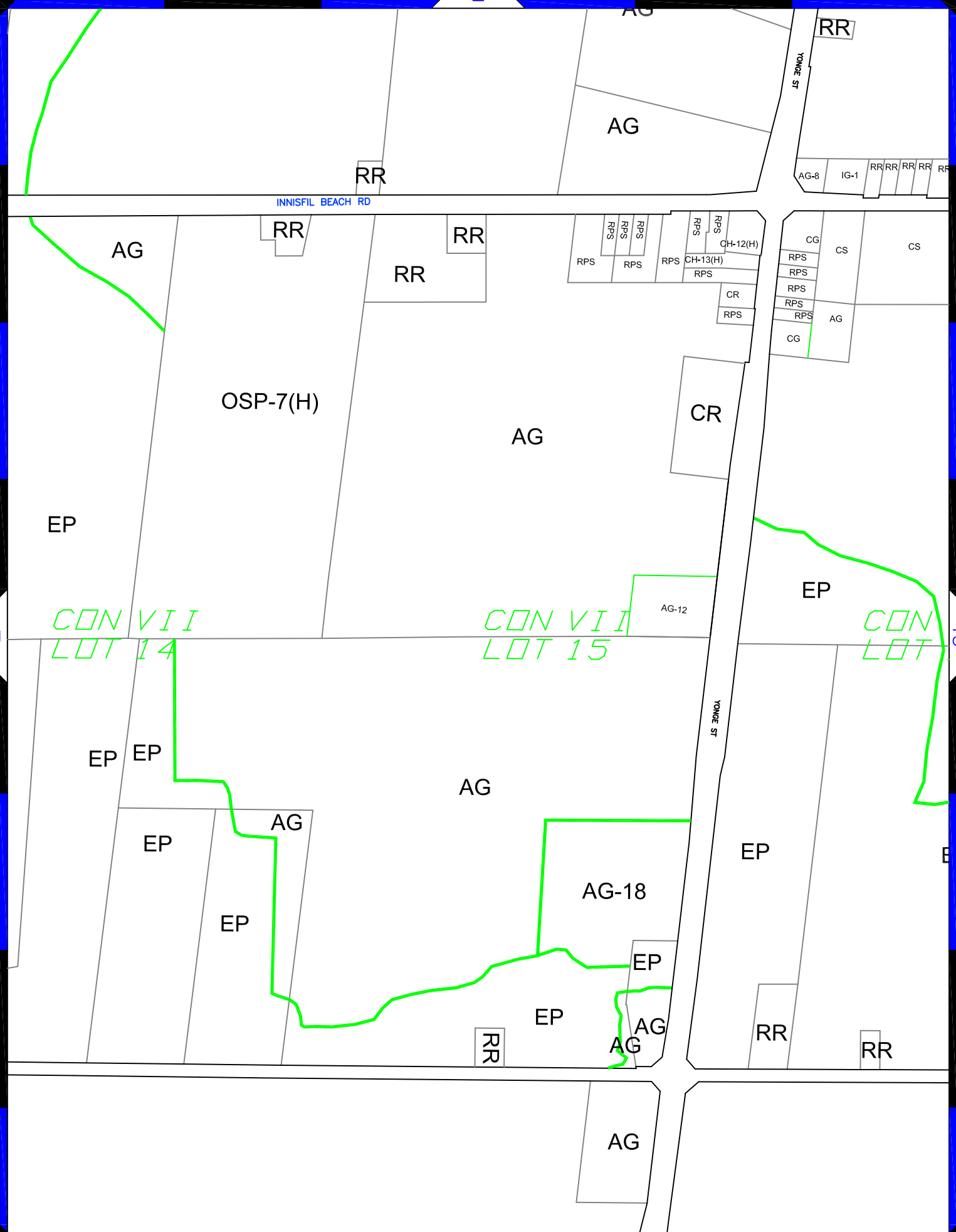


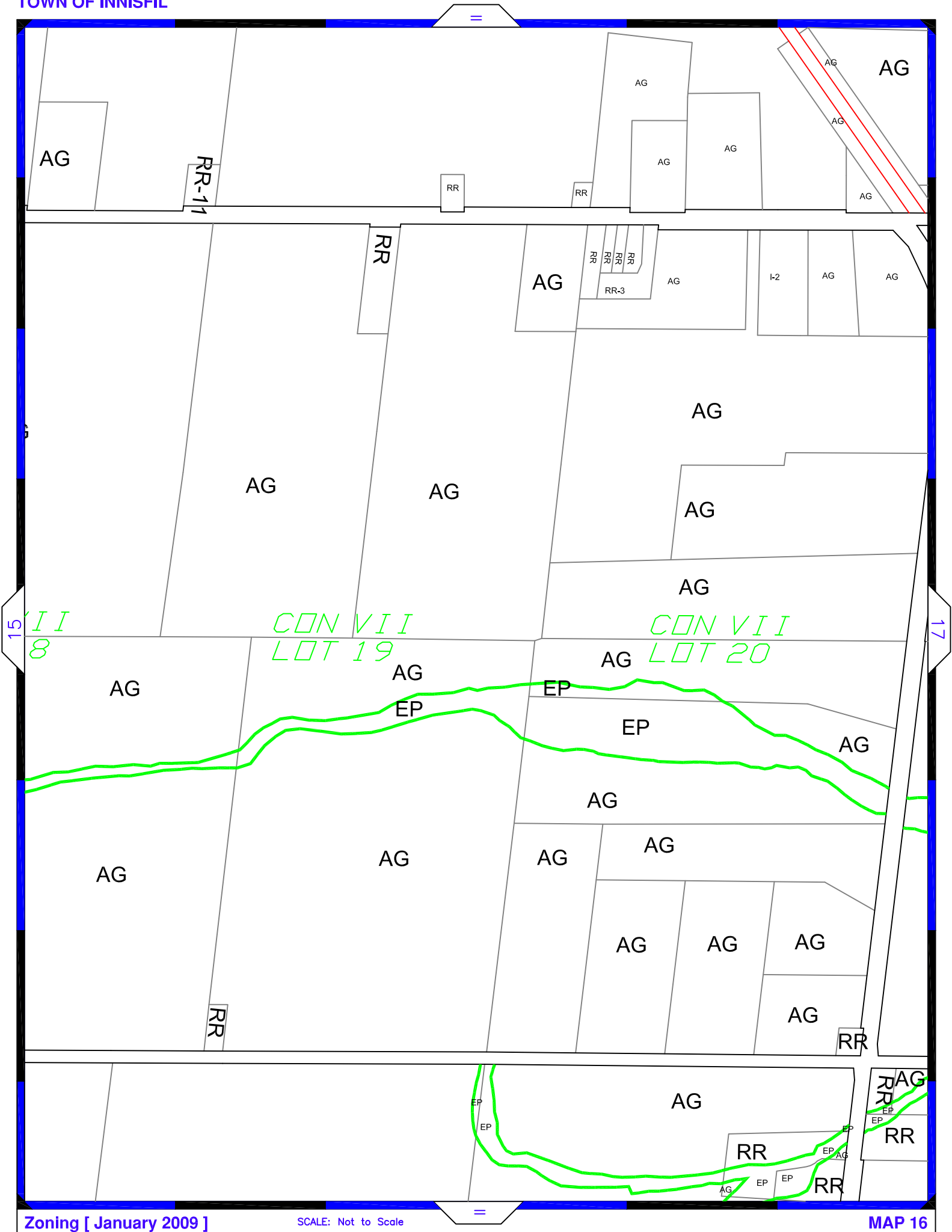
KILLARNEY
BEACH
STONEY
POINT

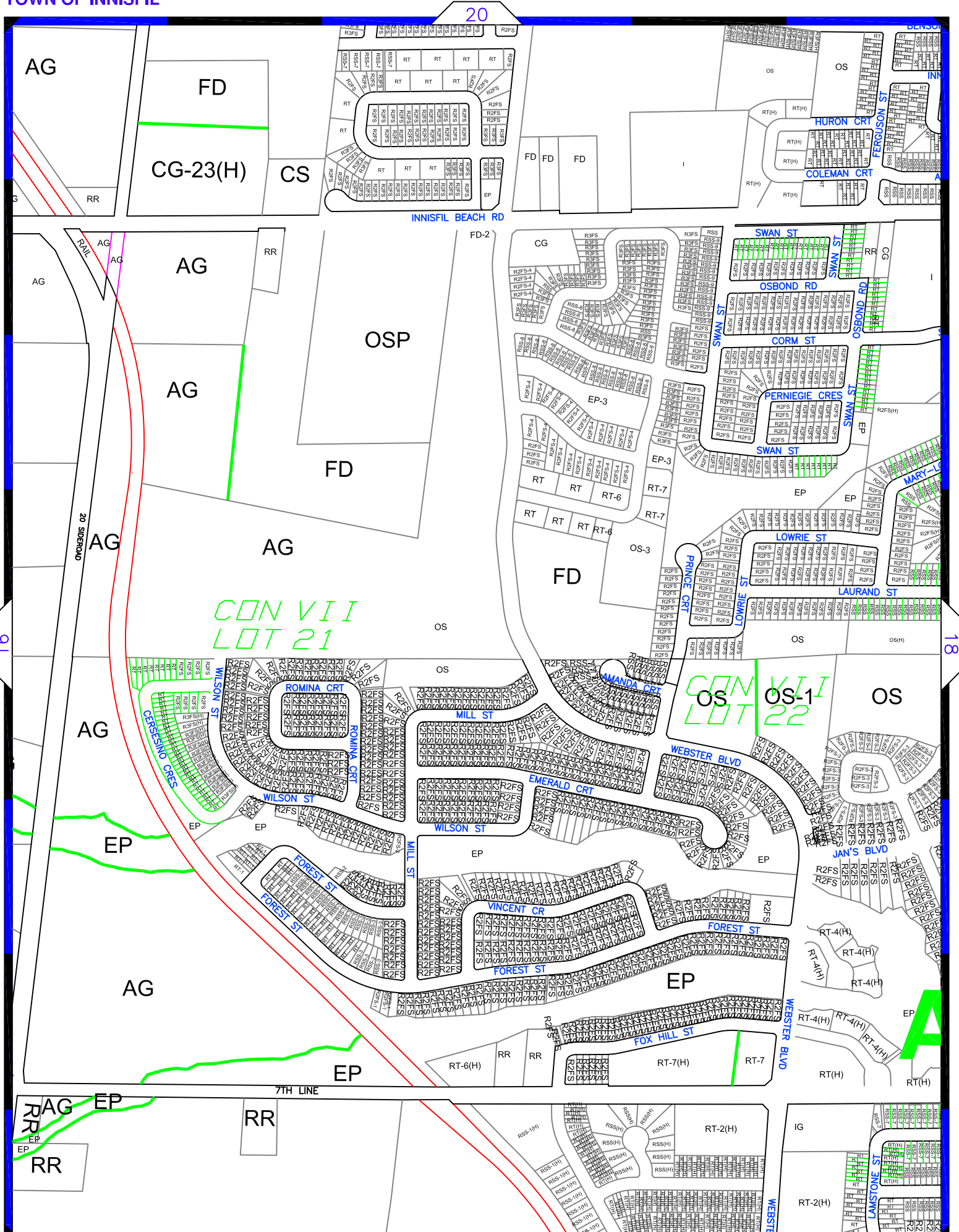






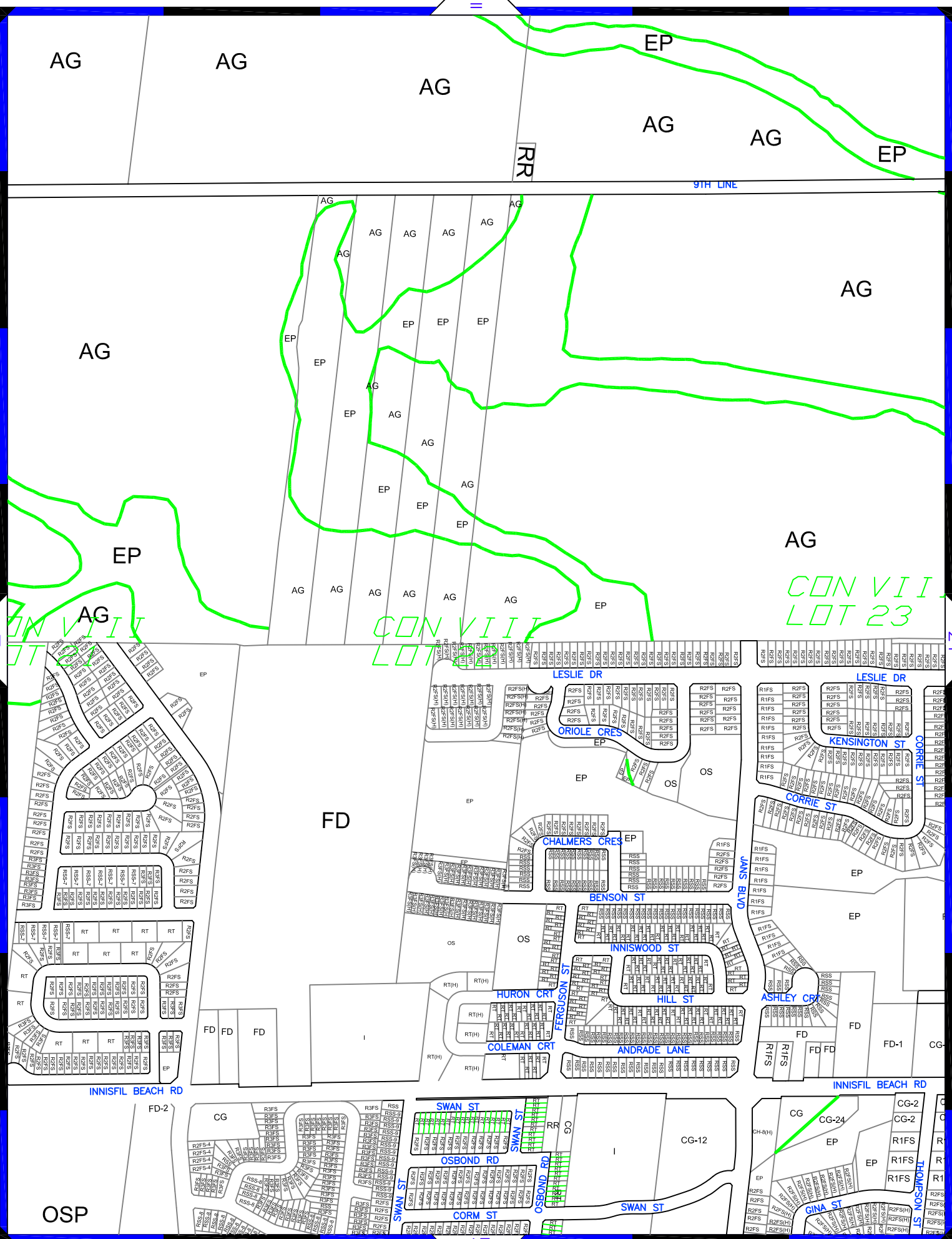


