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**ONTARIO REGULATION**  
made under the  
**PLANNING ACT**  
**ZONING ORDER - TOWN OF INNISFIL**

**Definition**

1. In this Order,

“active uses” means ground floor uses, such as retail, markets, restaurants and institutional and cultural facilities, that,

- (a) provide direct access to the public from a sidewalk or other public space, and
- (b) have openings and windows through which the interior of the building can be seen;

“apartment dwelling” has the same meaning as in the zoning by-law;

“grade level” means land at a level that is within one metre of the final elevation of the 6th Line where it crosses the centreline of the rail line corridor;

“laneway suite” means a self-contained living accommodation, that

- (a) is within an ancillary building abutting a lane,
- (b) is used for one or more persons living in a single household, and
- (c) includes food preparation and sanitary facilities for the exclusive use of occupants of the suite;

“office amenity floor space” means floor space within a residential or mixed-use building used as an amenity space for office use;

“track level” means lands at a level that is within one metre elevation of the rail line corridor;

“zoning by-law” means Zoning By-law No. 080-13 of the Town of Innisfil, as amended.

### **Application**

2. This Order applies to lands in the Town of Innisfil in the County of Simcoe, in the Province of Ontario, being the lands identified on a map numbered 264 and filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

### **Transit Oriented Community Zone 1**

3. (1) This section applies to the lands located in the area shown as Transit Oriented Community 1 on the map described in section 2.

(2) Every use of land and every erection, location or use of any building or structure is prohibited on the land described in subsection (1), except for the following:

1. The uses, other than use as a drive-through facility, listed as permitted uses for the Mixed Use 2 (MU2) Zone in Table 5.1 — Permitted Uses to the zoning by-law.
2. The uses, other than use as a cemetery, listed as permitted uses for the Community Service (CS) Zone in Table 7.1 — Permitted Uses to the zoning by-law.
3. Light or small-scale manufacturing or processing, including micro-breweries and micro-distilleries.
4. Live-work units.
5. A building designated pursuant to Part IV of the *Ontario Heritage Act*.

(3) The minimum density for the lands referred to in subsection (1) is 200 dwelling units per net hectare.

(4) Despite subsections (6) and (7), the minimum height for any building or structure permitted under paragraphs 1 to 4 of subsection (2) is six storeys and the maximum height is 40 storeys.

(5) Despite subsection (6), the following requirements shall apply to the buildings or structures permitted under paragraphs 1, 3 and 4 of subsection (2):

1. There is no minimum lot frontage.

2. There is no minimum or maximum required front, side or rear yard setback.
3. There is no minimum or maximum landscape strip along front, side or rear lot lines.
4. The minimum floor area for a residential dwelling is 40 square metres.
5. There is no minimum or maximum parking or loading requirements.
6. There is no maximum gross floor area.
7. There is no maximum number of dwelling units.
8. Live works units shall occupy no more than 10 per cent of the perimeter of a building at grade level and track level.

(6) The zone requirements set out in Table 5.2b of the zoning by law for the Mixed Use 2 — MU2 Zone apply to any buildings or structures permitted under paragraphs 1, 3 and 4 of subsection (2).

(7) The zone requirements set out in Table 7.2 of the zoning by law for the Community Service — CS Zone apply to any buildings or structures permitted under paragraph 2 of subsection (2).

(8) The maximum gross floor area for a building or structure permitted under paragraph 3 of subsection (2) is 2,500 square metres per use.

(9) Dwelling units, other than live-work units, with direct access to grade are not permitted at-grade within 125 metres from the intersection of 6th Line and the rail line corridor.

(10) A minimum of 50 per cent of grade level and track level gross floor area of a building used as an apartment dwelling shall be non-residential uses, including live-work units and office amenity space.

(11) The minimum ceiling height at grade level of a non-residential use required under subsection (10) is 4.2 metres.

(12) If a building is contiguous with a park, a public outdoor space or the area shown as Open Space on the map described in section 2, a minimum of 20 per cent of the building's non-residential uses fronting the park, public outdoor space or open space shall be used for active uses.

#### **Transit Oriented Community Zone 2**

4. (1) This section applies to the lands located in the area shown as Transit Oriented Community 2 on the map described in section 2.

