

# ORIGINAL

## The Corporation of the Town of Innisfil

### By-law 058-25

#### Community Planning Permit By-law

**A By-law of The Corporation of the Town of Innisfil to regulate land use and development on lands within the “Shoreline Permit Area” and the “Primary Settlement Area” designation of the Town of Innisfil Official Plan.**

Whereas Section 2 of Ontario Regulation 173/16 under the Planning Act, R.S.O. 1990, c.P. 13, as amended, authorizes the Council of a local municipality to establish by by-law a community planning permit system within the municipality for any area or areas set out in the by-law; and,

Whereas there is an Official Plan in effect in the Town of Innisfil; and,

Whereas Section 22.17 of the Town of Innisfil Official Plan identifies that a community planning permit area may be established for one or more areas, including the entire Town; and,

Whereas the authority to pass this By-law is provided pursuant to Section 34 of *the Planning Act*, R.S.O. 1990, c.P. 13, as amended; and,

Whereas Council has determined that no further notice is to be given pursuant to Section 34 (17) of the *Planning Act*, R.S.O. 1190.

Now Therefore the Council of The Corporation of the Town of Innisfil hereby repeals By-laws 080-13, 062-17, and 052-05, and all amendments thereto, as they relate to the lands described in Schedule “A” of this By-law, and enacts By-law 058-25.

**Passed this 25<sup>th</sup> day of June 2025.**



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**Lynn Dollin, Mayor**



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**Patty Thoma, Clerk**

# Community Planning Permit By-law

Town of Innisfil

June 2025



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## **DRAFT Innisfil CPP By-law**

### **Preamble**

The preamble is intended to assist the reader in understanding and interpreting the Community Planning Permit (CPP) By-law for the Town of Innisfil. It does not form part of the CPP By-law.

The CPP By-law regulates the **use** of land, **buildings** and **structures** in a portion of the Town of Innisfil, specifically for all properties within the Alcona Primary Settlement Area as well as all properties along the Lake Simcoe **shoreline**. The CPP By-law implements and conforms to the policies of the Town of Innisfil Official Plan.

A CPP By-law is similar to a Zoning By-law in that it regulates the **use** of the land and establishes permitted **uses** and **development** standards on a site-by-site basis. Both CPP By-laws and Zoning By-laws establish requirements such as **setbacks** for **buildings**; height of **buildings**; **yard setback** requirements; parking requirements; among many other requirements. Since a CPP By-law streamlines multiple separate planning processes that exist outside of a Community Planning Permit System framework, including Minor Variance, Zoning Amendment and Site Plan Control applications, a CPP By-law also identifies additional **development** rules and requirements, as described in this CPP By-law.

The following principles shall be used as a guide for implementing the CPP By-law.

#### **Sustain:**

- Protect and preserve Innisfil's **natural heritage** and Lake Simcoe
- Advance climate change mitigation and adaptation initiatives
- Ensure continued financial sustainability

#### **Grow:**

- Proactively plan and manage growth
- Promote a diversity of housing types
- Build and diversify the local economy

#### **Connect:**

- Ensure a safe and reliable transportation network
- Support a healthy, active and safe community
- Continue to engage in advocacy and partnerships to deliver on community priorities

#### **Serve:**

- Focus on continuous improvement in service delivery
- Build organizational resilience
- Establish the Town as a leader in Diversity, Equity and Inclusion



## Section 1 - Administration and Interpretation

### 1.1 TITLE AND SCOPE

- 1.1.1 This By-law is known as The Community Planning Permit By-law of the Town of Innisfil (this By-law) and applies to the lands falling within the Community Planning Permit Area, and as shown in Schedule A of this By-law. This includes all lands within Alcona and all parcels of land abutting Lake Simcoe and all land under water to the middle of Lake Simcoe.

### 1.2 APPLICATION

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

### 1.3 PRECINCTS AND SYMBOLS

- 1.3.1 Schedule A attached forms part of this By-law.
- 1.3.2 For the purpose of this By-law, the Community Planning Permit Area has been divided into Precincts, the boundaries which are shown on Schedule A.

1.3.3 Schedule A consists of a number of detailed maps for portions of the Community Planning Permit Area which are located as indicated on the Key Map.

1.3.4 The Precincts are referred to by the following names and symbols and are identified on Schedule A by the symbols shown in Table 1.1:

**Table 1.1: Precincts and Precinct Symbols**

	<b>PRECINCT</b>	<b>SYMBOL</b>
<b>Residential Precinct</b>		
a)	Residential Low Density 1 Precinct	RL1
b)	Residential Low Density 2 Precinct	RL2
c)	Residential Medium Density Precinct	RM
d)	Shoreline Residential Precinct	SR
<b>Commercial and Mixed Use Precincts</b>		
e)	Mixed Use Precinct	MU
f)	Major Transit Station Area Precinct	MT
g)	Neighbourhood Commercial Precinct	NC
<b>Community Service, Open Space and Environmental Protection Precincts</b>		
h)	Community Service Precinct	CS
i)	Open Space Precinct	OS
j)	Environmental Protection Precinct	EP

## 1.4 PRECINCT BOUNDARIES

- 1.4.1 The Precinct and Precinct boundaries are shown on Schedule A that are attached to and form part of this By-law.
- 1.4.2 Respecting the Precinct boundaries of the Precincts, the following applies:
- a) Each parcel of land within the Community Planning Permit Area is provided with a Precinct category or categories. The location of the boundary of the Precinct may be determined by **lot line**, road, **rail line**, or where the Precinct does not abut any of the above, by the scale of the map.
  - b) The Environmental Protection (EP) Precinct and Open Space (OS) Precinct are exceptions to a) above in that the boundary reflects the natural features and the location of the boundary may not follow a **lot line**, road, **rail line**. Where this is the case, the precinct boundary shall be determined by the scale of the map.
- 1.4.3 Where a parcel of land or **lot** falls into two or more Precincts, each portion of the parcel of land or **lot** shall be used in accordance with the provisions of this By-law for the applicable Precinct.
- 1.4.4 Where a parcel of land or **lot** does not have an assigned Precinct, that parcel of land or **lot** shall absorb the same Precinct as the adjacent lands. In the case of multiple different abutting Precinct classifications, the new Precinct boundary shall be the former **centerline(s)** between the Precinct.

## 1.5 SITE-SPECIFIC EXCEPTIONS

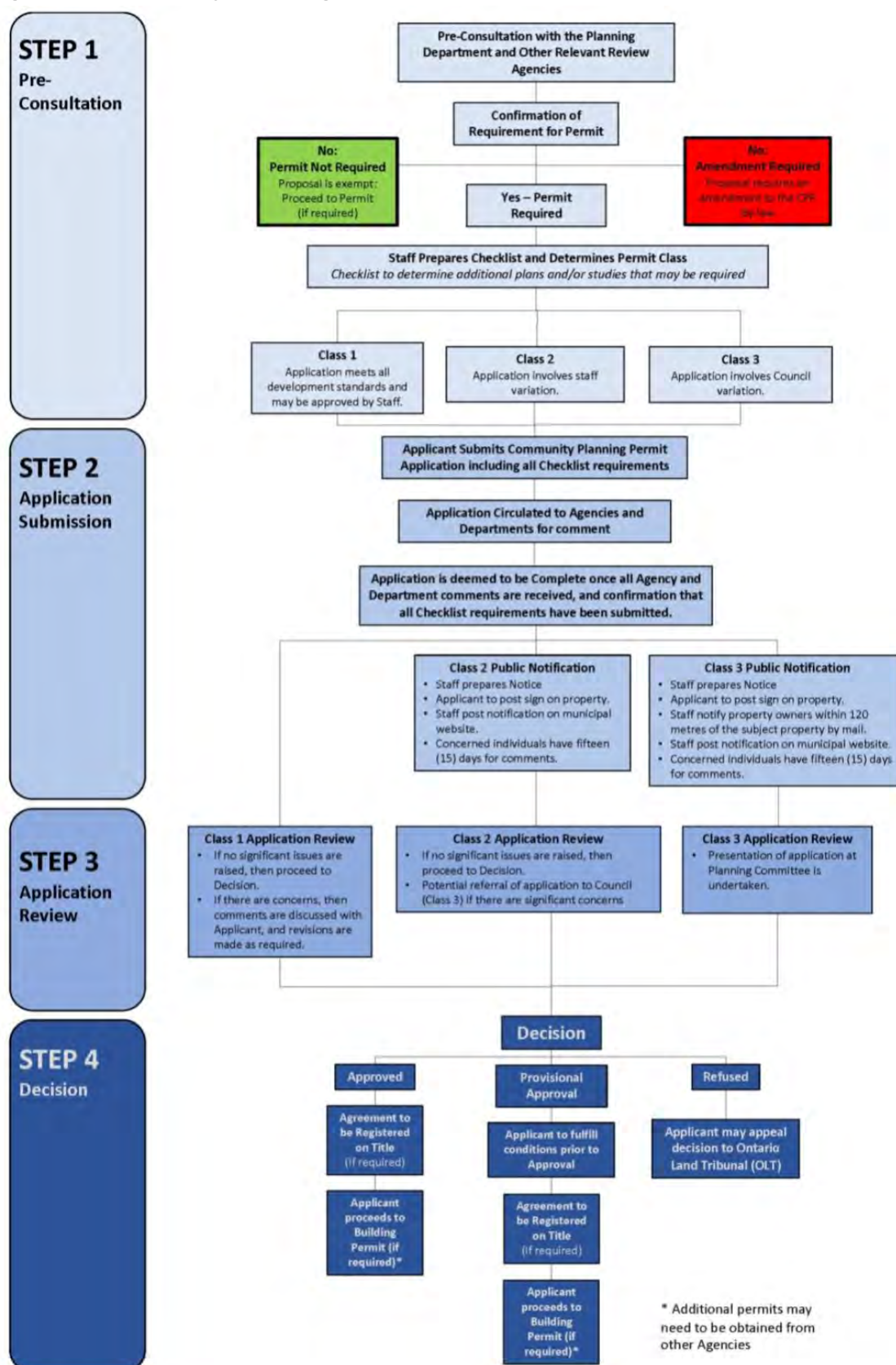
- 1.5.1 Where a precinct symbol shown on the Schedule(s) of this By-law contains a hyphen followed by a number, the number represents a site-specific provision that applies to the lands noted. Site-specific provisions are listed in Section 8.0 (Site-specific Exceptions) of this By-law.
- 1.5.2 The regulations of the site-specific provision supersede over any inconsistent regulations in the remainder of this By-law.
- 1.5.3 Lots may have site-specific provisions that permit or prohibit specific uses or regulations that apply to the property in addition to or in exception to the uses and regulations of the parent precinct.

## 1.6 PROCESS TO ISSUE A PLANNING PERMIT

The Community Planning Permit Review process consists of four steps, as illustrated in Figure 1.



Figure 1: Community Planning Permit Review Process



### 1.6.1 Pre-consultation

- a) An owner of property located within the Community Planning Permit Area (“Owner”) shall meet with Town staff and other agencies, such as the Lake Simcoe Region Conservation Authority and Ministry of Natural Resources and Forestry to discuss the proposal and submission requirements.
- b) Summer site photos from Lake Simcoe shall be provided for **development** within a Shoreline Residential Precinct.
- c) A site visit may be required.

### 1.6.2 Submission of Community Planning Permit Application (“Application”)

- a) The Owner shall submit an Application, associated drawings and studies as identified in the pre-consultation.
- b) Within five (5) business days the Town shall confirm whether the Application is complete and, if the Application is complete, the approval stream it will follow.
- c) Upon receipt of a complete Application the Town shall make a decision on the Application within 45 days.

### 1.6.3 Application Review

The Application shall be circulated for comment to the relevant approval authorities and regulatory bodies as determined by the Town and is reviewed by Town of Innisfil staff.

### 1.6.4 Public Notification Requirements

- a) If the standard for **development** falls under a Class 1 or 2 Planning Permit, no notice is required.
- b) If the standard for **development** falls under a Class 3 Planning Permit, notice of the Application shall be given by personal service or ordinary mail, to every owner of land within 120.0 metres of the subject land; and by the placement of a sign on the **street** frontages and lake side of the property.
- c) Notice of all complete Applications under a Class 3 Planning Permit are placed on the Town’s website and are provided to **Council** for information purposes.

### 1.6.5 Community Planning Permit Classes

- a) This By-law establishes three classes of Community Planning Permits. Approval of Community Planning Permit applications are subject to the following regulations for each Community Planning Permit Class, as set out in Table 1.2:

**Table 1.2: Community Planning Permit Class**

<b>Class of Permit</b>	<b>Description</b>	<b>Approval Authority</b>
Class 1 Application	Application meets all development standards, and no variations are required.	Town Staff
Class 2 Application	<p>Application generally meets the intent, standards and provisions of this By-law but requires minor relief (a Class 2 - Staff Variation) from:</p> <ol style="list-style-type: none"> <li>1) One or more applicable development standards within the established Class 2 variation limits set out in Sections 5, 6 and 7.</li> </ol> <p>A <b>use</b> shall not be added as a permitted <b>use</b> through a Community Planning Permit. For any proposed new <b>use</b> within any Precinct not listed as a permitted <b>use</b> or permitted <b>accessory</b> use, an Amendment to this By-law shall be required.</p>	Town Staff
Class 3 Application	<p>Application requires more substantial or complete relief (a Class 3 - <b>Council</b> Variation) from:</p> <ol style="list-style-type: none"> <li>1) One or more applicable development standards above the Class 2 Variation Limit based on the tables in Sections 5, 6 and 7; and</li> <li>2) Building height above the maximum Class 2 threshold established in the tables in Sections 5, 6 and 7.</li> </ol> <p>A <b>use</b> shall not be added as a permitted <b>use</b> through a Community Planning Permit. For any proposed new <b>use</b> within any Precinct, an Amendment to this By-law shall be required.</p>	<b>Council</b> or Planning Committee if approval is delegated

- b) For Class 2 Community Planning Permits, Staff may vary the standards, provisions and requirements of the Community Planning Permit By-law pursuant to the variation limits established in this By-law, and subject to the criteria set out in **Section 1.10. Discretionary Uses** may also be approved through a Class 2 Community Planning Permit by staff in accordance with the applicable criteria set out in **Section 1.10**.
- c) For Class 3 Community Planning Permits, **Council** may vary the standards, provisions and requirements of the Community Planning Permit By-law up to 100% of the stated standards subject to the criteria set out in **Section 1.10**.
- d) Despite Section 1.5.5 a), if in the opinion of the Town, the Community Planning Permit By-law criteria for Staff and **Council** variations set out in **Section 1.10** of this By-law are not met and the application is not in conformity with the Official Plan, the application may be denied.
- e) A Class 2 Community Planning Permit may be processed as a Class 3 Community Planning Permit at the discretion of the Director of Planning and Growth and/or **Council**. The Director of Planning and Growth or designate has discretion to forward for review to the **Council** (or Committee) any Class 2 Community Planning Permit which is of such a nature that further corporate review is deemed appropriate.

#### 1.6.6 Building Permit Application

Following the issuance of a Planning Permit, if all applicable conditions have been satisfied, the Owner may apply for a **building** permit.

### 1.7 COMPLETE APPLICATIONS

Town Council shall require applicants to consult the municipality before applying for a Community Planning Permit. Complete applications for a Community Planning Permit shall include:

- A fully complete and signed Community Planning Permit Application Form;
- Submission of the required application fees;
- The application submission requirements identified in Schedule 1 of the Ontario Regulation 173/16, as amended;
- All requirements identified through pre-consultation, in accordance with the Town's Official Plan (November 2018, as amended) or as identified by any applicable agency.

## 1.8 REFERRALS TO COUNCIL

- 1.8.1 Within five (5) business days of receiving a complete Application, Town staff may refer an Application to **Council**.
- 1.8.2 The Owner may refer an Application to **Council** at any time prior to the decision of an Application.

## 1.9 VARIATIONS WITHIN THIS BY-LAW

Variations to the standards in this By-law may be permitted, where identified.

## 1.10 CRITERIA FOR VARIATIONS FROM STANDARDS

- 1.10.1 Where a Class 2 or 3 Planning Permit is required, in addition to the guiding principles of this By-law, the following criteria shall be addressed to the satisfaction of the Town, prior to the issuance of a Planning Permit:
- a) The proposal is appropriate for the lands;
  - b) The proposal considers the unique characteristics of the property;
  - c) Any potential off-site impacts are identified and mitigated to the extent possible;
  - d) The proposal maintains the general intent of this By-law;
  - e) The proposal maintains the general intent of the Official Plan; and,
  - f) The proposal is consistent with the Provincial Planning Statement and is consistent with all applicable provincial plans and policies, including the Lake Simcoe Protection Plan (LSPP) and any other provincial plan or policy. If ever a conflict arises between any plan, policy or document, the provision that gives the greatest protection to the ecological health of the Lake Simcoe watershed shall prevail.
- 1.10.2 Where a Class 2 or 3 Planning Permit is required within the Shoreline Residential Precinct, in addition to the guiding principles within this By-law and the criteria listed within Section 1.10.1 of this By-law, the following additional criteria shall be addressed to the satisfaction of the Town, prior to the issuance of a Planning Permit:
- a) The proposal takes into consideration the naturally occurring shoreline in the area and is designed to be compatible with naturally occurring shoreline characteristics;

- b) The proposal blends built form and natural features in a manner that is compatible with the existing character of the shoreline area, visible from both land and water;
- c) The proposal incorporates erosion, run-off and sedimentation control improvements and measures, where appropriate, to ensure development is sensitive to the shoreline;
- d) The proposal provides a sustainable servicing solution for the property that does not impact the health of Lake Simcoe;
- e) The proposal substantially maintains natural vegetation along property boundary lines, the waterfront yard and shoreline; and
- f) The proposal uses native plant and tree species where new plantings are being introduced.

## **1.11 DISCRETIONARY USES**

1.11.1 A discretionary use, as identified in this By-law, may be permitted subject to applicable criteria as set out in this By-law, including any criteria listed as a note to any permitted discretionary use.

## **1.12 DECISION AND CONDITIONS OF APPROVAL**

### **1.12.1 Decision**

Upon review of a complete Application the Town may:

- a) Approve the Application and issue a permit with no conditions;
- b) Approve the Application subject to conditions being met before the issuance of a permit;
- c) Approve the Application and issue a permit with conditions attached;
- d) Approve the Application subject to conditions being met before the issuance of a permit. When the conditions are met, issue a permit with additional conditions attached; or
- e) Refuse the Application and no permit is issued.

### **1.12.2 Notice of Decision**

- a) A Planning Permit, where issued, is the notice of decision and shall be provided to the Owner. A Planning Permit may be subject to Conditions of Approval.
- b) Where a Planning Permit is not issued, a notice of refusal to issue a Planning Permit shall be given to the Owner. Notice shall be given in person, in which



case it is deemed to be received on the date of personal delivery, or by prepaid ordinary mail, in which case it is deemed to be received five business days after the date of mailing. The Town shall issue a notice of decision to the Owner within 15 days of the date of decision.

- c) The Owner can appeal in writing to the Ontario Land Tribunal any approval condition or the lack of the issuance of a Planning Permit.

### 1.12.3 Clearance of Conditions

If the Planning Permit is approved with conditions, the Owner shall fulfill the conditions associated with the approval in advance of the issuance of the Planning Permit.

### 1.12.4 Conditions of Approval

- a) Conditions of approval may:
- i) Be imposed prior to the issuance of a Planning Permit;
  - ii) Be attached as a condition of a Planning Permit; or,
  - iii) Be required in an agreement to be entered into between the Owner and the Town and registered on title.
- b) The conditions in Table 1.3 support the guiding principles of this By-law and the Official Plan:

**Table 1.3 - Conditions to Support Guiding Principles**

CONDITION	Sustain	Grow	Connect	Serve
<b>Development</b> shall be undertaken in accordance with a Community Planning Permit, including submitted plans, reports and drawings	✓	✓	✓	✓
Identification, protection, maintenance and enhancement of <b>existing</b> trees and other vegetation, including the restoration or replacement of vegetation where removed	✓	✓		
Land for road widenings to the extent established in the Town and County of Simcoe Official Plans and / or <b>daylighting triangles</b>		✓	✓	
Construction access plan to articulate how <b>building</b> materials shall be placed on the site and how construction access shall be provided to the subject property during construction		✓	✓	
Lighting facilities shall be required to minimize the	✓	✓		

CONDITION	Sustain	Grow	Connect	Serve
impacts on lake views, night skies and environmental features and a lighting impact analysis may be required to ensure the proposal is <b>dark sky compliant</b>				
Easements in favour of the municipality for access, construction, maintenance or improvement of <b>watercourses</b> , ditches, land drainage works and other public utilities	✓		✓	✓
Facilities for the disposal of storm, surface and waste water from the land and from any <b>buildings</b> or <b>structures</b> thereon	✓		✓	
Payment of cash-in-lieu, equal to 5% of the land, except where it has already been taken at the time of <b>lot</b> creation		✓		✓
Coastal engineering study or technical report to address coastal hazards such as: flooding, ice, erosion, dynamic beach and wave uprush	✓		✓	
Environmental Impact Statement preparation, submission and mitigation measures	✓	✓	✓	
Fish habitat impact assessment and offset measures	✓		✓	
<b>Site alteration</b> plan to demonstrate alteration or restoration of the grade of land and the placing or dumping of fill	✓		✓	
Provision of sustainable / low impact design features	✓		✓	
Monitoring of the <b>use</b> of lands as is necessary for the protection of public health and safety or the protection of the natural environment	✓		✓	✓
Specified agreement of exchange for increased height and or density in accordance with Section 1.29		✓		✓
In the case where action is recommended by a technical report, conditions which address the recommendations, including siting requirements that exceed minimum requirements may be imposed	✓	✓	✓	✓
Approvals and permits from other regulatory bodies such as: Department of Fisheries and Oceans, Transport Canada and Lake Simcoe Region Conservation Authority	✓		✓	✓

CONDITION	Sustain	Grow	Connect	Serve
Execution, maintenance and monitoring of any feature or works associated with a condition or a report	✓	✓	✓	✓
Enter into an agreement with the Town and / or any regulating bodies, to be registered on title, to confirm <b>development</b> shall proceed in accordance with the Community Planning Permit, including the requirement of financial securities		✓		✓
Sun / shadow / shade study	✓		✓	
Contaminant and spill management plan	✓		✓	
Erosion and sediment control plan	✓		✓	
Conformity with and compliance to all regulated authorities for matters associated with property standards, outstanding fees, enforcement and other by-laws		✓	✓	✓
Any condition that may be imposed pursuant to sections 34, 40, 41 and 42 of the Planning Act	✓	✓	✓	✓

### 1.13 FULFILLMENT OF CONDITIONS

Any condition of a Planning Permit must be completed within (two) 2 years from the date of issuance of the permit, except where otherwise stated within a Planning Permit Agreement.

### 1.14 EXTENSION TO FULFILLMENT OF CONDITIONS

Requests for extensions to complete any condition of a Planning Permit beyond the limit under provision 1.12 of this by-law may be considered within 1 year subject to this By-law and any provisions within, as amended. Any request after 1 year is to be at the discretion of the Manager of Planning.

### 1.15 AMENDMENTS TO PROVISIONAL APPROVALS OR PLANNING PERMITS

At the request of the Owner, amendments to a Planning Permit may be made at any time, subject to this By-law and any provisions within.

### 1.16 MANDATORY WORDING

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

## **1.17 DISCRETIONARY WORDING**

The word “may” is discretionary. “May” is a term that enables a judge, a public official or a private party to use their own judgement and conscience within general legal principles.

## **1.18 DEFINITIONS**

For convenience, terms that are in bold are defined in Section 2 of this By-law. This does not apply to headings, section titles or table headers. Where a defined term forms part of a larger word or phrase, the whole term will be bolded, e.g. ‘**erected**’ from defined term ‘**erect**’.

## **1.19 EXAMPLES AND ILLUSTRATIONS**

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

## **1.20 SEVERABILITY**

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

## **1.21 NEED FOR COMPLIANCE WITH OTHER LAWS**

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

## **1.22 VIOLATIONS AND PENALTIES**

In accordance with the Planning Act, R.S.O. 1990, c.P.13, as amended, every person and/or corporation who contravenes this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the Planning Act.

Where the Municipal By-Law Enforcement Officer has reason to believe that any person has used land or erected or used any building or structure in contravention of this By-law they or any employee of the Town so authorized by them, may at any reasonable hour enter and inspect the land or building or structure.

No person shall hinder or obstruct, or attempt to hinder or obstruct, a Municipal By-Law Enforcement Officer from carrying out inspections to ensure compliance with this By-law.

### 1.23 REPEALS OF PREVIOUS BY-LAW

On the day that this By-law comes into force, Comprehensive Zoning By-law No. 080-13 and **Fence** By-law 052-05 of the Town of Innisfil, and all amendments thereto, are repealed in so far as they apply to lands affected by this By-law as shown on Schedule A.

### 1.24 TECHNICAL REVISIONS TO THE BY-LAW

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

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

### 1.25 TRANSITION PROVISIONS

#### 1.25.1 Building Permit Applications

- a) Nothing in this By-law shall prevent the **erection** or **use** of a **building** or **structure** for which an application for a building permit was filed on or prior to the date of passage of this By-law, if the application complies, or the building permit application is amended to comply, with the provisions of the applicable former Zoning By-law provisions as it read on the date of passage of this By-law. For the purposes of this section, an application for a building permit means an application for a building permit which satisfies the requirements set out in the Building Code Act, as amended.
- b) Nothing in this By-law shall prevent the **erection** or **use** of a **building** or **structure** for which an application for a building permit was filed after the date of passage of this By-law, where:
  - i) Planning Act approvals have been obtained in accordance with subsection 1.25.2; or

- ii) Planning Act applications are in process in accordance with subsection 1.25.3.

For the purposes of this section, an application for a building permit means an application for a building permit which satisfies the requirements set out in the Building Code Act, as amended.

## 1.25.2 Planning Act Approvals

### a. Minor Variance

Where the Committee of Adjustment of the Town or the Ontario Land Tribunal has authorized a minor variance, in respect of any land, **building** or **structure** and the decision of the Committee of Adjustment of the Town or the Ontario Land Tribunal authorizing such minor variance has become final and binding prior to the enactment of this By-law, the provisions of this By-law, as they apply to such land, **building** or **structure**, shall be deemed to be modified to the extent necessary to give effect to such minor variance.

### b. Consent

#### i. Where:

1. an application is made for consent to convey land under Section 50 of the Planning Act, prior to enactment of this By-law; and,
2. that consent is granted and that land is conveyed before the consent lapses; and,
3. that consent results in the creation of one or more **lots** which do not comply with the **lot frontage** or **lot area** requirements of this By-law; then, each such **lot** created is deemed to comply with the **lot frontage** and **lot area** requirements of this By-law provided the **lot** created complies the **lot frontage** and **lot area** requirements of the applicable zoning with prior to the date of adoption of this By-law.

#### ii. Where:

1. an application for consent has been approved and a long form certificate has been issued by the Town in accordance with Section 53(42) of the Planning Act; and
2. the conveyance has not occurred prior to the date of adoption of this By-law; such lot shall be deemed to comply with the lot frontage and lot area of the Precinct in which the lot is located; provided such lot complied with the lot frontage and lot area



requirements of the applicable zoning prior to the date of adoption of this By-law.

**c. Site Plan**

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

**1.25.3 Planning Act Applications in Process**

- a. Nothing in this By-law shall prevent the **erection** or **use** of a **building** or **structure** for which:
  - i. A complete application for a minor variance under Section 45 of the Planning Act was filed on or before the date of passage of this By-law, and in such a case, the minor variance may be granted in compliance with Section 45 of the Planning Act in the context of the applicable By-law at the time of application;
  - ii. A complete application for a consent was filed on or before the date of passage of this By-law, and in such a case, the consent may be granted in compliance with the applicable By-law at the time of application;
  - iii. A complete application for site plan approval was filed on or before the date of passage of this By-law, and in such a case, the conditions of final site plan approval may be granted if the project complies with the provisions of the applicable By-law at the time of application;
  - iv. A complete application for a Zoning By-law Amendment was filed on or before the date of passage of this By-law;
  - v. A complete application for a Community Planning Permit Amendment was filed on or before the date of passage of this By-law;
  - vi. A complete application for a Community Planning Permit application was filed on or before the date of passage of this By-law, and in such a case, the application may be granted in the context of the applicable By-law at the time of application;

**1.25.4 Holding Provisions**

- a. Where lands were deemed to be subject to a holding provision by way of a by-law passed pursuant to Section 36 of the Planning Act on the effective date of this by-law, the conditions associated with the applicable holding provision shall be deemed to continue to apply.
- b. Where there is a conflict between the provisions of this by-law and the specific provisions of any by-law imposing a holding provision, the specific by-law imposing a holding provision shall prevail.

- c. Where a Community Planning Permit Application involves lands which are subject to conditions applied in accordance with this by-law, such conditions shall be applied in the same manner as if they were imposed.

## 1.26 EXEMPTIONS

**1.26.1** The following types of **development** shall not require a Planning Permit:

- a) any **development** consistent with a site plan agreement pursuant to the Town's Site Plan Control By-law;
- b) interior renovations if there is no change in **use** or intensification;
- c) new, or additions to existing single-detached and semi-detached dwellings, where such dwellings comply with all applicable provisions of this By-law;
- d) **additional dwelling units** that comply with all applicable provisions of this By-law;
- e) maintenance of **existing buildings** and **structures**, such as the replacement of windows, doors, stairs and **decks**, that will not result in changes to the **footprint** of the **structure** and location;
- f) repairs to **existing buildings** and foundations provided that the works do not involve the placement of fill, alteration of **existing** grades or changes to the **footprint** of the **structure**;
- g) **seasonal water structures** subject to the standards and provisions in Section 5.6.2;
- h) **storage sheds** no greater than 15 square metres in size, subject to the standards and provisions in Section 5.6.4;
- i) placement of fill less than 7 cubic metres or 2 half ton loads;
- j) lands subject to By-law 029-05 (Friday Harbour);
- k) placement of a portable classroom on a **school** site of a district **school** board; and,
- l) projects initiated by a **public authority** in accordance with Section 4.22.

## 1.27 AGREEMENT BETWEEN MUNICIPALITY AND THE OWNER

- 1.27.1 An Owner may be required to enter into one or more agreements with the Town respecting any condition imposed by the Planning Permit.
- 1.27.2 Any agreement subject to conditions may be registered on title to the Owner's property.
- 1.27.3 Where **Council** has delegated approval authority to Staff, **Council** further delegates the authority for the Manager of Planning to administer an agreement required by the Planning Permit and the authority to make amendments to the agreement(s) is delegated to the Manager of Legal/Clerks Services.

## 1.28 AMENDING AGREEMENTS

**Council** delegates the authority to Staff to amend any agreement required by the Planning Permit.

## 1.29 FACILITIES, SERVICES AND MATTERS

- 1.29.1 The Town may require facilities, services and matters to be provided to the Town by the owner at the owner's expense in return for the increase in height and density of the proposed **development** on the lands within the Precinct boundaries, in accordance with O.REG. 173/16.
- 1.29.2 The maximum **building height** that is permitted through a Class 1 Community Planning Permit is as shown throughout this by-law, and is subject to the provision of facilities, services and matters in accordance with provision 1.29.4 and Tables 1.4 and 1.5 of this by-law.
- 1.29.3 The maximum **building height** and maximum density that may be permitted through a Class 2 Community Planning Permit are shown throughout this by-law and are subject to the provision of facilities, services and matters in accordance with the provision 1.29.4 and Tables 1.4 and 1.5 and the criteria outlined in Section 1.10 (Criteria for Variations from Standards) of this by-law.
- 1.29.4 In exchange for the approval of **building height** or density for a development containing a residential use, the Town will require the provision of facilities, services and matters as outlined in the Tables 1.4 and 1.5 below, and as follows:
- a) For a development containing multiple buildings, the required facilities, services, and matters will be calculated per unit for all residential units above the maximum Class 1 density threshold.
  - b) The required complete community charge shall be calculated based on all residential units in the building.

For clarity, development that requires a Class 2 or Class 3 Community Planning Permit based on a proposed variation to one or more development standards or any

provision of this by-law except maximum building height or maximum density, shall only be subject to Class 1 Facilities, Services and Matters identified in Table 1.4 for Class 1 Maximum Density Threshold.

**Table 1.4 - Overview of required facilities, services and matters in exchange for additional building height or density**

	Residential <b>development</b> within Class 1 maximum <b>building height</b> and density threshold	Residential <b>development</b> within Class 2 <b>building height</b> or density threshold	Residential <b>development</b> above Class 2 <b>building height</b> or density threshold
Required facilities, services and matters	Complete community charge per Table 1.5 for <b>development</b> with 5 or more <b>storeys</b> and 10 or more residential units.	Complete community charges per Table 1.5 for <b>development</b> with 5 or more <b>storeys</b> and 10 or more residential units. AND Option 1: A minimum of 25 per cent of all residential units (rental or ownership) above the Class 1 <b>building height</b> or density threshold, within the maximum Class 2 <b>building height</b> or density established by this by-law be provided as Affordable Dwelling Units, per Table 1.6. OR Option 2: Alternative provision of facilities, services and matters equal to or greater than the value of Option 1, in accordance with provision 1.29.6.	Complete community charges per Table 1.5 for <b>development</b> with 5 or more storeys and 10 or more residential units. AND Additional facilities, services and matters to be greater than the value of applying Class 2 facilities, services and matters, in accordance with provision 1.29.8.

**Table 1.5 - Required complete community charge amount**

	Required contribution amount
Complete Community charge	4 per cent of the value of the land that is the subject of <b>development</b> .

**Table 1.6 – Affordability threshold for Town of Innisfil Ownership or Rental Affordable Dwelling Units (updated annually)**

	Affordability threshold (Provincial Affordable Residential Unit Bulletin, as amended)
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<b>Affordable Ownership Mix</b>	The purchase price of the affordable ownership unit shall be equal or less than: <ul style="list-style-type: none"> <li>• \$427,600 per residential unit</li> </ul>
<b>Rental Unit Mix</b>	The rental rate of the affordable rental unit shall be equal or less than: <ul style="list-style-type: none"> <li>• \$1,020 per studio apartment</li> <li>• \$1,284 per 1 bedroom apartment</li> <li>• \$1,485 per 2-bedroom apartment</li> <li>• \$1,709 per 3-bedroom or more apartment</li> </ul>

**1.29.5** An application for a Community Planning Permit for a **building height** or density that would exceed the Class 2 maximum **building height** or maximum density established in Table 1.4 shall demonstrate as part of a complete application that the facilities, services, and matters proposed to be provided are proportional in quantity or monetary value to the number of additional residential units proposed.

**1.29.6** The Town may accept the provision of alternative facilities, services, and matters in lieu or partially in lieu of those that would otherwise be required by Table 1.4, subject to:

- a) An application for consideration of in-kind contributions shall require a Class 3 Community Planning Permit.
- b) The application for consideration of in-kind contributions must be submitted to the Town with supporting documentation as to the suggested value thereof no less than 180 days prior to the first building permit being granted for the proposed development or change of use. This documentation must be provided as part of the complete Community Planning Permit Application, and intent to provide in-kind contributions must be identified by the proponent during pre-consultation stage.
- c) In-kind contributions shall only be accepted if the same are approved by resolution of Council, at Council's discretion. The determination of Council as to whether in-kind contributions shall be accepted in full or partial satisfaction of the requirements of this subsection of the by-law shall be final and binding.
- d) The value attributed to an in-kind contribution shall be as determined by Council, based on one or more third-party valuations to the satisfaction of Council, or their delegate. Council's determination of the value to be attributed to any in-kind contribution shall be final and binding.

**1.29.7** An applicant may be required, at the discretion of the Approval Authority, to enter into one or more agreements registered on title with the Town or another agency, for the provision of facilities, services, and matters.

**1.29.8** Where a development proposal would exceed the Class 2 maximum building height or maximum density established in Table 1.4, Council may authorize a variation provided the proposal provides additional facilities, services, and matters that shall meet a need identified by the Town, such as the following:

- a) Land to be conveyed to the Town for municipal purposes;

- b) Accessible dwelling units;
- c) Purpose-built rental units;
- d) Additional affordable dwelling units, beyond those required in Table 1.4;
- e) Dwelling units to be provided to Simcoe County or a not-for-profit housing provider for use as part of their housing portfolio;
- f) Public Service Facilities or Institutional use;
- g) Public transportation infrastructure, facilities, and services;
- h) Active transportation infrastructure and facilities;
- i) Public parking and improvements to existing public parking;
- j) Improvements to off-site streetscaping;
- k) Public art;
- l) Urban forestry;
- m) Parkland and improvements to existing parks in excess of what is required under Section 42 of the Planning Act and the Town's Parkland Dedication By-law, as amended;
- n) Conservation, protection and preservation of cultural heritage resources or natural heritage features and systems;
- o) Implementation of voluntary sustainability measures above and beyond the energy, water and sustainability policies of the Town's Official Plan, as amended; and,
- p) Any other in-kind contribution as approved by Council.

**1.29.9** Notwithstanding the provisions above, facilities, services and matters shall not be required with respect to:

- a) **development** or a change in use of a building or structure intended for use as a long term care facility inclusive of a group home within the meaning of subsection 2(1) of the Long-Term Care Homes Act, 2007;
- b) **development** or a change in use of a building or structure intended for use as a retirement residential facility within the meaning of subsection 2(1) of the Retirement Homes Act, 2010;
- c) **development** or a change in use of a building or structure intended for use by any of the following post-secondary institutions for the objects of the institution:



- i) A university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario;
  - ii) A college or university federated or affiliated with a university described in subparagraph (i);
  - iii) An Indigenous Institute prescribed for the purposes of section 6 of the Indigenous Institutes Act, 2017.
- d) **development** or a change in use of a building or structure intended for use as a memorial home, clubhouse, or athletic grounds by an Ontario branch of the Royal Canadian Legion;
- e) **development** or a change in use of a building or structure intended for use as a hospice to provide end-of-life care;
- f) **development** or a change in use of a building or structure intended for use as residential premises by any of the following entities:
- i) corporation to which the Not-for-Profit Corporations Act, 2010 applies, that is in good standing under that Act and whose primary object is to provide housing;
  - ii) a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing; or
  - iii) a non-profit housing co-operative that is in good standing under the Co-operative Corporations Act.

### 1.30 CONFORMITY AND COMPLIANCE WITH BY-LAW (LEGAL NON-CONFORMING USES AND LEGAL NON-COMPLYING BUILDINGS AND STRUCTURES)

**1.30.1** Land **uses** are considered to be legal **non-conforming** if they were a legally established **existing use** prior to the passing of this By-law but are no longer permitted by this By-law. Subsection 34(9) of the Planning Act, R.S.O. 1990, c.P.13, as amended ("Planning Act") establishes an owner's right to continue to use a property for a **use** that was legally established. A **non-conforming use** remains legal where the **use** has been continuous, and there has been no intent of abandonment of the use.

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

**1.30.3** This By-law does not prevent the continued legal use, alteration or expansion of **buildings** and **structures** that no longer conform to the permitted **uses** in this By-law. This By-law does not prevent the **erection** of a **building** or **structure** for a legal **non-conforming use** or establishment of a legal **non-conforming use** where a **building**

permit has been issued in accordance with the Building Code Act, 1992, S.O. 1992, c.23 ("Building Code Act"), if a **building** permit was issued prior to this By-law being passed.

- 1.30.4** Buildings and structures are considered legal non-conforming if they were legally established prior to the passing of this By-law but no longer conform with the new provisions. This By-law does not prevent the continued use, alteration or expansion of legally **existing buildings** and **structures** which no longer conform with this By-law.