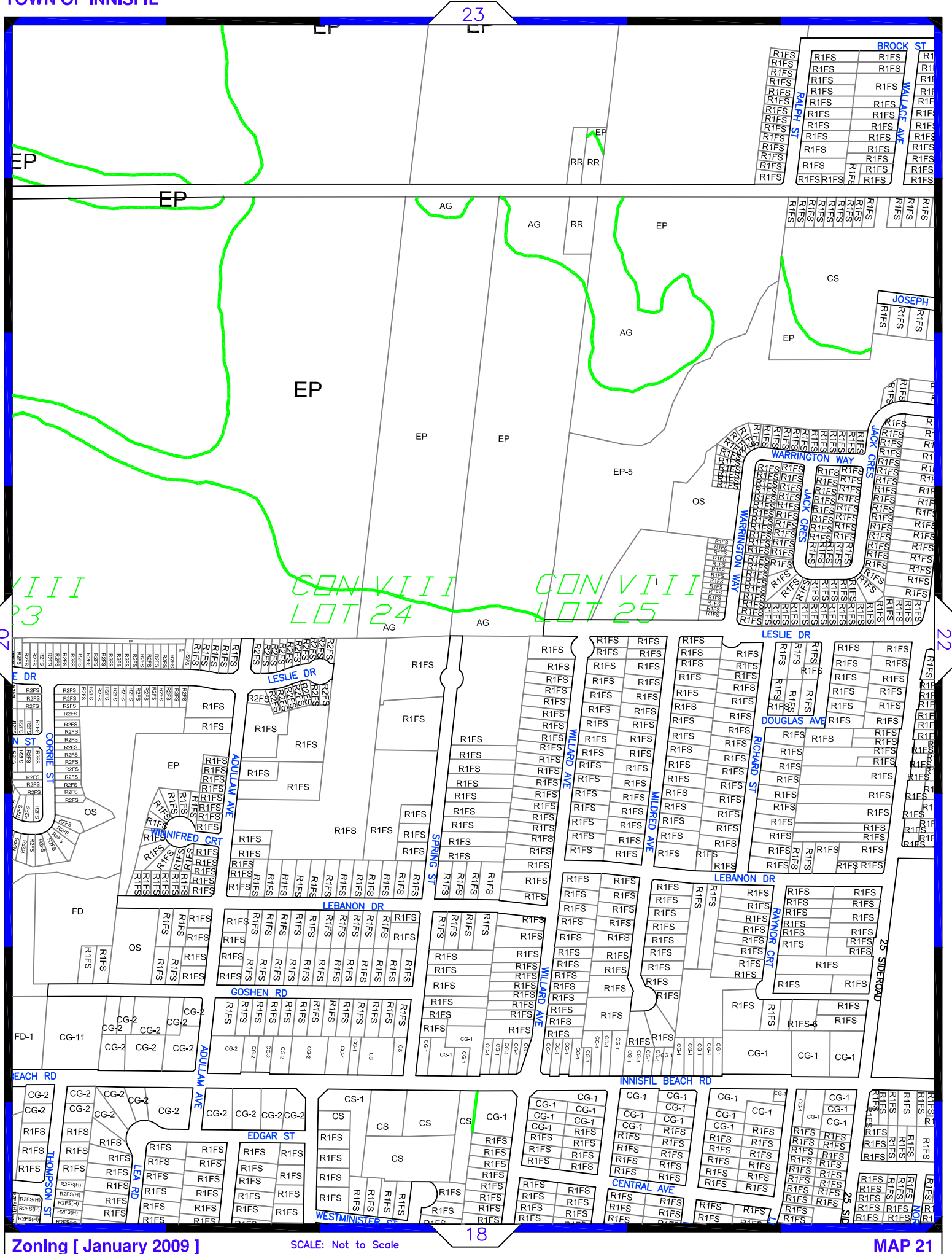














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10TH LINE

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[illegible]