(2) Every use of land and every erection, location or use of any building or structure is prohibited on the land described in subsection (1), except for the following:

1. The uses, other than use as a drive-through facility, listed as permitted uses for the Mixed Use 2 (MU2) Zone in Table 5.1 — Permitted Uses to the zoning by-law.
2. The uses, other than use as a cemetery, listed as permitted uses for the Community Service (CS) Zone in Table 7.1 — Permitted Uses to the zoning by-law.
3. Live-work units.
4. Light or small-scale manufacturing or processing, including micro-breweries and micro-distilleries.
5. Townhouse dwellings and stacked townhouse dwellings.
6. Laneway suites.
7. A building designated pursuant to Part IV of the *Ontario Heritage Act*.

(3) The minimum density for the lands referred to in subsection (1) is 150 dwelling units per net hectare.

(4) The minimum setback of any building or structure from the area shown as the Environmental Protection Area on the map described in section 2 is 30 metres.

(5) Despite subsections (7) and (8), for any building or structure permitted under paragraphs 1 to 4 of subsection (2) the minimum height is four storeys and the maximum height is,

- (a) 15 storeys; or
- (b) 25 storeys if the building or structure is fronting 6th Line.

(6) Despite subsection (7), the following requirements shall apply to the buildings or structures permitted under paragraphs 1, 3 and 6 of subsection (2):

1. There is no minimum lot frontage.
2. There is no minimum or maximum required front, side or rear yard setback.
3. There is no minimum or maximum landscape strip along front, side or rear lot lines.
4. The minimum floor area for a residential dwelling is 40 square metres.

5. There is no minimum or maximum parking or loading requirements.
6. There is no maximum gross floor area.
7. There is no maximum number of dwelling units.

(7) The zone regulations set out in Table 5.2b of the zoning by-law for the Mixed Use 2 — MU2 Zone apply to any buildings or structures permitted under paragraphs 1 and 3 to 6 of subsection (2).

(8) The zone regulations set out in Table 7.2 of the zoning by law for the Community Service — CS Zone apply to any buildings or structures permitted under paragraph 2 of subsection (2).

(9) The maximum gross floor area for a building or structure permitted under paragraph 4 of subsection (2) is 2,500 square metres per use.

(10) A minimum of 50 per cent of grade level and track level gross floor area of a building used as an apartment dwelling shall be non-residential uses, including live-work units and office amenity space.

(11) The minimum ceiling height at grade level of a non-residential use required under subsection (10) is 4.2 metres.

(12) If a building is contiguous with a park, a public outdoor space or the area shown as Open Space on the map described in section 2, a minimum of 20 per cent of the building's non-residential uses fronting the park, public outdoor space or open space shall be used for active uses.

### **Open Space Zone**

5. (1) This section applies to the lands located in the area shown as the Open Space on the map described in section 2.

(2) Every use of land and every erection, location or use of any building or structure is prohibited on the land described in subsection (1), except the uses listed as permitted uses for the Open Space (OS) Zone in Table 7.1 — Permitted Uses to the zoning by-law.

(3) The zone regulations set out in Table 7.2 of the zoning by law for the Open Space — OS Zone apply to any buildings or structures permitted under subsection (2).

(4) No part of any building or structure, with the exception of buildings or structures used for transit infrastructure, shall be located within 30 metres of the rail line corridor.

**Environmental Protection Area**

6. (1) This section applies to the lands located in the area shown as the Environmental Protection Area on the map described in section 2.

(2) Every use of land and the erection, location and use of any building or structure is prohibited on the land described in subsection (1), except,

- (a) the protection, maintenance, enhancement and restoration of ecosystem forms and functions; and
- (b) drainage, flood and erosion control.

**Terms of use**

7. (1) Every use of land and every erection, location or use of any building or structure shall be in accordance with this Order.

(2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.

(3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.

(4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

**Deemed by-law**


8. (1) Subject to subsection (2), this Order is deemed for all purposes, except the purposes of section 24 of the Act, to be and to always have been a by-law passed by the council of the Town of Innisfil.

(2) Subsection (1) does not apply to subsections 3 (2) and 4 (2) of this Order.

**Commencement**

9. **This Regulation comes into force on the day it is filed.**

Made by:

  
 .....  
*Signature*

*Minister of Municipal Affairs and Housing*

Date made: .....  .....