### **1.31 INTERPRETATION OF BY-LAW**

Unless the context requires otherwise, the word "used" shall also mean "designed to be used", the word "occupied" shall also mean "designed to be occupied". This By-law refers to the Official Plan and Official Plan Amendment No. 23 to implement a Permit System and should be read and interpreted with these documents.

Roads shown on Schedule A are for information only and are not intended to confirm legal status of exact location.

### **1.32 AMENDMENTS TO THE CPP BY-LAW**

- 1.32.1** Where variations are not identified in this by-law, and the standards cannot be met, an amendment to this By-law is required.
- 1.32.2** Where a proposal is beyond the permissible standards, including any stated variations thereto, and permitted and discretionary uses, an amendment to this By-law shall be required.
- 1.32.3** An amendment to this By-law can be initiated by the Town or by a private land owner.
- 1.32.4** Any amendment to this By-law must be supported by a comprehensive planning rationale within the context of the planned vision for all the lands within the area subject to the By-law and must provide details of public and community engagement to support the amendment.

## Section 2 - Definitions

### 2.1. Accessory

**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.

### 2.2. Alter

**Alter** means:

- a) in the case of a **building**, **structure** or part thereof, a change in the external dimensions, or a change from one type of **use** to another, or a change in location; or
- b) in the case of a lot, changes to **existing** grades by more than 0.3 metres or over an area exceeding 9 square metres.

### 2.3. Amenity Space

**Amenity Space** means a space within a **building** or outside of a **building** including a rooftop which provides contiguous active and/or passive recreation areas for the **use** of the occupants of the **building**.

### 2.4. Angular Plane

**Angular Plane** means an imaginary, angled plane extending above the entire lot through which no portion of a building or structure can encroach to limit impacts on adjacent areas. The location, angle, and starting height of the **angular plane** shall apply as identified in the applicable Precinct category.

### 2.5. Attached

**Attached** means joined, fastened or connected to an adjacent **structure**, **building** or land.

### 2.6. Bakery

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

### 2.7. Bake Shop

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

### 2.8. Balcony

**Balcony** means a platform that may be partially enclosed, projecting from a **building** or **structure** above 2.5 metres from the **established grade** or water's edge (elevation of 219.15 metres above sea level).

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- 2.9. Banquet Hall**  
**Banquet Hall** means **premises** used for the gathering together of several persons for charitable, civic, cultural, educational, fraternal, religious, recreational, social or like purposes, and may include facilities for the preparation and consumption of food or drink.
- 2.10. Basement**  
**Basement** means that space of a building partly below **established grade** and which has over one-half of its height measured from floor to ceiling above the **established grade**.
- 2.11. Bed and Breakfast Residence**  
**Bed and Breakfast Residence** means a detached **dwelling** containing, as an **accessory** use, up to 3 guest rooms that are available for rent to the travelling or vacationing public for overnight accommodation on a temporary basis. A **Bed and Breakfast Residence** may include the provision of meals and use of common areas to those persons residing temporarily therein. A **bed and breakfast residence** shall not include a **group home**, boarding or lodging house, **restaurant**, tavern, **hotel**, or tourist establishment.
- 2.12. Boathouse**  
**Boathouse** means an **accessory building**, located on land or in Lake Simcoe used for the storage of boats and marine related equipment, and which does not include sleeping accommodations, kitchen or washroom facilities, and any potable water, natural gas or sanitary servicing.
- 2.13. Boatport**  
**Boatport** means an **accessory building**, located on land or in Lake Simcoe, used for the purpose of berthing or sheltering and storing boats and marine related equipment that is roofed / covered, but not enclosed by more than one wall and is built, founded or anchored near or at the **water's edge**.
- 2.14. Buffer, Shoreline**  
**Buffer, Shoreline** means a natural area, adjacent to the **shoreline**, maintained in its natural predevelopment state for the purpose of protecting natural habitat, stabilizing the **shoreline** and minimizing the visual impact of **buildings** and **structures** on a lake front **lot** and is intended to represent the Minimum Vegetation Protection Zone (MVPZ) referenced in Provincial documents. The **Shoreline Buffer** is measured in land from the **water's edge**.
- 2.15. Building**  
**Building** means any enclosed **structure**, whether temporary or permanent, used or intended to be used for shelter, accommodation or enclosure of persons, animals, materials, produce or equipment. Any tent, awning, bin, silo, vessel or vehicle used for any of these purposes is a building.
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**2.16. Building Height**

Building Height means the vertical distance measured between the **established grade**, or for a **structure** partially or entirely on or over the water, from the elevation measured at 219.15 metres above sea level, to:

- a. the highest point of a flat roof or of the surface of a **structure**, but excluding any railing;
- 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 smokestack, barn, silo, communications tower or other utilitarian **structure** which does not provide **habitable** space.

**2.17. Building, Principal**

**Building, Principal** means the **building** or **structure** in which the **principal use** of the lot is carried.

**2.18. Breezeway**

Breezeway means an architectural feature, like a hallway, that allows a breeze between structures and can be a simple roof connecting two structures or more substantial. It may refer to a hallway between two wings of a larger **structure**, such as between a house and a **garage**, that lacks heating and cooling but allows sheltered passage.

**2.19. Campground**

**Campground** means the land on which camping vehicles or camping tents, plus accompanying towing of vehicles can be parked and used; and on which **accessory** facilities such as an administration office, clubhouse, snack bar, laundry, souvenir, convenience or tuck shop, **swimming pool**, bath house, washrooms, manager's quarters or other recreational and support facilities, housed in permanent **structures**, can be **erected** and operated.

**2.20. Carport**

**Carport** means an **accessory building** or **structure** or part thereof, either **attached** to or detached from the wall of the **buildings**, 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. For the purposes of this By-law, perimeter includes the wall of the **building** to which the **carport** is attached.

**2.21. Cellar**

**Cellar** means the space of a **building** that is partly or entirely below **established grade** which has less than one-half of its height measured from floor to ceiling above the **established grade** around the exterior of the **dwelling**.

- 2.22. Cemetery**  
**Cemetery** means a **cemetery** or columbarium and may include a crematorium, all within the meaning of the Cemeteries Act, as amended.
- 2.23. Centerline**  
**Centerline** means a line drawn parallel to and equidistant from the limits of a road allowance or **driveway**, as the context may dictate.
- 2.24. Child Care Centre**  
**Child Care** means a licensed premises used for the provision of temporary care for or supervision of children in accordance with the Child Care and Early Years Act, 2014, S.O. 2014, c. 11, as amended.
- 2.25. Community Centre**  
**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.
- 2.26. Conservation Use**  
**Conservation Use** shall mean the preservation, protection or improvement of the components of the natural environment through management and maintenance for public benefit.
- 2.27. Convenience Store**  
**Convenience Store** means a retail commercial establishment, not exceeding 300 square metres of gross **floor area**, supplying groceries and other daily household necessities to the immediate surrounding area.
- 2.28. Council**  
**Council** means the **Council** of The Corporation of the Town of Innisfil.
- 2.29. Crafts, Trade and Instructional Services**  
**Crafts, Trade and Instructional Services** means businesses such as: photographers, arts and crafts services, artists, sculptors, wood crafts, graphic designers, jewelers, sign makers, plumbers, electricians, lawn and garden care, pool maintenance, small appliance repair, snow removal, and home repair services, but does not include repair and servicing of , motorcycles, boats, or any other motorized vehicle.
- 2.30. Custom Workshop**  
**Custom Workshop** means a **building** or part of a **building** used by a trade, craft or guild for the manufacture in small quantities of made-to-measure clothes or articles and shall include upholstering, repair, refinishing of antiques and other art objects, but shall not include metal spinning, woodworking or furniture manufacturing or refinishing of antique automobiles.



**2.31. Dark Sky Compliant**

**Dark Sky Compliant** means reducing light pollution by limiting the height of light fixtures and ensuring lights shine downward and away from adjacent properties and the surrounding area ensuring an increased number of stars visible at night, reducing the effects of electric lighting on the environment, and reducing energy consumption.

**2.32. Daylighting Triangle**

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

**2.33. Deck**

**Deck** Means a **structure** at or above 0.2 metres above **established grade** with no solid roof or walls, except for railings, which may be constructed on piers, a foundation or cantilevered above grade for **use** as an outdoor living space and includes **landings** and stairs but does not include a **balcony**, **porch** or veranda. Any portion of a **dock structure** that extends onto the land above the **water's edge** (elevation of 219.15 metres above sea level) is a **deck**.

**2.34. Development**

**Development** means:

- a) the construction, **erection** or placing of one or more **buildings** or **structures** on land or on water;
- b) the making of an addition or alteration to a **building** or **structure** that has the effect of increasing its size or usability;
- c) the laying out and establishment of:
  - i. a commercial parking **lot**
  - ii. sites for the location of three or more mobile homes as defined in subsection 46 (1) of the Planning Act
  - iii. sites for the construction, **erection** or location of three or more land lease community homes as defined in subsection 46 (1) of the *Planning Act*; or
  - iv. sites for the location of three or more trailers as defined in subsection 164 (4) of the Municipal Act, 2001
- d) **site alteration**, including but not limited to,
  - i. alteration of the grade of land, and
  - ii. placing or dumping fill, or
- e) the removal of vegetation.

**2.35. Dock**

**Dock** means a **structure** built, founded or anchored near or at the **water's edge** (elevation of 219.15 metres above sea level) extending on or over the water at which boats may be berthed or secured in conjunction with a **use** on the mainland.

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- 2.36. Driveway**  
**Driveway** means an area of land which provides vehicular access from a **street** to a **parking aisle**, space or **garage**.
- 2.37. Drive-Through Facility**  
**Drive-Through Facility** means the **use** of land, **buildings** or **structures**, or parts thereof, to provide or dispense products or services through an attendant or a window or an automated machine, to persons remaining in motorized vehicles that are in a designated **stacking lane**. A **drive-through facility** does not include an attendant for a private or **public parking lot** or **garage**.
- 2.38. Driving Range**  
**Driving Range** means an area operated for the purpose of developing golfing techniques, including miniature **golf courses**, but excluding **golf courses**.
- 2.39. Dry Cleaning Establishment**  
**Dry Cleaning Establishment** means a **building** where dry cleaning, dyeing, cleaning and pressing of articles or goods of fabric is carried out.
- 2.40. Dwelling**  
**Dwelling** means a **residential** 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 an **accessory building**, travel trailers, mobile homes, double wide mobile homes, tourist trailers, tents, campers and motor vehicles, hotels or boarding or rooming houses, motels or institutions.
- 2.41. Dwelling, Apartment**  
**Dwelling, Apartment** means a **residential** building having two or more storeys containing four 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.
- 2.42. Dwelling, Back-To-Back Townhouse**  
**Dwelling, Back-To-Back Townhouse** means a **building** containing four or more **dwelling units** divided vertically above grade by common walls, including a common rear wall without a **rear yard** and whereby each unit has an independent entrance to the unit from the outside exterior accessed through the **front yard** or **exterior side yard**.
- 2.43. Dwelling, Block Townhouse**  
**Dwelling, Block Townhouse** means a minimum of three **dwelling units** which are **attached** above and below grade by either the entire length of the **garage** or by the entire length of the main common wall and which are grouped on the same lot.
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- 2.44. Dwelling, Duplex**  
**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.
- 2.45. Dwelling, Linked**  
**Dwelling, Linked** means two or more **buildings**, each of which consists of not more than one **dwelling unit**, **attached** solely below **established grade** by a connection spanning between the footings of each **building** consisting of a concrete wall a minimum of 0.5 m in height and 10.0 cm thick.
- 2.46. Dwelling, Semi-Detached**  
**Dwelling, Semi-Detached** means a **building** that is divided vertically into two **dwelling units**, each of which has independent entrances to the front and rear or **side yard** either directly or through a common vestibule.
- 2.47. Dwelling, Single Detached**  
**Dwelling, Single Detached** means a separate **building** designed and intended to be occupied as a single **dwelling unit** for one household which may contain s as permitted by this by-law.
- 2.48. Dwelling, Stacked Townhouse**  
**Dwelling, Stacked Townhouse** means either **block townhouse** or **street townhouses** in which one unit is located above another unit, with no common enclosed corridor system.
- 2.49. Dwelling, Street Townhouse**  
**Dwelling, Street Townhouse** means a minimum of three **dwelling units** which are **attached** above and below grade by either the entire length of the **garage** or by the entire length of the main common wall and all of which front on a **street** and each of which is located on a separate lot.
- 2.50. Dwelling, Townhouse**  
**Dwelling, Townhouse** means a residential **dwelling unit attached** to other units by a common sidewall, where the number of **attached** units is no less than three and no greater than eight. Where **townhouse dwelling** is generally referenced in this by-law, it shall include all other types of **townhouse dwellings** defined herein, including **block townhouse dwellings**, **back-to-back townhouse dwellings**, **stacked townhouse dwellings** and **street townhouse dwellings**, unless the type of **townhouse dwelling** is specifically indicated.
- 2.51. Dwelling Unit**  
**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 except when it includes a **bed and breakfast residence**.
- a. in which food preparation, sleeping and sanitary facilities are provided for the use of the occupants;
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- b. which has a private entrance from outside the **building** or from a common hallway or stairway inside the building; and
- c. shall contain only one (1) kitchen.

**2.52. Dwelling Unit, Additional**

means an additional residential self-contained **dwelling unit** that is either located within a **dwelling** and associated with a **principal dwelling unit**, or located within a detached **accessory structure**. An **additional dwelling unit** is subordinate to the **principal dwelling unit**.

**2.53. Dwelling Unit, Principal**

**Principal Dwelling Unit** means the original **dwelling unit** within a **dwelling**.

**2.54. Erect**

**Erect** means any construction, reconstruction and relocation of **buildings** and **structures** and, without limiting the generality of the work, also includes:

- a. any preliminary physical operation such as excavating, filling or regrading or draining;
- b. altering any **existing building** or **structure** by adding, enlarging, extending, remodeling, renovating, moving, demolishing or effecting other structural change; and
- c. any work, the doing of which requires a **building** permit under the Building and Plumbing By-law of the Town.

**2.55. Established Grade**

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

**2.56. Existing**

**Existing** means legally **existing**, as of the date of passing of this By-law.

**2.57. Fence**

**Fence** means any wall (other than a wall of a **building** or retaining wall), gate or other **structure** or partition made of wood, metal, stone or other material which is used to enclose, separate, provide privacy or divide, in whole or in part, a **yard** or other land, or to separate or purport to separate land not under common ownership.

**2.58. Financial Institution**

**Financial Institution** means an establishment which provides money management services directly to the public, and shall include a bank, trust company, credit union, securities dealer, finance company or stockbroker.

**2.59. First Floor**

**First Floor** means the floor of a **building** located closest to the **established grade**, which is located entirely above the **established grade**.

**2.60. Fitness Centre**

**Fitness Centre** means a **building** in which facilities are provided for recreational athletic activities including but not limited to body-building and exercise classes, and shall include associated facilities such as a sauna.

**2.61. Floor Area**

**Floor Area** means:

- a. for a **dwelling**, or **dwelling unit**, the total area of the **storeys** contained within the outside walls of the **dwelling** exclusive of any **garage**, **carport**, porch, veranda, balcony, sunroom, unfinished attic, unfinished **basement** or unfinished **cellar**; or
- b. for a **building** or part of a building, other than a **dwelling**, the total area of all the **storeys** contained within the outside walls of the building.

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

**2.62. Footprint**

**Footprint** means the **floor area** of a **building** or **structure**, measured at grade on a horizontal plane, to the outside edge of walls, or posts in the case of an unenclosed **structure**, and includes the furthest extent of a **deck** or a **dock**.

**2.63. Frontage, Lot**

**Frontage, Lot** means the distance between the side **lot lines** measured at the required **front yard setback** and parallel to the chord of the **lot frontage** and, for the purpose of this definition, the chord of the **lot frontage** is a straight line joining the two points where the side **lot lines** intersect the **front lot line**.

**2.64. Frontage, Water**

**Frontage, Water** means the distance between the side **lot lines** measured at the required **setback** from the **shoreline** and parallel to the chord of the **shoreline**, and for the purpose of this definition, the chord of the **shoreline** is a straight line joining the two points where the side **lot lines** intersect the **shoreline**. Should a **lot** not directly abut the **shoreline**, the **water frontage** shall be the **lot line** opposite the **front lot line**.

**2.65. Fruit and Vegetable Produce Market**

**Fruit and Vegetable Produce Market** means a **building** or **premise** where opened spaces or stalls or sale areas that are not separated by permanent walls (but may have removable partitions) and have a maximum area of 100 square metres, are leased, rented or otherwise provided to more than 3 individual vendors for the sale of products primarily of fresh fruit, vegetables, meat, poultry, fish, dairy products, as well as trees, shrubs, plants and flowers and a limited range of canned or preserved products or other food products requiring minimal processing such as maple syrup, cheese, butter, refreshments or baked goods to the general public, but shall not include a flea market, supermarket or food store.

**2.66. Funeral Home**

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

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- 2.67. Garage or Garage, Private**  
**Garage or Garage, Private** means a separate **building** or part of the **principal building** used for the temporary parking or storage of licensed vehicles of not more than three tonnes gross vehicle weight but shall not include a **temporary structure**.
- 2.68. Garden Centre**  
**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.
- 2.69. Gazebo / Pergola**  
**Gazebo / Pergola** means an **accessory structure** or **building** with open, screened or solid walls intended to be **use** for a shaded or partially shaded passive recreation space and may also serve architectural interest.
- 2.70. Gift Shop**  
**Gift Shop** means a **retail store** specializing in the sale of ornaments, cards, magazines, books or confectionaries.
- 2.71. Government Facility**  
**Government Facility** means a municipal office, library, court house, registry office, health and welfare centre, employment office, post office, or other office used for the purpose of local or other government administration, or fire station, police station or emergency services facility
- 2.72. Grocery Store**  
**Grocery Store** means a **building** or part of a **building** where a limited line of goods such as canned, bottled, packaged and frozen foods, **bakery** products, dairy products, candy and confectionery and other food lines which may include fresh meat and poultry, fresh fruit and vegetables are sold. In addition, newspapers, magazines, paper products, soft drinks, tobacco products, health and beauty aids, housewares, flowers, plants and other non-food articles may be sold.
- 2.73. Group Home**  
**Group Home** means a supervised single housekeeping unit in a residential **dwelling** for the accommodation of not more than 6 persons, exclusive of staff, who by reason of their emotional, mental, social or physical condition or legal status require a group living arrangement for their well-being and,
- a. the members of the group are referred by a **hospital**, court, government agency, recognized social service agency or health professional; and
  - b. such facility is licensed and/or approved under provincial statutes and in compliance with municipal by-laws.
- 2.74. Habitable**  
See "**Human Habitation**".
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**2.75. Health and Social Services**

**Health and Social Services** means businesses such as: doctors, dentists, psychiatrists, chiropractors, professional registered massage therapists and other regulated health professionals, **child care centre** and counselling.

**2.76. Home Industry**

**Home Industry** means a craft, trade, guild or service, excluding a **motor vehicle** repair **garage** and **motor vehicle body shop**, conducted within an **accessory building** on the **lot** as a clearly incidental or secondary **use** to the **residential use** or farm **use** of the property and provided the proprietor carrying out the craft, trade guild or service resides within a **dwelling unit** located on the same lot.

**2.77. Home Occupation**

**Home Occupation** means an occupation for gain or support conducted within a **dwelling unit** as a clearly incidental or secondary **use** to the **residential use** and provided the proprietor carrying out the occupation resides within the **dwelling unit**.

**2.78. Hospital**

**Hospital** means any institution, **building** or other **premises** established for the treatment of persons afflicted with or suffering from sickness, disease or injury, for the treatment of convalescent or chronically ill persons that is approved under the Public **Hospitals** Act and shall include a private **hospital** as defined under the Private **Hospitals** Act.

**2.79. Hotel**

**Hotel**, which also includes an inn but does not include a **bed and breakfast**, means a **building** or **structure** used for the purpose of catering to the needs of the traveling public by supplying temporary sleeping accommodations, food and refreshments, and which may contain a public dining area, meeting rooms or an **accessory banquet hall**.

**2.80. Human Habitation**

**Human Habitation** means **use** of a **building** or **structure** for living, sleeping and eating or for food preparation purposes.

**2.81. Indoor Recreational Centre**

**Indoor Recreational Centre** means a sports or recreation facility used by private members or the general public and includes an arena, racquet courts, a **swimming pool**, gymnasium, or other similar indoor recreational uses, and may include an administrative office as an **accessory use** but does not include a **place of entertainment** or a **banquet hall**.

**2.82. Landing**

**Landing** means an area at the top of a flight of stairs or between flights of stairs, which does not exceed the width of the associated stairs by more than 1 ½ times, or a maximum width of 2.5 metres, whichever is less.

**2.83. Landscaped Open Space**

**Landscaped Open Space** means an open, unobstructed space on a lot, located at grade which is dedicated to the growth and maintenance of trees, shrubs, grass,



flowers, decorative paving and other landscape features and may include **patios**, hard surface play areas, and **walkways**, but does not include any **driveway**, ramp, boat ramp or **parking area**, whether surfaced or not, or any open space beneath a **building** or **structure**. A **walkway** shall not be used as a **driveway** or **parking area**.

**2.84. Landscaped Strip**

Means an open, unobstructed space on a **lot**, located at grade which is dedicated to the growth and maintenance of trees, shrubs, grass, flowers, decorative paving and other landscape features and may include **patios** and walkways, but does not include any **driveway**, ramp, at grade recreational **uses**, boat ramp or **parking area**, whether surfaced or not, or any open space beneath a **building** or **structure**. A walkway shall not be used as a **driveway** or **parking area**.

**2.85. Lane**

**Lane** means a thoroughfare or way, which affords only a secondary means of access to abutting property.

**2.86. Laundry or Dry Cleaning Depot**

**Laundry or Dry Cleaning Depot** means a **building** or part of a **building** used for the purpose of receiving articles or goods of fabric to be subjected to a commercial process of laundering, dry cleaning, dyeing or cleaning elsewhere and for the pressing and distribution of any such articles or goods which have been subjected to any such process. This **use** includes a self-service laundry facility, in which the business of a laundromat is conducted by means of one or more washers and drying, ironing, finishing and incidental equipment. This definition does not include a **dry cleaning establishment**, as defined herein.

**2.87. Leaching Bed**

**Leaching Bed** means a **leaching bed** as defined in the Ontario Building Code.

**2.88. Leasable Area**

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

**2.89. Live-Work Unit**

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

**2.90. Loading Space**

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

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

**2.91. Long-Term Care Home or Nursing Home**

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

**2.92. Lot**

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

**2.93. Lot Area**

**Lot Area** means the total area within the **lot lines** of a **lot** located above the **water's edge** (elevation of 219.15 metres above sea level).

**2.94. Lot, Corner**

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

**2.95. Lot Coverage**

**Lot Coverage** means the area of all **buildings** and **structures**, including those buildings or **structures** extending out into the water, divided by the area of the lot, up to and including the **water's edge** (elevation of 219.15 metres above sea level), measured as a percentage. The area of all **buildings** and **structures** excludes canopies, retaining walls, **fences**, pools, at grade recreational uses, septic systems and overhanging eaves to a maximum of 1.0 metre. The area of all buildings and **structures** is measured on a horizontal plane to the outside edge of walls, the posts of an unenclosed **structure**, or the furthest extent of a **deck** (greater than 2.0 metres in height) / balcony.

**2.96. Lot Depth**

**Lot Depth** means the horizontal distance between the midpoints of the front **lot line** and the **rear lot line** or **waterfront lot line**. 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**.

**2.97. Lot Line**

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

**2.98. Lot Line, Front**

**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 street;
- b. in the case of a corner **lot line** with two **street lines** of equal length, 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 m reserve, the **lot line** so abutting the 0.3 m reserve shall be deemed an **exterior side lot line** and the other line abutting the **street** shall be deemed the **front lot line**; or
- e. in the case of a **through lot**, the longest of the **lot lines** dividing the **lot** from the **street** shall be deemed to be the **front lot line** and the opposite shorter **lot line** shall be deemed to be the rear **lot line**. In case each of the **lot lines** should be of equal length, the Town may designate either **street line** as the **front lot line**.

**2.99. Lot Line, Exterior Side**

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

**2.100. Lot Line, Interior Side**

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

**2.101. Lot Line, Waterfront**

**Lot Line, Waterfront** refers specifically to lots abutting shorelines and means the **lot line** farthest from and opposite to the **front lot line** and abutting the **water's edge** (elevation of 219.15 metres above sea level). Should a **lot** not directly abut the **shoreline**, the **waterfront lot line** shall be the **lot line** opposite the **front lot line**.

**2.102. Lot, Through**

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

**2.103. Main Front Wall**

**Main Front Wall** or Main Wall means the walls of a **building** or **structure** that face the front lot line or face the exterior side lot line in the case of a **corner lot**.

**2.104. Marina**

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

**2.105. Medical Office**

**Medical Office** means a **building** or part of a **building** that is used by one or more physicians, surgeons, dentists, chiropractors or other medical practitioners together with their nurses, clerical and technical employees in the practice of these professions but does not include the provisions of beds or any form of retail trade other than the sale of pharmaceutical goods.

**2.106. Model Home or Demonstration Unit**

A **Model Home or Demonstration Unit** means a **single detached dwelling, semi-detached dwelling, townhouse dwelling, or apartment dwelling**, temporarily used for the purpose of showing prospective buyers what the aesthetics and finishes of a typical residential **dwelling unit** in a proposed **development** may look like.

**2.107. Modular Home**

**Modular Home** means a factory-built home which is a **dwelling unit** designed and built to be transported on its own chassis or frame. It may contain parts that can be folded, collapsed, or telescoped when being towed and expanded later to provide additional floor space. It can also be two or more separately towable components that are joined on the chosen site. The **modular home** is designed for long-term year-round occupancy. It has facilities for cooking, eating, living, sleeping and sanitation. A **modular home** does not include a park model mobile home trailer, travel trailer, tent trailer or trailer otherwise designed. For the purposes of this definition, a **modular home** having an A277 Standard is permitted, while those having either a Z240, Z241 Standard or a combination of either of these with the A277 Standard are not permitted.

**2.108. Motel**

**Motel** means premises that contain rooms with no private cooking facilities that are rented on a temporary basis to the public with each room being accessed from the outside.

**2.109. Motor Vehicle**

**Motor Vehicle** means an automobile, motorcycle, a motor-assisted bicycle, as amended, and any other vehicle propelled or driven otherwise than by muscular power.

**2.110. Motor Vehicle Body Shop**

**Motor Vehicle Body Shop** means a **building** or place used to repair auto bodies including spray painting.

**2.111. Motor Vehicle, Commercial**

**Motor Vehicle, Commercial** means a **motor vehicle** used in association with a commercial or industrial **use** and has a gross weight (inclusive of load, if applicable) of more than 2,250 kg.

**2.112. Motor Vehicle Dealership**

**Motor Vehicle Dealership** means **premises** where new or used automobiles or motorcycles are sold, lease or rented and which may include an **accessory motor vehicle** repair **garage**, an **accessory motor vehicle body shop** or the retail sale of **motor vehicle** accessories and products as an **accessory** use.

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- 2.113. Motor Vehicle Gas Bar**  
**Motor Vehicle Gas Bar** means **premises** used for the sale of fuels for and **accessory** items.
- 2.114. Motor Vehicle Repair Garage or Motor Vehicle Service Station**  
**Motor Vehicle Repair Garage** or **Motor Vehicle Service Station** means **premises** used for the repair of **motor vehicles** and **commercial motor vehicles**.
- 2.115. Motor Vehicle Washing Establishment**  
**Motor Vehicle Washing Establishment** means a **building** or **structure** for the operation of **motor vehicle** washing, including self-service or automatic **motor vehicle** washing.
- 2.116. Municipal By-Law Enforcement Officer**  
**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.
- 2.117. Municipal Services (Water or Wastewater)**  
**Municipal Services (Water or Wastewater)** means infrastructure that is owned and operated by a **public authority** and is designed to adequately service the water and sewage disposal needs of a use, **building** or lot.
- 2.118. Natural Heritage**  
**Natural Heritage** means an area, site or feature that exhibits biological, geological, hydrological, landform or cultural attributes that are significant on a local, regional, provincial or national scale and as may be identified on Schedule B: Land **Use** of the Official Plan or meeting the Official Plan policy criteria for being identified on Schedule B: Land **Use** of the Official Plan.
- 2.119. Naturalized Vegetation Area**  
**Naturalized Vegetation Area** shall mean an unenclosed area of land dominated by native plant species that grow and persist without direct human management, protection or tending. The area of the **naturalized vegetation area** shall be included in the calculation of any required minimum **landscaped open space**.
- 2.120. Net Residential Area**  
**Net Residential Area** shall mean the area of the land utilized for residential **dwelling units** including the **lot area** and the local residential streets. It excludes parks, **schools**, storm water management ponds, collector roads, stream corridors and natural environmental features.
- 2.121. Net Residential Density**  
**Net Residential Density** shall mean the number of **dwelling units** divided by the **net residential area**.
- 2.122. Non-Complying**  
**Non-Complying** means a **building** or **structure** which does not comply with the regulations, standards, requirements or provisions of the By-law for the Precincts in which such **building** or **structure** is located as of the date of the passing of the By-law.
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**2.123. Non-Conforming**

Means an existing **use** or activity of any land, **building** or **structure** which does not conform to the permitted uses of the By-law for the Precinct in which such use is located as of the date of the passing of this By-law.

**2.124. Nursery**

**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.

**2.125. Office Supply Establishment**

**Office Supply Establishment** means a **retail store** devoted to wholesale and retail sale of office and **school** supplies, such as paper products, information processing supplies, files and furniture, office machines, office cleaning supplies and accessories.

**2.126. Outdoor Recreation Use**

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

**2.127. Outside Storage**

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

**2.128. Outside Display and Sales Area**

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

**2.129. Park**

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

**2.130. Park, Private**

**Park, Private** means a **park** that is operated for commercial gain, other than a public park.

**2.131. Passive Recreational Uses**

**Passive Recreational Uses** means outdoor areas including walking or hiking trails, picnic areas, interpretative or educational signage, lookouts, boardwalks, benches, shade **structures**, bicycle paths and associated **parking areas**.

**2.132. Parking Aisle**

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

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- 2.133. Parking Area**  
**Parking Area** means an area or **structure**, including a **private garage** or **driveway**, provided for the temporary parking of vehicles which is **accessory** to a permitted use, and includes any related **parking aisle**, **parking spaces** and **structures**, but does not include any part of a **street** or laneway.
- 2.134. Parking Space**  
**Parking Space** means a rectangular area, exclusive of aisles, used for the temporary parking of **motor vehicles**.
- 2.135. Parking Lot or Structure, Public**  
**Parking Lot or Structure, Public** means a non-**accessory parking area** operated by a **public authority**, which is an open area, other than a street, or a **building** or **structure** used for the temporary parking of two (2) or more **motor vehicles**.
- 2.136. Patio**  
**Patio** means a platform without a roof and abutting one or more walls of a **building** or constructed separate from a building, with or without direct access to the ground, the floor of which is not more than 0.6 metres above grade, which is designed and intended for **use** as an amenity space which is **accessory** to the **principal use** on the lot.
- 2.137. Patio, Outdoor**  
**Patio, Outdoor** means an outdoor area where food, beverage, wine, spirits or any of them are served to the public or to members of a club or organization and is an **accessory use** to a **restaurant**.
- 2.138. Pavilion**  
**Pavilion** means a partially enclosed **structure** having a roof supported on piers, for the purpose of shelter from the elements during such activities as picnics, outdoor entertainment, and performances.
- 2.139. Personal Services Establishment**  
**Personal Service Establishment** means a business where services provided and administered to individuals and their personal needs including hair care, beauty shops, tailor shops, laundry and **dry cleaning depots**, shoe repair shops, etc. and where the sale or retail of goods, wares, merchandise, articles or things is only **accessory** to the provisions of such services.
- 2.140. Pet Day Care Establishment**  
**Pet Day Care Establishment** means **premises**, including land, buildings, **structures** and which may include an outdoor run, in which the care and temporary accommodation of not more than ten (10) domestic household pets are provided in return for remuneration, but shall not include the overnight boarding of pets, and shall not include a **kennel** as defined herein.
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**2.141. Pharmacy**

**Pharmacy** means a **retail store** in which the **principal use** is the retail sale of drugs, pharmaceutical products, medicines and similar sundries.

**2.142. Photography or Artist's Studio**

**Photography or Artist's Studio** means **premises** used for portrait and commercial photography, painting, sculpting, or other forms of art and craft making, and which may include the sale of art, crafts and photography created or developed on the **premises**, or the ancillary retail sale of equipment used by photographers or artists.

**2.143. Place of Entertainment**

**Place of Entertainment** means a **building** or part of a **building** intended for recreational or entertainment uses, including a movie or other theatre, arena, auditorium, public hall, bingo hall, billiard or pool room, bowling alley, paint ball, go kart, parkour, rock climbing, gymnasium, escape room, axe throwing or similar such **uses** and where all such **uses** are contained within a fully enclosed **structure**.

**2.144. Place of Worship**

**Place of Worship** means **premises** dedicated to religious worship and includes a church, synagogue, temple, mosque, and which may include a **child care centre**, **school** of religious education, **banquet hall**, convent monastery, parish hall or a caretaker **dwelling** as an **accessory** use.

**2.145. Point of Intersection**

**Point of Intersection** means the point at which two **street lines** abutting a **corner lot** intersect or if the two **street lines** meet in a curve, then it is the point at which the projection of the two **lot lines** abutting the two **streets** intersect.

**2.146. Porch/Verandah**

**Porch/Verandah** means a **structure** abutting the main wall of a building, having a roof, but with walls that are generally open and unenclosed.

**2.147. Portable Classroom:**

**Portable Classroom** means a building used to provide temporary school accommodation. A portable classroom is part of the primary school **use**.

**2.148. Prefabricated home sales establishment or modular home sales and display**

**Prefabricated home sales establishment or modular home sales and display** means **premises** used for the display and sales of prefabricated homes or **modular homes**.

**2.149. Premise**

**Premise** means the area of a **building** occupied or used by a single business or enterprise. In a multiple tenancy **building** that is occupied by more than one (1) business, each individual business area shall be considered a separate premise.

**2.150. Principal Use**

**Principal Use** means the main **use** to which the subject lands are devoted and the main purpose for which the subject lands are used.

**2.151. Printing and Publishing Establishment**

**Printing and Publishing Establishment** means a commercial establishment for blueprinting, engraving, stereotyping, electro-typing, printing or typesetting, and shall include a duplicating shop.

**2.152. Private Club**

**Private Club** means a **building** or part of a **building** used as a meeting place for the members of an organization or an athletic, fitness, social or recreation club and includes a fraternal organization.

**2.153. Private Services (Water or Wastewater)**

**Private Services (Water or Wastewater)** means infrastructure on a **lot** which is privately owned and operated, which is designed to service the water and sewage disposal needs of that lot, and without limiting the generality of the foregoing, shall include a private septic system and a private well.

**2.154. Private Road**

**Private Road** means a laneway or easement not assumed by the municipality and is usually traveled and maintained by a private individual or group of individuals.

**2.155. Professional Office**

**Professional Office** means businesses offering professional services such as: accountants, architects, engineers, financial services, lawyers, land use planners, real estate agents, bookkeeping, and marketing and advertising agents.

**2.156. Public Authority**

**Public Authority** means:

- a. the Town, County of Simcoe, Government of Ontario, Government of Canada, Lake Simcoe Region Conservation Authority, Nottawasaga Valley Conservation Authority or any board, authority, or commission of them;
- b. any entity providing police, ambulance or fire service on behalf of the authorities listed in clause a);
- c. any utility company providing communication, electrical or natural gas services;
- d. any railway company authorized under the Railway Act of Canada; or
- e. any corporation providing services to the public that has an operating budget entirely funded by one or more entities listed in clause (a).

**2.157. Public Service Facilities**

**Public Service Facilities** means land, buildings and structures, including by not limited to schools, hospitals and community recreation facilities, for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health, child care and educational programs including elementary, secondary, post-secondary, long-term care services, and cultural services. Public service facilities do not include infrastructure.

**2.158. Public Use**

**Public Use** means the **use** of a lot, building, **structure** or facility by a **public authority**, for the purpose of providing its services to the public, or carrying out its public mandate including: infrastructure and utilities necessary for the transmission or

distribution of electricity, municipal water, and sewage, as well as public roads, **rail lines**, transit stations, stormwater management facilities, infrastructure and transmission facilities for communications or cable television, but not including administrative offices, sales outlets, **garages**, depots or yards.

**2.159. Rail Line**

**Rail Line** means a transportation line or network consisting of, or having consisted of, railroad track and the track bed.

**2.160. Recreational Vehicle Sales Establishment**

**Recreational Vehicle Sales Establishment** means **premises** used for the display and sale of **recreational trailers** or vehicles, boats, snowmobiles, all-terrain vehicles but does not include a **motor vehicle dealership** as defined herein.

**2.161. Recreational Trailer or Vehicle**

**Recreational Trailer or Vehicle** means a vehicular, portable unit, designed for travel, camping or recreational use, including but not limited to a travel trailer, pick-up truck camper, motorized camper, tent trailer and boat trailer.

**2.162. Refreshment Vehicle**

**Refreshment Vehicle** means a commercial operation from which food is cooked and/or refreshments prepared, carried and offered for sale for consumption and dispensing to the general public and which can be made mobile.

**2.163. Restaurant**

**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 or off the **premises**.

**2.164. Retail Store**

**Retail Store** means a **building** or part of a **building** where goods, merchandise, substances or articles are offered for retail sale or rental directly to the general public.

**2.165. Retirement Home**

**Retirement Home** means **premises** that provides accommodation primarily to retired persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and where common lounges, recreation rooms and medical care facilities may also be provided, but which shall not include a **long-term care home**.

**2.166. Sales Pavilion**

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

**2.167. School**

**School** means a public or separate elementary or secondary **school**, a private **school** as defined in the Education Act as amended, a continuation **school**, a technical

**school**, a vocational **school**, or other education institution, but does not include a **commercial school**.

**2.168. School, Commercial**

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

**2.169. Self Storage**

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

**2.170. Service and Repair Establishment**

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

**2.171. Setback**

**Setback** means the distance between a **lot line**, or projected **lot line** into Lake Simcoe or the **water's edge** (elevation of 219.15 metres above sea level) and the nearest wall of any **building** or **structure** as indicated in the context in which the term is used.

**2.172. Shopping Centre**

**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.

**2.173. Short-Term Accommodation**

**Short-Term Accommodation** means the whole of a **Dwelling Unit** marketed or brokered on a **Short-Term Accommodation Platform** to provide temporary sleeping accommodations for any rental period that is less than 28 consecutive days in exchange for payment. This includes a **Bed and Breakfast Residence** but excludes **hotels**, motels and accommodations where there is no exchange for remuneration.

**2.174. Short-Term Accommodation Platform**

**Short-Term Accommodation Platform** means a website or digital application used by persons for the marketing, brokering, advertising or facilitation of **Short Term Accommodation** rentals.