RR

BB

RR

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EP

AG

8

CON IX
LOT 23

CON IX
LOT 24

CON IX
LOT 25

24

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EP

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EP

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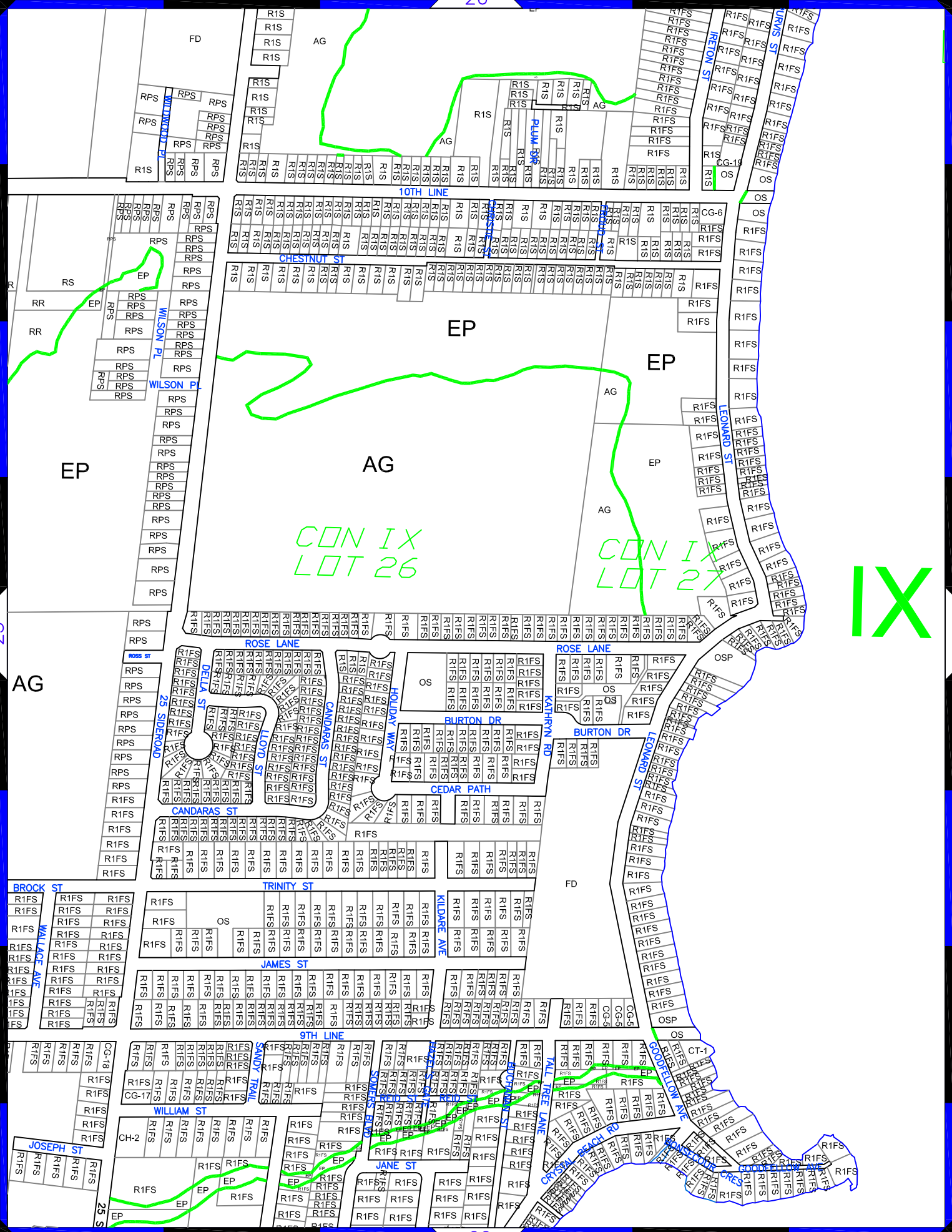
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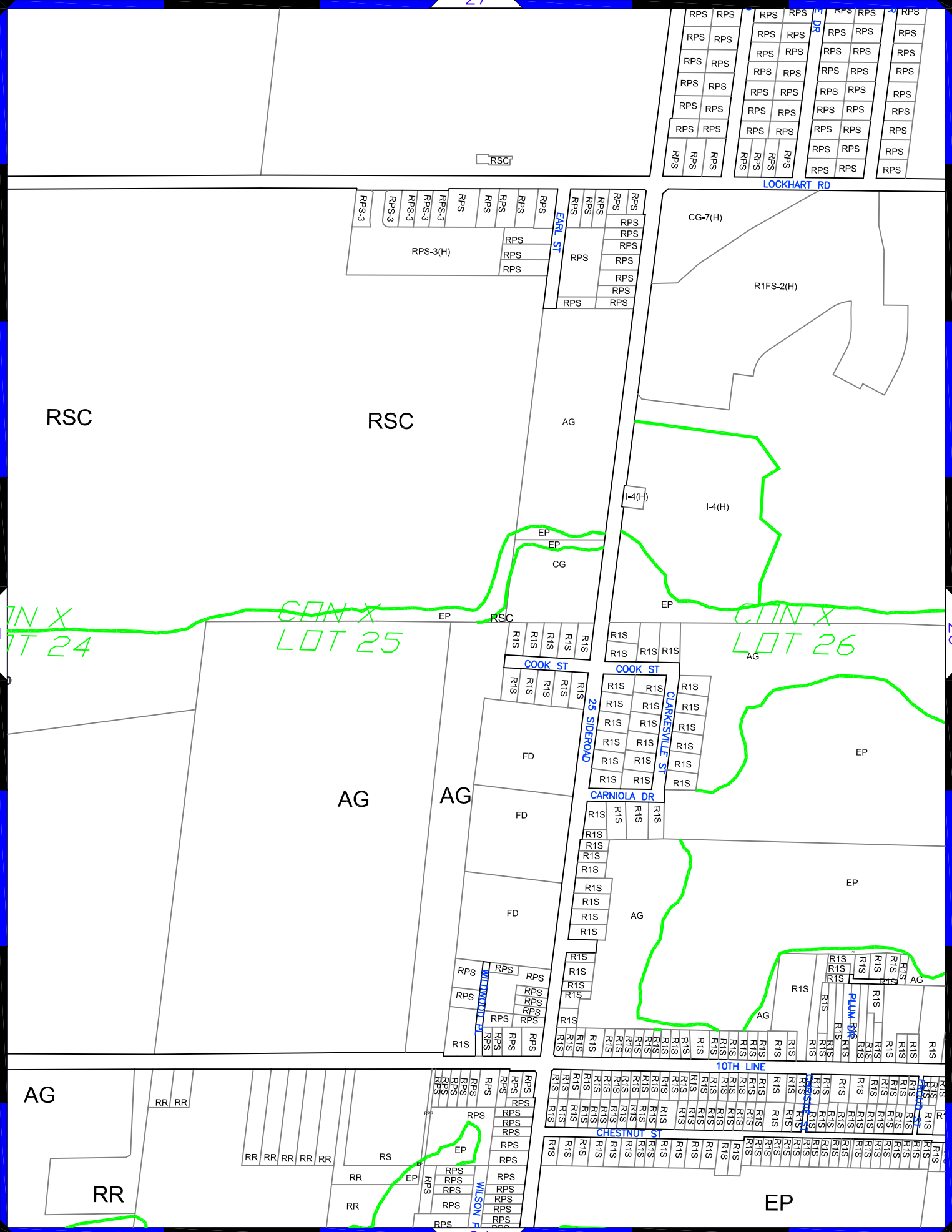
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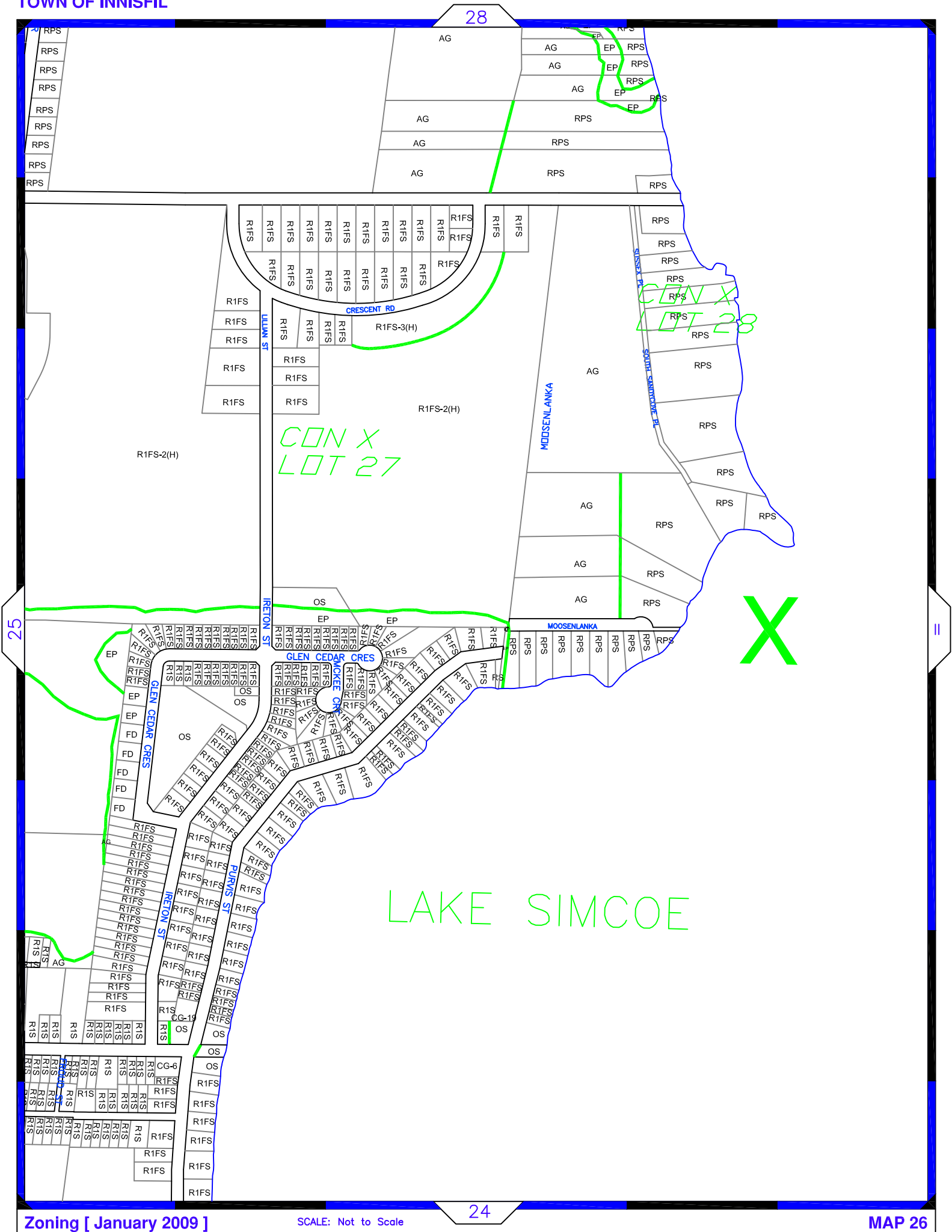
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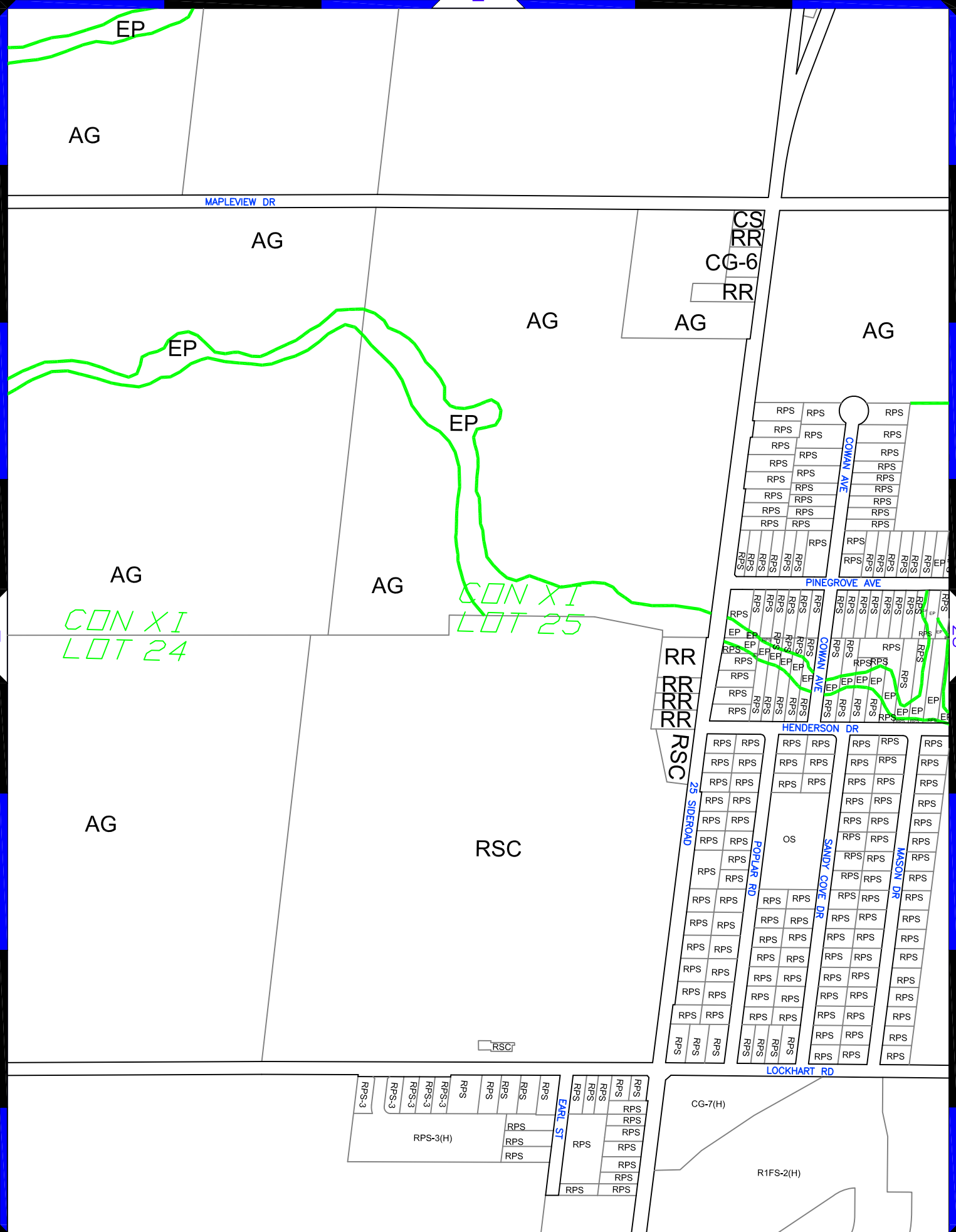
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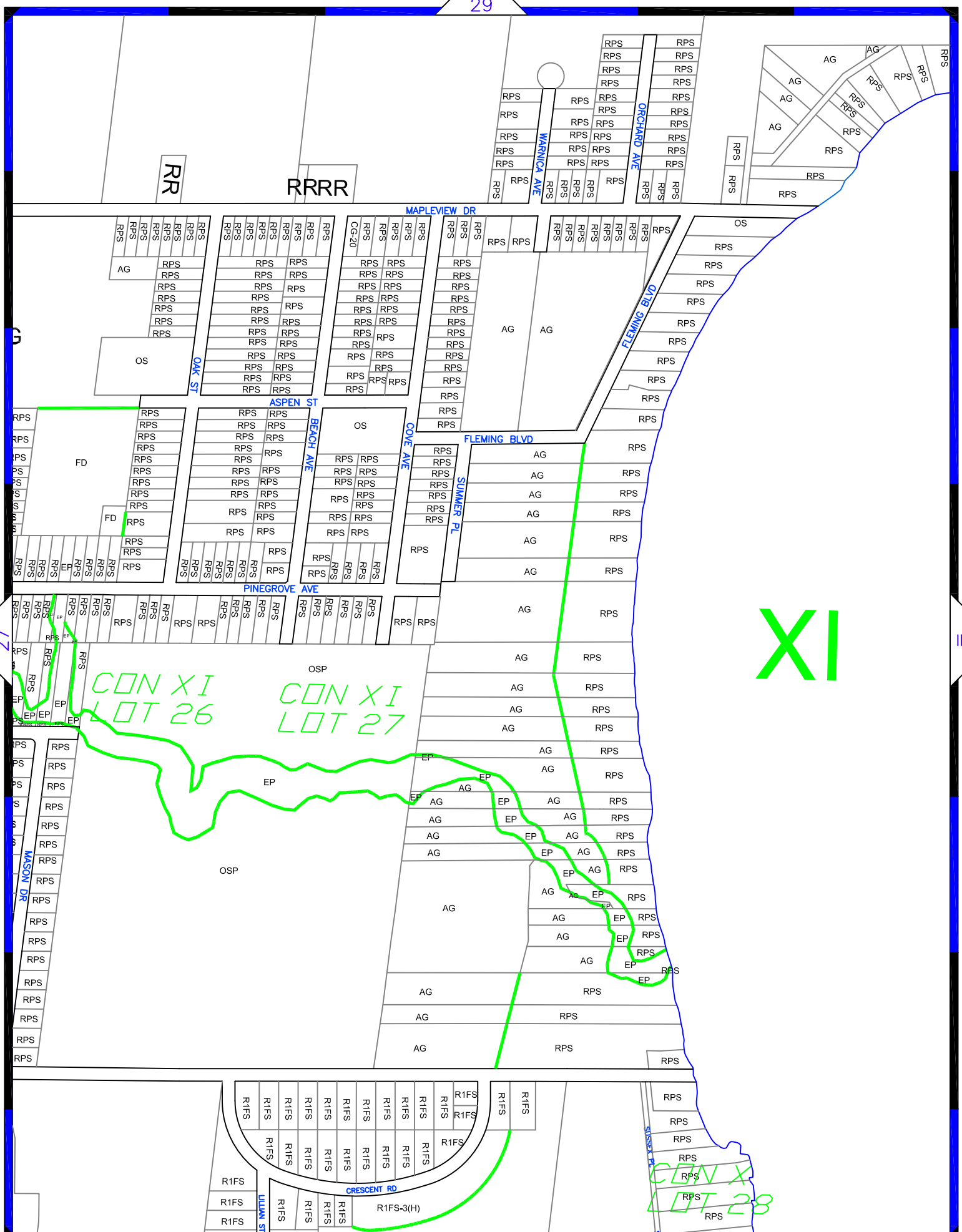
MAP 23



