

THE CORPORATION OF THE TOWN OF INNISFIL

BY-LAW NO. 039-21

**A By-Law of The Corporation of the Town of Innisfil to amend  
Zoning By-law No. 080-13, as amended.**

WHEREAS the Council of the Corporation of the Town of Innisfil deems it desirable to amend Zoning By-law No. 080-13, as amended; 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. 1990.

NOW THEREFORE the Council of the Corporation of the Town of Innisfil enacts as follows:

1. Schedule "A" attached forms part of this By-law.
2. Schedule "A" – Zone Maps, as amended, is hereby further amended as follows:
  1. Zoning Updates as shown on Maps 1 to 10;
3. Section 1.4 "Zone Boundaries" of Zoning By-law No. 080-13 is hereby amended by adding the following after Section 1.4.3:

"**1.4.4** Where a parcel of land or lot does not have an assigned zone, that parcel of land or lot will absorb the same zoning as the adjacent lands. In the case of multiple different abutting zone classifications, the new zone boundary shall be the former centerline(s) between the zones."
4. Section 2 "Definitions" of Zoning By-law No. 080-13 is hereby amended by modifying Section 2.6 by replacing the words "**medical marihuana**" with "**cannabis**"
5. Section 2 "Definitions" of Zoning By-law No. 080-13 is hereby amended by modifying Section 2.51 as follows:

"**2.51 Driveway** means an area of land that provides vehicular access from a street or private road to a parking aisle or garage."
6. Section 2 "Definitions" of Zoning By-law No. 080-13 is hereby amended by adding a new Section 2.78 and renumbering all subsequent Sections within Section 2:

"**2.78 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**."

7. Section 2 “Definitions” of Zoning By-law No. 080-13 is hereby amended by modifying Section 2.106 as follows:

**“2.106 Landscaping** means any permeable combination of trees, grass or other horticultural elements, decorative stonework, signboards, paving, other than **parking or loading areas**, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property and to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land.”

8. Section 2 “Definitions” of Zoning By-law No. 080-13 is hereby amended by modifying Section 2.117 as follows:

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

9. Section 2 “Definitions” of Zoning By-law No. 080-13 is hereby amended by modifying Section 2.130 as follows:

**“2.130 Cannabis Production Facility** means a building used for growing, producing, processing, testing, destroying, storing or distribution of marihuana or cannabis authorized by a license issued by the federal Minister of Health, pursuant to Section 35 of the Marihuana for Medical Purposes Regulations under the *Cannabis Act*, SC 2018, c 16, as amended, or any subsequent legislation which may be enacted in substitution thereof. For purposes of clarification, no part of this operation, whether **accessory** or not, may be located outdoors. In the interpretation of this definition, cannabis means the substance set out in the *Cannabis Act*, SC 2018, c 16, as amended.”

10. Section 3 “General Provisions” of Zoning By-law No. 080-13 is hereby amended by modifying Section 3.3 a) as follows:

**“3.3 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%. That any at grade recreational use(s) such as but not limited to basketball courts, tennis courts, outdoor hockey rinks, etc., shall meet the minimum setback provisions for an **accessory structure** and that recreational use(s) at grade shall be exempt from **lot coverage** requirements. (By-law 031-17)”

11. Section 3 “General Provisions” of Zoning By-law No. 080-13 is hereby amended by adding the following after Section 3.3 h)

“i) Notwithstanding any other provisions of this By-law, where an attached **deck** in a residential zone 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**.”

12. Section 3 “General Provisions” of Zoning By-law No. 080-13 is hereby amended by modifying Section 3.28 as follows:

**“3.28 CANNABIS PRODUCTION FACILITIES** Notwithstanding any other provisions in this **by-law** to the contrary, the following provisions shall apply to permit cannabis production facilities in the permitted **zones** specified in this **by-law** within the Town of Innisfil:

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

13. Section 3 “General Provisions” of Zoning By-law No. 080-13 is hereby amended by modifying Section 3.3 b) as follows:

**“3.3 b) The gross floor area or footprint of an accessory building or structure shall not exceed 50 square metres in any Residential zone, except in the Rural Residential zone. This provision shall not apply to an attached deck/porch/verandah/balcony, swimming pool, boathouse, or dock permitted in accordance with the provisions of this By-law. (By-law 031-17)”**