**2.175. Storage Shed**

**Storage Shed** means a detached **accessory building** used solely for storage excluding **motor vehicles**.

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- 2.176. Shoreline**  
**Shoreline** means the **water's edge** measured at an elevation of 219.15 metres above sea level.
- 2.177. Site Alteration**  
**Site Alteration** means a change to the **existing** topography by more than 0.3 metre, or over an area exceeding 9 square meters, and includes excavation, blasting, filling and grading.
- 2.178. Sleeping Cabin**  
**Sleeping Cabin** Means an **accessory** building, not **attached** to a principal **dwelling**, designed for the temporary accommodation of persons, but does not contain a kitchen or food preparation facilities, also known as a bunkie.
- 2.179. Stacking Lane**  
**Stacking Lane** means a continuous on-site queuing **lane** that includes **tandem parking spaces** for motorized vehicles which is separated from other vehicular traffic and pedestrian circulation, by barriers, markings or signs. A **stacking lane** shall include that portion of the **lane** past the service window and/or automated machine where orders are received.
- 2.180. Stacking Space**  
**Stacking Space** means a portion of a **stacking lane** which provides standing room for a vehicles in a queue.
- 2.181. Storey**  
**Storey** means that portion of a **building** between the surface of a floor and the floor, ceiling or roof immediately above. Any portion of a **building** partly below grade level shall be deemed a **storey** where its ceiling is at least 1.8 metres above grade.
- 2.182. Storey, First**  
The **first storey** will be defined as the floor closest to the **established grade**.
- 2.183. Street**  
**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. A **private road** within a Common Element Plan of Condominium shall be deemed to be a **street** for the purposes of this By-law, as will a **private road** servicing lots abutting the shoreline.
- 2.184. Street Line**  
**Street Line** means the limit of the **street** allowance and is the dividing line between a **lot** and a street.
- 2.185. Structure**  
**Structure** means anything constructed or **erected**, the **use** of which requires location on or in the ground or on or in the water, or which is **attached** to something having location on the ground or in the water.
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**2.186. Swimming Pool**

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

**2.187. Swimming Pool Sales and Display**

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

**2.188. Tandem Parking**

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

**2.189. Taxi Stand or Dispatch Office**

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

**2.190. Temporary Structure**

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

**2.191. Temporary Turning Circle**

**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.

**2.192. Tourist Cabin Establishment**

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

**2.193. Tourist Commercial Establishment**

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

**2.194. Tourist Information Centre**

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

**2.195. Transport Terminal**

**Transport Terminal** means **premises** where trucks or tractor trailers are rented, leased, kept for hire, or stored or parked for remuneration, or from which trucks or

transports, stored or parked on the property, are dispatched for hire as common carriers, and which may include freight-handling facilities, such as pick-up, delivery and transitory storage of goods incidental to motor freight shipment is provided.

**2.196. Use**

**Use** means:

- a. the purpose for which any water, land, buildings or **structures** may be arranged, designed, designated, intended, maintained or occupied; and
- b. the occupation, business, activity, or operation carried on, or intended to be carried on the water, land or in a **building** or **structure** for which it is arranged, designed, designated, intended, maintained or occupied.

**2.197. Use, Commercial**

**Use, Commercial** means the **use** of land, **building** or **structure** for the purpose of buying and selling commodities, wares, goods or merchandise, and supplying of services to the general public or to businesses, as distinguished from such **uses** as manufacturing or assembling of foods, warehousing, **transport terminals**, construction and any other similar uses.

**2.198. Use, Discretionary**

**Use, Discretionary** means a **use** that may only be allowed if the criteria set out in this By-law and any footnotes associated with the **discretionary use** as identified in this by-law have been addressed to the satisfaction of the Approval Authority.

**2.199. Use, Institutional**

**Use, Institutional** means a **building** or part of a **building** used for non-commercial purposes by an organized body, religious group or society such as a public **hospital**, library, convent or similar use.

**2.200. Use, Residential**

**Use, Residential** means the **use** of a **building** or **structure** or a portion of a **building** or **structure** as a **dwelling**.

**2.201. Use, Non-Residential**

**Use, Non-Residential** means any **use** which is not associated with a **dwelling**.

**2.202. University or College**

**University or College** means a public, post-secondary institution but shall not include a **commercial school**.

**2.203. Veterinary Clinic**

**Veterinary Clinic** means a **building** or **structure** or part thereof used for the purpose of consultation, diagnosis and treatment of small animals, birds or domestic pets, including the boarding of such animals, birds and pets, and does not include the treatment of livestock.

**2.204. Veterinary Hospital**

**Veterinary Hospital** means a **building** or **structure** or part thereof used for the purpose of consultation, diagnosis and treatment of any type of animal or bird including livestock and may also include the disposal or boarding of animals, birds and pets.



**2.205. Walkway**

**Walkway** means an at grade surface used for pedestrian access. A **walkway** shall not be used for the parking of **motor vehicles**.

**2.206. Watercourse**

**Watercourse** means any surface stream or river including an intermittent stream, drainage ditch, municipal drain or flowing stream or river but this does not include a ditch constructed within a road allowance for the specific purpose of draining a street.

**2.207. Water's Edge**

**Water's Edge** means:

- a. where water levels are not managed by a control **structure**, the ordinary interface between land and water identified by a mark made by the action of water under natural conditions on the shore or bank of a water way, which action has been so common and usual that it has created a difference between the character of the vegetation or soil on one side of the mark and the character of the vegetation and soil on the other side of the mark, or;
- b. where water levels are managed by a control **structure**, the location at which the horizontal plane of the regulated summer water level intersects with the land, and,
- c. for the purposes of this Bylaw shall mean the standard average annual water level measured at an elevation of 219.15 metres above sea level.

**2.208. Water Structure, Permanent**

**Water Structure, Permanent** means any **dock**, ramp, boat lift, marine railway or other similar **structure** in place year-round.

**2.209. Water Structure, Seasonal**

**Water Structure, Seasonal** means any dock, ramp, boat lift, marine railway or other similar structure not in place from December 1 to March 31.

**2.210. Yard**

**Yard** means the space on a lot, not covered by buildings and **structures**, which is open, from the ground to the sky.

**2.211. Yard, Front**

**Yard, Front** means the **yard** extending across the full width of the **lot** between the **front lot line** of the **lot** and the nearest wall of the **principal building** on the lot

**2.212. Yard, Side**

**Yard, Side** means the **yard** extending from the **front yard** to the **rear yard** or **waterfront yard** between the side **lot line** and the nearest wall of any **building** or **structure** on the lot.

**2.213. Yard, Exterior Side**

**Yard, Exterior Side** means a **side yard** immediately adjoining or abutting a road or road allowance.

**2.214. Yard, Interior Side**

**Yard, Interior Side** means a **side yard** other than an **exterior side yard**.

**2.215. Yard, Rear**

**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**.

**2.216. Yard, Waterfront**

**Yard, Waterfront** means any **yard** extending across the full width of the **lot** which abuts the **water's edge** (elevation of 219.15 metres above sea level) and is situated between the water edge and a line parallel to it at the nearest point of any **dwelling**.

## Section 3 - General Provisions

### 3.1 Variations to General Provisions

- c) Variations to any general provision within Section 3 of this By-law will be subject to a Class 2 Community Planning Permit Application, unless otherwise specified.
- d) General provisions shall not be varied for any **use** that is not permitted within the applicable Precinct. Where a **use** is not permitted within the applicable Precinct, an Amendment to this By-law shall be required.

### 3.2 Access

- a) No person shall **erect** any **building** or **structure** unless the **lot** upon which such **building** or **structure** is to be **erected** fronts onto a **street**, or **private road** subject to or intended to be subject to a plan of condominium.
- b) Subsection a) does not prohibit the **erection** of any **building** or **structure** on any **existing lot** or proposed **lot** accessed by a **private road** or easement existing at the date of passing of this By-law, but where all other provisions of this By-law apply.
- c) Any **lot** or parcel of land **existing** prior to the passing of this By-Law that only has access via a **private road** or easement, the **lot line** abutting the **private road** or easement shall be deemed to be the **front lot line** and **front yard** for the purposes of this By-Law.
- d) **Development** shall only be permitted on a **lot** that abuts a **shoreline** or an original shore **street** allowance which has frontage on a year-round maintained public street, a seasonally maintained public **street** or a private **street** with a legal right of way.

### 3.3 Accessory Buildings and Structures

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

- a) The total **lot coverage** of detached **accessory** buildings and **structures** (including detached **decks**, detached **private garages** and other **accessory buildings** and **structures**) shall not exceed 10% of the **lot area** except that where a **swimming pool** is provided, the total **lot coverage** for **accessory uses** shall not exceed 20%. Any at grade recreational use(s) such as but not limited to basketball courts, tennis courts, outdoor hockey rinks, etc., but not at grade **swimming pools**, shall meet the minimum **setback** provisions for an **accessory structure** but these recreational use(s) at grade shall be exempt from **lot coverage** requirements. Where an **attached deck** in a residential Precinct is less than 1.8 metres in height, as measured from the **established grade** to the platform, the **attached deck** shall not be subject to **lot coverage**.
- b) For the purposes of this provision, the **floor area** of the **accessory building** shall not include a staircase or **landing** used to access the **garage** or any second **storey** above the **garage**.
- c) The **footprint** of an **accessory building** or **structure** shall not exceed 50 square metres in any Residential Precinct. This provision shall not apply to an **attached**

**deck/porch/verandah/balcony, swimming pool, boathouse, or dock** permitted in accordance with the provisions of this By-law.

- d) In all Residential Precincts, the **setbacks** for **accessory buildings** and **structures** shall be in accordance with the **setbacks** for **accessory buildings** and **structures** specifically indicated in the Precinct Regulations. In all other Precincts, **accessory buildings** and **structures** shall be subject to the same required **yard setbacks** as the **principal buildings**, as indicated in the Precinct regulations.
- e) Notwithstanding any other provision of this By-law, no **accessory buildings** and **structures** shall be located closer to the **front lot line** than the **principal building** in any Precinct, except where specifically permitted by this By-law. Additionally, except in the case of a **shoreline** property within a Residential Precinct, no detached **accessory structure** shall be permitted in the **front yard**. Where a school use is within the Community Service Precinct, detached accessory structures may be located closer to the front lot line than the principal building, provided it is not within the required front yard setback.
- f) No **accessory building** shall exceed the height of the **principal building** on the **lot** or 5.0 metres, whichever is the lesser.
- g) No person shall **use** an **accessory building** as a **dwelling** or **dwelling unit** except where specifically permitted by this By-law.

### 3.4 Additional Dwelling Units

Notwithstanding any other provisions of this By-Law to the contrary, the following provisions shall apply to permit the construction of an **additional dwelling unit**, as an **accessory use** to a permitted single-detached, **semi-detached**, **linked** or **street townhouse dwelling** in the applicable Precinct subject to the following provisions:

#### General

- a) A maximum of two (2) **additional dwelling units** will be permitted per lot, which can both be provided within the **dwelling**, or one **additional dwelling unit** provided within an **accessory** building.
- b) When **additional dwelling units** are constructed within the **dwelling**, each **additional dwelling unit** shall not be greater or equal in size than the gross **floor area** of the principal **dwelling unit**.
- c) Any **additional dwelling unit** shall not be severed from the **lot** that contains the principal **dwelling**.
- d) For **additional dwelling units** within an **accessory** building,
  - i. The **accessory building** containing an **additional dwelling unit** shall be **setback** a minimum of 3.0 metres from the **exterior side lot line**.
  - ii. The entrance to any **additional dwelling unit** located in a **rear yard** shall be accessed by a continuous, unobstructed path of travel of at least 1-metre wide between the main wall of the **dwelling** and the side **lot line**.

- iii. Notwithstanding Section 3.3 f), if an additional dwelling unit is located on the second floor of a detached **garage**, the maximum height of the structure shall be 7.5 metres.
- iv. The **accessory building** containing an **additional dwelling unit** shall be **setback** a minimum of 4.0 metres from another **building** or **structure** on the same lot if the other **building** or **structure** contains a dwelling unit.

### 3.5 Additional Dwelling Units in Restricted Areas

- a) Any **additional dwelling unit** shall not be permitted on a **lot** serviced by a private septic system, where the **lot** is located within 100.0 metres of the Lake Simcoe **shoreline**.
- b) Any **additional dwelling unit** shall not be located within any area subject to natural hazards such as flooding or erosion hazards.

### 3.6 Availability of Municipal Services

Within Alcona and serviced **Shoreline** areas, no **use** of land or the **erection** or **use** of **buildings** or **structures** are permitted unless there are available private or **municipal services** and related capacity available to service the land, **buildings** or **structures**. Should adequate municipal services be available, any development or re-development of the land/lot must connect to them.

### 3.7 Bed and Breakfast Establishment

The following provisions shall apply:

- a) A **bed and breakfast** shall be contained within a **dwelling** and be clearly **accessory** to the principal **residential use** and shall not change the residential character of the lot.
- b) A **bed and breakfast** shall contain no more than three (3) guest rooms.
- c) No person other than the person residing in the residence containing the **bed and breakfast** shall be employed except as is necessary for housekeeping and food preparation purposes to service the guests of the bed and breakfast.
- d) A **bed and breakfast** shall be owned and operated by a person residing in the **dwelling** containing the **bed and breakfast** use.
- e) The guest rooms shall not contain kitchen facilities.

### 3.8 Conformity with an Established Building Line

Notwithstanding any other provision in this By-law, where a vacant **lot** exists or is created between two developed **lots** or where an addition to a legally **existing building** is proposed, and where the **buildings** on the abutting **lots** on either side are located

closer to the **front lot line** than is required by this By-law, the minimum **front yard** shall be the average of the **front yard** of the two abutting lots.

### 3.9 Existing Lots

Where an **existing lot** that does not meet the minimum **lot area** or frontage requirements of this By-Law, the **lot** may be developed or used provided any **building** or **structure** or **use** complies with all other provisions of this By-law, save and except Section 3.25 [Natural environmental areas and features], and 3.20 [**Non-conforming uses** of this By-Law].

### 3.10 Fence

Any **fence erected**, constructed or maintained on any **lot** shall be subject to the following:

- a) No **fence** shall be permitted to be located in Lake Simcoe.
- b) No **fence** shall be permitted within 0.3 metres of any **lot line** abutting a **street** or **private road**.
- c) No **fence** shall be permitted to be electrified and/or contain barbed wire.
- d) No **fence** shall be greater than 1.82 metres in height above grade subject to the following standards:
  - i. Any **fence** located within 6.1 metres of the **water's edge** shall not be more than 0.9 metres in height above grade.
  - ii. Any **fence** located within 6.1 metres from the **front lot line** shall not be more than 0.9 metres in height above grade.
  - iii. The height of any **fence** shall be measured from the highest point of the **fence** or top beam, whichever is greater, to the base of the **fence**.
  - iv. Variations to these standards will require a Class 2 Permit.

### 3.11 Garages

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

- a) The minimum **front yard setback** of a detached or **attached garage**, which faces the street, shall be 6.0 metres. Where the detached or **attached garage** faces a side **lot line**, the **front yard setback** shall be the same as the **principal building** and the exterior side **lot setback** to the **garage** shall be 6.0 metres.
- b) A detached **garage** shall be subject to the provisions of Section 3.3 (**Accessory Buildings and Structures**) and the applicable provisions of this Section 3.11. A

detached garage shall be subject to the applicable **yard** requirements for **principal buildings** on the lot, as contained in the Precinct regulations and the applicable provisions of this Section 3.11.

- c) A **garage** shall only be permitted in association with a **principal building** on the lot.
- d) On **lots** with a **lot frontage** of less than 20.0 metres, a detached or **attached garage** shall not be permitted to project beyond the **main front wall** of the **principal building**. Where a front **porch** is provided, the detached or **attached garage** may project no more than 1.0 metre beyond the **main front wall** of the **dwelling**.
- e) No **driveway** shall be permitted within a sight triangle.
- f) Only one (1) **driveway** shall be permitted per **lot** in Residential Precincts. Where there is a **driveway** accessing a **garage** by a rear **lane**, this shall be considered as the one (1) permitted **driveway**.
- g) The following additional provisions shall apply to detached **garages** accessed by a rear **lane**:
  - i. The minimum **rear yard** for a **garage** accessed by a rear **lane** shall be 1.2 metres.
  - ii. The minimum **interior side yard** of a **garage** accessed by a rear **lane** shall be equal to the **interior side yard** required for the main building. Notwithstanding this provision, a detached **private garage** may share a common wall with an adjacent detached **private garage** on an abutting lot.
  - iii. A **private garage** accessed by a rear **lane** shall not be located closer than 6 metres to the principal **dwelling** on the same lot.
- h) The maximum interior width of a **private garage** on a **lot** within a Residential Precinct in Alcona as shown on Schedule A, excluding a **garage** accessed by a rear **lane**, shall be in accordance with the following provisions:
  - i. On **lots** with a **lot frontage** of less than 10 metres, the maximum interior width of a **private garage** shall be 3.0 metres.
  - ii. On **lots** with a **lot frontage** equal to or greater than 10 metres but less than 12 metres, the maximum interior width of a **private garage** shall be 5.0 metres
  - iii. On **lots** with a **lot frontage** equal to or greater than 12 metres and less than 15 metres, the maximum interior width of a **private garage** shall be 6 metres.
  - iv. On **lots** with a **lot frontage** equal to or greater than 15 metres, the maximum interior width of a **private garage** up to 50% of the width of the **main wall** of the **principal building** on the lot, to a maximum of 9.0 metres. This provision applies to a **private garage** with **garage** door opening(s) that face the **front yard**.



### 3.12 Garbage Containment

- a) For all **uses** except **single detached, semi-detached** and freehold multiple **attached dwellings (townhouses)**, outside storage of garbage containers is not permitted. Outside storage of garbage containers is permitted for public service facilities, including schools, provided that they are appropriately screened.

### 3.13 Group Homes

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

- a) Where permitted by this By-law, **group homes** shall be subject to the Precinct regulations within which the **group home** is permitted.
- b) A **group home** shall be permitted in all **dwelling** types within all Precincts where **residential uses** are permitted, except a **group home** shall not be permitted in an **additional dwelling unit**.
- c) Notwithstanding the above provision, a **group home** with six or more residents, exclusive of staff, shall not be permitted to locate within a **dwelling unit** in an apartment building.

### 3.14 Habitable Dwelling Unit

- a) Within the Shoreline Residential Precinct on Schedule A, a new **habitable dwelling unit** may be permitted provided that a coastal engineering study or technical report confirms that the **structure** is located outside any area affected by wave uprush or other related hazards.
- b) Within the Shoreline Residential Precinct on Schedule A, an **existing habitable dwelling unit** may be reconstructed or enlarged, provided that:
  - i. in the case of reconstruction, the entire **building** is dry flood proofed;
  - ii. in the case of an addition, the addition is dry flood proofed and does not exceed 50% of the original **floor area**; and,
  - iii. the intended **use** of the **building** is unchanged or is otherwise permitted in this By-law.

### 3.15 Hazard Lands (Regulated Area)

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

accordance with the regulations of the underlying Precinct except with prior permit approval from the applicable Conservation Authority. This requirement does not apply to **lots** or blocks which have already received Conservation Authority permits.

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

### 3.16 Height Exceptions

The maximum height provisions of this By-law shall not apply to prevent the use, **erection** or alteration of the following **accessory buildings** or **structures** provided the **principal use** is located and **erected** on a **lot** and all other provisions of this Bylaw are complied with:

- church spire;
- clock tower;
- flag pole;
- screened mechanical roof top features, i.e. air conditioner units and elevator shafts;
- non-commercial communication; and,
- radio or television antenna or tower or an ornamental roof **structure** that contains no **floor area** and is less than 2.3 square metres in area.

### 3.17 Holding Precincts

- a) Holding (H) Precincts are established and identified on Schedule A to this By-law in parenthesis following the Precinct 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** legally **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.

### 3.18 Home Occupation

- a) A **Home Occupation** shall maintain the residential character of the **dwelling**, and shall not create or become a public nuisance, in particular, with regard to noise, noxious odours, emissions of smoke, traffic or parking.
- b) **Home Occupations** shall include, but are not limited to:
  - a) **professional offices**;
  - b) **health and social services**;
  - c) personal services; and
  - d) **crafts, trade and instructional services**.
- c) **Home Occupations** shall not include or permit:
  - i) **outdoor storage**, including construction equipment or commercially licensed vehicles;
  - ii) **outdoor storage** of goods and materials;
  - iii) repair and servicing of motorcycles, boats, trailers or any other motorized vehicles;
  - iv) **kennel**;
  - v) **nursing home**;
  - vi) eating establishment;
  - vii) laundry service;
  - viii) marine rental and storage establishments (boats, fish huts, **docks**);
  - ix) taxi services or any similar type of business or use;
  - x) a **use** that interferes with television or radio reception.
  - xi) storage or **use** within any **accessory structure** including **attached garages**; and
  - xii) retail use.
- d) **Home Occupations** must be wholly contained within the **dwelling unit**.
- e) The **Home Occupation** shall occupy no more than 25% of the **floor area** of the **dwelling unit** containing the **Home Occupation** or 100 square metres, whichever is the lesser.
- f) The **Home Occupation** must not require additional exterior construction features, equipment or machinery than is needed for the **dwelling unit** containing the **Home Occupation**, except for a required **parking area**.

- g) The operator of the **Home Occupation** shall be a resident of the **dwelling unit** containing the **home occupation**.
- h) **Home Occupations** offering services shall be limited to a maximum of two (2) customers at a time.
- i) **Home Occupations** offering child-care services shall be limited to a maximum of five (5) children.
- j) The maximum number of **Home Occupation** shall be limited to one (1) per **dwelling unit**.
- k) A maximum of one (1) employee that does not reside in the **dwelling** shall be permitted.

### 3.19 Landscaped Strips

In all Commercial, Mixed use and Community Service Precincts, a **landscaped strip** shall be provided and maintained in accordance with the following minimum requirements:

- a) A landscaped strip shall be required in any Commercial, Mixed use or Community Service Precinct in any yard:
  - i. abutting a Residential, Community Service or Open Space Precinct; and
  - ii. abutting a street.
- b) The landscaped strip shall have a minimum width of 3.0 metres.
- c) The landscaped strip shall be provided along the entire length of the yard, except where transgressed by a **driveway**.
- d) The owner of the lot shall install and maintain the **landscaped strip**.
- e) Landscaped strips shall not be required or permitted where a sight triangle is required in accordance with Section 3.37.
- f) Landscaped strips may be included in the calculation for minimum required **landscaped open space**, as required by the Precinct regulations.
- g) Notwithstanding the requirements of this Section, where landscaped strip requirements are identified in the Precinct regulations, the requirements of the Precinct regulations shall apply.

### 3.20 Legally Existing, Non-Complying Lots, Buildings and Structures

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

enlarged, repaired or renovated provided that:

- i. the enlargement, repair or renovation maintains or does not further reduce the established non-compliance and complies with all other **setback** and Precinct regulations of the applicable Precinct, except that this does not apply to prevent the **erection** of a perimeter foundation provided that the increase in the height of the **building** is not more than 1.02 metres;
  - ii. all other applicable provisions of this By-law are complied with; and
  - iii. where a **building** on a **lot** with frontage on Lake Simcoe having less than the minimum **waterfront yard** required by this By-law has been legally **erected** prior to the date of the passing of this By-law, said **building** or **structure** may be enlarged, reconstructed, repaired or renovated, provided that:
    - the enlargement, repair or renovation complies with the provisions in this Section; and
    - the **footprint** of the enlargement, repair or renovation does not result in an increase of more than 50% to the **existing building footprint** of the **principal building**.
- b) Despite any other provisions of this By-law, where a legal **non-complying building** or **structure** has been legally **erected** prior to the passing of this By-law and has been damaged, destroyed, or demolished, the reconstruction of the **building** will be restricted to its original **footprint** and location, **building** size, **floor area**, **lot coverage** and height.
- c) A legal **non-complying building** or **structure** may be enlarged or replaced subject to a Planning Permit as described in the following chart:

Proposed Expansion	Community Planning Permit Class
Height, location, <b>building</b> size, <b>floor area</b> , coverage – unchanged	2
15% increase of <b>existing</b> height to the maximum height permitted (lesser of the two)	2
Height increase greater than 15% of <b>existing</b> height	3
50% increase in ground <b>floor area</b> to the maximum permitted (lesser of the two)	2
<b>Floor area</b> increase greater than 50%	3

- d) Any encroachment into a **non-complying waterfront yard setback** shall not be further reduced.

### 3.21 Legally Existing, Non-Conforming Uses

- a) Any Legal **non-conforming use** may continue if there is no change in use, or where a change in **use** is more in keeping with the permitted **uses** in the precinct. Where a **building** containing a legal **non-conforming use** is damaged or destroyed by means beyond control of the owner, the reconstruction of the **building** will be restricted to its original **footprint** and location, **building** size, **floor area**, coverage and height.
- b) Any expansions to a **building** containing a legal **non-conforming use** shall require a Class 2 permit.

### 3.22 Lighting

- a) All lighting must **use** sensitive lighting practices (**dark sky compliant**) for all land uses.
- b) Any lighting shall not exceed a maximum height of 9 metres from average grade or **water's edge**.
- c) Any lighting must be directed away from abutting **streets** and/or properties and directed downward.

### 3.23 Model Homes, Demonstration Unit and Sales Pavilions

- a) Notwithstanding any other provision of this By-law, where a **model home or demonstration unit** agreement has been executed between the Town and the owner, and where:
  - i. appropriate **municipal services** are available or are at the boundary of a draft-approved plan of subdivision; or
  - ii. the required easements, agreements and securities are provided to facilitate servicing to the boundary of a draft approved plan of subdivision, one or more **model homes or demonstration units**, to a maximum of six (6) or 10% of the number of **lots** on the draft approved plan of subdivision, whichever is less, may be constructed within the boundaries of the draft approved plan of subdivision, subject to the following provisions:
    - the **model home or demonstration unit**, shall be in accordance with the applicable Precinct provisions in which it is to be located and shall comply with all other provisions of this By-law, as though the unit was constructed on the **lot** within the registered plan of subdivision;
    - the **model home or demonstration unit**, shall not be occupied or used as a **dwelling unit** prior to the date of registration of the plan of

subdivision, obtaining any required **building** permits, certificate of occupancy, and the satisfaction of any terms and conditions of the subdivision agreement; and

- the **model home or demonstration unit** shall comply with all applicable terms and conditions of the said **model home or demonstration unit** agreement.
- b) A **sales pavilion** does not require permanent water and sanitary sewer connections; however, temporary water and sanitary facilities are required to the satisfaction of the Town. The **sales pavilion** shall comply with all applicable terms and conditions of the said **sales pavilion** agreement.
- c) A **sales pavilion** for the temporary sales or a rental office shall be permitted within any Commercial or Mixed Use Precinct.

### 3.24 Motor Vehicle Service Stations

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

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

### 3.25 Multiple Uses on a Lot

Where any building, **structure** or **lot** is used for more than one purpose in accordance with the **uses** permitted by this By-law, the building, **structure** or **lot** shall comply with the provisions of this By-law applicable to each use. Where there is conflict, the more stringent provision shall apply.

### 3.26 Environmental Protection

Lands located within the Environmental Protection Precinct illustrated on Schedule A are natural features that are considered to be significant at a Provincial, County or local level. The delineation of the Environmental Protection Precinct is based on the most



current information available, and may not be accurate or up to date in some areas.

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

### 3.27 Non-Compliance Due to Expropriation

- a) No **existing structure**, **lot area**, parking or landscaping on a **lot** shall be deemed to be in contravention of the provisions of this By-law as a result of a **lot** or part of a **lot** being conveyed or having been conveyed to, or acquired by the Town of Innisfil, the County of Simcoe, the Province of Ontario, or the Government of Canada.
- b) For the purposes of this By-law, when calculating **setbacks** and **lot coverage**, any road reserves or visibility triangles of the Town of Innisfil, the County of Simcoe or the Province of Ontario shall be applied as though they were part of the lands on which the **setback** or **lot coverage** is being applied to.

### 3.28 Permitted Uses on All Lands

- a) A **public authority** may, for the purposes of public service, **use** any land or **erect** or **use** any **building** or **structure** except for the following **uses** administrative offices, retail uses, sales outlets, **garages**, depots or contractor's shops or **yards** used in association with a telecommunications or cable company, unless such **uses** are specifically permitted by this By-law. In any Residential Precinct, the **building** or **structure** shall be in compliance with the height, coverage, **landscaped open space** and **yard** regulations prescribed for the Precinct and there is no **outside storage** in the yards.
- b) **Accessory buildings** and **structures** that occur in conjunction with the **principal use** are permitted provided they are in accordance with the **accessory building** and **structure** provisions of this By-law.
- c) The construction, **erection** and the temporary **use** of a construction shed, scaffold or other **building** or **structure** is permitted provided they are incidental to the construction on a **lot** where it is situated and is necessary for the work in progress. These **structures** shall be removed upon conclusion of the project.

- d) **Docks** used for municipal purposes shall be permitted and not require a permit.

### 3.29 Permitted Yard Encroachments

Unless otherwise specified in this By-law, every part of any required **yard** (excluding a Waterfront yard), shall be open and unobstructed by any **building** or **structure** from the ground to the sky except for:

	<b>Accessory Building, Structure or Feature</b>	<b>Permitted Encroachment into Minimum Required Yard Setback</b>
a)	Sills, belt courses, chimneys, cornices, eaves, gutters, parapets, pilasters, bay windows or other ornamental features	i) 0.6 metres into any required minimum <b>yard setback</b>
b)	Drop awnings, clothes poles, garden trellises, TV or radio antennas, air conditioning units, rainwater tanks, or similar <b>accessory structures</b>	i) No restriction on encroachment into any required minimum <b>yard setback</b>
c)	Fire escape	i) 1.5 metres into required minimum <b>rear yard setback</b> ii) 1.5 metres into required <b>interior side yard setback</b>
d)	Fences, signs, <b>parking areas</b> , retaining walls, <b>driveways</b> , walkways, <b>patios</b> , <b>decks</b> no higher than 0.2 metres above the <b>established grade</b> , <b>landscaped open space</b> and other similar <b>accessory structures</b> and features	i) No restriction on encroachment into any required minimum <b>yard setback</b>
e)	Uncovered stairs and uncovered wheelchair ramps	i) No restriction on encroachment into any required minimum <b>yard setback</b>
f)	<b>Decks</b> higher than 0.2 metres above <b>established grade</b>	i) No closer than 1 metre from any <b>interior lot line</b> or <b>rear lot line</b> ii) No closer than 3.0 metres from any <b>front lot line</b> iii) No closer than 3.0 metres from any <b>exterior lot line</b>
g)	Unenclosed <b>porches</b> and <b>verandahs</b> having a landing area of not more than 5.0 square metres and a height of not more than 1.5 metres above <b>established grade</b> (By-Law 031-17)	i) 3.0 metres into any required <b>front yard setback</b> ii) 3.0 metres into any required <b>rear yard setback</b> iii) 1 metre into any required <b>interior side yard setback</b> or 3 metres into any <b>exterior side yard setback</b> , but no closer than 1 metre from any <b>lot line</b>
h)	Other unenclosed <b>porches/verandahs</b> and <b>balconies</b>	i) 3.0 metres into any required <b>front yard setback</b> ii) 3.0 metres into any required <b>rear yard setback</b> iii) Maximum of 50% of the minimum required <b>exterior side yard setback</b>

### 3.30 Planned Width of Road Allowance

- a) Notwithstanding any other provisions of this By-law, no **building** or **structure** is to be **erected** in any Precinct closer than the sum of the **yard** requirements for that Precinct plus half of the ultimate planned **street** width measured from the **street centerline**, for those **streets** identified in the Town of Innisfil Official Plan,

Schedule C: Transportation Plan, and to the satisfaction of the Town.

- b) Notwithstanding anything to the contrary, the County of Simcoe shall be consulted with respect to the ultimate planned road width of County Roads.
- c) All Ministry of Transportation permit requirements must be met where applicable.

### 3.31 Prohibited Uses

The following **uses** are prohibited:

- a) no **use** which from its nature or materials used therein is declared or regulated by the Province of Ontario to be a noxious trade, business or manufacturer;
- b) the storage of inoperable such as but not limited to, planes, helicopters, cars, trucks, boats and houseboats;
- c) Trailers or **recreational vehicles** or used as a **dwelling unit** or for advertising purposes on a **lot** or in/on Lake Simcoe;
- d) Noxious **uses** which, from its nature or the materials used therein, is declared to be a noxious trade, business or manufacture regulated by the Province of Ontario; and,
- e) **Outdoor storage** of goods, wares, merchandise, substances or articles used in conjunction with a **home occupation**.

### 3.32 Prohibited Uses in the Waterfront Yard

The storage of dilapidated marine items such as fish huts and portable **docks** or similar types of **structures**, and the parking of non-marine vehicles are prohibited in **waterfront yards**.

### 3.33 Rail Lines and Setback from Rail Lines

- a) Permitted **uses** within **rail lines** shall include only those **uses** directly associated with the **rail line**.
- b) No **dwelling** shall be **erected** closer than 30.0 metres from the property boundary of an **existing** or proposed **rail line** right-of-way.
- c) Notwithstanding 3.33b), where the **rear yard** of a **dwelling unit** abuts a **rail line** right-of-way, the required minimum **rear yard** shall be measured from the **rail line** right-of-way or toe of any berm associated with the **rail line**, whichever is further from the **rail line**.

### 3.34 Refreshment Vehicles

- a) A **refreshment vehicle** shall be permitted in all Commercial, Mixed Use, and Community Service Precincts as referenced in this by-law.
- b) A **refreshment vehicle** shall be in accordance with the **setbacks** for the **principal building** specifically indicated in the Precinct regulations as referenced in this by-law and shall not be permitted within any **rear yard setback**.
- c) A maximum of ten (10) **refreshment vehicle** shall be permitted within the corporate limits of the Town at any one time subject to the Precinct restrictions and regulations contained within this section.
- d) A maximum of one (1) **refreshment vehicle** shall be permitted per lot.
- e) A maximum size of a **refreshment vehicle** shall not exceed twenty square metres (20m<sup>2</sup>) in area.
- f) A **refreshment vehicle** shall not be included in **lot coverage** calculations.
- g) A **refreshment vehicle** shall not be located on any required **landscaped open space**, landscape strip(s), landscaping, and/or required **parking spaces**/areas for any other **use** located on the same **lot** as the **refreshment vehicle**.
- h) A maximum of ten (10) temporary seat(s) associated with the **refreshment vehicle** may be provided. All temporary seat(s) must be removed when the **refreshment vehicle** is not located on the lot.
- i) A minimum of two (2) off street **parking spaces** shall be required for a **refreshment vehicle** and be located on the same lot.

### 3.35 Outdoor Patios

An **outdoor patio** is permitted as an **accessory use** in any Precinct which permits a **restaurant**, assembly hall, convention centre or **hotel**, subject to the following:

- a) **Outdoor patios** shall be permitted in any **yard** except it shall not be located within 15 metres from a residential Precinct;
- b) A roof top **outdoor patio** shall not be located on lands abutting a Residential Precinct;
- c) An outdoor **patio** shall not be fully enclosed; and
- d) Notwithstanding any requirements to the contrary, an outdoor **patio** may encroach into a Landscape Buffer, with exception of a landscape buffer abutting a **Natural Heritage** System Precinct or a Residential Precinct, but at no time shall the occupied area be included in **landscaped open space** calculations.

### 3.36 Shoreline Buffer Area

A **Shoreline buffer** area shall be designed and maintained in accordance with the following.

- a) A **shoreline buffer** area shall be a minimum of 30 metres in depth from the **water's edge** (elevation of 219.15 metres above sea level) and shall be consistent with the Minimum Vegetation Protection Zone (MVPZ) in the Lake Simcoe Protection Plan.
- b) On **lots** with a **lot depth** of less than 60 metres in length, the **shoreline buffer** area shall be a minimum of 15 metres in depth from the **water's edge** (elevation of 219.15 metres above sea level).
- c) 25% of the width of the lot within the **shoreline buffer** along Lake Simcoe (measured at the average annual water mark), or 15 metres, whichever is less, may be used for access, landscape open space, recreational **uses** and amenity space. The remaining **shoreline buffer** area of the **lot** shall be maintained in its natural state.
- d) A Class 2 permit application may be submitted to consider a variation of 3.36 c), of up to 35% of the width of the lot within the shoreline buffer, or 21 metres, whichever is less, to be used for access, landscape open space, recreational uses and amenity space.
- e) A Class 3 permit application may be submitted to consider a variation of 3.36 c) that is greater than the Class 2 variation threshold established in 3.36 d).

### 3.37 Short-term Accommodations

- a) A short-term rental shall only be permitted as an **accessory use** and where expressly permitted by this By-law.
- b) A maximum of one short-term rental per **dwelling unit** shall be permitted.

### 3.38 Sight Triangles

- a) A 10-metre **daylighting triangle** shall be required on a **corner lot** at all at-grade intersection of two or more streets, where a visibility triangle has not been taken as part of the road allowance of a street.
- b) A variation to the **daylighting triangle** provisions requires a Class 2 Permit.
- c) Within a **daylighting triangle**, no **buildings** or **structures** which would obstruct the vision of users of the road and sidewalk are to be **erected**, and no trees, signs, shrubs, hedges, **fences** or walls are to be planted, **erected** or maintained to a height greater than 1 metre above the centreline of the adjacent **street** at the lowest point.

- d) **Existing** vegetation within a **daylighting triangle** must not be removed without a Planning Permit.

### 3.39 Sleeping Cabins

A **sleeping cabin** is permitted as an **accessory structure** and is subject to the **accessory building** or **structure** provisions of this By-law. A **sleeping cabin** may also be permitted on the second storey of a detached **garage**, and is subject to the corresponding provisions of this By-law. A **sleeping cabin** shall not be permitted within a boat house or in the **waterfront yard**.

### 3.40 Storage and Use of Hazardous Liquids or Leachable Chemicals

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

### 3.41 Swimming Pools and Hot Tubs

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

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

### 3.42 Temporary Structures

- a) A **temporary structure** shall be considered to be an **accessory structure** and shall be **erected** in accordance with the provisions of this Section.
- b) A **temporary structure** exceeding 20.0 square metres shall not be permitted in a Residential Precinct, except where a permit has been issued by the Town to permit such a **structure**.
- c) A **temporary structure** may be **erected** on a lot, as an **accessory structure** in a commercial or industrial Precinct, for a maximum of 150 days within a calendar year, exclusive of days associated with setup and take down of the **temporary structure**.

- d) The provisions of this Section 3.1.42 shall not apply to **temporary structures** associated with construction activities. The provisions of Section 3.23 shall apply to **temporary structures** associated with construction activities.

### 3.43 Temporary Turning Circle

The minimum required **yards** and **lot area** requirements for lands forming part of a **temporary turning circle** shall be calculated as if the turning circle did not exist. Notwithstanding the foregoing, the minimum **front yard setback** shall be 13.0 metres; however, in no case shall any **building** or **structure** be **erected** within 2.0 metres of the **temporary turning circle**.

### 3.44 Waste Processing and Transfer Facility

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

### 3.45 Wellhead Protection Area and Intake Protection Zone

The storage of the following material shall be prohibited within an Intake Protection Zone (IPZ), as shown as IPZ on Schedule A: animal manure, petroleum fuels; petroleum solvents and chlorinated solvents, pesticides, herbicides and fungicides, construction equipment, inorganic fertilizers, road salt, and, other contaminants listed in Ontario Regulation 347 of the Revised Regulations of Ontario, 1990, as may be updated and amended from time to time.



## Section 4 - Parking and Loading Provisions

### 4.1. PARKING PROVISIONS

#### 4.1.1. NUMBER OF REQUIRED PARKING SPACES

Where land, **buildings** or **structures** are used in accordance with this By-law, every owner shall provide and maintain off-street **motor vehicle parking areas** for the sole **use** of the owner, occupant or **persons** making **use** of the **premises** on the same **lot** in accordance with the requirements outlined in Table 4.1 and the other provisions contained in this Section.