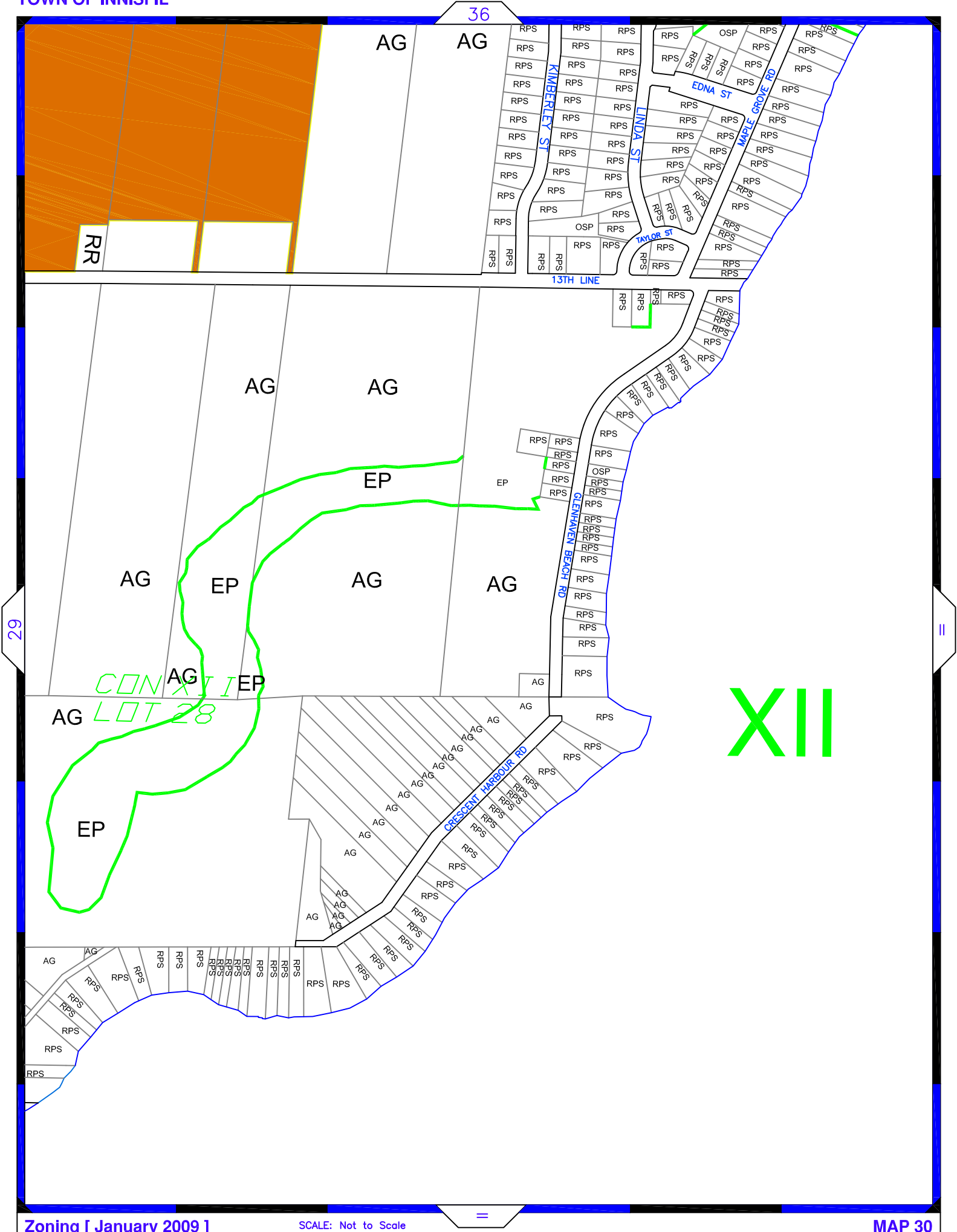






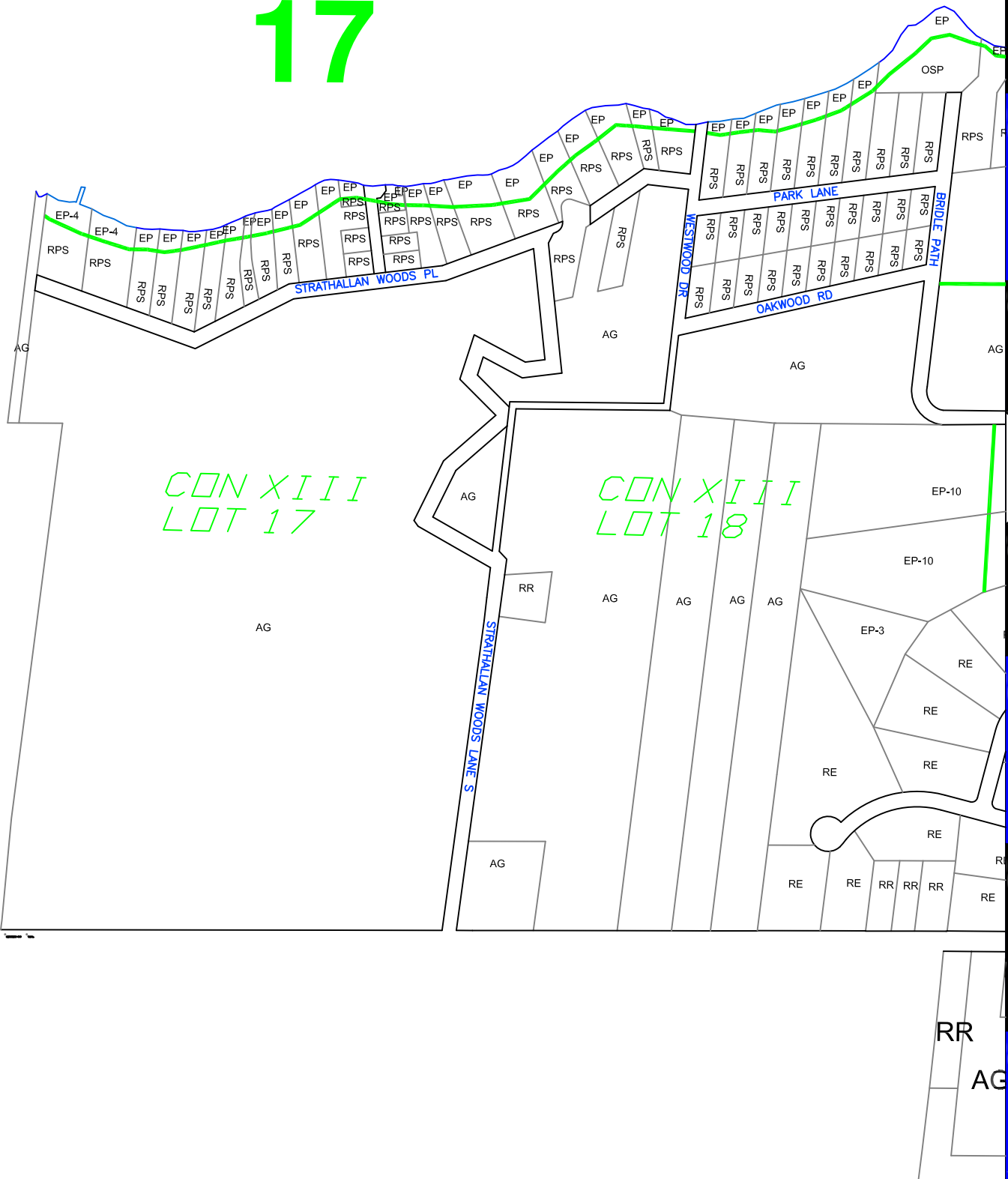




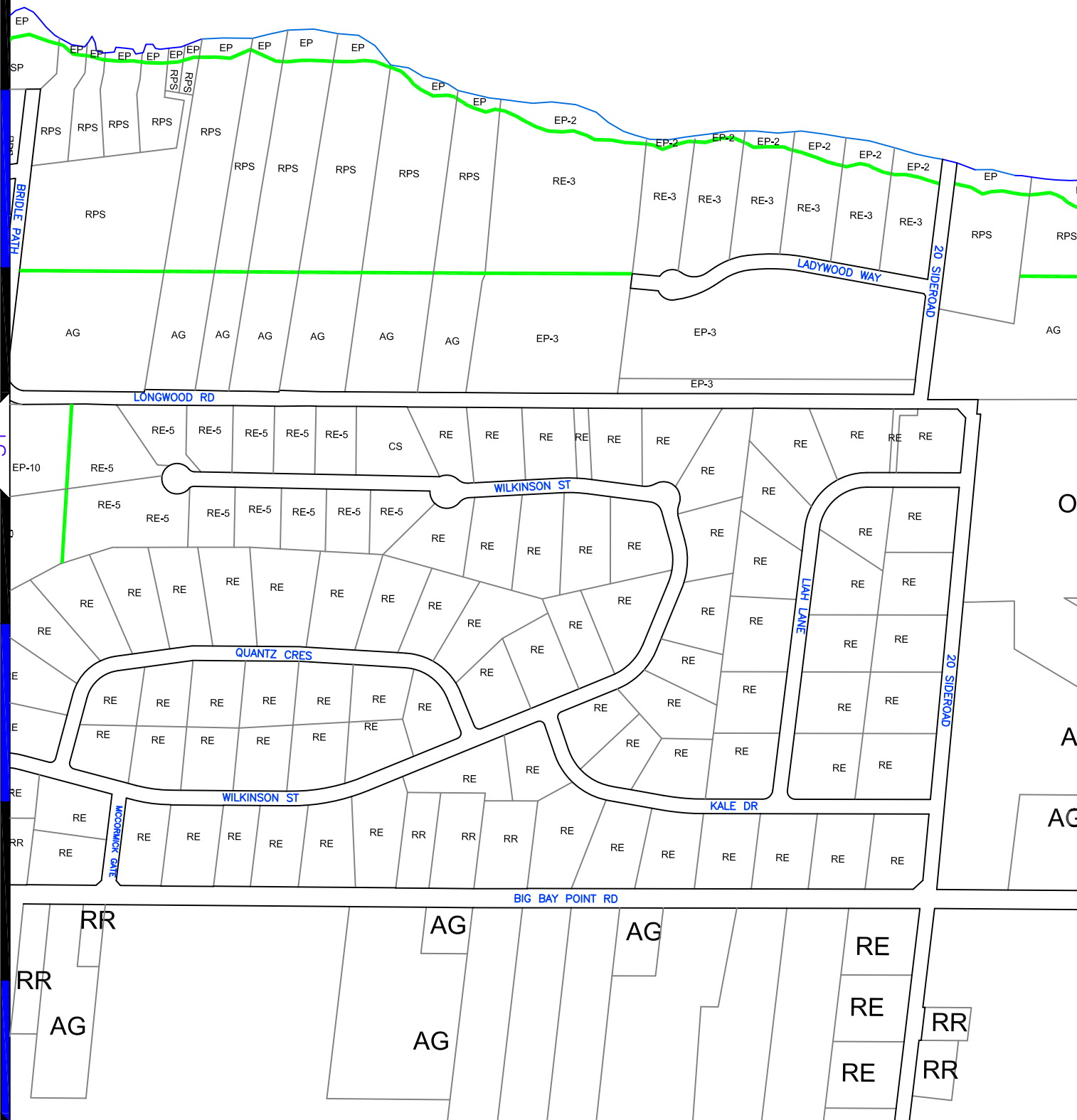


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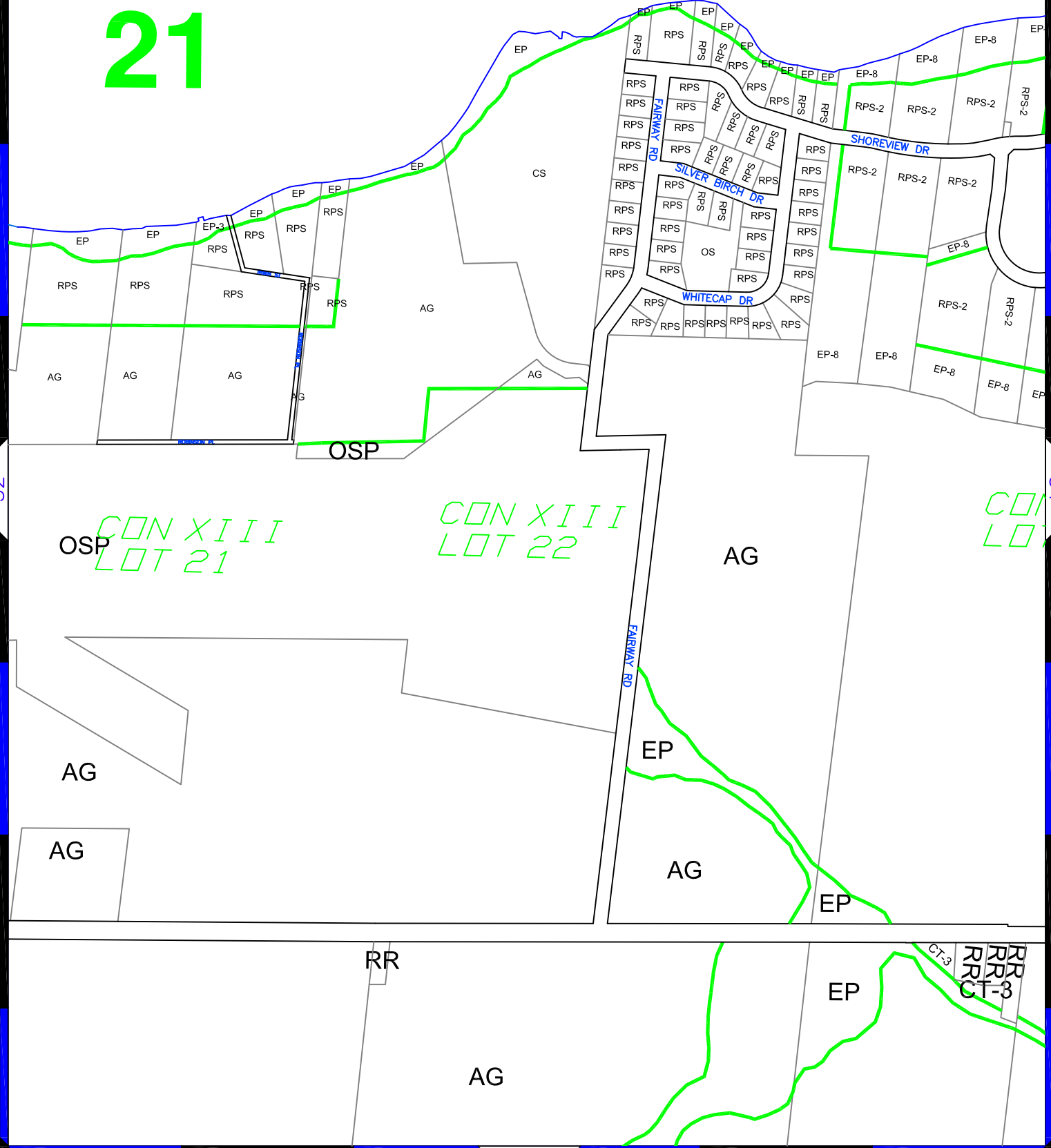
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LAKE SIMCOE