14. Section 3 “General Provisions” of Zoning By-law No. 080-13 is hereby amended by removing Section 3.3 e) and renumbering all subsequent Sections within Section 3.3

15. Section 3 “General Provisions” of Zoning By-law No. 080-13 is hereby amended by modifying Section 3.13 e) as follows:

**“3.13 e) A stacking lane for a drive-through facility** including that portion of the lane past the **lane** past the service window and/or automated machine where orders are taken shall be **setback** a minimum of 20 metres from any type of residential zone. The required **setback** may be reduced to a minimum of 7.5 metres, provided that a noise wall, certified by a professional engineer, no taller than 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"

16. Section 3 "General Provisions" of Zoning By-law No. 080-13 is hereby amended by modifying Section 3.25 c) ii) as follows:

**"3.25 c) ii) the footprint of the enlargement, repair or renovation does not result in an increase of more than 50% to the existing building footprint of the principal building."**

17. Section 3 "General Provisions" of Zoning By-law No. 080-13 is hereby amended by modifying Section 3.35.1.1 ao) as follows:

"

Ao)	Other <b>industrial uses</b>	1 <b>parking space</b> for every 45 square metres of <b>gross floor area</b> up to 2,000 square metres, plus 1 <b>parking space</b> for each additional 100 square metres of <b>gross floor area</b> up to 6,000 square metres, and 1 <b>parking space</b> for each 200 square metres over 6,000 square metres
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18. Section 3 "General Provisions" of Zoning By-law No. 080-13 is hereby amended by modifying Section 3.35.2 b) as follows:

**"3.35.2 b)** Except in accordance with Section 3.35.3, the minimum width of **parking spaces** shall be 2.75 metres. The minimum length for **parking spaces** shall be 5.7 metres and increased to 6.0 metres where overhang cannot be accommodated."

19. Section 3 "General Provisions" of Zoning By-law No. 080-13 is hereby amended by modifying Section 3.54 f) and g) as follows:

"

f)	<b>Decks</b> higher than 0.2 metres above the <b>established grade</b>	<p>i) No closer than 1 metre from any <b>interior lot line</b> or <b>rear lot line</b></p> <p>ii) No closer than 3.0 metres from any <b>front lot line</b></p> <p>iii) No closer than 3.0 metres from any <b>exterior lot line</b></p>
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)	<p>i) 3.0 metres into any required <b>front yard setback</b></p> <p>ii) 3.0 metres into any required <b>rear yard setback</b></p> <p>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></p>

"

20. "Table 5.1 – Permitted Uses" of Zoning By-law No. 080-13 is hereby amended by allowing an Outdoor Patio in a CV, CT and CBP Zone under permitted accessory uses, buildings and structures

**Page 5 of 15**  
**to By-law 039-21**

21. "Table 6.1 – Permitted Uses" of Zoning By-law No. 080-13 is hereby amended by replacing the words "**Medical Marihuana**" with "**Cannabis**"
22. "Table 7.1 – Permitted Uses" of Zoning By-law No. 080-13 is hereby amended by allowing a Day Nursery in a CS Zone under principal uses
23. Section 7.3 "Zone Exceptions" of Zoning By-law No. 080-13 is hereby amended by adding the following after Section 7.3.1.11:

**"7.3.1.13 CS-13 (XXX-XX) – Map No. 62**

In addition to the uses permitted in the CS Zone, one single-detached dwelling shall be a permitted use, and shall be located within the existing heritage structure (church building)"

24. This By-law shall come into force and take effect on the day it is passed subject to the appeal provisions set out in Sections 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended.