**Table 4.1: Number of Required Parking Spaces**

	Use	Minimum Number of Parking Spaces
<b><i>Residential Uses</i></b>		
a)	<b>Single detached dwelling</b>	2.0 <b>parking spaces</b> (1)
b)	<b>Semi-detached dwelling or duplex dwelling</b>	2.0 <b>parking spaces</b> (1)
c)	<b>Townhouse dwelling (street, block/cluster, back-to-back, stacked)</b>	2.0 <b>parking spaces</b> per <b>dwelling unit</b> . Except for <b>street townhouse dwellings</b> , an additional 0.25 <b>parking spaces</b> per <b>dwelling unit</b> shall be required for visitor <b>parking spaces</b> (1)
d)	<b>Apartment dwelling</b> in any Mixed Use Precinct or <b>apartment dwelling unit</b> in a mixed use building	1.5 <b>parking spaces</b> per <b>dwelling unit</b> , of which 0.25 <b>parking spaces</b> shall be designated as visitor <b>parking spaces</b>
e)	<b>Apartment dwelling</b> in any other Precinct	1.75 <b>parking spaces</b> per unit, of which 0.25 <b>parking spaces</b> shall be designated as visitor <b>parking spaces</b>
f)	<b>Accessory dwelling unit or Additional dwelling unit</b>	1 space
g)	<b>Group home dwelling</b>	1 <b>parking space</b> per 3 supervised <b>group home</b> residents that can be accommodated in the <b>group home dwelling</b> , in addition to the required <b>parking spaces</b> for the <b>dwelling</b>
h)	<b>Home occupation</b>	2 additional <b>parking spaces</b> (1 for the employee and 1 for the customer) in addition to the <b>parking spaces</b> required for the <b>single detached dwelling</b> , <b>tandem parking</b> shall be permitted
<b><i>Commercial and Office Uses</i></b>		
i)	<b>Banquet hall</b>	1 <b>parking space</b> per 10 square metres of <b>gross floor area</b>
j)	<b>Bed and breakfast</b>	1 <b>parking space</b> for each guest room, which shall be provided in addition to the <b>parking spaces</b> required for the <b>single detached dwelling</b>

	<b>Use</b>	<b>Minimum Number of Parking Spaces</b>
k)	<b>Child Care Centre</b>	1 <b>parking space</b> per 30 square metres of <b>gross floor area</b>
l)	<b>Funeral home</b>	1 <b>parking space</b> for every 20 square metres of <b>gross floor area</b> or 20 <b>parking spaces</b> , whichever is the greater
m)	<b>Golf course</b>	5.5 <b>parking spaces</b> per hole, plus the <b>parking spaces</b> required for other <b>accessory uses</b>
n)	<b>Hotel or motel</b>	1 <b>parking space</b> for every guest room plus any <b>parking spaces</b> required for any <b>accessory uses</b> , such as a <b>restaurant</b> , in accordance with this By-law
o)	<b>Marina</b>	1.5 <b>parking space</b> for every boat slip plus any <b>parking spaces</b> required for any <b>accessory uses</b> , such as a <b>restaurant</b> , in accordance with this By-law
p)	<b>Medical office</b>	1 <b>parking space</b> for every 15 square metres of <b>gross floor area</b>
q)	<b>Motor vehicle dealership</b>	1 <b>parking space</b> for every 30 square metres of <b>gross floor area</b> to a maximum of fifty spaces (excluding outdoor display and storage of vehicles), whichever is greater, plus two (2) <b>parking spaces</b> per repair bay
r)	<b>Motor vehicle service station</b>	1 <b>parking space</b> for every 23 square metres of <b>gross floor area</b>
s)	<b>Motor vehicle repair garage, motor vehicle body shop</b>	2 <b>parking spaces</b> per service bay, plus 1 space per 30 square metres of <b>gross floor area</b> devoted to other areas of activity such as office, retail sales, or a waiting area.
t)	<b>Personal service establishment</b>	1 <b>parking space</b> for every 28 square metres of <b>gross floor area</b>
u)	<b>Place of entertainment</b>	For a bowling alley, 3 parking spaces for each bowling lane. For all other <b>uses</b> , 1 <b>parking space</b> shall be required for every 23 square metres of <b>gross floor area</b>
v)	<b>Professional office</b>	1 <b>parking space</b> for every 30 square metres of <b>gross floor area</b>
w)	<b>Private club</b>	1 <b>parking space</b> for every 20 square metres of <b>gross floor area</b>
x)	<b>Recreational vehicle sales establishment</b>	1 <b>parking space</b> for every 50 square metres of <b>gross floor area</b>
y)	<b>Restaurant</b>	1 <b>parking space</b> for every 8 square metres of <b>gross floor area</b>
aa)	<b>Retail store</b>	1 <b>parking space</b> for every 19 square metres of <b>gross floor area</b>
ab)	<b>Self-storage units</b>	1 <b>parking space</b> per 650 square metres of <b>gross floor area</b> , inclusive of all storage areas and <b>accessory office uses</b>
ac)	<b>Tourist cabin establishment or tourist commercial</b>	1 <b>parking space</b> for each guest room, cabin or suite

	Use	Minimum Number of Parking Spaces		
	establishment			
ad)	Other commercial uses	1 parking space per 28 square metres of gross floor area		
	Institutional and Open Space Uses			
ae)	Community centre or indoor recreational centre	1 parking space for every 4 persons to be accommodated in the design capacity of the buildings		
af)	Government facility, including emergency services	1 parking space for every 23 square metres of gross floor area		
ag)	Long term care home or nursing home	1 parking space for every 2 beds		
ah)	Place of worship	1 parking space for every 20 square metres of gross floor area		
ai)	Retirement home	1 parking space for every room or suite		
aj)	School	Elementary schools – 1.5 parking spaces for every teaching area or classroom Secondary schools – In accordance with the “On the Ground (OTG)” Capacity of a school (students and staff):		
		OTG (	Minimum Required Parking Spaces	Barrier Free Spaces (included in Minimum Required Parking Spaces)
		0 – 400	80	4
		401 – 700	100	5
		701 – 1000	150	6
		1001 – 1500	200	7
		1501 – 2000	250	8
		2001 – 2500	300	9

Notes:

- (1) Required **parking spaces** may be provided in **tandem parking**, except for required visitor parking.

#### 4.1.2. PARKING SPACE AND PARKING AREA PROVISIONS

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

- Each **parking space** shall be readily accessible at all times and arranged in such a manner to provide access and maneuvering space for the parking and removal of a **motor vehicle**, except where **tandem parking** is permitted by this by-law.
- The minimum width of **parking spaces** shall be 2.75 metres. The minimum length for **parking spaces** shall be 5.7 metres.

- c) Ingress and egress to and from **parking aisles** must be provided by a sufficient number of adequate, unobstructed **driveways**.
- d) The minimum width of **parking aisles** shall be 6.0 metres wide for two-way traffic and 4.0 metres wide for one-way traffic, except where **parking spaces** are provided at an angle less than 45 degrees from an **aisle**, the minimum width of a one-way **parking aisle** shall be 3.6 metres.
- e) Where a **lot**, **building** or **structure** accommodates more than one type of **use**, the **parking space** requirements shall be the sum of the requirements for the separate types of **uses** occupying separate parts of the **lot**, **building** or structure.
- f) Where an addition is made to a **building** or the **use** is changed, only the additional **parking spaces** required as a result of the addition or change of **use** shall be required in accordance with this By-law.
- g) For the purposes of calculating the total number of **parking spaces**, including accessible **parking spaces**, where the application of ratios results in a fraction of a **parking space**, the required number of **parking spaces** for each permitted **use** shall be increased to the next higher whole number.
- h) The lights used for illumination of **parking spaces**, **aisles** and **driveways** must be so arranged as to divert the light away from adjacent **lots** and **streets**.
- i) Where off-street parking for any **use** other than a **residential use** abuts a **side lot line** or **rear lot line** in a Residential Precinct, a screen shall be **erected** or planted and maintained along the side or **rear lot line** of either lot, based on development timing, and the screen shall have a minimum height of 1.5 metres and shall be suitable for provision of privacy and protection from vehicle headlights.
- j) Except for parking provided for **single detached dwelling units**, **semi-detached dwelling units**, **duplex dwellings** and **townhouse dwelling units**, no **parking or loading area** or part thereof may be located and no land may be used for the temporary parking or storage of any licensed vehicle within 1.0 metres of the boundary of any Residential Precinct.
- k) **Parking** is permitted in a **driveway** or dedicated **parking space** only.
- l) Parking in the **front yard** or **exterior side yard** shall only be permitted on a **driveway**. Parking for a school use may be permitted in the front yard or exterior side yard.
- m) Parking is not permitted in the **waterfront yard** on a **lot**.
- n) The provision of shared parking or parking on an alternative site within 500-metres from the proposed development is permitted, provided the owner of the alternative site is willing to enter into an agreement with the developer and the municipality.

### 4.1.3. PARKING STANDARDS FOR MIXED USE PRECINCTS

In addition to the **Parking Provisions** of Section 4.1.1, the following additional provisions shall apply:

- a) **Parking spaces** shall not be located between the **building** face and **front lot line**, or between the **building** face, and the **exterior side lot line**.
- b) When a **parking area** or **driveway** is in a **yard** that abuts any residential Precincts, the width of landscaping between the **parking area** or **driveway**, and the residential Precinct must be a minimum of 1.5 m wide.
- c) Individual residential **lots**/units consisting of **single detached**, **semi-detached** and **townhouses** in the MU Precinct are not permitted to have direct vehicular access to Innisfil Beach Road, separately from each unit/**lot**.
- d) The difference between the minimum required parking established in this By-law and not provided may be addressed by the collection of cash-in-lieu.

### 4.1.4. DESIGNATION OF ACCESSIBLE PARKING SPACES

- a) Accessible **parking spaces** shall be designated in accordance with Table 4.2:

**Table 4.2: Designation of Accessible Parking Spaces**

	<b>Total number of parking spaces required in accordance with Section 3.33.1;</b>	<b>Number of accessible parking required to be designated</b>
i)	<b>1 to 12 parking spaces</b>	Minimum of 1 <b>parking space</b>
ii)	<b>13 to 100 parking spaces</b>	Minimum of 4% of total required <b>parking spaces</b>
iii)	<b>101 to 200 parking spaces</b>	Minimum of 3% of required <b>parking spaces</b> + 1
iv)	<b>201 to 1000 parking spaces</b>	Minimum of 2% of required <b>parking spaces</b> + 2
v)	<b>1001 or more parking spaces</b>	1% of the total number of required <b>parking spaces</b> + 11

- b) The accessible **parking spaces** shall count toward total number of **parking spaces** provided on any **lot**, **building** or **use** for the purposes of determining compliance with the requirements of section 4.1.1.
- c) Accessible **parking spaces** shall not be required for **single detached dwellings**, **semi-detached dwellings**, **townhouse dwellings**, **duplex dwellings** or **modular homes**.
- d) **Parking spaces** required to be designated as accessible **parking spaces** shall have a minimum size of 3.0 metres by 6.0 metres plus a 1.5 metre access aisle

for a single space configuration. A double space configuration shall consist of two **parking spaces** each having a minimum size of 3.0 metres by 6.0 metres plus a 1.5 metre wide access aisle separating the two **parking spaces**.

- e) Where only 1 **parking space** is required for a **Non-Residential use**, that **parking space** shall be designed to meet the minimum accessible **parking space** dimensions but shall not be signed as such.

#### 4.1.5. DRIVE-THROUGH FACILITIES AND STACKING SPACES

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

- a) The minimum number of **stacking spaces** for **drive-through facilities** shall be provided in accordance with Table 4.3:

**Table 4.3: Stacking Space Requirements**

Use	Minimum Number of Stacking Spaces
<b>Restaurant</b>	10 spaces
All other uses	4 spaces

- b) **Stacking spaces** shall be located on the same **lot** as the **drive-through facility** and **principal use** of the **lot**.
- c) **Stacking spaces** shall be 5.5 metres in length and 3.0 metres in width.
- d) A **stacking lane** for a **drive-through facility** including that portion of the **lane** past the service window and/or automated machine where orders are taken shall be **setback** a minimum of 20 metres from any type of residential Precinct. The required **setback** may be reduced to a minimum of 7.5 metres, provided that a noise wall, certified by a professional engineer, no taller than 2.15 metres exclusive of decorative elements, is installed prior to occupancy of the **drive-through facility**. The noise levels will not exceed the maximum levels specified by the Ministry of Environment's noise levels for stationary sources of noise.

#### 4.2. LOADING PROVISIONS

- 4.2.1. Where land, **buildings** or **structures** are used for any purposes involving the receiving, shipping, loading or unloading of animals, goods, wares, assembled or unassembled merchandise and/or raw materials, **loading spaces** shall be provided in accordance with the provisions of this section. Elementary and secondary schools shall not be required to provide loading spaces.

- 4.2.2. **Loading spaces** for **professional offices** and **medical offices** shall be required in accordance with Table 4.4.

**Table 4.4: Loading Space Requirements for Professional and Medical Offices**

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

**4.2.3. Loading spaces** for other **commercial** and **institutional** shall be required in accordance with Table 4.5.

**Table 4.5: Loading Space Requirements for other Commercial and Institutional**

	<b>Gross Floor Area</b>	<b>Minimum Number of Required Loading Spaces</b>
a)	Less than or equal to 250 square metres	0
b)	Greater than 250 square metres but less than or equal to 2,350 square metres	1
c)	Greater than 2,350 square metres but less than or equal to 7,500 square metres	2
d)	Greater than 7,500 square metres but less than or equal to 14,000 square metres	3
e)	Greater than 14,000 square metres	3 <b>loading spaces</b> plus 1 additional <b>loading space</b> for each 9,300 square metres of <b>gross floor area</b> or portion thereof

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

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

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

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



- 4.2.8.** A **loading space** shall have an unobstructed rectangular area with a minimum length of 9.0 metres and a minimum width of 3.6 metres and shall have a minimum vertical clearance of 4.2 metres.
- 4.2.9.** The loading requirements shall not apply to any **building** which legally **existed** on the date of passing of this By-law, so long as the **floor area** as it **existed** at that date is not increased or the **uses** changed. If an addition is made or the **use** is changed, the **loading spaces** must be provided up to the number required for the addition or for the new **use**.
- 4.2.10.** Access to **loading spaces** shall be provided by a **driveway, aisle** or **lane** which is at least 6.0 metres wide and provides direct access to a **street**.

#### **4.3. SURFACE TREATMENT**

- a) Outside of the Alcona Primary Settlement Area, all off street parking spaces, loading spaces, driveways and aisles required herein must be constructed and maintained with a stable surface which is treated to prevent the raising of dirt or loose particles. Agricultural uses are exempt from this requirement.
- b) Within the Alcona Primary Settlement Area, all off street **parking spaces, loading spaces, driveways** and aisles required herein must be constructed and maintained with a stable surface comprised of asphalt, concrete, concrete pavers or permeable pavers.

#### **4.4. ELECTRIC VEHICLE PARKING SPACES**

One percent of the required number of **parking spaces** in residential apartment, mixed use and commercial **buildings** with 10 or more residential or commercial units shall provide charging facilities for electric vehicles.

#### **4.5. BICYCLE PARKING**

##### **4.5.1. Bicycle Parking Space Aisle Dimensions**

- a) The minimum dimensions of a horizontal bicycle **parking space** shall be provided in accordance with Table 4.6.

**Table 4.6: Minimum Bicycle Parking Space Dimensions**

<b>Dimension</b>	<b>Minimum Requirement (m)</b>
Length	1.8
Width	0.6
Vertical clearance from the floor	1.9

- b) The minimum dimensions of a vertical bicycle **parking space** shall be provided in accordance with Table 4.7.

**Table 4.7: Minimum Dimensions of a Vertical Bicycle Parking Space**

<b>Dimension</b>	<b>Minimum Requirement (m)</b>
Length or vertical clearance	1.9
Width	0.6
Clearance from the wall	1.2

- c) For a stacked bicycle **parking space**, the minimum vertical dimension for each bicycle **parking space** shall be 1.2 metres and the minimum vertical clearance from the floor shall be 2.4 metres.
- d) The minimum width of an aisle providing access to a bicycle **parking space** shall be 1.75 metres.

#### 4.5.2. Minimum Bicycle Parking Space Rates

- a) A minimum bicycle **parking space** requirement shall apply to **apartment dwellings** containing 25 or more **dwelling units** as well as certain **non-residential uses** specified in Table 4.8.
- b) A minimum bicycle **parking space** requirement shall not apply if the total gross **floor area** of all **non-residential uses** on a single **lot** is less than 2,000 square metres.
- c) The minimum bicycle **parking space** requirements of this by-law are shown in Table 4.8. The minimum bicycle parking requirements shall not apply to **existing buildings** or **structures**, or any additions thereto.

**Table 4.8: Bicycle Parking Space Rates**

<b>Use</b>	<b>Requirement</b>
<b>Apartment dwelling</b> containing 25 or more <b>dwelling units</b>	0.5 per <b>dwelling unit</b>
Clinic	0.1 per 100 square metres of Gross <b>Floor Area</b> or 3 spaces, whichever is greater
Any <b>commercial use</b> , including retail and <b>shopping centre</b>	0.1 per 100 square metres of Gross <b>Floor Area</b> or 3 spaces, whichever is greater

Community center <b>Government Facility</b>	0.2 per 100 square metres of Gross <b>Floor Area</b> or 3 spaces, whichever is greater
<b>Hospital</b>	Bicycle <b>parking spaces</b> for any <b>hospital</b> expansion or a new <b>hospital</b> shall be based on a parking study detailing the basis for the parking requirements to the satisfaction of <b>Council</b> .
Industrial	0.1 per 100 square metres of Gross <b>Floor Area</b> or 2 spaces, whichever is greater
Office	0.1 per 100 square metres of Gross <b>Floor Area</b> or 3 spaces, whichever is greater
<b>Restaurant</b>	0.1 per 100 square metres of Gross <b>Floor Area</b> or 3 spaces, whichever is greater
<b>School</b> including post-secondary institution	0.2 per 100 square metres of Gross <b>Floor Area</b>

#### 4.5.3. General Provisions for Bicycle Parking Spaces

- i) A required bicycle **parking space** shall be located wholly within the **building** where the **principal use** is located and for which the bicycle **parking space** is required, except for **schools**, where a required bicycle **parking space** may be located outdoors.
- ii) A bicycle **parking space** required for a **dwelling unit** shall be located within the following areas of a building:
  - Within the ground **floor area**;
  - On the **storey** above the ground **floor area**; or
  - On the first or second **storey** located below grade.
- iii) A required bicycle **parking space** shall have direct access from the exterior of a building, and that access shall be located on the ground floor.

#### 4.6. SHARED PARKING RATES IN MIXED USE PRECINCTS

- a) Where a property is located in a Mixed Use Precinct, and it contains residential units and non-residential **floor area**, required **parking spaces** shall be calculated in accordance with the following:
  - i) Calculate the required number of **parking spaces** for each individual **use** in the mixed use **development** in accordance with Table 4.1.

- ii) Multiply the required **parking spaces** for each **use** by the parking demand for each time period in accordance with Table 4.9.
  - iii) For each time period, calculate the total **parking spaces**, based on the percent reduction required for all **uses** to determine the cumulative total. For clarity, the total required number of **parking spaces** for each **use** shall be calculated separately for each time period.
  - iv) The greatest cumulative total for all **uses** in any time period shall be the total number of **parking spaces** required for the mixed use **development**.
- b) The identified time periods in Table 4.9 shall be interpreted as:
- a) Morning shall be between 6:00AM to 12:00PM;
  - b) Noon shall be between 12:00PM and 1:00PM;
  - c) Afternoon shall be between 1:00PM to 5:00PM; and
  - d) Evening shall be between 5:00PM to 6:00AM.
- c) With the exception of residential visitor parking, shared parking reductions shall not be applied to **residential** use.

**Table 4.9 – Shared Parking Percentage of Peak Period**

Use	Morning	Noon	Afternoon	Evening
Retail, <b>Personal Service Establishment</b>	65%	90%	80%	100%
<b>Hotel</b>	70%	70%	70%	100%
Office	100%	90%	95%	10%
<b>Restaurant</b>	20%	100%	30%	100%
Residential Visitor Parking	20%	20%	60%	100%
<b>Place of entertainment</b>	10%	40%	40%	80%

#### 4.7. DRIVEWAYS

All **driveways** located in the Community Planning Permit Area delineated on the **attached** maps which form part of this By-Law must comply with the following provisions:

- a) The **driveway** shall include any surface area that may be used for the parking of vehicles;
- b) One **walkway**, no greater than 1.5 metres in width, **attached** to a **driveway** is permitted on one side of a **driveway**; however, schools may be permitted to have walkways on both sides of a driveway;
- c) Parking of motor vehicles shall not be permitted on **landscaped open space**;
- d) A **driveway** is not permitted in the **waterfront yard**;
- e) The outdoor parking of a **motor vehicle** shall only be permitted on a **driveway** or **parking space**;
- f) A circular **driveway** shall only be permitted on a **lot** with a **lot frontage** greater than 22 metres;
- g) The access locations for a circular **driveway** shall be located in one yard;
- h) A circular **driveway** shall not cover more than 50% of the **yard** in which it is located;
- i) Any **lot** with a frontage less than 22 metres, a maximum of one (1) **driveway** shall be permitted per lot; and,
- j) The maximum **driveway** width shall be in accordance with the following provisions: Minimum width: 3.0 metres Maximum width: 60% of **lot frontage** to a maximum of 9.0 metres, whichever is less. A school may have a maximum width of: 60% of **lot frontage** to a maximum of 12.0 metres, whichever is less.

## Section 5 - Residential Precincts

The Residential Precincts established by the By-law are noted in Table 5.1 as follows:

**Table 5.1: Residential Precincts**

<b>Residential Precincts</b>	
<b>Precinct</b>	<b>Symbol</b>
Residential Low Density 1 Precinct	RL1
Residential Low Density 2 Precinct	RL2
Residential Medium Density Precinct	RM
<b>Shoreline</b> Residential Precinct	SR

## 5.2 Permitted Uses - Principal Uses

**Uses** permitted in the Residential Precincts are identified with a “P” in the column applicable to that Precinct and corresponding with the row for a specific permitted **use** in Table 5.2 and Table 5.3 Where a “D” is identified in the column, it denotes a discretionary use. All permitted **uses** shall be subject to the applicable Precinct regulations provided in Section 5.X and the general provisions provided in Section 3.0, where applicable.

**Table 5.2: Residential Precinct - Principal Uses**

Permitted Use	RL1	RL2	RM
Apartment Dwelling			P
Duplex Dwelling		P (1)	P (1)
Group Home	P (1)	P (1)	P (1)
Linked Dwelling		P (1)	P (1)
Public Uses	P	P	P
Semi-detached Dwelling		P (1)	P (1)
Single Detached Dwelling	P (1)	P (1)	D (1)
Street Townhouse Dwelling		P (1)	P (1)
Stacked Townhouse Dwelling			P (1)
Block Townhouse Dwelling		P (1)	P (1)
Back-to-Back Townhouse Dwelling			P (1)
Triplex			P (1)
Utilities, Emergency Services and Municipal Uses	P	P	P



Permitted Use	RL1	RL2	RM
Live-work Units	P (1)	P (1)	P (1)
Commercial Uses Permitted in the Mixed Use Precinct			D
<b>NOTES:</b> (1) Commercial vehicles and school buses are not permitted to be parked in a driveway			

**Table 5.3: Shoreline Residential Precinct - Principal Uses**

Permitted Use	On Land	In Water
	Permitted	Permitted
Legally Existing Dwelling Units	P (1)	
Single Detached Dwelling	P (1)	
Accessory Uses, Buildings and Structures	P	
Boathouse	D	D
Dock	D	D
Home Occupation	P	
Sleeping Cabin	P	
Private Septic System and Wells	P	
Revetments	P	
Breakwaters	D	
Retaining Walls	P	
Forestry, Fish, Wildlife, Park, Conservation Uses and Management	P	P
Passive Recreation Uses	P	
Recreational Trails	P	
<b>NOTES:</b> (1) Commercial vehicles and school buses are not permitted to be parked in a driveway		

## 5.2 Permitted Uses - Accessory Use

**Accessory uses** permitted in the Residential Precincts are identified with a “P” in the column applicable to that Precinct and corresponding with the row for a specific permitted **use** in Table 5.4. Where a “D” is identified in the column, it denotes a discretionary use. All **accessory uses** shall be subject to the applicable Precinct regulations provided in Section 5.X and the general provisions provided in Section 3.0, where applicable.

**Table 5.4: Residential Precinct - Accessory Uses**

Permitted Use	RL1	RL2	RM
<b>Accessory Buildings and Structures (1)</b>	P	P	P
<b>Additional Dwelling Unit (1)</b>	P	P	P
Bed and Breakfast (1)	P	P	D
<b>Home Occupation (1)</b>	P	P	P
<b>Pet Day Care Establishment</b>	P		
NOTES: 1) Subject to specific <b>use</b> provisions contained in the General Provisions of this By-law.			

### 5.3 Residential Precinct Regulations

The following Precinct regulations identified in Tables 5.5 to 5.10 shall apply to the respective Residential Precincts.

**Table 5.5: RL1 Precinct Regulations**

	<b>Standard</b>	<b>Staff Variation Class 2 Permit</b>	<b>Council Variation Class 3 Permit</b>
Minimum <b>Lot Area</b>	600 m <sup>2</sup>	Up to 10% reduction	Greater than 10% reduction
Minimum <b>Lot Frontage</b>	15 m	Up to 20% reduction	Greater than 20% reduction
Minimum <b>Front Yard</b>	8 m	Up to 20% reduction	Greater than 20%
Minimum <b>Interior Side Yard</b>	1.2 m	Up to 30% reduction	Greater than 30% reduction
Minimum <b>Exterior Side Yard</b>	6 m	Up to 30% reduction	Greater than 30% reduction
Minimum <b>Rear Yard</b>	7.5 m	Up to 30% reduction	Greater than 30% reduction
Maximum <b>Lot Coverage</b>	35%	Up to 50% in total lot coverage	Greater than 50% in total lot coverage
Minimum <b>Landscaped Open Space</b>	30%	Up to 5% reduction	Greater than 5% reduction
Maximum <b>Building Height</b>	9.5 m Flat Roof (FR) = 7.5 m – and shall not exceed	10 m FR = 8.0 m (# of storeys: no variation) (1)	Greater than 10 m FR = Greater than 8.0 m (# of storeys:

	Standard	Staff Variation Class 2 Permit	Council Variation Class 3 Permit
	2 storeys (1)		greater than 2 storeys) (1)
<b>Accessory Uses, Buildings and Structures</b>			
Minimum <b>Front Yard</b>	6 m	Up to 20% reduction	Greater than 20% reduction
Minimum <b>Interior Side Yard</b>	1 m	Up to 30% reduction	Greater than 30% reduction
Minimum <b>Exterior Side Yard</b>	3 m	Up to 30% reduction	Greater than 30% reduction
Minimum <b>Rear Yard</b>	1 m	Up to 30% reduction	Greater than 30% reduction
(1) A <b>storey</b> shall not include a <b>basement</b> or a walkout <b>basement</b> or a <b>storey</b> incorporated into the roofline of a <b>dwelling</b> .			

Table 5.6 - RL2 Precinct Regulations

	Single Detached Dwelling	Semi Detached Dwelling	Duplex	Street Townhouse dwelling and Block Townhouse Dwelling (regulations per dwelling unit)	Staff Variation Class 2 Permit	Council Variation Class 3 Permit
Minimum <b>Lot Area</b> (Interior Lot)	270 m2	240 m2	360 m2	180 m2 210 m2 at the end of a block	Up to 20% reduction	Greater than 20% reduction
Minimum <b>Lot Area</b> (Exterior Lot)	360 m2	330 m2	450 m2	270 m2	Up to 20% reduction	Greater than 20% reduction
Minimum <b>Lot Frontage</b> (Interior Lot)	9 m	8 m	12 m	6 m	Up to 20% reduction	Greater than 20% reduction
Minimum <b>Lot Frontage</b> (Exterior Lot)	12 m	11 m	15 m	9 m	Up to 20% reduction	Greater than 20% reduction
Minimum <b>Front Yard</b>	4.5 m	4.5 m	4.5 m	4.5 m	Up to 20% reduction	Greater than 20% reduction
Minimum <b>Interior Side Yard</b>	1.2 m on one side and 0.6 m on the other side,	1.0 m on one side and 0 m where there is a common wall	1.2 m on one side and 0.6 m on the other side (1)	0 m, or 1 m for an end unit	Up to 30% reduction	Greater than 30% reduction
Minimum <b>Exterior Side Yard</b>	3 m	3 m	3 m	3 m	Up to 30% reduction	Greater than 30% reduction
Minimum <b>Rear Yard</b>	7.5 m	7.5 m	7.5 m	7.5 m	Up to 30% reduction	Greater than 30% reduction
Maximum <b>Lot Coverage</b>	45%	45%	45%	50%	Up to 15% addition	Greater than 15% addition
Minimum <b>Landscaped Open Space</b>	30%	30%	30%	35%	Up to 5% reduction	Greater than 5% reduction
Maximum <b>Building Height</b>	9.5 m Flat Roof (FR) = 7.5 m – and shall not exceed 2 <b>storeys</b>	9.5 m Flat Roof (FR) = 7.5 m – and shall not exceed 2 <b>storeys</b>	9.5 m Flat Roof (FR) = 7.5 m – and shall not exceed 2 <b>storeys</b>	9.5 m Flat Roof (FR) = 7.5 m – and shall not exceed 2 <b>storeys</b>	10 m FR = 8.0 m (# of storeys: no variation)	Greater than 10 m FR = Greater than 8.0 m (# of storeys: greater than 2 storeys)
<b>Accessory Uses, Buildings and Structures</b>						
Minimum <b>Front Yard</b>	Refer to General Provisions					None

	Single Detached Dwelling	Semi Detached Dwelling	Duplex	Street Townhouse dwelling and Block Townhouse Dwelling (regulations per dwelling unit)	Staff Variation Class 2 Permit	Council Variation Class 3 Permit
Minimum <b>Interior Side Yard</b>	0.6 m	0.6 m	0.6 m	0.6 m or 0 m where there is a common wall.	Up to 30% reduction	Greater than 30% reduction
Minimum <b>Exterior Side Yard</b>	3 m	3 m	3 m	3 m	Up to 30% reduction	Greater than 30% reduction
Minimum <b>Rear Yard</b>	1 m	1 m	1 m	1 m	Up to 30% reduction	Greater than 30% reduction

Notes:

- 1) Notwithstanding the minimum interior side yard setback requirement, in the case where there is a detached garage, the minimum setback on one side shall be 3 metres.

Table 5.7: RM Precinct Regulations

	Single Detached Dwelling	Semi Detached Dwelling	Duplex / Triplex Dwelling	Street Townhouse Dwelling and Block Townhouse Dwelling (regulations per dwelling unit)	Back-to-Back Townhouse Dwelling	Stacked Townhouse Dwelling	Apartment Dwelling	Staff Variation Class 2 Permit	Council Variation Class 3 Permit
Minimum <b>Lot Area</b> (Interior Lot)	270 m <sup>2</sup>	240 m2	360 m2	180 m2 210 m2 at the end of a block	180 m2	180 m2	N/A	Up to 20% reduction	Greater than 20% reduction
Minimum <b>Lot Area</b> (Exterior Lot)	360 m2 for <b>single detached dwellings</b> (R3); 270 m2 for	330 m2 for <b>semi-detached dwellings</b>	450 m2 for <b>duplex dwellings</b>	270 m2 <b>townhouse dwellings</b>	270 m2 <b>townhouse dwellings</b>	270 m2 <b>townhouse dwellings</b>	165 m2 per unit for <b>apartment dwellings</b>	Up to 20% reduction	Greater than 20% reduction
Minimum <b>Lot Frontage</b> (Interior Lot)	9 m for <b>single detached dwellings</b>	8 m for <b>semi-detached dwellings</b>	12 m for <b>duplex dwellings</b>	6 m for <b>townhouse dwellings</b>	6 m for <b>townhouse dwellings</b>	6 m for <b>townhouse dwellings</b>	30 m for <b>apartment dwellings</b>	Up to 20% reduction	Greater than 20% reduction
Minimum <b>Lot Frontage</b> (Exterior Lot)	12 m for <b>single detached dwellings</b>	11 m for <b>semi-detached dwellings</b>	15 m for <b>duplex dwellings</b>	9 m for <b>townhouse dwellings</b>	9 m for <b>townhouse dwellings</b>	9 m for <b>townhouse dwellings</b>	30 m for apartment dwellings	Up to 20% reduction	Greater than 20% reduction
Minimum <b>Front Yard</b>	4.5 m	4.5 m	4.5 m	4.5 m	4.5 m	4.5 m	4.5 m	Up to 20% reduction	Greater than 20% reduction

	Single Detached Dwelling	Semi Detached Dwelling	Duplex / Triplex Dwelling	Street Townhouse Dwelling and Block Townhouse Dwelling (regulations per dwelling unit)	Back-to-Back Townhouse Dwelling	Stacked Townhouse Dwelling	Apartment Dwelling	Staff Variation Class 2 Permit	Council Variation Class 3 Permit
Minimum <b>Interior Side Yard</b>	1.2 m or 1.2 m on one side and 0.6 m on the other side where a <b>garage</b> is <b>attached</b> for <b>single detached dwellings</b>	1.2 m and 0 m for <b>semi-detached dwellings</b>	1.2 m or 1.2 m on one side and 0.6 m on the other side where a <b>garage</b> is <b>attached</b> for <b>duplex dwellings</b>	0 m, or 1.2 m for an end unit for <b>townhouse dwellings</b>	0 m, or 1.2 m for an end unit for <b>townhouse dwellings</b>	0 m, or 1.2 m for an end unit for <b>townhouse dwellings</b>	4 m for <b>apartment dwellings</b>	Up to 20% reduction	Greater than 20% reduction
Minimum <b>Exterior Side Yard</b>	3 m	3 m	3 m	3 m	3 m	3 m	3 m	Up to 20% reduction	Greater than 20% reduction
Minimum <b>Rear Yard</b>	7.5 m.	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	Up to 20% reduction	Greater than 20% reduction
Maximum <b>Lot Coverage</b>	45%	45%	45%	50%	50%	50%	50%	Up to 15% addition	Greater than 15% addition
Minimum <b>Landscaped Open Space</b>	30%	30%	30%	35%	35%	35%	35%	Up to 15% addition	Greater than 15% addition
Maximum <b>Building Height</b>	12.5 m Flat Roof (FR) = 10.m m – and shall not exceed 3 <b>storeys</b> (1)	12.5 m Flat Roof (FR) = 10.m m – and shall not exceed 3 <b>storeys</b> (1)	12.5 m Flat Roof (FR) = 10.m m – and shall not exceed 3 <b>storeys</b> (1)	12.5 m Flat Roof (FR) = 10.m m – and shall not exceed 3 <b>storeys</b> (1)	12.5 m Flat Roof (FR) = 10.m m – and shall not exceed 3 <b>storeys</b> (1)	12.5 m Flat Roof (FR) = 10.m m – and shall not exceed 3 <b>storeys</b> (1)	12.5 m Flat Roof (FR) = 10.m m – and shall not exceed 3 <b>storeys</b> (1)	13 m FR = 10.5 m (# of storeys: no variation)	Greater than 13 m FR = Greater than 10.5 m (# of storeys: greater than 3 storeys)
<b>Accessory Uses, Buildings and Structures</b>									
Minimum <b>Front Yard</b>	Refer to General Provisions							Up to 10% reduction for <b>apartment dwellings</b>  None for other uses	Greater than 10% reduction for <b>apartment dwellings</b>
Minimum <b>Interior Side Yard</b>	1 m	1 m	1 m	0 m (interior) or 1.0 m (end of interior block of <b>attached townhouse dwellings</b> )	0 m (interior) or 1.0 m (end of interior block of <b>attached townhouse dwellings</b> )	0 m (interior) or 1.0 m (end of interior block of <b>attached townhouse dwellings</b> )	2 m for <b>uses</b> with <b>apartment dwellings</b>	Up to 20% reduction	Greater than 20% reduction
Minimum <b>Exterior</b>	3 m	3 m	3 m	3 m	3 m	3 m	3 m	Up to 20% reduction	Greater than 20% reduction



	Single Detached Dwelling	Semi Detached Dwelling	Duplex / Triplex Dwelling	Street Townhouse Dwelling and Block Townhouse Dwelling (regulations per dwelling unit)	Back-to-Back Townhouse Dwelling	Stacked Townhouse Dwelling	Apartment Dwelling	Staff Variation Class 2 Permit	Council Variation Class 3 Permit
Side Yard									
Minimum Rear Yard	1 m	1 m	1 m	1 m	1 m	1 m transition	1 m	Up to 20% reduction	Greater than 20% reduction
(1) A <b>storey</b> shall not include a <b>basement</b> or a walkout <b>basement</b> or a <b>storey</b> incorporated into the roofline of a <b>dwelling</b> .									

## 5.4 Shoreline Residential Precinct Regulations

(a) Table 5.8 shall apply to **lots** within settlement areas:

**Table 5.8 - Shoreline Residential Precinct - Settlement Areas**

	<b>Standard</b>	<b>Staff Variation Class 2 Permit</b>	<b>Council Variation Class 3 Permit</b>
Minimum <b>Lot Area</b>	1,400 m <sup>2</sup>	Up to 40% reduction	Greater than 40% reduction
Minimum <b>Lot Frontage</b>	17 m	Up to 1 m reduction	Greater than 1 m reduction
Minimum <b>Water Frontage</b>	15 m	Up to 2 m reduction	Greater than 2 m reduction
Minimum <b>Waterfront Yard</b>	<b>Lot depth</b> 60 m or less = 15 m <b>setback</b>	Up to 50% reduction	Greater than 50% reduction
	<b>Lot depth</b> greater than 60 m = 30 m <b>setback</b> from the <b>water's edge</b>	Up to 50% reduction	Greater than 50% reduction
	<b>Attached decks</b> , porches, <b>pergolas</b> , <b>gazebos</b> , or any other <b>attached accessory structure</b> to a <b>dwelling</b> or <b>attached garage</b> = 15 m	Up to 30% reduction	Greater than 30% reduction
Minimum <b>Front Yard</b>	<b>Dwelling unit</b> = 4.5 m <b>Attached garage</b> = 6 m <b>Attached garage</b> with <b>motor vehicle</b> door(s) facing the interior/ <b>exterior side yard</b> = 4.5 m <b>Attached decks</b> /porches/balconies = 3 m	Up to 15% reduction	Greater than 15% reduction

	Standard	Staff Variation Class 2 Permit	Council Variation Class 3 Permit
Maximum <b>Front Yard</b>	<b>Dwelling unit</b> = 7 m <b>Attached garage</b> = 7 m	Up to 20% increase	Greater than 20% increase
Minimum <b>Interior Side Yard</b>	<b>Dwelling unit</b> = 1.5 m <b>Attached Garage</b> = 1.5 m <b>Attached Garage</b> with <b>motor vehicle</b> door(s) facing the <b>interior side yard</b> = 6 m <b>Attached decks/porches/balconies</b> = 1.5 m	Up to 50% reduction	Greater than 50% reduction
Minimum <b>Exterior Side Yard</b>	<b>Dwelling unit</b> = 4 m <b>Attached Garage</b> = 4 m <b>Attached Garage</b> with <b>motor vehicle</b> door(s) facing the <b>exterior side yard</b> = 6 m <b>Attached decks/porches/balconies</b> = 3 m	Up to 50% reduction	Greater than 50% reduction
Maximum Total <b>Lot Coverage</b>	35%	Increase to 50%	Greater than 50%
<b>Landscaped Open Space</b> (Minimum of a <b>Lot Area</b> )	40%	Up to 20% reduction	Greater than 20% reduction
<b>Landscaped Open Space</b> (Minimum of <b>Front Yard</b> and <b>Exterior Side Yard</b> )	40%	Up to 20% reduction	Greater than 20% reduction
Maximum <b>Building</b> Height	9.5 m Flat Roof (FR) = 7.5 m	10 m (1) (2) FR = 8.0 m (1)(2)	Greater than 10 m FR = Greater than 8.0 m
<b>Attached Garage</b> Door(s) Openings for When Facing a <b>Street</b> (Maximum)	50% of the <b>principal building</b> width	Up to 20% increase	Greater than 20% increase

	Standard	Staff Variation Class 2 Permit	Council Variation Class 3 Permit
(1) Shall increase one <b>side yard</b> to a minimum of 3.0 metres for the <b>dwelling</b> . In the case of a <b>corner lot</b> , the increased <b>side yard</b> of 4.5 metres for the <b>dwelling</b> shall be located from the interior <b>lot line</b> .			
(2) A <b>breezeway</b> may be permitted to attach to the <b>dwelling</b> and <b>garage</b> and shall be subject to the standards and provisions as noted in the above chart for an <b>attached garage</b> . The <b>breezeway</b> shall have a minimum width of 1.2 metres and a maximum length of 10 metres.			