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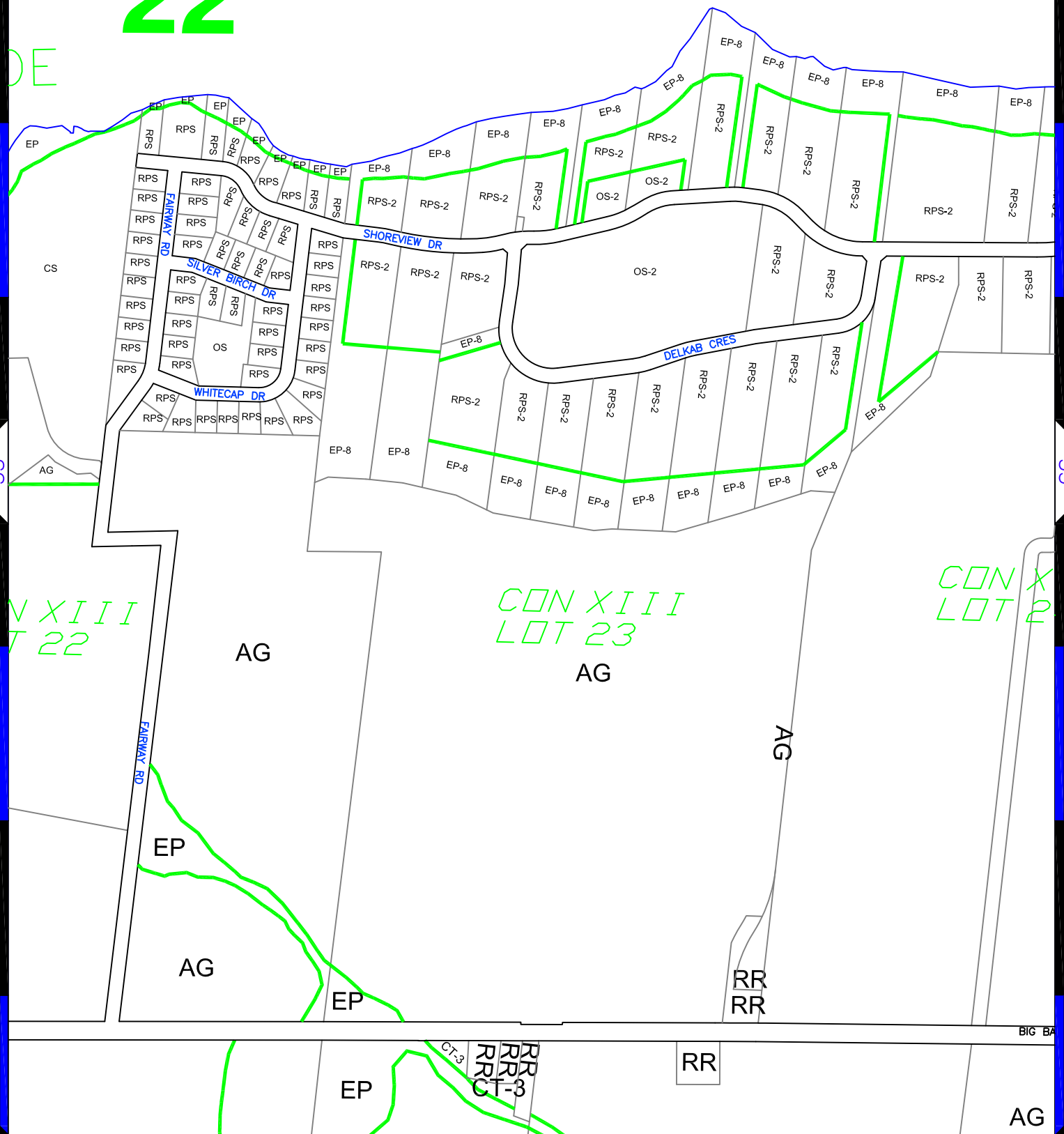
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DE