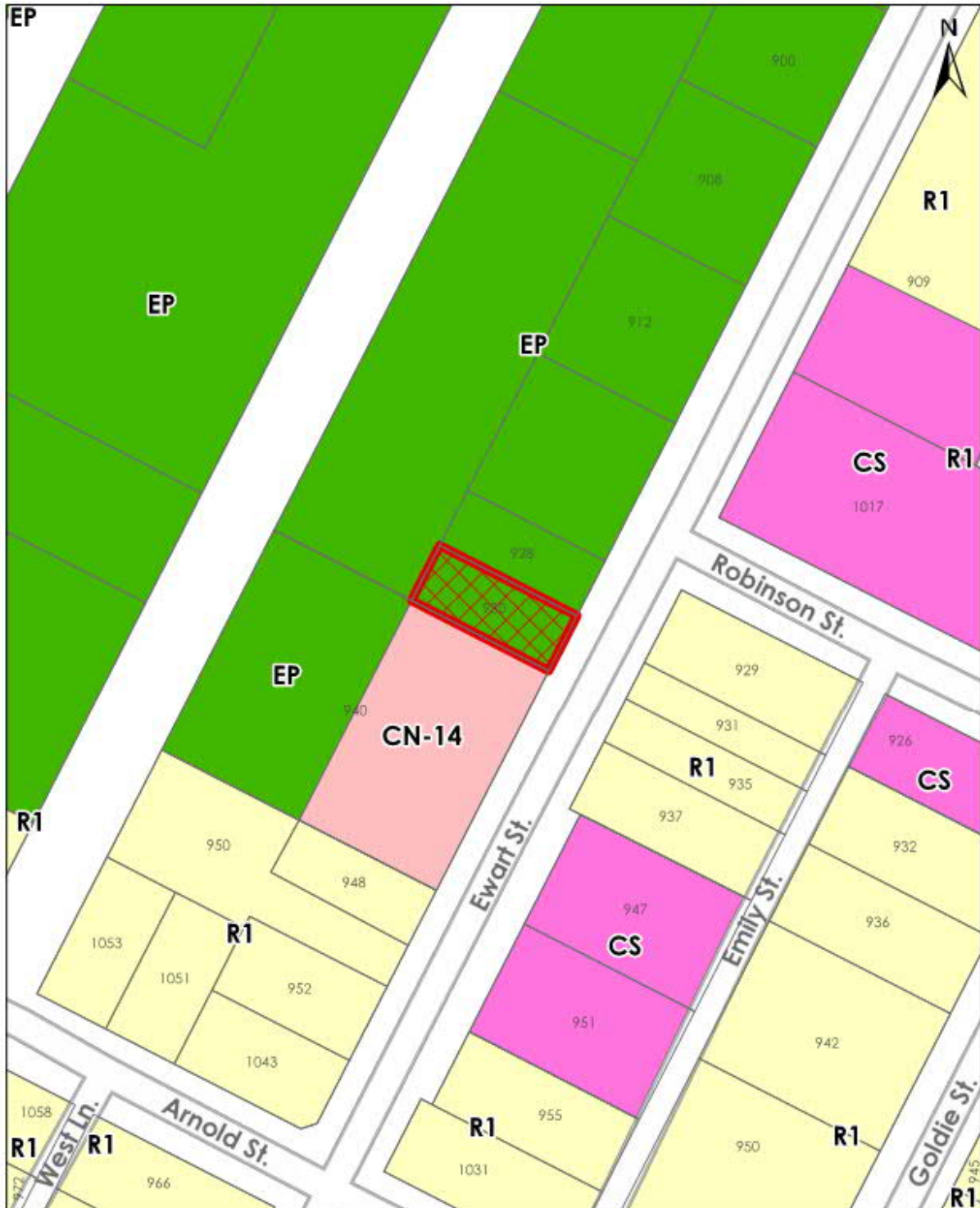
**PASSED THIS 12<sup>TH</sup> DAY OF MAY, 2021.**