(b) Table 5.9 shall apply to **lots** located outside of settlement areas with **lot areas** under 7,900 m<sup>2</sup>:

**Table 5.9 - Shoreline Residential Precinct - Lots Located Outside of Settlement Areas With Lot Areas Under 7,900 m<sup>2</sup>**

	Standard	Staff Variation Class 2 Permit	Council Variation Class 3 Permit
Minimum <b>Lot Area</b>	5,260 m <sup>2</sup>	Up to 10% reduction	Greater than 10% reduction
Minimum <b>Lot Frontage</b>	45 m	Up to 10% reduction	Greater than 10% reduction
Minimum <b>Water Frontage</b>	40 m	Up to 10% reduction	Greater than 10% reduction
Minimum <b>Waterfront Yard</b>	30 m	Up to 50% reduction	Greater than 50% reduction
	<b>Attached decks, porches, pergolas, gazebos, or any other attached accessory structure to a dwelling or</b>	Up to 30% reduction	Greater than 30% reduction

	<b>Standard</b>	<b>Staff Variation Class 2 Permit</b>	<b>Council Variation Class 3 Permit</b>
	<b>attached garage = 15 m</b>		
<b>Minimum Front Yard</b>	<b>Dwelling unit = 15 m</b> <b>Attached garage = 12 m</b> <b>Attached garage with motor vehicle door(s) facing the interior/exterior side yard = 10 m</b> <b>Attached decks/porches/balconies = 6 m</b>	Up to 50% reduction	Greater than 50% reduction
<b>Minimum Interior Side Yard</b>	<b>Dwelling unit = 1.5 m</b> <b>Attached Garage = 1.5 m</b> <b>Attached Garage with motor vehicle door(s) facing the interior side yard = 6 m</b> <b>Attached decks/porches/balconies = 1.5 m</b>	Up to 50% reduction	Greater than 50% reduction
<b>Minimum Exterior Side Yard</b>	<b>Dwelling unit = 15 m</b> <b>Attached Garage = 5 m</b> <b>Attached Garage with motor vehicle door(s) facing the exterior side yard = 10 m</b> <b>Attached decks/porches/balconies = 6 m</b>	Up to 50% reduction	Greater than 50% reduction
<b>Maximum Lot Coverage</b>	15%	Increase to 25%	Greater than 25%
<b>Landscaped Open Space (Minimum of a Lot Area)</b>	60%	Up to 40% reduction	Greater than 40% reduction
<b>Landscaped Open Space (Minimum of Front Yard and Exterior Side Yard)</b>	60%	Up to 40% reduction	Greater than 40% reduction

	Standard	Staff Variation Class 2 Permit	Council Variation Class 3 Permit
Maximum <b>Building</b> Height	9.5 m Flat Roof (FR) = 7.5 m	10 m (1) (2) FR = 8.0 m (1) (2)	Greater than 10 m FR = Greater than 8.0 m
(1) Shall increase one <b>side yard</b> to a minimum of 3.0 metres for the <b>dwelling</b> . In the case of a <b>corner lot</b> , the increased <b>side yard</b> of 7.5 metres for the <b>dwelling</b> shall be located from the interior <b>lot line</b> .			
(2) A <b>breezeway</b> may be permitted to <b>be attached</b> to the <b>dwelling</b> and <b>garage</b> and shall be subject to the standards and provisions as noted in the above chart for an <b>attached garage</b> . The breeze way shall be a wholly enclosed corridor providing access from the <b>dwelling</b> to the <b>garage</b> with a minimum width of 1.2 metres and a maximum length of 10 metres.			

(c) The following chart shall apply to **lots** located outside of settlement areas with **lot areas** over 7,900 m<sup>2</sup>.

**Table 5.10 - Shoreline Residential Precinct - Lots Located Outside of Settlement Areas with Lot Areas Over 7,900 m<sup>2</sup>**

	<b>Standard</b>	<b>Staff Variation Class 2 Permit</b>	<b>Council Variation Class 3 Permit</b>
Minimum <b>Lot Area</b>	7,900 m <sup>2</sup>	None	None
Minimum <b>Lot Frontage</b>	61 m	Up to 10%	Greater than 10% reduction
Minimum <b>Water Frontage</b>	55 m	Up to 10% reduction	Greater than 10% reduction
Minimum <b>Waterfront Yard</b>	30 m	Up to 50% reduction	Greater than 50% reduction
	<b>Attached decks, porches, pergolas, gazebos, or any other attached accessory structure to a dwelling or attached garage = 20 m</b>	Up to 30% reduction	Greater than 30% reduction
Minimum <b>Front Yard</b>	<b>Dwelling unit = 20 m</b> <b>Attached garage = 15 m</b> <b>Attached garage with motor vehicle door(s) facing the interior/exterior side yard = 10 m</b> <b>Attached decks/porches/balconies = 10 m</b>	Up to 50% reduction	Greater than 50% reduction
Minimum <b>Interior Side Yard</b>	<b>Dwelling unit = 6 m</b> <b>Attached Garage = 6 m</b> <b>Attached Garage with motor vehicle</b>	Up to 50% reduction	Greater than 50% reduction



	Standard	Staff Variation Class 2 Permit	Council Variation Class 3 Permit
	door(s) facing the <b>interior side yard</b> = 12 m <b>Attached decks</b> /porches/balconies = 6 m		
Minimum <b>Exterior Side Yard</b>	<b>Dwelling unit</b> = 15 m <b>Attached Garage</b> = 6 m <b>Attached Garage</b> with <b>motor vehicle</b> door(s) facing the <b>exterior side yard</b> = 10 m <b>Attached decks</b> /porches/balconies = 6 m	Up to 50% reduction	Greater than 50% reduction
Maximum <b>Lot Coverage</b>	15%	Increase to 25%	Greater than 25%
<b>Landscaped Open Space</b> (Minimum of a <b>Lot Area</b> )	60%	Up to 40% reduction	Greater than 40% reduction
<b>Landscaped Open Space</b> (Minimum of <b>Front Yard</b> and <b>Exterior Side Yard</b> )	60%	Up to 40% reduction	Greater than 40% reduction
Maximum <b>Building</b> Height	9.5 m Flat Roof (FR) = 7.5 m	10 m (1)(2) FR = 8.0 m (1)(2)	Greater than 10 m Greater than 8.0 m
(1) Shall increase one <b>side yard</b> to a minimum of 3.0 metres for the <b>dwelling</b> . In the case of a <b>corner lot</b> the increased <b>side yard</b> of 7.5 metres for the <b>dwelling</b> shall be located from the interior <b>lot line</b> .			
(2) A <b>breezeway</b> may be permitted <b>attached</b> to the <b>dwelling</b> and <b>garage</b> and shall be subject to the standards and provisions as noted in the above chart for an <b>attached garage</b> . The <b>breezeway</b> shall be a wholly enclosed corridor providing access from the <b>dwelling</b> to the <b>garage</b> with a minimum width of 1.2 metres and a maximum length of 10 metres.			

## 5.5 Accessory Uses, Buildings and Structures in the Shoreline Residential Precinct

1. All detached **accessory** uses, **buildings** and **structures** located in the **Shoreline** Residential Precinct shall comply with Section 3.3 and the following additional provisions:
  - a) Notwithstanding 3.1.27 (b), the following shall be permitted prior to the construction of the **principal building**:
    - i) one (1) shed or **storage shed** that is not more than 10 square metres in **floor area**;
    - ii) one (1) **dock**; and,
    - iii) stairs and associated **landings** located within the **waterfront yard**.

### 5.6.1 Boathouses / Boatports

- a) A **boathouse/boatport** is a discretionary use in the **shoreline buffer** area and **waterfront yard** and are subject to a Class 3 permit and shall be subject to the provisions as described in Table 5.11:

**Table 5.11: Boathouses / Boatport Provisions**

Minimum water frontage		Max. Height (2) metres	Max. Width metres	Max. Length metres	Max. Projection into Lake Simcoe (1)	Council Variation Class 3 Permit	Side Yard Setback	Council Variation Class 3 Permit
< 15 m	On Land	3	3	10	1	Up to 50% increase	5 m	Up to 10% decrease
	In Water	3	3	9	9			
15 m - <45 m	On Land	3.6	7	12	1		5 m	
	In Water	3	5	9	9			
46 m - <60 m	On Land	3.6	10	12	1		6 m	
	In Water	3.0	7	10	10			
61 m and greater	On Land	4	14	14	1		6 m	
	In Water	3.6	9	10	10			

- 1) Where the maximum projection into Lake Simcoe is proposed to be increased through a Class 3 permit, the **side yard setback** on both sides of the property shall be increased by a distance equal to the proposed projection over the permitted projection standard.
- 2) In addition to the permissible variations for maximum height, under the provisions of Facilities, Services and Matters (Section 1.29), **Council** as a Class 3 permit can approve variations in **boathouse/boatport** height up to a maximum of 2 storeys, and taller than the maximum permitted height in metres in Table 5.11, subject to the following:
  - (a) The second storey of the **boathouse/boatport** is non-habitable; and
  - (b) The second storey of the **boathouse/boatport** is smaller in gross floor area than the first storey, and the second storey of the **boathouse/boatport** incorporates stepbacks from the floor below; and
  - (c) Satisfaction of the criteria listed in Section 1.10 of this By-law.

b) Additional Provisions

- i. A total of one (1) **boathouse/boatport** is permitted per lot.
- ii. No portion of any **boathouse/boatport** shall be used for **human habitation** or a **dwelling** at any time, including sleeping, cooking or living area, and shall not contain a sauna, washroom, hot tub, whirlpool or other similar type of use.
- iii. The **boathouse/boatport** shall not be serviced by natural gas, propane, oil or other similar type of fuel or potable water.
- iv. Any portion of a **boathouse/boatport** that projects greater than 1 metre into Lake Simcoe from the **water's edge** shall meet the standards and provisions of an in water **boathouse/boatport**.
- v. Any **boathouse/boatport** shall not impede the natural flow of water along the **shoreline** or harmfully **alter** fish habitat.
- vi. Any water **structures, decks or patios** surrounding the **boathouse/boatport** shall be included in the maximum **floor area** of the **boathouse/boatport**.
- vii. Any in water **boathouse/boatport** may be permitted on top of a **dock**.

### 5.6.2 Docks, Ramps, Boat Lifts, Marine Railways, and Groynes (Water Structures)

- a) The following provisions in Table 5.12 shall apply to **docks**, ramps, boat lifts marine railways, and groynes, including permanent, temporary, **seasonal** and floating/non-floating **water structures**.

**Table 5.12: Water Structure Provisions**

	<b>Standard</b>	<b>Staff Variation Class 2 Permit</b>	<b>Council Variation Class 3 Permit</b>
Quantity Per <b>Lot</b> (maximum)	1 water <b>structure</b>	2 to 3 water <b>structures</b>	Greater than 3 water <b>structures</b>
Minimum <b>Side Yard Setback</b>	5 m	1 m 0 m where supported by report identified in additional provision (v).	N/A
Permanent <b>Dock</b> / Marine Railways Projection into Lake Simcoe (maximum)	20 m	Up to 30 m	Up to 40 m
Permanent Cumulative <b>Dock</b> Area (maximum)	50 m <sup>2</sup>	Up to 75 m <sup>2</sup>	Up to 115 m <sup>2</sup>

b) Additional Provisions

- i. Single **storey gazebos, pergolas**, tents, canopies or any other similar **structures** are permitted on or within any of the Water **Structures** within 10 metres from the **shoreline**;
- ii. Water **Structures** shall be located in front of the Owner's property;
- iii. The **side yard** property line located on the water is determined by projecting the **existing** property line from the **water's edge** into Lake Simcoe. **Setbacks** shall be measured from the property line projection;
- iv. A coastal engineering report is required for **permanent Water Structures** to mitigate any identified impacts;
- v. A coastal engineering report may be required for **seasonal Water Structures** to mitigate any identified impacts;
- vi. Breakwaters/revetments, rock groynes and shoals are not encouraged and, where proposed, are included in the total area of the **dock** and a coastal engineering report is required;

- vii. Water **Structures** cannot impede the natural flow of water along the **shoreline** or harmfully **alter** fish habitat;
- viii. The following criteria shall be reviewed by Staff when siting any water **structures**:
  - i. Water depth of Lake Simcoe in the vicinity of the subject lands;
  - ii. Projections of **docks**, ramps and boatlifts of abutting properties;
  - iii. Interference with the **docks** of abutting properties; and
  - iv. The shape and formation of the **shoreline**.
- ix. Notwithstanding the above, where a Water **Structure** is proposed to be in front of publicly owned land, such as a park, beach or a municipal road end, a Class 3 permit is required.

### 5.6.3 Detached Garage

- a) The provisions in Section 3.12 shall apply to detached **garages** in addition to the provisions of Table 5.13:

**Table 5.13 - Detached garage provisions in the Shoreline Residential Precinct**

	Standard	Staff Variation Class 2 Permit	Council Variation Class 3 Permit
Quantity Per <b>Lot</b> (maximum)	1	More than 1	N/A
Minimum <b>Waterfront Yard</b>	Not permitted in <b>Waterfront Yard</b>	30 m or 15 m where the <b>lot depth</b> is less than 60 m	None
Minimum <b>Interior Side Yard</b>	3 m	Reduction to 1 m	Reduction to less than 1 m
Minimum <b>Exterior Side Yard</b>	3 m	Reduction to 1 m	Reduction to less than 1 m
<b>Floor Area</b> for Second Story (maximum)	50 m <sup>2</sup>	25% increase	50% increase



#### 5.6.4 Storage Shed

- a) The provisions in Table 5.14 shall apply to **storage sheds**.

**Table 5.14 - Storage shed provisions in the Shoreline Residential Precinct**

	Standard	Staff Variation Class 2 Permit
Quantity Per <b>Lot</b> (maximum)	1	More than 1
Minimum <b>Waterfront Yard Setback</b>	1 m	None
Minimum <b>Front Yard</b>	5 m  Not permitted in <b>front yard</b> in settlement areas	Reduction to 1 m
Minimum <b>Interior Side Yard</b>	2.5 m	Reduction to 1 m
Minimum <b>Exterior Side Yard</b>	3 m	Reduction to 1 m
Maximum <b>Building</b> Height	4 m	6 m

### 5.6.5 Other Detached Accessory Structures/Uses

The provisions in Table 5.15 shall apply to other **accessory** uses:

**Table 5.15 – Other detached accessory structures/uses provisions in the Shoreline Residential Precinct**

	Qty (maximum)	Front Yard Setback (minimum)	Waterfront Yard Setback (minimum)	Side Yard Setback (minimum)	Staff Variation Class 2 Permit	Council Variation Class 3 Permit
<b>Gazebo, pergolas,</b> etc.	1	5 m  Not permitted in <b>front yard</b> within settlement areas	5 m	Interior = 3 m  Exterior = 5 m	25% reduction where standard is a minimum, or increase where standard is a maximum	50% reduction where standard is a minimum, or increase where standard is a maximum
Saunas, hot tubs, whirlpools	2	Not permitted in <b>front yard</b>	15 m			
<b>Swimming pools,</b> tennis courts, other recreational uses	1	5 m  Not permitted in <b>front yard</b> within settlement areas	30 m			
<b>Sleeping cabins</b> can be standalone or on top of a <b>garage</b>	1	5 m	15 m	Equal to the <b>side yard</b> of the principal <b>dwelling</b>		

## Section 6 - Commercial and Mixed Use Precincts

**6.1** The Commercial and Mixed Use Precincts established by the By-law are noted in **Table 6.1** as follows:

**Table 6.1: Commercial and Mixed Use Precincts**

Precinct	Symbol
Mixed Use Precinct	MU
Neighbourhood Commercial Precinct	NC

### 6.2 Permitted Uses

**Uses** permitted in the Mixed Use and Neighbourhood Commercial Precincts are identified with a “P” in the column applicable to the Precinct and corresponding with the row for a specific permitted **use** in Table 6.2. All permitted **uses** shall be subject to the applicable Precinct regulations provided in Sections 6.3, Section 6.4, and the general provisions provided in Section 3.0, where applicable.

**Table 6.2 – Mixed Use Permitted Uses**

	Mixed Use Precinct	Neighbourhood Commercial Precinct
<b>Principal Use</b>		
<b>Residential Uses</b>		
Apartment dwelling	P (2)	P
Existing single-detached dwelling	P (1)	
Existing semi-detached dwelling	P (1)	
Existing duplex dwelling	P (1)	
Existing townhouse dwelling	P (1)	
<b>Commercial Uses</b>		
Bake shop	P	P
Banquet hall	P	P
Commercial school	P	
Convenience store	P	P
Custom workshop	P	P
Child Care Centre	P	P
Financial institution (3)	P	P
Fitness centre	P	P

	Mixed Use Precinct	Neighbourhood Commercial Precinct
Fruit and vegetable produce market	P	P
Funeral home	P	
Grocery store	P	P
Hotel, motel	P	P
Indoor Recreational Centre	P	P
Laundry and dry-cleaning depot	P	P
Medical office	P	P
Motor vehicle dealership		P
Motor vehicle gas bar		P
Motor vehicle washing establishment		P
Personal service establishment	P	P
Pet day care establishment	P	P
Photography or artist's studio	P	P
Place of entertainment	P	P
Printing and publishing establishment	P	P
Professional office	P	P
Restaurant (3)	P	P
Retail store	P	P
Self-Storage Units		P
Service and repair establishment	P	P
Shopping centre	P	P
Taxi stand or dispatch office	P	P
Veterinary clinic	P	
Warehouse retail		P
<b>Community Services Uses</b>		
Government facility	P	P
Long term care home or nursing home	P	P
Park	P	P
Place of worship	P	P
Public parking lot or structure	P	P
Public uses	P	P
Retirement home	P	P
School	P	P
University or college	P	P

	Mixed Use Precinct	Neighbourhood Commercial Precinct
<b><i>Accessory Use, Buildings and Structures</i></b>		
<b>Accessory buildings and structures (1)</b>	P	P
<b>Additional Dwelling Unit (1)</b>	P	P
<b>Outdoor patio</b>	P	P
<b>Outdoor rooftop patio (accessory use)</b>	P	

Notes:

- (1) Existing single-detached, semi-detached, duplex and townhouse dwellings, existing as of the date of this By-law, shall be permitted. Additions and/or extensions to single-detached and semi-detached dwellings shall be subject to the applicable provisions of the RL2 Precinct.
- (2) Residential **dwelling units** are only permitted as part of a **building** containing at least 50% **non-residential uses** on the ground floor. Residential **dwelling units** are not permitted in the **basement** or on the first storey if they front Innisfil Beach Road (i.e. in the first **storey**). Residential **dwelling units** are permitted to maintain frontage along side streets.
- (3) The establishment of a drive-through service facility on a **lot** fronting on Innisfil Beach Road is not Permitted.

### 6.3 Mixed Use Precinct Regulations

- a) The following Precinct regulations identified in Table 6.3 shall apply to the Mixed Use Precinct.

**Table 6.3 – Mixed Use Precinct Regulations**

<b>Provisions</b>	<b>Mixed Use Buildings</b>	<b>Stand-Alone Commercial and Community Services Buildings</b>	<b>Apartment Dwellings</b>	<b>Staff Variation Class 2 Permit</b>	<b>Council Variation Class 3 Permit</b>
Minimum <b>Lot area</b>	2000 m <sup>2</sup>	2000 m	500 m <sup>2</sup>	Up to 20% reduction	Greater than 20% reduction, up to 50% reduction
Minimum <b>Lot Frontage</b>	15 m	15 m	15 m	Up to 20% reduction	Greater than 20% reduction, up to 50% reduction
Minimum <b>Building Frontage</b>	N/A	N/A	N/A	Up to 20% reduction	Greater than 20% reduction, up to 50% reduction
Minimum <b>Front Yard</b>	1 m (1)	1 m (1)	3 m (1)	Up to 20% reduction	Greater than 20% reduction, up to 50% reduction
Maximum <b>Front Yard</b>	4 m (1)	4 m (1)	4 m (1)	Up to 20% increase	Greater than 20% increase, up to 50% increase

<b>Provisions</b>	<b>Mixed Use Buildings</b>	<b>Stand-Alone Commercial and Community Services Buildings</b>	<b>Apartment Dwellings</b>	<b>Staff Variation Class 2 Permit</b>	<b>Council Variation Class 3 Permit</b>
<b>Minimum Interior Side Yard</b>	0 m; Except where residential uses are abutting a side property line, a minimum of 3 m shall be provided; Except where a driveway is provided which leads to a parking area, a minimum of 4.5 m shall be provided.	0 m	0 m; Except where residential uses are abutting a side property line, a minimum of 3 m shall be provided; Except where a driveway is provided which leads to a parking area, a minimum of 4.5 m shall be provided.	Where abutting a Residential Precinct, up to 25% reduction	Where abutting a Residential Precinct, greater than 20% reduction, up to 50% reduction
<b>Minimum Exterior Side Yard</b>	1 m	0 m	3 m	Up to 20% reduction	Greater than 20% reduction, up to 50% reduction
<b>Minimum Rear Yard</b>	7.5 m	7.5 m	7.5 m	Up to 20% reduction	Greater than 20% reduction, up to 50% reduction



<b>Provisions</b>	<b>Mixed Use Buildings</b>	<b>Stand-Alone Commercial and Community Services Buildings</b>	<b>Apartment Dwellings</b>	<b>Staff Variation Class 2 Permit</b>	<b>Council Variation Class 3 Permit</b>
Minimum <b>Building Height</b>	7.5 m	4.5 m	7.5 m	Up to 1.0 m reduction	Greater than 1 m reduction, up to 3.6 m reduction
Maximum <b>Building Height</b>	15 m and subject to a 45 degree angular plane (3)	9 m	14 m and subject to a 45 degree angular plane (3)	20 m (3)	Greater than 20 m (3)
Minimum <b>landscaped open space</b>	35%	20%	35%	N/A	N/A
Minimum width of landscaped strip at rear <b>lot line</b>	3 m, if the rear lot line abuts a Residential zone or 1.5 m, if the rear lot line abuts an Open Space or Environmental Protection Zone	3 m, if the rear lot line abuts a Residential zone or 1.5 m, if the rear lot line abuts an Open Space or Environmental Protection Zone	0 m; except where the yard abuts a Residential Zone in which case the minimum required yard is 3 m or where the yard abuts an Open Space or Environmental Protection Zone, in which case the minimum required yard is 1.5 m	up to 20% reduction	Greater than 20% reduction, up to 50% reduction
Minimum width of landscaping adjacent to	2.4 m	0 m	0 m; Except where the yard abuts a residential zone, a	up to 25% reduction	Greater than 20% reduction, up

<b>Provisions</b>	<b>Mixed Use Buildings</b>	<b>Stand-Alone Commercial and Community Services Buildings</b>	<b>Apartment Dwellings</b>	<b>Staff Variation Class 2 Permit</b>	<b>Council Variation Class 3 Permit</b>
the interior <b>lot lines</b>			minimum of 3 m shall be provided.		to 50% reduction
Minimum Amenity Space	4 m2 per residential unit (2)	N/A	4 m2 per residential unit (2)	Up to 20% reduction	Greater than 20% reduction, up to 50% reduction

## Notes:

- (1) Notwithstanding any other provisions of this By-law, where a lot directly abuts Innisfil Beach Road, the front lot line (front yard) is considered to be the property line abutting the planned width of Innisfil Beach Road.
- (2) Units shall have amenity space provided at a minimum rate of 4 m2 per unit, of which: a minimum of 2 m2 per unit shall be indoor amenity space; a minimum of 40 m2 shall be outdoor amenity space in a location adjoining or directly accessible to the indoor amenity space.
- (3) Notwithstanding any other provisions of this By-law, **mixed use buildings** and **apartment dwellings** which maintain frontage on Innisfil Beach Road will have a maximum height of 26 m and be subject to the 45 degree angular plane. Proposed heights greater than 26 m shall be subject to a Council Variation Class 3 Permit.

**b) Additional Provisions**

The following additional provisions shall apply. Variations to any of the following provisions shall be subject to a Class 2 Community Planning Permit application:

**(1) Additional Setback Above 4 Storeys**

- a) Where the building height is greater than 4 storeys, at and above the fourth storey a building must be setback a minimum of 1 m more than the provided setback from the front lot line as set out, and from the exterior side yard.

**(2) Outdoor Patios on Roofs**

Outdoor Roof Top **Patios** are permitted. Those seeking to develop **outdoor patios** on roofs are required to submit scaled, dimensioned drawings to be approved by Town Planning Staff. Notwithstanding any provisions of this By-law, every outdoor **patio** shall comply with the following:

- a) Commercial outdoor rooftop patios are to be situated within the front half of a building, oriented towards Innisfil Beach Road and are not permitted within buildings containing residential uses.

- b) Seating Capacity Requirements:

No **outdoor patio** shall provide for:

- i) More than 50% of the seating accommodation permitted under the Liquor License Act, R.S.O. 1990, c.L.19, as amended, to the **restaurant** with which the outdoor commercial **patio** is associated; or,
- ii) Seating accommodation for more than thirty (30) persons, whichever is the greater.

- c) Prohibition of Commercial Entertainment and Recreation:

That portion of a **lot** on which the **outdoor patio** is permitted shall not be used for commercial entertainment or commercial recreation including live or recorded music or dance facilities.

- d) Lighting

Direct any lighting away from adjoining properties and streets.

- e) Exit(s)

Regular ingress and egress must be provided from the interior of the building, and any exterior stair access shall only be used for emergency and fire in accordance with the Ontario Building Code.

f) **Sound Attenuation**

Where a proposed **outdoor patio** is adjacent a **residential use**, a noise study will be required which may recommend the installation of an acoustical wall to attenuate noise from the roof-top **patio** to acceptable limits.

**(3) Parking Standards**

In addition to the Parking Provisions of Section 3.35, the following additional provisions shall apply:

- a) **Parking spaces** shall not be located between the **building** face and Innisfil Beach Road, or between the **building** face, and the **exterior side yard**.

**(4) Accessory Buildings and Storage**

Notwithstanding any provisions to the contrary, **accessory buildings** and storage shall comply with the following:

- a) **Accessory buildings** and storage shall only be permitted in the **rear yard**;
- b) All storage must be completely enclosed in a building; and
- c) **Outdoor storage** is not permitted.

## 6.4 Neighbourhood Commercial Precinct Regulations

a) The following Precinct regulations identified in Table 6.4 shall apply to the Neighbourhood Commercial Precinct.

**Table 6.4 – Neighbourhood Commercial Precinct Regulations**

<b>Provisions</b>	<b>Mixed Use Buildings</b>	<b>Stand-Alone Commercial and Community Services Buildings</b>	<b>Staff Variation Class 2 Permit</b>	<b>Council Variation Class 3 Permit</b>
<b>Minimum Lot area</b>	Mixed use: 1000 m <sup>2</sup>	2000 m <sup>2</sup>	Up to 50% reduction	Greater than 50% reduction, up to 100% reduction
<b>A: Minimum Lot Frontage</b>	Mixed use: 15 m	15 m	Up to 20% reduction	Greater than 20% reduction, up to 50% reduction

<b>Provisions</b>	<b>Mixed Use Buildings</b>	<b>Stand-Alone Commercial and Community Services Buildings</b>	<b>Staff Variation Class 2 Permit</b>	<b>Council Variation Class 3 Permit</b>
Minimum <b>Building Frontage</b>	N/A	N/A	Up to 20% reduction	Greater than 20% reduction, up to 50% reduction
B: Minimum <b>Front Yard</b>	1m (1)	1 m (1)	Up to 100% reduction	N/A
B: Maximum <b>Front Yard</b>	N/A	4 m (1)	N/A	N/A
C: Minimum <b>Interior Side Yard</b>	0 m; Except where residential uses are abutting a side property line, a minimum of 3 m shall be provided; Except where a driveway is provided which leads to a parking area, a minimum of 4.5 m shall be provided.	0 m	Up to 50% reduction	Greater than 50% reduction, up to 100% reduction

<b>Provisions</b>	<b>Mixed Use Buildings</b>	<b>Stand-Alone Commercial and Community Services Buildings</b>	<b>Staff Variation Class 2 Permit</b>	<b>Council Variation Class 3 Permit</b>
<b>Minimum Exterior Side Yard</b>	Mixed use: 8 m  Where the <b>exterior side yard</b> abuts a Residential Precinct, it shall be subject to the 45-degree <b>angular plane</b>	0 m	Up to 50% reduction	Greater than 50% reduction, up to 100% reduction
<b>Minimum Rear Yard</b>	7.5 m	7.5 m	Up to 50% reduction	Greater than 50% reduction, up to 100% reduction
<b>Minimum Building Height</b>	N/A	7.5 m	Up to 1.0 m reduction	Greater than 1 m reduction, up to 3.6 m reduction
<b>Maximum Building Height</b>	15 m and subject to a 45-degree <b>angular plane</b>	15 m and subject to a 45-degree <b>angular plane</b>	Up to 2.0 m increase	Greater than 2.0 m increase
<b>Minimum landscaped open space</b>	35%	20%	Up to 50% reduction	Greater than 50% reduction, up to 100% reduction
<b>Minimum width of landscaped strip at front and</b>	1.2 m	0 m	Up to 50% reduction	Greater than 50% reduction, up to 100% reduction

<b>Provisions</b>	<b>Mixed Use Buildings</b>	<b>Stand-Alone Commercial and Community Services Buildings</b>	<b>Staff Variation Class 2 Permit</b>	<b>Council Variation Class 3 Permit</b>
<b>exterior side lot lines</b>				
Minimum width of landscaped strip at rear <b>lot line</b>	3 m, if the rear lot line abuts a Residential zone or 1.5 m, if the rear lot line abuts an Open Space or Environmental Protection Zone	3 m, if the rear lot line abuts a Residential zone or 1.5 m, if the rear lot line abuts an Open Space or Environmental Protection Zone	Up to 50% reduction	Greater than 50% reduction, up to 100% reduction
Minimum width of landscaping adjacent to the interior <b>lot lines</b>	2.4 m	0 m	Up to 50% reduction	Greater than 50% reduction, up to 100% reduction
Minimum Amenity Space	4 m <sup>2</sup> per residential unit (2)	N/A	Up to 20% reduction	Greater than 20% reduction, up to 50% reduction

Notes:

(1) Notwithstanding any other provisions of this By-law, where a **lot** directly abuts Innisfil Beach Road, the **front lot line (front yard)** will be considered to be the property line abutting the planned width of Innisfil Beach Road.



(2) Units shall have amenity space provided at a minimum rate of 4 m<sup>2</sup> per unit, of which: a minimum of 2 m<sup>2</sup> per unit shall be indoor amenity space; a minimum of 40 m<sup>2</sup> shall be outdoor amenity space in a location adjoining or directly accessible to the indoor amenity space.

## b) Additional Provisions

The following additional provisions shall apply. Variations to any of the following provisions shall be subject to a Class 2 Community Planning Permit application:

### (1) Permitted Front Yard Encroachments on to Innisfil Beach Road

#### a) Private Lands

Notwithstanding any other provisions of this By-law, **front yard** encroachments for balconies, porches, canopies, eaves and bay windows are permitted up to 1 m.

#### b) Public Lands

Notwithstanding any of the provisions of this By-law, **front yard** encroachments for **outdoor patios** are permitted to the near side of the sidewalk.

### (2) Outdoor Roof Top Patios

Outdoor Roof Top **Patios** are permitted in MU2 and MU3 zones. Those seeking to develop rooftop **patios** are required to submit scaled, dimensioned drawings to be approved by Town Planning Staff. Notwithstanding any provisions of this By-law, every outdoor commercial **patio** shall comply with the following:

#### a) Seating Capacity Requirements:

No **outdoor patio** shall provide for:

- i) More than 50% of the seating accommodation permitted under the Liquor License Act, R.S.O. 1990, c.L.19, as amended, to the **restaurant** with which the outdoor commercial **patio** is associated; or,
- ii) Seating accommodation for more than thirty (30) persons, whichever is the greater.

#### b) Prohibition of Commercial Entertainment and Recreation:

That portion of a **lot** on which the **outdoor patio** is permitted shall not be used for commercial entertainment or commercial recreation including live or recorded music or dance facilities.

#### c) Lighting

Direct any lighting away from adjoining properties and streets.

#### d) Exit(s)

Regular ingress and egress must be provided from the interior of the building, and any exterior stair access shall only be used for emergency and fire in accordance with the Ontario Building Code.

e) **Sound Attenuation**

Where a proposed roof-top **patio** is adjacent a **residential use**, a noise study will be required which may recommend the installation of an acoustical wall to attenuate noise from the roof-top **patio** to acceptable limits.

**(3) Parking Standards**

In addition to the Parking Provisions of Section 3.35, the following additional provisions shall apply:

- a) **Parking spaces** shall not be located between the **building** face and Innisfil Beach Road, or between the **building** face, and the **exterior side yard**.
- b) When a **parking area** or **driveway** is in a **yard** that abuts any residential zones, the width of landscaping between the **parking area** or **driveway**, and the residential zone must be a minimum of 1.5 m wide.
- c) The difference between the minimum required parking established in this By-law may be addressed by the collection of cash-in-lieu.

**(4) Motor Vehicle Gas Bar:**

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

## Section 7 - Community Service, Open Space and Environmental Protection Precincts

### 7.1 Community Service, Open Space and Environmental Protection Precincts

The Community Service, Open Space and Environmental Protection Precincts consist of the following Precincts:

**Table 7.1: Community Service, Open Space and Environmental Protection Precincts**

Precinct	Symbol
Community Service	CS
Open Space	OS
Environmental Protection	ES

### 7.2 Permitted Uses

**Uses** permitted in the Community Service, Open Space and Environmental Protection Precincts are identified with a “P” in the column applicable to that Precinct and corresponding with the row for a specific permitted **use** in Table 7.2 – Permitted Uses. All permitted **uses** shall be subject to the applicable Precinct regulations provided in Table 7.3 and the General Provisions provided in Section 3.0, where applicable.

**Table 7.2: Community Service, Open Space and Environmental Protection Permitted Uses**

Principal Use	CS	OS	ES
Existing Agricultural Use		P	P
Cemetery	P		
Community Centre	P		
Conservation Use	P	P	P
Child Care Centre	P		
Government Facility	P		
Hospital	P		
Indoor Recreational Centre	P		
Library	P		

Principal Use	CS	OS	ES
Long Term Care Home or Nursing Home	P		
Medical Office	P		
Outdoor Recreation Use	P	P	
Park	P	P	
Passive Recreation	P	P	P
Places of Worship	P		
Public Uses	P	P	P
Religious Retreat or Camp	P		
Retirement Home	P		
School	P		
University or College	P		
<b>Accessory Uses, Buildings and Structures</b>			
Accessory Buildings and Structures (1)(2)	P	P	P
Accessory Dwelling Unit (1)	P		
NOTES: (1) Subject to specific <b>use</b> provisions contained in the General Provisions of this By-law. (2) In the EP Precinct, <b>accessory</b> uses, <b>buildings</b> and <b>structure</b> shall be non-habitable.			

The following Precinct regulations identified in Table 7.3 shall apply to the respective Community Service, Open Space and Environmental Protection Precincts.

**Table 7.3 - Precinct Regulations**

Principal Use	CS	OS	EP	Staff Variation Class 2 Permit	Council Variation Class 3 Permit
Minimum <b>Lot Area</b>	1,000 m <sup>2</sup>	N/A	N/A	Up to 25% variation	Greater than 25%
Minimum <b>Lot Frontage</b>	15 m	15 m	N/A	Up to 10% variation	Greater than 10%
Minimum <b>Front Yard</b>	6 m	6 m	10 m	Up to 10% variation	Greater than 10%
Minimum <b>Interior Side Yard</b>	5 m	5 m	10 m	Up to 10% variation	Greater than 10%
Minimum <b>Exterior Side Yard</b>	6 m	6 m	10 m	Up to 10% variation	Greater than 10%
Minimum <b>Rear Yard</b>	8 m	8 m	10 m	Up to 10% variation	Greater than 10%
Maximum <b>Lot Coverage</b>	40%	40%	N/A	Up to 10% variation	Greater than 10%
Maximum <b>Building Height</b>	12 m	11 m	N/A	Up to 10% variation	Greater than 10%
Minimum <b>Landscaped Open Space</b>	20%	N/A	N/A	Up to 10% variation	Greater than 10%
Other	Where a rear or <b>interior side yard</b>	N/A	N/A	None	None

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Principal Use	CS	OS	EP	Staff Variation Class 2 Permit	Council Variation Class 3 Permit
	abuts a Residential Precinct, the abutting minimum rear or <b>interior side yard</b> shall be 9 m.				

## Section 8 - Site-Specific Exceptions

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

### 8.1 Site-Specific Exceptions for Residential Low Density 1 (RL1) Precincts

#### 8.1.1

<b>Exception Number:</b> RL1-1
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 011-01
8.1.1.1 Precinct Regulations
a) Notwithstanding Table 5.5 the minimum <b>rear yard</b> setback shall be 3.0m.

#### 8.1.2

<b>Exception Number:</b> RL1-2
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 080-13
8.1.2.1 Precinct Regulations
a) Notwithstanding Table 5.5 the minimum <b>rear yard</b> setback shall be 3.0m.

#### 8.1.3

<b>Exception Number:</b> RL1-3
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 111-11, 093-14
8.1.3.1 Precinct Regulations
a) Notwithstanding Table 5.5 the maximum <b>lot coverage</b> shall be 45% for bungalow style <b>single detached dwellings</b> .
8.1.3.2 Other
a) For the purpose of this section, bungalow shall mean a single storey <b>dwelling</b> .



## 8.1.4

<b>Exception Number:</b> RL1-4
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 111-11
<b>8.1.4.1 Precinct Regulations</b>
a) Notwithstanding Table 5.5 the following provisions shall apply for bungalow style <b>single detached dwelling</b> <ol style="list-style-type: none"> <li>i) The minimum <b>lot coverage</b> shall be 45%.</li> <li>ii) The minimum <b>exterior side yard</b> setback shall be 4.2m.</li> </ol>
<b>8.1.4.2 Other</b>
b) For the purpose of this section, bungalow shall mean a single storey <b>dwelling</b> .