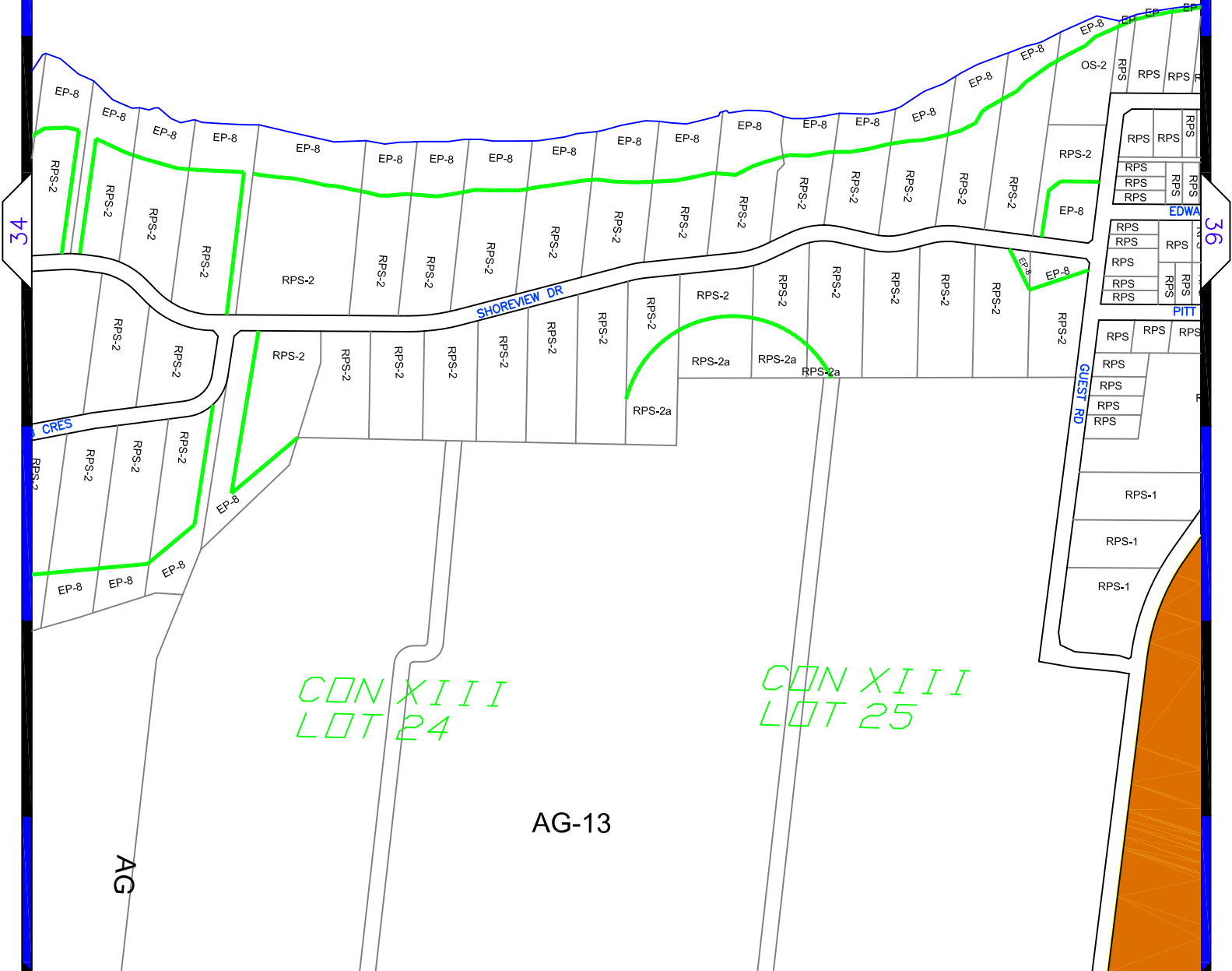
CON XIII
T 22

CON XIII
LOT 23

CON X
LOT 2

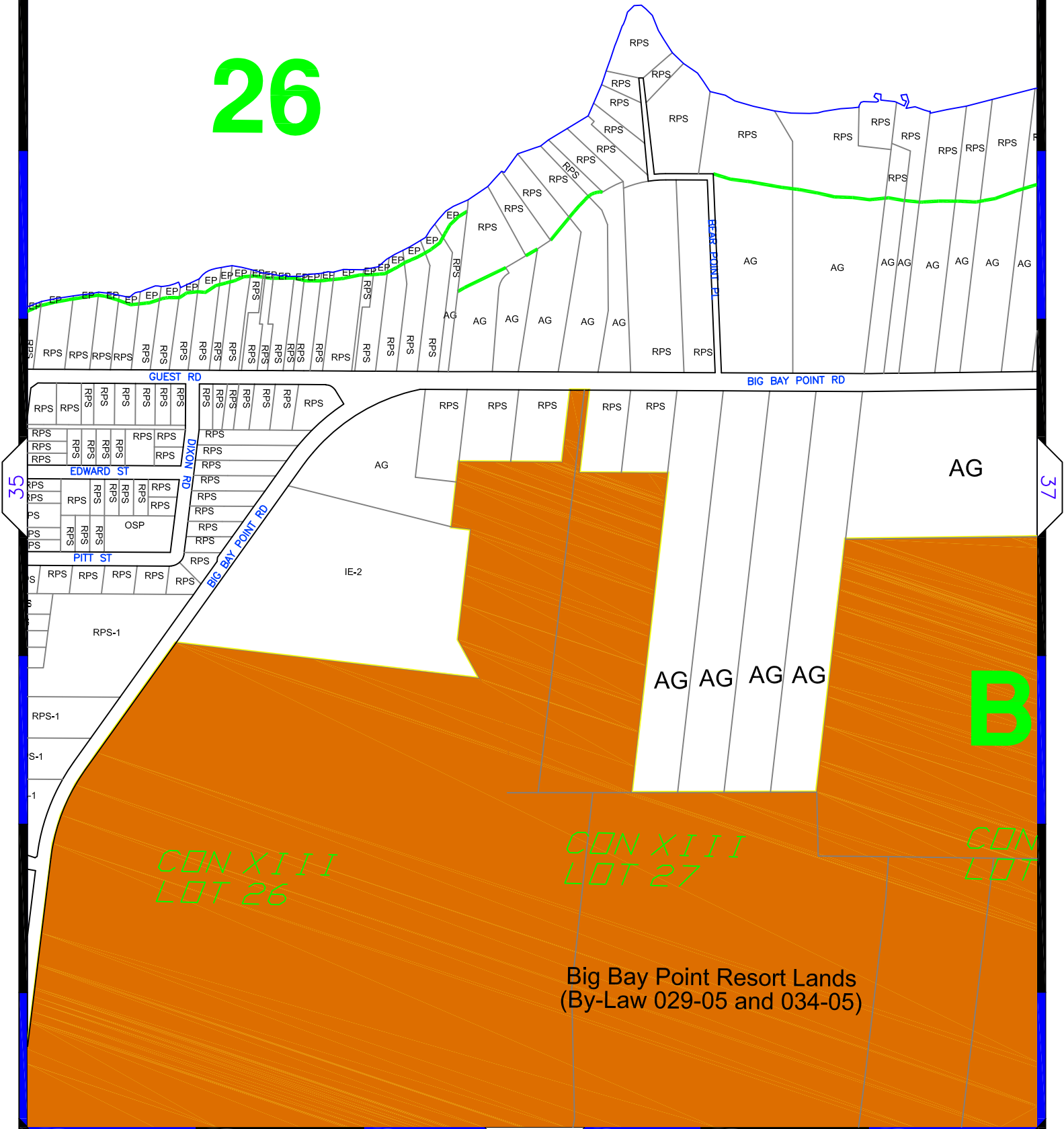


24 25



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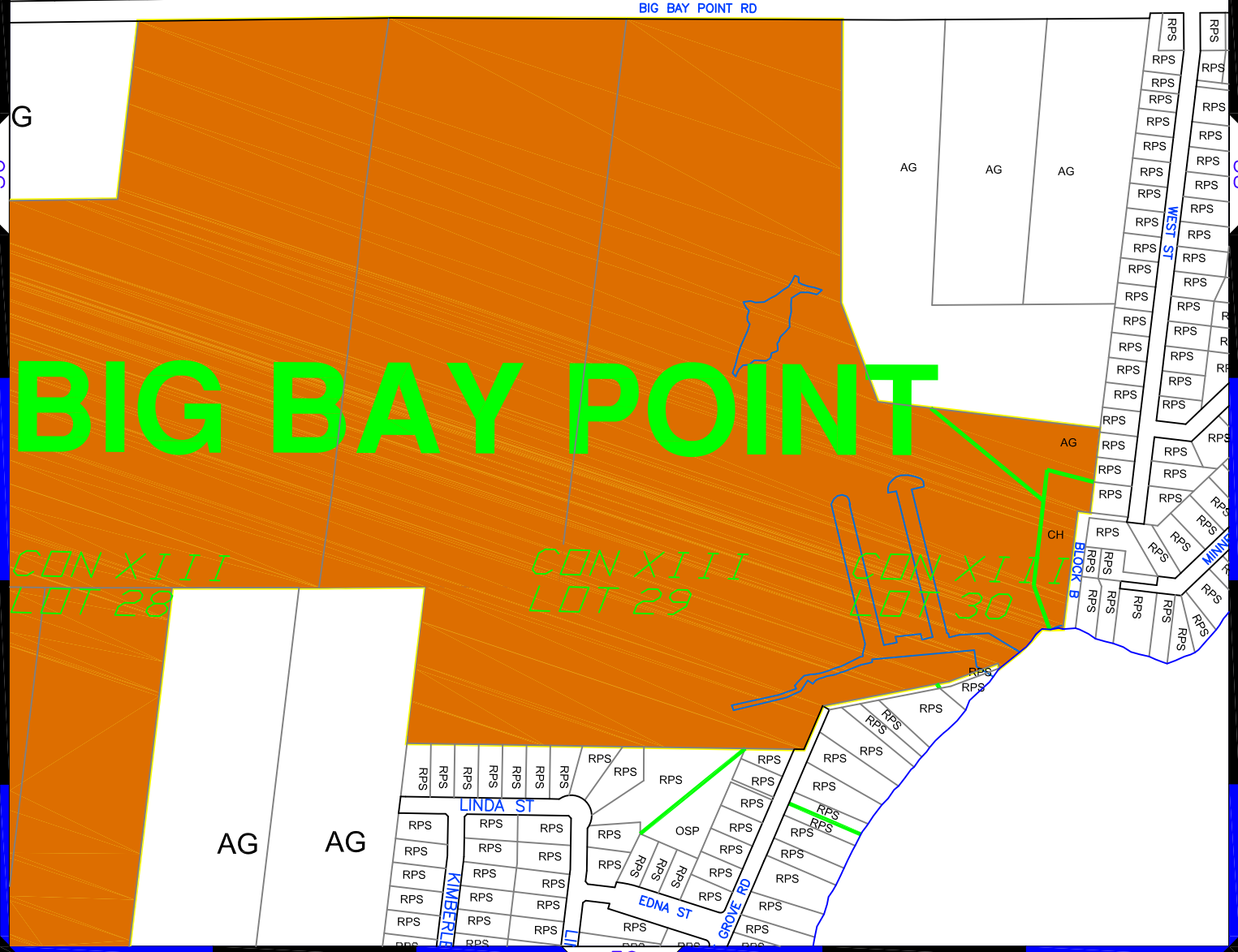
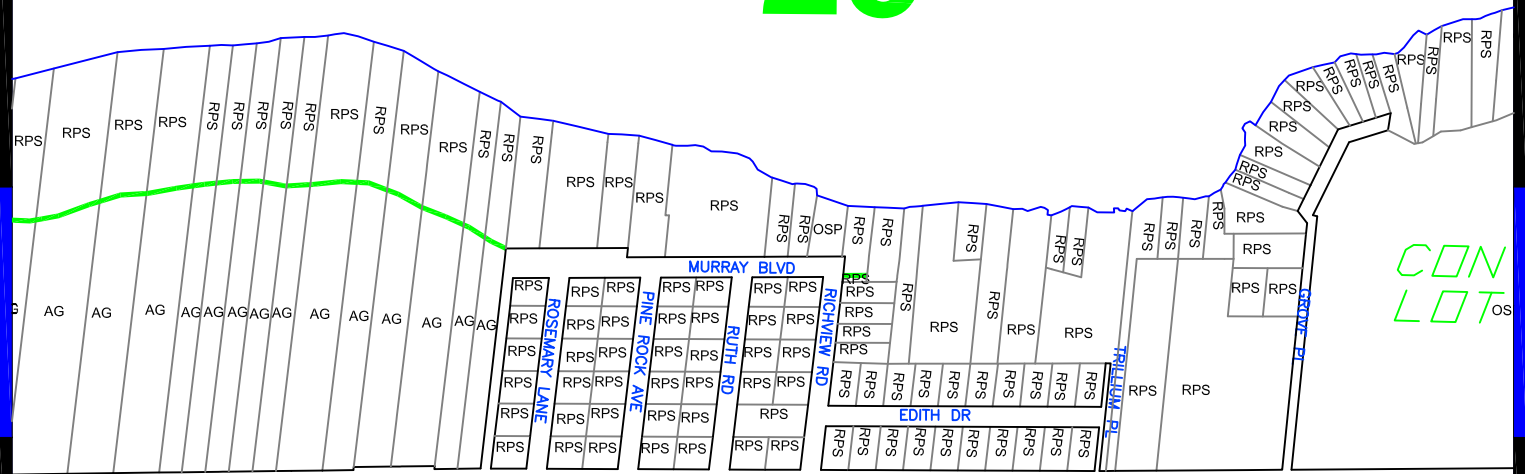
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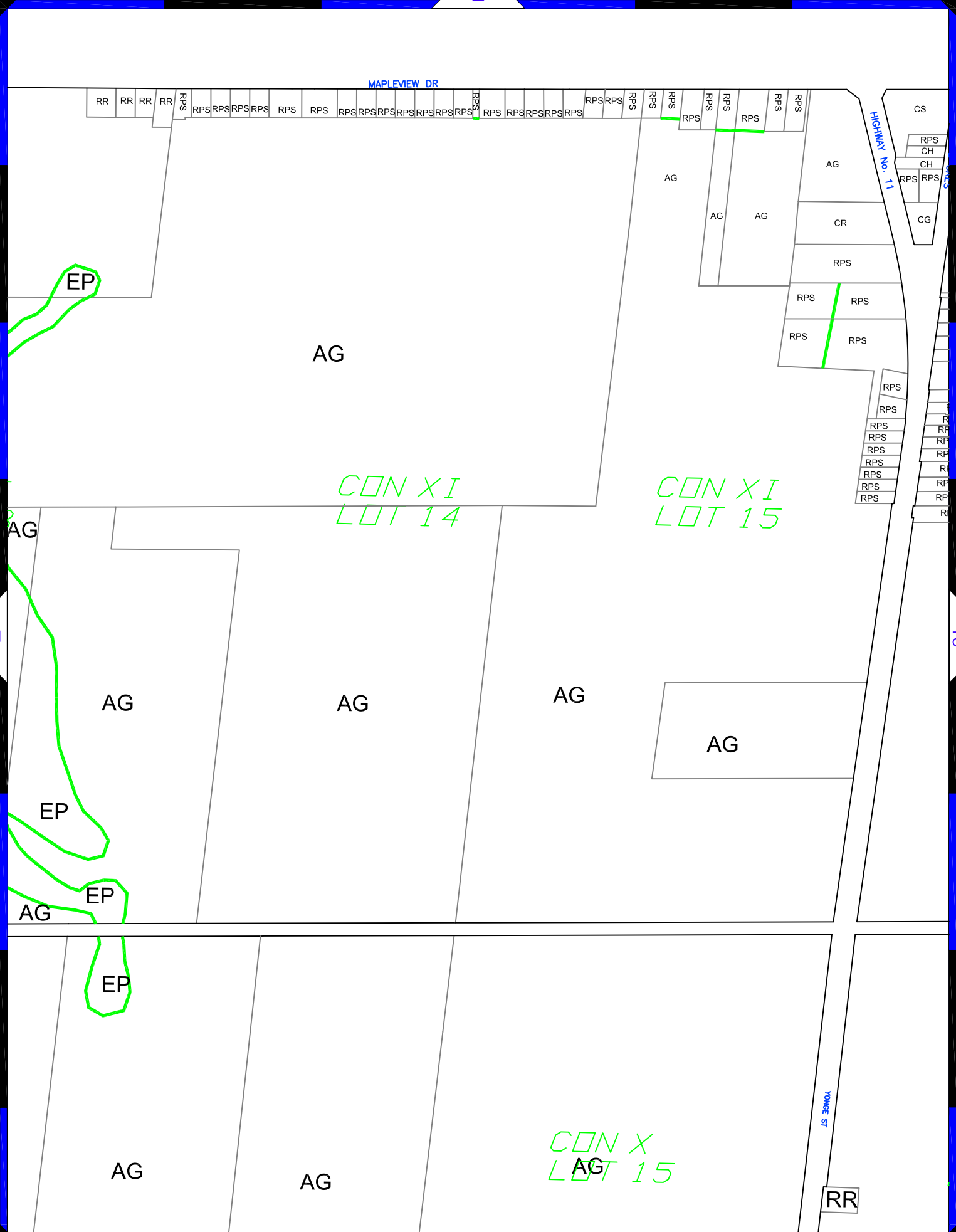