\_\_\_\_\_  
**Lynn Dollin** **Mayor**

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**Lee Parkin** **Clerk**

**SCHEDULE 'A'**  
**BY-LAW NO. 039-21**

**MAP 1**

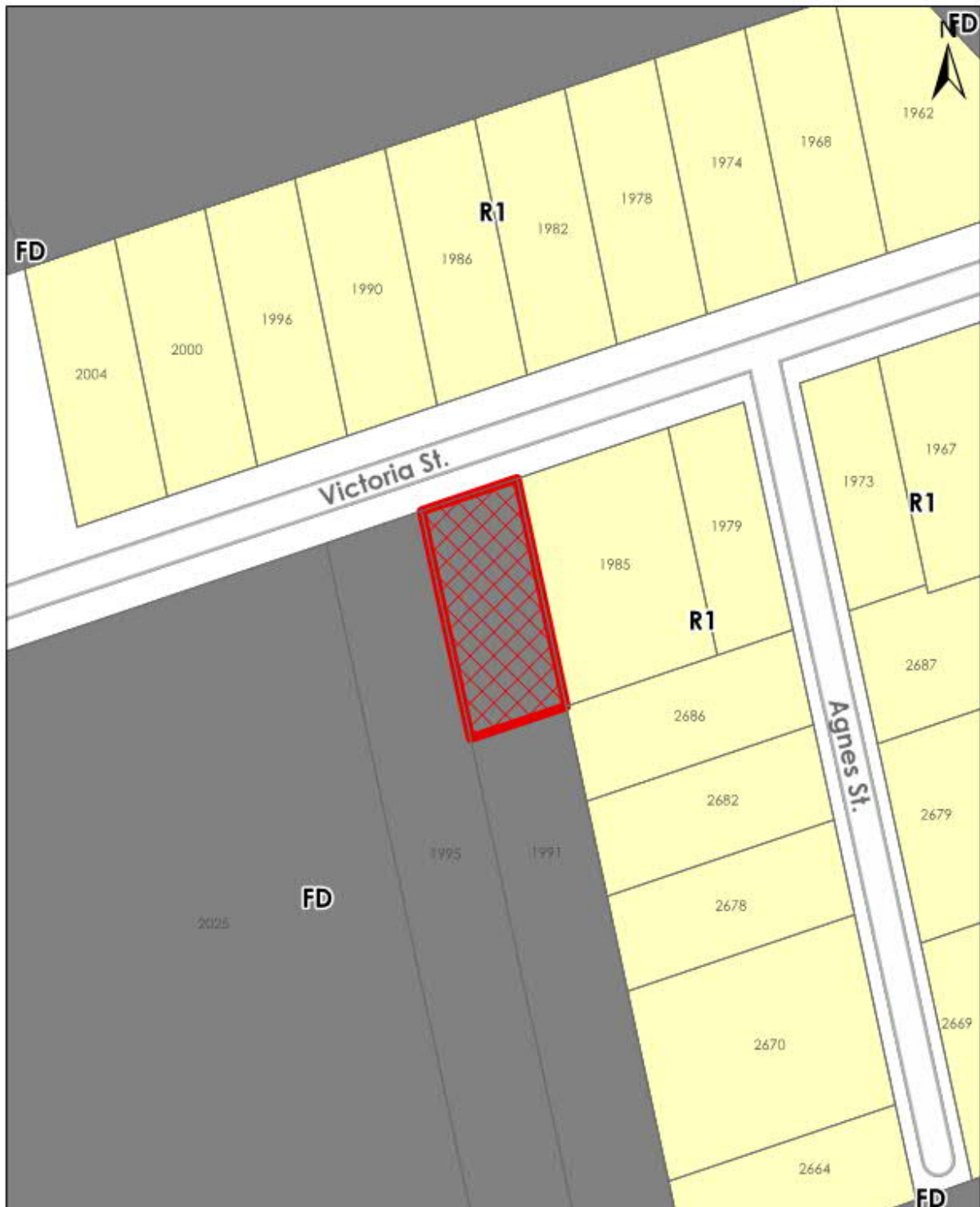


**ENVIRONMENTAL PROTECTION (EP) ZONE TO RESIDENTIAL 1 (R1) ZONE**

**930 Ewart Street**

**SCHEDULE 'A'**  
**BY-LAW NO. 