## 8.1.5

<b>Exception Number:</b> RL1-5
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 142-12
<b>8.1.5.1 Permitted Uses</b>
a. Notwithstanding any other provision of this By-law, where a Model Home Agreement has been executed between the Town and the owner, one (1) <b>Model Home</b> shall be permitted on the subject lands. A sales centre shall be permitted to locate inside the <b>garage</b> .

## 8.1.6

<b>Exception Number:</b> RL1-6
<b>Applicable Parent Precinct:</b> RL1
By-law (reference): 128-15
<b>8.1.6.1 Precinct Regulations</b>
a) Notwithstanding Table 5.5 the following provisions shall apply <ol style="list-style-type: none"> <li>i. The minimum <b>lot frontage</b> shall be 13.5m.</li> <li>ii. The minimum <b>lot area</b> shall be 475.0m<sup>2</sup>.</li> <li>iii. The minimum <b>exterior side yard</b> setback shall be 3.0m.</li> <li>iv. The minimum <b>front yard</b> setback shall be 6.0m.</li> <li>v. The maximum <b>lot coverage</b> for a 1 <b>storey</b> or 1.5 <b>storey dwelling</b> shall be 45%. The maximum <b>lot coverage</b> for a 2 <b>storey dwelling</b> shall be 40% (By-law 099-16).</li> <li>vi. Where the grade change from the front main wall to the rear main wall of a <b>building</b> exceeds 1.0m, the maximum permitted <b>height</b> of a single-detached <b>dwelling</b> shall be 10.0m above <b>established grade</b>.</li> </ol>

## 8.1.7

<b>Exception Number:</b> RL1-7
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 128-15
8.1.7.1 Precinct Regulations
a) Notwithstanding Table 5.5, where the grade change from the front main wall to the rear main wall of a <b>building</b> exceeds 1.0m, the maximum permitted <b>height</b> of a <b>single-detached dwelling</b> shall be 10.0m above <b>established grade</b> .

## 8.1.8.

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## 8.1.9

<b>Exception Number:</b> RL1-9
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 082-14
8.1.9.1 Precinct Regulations
a) Notwithstanding Table 5.5 the following provisions shall apply <ul style="list-style-type: none"> <li>i) A maximum <b>building</b> height of 9.0m is permitted.</li> <li>ii) A maximum <b>lot coverage of 38%</b> is permitted.</li> </ul>

## 8.1.10

<b>Exception Number:</b> RL1-10
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 059-01
8.1.10.1 Precinct Regulations
a) Notwithstanding Table 5.5 the following provisions shall apply <ul style="list-style-type: none"> <li>i) A minimum <b>lot area of 420.0m<sup>2</sup></b> is permitted.</li> <li>ii) The minimum <b>interior side yard</b> shall be 1.5m.</li> <li>iii) A minimum <b>exterior side yard</b> of 4.2m is permitted.</li> </ul>

## 8.1.11

<b>Exception Number:</b> RL1-11
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 024-83
8.1.11.1 Permitted Uses
a) Notwithstanding any other provision of this By-law, retail sales and a <b>single-detached dwelling</b> shall be permitted.

## 8.1.12

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## 8.1.13

<b>Exception Number:</b> RL1-13
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 080-13
<b>8.1.13.1 Permitted Uses</b>
a) Notwithstanding Table 5.2 A retail store with enclosed storage, restaurant, single detached residence, and rental of fish huts shall also be permitted.

## 8.1.14

<b>Exception Number:</b> RL1-14
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 080-13
<b>8.1.14.1 Permitted Uses</b>
a) Notwithstanding Table 5.2 a retail sales establishment shall also be permitted.

## 8.1.15

<b>Exception Number:</b> RL1-15
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 080-13
<b>8.1.15.1 Permitted Uses</b>
a) Notwithstanding Table 5.2 A restaurant or take out restaurant shall be the only <b>uses</b> permitted.

## 8.1.16

<b>Exception Number:</b> RL1-16
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 080-13
<b>8.1.16.1 Permitted Uses</b>
a) Notwithstanding Table 5.2 permitted <b>uses</b> shall also include <ul style="list-style-type: none"> <li>i. A public mechanical <b>garage</b></li> <li>ii. Retail convenience store</li> <li>iii. Three bay self serve car wash</li> </ul>

## 8.1.17

<b>Exception Number:</b> RL1-17
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 33-14
<b>8.1.17.1 Precinct Regulations</b>
a) Notwithstanding Table 5.5 the following provisions shall apply <ul style="list-style-type: none"> <li>i. The minimum <b>exterior side yard</b> shall be 5.3m, with a 2.0m encroachment permitted for entranceway porches.</li> </ul>

- |   |
|---|
| ii. A maximum <b>lot coverage</b> of 42% is permitted for lots 10 and 11 of draft approved Plan I-T-0502. |
|---|

## 8.1.18

<b>Exception Number:</b> RL1-18
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 33-14
8.1.18.1 Precinct Regulations
a) Notwithstanding Table 5.5 the maximum <b>lot coverage</b> of 42% is permitted for <b>lots</b> 12 and 13 of draft approved Plan I-T-0502.

## 8.1.19

<b>Exception Number:</b> RL1-19
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 33-14
8.1.19.1 Precinct Regulations
a) Notwithstanding Table 5.5 the following provisions shall apply <ul style="list-style-type: none"> <li>i. The minimum <b>exterior side yard</b> shall be 5.3m, with a 2.0m encroachment permitted for entranceway <b>porches</b>.</li> <li>ii. A minimum <b>front yard</b> setback of 6.0m is required.</li> <li>iii. A maximum <b>lot coverage</b> of 37% is permitted for lot 27 of draft approved Plan I-T-0502.</li> <li>iv. A maximum <b>lot coverage</b> of 39% is permitted for lot 28 of draft approved Plan I-T-0502.</li> <li>v. A maximum <b>lot coverage</b> of 36% is permitted for lot 30 of draft approved Plan I-T-0502.</li> <li>vi. A maximum <b>lot coverage</b> of 38% is permitted for lot 31 of draft approved Plan I-T-0502.</li> </ul>

## 8.1.20

<b>Exception Number:</b> RL1-20
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 82-14
8.1.20.1 Precinct Regulations
a) Notwithstanding Table 5.5 the following provisions shall apply <ul style="list-style-type: none"> <li>i. The maximum <b>lot coverage</b> shall be 38%.</li> <li>ii. A maximum <b>building height</b> of 9.0m is permitted.</li> </ul>

## 8.1.21

<b>Exception Number:</b> RL1-21
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 084-14
8.1.21.1 Precinct Regulations
a) Notwithstanding Table 5.5 the following provisions shall apply

i.	A minimum <b>rear yard setback</b> of 6.0m is permitted.
ii.	A maximum <b>building height</b> of 11.0m is permitted.

## 8.1.22

<b>Exception Number:</b> RL1-22
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 062-08
8.1.22.1 Precinct Regulations
a) Notwithstanding Table 5.5 the following provisions shall apply <ul style="list-style-type: none"> <li>i. A maximum <b>building height</b> of 11.0m is permitted.</li> <li>ii. The minimum <b>exterior side yard</b> for <b>Accessory Uses, Buildings and Structures</b> shall be 4.2m.</li> <li>iii. A minimum <b>rear yard</b> of 6.0m is permitted.</li> </ul>

## 8.1.23

<b>Exception Number:</b> RL1-23
<b>Applicable Parent Precinct:</b> RL1
By-law (reference) 080-13
8.1.23.1 Precinct Regulations
a) Notwithstanding Table 5.5 the following provisions shall apply <ul style="list-style-type: none"> <li>i) A maximum <b>building height</b> of 11.0m is permitted.</li> <li>ii) A minimum <b>rear yard</b> of 6.0m is permitted.</li> </ul>

## 8.2 Site-Specific Exceptions for Residential Low Density 2 (RL2) Precincts

## 8.2.1

<b>Exception Number:</b> RL2-1
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 012-07
8.2.1.1 Precinct Regulations
a) Notwithstanding Table 5.6 the minimum <b>lot frontage</b> for <b>semi-detached dwellings</b> and <b>linked dwellings</b> shall be 9.5m.

## 8.2.2

<b>Exception Number:</b> RL2-2
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 040-03
8.2.2.1 Precinct Regulations
a) Notwithstanding Table 5.6 the following provisions apply <ul style="list-style-type: none"> <li>i) The minimum <b>lot area</b> for an interior <b>lot</b> shall be 370.0m<sup>2</sup>.</li> <li>ii) The minimum <b>lot area</b> for an exterior <b>lot</b> shall be 460.0m<sup>2</sup>.</li> </ul>

## 8.2.3

<b>Exception Number:</b> RL2-3
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 040-03
8.2.3.1 Other
a) Notwithstanding Table 5.6 no <b>buildings</b> or <b>accessory structures</b> shall be located within 30.0m from the nearest property line of the railway.

## 8.2.4

<b>Exception Number:</b> RL2-4
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 080-13
8.2.4.1 Other
a) Notwithstanding Table 5.6 no <b>buildings</b> or <b>accessory structures</b> shall be located within 30.0m from the nearest property line of the railway.

## 8.2.5

<b>Exception Number:</b> RL2-5
<b>Applicable Parent Precinct:</b> RL2
By-law (reference): 128-15
8.2.5.1 Precinct Regulations
<p>a) Notwithstanding Table 5.6 the following provisions shall apply</p> <ul style="list-style-type: none"> <li>i. The minimum <b>lot frontage</b> shall be 13.5m.</li> <li>ii. The minimum <b>lot area</b> shall be 475.0m<sup>2</sup>.</li> <li>iii. The minimum <b>front yard</b> setback shall be 6.0m.</li> <li>iv. The maximum <b>lot coverage</b> for a 1 <b>storey</b> or 1.5 <b>storey dwelling</b> shall be 45%. The maximum <b>lot coverage</b> for a 2 <b>storey dwelling</b> shall be 40% (By-law 099-16).</li> <li>v. Where the grade change from the front main wall to the rear main wall of a <b>building</b> exceeds 1.0m, the maximum permitted <b>height</b> of a single-detached <b>dwelling</b> shall be 10.0m above <b>established grade</b>.</li> </ul>

## 8.2.6

<b>Exception Number:</b> RL2-6
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 128-15
8.2.6.1 Precinct Regulations
a) Notwithstanding Table 5.6, where the grade change from the front main wall to the rear main wall of a <b>building</b> exceeds 1.0m, the maximum permitted <b>height</b> of a <b>single-detached dwelling</b> shall be 10.0m above <b>established grade</b> .

## 8.2.7

<b>Exception Number:</b> RL2-7
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 128-15
8.2.7.1 Precinct Regulations
a) Notwithstanding Table 5.6, where the grade change from the front main wall to the rear main wall of a <b>building</b> exceeds 1.0m, the maximum permitted <b>height</b> of a <b>single-detached dwelling</b> shall be 10.0m above <b>established grade</b> .

## 8.2.8

<b>Exception Number:</b> RL2-8
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 128-15
8.2.8.1 Other
a) Notwithstanding any other provisions of this By-law, the maximum width for a <b>private garage</b> shall be 5.65m.

## 8.2.9

<b>Exception Number:</b> RL2-9
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 128-15
8.2.9.1 Other
a) Notwithstanding any other provisions of this By-law, the maximum width for a <b>private garage</b> shall be 5.65m.

## 8.2.10

<b>Exception Number:</b> RL2-10
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 075-14
<b>8.2.10.1 Permitted Uses</b>
a) Notwithstanding any other provisions of this By-law, the following regulations shall apply to <b>Live-Work Units</b> : <ol style="list-style-type: none"> <li>The business establishment shall be restricted to the first story.</li> <li>The business establishment may employ one or more persons residing within the associated household, and no more than three additional employees.</li> </ol>
<b>8.2.10.2 Precinct Regulations</b>
a) Notwithstanding Table 5.6 the following provisions shall apply <ol style="list-style-type: none"> <li>The minimum <b>rear yard</b> setback for <b>garages</b> attached to a principal <b>building</b> shall be 6.0m.</li> <li>The maximum <b>side yard</b> projection for a deck attached to a residential use shall be the permitted interior or <b>exterior side</b> yard setback of the Principal Use of the RT Zone.</li> </ol>

## 8.2.11

<b>Exception Number:</b> RL2-11
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 128-15
<b>8.2.11.1 Permitted Uses</b>
a) Notwithstanding Table 5.2 up to 9 <b>model homes</b> or <b>demonstration units</b> are permitted.
<b>8.2.11.2 Other</b>
a) Notwithstanding any other provisions of this By-law, for <b>lots</b> with frontages less than 12.0m, the maximum interior width for a <b>private garage</b> shall be 5.65m.

## 8.2.12

<b>Exception Number:</b> RL2-12
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 075-14
<b>8.2.12.1 Precinct Regulations</b>
a) Notwithstanding Table 7.3 the minimum <b>lot frontage</b> shall be 10.0m.



## 8.2.13

<b>Exception Number:</b> RL2-13
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 092-15
<b>8.2.13.1 Permitted Uses</b>
a) Notwithstanding any other provision of this By-law the only permitted uses shall include <ul style="list-style-type: none"> <li>i. <b>Conservation Use</b></li> <li>ii. <b>Outdoor Recreation use</b></li> <li>iii. Park</li> <li>iv. Passive Recreation</li> <li>v. <b>Public Uses</b></li> <li>vi. Stormwater Management Pond</li> </ul>

## 8.2.14

<b>Exception Number:</b> RL2-14
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 092-15
<b>8.2.14.1 Precinct Regulations</b>
a) Notwithstanding Table 5.6 the following provisions shall apply <ul style="list-style-type: none"> <li>i. The minimum <b>lot frontage</b> shall be 14.0m for an exterior lot.</li> <li>ii. A minimum <b>rear yard</b> setback of 6.0m is permitted.</li> <li>iii. A maximum <b>building height</b> of 11.0m is permitted.</li> </ul>

## 8.2.15

<b>Exception Number:</b> RL2-15
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 114-15
<b>8.2.15.1 Precinct Regulations</b>
a) Notwithstanding Table 5.6 the following provisions shall apply <ul style="list-style-type: none"> <li>i) A maximum <b>building height</b> of 11.0m is permitted.</li> <li>ii) A minimum <b>rear yard</b> of 6.0m is permitted.</li> </ul>
<b>8.2.15.2 Other</b>
a) Notwithstanding any other provisions of this By-law to the contrary, there shall be no minimum required landscaped open space in the front yard or exterior side yard.

## 8.2.16

<b>Exception Number:</b> RL2-16
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 114-15
8.2.16.1 Precinct Regulations
a) Notwithstanding Table 5.6 the following provisions shall apply <ul style="list-style-type: none"> <li>i. The minimum <b>lot area</b> shall be 530.0m<sup>2</sup> for an interior lot.</li> <li>ii. A maximum <b>building height</b> of 11.0m is permitted.</li> </ul>
8.2.16.2 Other
a) Notwithstanding any other provisions of this By-law to the contrary, there shall be no minimum required landscaped open space in the front yard or exterior side yard.

## 8.2.17

<b>Exception Number:</b> RL2-17
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 046-07
8.2.17.1 Permitted Uses
a) Notwithstanding Table 5.2 the only permitted uses shall include <b>single detached dwellings</b> and <b>accessory uses, buildings and structures</b>
8.2.17.2 Precinct Regulations
a) Notwithstanding Table 5.6 the following regulations shall apply <ul style="list-style-type: none"> <li>i. The minimum <b>lot frontage</b> shall be 10.0m per unit.</li> <li>ii. The minimum <b>lot area</b> shall be 330.0m<sup>2</sup>.</li> </ul>

## 8.2.18

<b>Exception Number:</b> RL2-18
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 114-15
8.2.18.1 Permitted Uses
a) Notwithstanding Table 5.2 a <b>Duplex Dwelling</b> shall not be a permitted use.
8.2.18.2 Precinct Regulations
a) Notwithstanding Table 5.6 the following provisions shall apply <ul style="list-style-type: none"> <li>i. The minimum <b>lot area</b> shall be 280.0m<sup>2</sup> for an exterior <b>lot</b>.</li> <li>ii. The minimum <b>lot frontage</b> shall be 10.0m for an exterior <b>lot</b>.</li> <li>iii. A minimum <b>rear yard</b> setback of 6.0m is permitted.</li> <li>iv. A maximum <b>building height</b> of 11.0m is permitted.</li> </ul>
8.2.18.3 Other
a) Notwithstanding any other provisions of this By-law to the contrary, there shall be no minimum required landscaped open space in the front yard or exterior side yard.

## 8.2.19

<b>Exception Number:</b> RL2-19
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 114-15
<b>8.2.19.1 Permitted Uses</b>
a) Notwithstanding Table 5.2 a <b>Duplex Dwelling</b> shall not be a permitted use
<b>8.2.19.2 Precinct Regulations</b>
a) Notwithstanding Table 5.6 the following regulations shall apply: <ul style="list-style-type: none"> <li>i. Minimum <b>Lot Area</b> (interior lot): 230 m<sup>2</sup></li> <li>ii. Minimum <b>Lot Area</b> (exterior lot): 280 m<sup>2</sup></li> <li>iii. Minimum <b>Lot Frontage</b> (interior lot): 7.5 m</li> <li>iv. Minimum <b>Lot Frontage</b> (exterior lot): 10 m</li> <li>v. Minimum <b>Rear Yard</b>: 6 m</li> <li>vi. Maximum <b>Building Height</b>: 11 m</li> </ul>

## 8.2.20

<b>Exception Number:</b> RL2-20
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 062-08
<b>8.2.20.1 Precinct Regulations</b>
a) Notwithstanding Table 5.6 the following regulations shall apply: <ul style="list-style-type: none"> <li>i. Minimum <b>Lot Area</b> (interior lot): 320 m<sup>2</sup></li> <li>ii. Minimum <b>Lot Area</b> (exterior lot): 420 m<sup>2</sup></li> <li>iii. Minimum <b>Lot Frontage</b> (interior lot): 9.75 m</li> <li>iv. Minimum <b>Lot Frontage</b> (exterior lot): 12.75 m</li> <li>v. Minimum <b>Interior Side Yard</b>: 1.2m on one side and 0.6m on the other side for an attached garage</li> <li>vi. Minimum <b>Rear Yard</b>: 6.0m</li> </ul>

## 8.2.21

<b>Exception Number:</b> RL2-21
<b>Applicable Parent Precinct:</b> RL2
By-law (reference) 114-15
<b>8.2.21.1 Precinct Regulations</b>
a) Notwithstanding Table 5.6 the following regulations shall apply to <b>Townhouse Dwellings</b> : <ul style="list-style-type: none"> <li>i. Maximum <b>Lot Coverage</b>: 55%</li> <li>ii. Maximum <b>Building Height</b>: 12m</li> </ul>
<b>8.2.21.2 Other</b>
a) Notwithstanding any other provisions of this by-law to the contrary, there shall be no minimum required landscaped open space in the front yard or exterior side yard.
b) Where a <b>rear yard</b> abuts or flanks a noise berm, the noise berm shall not be considered part of the required minimum <b>rear yard</b> and shall be in addition to the required minimum <b>rear yard</b> . The minimum <b>rear yard</b> setback to the toe of a noise berm shall be 6.0m.

## 8.2.22

<b>Exception Number:</b> RL2-22
<b>Applicable Parent Precinct:</b> RL1, RL2
By-law (reference) 011-01
8.2.22.1 Permitted Uses
a) Notwithstanding Table 5.5 and 5.6 the minimum <b>front yard</b> setback shall be 6.0m.

## 8.3 Site-Specific Exceptions for Residential Medium Density (RM) Precincts

## 8.3.1

<b>Exception Number:</b> RM-1
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 080-13
8.3.1.1 Permitted Uses
a) Notwithstanding Table 5.4 no <b>accessory buildings</b> or <b>structures</b> shall be permitted in the front yard or <b>exterior side yard</b> .
8.3.1.2 Precinct Regulations
a) Notwithstanding Table 5.7 the following provisions shall apply <ul style="list-style-type: none"> <li>i) A minimum <b>front yard</b> setback of 6.0m is required.</li> <li>ii) The minimum <b>interior side yard</b> shall be 3.0m.</li> <li>iii) The minimum <b>exterior side yard</b> shall be 6.0m</li> <li>iv) A maximum <b>building height</b> of 4 <b>storeys</b> is permitted.</li> <li>v) A minimum <b>landscaped open space</b> of 20% is required.</li> </ul>
8.3.1.3 Parking
a) Notwithstanding Table 4.1 the minimum parking shall be 2.0 parking spaces per unit, of which 0.25 spaces per unit shall be designated as visitor parking spaces.
8.3.1.4 Other
a) A maximum density of 52 units per hectare is permitted.
b) An <b>amenity space</b> shall be provided at a minimum of 10.0m <sup>2</sup> per dwelling unit for an apartment <b>building</b> .
c) A wooden privacy fence shall be erected where the lands for an apartment <b>building</b> abut a residential <b>use</b> .

## 8.3.2

<b>Exception Number:</b> RM-2
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 095-15
<b>8.3.2.1 Permitted Uses</b>
a) Notwithstanding Table 5.4 a <b>single detached dwelling</b> is a permitted <b>use</b> .

## 8.3.3

<b>Exception Number:</b> RM-3
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 080-13
<b>8.3.3.1 Precinct Regulations</b>
a) Notwithstanding Table 5.7 the following provisions shall apply <ul style="list-style-type: none"> <li>i) A minimum <b>front yard</b> setback of 3.0m is required.</li> <li>ii) A minimum <b>rear yard</b> setback of 6.0m is required.</li> </ul>
<b>8.3.3.2 Other</b>
a) All <b>dwelling</b> s abutting the 7 <sup>th</sup> shall have a front door, <b>porch</b> , and windows facing the 7 <sup>th</sup> line.
b) No direct vehicle access of <b>dwelling</b> units on the 7 <sup>th</sup> line.

## 8.3.4

<b>Exception Number:</b> RM-4
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 071-07
<b>8.3.4.1 Precinct Regulations</b>
a) Notwithstanding Table 5.7 the following provisions shall apply: <ul style="list-style-type: none"> <li>i) A minimum <b>front yard</b> setback of 3.0m is required.</li> <li>ii) A minimum <b>rear yard</b> setback of 6.0m is required.</li> </ul>
<b>8.3.4.2 Other</b>
a) All <b>dwelling</b> s abutting the 7 <sup>th</sup> shall have a front door, <b>porch</b> , and windows facing the 7 <sup>th</sup> line.
b) All <b>dwelling</b> s abutting Fox Hill Street shall have a front door, <b>porch</b> , and windows facing Fox Hill Street.
c) No direct vehicle access of dwelling units to Fox Hill Street or 7 <sup>th</sup> Line.

## 8.3.5

<b>Exception Number:</b> RM-5
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 071-07
<b>8.3.5.1 Precinct Regulations</b>
a) Notwithstanding Table 5.7 the following provisions shall apply <ul style="list-style-type: none"> <li>i) A minimum <b>front yard</b> setback of 3.0m is required.</li> <li>ii) The minimum <b>interior side yard</b> shall be 0.0m.</li> <li>iii) A minimum <b>rear yard</b> setback of 3.0m is required.</li> </ul>
<b>8.3.5.2 Other</b>
a) Fox Hill Street shall be deemed as the front <b>lot line</b> .
b) No direct vehicle access of <b>dwelling</b> units on Fox Hill Street or 7 <sup>th</sup> Line.

## 8.3.6

<b>Exception Number:</b> RM-6
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 040-03
<b>8.3.6.1 Precinct Regulations</b>
a) Notwithstanding Table 5.7 the following provisions shall apply <ul style="list-style-type: none"> <li>i) A minimum <b>lot area</b> of 225.0 m<sup>2</sup> is permitted for an interior <b>lot</b> at the end of a block</li> <li>ii) A minimum <b>lot frontage</b> of 7.5m is permitted for an interior <b>lot</b> at the end of a block.</li> <li>iii) The minimum <b>interior side yard</b> shall be 1.5m and 0.0m where a building has a common wall with any building on an adjacent <b>lot</b>.</li> </ul>

## 8.3.7

<b>Exception Number:</b> RM-7
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 128-15
<b>8.3.7.1 Other</b>
a) Notwithstanding any other provisions of this By-law, the maximum width for a <b>private garage</b> shall be 5.65m.

## 8.3.8

<b>Exception Number:</b> RM-8
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 128-15
<b>8.3.8.1 Other</b>
a) Notwithstanding any other provisions of this By-law, the maximum width for a <b>private garage</b> shall be 5.65m.

## 8.3.9

<b>Exception Number:</b> RM-9
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 128-15
8.3.9.1 Precinct Regulations
a) Notwithstanding Table 5.7, the maximum <b>side yard</b> projection for a <b>deck</b> attached to a residential <b>use</b> shall be the permitted interior or <b>exterior side</b> yard setback of the Principal <b>Use</b> .

## 8.3.10

<b>Exception Number:</b> RM-10
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 128-15
8.3.10.1 Precinct Regulations
a) Notwithstanding Table 5.7, the maximum side yard projection for a <b>deck</b> attached to a residential <b>use</b> shall be the permitted interior or <b>exterior side</b> yard setback of the Principal <b>Use</b> .

## 8.3.11

<b>Exception Number:</b> RM-11
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 128-15
8.3.11.1 Permitted Uses
a) Notwithstanding any other provisions of this By-law, the following regulations shall apply to <b>home occupations</b> <ul style="list-style-type: none"> <li>i. Uses associated with a permitted <b>home occupation</b> shall not occupy more than 33% of the <b>gross floor area</b> of the <b>dwelling unit</b> containing the home occupation or 132.0m<sup>2</sup>, whichever is lesser.</li> <li>ii. A maximum of two (2) employees who do not reside in the dwelling unit containing the <b>home occupation</b> may be employed in the <b>home occupation</b>.</li> </ul>
8.3.11.2 Precinct Regulations
a) Notwithstanding Table 5.7 the following provisions shall apply <ul style="list-style-type: none"> <li>i) The minimum <b>rear yard</b> setback for <b>garages</b> attached to a principal <b>building</b> shall be 6.0m.</li> <li>ii) The maximum <b>side yard</b> projection for a <b>deck</b> attached to a residential use shall be the permitted interior or <b>exterior side</b> yard setback of the <b>Principal Use</b>.</li> </ul>

## 8.3.12

<b>Exception Number:</b> RM-12
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 128-15
<b>8.3.12.1 Permitted Uses</b>
<p>a) Notwithstanding any other provisions of this By-law, the following regulations shall apply to <b>home occupation</b>:</p> <ul style="list-style-type: none"> <li>i. Uses associated with a permitted <b>home occupation</b> shall not occupy more than 33% of the <b>gross floor area</b> of the <b>dwelling unit</b> containing the home occupation or 132.0m<sup>2</sup>, whichever is lesser.</li> <li>ii. A maximum of two (2) employees who do not reside in the dwelling unit containing the <b>home occupation</b> may be employed in the <b>home occupation</b>.</li> </ul>
<b>8.3.12.2 Precinct Regulations</b>
<p>a) Notwithstanding Table 5.7 the following provisions shall apply</p> <ul style="list-style-type: none"> <li>i) The minimum <b>rear yard</b> setback for <b>garages</b> attached to a principal <b>building</b> shall be 6.0m.</li> <li>ii) The maximum <b>side yard</b> projection for a <b>deck</b> attached to a residential use shall be the permitted interior or <b>exterior side yard</b> setback of the <b>Principal Use</b>.</li> </ul>

## 8.3.13

<b>Exception Number:</b> RM-13
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 166-12
<b>8.3.13.1 Precinct Regulations</b>
<p>a) Notwithstanding table 5.7 the following provisions shall apply</p> <ul style="list-style-type: none"> <li>i) A minimum landscaped area of 20% is required (applied to the site and / or lot in its entirety).</li> <li>ii) A maximum <b>building height</b> of 12.0m is permitted for <b>apartment dwellings and triplex</b>.</li> <li>iii) <b>Accessory buildings</b> and <b>structures</b> shall have a minimum 1.0m setback from the <b>interior side yard</b> for uses with <b>apartment dwellings</b>.</li> <li>iv) The maximum number of dwelling <b>units</b> shall be 25.</li> </ul>

## 8.3.14

<b>Exception Number:</b> RM-14
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 098-16
<b>8.3.14.1 Permitted Uses</b>
<p>a. Notwithstanding Table 5.2 the only permitted uses shall include:</p> <ul style="list-style-type: none"> <li>i. <b>Townhouse Dwelling</b></li> <li>ii. <b>Apartment Dwelling</b></li> <li>iii. <b>Long Term Care or Nursing Home</b></li> <li>iv. <b>Retirement Home</b></li> </ul>



- v. **Accessory uses** associated with a **Long Term Care Home or Nursing Home** or **Retirement Home** including but not limited to an adult daycare facility, medical or health clinic and **accessory** commercial uses, including a beauty salon, barber shop and tuck shop. The **accessory** commercial uses shall be limited to use by the residents, their guests, and employees only and shall not be open to the general public.

#### 8.3.14.2 Precinct Regulations

- a) Notwithstanding Table 5.7 the following provisions shall apply to **Townhouse Dwellings**
- i. The minimum **lot area** for an **interior lot** shall be 150.0m<sup>2</sup> or 210.0m<sup>2</sup> at the end of a block.
  - ii. The minimum **lot area** for an exterior lot shall be 267.0m<sup>2</sup>.
  - iii. The minimum **lot frontage** shall be 5.0m per unit for an interior lot and 9.5m per unit for an exterior lot.
  - iv. Minimum Building Frontage: N/A
  - v. A minimum **front yard** setback of 3.0m is permitted.
  - vi. The minimum **interior side** yard shall be 1.2m on one side and 0.6m on the other.
  - vii. A minimum **exterior side** yard of 2.4m is permitted.
  - viii. A minimum **rear yard** of 6.0m is permitted.
  - ix. Maximum **Lot Coverage**: N/A
  - x. The minimum **building height** shall be 7.5m.
  - xi. A maximum **building height** of 12.0m is permitted subject to a 45-degree angular plane.
  - xii. The minimum **landscaped open space** shall be 35%.
  - xiii. The minimum width of **landscaped strip** at front and exterior side lot lines shall be 2.4m.
  - xiv. The minimum width of **landscaped strip** at rear lot line shall be 1.5m.
  - xv. The minimum width of landscaping adjacent to the interior lot lines shall be 1.2m.
  - xvi. The minimum **amenity space** at grade common open space must be provided at 6.0m<sup>2</sup> per unit.
  - xvii. The maximum density shall be 52 units per net residential hectare.
  - xviii. The maximum garage width shall be 3.0m on lots less than 8.0m and 6.0m on lots equal to or greater than 8.0m.
  - xix. The minimum floor area for a residential **dwelling** unit shall be 47.0m<sup>2</sup>.
- b) Notwithstanding Table 5.7 the following provisions shall apply to **Apartment Dwellings**
- i. The minimum **lot area** shall be 500.0m<sup>2</sup>.
  - ii. A minimum **lot frontage** of 150.m is permitted.
  - iii. Minimum Building Frontage: N/A
  - iv. A minimum **front yard** setback of 1.0m is permitted.
  - v. The maximum **front yard** setback shall be 4.0m.
  - vi. A minimum **interior side** yard of 0.0m is permitted.
  - vii. A minimum **exterior side** yard of 2.4m is permitted.
  - viii. Maximum **Lot Coverage**: N/A
  - ix. The minimum **building height** shall be 7.5m.
  - x. A maximum **building height** of 14.0m is permitted subject to a 45-degree angular plane.
  - xi. The minimum width of **landscaped strip** at front and exterior side lot lines shall be the same as front yard setback.

xii.	The minimum width of <b>landscaped strip</b> at rear lot line shall be 3.0m if the rear lot line abuts a Residential Precinct or 1.5m if the rear lot line abuts an Open Space or Environmental Protection Precinct.
xiii.	The minimum width of landscaping adjacent to the interior lot lines shall be 0.0m.
xiv.	The minimum <b>amenity space</b> shall be 4.0m <sup>2</sup> per residential unit.
xv.	Maximum Density: N/A
xvi.	Maximum Garage Width: N/A
xvii.	The minimum floor area for a residential <b>dwelling</b> unit shall be 47.0m <sup>2</sup> .
c)	Notwithstanding Table 5.7 the following regulations shall apply to <b>Long Term Care or Nursing Home and Retirement Homes</b> :
i.	The minimum <b>lot area</b> shall be 2000.0m <sup>2</sup> .
ii.	The minimum <b>lot frontage</b> shall be 15.0m.
iii.	Minimum Building Frontage: N/A
iv.	A minimum <b>front yard</b> setback of 1.0m is permitted.
v.	The maximum <b>front yard</b> setback shall be 4.0m.
vi.	A minimum <b>interior side</b> yard of 0.0m is permitted.
vii.	A minimum <b>exterior side</b> yard of 2.4m is permitted.
viii.	Maximum <b>Lot Coverage</b> : N/A
ix.	The minimum <b>building height</b> shall be 7.5m.
x.	A maximum <b>building height</b> 15.0m is permitted subject to a 45-degree angular plane.
xi.	A minimum <b>landscaped open space</b> of 20% is permitted.
xii.	The minimum width of <b>landscaped strip</b> at front and exterior side lot lines shall be 0.0m.
xiii.	The minimum width of <b>landscaped strip</b> at rear lot line shall be 3.0m if the rear lot line abuts a Residential Precinct or 1.5m if the rear lot line abuts an Open Space or Environmental Protection Precinct.
xiv.	The minimum width of landscaping adjacent to the interior lot lines shall be 0.0m.
xv.	The minimum <b>amenity space</b> shall be 4.0m <sup>2</sup> per residential unit.
xvi.	Maximum Density: N/A
xvii.	Maximum Garage Width: N/A
xviii.	The minimum floor area for a residential <b>dwelling</b> unit shall be 47.0m <sup>2</sup> .
<b>8.3.14.3 Other</b>	
a)	Consolidated at grade common open space shall be provided in addition to the required per unit <b>rear yard</b> area for cluster/block, street and stacked townhouses
b)	<b>Amenity space for Apartment Dwellings, Long Term Care Home or Nursing Home and Retirement Home</b> shall be provided at a minimum rate of 4.0m <sup>2</sup> per unit, of which a minimum of 2.0m <sup>2</sup> per unit shall be indoor amenity space; a minimum of 40.0m <sup>2</sup> shall be outdoor amenity space in a location adjoining or directly accessible to the indoor amenity space

**8.3.15****Exception Number:** RM-15**Applicable Parent Precinct:** RM

By-law (reference) 092-15

**8.3.15.1 Permitted Uses**

- a. Notwithstanding any other provision of this By-law the only permitted uses shall include:
- i. **Conservation Use**

ii.	<b>Outdoor Recreation use</b>
iii.	Park
iv.	Passive Recreation
v.	<b>Public Uses</b>
vi.	Stormwater Management Pond

## 8.3.16

<b>Exception Number:</b> RM-16
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 092-15
<b>8.3.16.1 Permitted Uses</b>
a) Notwithstanding Table 5.2 the following uses shall be permitted: <ul style="list-style-type: none"> <li>i. <b>Apartment Dwelling</b></li> <li>ii. <b>Long Term Care Home or Nursing Home</b></li> <li>iii. <b>Retirement Home</b></li> </ul>
<b>8.3.16.2 Precinct Regulations</b>
a) Notwithstanding Table 5.7 the following regulations shall apply: <ul style="list-style-type: none"> <li>i. Maximum Density: 40 units per hectare</li> <li>ii. Minimum <b>Lot Frontage</b>: 30m</li> <li>iii. Minimum <b>Interior Side Yard</b>: 1.2m</li> <li>iv. Maximum <b>Building Height</b>: 12m</li> </ul>
<b>8.3.16.3 Parking</b>
a) Notwithstanding any other provision of this By-law, the minimum parking requirement shall be 1 <b>parking space</b> per <b>dwelling unit</b> , of which 0.25 <b>parking spaces</b> shall be designated as visitor <b>parking spaces</b>
<b>8.3.16.4 Other</b>
Notwithstanding any other provision of this By-law, a <b>sales pavilion</b> may be permitted, in compliance with the applicable terms and conditions of the <b>sales pavilion</b> agreement.

## 8.3.17

<b>Exception Number:</b> RM-17
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 071-19
<b>8.3.17.1 Precinct Regulations</b>
a) Notwithstanding Table 5.7 the following regulations shall apply to <b>Townhouse Dwellings</b> : <ul style="list-style-type: none"> <li>i. Minimum <b>Lot Area</b> (interior lot): 117 m<sup>2</sup>.</li> <li>ii. Minimum <b>Lot Area</b> (end unit): 149 m<sup>2</sup></li> <li>iii. Minimum <b>Lot Area</b> (exterior lot): 240 m<sup>2</sup></li> <li>iv. Minimum <b>Lot Frontage</b> (interior lot): 5.99m</li> <li>v. Minimum <b>Front Yard</b>: 4 m</li> <li>vi. Minimum <b>Rear Yard</b>: 1.5 m</li> <li>vii. Minimum <b>Exterior Side Yard</b>: 1.9m</li> <li>viii. Minimum <b>Landscaped Open Space</b> (interior unit): 13%</li> <li>ix. Maximum <b>Lot Coverage</b>: 76%</li> <li>x. Maximum <b>Building Height</b>: 11.85m</li> </ul>
<b>8.3.17.2 Parking</b>

a) Notwithstanding any other provision of this By-law, the minimum width of <b>parking spaces</b> located on Townhouse driveways shall be 2.99m
8.3.17.3 Other
a) For the purposes of this By-law, the internal roadway shall be classified as a municipal street, and the front lot line shall be considered the lot line abutting Corm Street.

## 8.3.18

<b>Exception Number:</b> RM-18
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 071-19
8.3.18.1 Permitted Uses
a) Notwithstanding any other provision of this By-law, <b>Back-to-Back Townhouse Dwelling</b> shall be a permitted use
8.3.18.2 Precinct Regulations
a) Notwithstanding Table 5.7 the following regulations shall apply to <b>Townhouse Dwellings</b> : <ul style="list-style-type: none"> <li>i. Minimum <b>Lot Area</b> (interior lot): 96 m2</li> <li>ii. Minimum <b>Lot Area</b> (end unit): 118 m2</li> <li>iii. Minimum <b>Lot Area</b> (exterior lot): 130 m2</li> <li>iv. Minimum <b>Lot Frontage</b> (interior lot): 5.99m</li> <li>v. Minimum <b>Front Yard</b>: 4 m</li> <li>vi. Minimum <b>Rear Yard</b>: 0 m</li> <li>vii. Minimum <b>Exterior Side Yard</b>: 1.8m</li> <li>viii. Minimum <b>Landscaped Open Space</b> (interior unit): 6.1%</li> <li>ix. Minimum <b>Landscaped Open Space</b> (end unit) 28%</li> <li>x. Minimum <b>Landscaped Open Space</b> in the <b>front yard</b>: 30%</li> <li>xi. Maximum <b>Lot Coverage</b>: 72%</li> <li>xii. Maximum <b>Building Height</b>: 11.65m</li> </ul>
8.3.18.3 Parking
a) Notwithstanding any other provision of this By-law, the minimum width of <b>parking spaces</b> located on townhouse driveways shall be 2.99 metres and any <b>parking space</b> or visitor <b>parking space</b> not located on a driveway shall be a minimum width of 3.0 metres.
8.3.18.4 Other
a) For the purposes of this By-law, the internal roadway shall be classified as a municipal street.