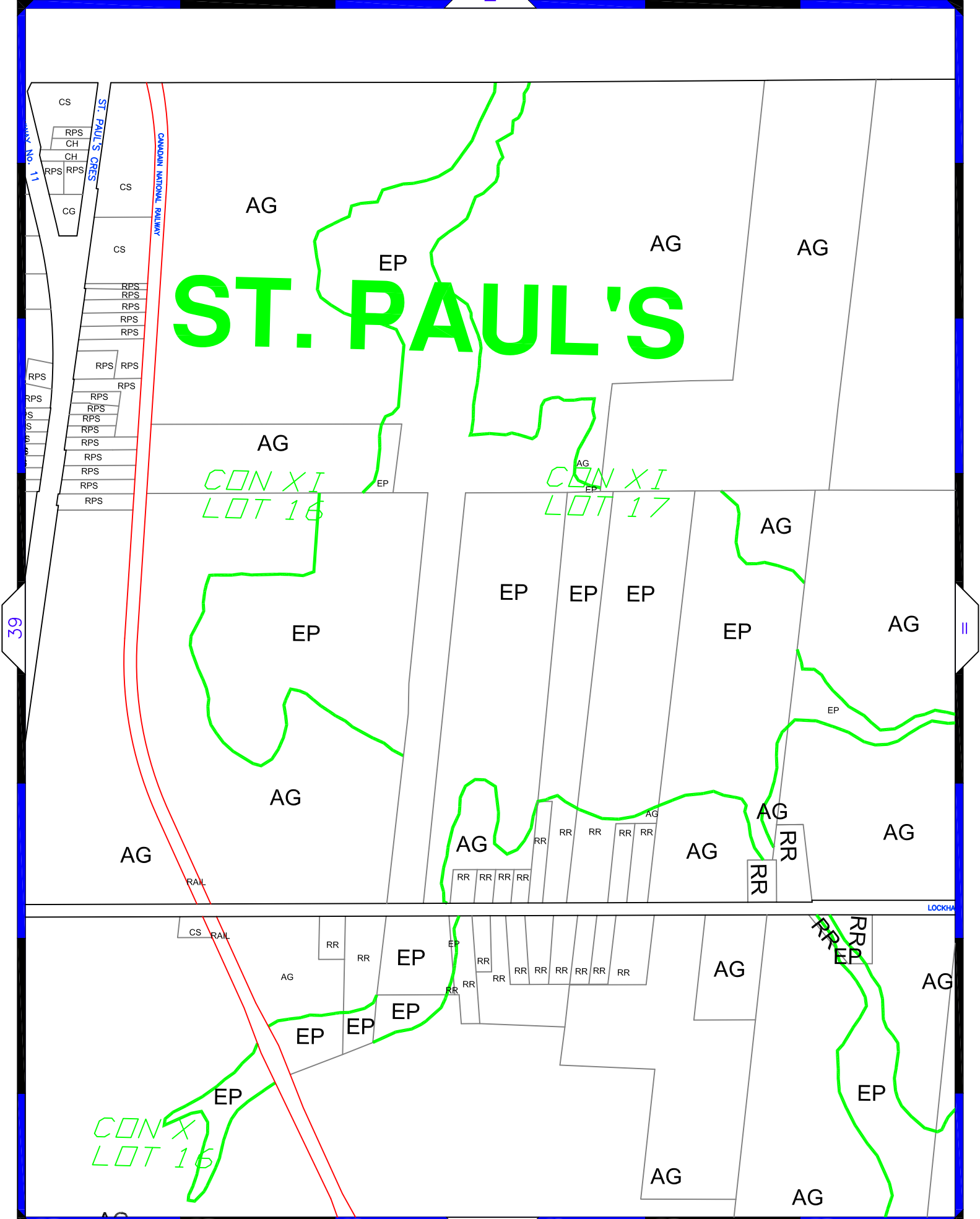
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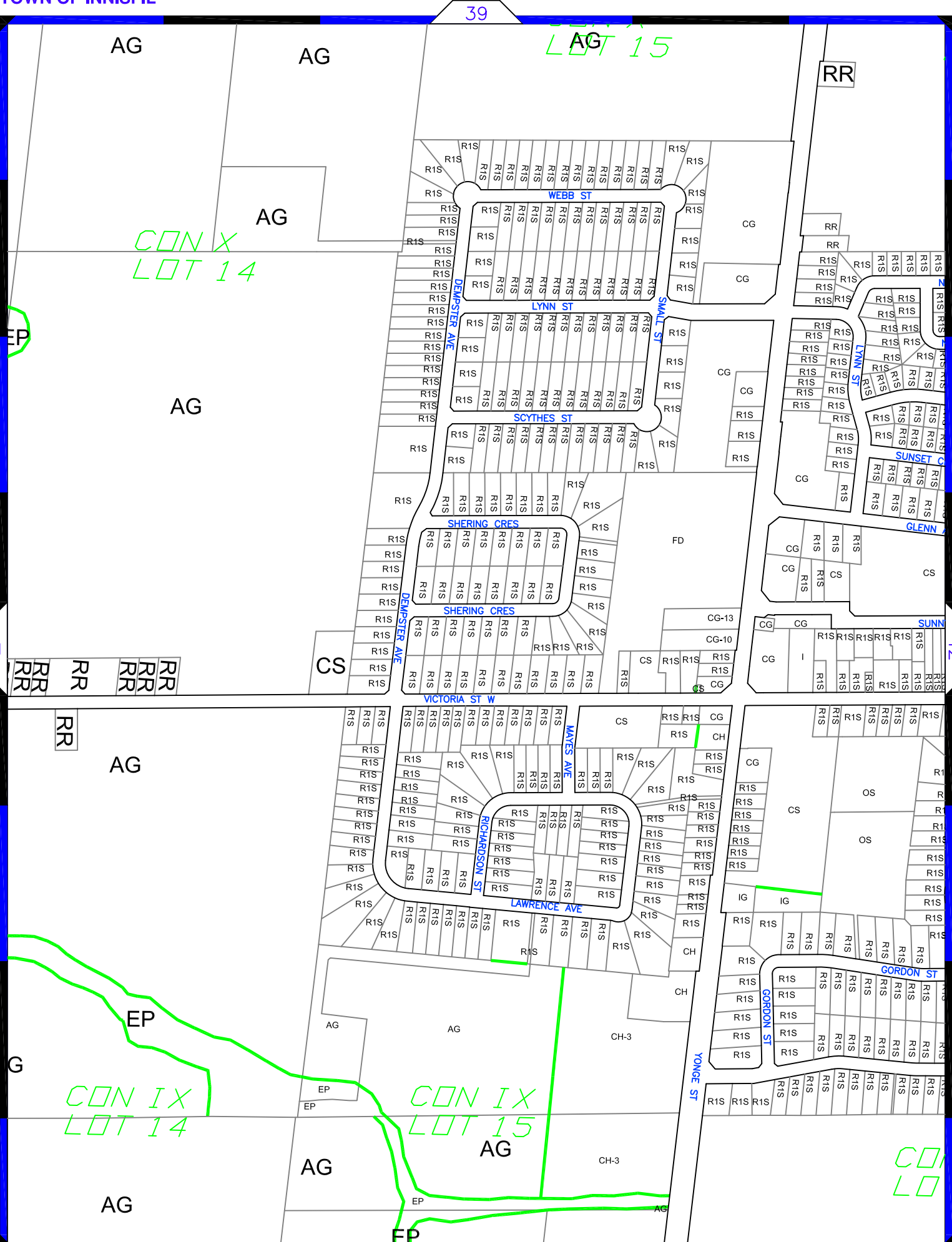
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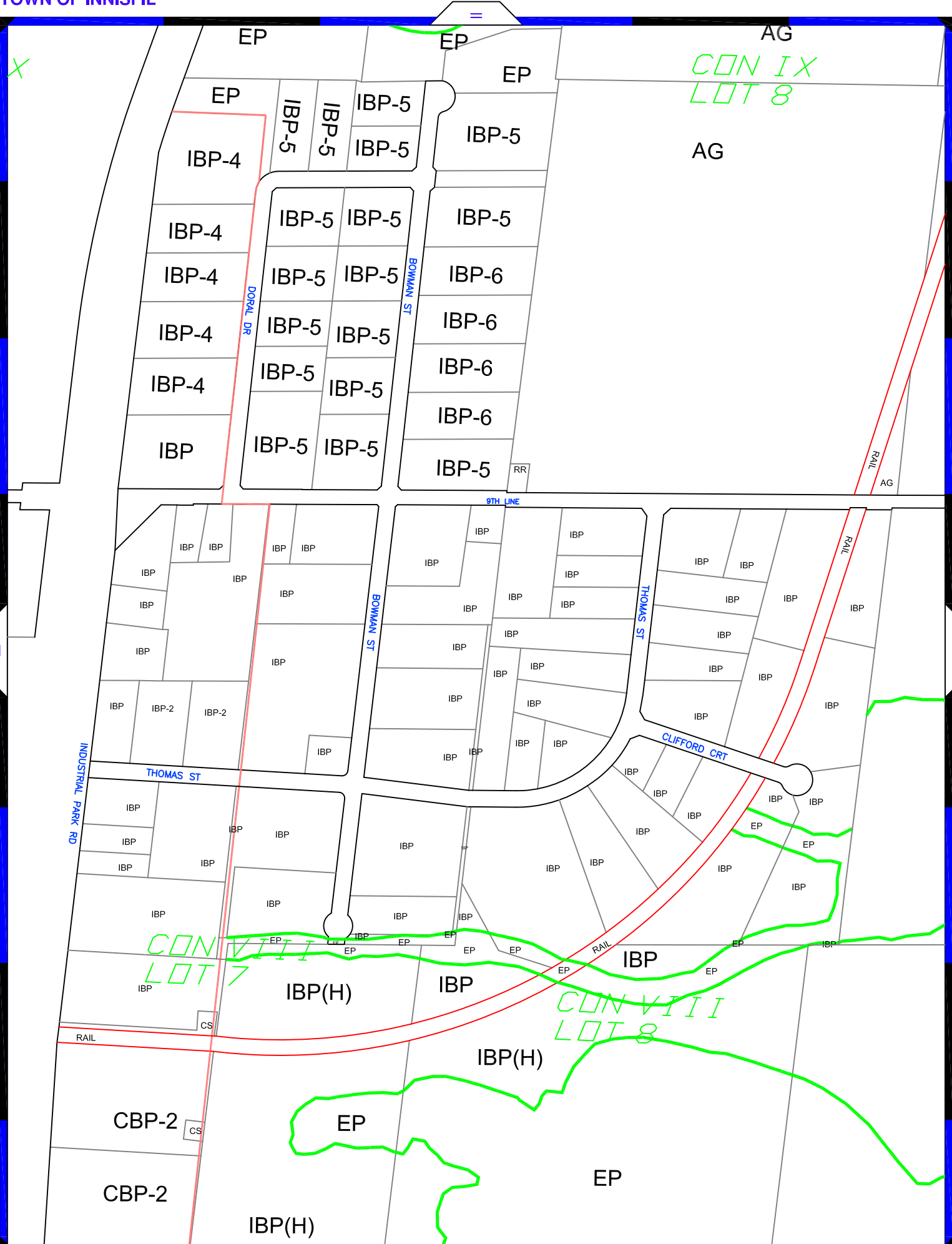
CON XIV
LOT 30
OSP