## 8.3.19

<b>Exception Number:</b> RM-19
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 071-19
8.3.19.1 Precinct Regulations
a) Notwithstanding Table 5.7 the following regulations shall apply to <b>Townhouse Dwellings</b> : <ul style="list-style-type: none"> <li>i. Minimum <b>Lot Area</b> (interior lot): 160 m2</li> <li>ii. Minimum <b>Lot Area</b> (end unit): 205 m2</li> <li>iii. Minimum <b>Lot Frontage</b> (interior lot): 5.99m</li> <li>iv. Minimum <b>Front Yard</b>: 4 m</li> <li>v. Minimum <b>Rear Yard</b>: 7 m</li> <li>vi. Minimum <b>Landscaped Open Space</b> (interior unit): 29.51%</li> </ul>

vii.	Minimum <b>Landscaped Open Space</b> in the <b>front yard</b> : 21%
viii.	Maximum <b>Lot Coverage</b> : 60%
ix.	Maximum <b>Building Height</b> : 11.6m
8.3.19.2 Parking	
a) Notwithstanding any other provision of this By-law, the minimum width of <b>parking spaces</b> located on townhouse driveways shall be 2.99 metres and any <b>parking space</b> or visitor <b>parking space</b> not located on a driveway shall be a minimum width of 3.0 metres.	
8.3.19.3 Other	
a) For the purposes of this By-law, the internal roadway shall be classified as a municipal road	
b) The maximum number of attached Townhouse units for the easternmost block of townhouses shall be 10 <b>dwelling units</b> .	

## 8.3.20

<b>Exception Number:</b> RM-20
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 062-08
8.3.20.1 Precinct Regulations
a) Notwithstanding Table 5.7 the following regulations shall apply to <b>Townhouse Dwellings</b> : <ul style="list-style-type: none"> <li>i. Minimum <b>Lot Area</b> (interior lot): 225m<sup>2</sup></li> <li>ii. Minimum <b>Lot Frontage</b> (interior lot): 7.5m</li> <li>iii. Maximum <b>Lot Coverage</b>: 55%</li> </ul>
8.3.20.2 Other
a) Sheds or decks less than 20m <sup>2</sup> in area shall not be included in the calculation of <b>Lot Coverage</b>
b) Maximum number of <b>dwelling units</b> in a block: 9 units

## 8.3.21

<b>Exception Number:</b> RM-21
<b>Applicable Parent Precinct:</b> RM
By-law (reference) 062-08
8.3.21.1 Precinct Regulations
a) Notwithstanding Table 5.7 the following regulations shall apply to Townhouse Dwellings: <ul style="list-style-type: none"> <li>i. Minimum <b>Lot Area</b> (interior end lot): 225m<sup>2</sup></li> <li>ii. Minimum <b>Lot Frontage</b> (interior end lot): 7.5m</li> <li>iii. Maximum <b>Lot Coverage</b>: 55%</li> <li>iv. Minimum setback to east property limit: 10m</li> </ul>
8.3.21.2 Other
a) <b>Landscaping strip</b> shall be required along the <b>rear lot line</b>

## 8.4 Site-Specific Exceptions for Shoreline Residential (SR) Precincts

### 8.4.1

<b>Exception Number:</b> SR-1
<b>Applicable Parent Precinct:</b> SR
By-law (reference) 051-24
<b>8.4.1.1 Precinct Regulations</b>
a) Notwithstanding applicable regulations in Tables 5.8, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14 and/or 5.15, the following regulations apply: <ul style="list-style-type: none"> <li>i) Maximum Lot Coverage for Detached Accessory Structures (Collectively) 295.5m<sup>2</sup></li> <li>ii) Maximum Permanent Cumulative Dock Area 149m<sup>2</sup></li> <li>iii) Maximum Number of Boatports/Boathouses: 2 per lot</li> <li>iv) Maximum In-Water Boatport Projection into Lake Simcoe 23.77m</li> </ul>

### 8.4.2

<b>Exception Number:</b> SR-2
<b>Applicable Parent Precinct:</b> SR
By-law (reference) 062-24
<b>8.4.2.1 Precinct Regulations</b>
a) Notwithstanding applicable regulations in Table 5.11, one (1) on-land <b>boatport</b> shall be permitted on the subject lands located at 740 Bayview Avenue. The <b>boatport</b> shall be subject to all provisions for an on-land <b>boatport</b> except for the following provisions: <ul style="list-style-type: none"> <li>i) Maximum height: 3.26m</li> <li>ii) Maximum width: 4.88m</li> <li>iii) Maximum length: 9.15m</li> <li>iv) Minimum West Interior Side Yard Setback to the <b>boatport</b> roof structure (inclusive of eaves): 0.3m (southwest corner of <b>boatport</b>)</li> <li>v) Minimum West Interior Side Yard Setback to the <b>boatport</b> roof structure (inclusive of eaves): 0.19m (midpoint of <b>boatport</b> at lot line of unopened shore road allowance)</li> <li>vi) Minimum West Interior Side Yard Setback to the <b>boatport</b> roof structure (inclusive of eaves): 0.09m (northwest corner of <b>boatport</b>)</li> </ul>
b) The west interior side yard setbacks of the <b>boatport</b> shall be measured from the west interior side lot line to the closest point of the <b>boatport</b> roof structure and shall be inclusive of the eaves. It is recognized that the existing concrete foundation, to which the <b>boatport</b> roof structure will be attached, is located closer to the west interior side yard than the minimum setbacks identified to the <b>boatport</b> roof structure.

## 8.4.3

<b>Exception Number:</b> SR-3
<b>Applicable Parent Precinct:</b> SR
By-law (reference) 089-23
<b>8.4.3.1 Precinct Regulations</b>
a) Notwithstanding applicable regulations in Table 5.11, the following regulations apply: <ul style="list-style-type: none"> <li>i) Maximum In Water Boatport Projection 30.328m</li> <li>ii) Minimum In Water Boatport East Interior Side Yard Setback 22m</li> </ul>

## 8.4.4

<b>Exception Number:</b> SR-4
<b>Applicable Parent Precinct:</b> SR
By-law (reference) 090-23
<b>8.4.4.1 Precinct Regulations</b>
a) Notwithstanding applicable regulations in Tables 5.8, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14 and/or 5.15, the following regulations apply: <ul style="list-style-type: none"> <li>i) Maximum Dock Area: 134.15m<sup>2</sup>;</li> <li>ii) Maximum In Water Boathouse Height: 8.52m;</li> <li>iii) Maximum In Water Boathouse Length: 15.6m;</li> <li>iv) Maximum In Water Boathouse Width: 15.3m;</li> <li>v) Maximum In Water Boathouse Projection: 18.9m;</li> <li>vi) Minimum In Water Boathouse East Interior Side Yard Setback: 11.08m.</li> </ul>

## 8.4.5

<b>Exception Number:</b> SR-5
<b>Applicable Parent Precinct:</b> SR
By-law (reference) 089-24
<b>8.4.5.1 Precinct Regulations</b>
a) Notwithstanding applicable regulations in Tables 5.8, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14 and/or 5.15, the following regulations apply: <ul style="list-style-type: none"> <li>i) Minimum North Interior Side Yard Setback (Dwelling): 1.23m</li> <li>ii) Minimum South Interior Side Yard Setback (Dwelling): 1.22m</li> <li>iii) Maximum Permitted Ground Floor Area Increase of Existing Legal Non-Complying Dwelling: 198%</li> </ul>

## 8.4.6

<b>Exception Number:</b> SR-6
<b>Applicable Parent Precinct:</b> SR
By-law (reference) 062-17
<b>8.4.6.1 Precinct Regulations</b>
Notwithstanding Table 5.12, a total of up to 6 seasonal water <b>structures</b> are permitted.

**8.4.7**

<b>Exception Number:</b> SR-7
<b>Applicable Parent Precinct:</b> SR
By-law (reference) 075-14
8.4.7.1 Precinct Regulations
a) Notwithstanding Table 5.8 the minimum <b>lot frontage</b> shall be 10.0m.

**8.4.8**

<b>Exception Number:</b> SR-8
<b>Applicable Parent Precinct:</b> SR
By-law (reference) 48-94
8.4.8.1 Permitted Uses
a) Notwithstanding Table 5.3 Tourist cabins shall also be permitted.

**8.5 Site-Specific Exceptions for Mixed Use (MU) Precincts****8.5.1**

<b>Exception Number:</b> MU-1
<b>Applicable Parent Precinct:</b> MU
By-law (reference) 080-13
8.5.1.1 Permitted Uses
a) In addition to the permitted <b>uses</b> of the MU precinct, a lumber storage shed is a permitted <b>use</b> .
8.5.1.2 Parking
a) Notwithstanding any other provision of this By-law, parking shall be a minimum of 116 spaces.

**8.5.2**

<b>Exception Number:</b> MU-2
<b>Applicable Parent Precinct:</b> MU
By-law (reference) 104-20
8.5.2.1 Permitted Uses
a) Notwithstanding any other provision of this By-law, <b>taxi stand or dispatch office</b> and <b>service and repair establishment</b> shall not be permitted.
8.5.2.2 Precinct Regulations
a) Notwithstanding any other provision of this By-law the following provisions apply: <ul style="list-style-type: none"> <li>i) <b>Outdoor Rooftop Patios</b> are permitted and must be set back at least 30.0m from any residential precinct.</li> </ul>



- ii) The **interior side yard** setback shall be a minimum of 6.0m where the **interior side yard** abuts a residential precinct.
- iii) The **rear yard** setback shall be a minimum of 10.0m where a rear lot line abuts a residential precinct, and subject to the 45 degree **angular plane**.
- iv) No **loading space** or platform or overhead vehicle door used for loading purposes shall be located in any yard or wall of any building or structure which abuts or adjoins a **street**.
- v) All **loading spaces** or platforms or overhead vehicle door used for loading purposes shall be limited to the rear yard of any building and screened from view of a **street**.

## 8.5.3

<b>Exception Number:</b> MU-3
<b>Applicable Parent Precinct:</b> MU
By-law (reference) 104-20
8.5.3.1 Permitted Uses
a) Notwithstanding any other provision of this By-law, <b>taxi stand or dispatch office</b> and <b>service and repair establishment</b> shall not be permitted.
8.5.3.2 Precinct Regulations
a) Notwithstanding any other provision of this By-law the following provisions apply: <ul style="list-style-type: none"> <li>i) <b>Outdoor Rooftop Patios</b> are permitted and must be set back at least 30.0m from any residential precinct.</li> <li>ii) The <b>interior side yard</b> setback shall be a minimum of 6.0m where the <b>interior side yard</b> abuts a residential precinct.</li> <li>iii) The <b>rear yard</b> setback shall be a minimum of 10.0m where a rear lot line abuts a residential precinct, and subject to the 45 degree <b>angular plane</b>.</li> <li>iv) The maximum <b>building height</b> shall be 13.0m with no Staff or Council variances permitted.</li> <li>v) The first <b>storey</b> shall have a minimum ceiling height of 4.5m.</li> <li>vi) No <b>loading space</b> or platform or overhead vehicle door used for loading purposes shall be located in any yard or wall of any <b>building</b> or <b>structure</b> which abuts or adjoins a <b>street</b>.</li> <li>vii) All <b>loading spaces</b> or platforms or overhead vehicle door used for loading purposes shall be limited to the rear yard of any building and screened from view of a <b>street</b>.</li> </ul>

## 8.5.3.1 Permitted Uses

- a) Notwithstanding any other provision of this By-law, **taxi stand or dispatch office** and **service and repair establishment** shall not be permitted.

## 8.5.3.2 Precinct Regulations

- a) Notwithstanding any other provision of this By-law the following provisions apply:
  - i) **Outdoor Rooftop Patios** are permitted and must be set back at least 30.0m from any residential precinct.
  - ii) The **interior side yard** setback shall be a minimum of 6.0m where the **interior side yard** abuts a residential precinct.
  - iii) The **rear yard** setback shall be a minimum of 10.0m where a rear lot line abuts a residential precinct, and subject to the 45 degree **angular plane**.
  - iv) The maximum **building height** shall be 13.0m with no Staff or Council variances permitted.
  - v) The first **storey** shall have a minimum ceiling height of 4.5m.
  - vi) No **loading space** or platform or overhead vehicle door used for loading purposes shall be located in any yard or wall of any **building** or **structure** which abuts or adjoins a **street**.
  - vii) All **loading spaces** or platforms or overhead vehicle door used for loading purposes shall be limited to the rear yard of any building and screened from view of a **street**.

## 8.5.4

<b>Exception Number:</b> MU-4
<b>Applicable Parent Precinct:</b> MU
By-law (reference) 117-18
<b>8.5.4.1 Permitted Uses</b>
a) Notwithstanding any other provision of this By-law, a maximum of 2 accessory Drive-Through facility <b>uses</b> are permitted in addition to the permitted <b>uses</b> of the MU precinct.
<b>8.5.4.2 Precinct Regulations</b>
<p>a) Notwithstanding any other provision of this By-law the following provisions apply:</p> <p>i) Any Drive-Through Facility located as part of Building C and/or Building D shall be located a minimum of 4.5m from the front property line.</p> <p>ii) A minimum <b>front yard</b> setback of 0.0m for Building B may be provided for the ground floor and second floor to a maximum of two (2) <b>storeys</b> and all other <b>storeys</b> shall meet the by-law standards and provisions.</p> <p>iii) The minimum <b>exterior side yard</b> setback (that is, from the lot line abutting Jans Boulevard) shall be 4.0m for Building A. Where the building is greater than three <b>storeys</b> or 12.0m, whichever is the lesser, the minimum <b>exterior side yard</b> setback shall be 5.0m for Building A.</p> <p>iv) The minimum <b>rear yard</b> setback for Building A shall be 3.5m for an exterior egress stairwell <b>structure</b> only.</p> <p>v) The minimum <b>front yard</b> and <b>exterior side yard</b> landscaped strips shall correspond to the setbacks provide for a <b>structure</b>, excluding parking areas, areas for driveways, walkways and sidewalks.</p> <p>vi) Building A shall have a maximum <b>building</b> height of 29.9m, Building C shall have a minimum <b>building</b> height of 5.8m, and Building D shall have a minimum <b>building</b> height of 5.4m.</p> <p>vii) Maximum <b>front yard</b> encroachments on Innisfil Beach Road are 1.5m for the architectural features on Building B.</p>
<b>8.5.4.3 Parking</b>
a) Notwithstanding any other provision of this By-law a maximum of two parking spaces shall be permitted abutting Jans Boulevard.
<b>8.5.4.4 Other</b>
<p>a) Notwithstanding any other provisions of this By-law, garbage containment shall be permitted to be located outside of a commercial building (Building C).</p> <p>b) Notwithstanding any other provision of this By-law, a minimum of 1 loading space is required for Building B.</p>

## 8.5.5

<b>Exception Number:</b> MU-5
<b>Applicable Parent Precinct:</b> MU
By-law (reference) 117-18
8.5.5.1 Permitted Uses
a) Notwithstanding any other provision of this By-law, a maximum of 18 <b>townhouse dwellings</b> totaling a maximum of 3 blocks are permitted in addition to the permitted <b>uses</b> of the MU precinct.
8.5.5.2 Precinct Regulations
<p>a) Notwithstanding any other provision of this By-law, the following provisions apply for <b>townhouse dwellings</b>:</p> <p>i) The minimum <b>lot area</b> per <b>unit</b> is 138.0m<sup>2</sup>.</p> <p>ii) The minimum <b>lot frontage</b> for an interior or <b>exterior lot</b> is 6.0m.</p> <p>iii) The minimum <b>front yard</b> setback (from curb) is 4.5m.</p> <p>iv) The minimum <b>interior side yard</b> setback is 0.0m, or 1.2m for an end unit.</p> <p>v) The minimum <b>exterior side yard</b> setback is 3.0m.</p> <p>vi) The minimum <b>rear yard</b> setback is 7.0m for a <b>dwelling unit</b> and 4.0m for decks.</p> <p>vii) The maximum <b>lot coverage</b> per townhouse <b>unit</b> or per <b>lot area</b> is 50%.</p> <p>viii) The maximum <b>building height</b> is 11.0m for a peaked roof and 9.5m for a flat roof and no 45 degree angular plane.</p> <p>ix) The minimum landscaped open space is 30%.</p> <p>x) The minimum amenity space per <b>unit</b>, both outdoor and indoor, is 0.0m<sup>2</sup>.</p>
8.5.5.3 Parking
<p>a) Notwithstanding any other provision of this By-law, the following provisions apply for <b>townhouse dwellings</b>:</p> <p>i) A minimum of 2 parking spaces per <b>dwelling unit</b>, and a minimum of 0.23 parking spaces per <b>dwelling unit</b> for visitor parking.</p>
8.5.5.4 Other
a) The Holding provision shall not be lifted until development limits have been established through the completion of an Environmental Impact Study and Flood Hazard Assessment or other background documents deemed necessary, to the satisfaction of the Lake Simcoe Region Conservation Authority and Town of Innisfil.

## 8.6 Site-Specific Exceptions for Neighbourhood Commercial (NC) Precincts

### 8.6.1

<b>Exception Number:</b> NC-1
<b>Applicable Parent Precinct:</b> NC
By-law (reference) 019-18
<b>8.6.1.1 Precinct Regulations</b>
a) Notwithstanding Table 6.4 the following provisions shall apply <ul style="list-style-type: none"> <li>i) The minimum <b>lot frontage</b> shall be 100.0m.</li> <li>ii) The minimum <b>lot area</b> shall be 5.3ha.</li> </ul>

### 8.6.2

<b>Exception Number:</b> NC-2
<b>Applicable Parent Precinct:</b> NC
By-law (reference) 098-16
<b>8.6.2.1 Permitted Uses</b>
a) Notwithstanding Table 6.2 the only permitted uses shall include <ul style="list-style-type: none"> <li>i) Commercial Uses listed for the NC Precinct in Table 6.2</li> <li>ii) <b>Veterinary Clinic</b></li> <li>iii) <b>Garden Centre or Nursery</b></li> <li>iv) <b>Motor Vehicle Service Station</b> in accordance with the provisions of Section 3.24</li> <li>v) Community Service Uses listed for the NC Precinct in Table 6.2</li> <li>vi) Library</li> <li>vii) <b>Community Centre</b></li> </ul>
<b>8.6.2.2 Precinct Regulations</b>
a) Notwithstanding Table 6.3 the following provisions shall apply to commercial uses <ul style="list-style-type: none"> <li>i) The minimum <b>lot area</b> shall be 3.8ha.</li> <li>ii) The minimum <b>lot frontage</b> shall be 190.0m.</li> <li>iii) A maximum <b>lot coverage</b> of 50% is permitted.</li> <li>iv) The minimum <b>front yard</b> shall be 12.0m.</li> <li>v) The minimum <b>interior side</b> yard shall be 5.0m.</li> <li>vi) The minimum <b>exterior side</b> yard shall be 8.0m.</li> <li>vii) The minimum <b>rear yard</b> shall be 9.0m.</li> <li>viii) The minimum width of landscaped buffer in the <b>front yard</b> shall be 6.0m.</li> <li>ix) The minimum width of landscaped buffer in the rear and <b>interior side</b> yard shall be 3.0m.</li> <li>x) A maximum <b>building height</b> of 11.0m is permitted.</li> <li>xi) The minimum <b>building height</b> shall be 6.0m.</li> <li>xii) A minimum of 36% of the <b>lot frontage</b> abutting the front <b>lot line</b>/required setback shall be building(s).</li> </ul>
<b>8.6.2.3 Parking</b>
a) Notwithstanding any other provision of this By-law the following parking and loading provisions shall apply

- i) The minimum number of **parking spaces** shall be 350 spaces.
- ii) Required **parking spaces** are permitted to encroach within the required **front yard** to a maximum of 6.0m.
- iii) The maximum number of dedicated **loading spaces** shall be 5 spaces.
- iv) Required **loading spaces** are permitted to encroach into the **exterior side yard**.

#### 8.6.2.4 Other

- a) A **Motor Vehicle Service Station** shall only be permitted as an **accessory use**, shall not exceed six pumps, may only have an attached **accessory** sales kiosk not to exceed 40.0m<sup>2</sup> in size and shall not be located in the **Front Yard**.
- b) The front lot line shall be the lot line which abuts Innisfil Beach Road.
- c) Garbage enclosures/garbage containment shall be permitted as standalone **structure(s)** and meet the minimum required setbacks.
- d) A minimum 2.0m tight-board fence shall be required abutting any residential precinct.

### 8.6.3

**Exception Number:** NC-3

**Applicable Parent Precinct:** NC

By-law (reference) 080-13

#### 8.6.3.1 Permitted Uses

- a) Notwithstanding Table 6.2 permitted uses shall include
  - i. Business Office
  - ii. **Drive-through Facility**
  - iii. **Veterinary Clinic**

#### 8.6.3.2 Precinct Regulations

- a) Notwithstanding Table 6.4 the following provisions shall apply
  - i. Minimum westerly setback to the property line: 6.0m
  - ii. Minimum southerly setback to an Open Space or Environmental Protection Precinct: 9.0m (garbage or loading structures/facilities can encroach into this setback to a maximum of 3.0m)
  - iii. Minimum easterly setback to the property line: 11.0m
  - iv. Minimum setback from Innisfil Beach Road street line: 1.5m
  - v. Maximum setback from Innisfil Beach Road street line for buildings within 30.0m of Innisfil Beach Road: 4.0m
  - vi. The minimum **building height** for buildings within 30.0m of Innisfil Beach Road shall be 5.0m.
  - vii. Maximum **gross floor area**, excluding seasonal garden centres: 10, 225.0m<sup>2</sup>

#### 8.6.3.3 Parking

- a) Notwithstanding any other provision of this By-law, the following parking regulations shall apply:
  - i. Minimum number of **parking spaces**: 1 **parking space** per 19.0m<sup>2</sup> of gross leasable floor area. For the purpose of this calculation, gross leasable floor area shall be defined as: the sum total of the area of the floor of floors, measured from the exterior walls of the **building or structure** at the level of each floor or mezzanine level but shall not include: basements; ancillary offices; storage areas

inaccessible to the general public; floor area common by the tenants of a building such as a mall, isle or hallway, or elevator shaft or lobby; stairwells; washrooms; maintenance, mechanical, electrical or utility rooms; seasonal garden centres and garbage enclosures

- b) Notwithstanding any other provision of this By-law, the following minimum number of **loading spaces** shall be provided per building:
- i. 0.0 to 1,860.0m<sup>2</sup> of gross floor area: 0
  - ii. 1,862.0 to 2,787.0m<sup>2</sup> of gross floor area: 1
  - iii. Over 2,787.0m<sup>2</sup> of gross floor area: 2

#### 8.6.3.4 Other

- a) There shall be no restrictions on the number of buildings permitted on an individual lot
- b) In the event of land division approved by the Town of Innisfil these lands shall be treated as one parcel for the purpose of meeting By-law standards for setbacks, **lot area**, **lot frontage**, parking, and **lot coverage** and similar regulations.
- c) No **drive-through facility** and/or **stacking lane** shall be permitted in any required yard between the street line, and any building directly adjacent to Innisfil Beach Road, and shall be setback a minimum of 20.0m from any type of residential precinct.
- d) The outdoor display and sale of goods, such as seasonal **garden centres**, shall be permitted in accordance with the following provisions:
  - i. The size shall not be more than 10% of the **gross floor area** of the main use
  - ii. Shall not be located within a required yard
  - iii. Shall not obstruct or occupy any required **parking area** or **loading space**
  - iv. The outdoor display area is to be located on a hard surface material of asphalt, concrete, pavers or similar building material.
- e) Notwithstanding any other provision of this By-law the following provisions apply to a gas bar:
  - i. A minimum setback of 1.5m and a maximum setback of 4.0m shall be required from the Innisfil Beach Road street line. This regulation will not apply to either a fuel pump or canopy.
  - ii. No fuel pump or canopy may be erected in the front, side yards, or within 11.8 m of any street line, or lot line.
  - iii. The distance between means of access or ramps is a minimum of 9m
  - iv. Each ramp may have a maximum width of 11.0m, and there will be no interior angle requirement formed between the lot line, and centerline of the ramp.
  - v. No ramp may be located within 1.5m of a side lot line.
  - vi. Food and confectionary sales are permitted as an **accessory use**.
  - vii. A building or shelter associated with a gas bar may have a **gross floor area** up to 110 m
  - viii. The gas bar is permitted up to 4 pumps, which consist of 8 fuelling nozzles.
  - ix. The maximum **height** of a fuel canopy shall be 5.7 m.

## 8.7 Site-Specific Exceptions for Community Service (CS) Precincts

### 8.7.1

<b>Exception Number:</b> CS-1
<b>Applicable Parent Precinct:</b> CS
By-law (reference) 046-99
8.7.1.1 Precinct Regulations
a) Notwithstanding Table 7.3 a maximum <b>building height</b> of 13.0m is permitted.

### 8.7.2

<b>Exception Number:</b> CS-2
<b>Applicable Parent Precinct:</b> CS
By-law (reference) 030-22
8.7.2.1 Permitted Uses
a) Notwithstanding any other provision of this By-law, the only permitted <b>uses</b> shall be a <b>child care centre, private club and community centre</b> , and <b>accessory buildings and structures</b> . For clarity, accessory <b>dwelling units</b> shall not be a permitted accessory <b>use</b> .

## 8.8 Site-Specific Exceptions for Open Space (OS) Precincts

### 8.8.1

<b>Exception Number:</b> OS-1
<b>Applicable Parent Precinct:</b> OS
By-law (reference) 41-97
8.8.1.1 Permitted Uses
a) Notwithstanding Table 7.2 permitted <b>uses</b> shall be limited to passive recreational <b>uses</b> , and public community forest to be maintained in accordance with good management practices

## 8.9 Site-Specific Exceptions for Environmental Protection (EP) Precincts

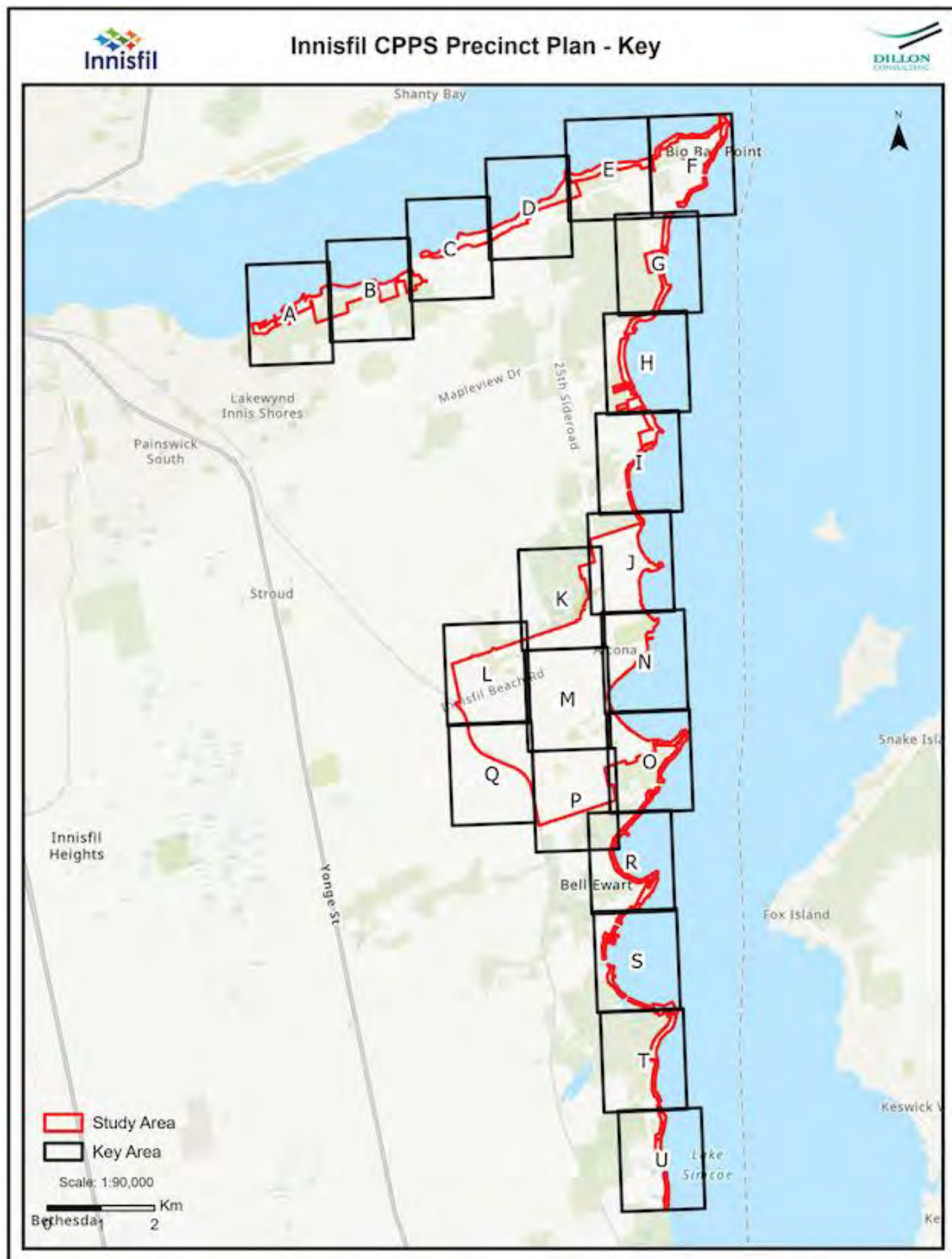
### 8.9.1

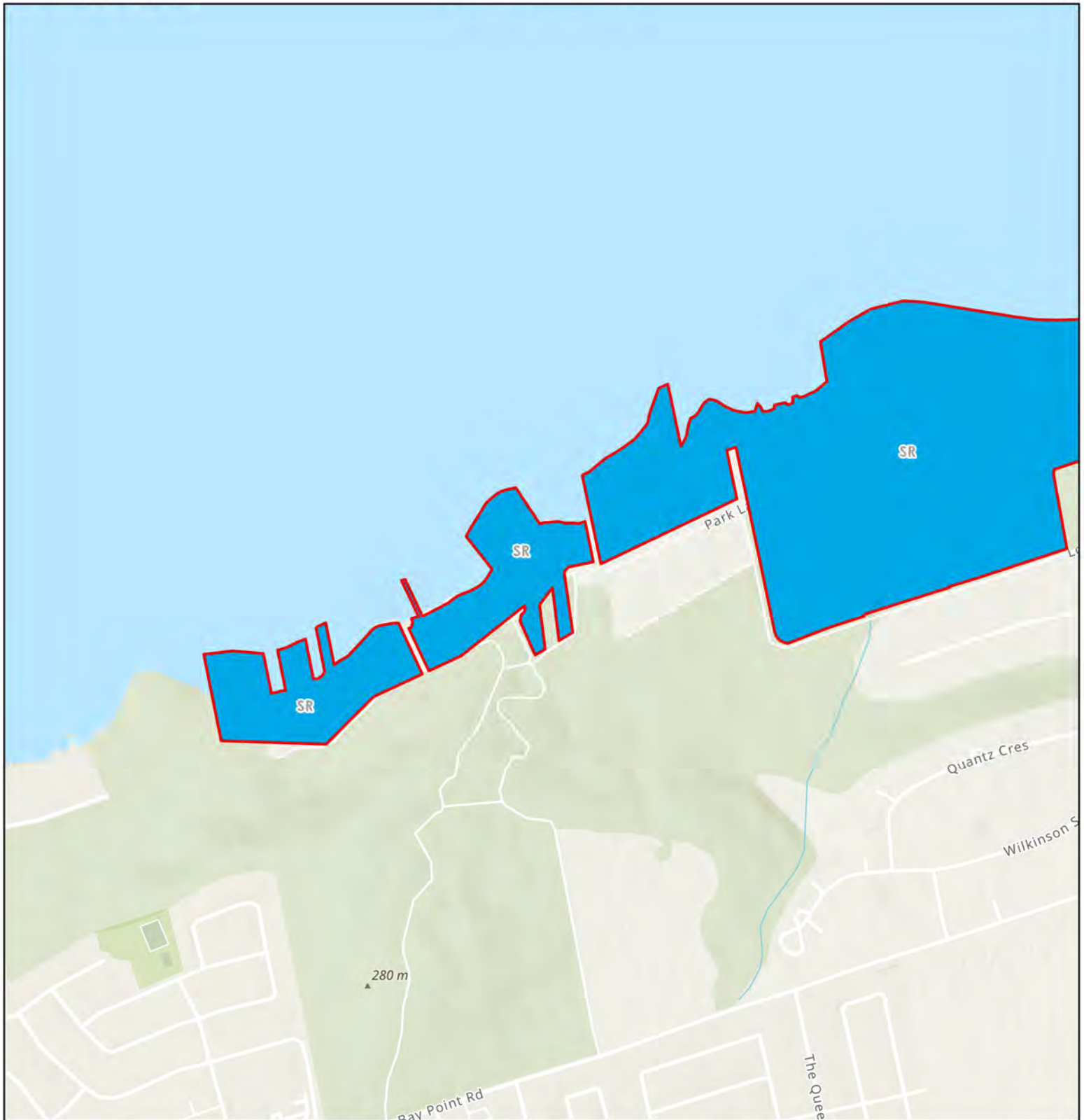
<b>Exception Number:</b> EP-1
<b>Applicable Parent Precinct:</b> EP
By-law (reference) OMB Order 58-95, 29-00, By-law 062-08
8.9.1.1 Permitted Uses
a) Notwithstanding Table 7.2 permitted uses shall be limited to <b>passive recreational uses, conservation uses</b> and forestry uses in accordance with good management practices.

**Schedule “A” – Community Planning Permit Area**



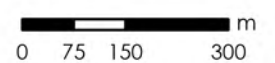
# Precinct Plan Key Map





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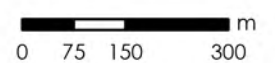




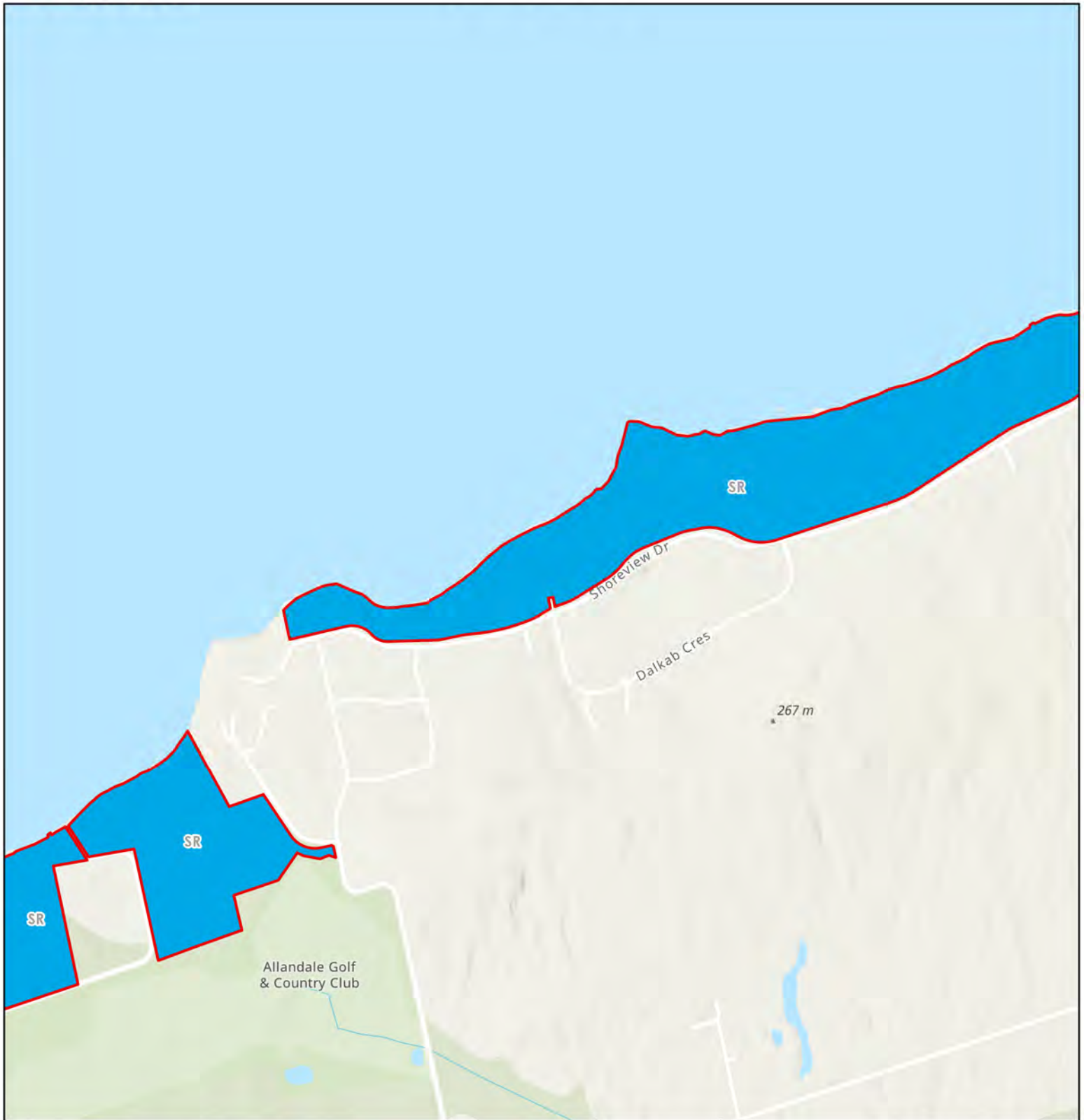
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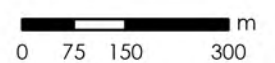