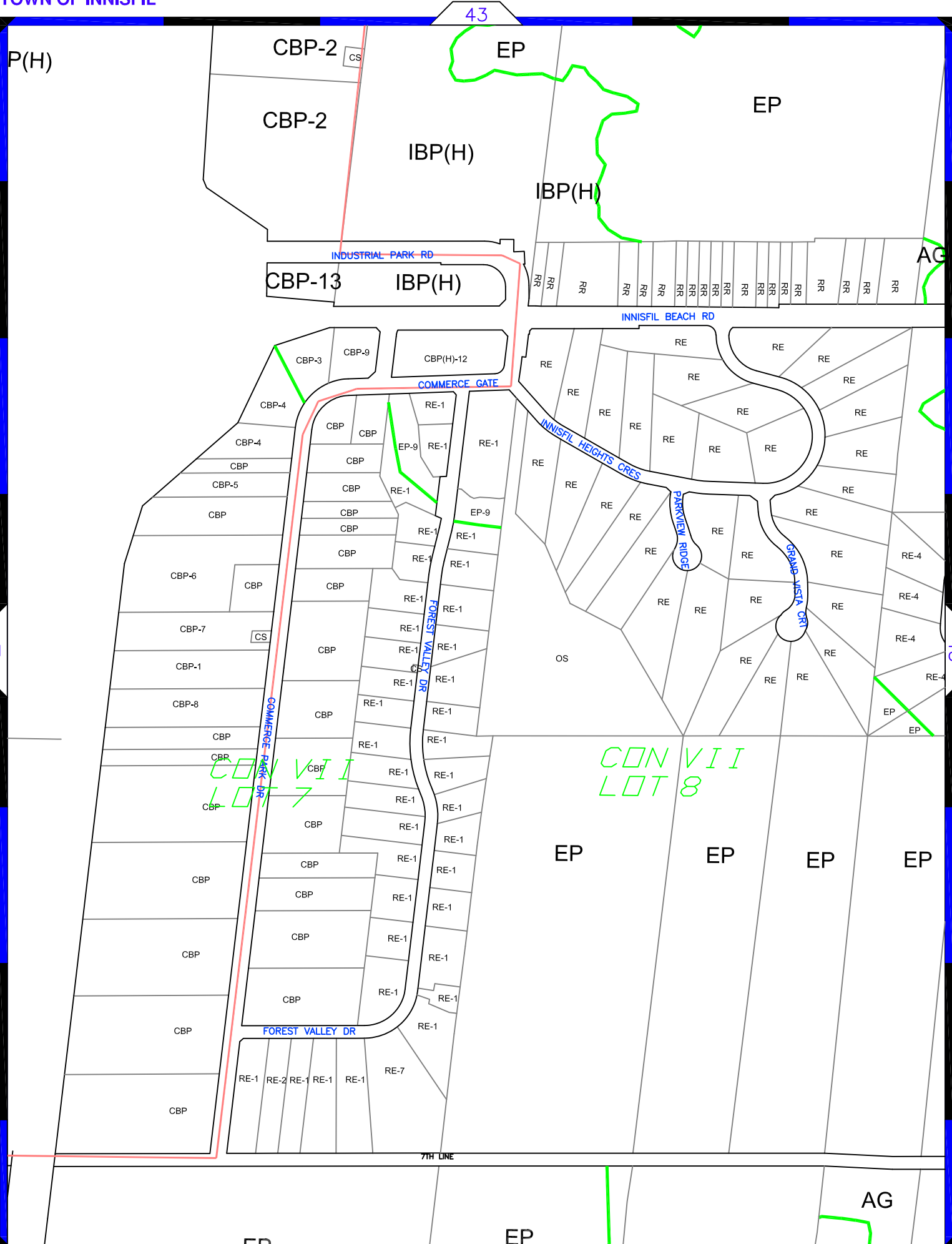


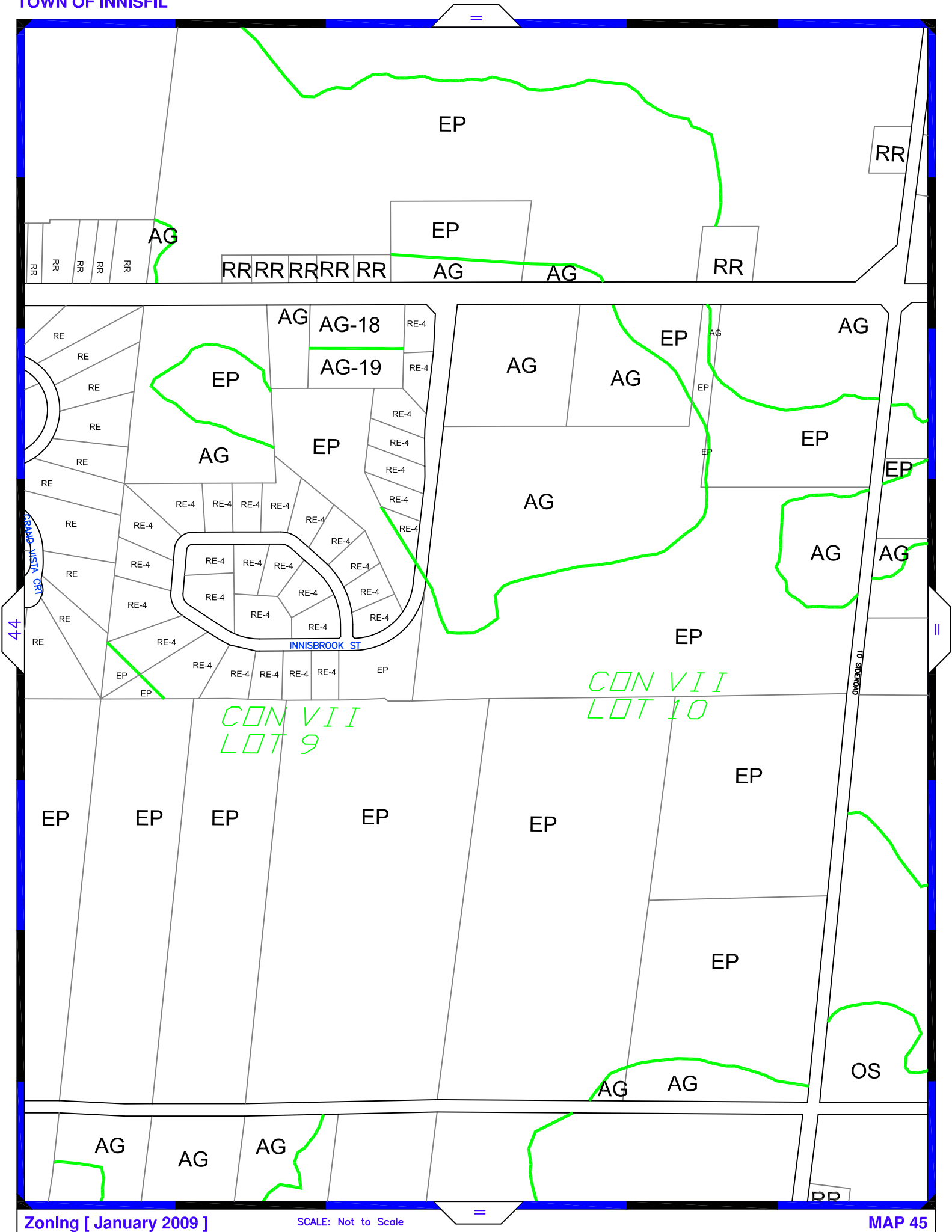


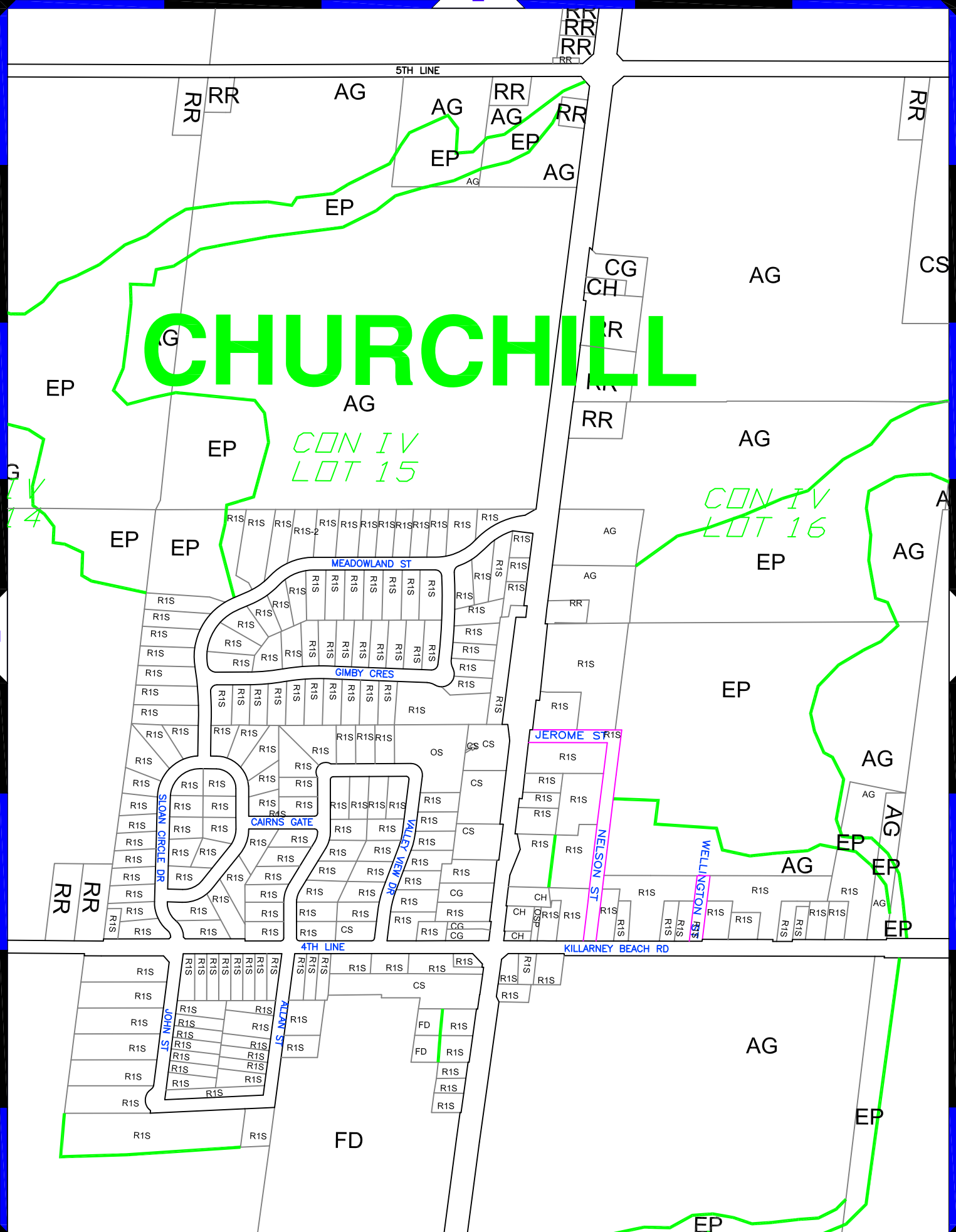


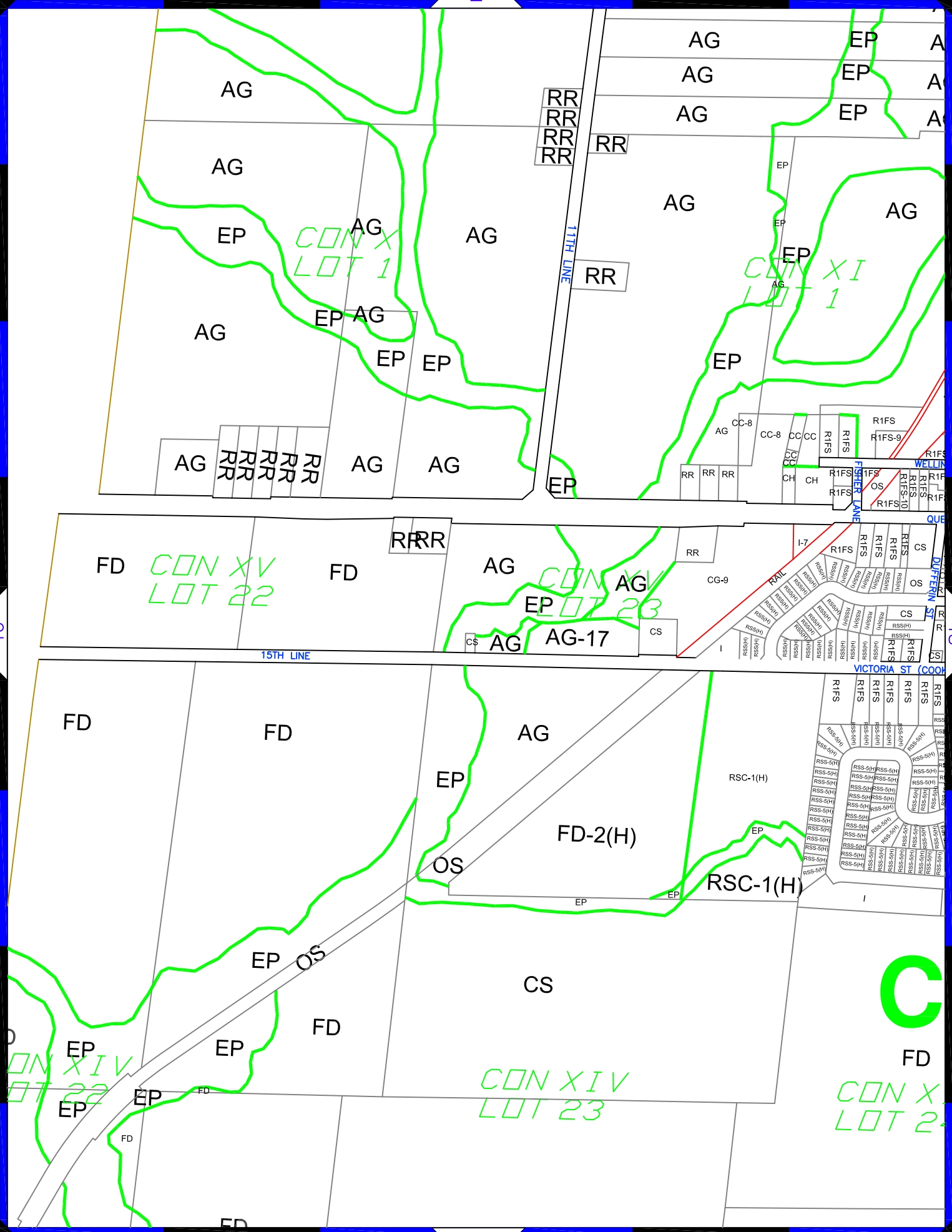


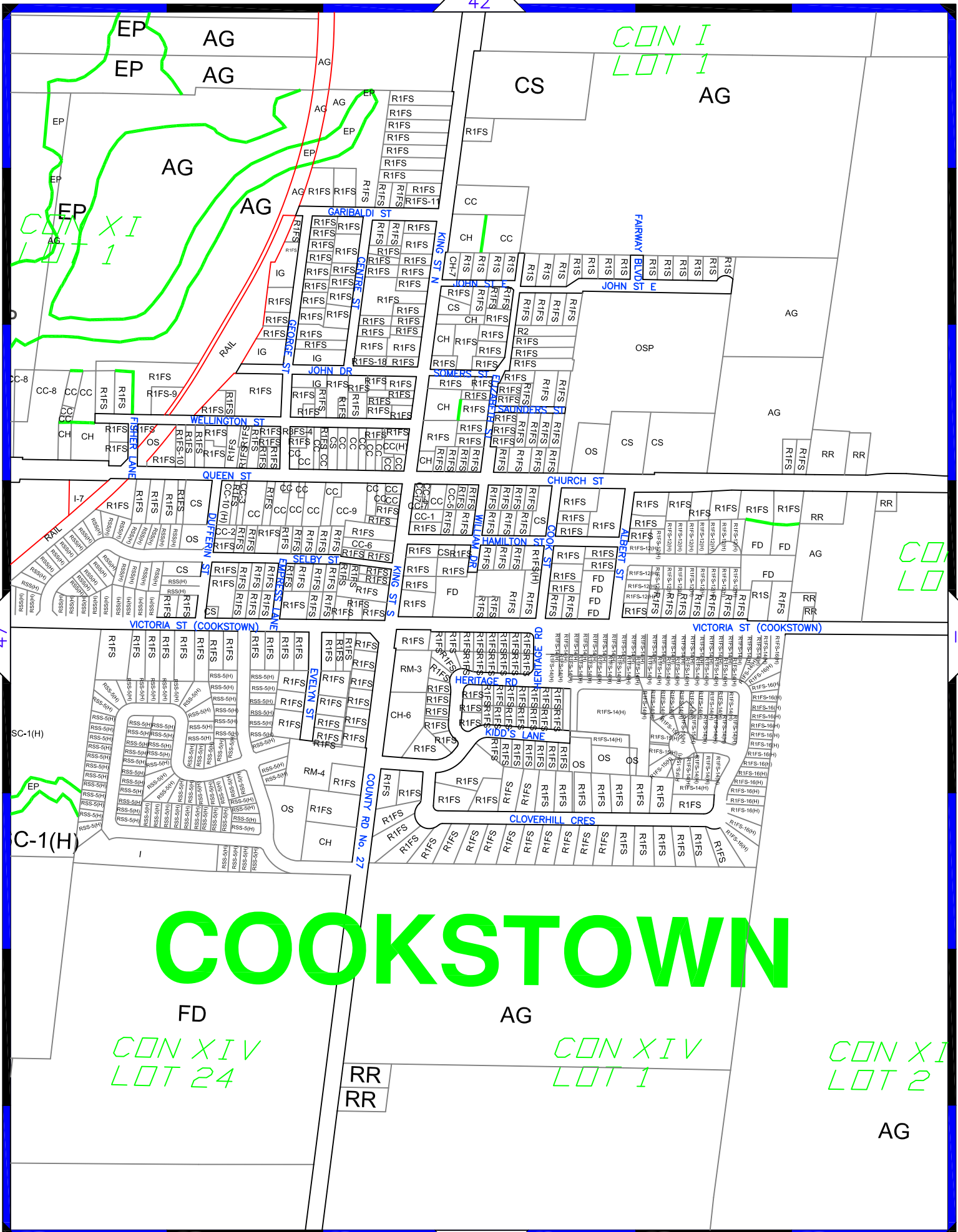












COOKSTOWN