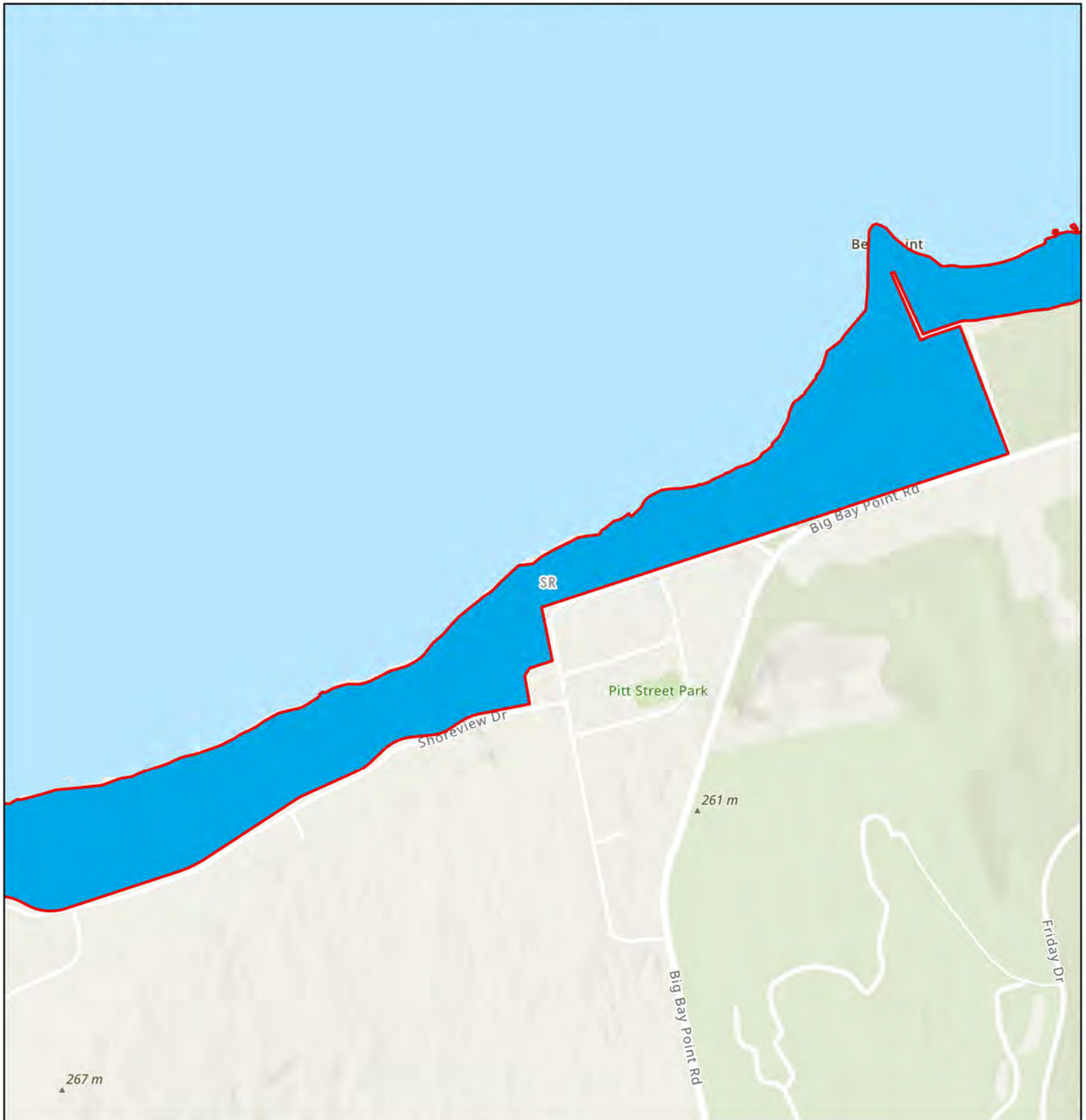




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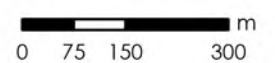
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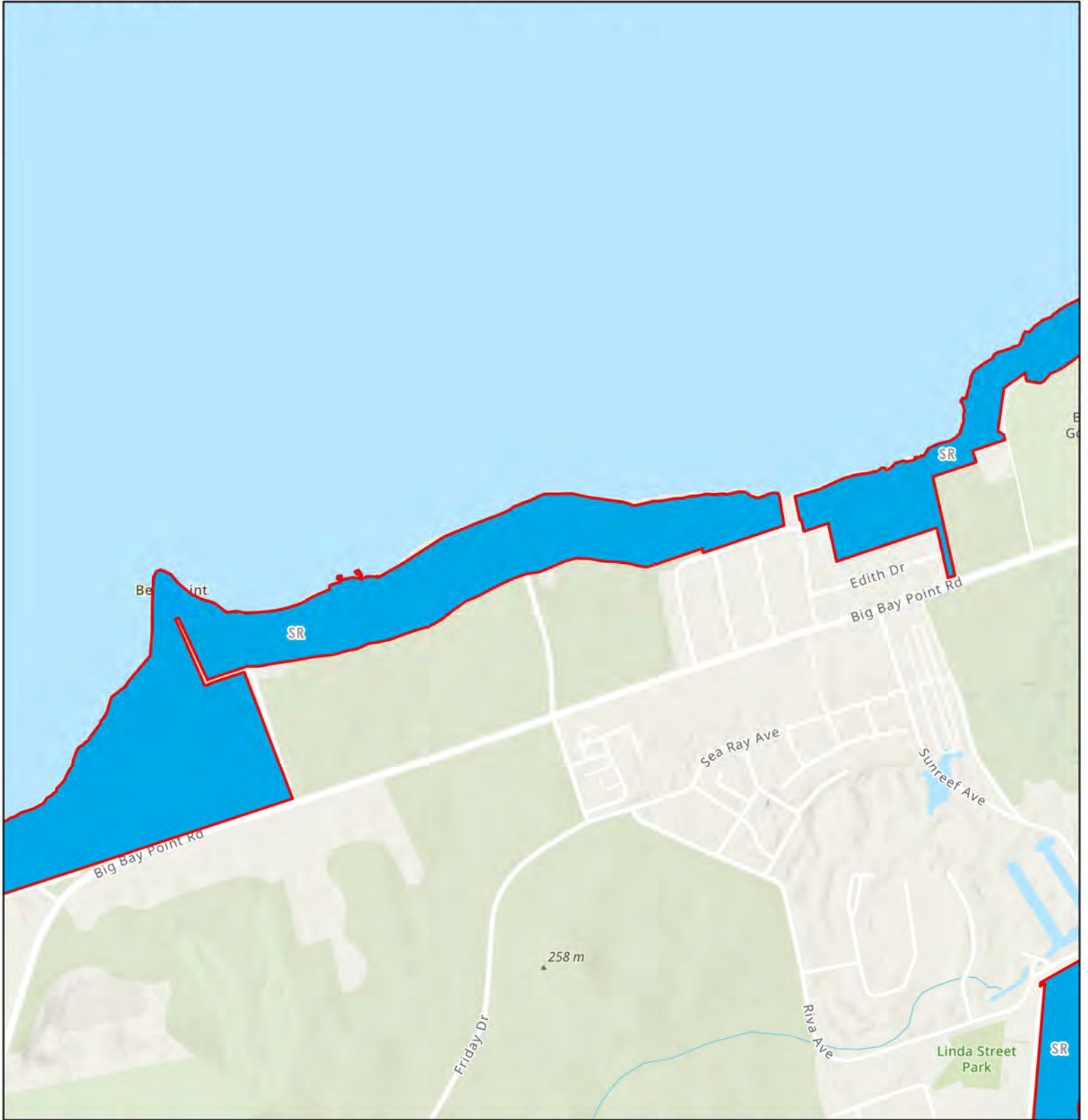




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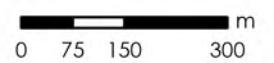




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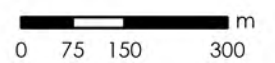


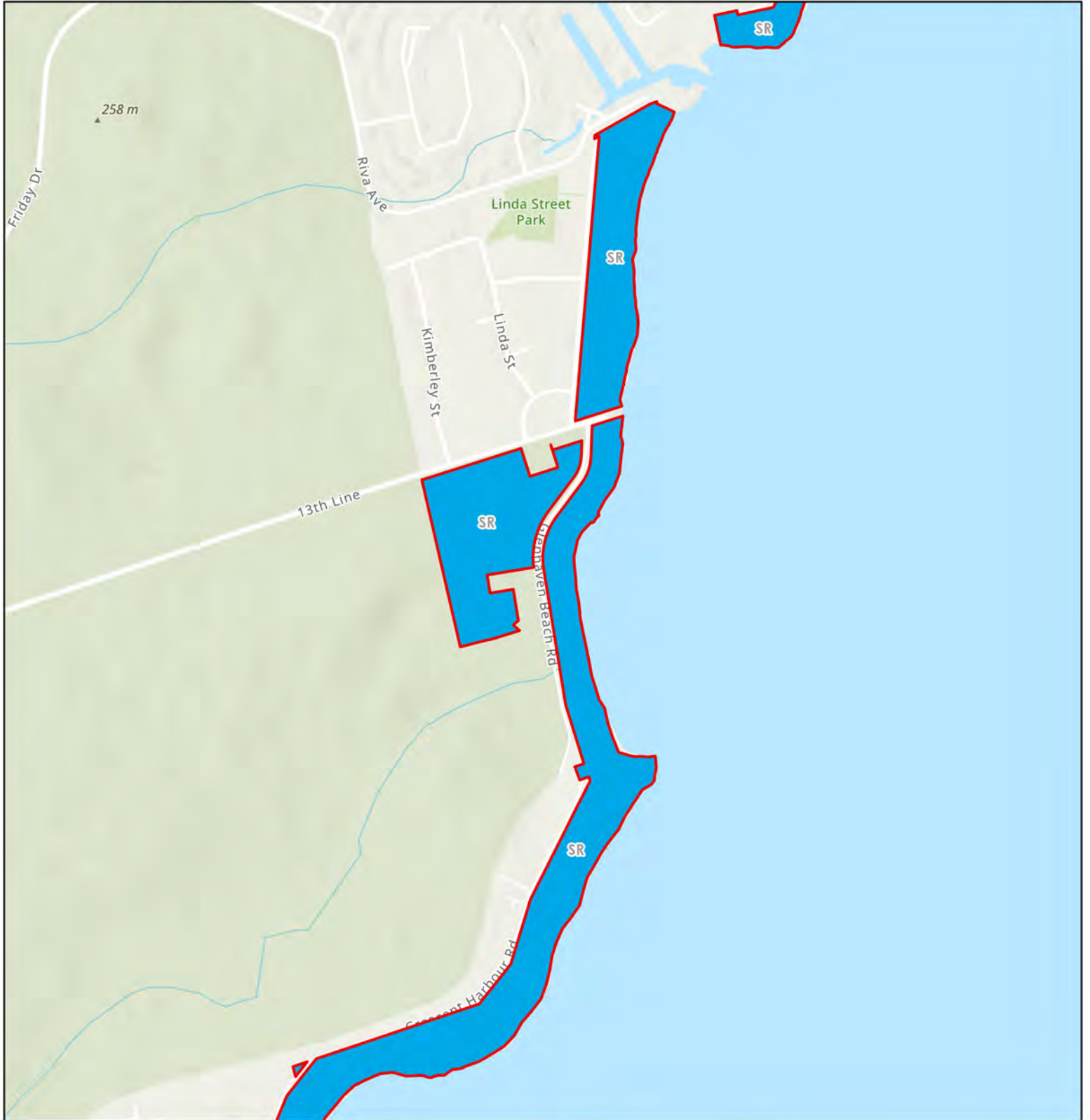


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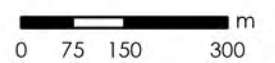




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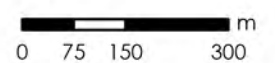






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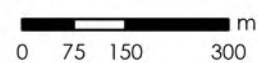




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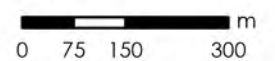




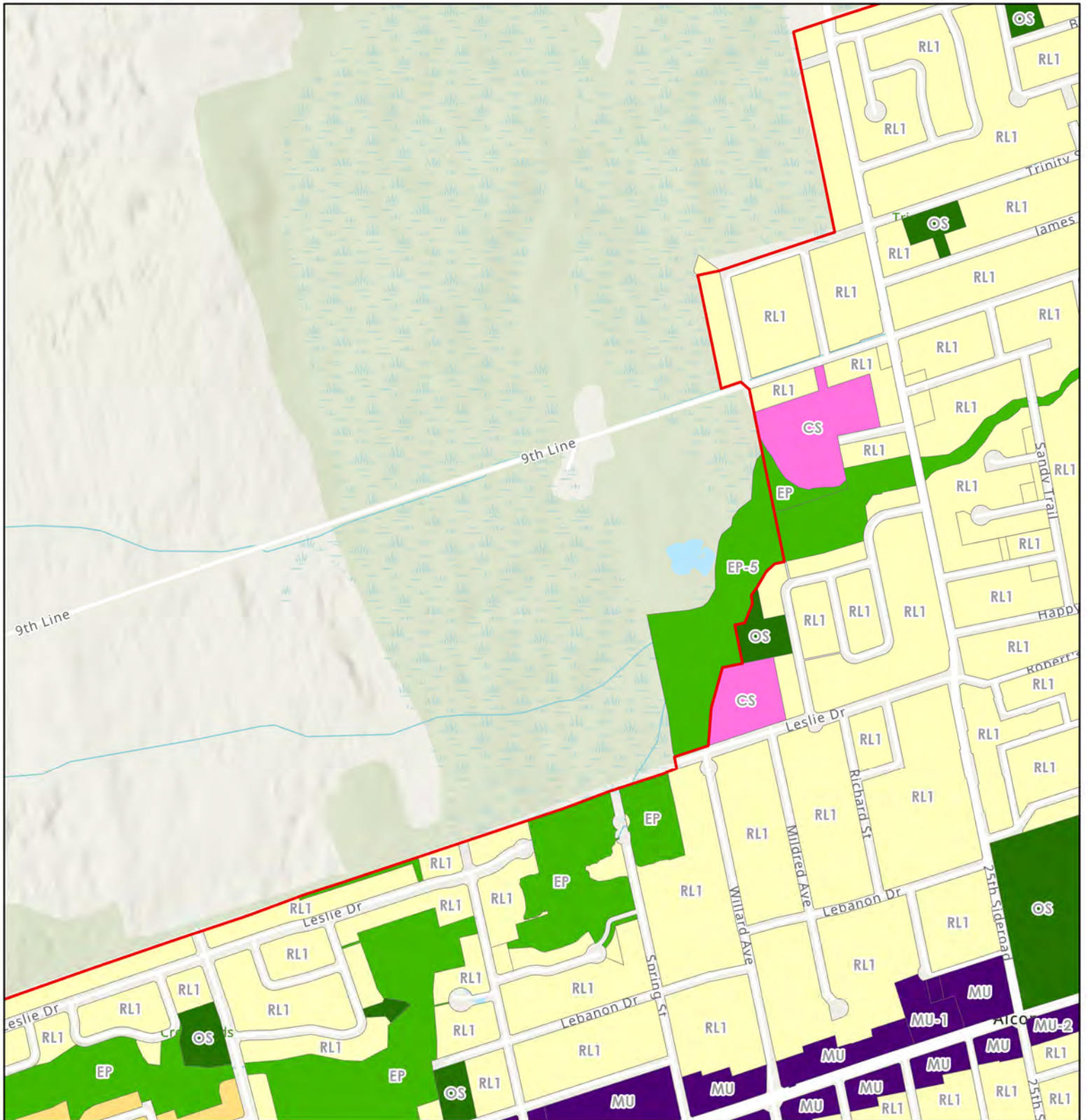
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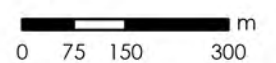




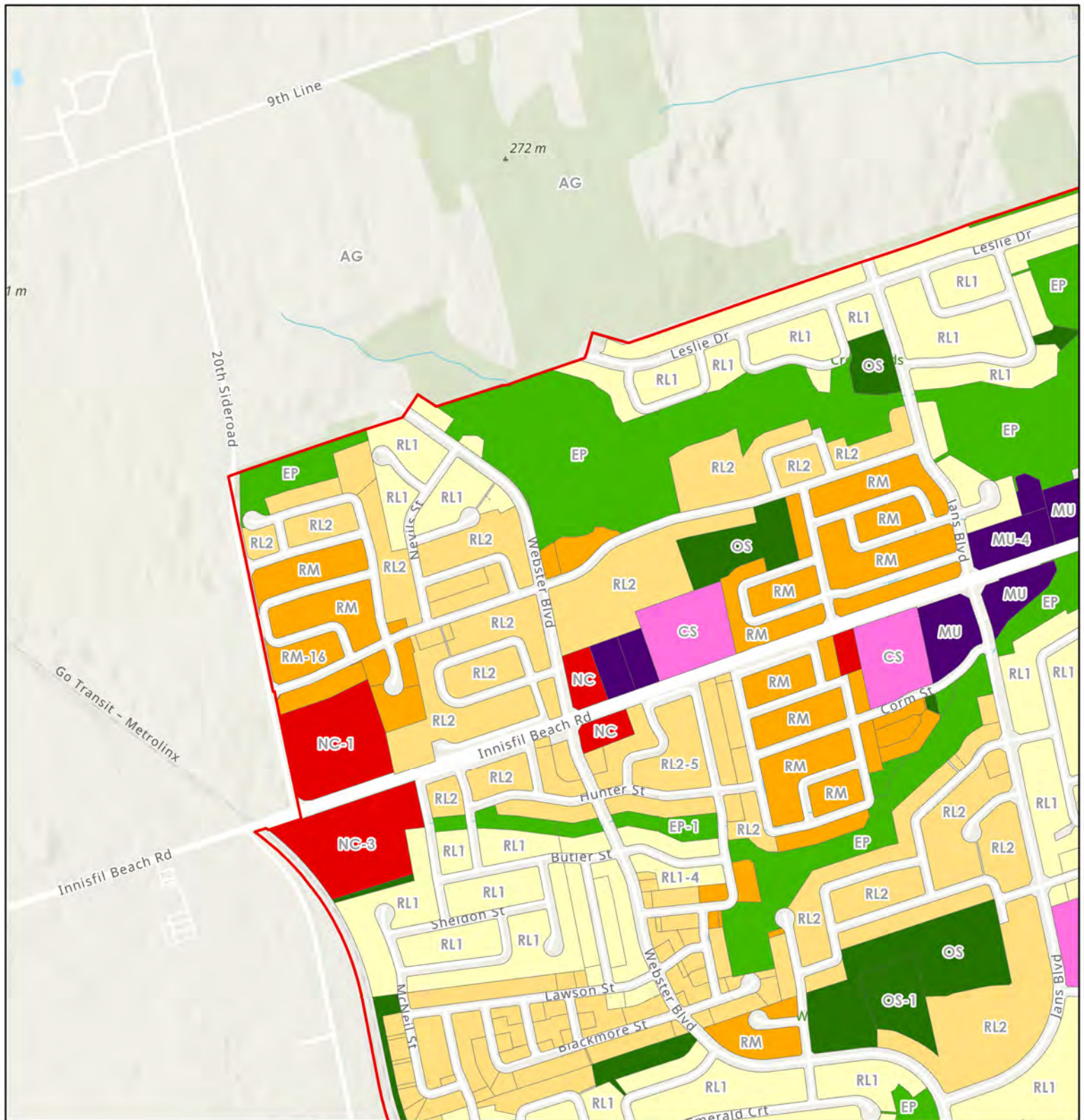
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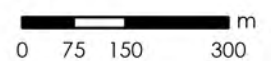




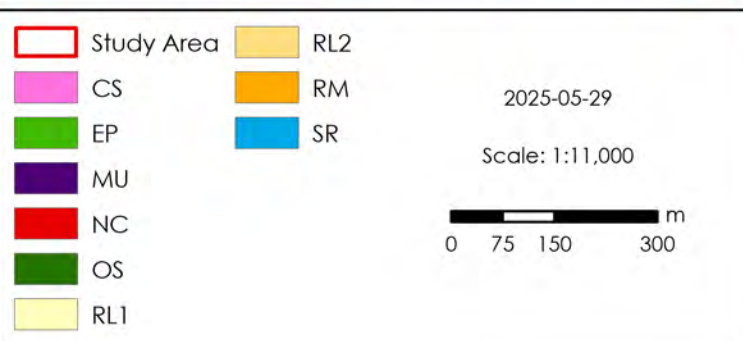
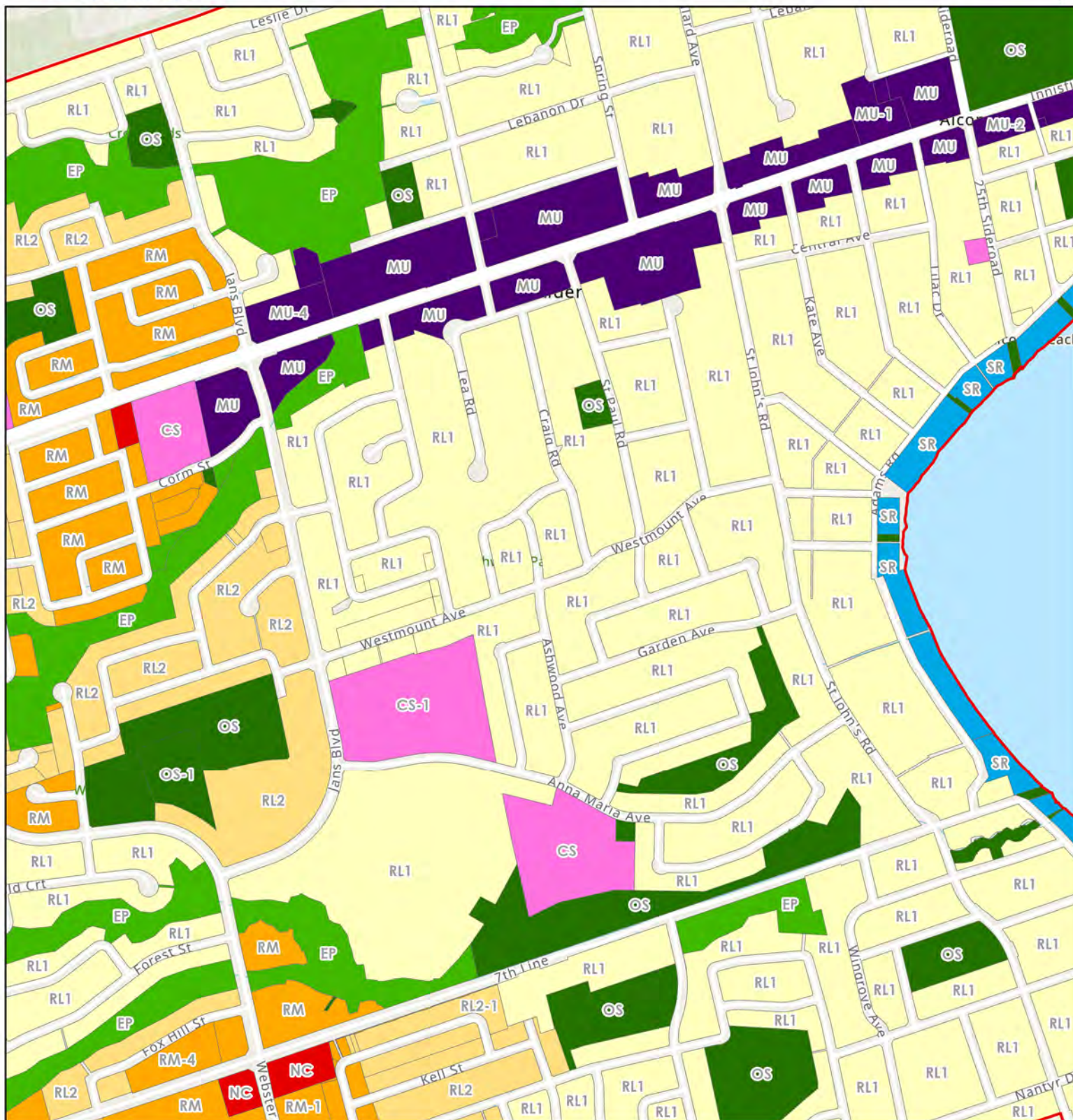


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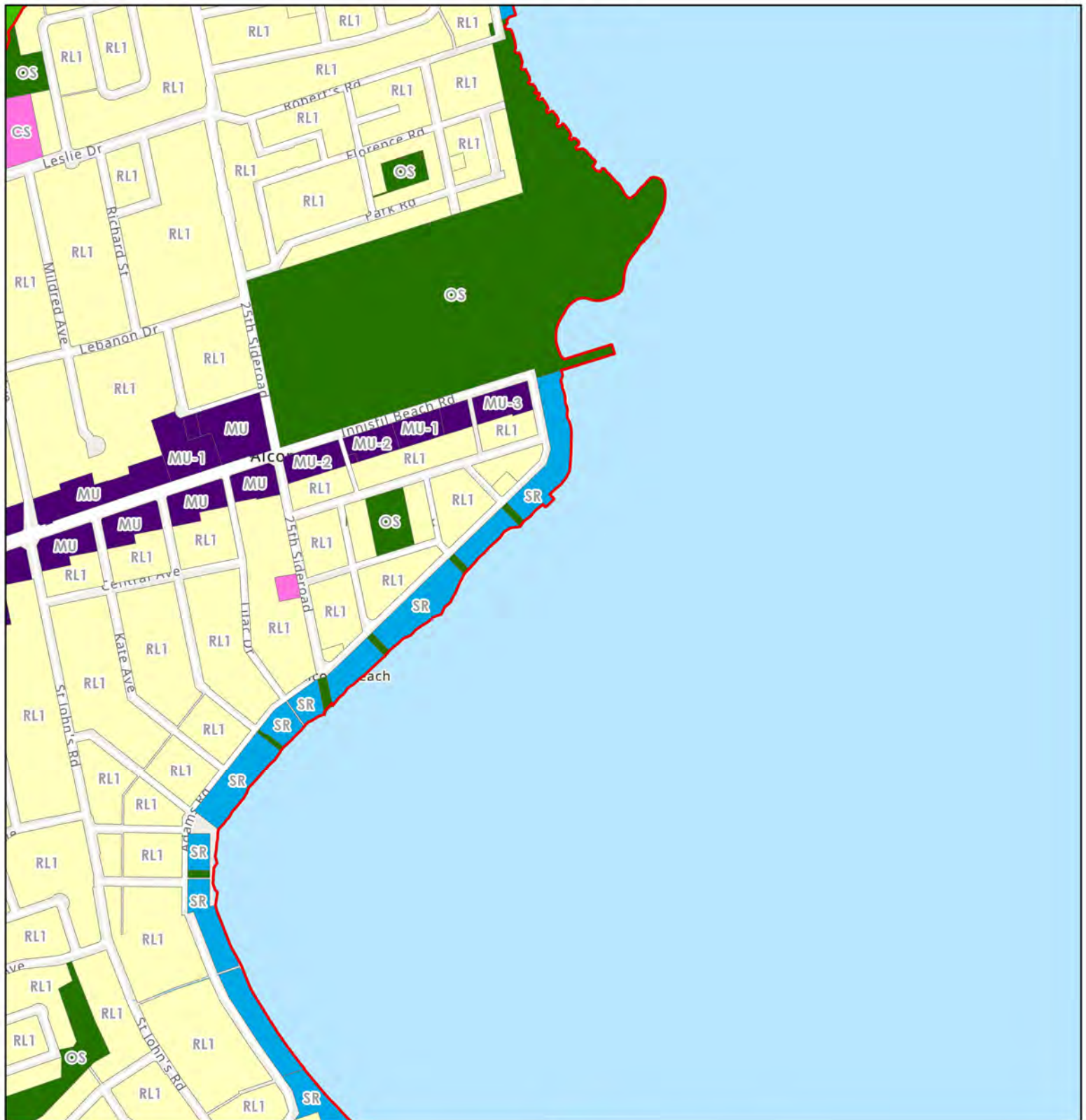
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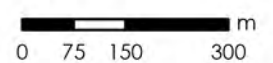


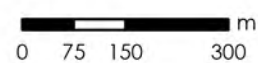




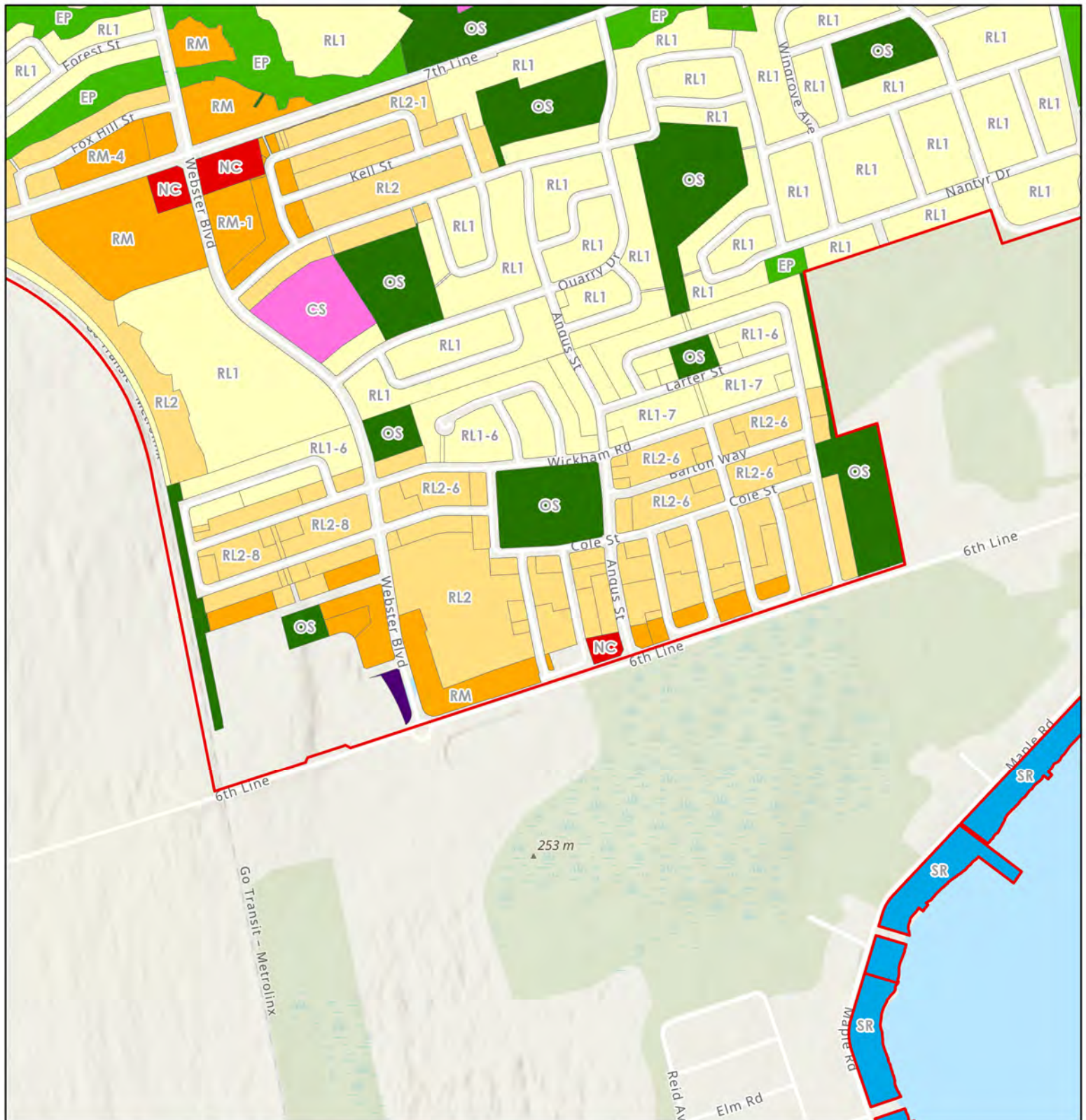
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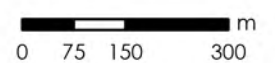




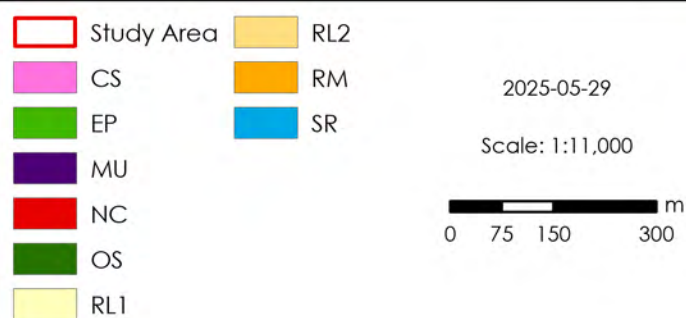


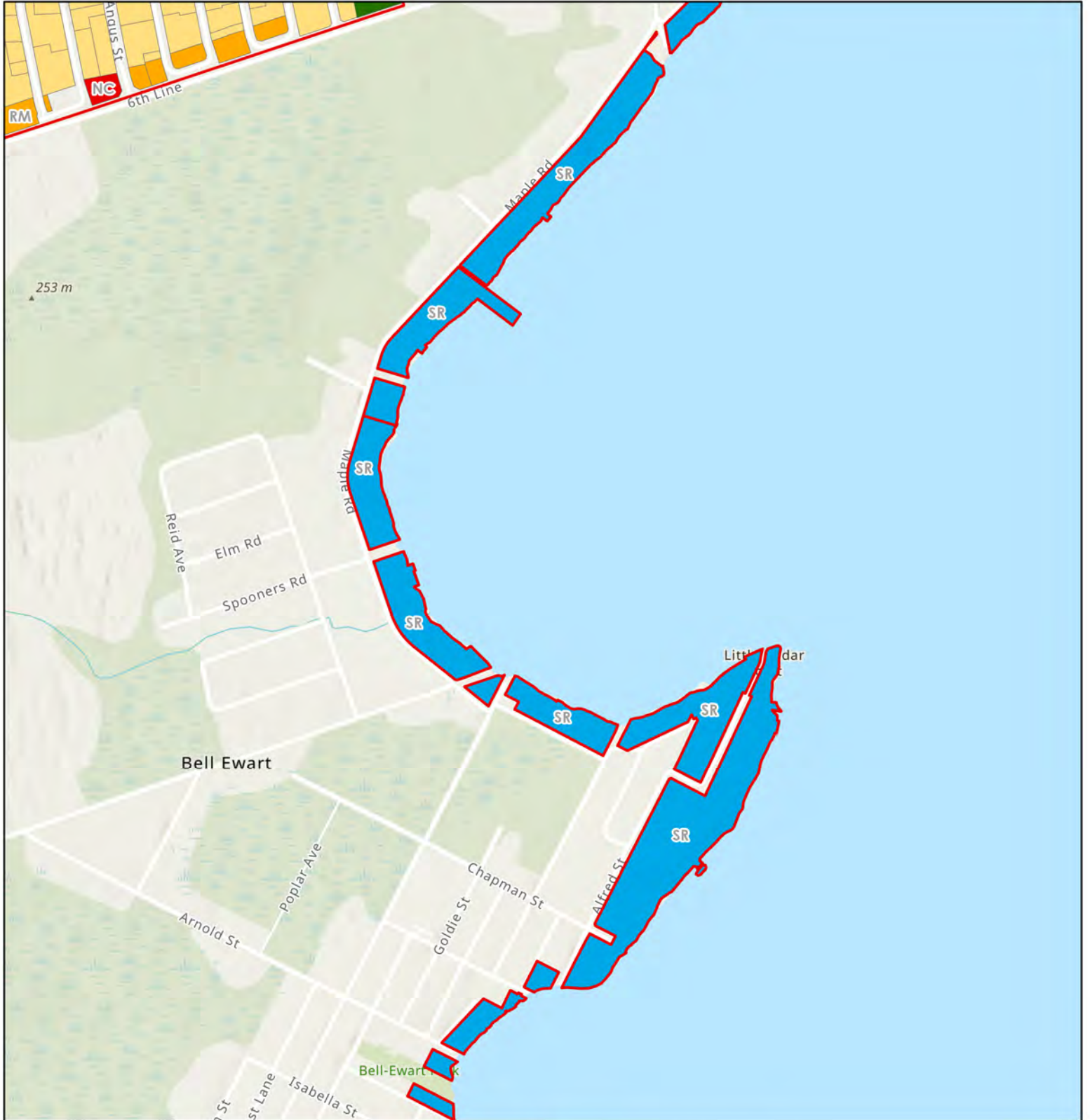
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- |   |            |   |     |
|---|------------|---|-----|
|  | Study Area |  | RL2 |
|  | CS         |  | RM  |
|  | EP         |  | SR  |
|  | MU         |   |     |
|  | NC         |   |     |
|  | OS         |   |     |
|  | RL1        |   |     |

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Scale: 1:11,000


0 75 150 300 m

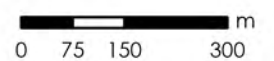


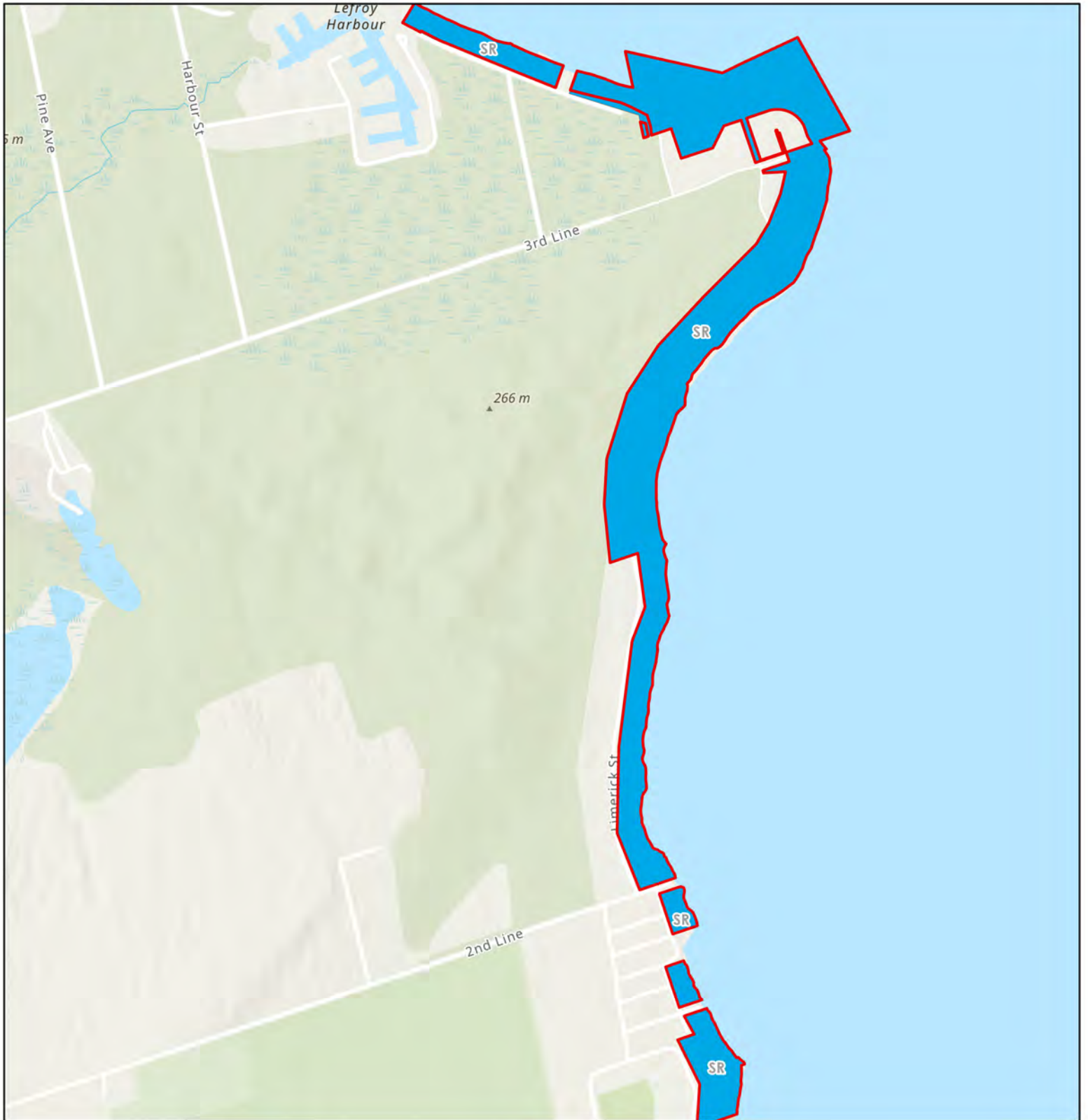


- |   |            |   |     |
|---|------------|---|-----|
|  | Study Area |  | RL2 |
|  | CS         |  | RM  |
|  | EP         |  | SR  |
|  | MU         |   |     |
|  | NC         |   |     |
|  | OS         |   |     |
|  | RL1        |   |     |

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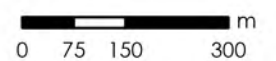
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Scale: 1:11,000







- |  |   |
|--|---|
|  Study Area |  RL2 |
|  CS         |  RM  |
|  EP         |  SR  |
|  MU         |   |
|  NC         |   |
|  OS         |   |
|  RL1        |   |

2025-05-29

Scale: 1:11,000