039-21**

**MAP 2**



**FUTURE DEVELOPMENT (FD) ZONE TO RESIDENTIAL 1 (R1) ZONE**

1991 Victoria Street



**SCHEDULE 'A'**  
**BY-LAW NO. 039-21**

**MAP 3**



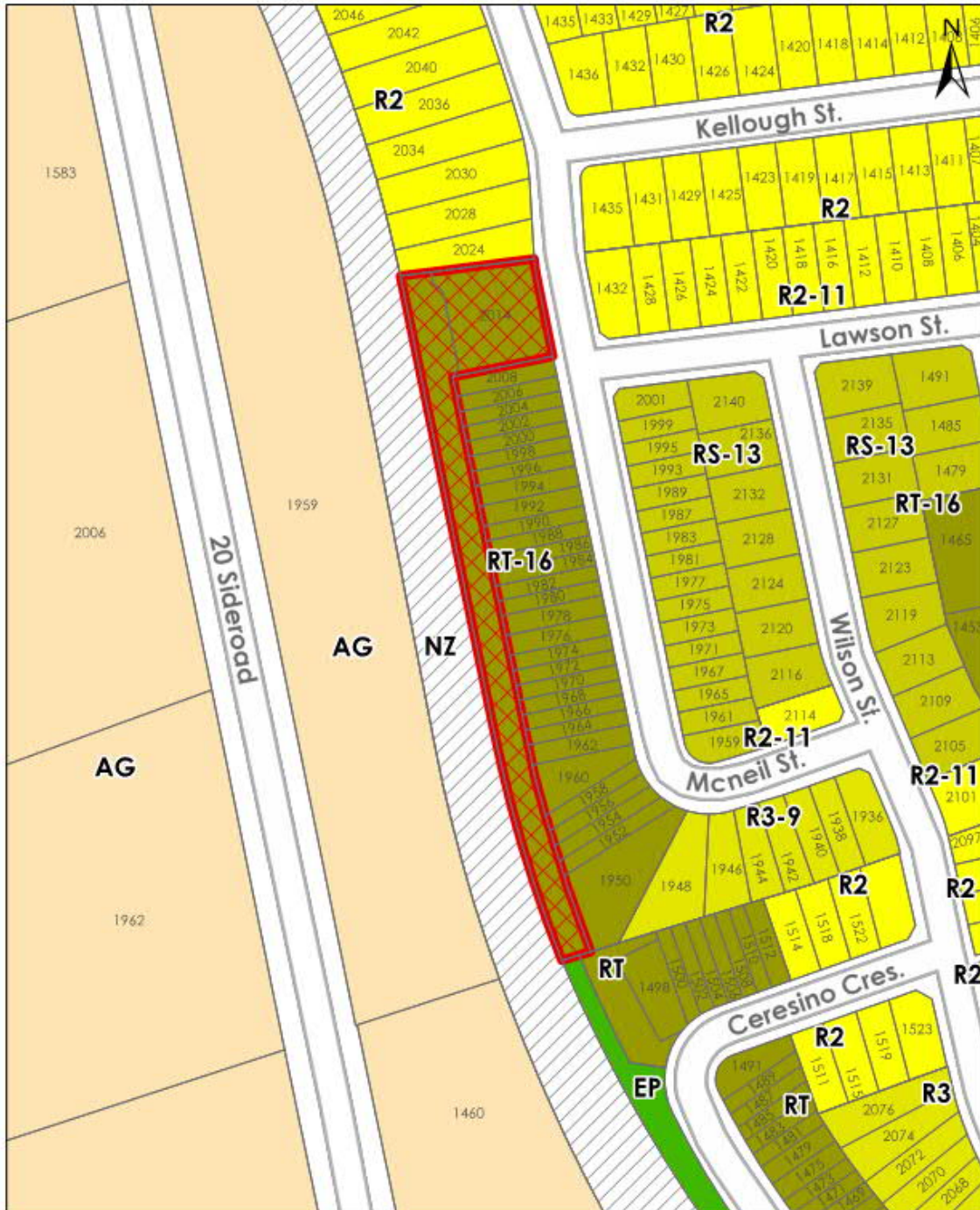
**FUTURE DEVELOPMENT (FD) ZONE TO RESIDENTIAL 1 (R1) ZONE**


1694 Edgewood Avenue



**SCHEDULE 'A'**  
**BY-LAW NO. 039-21**

**MAP 4**

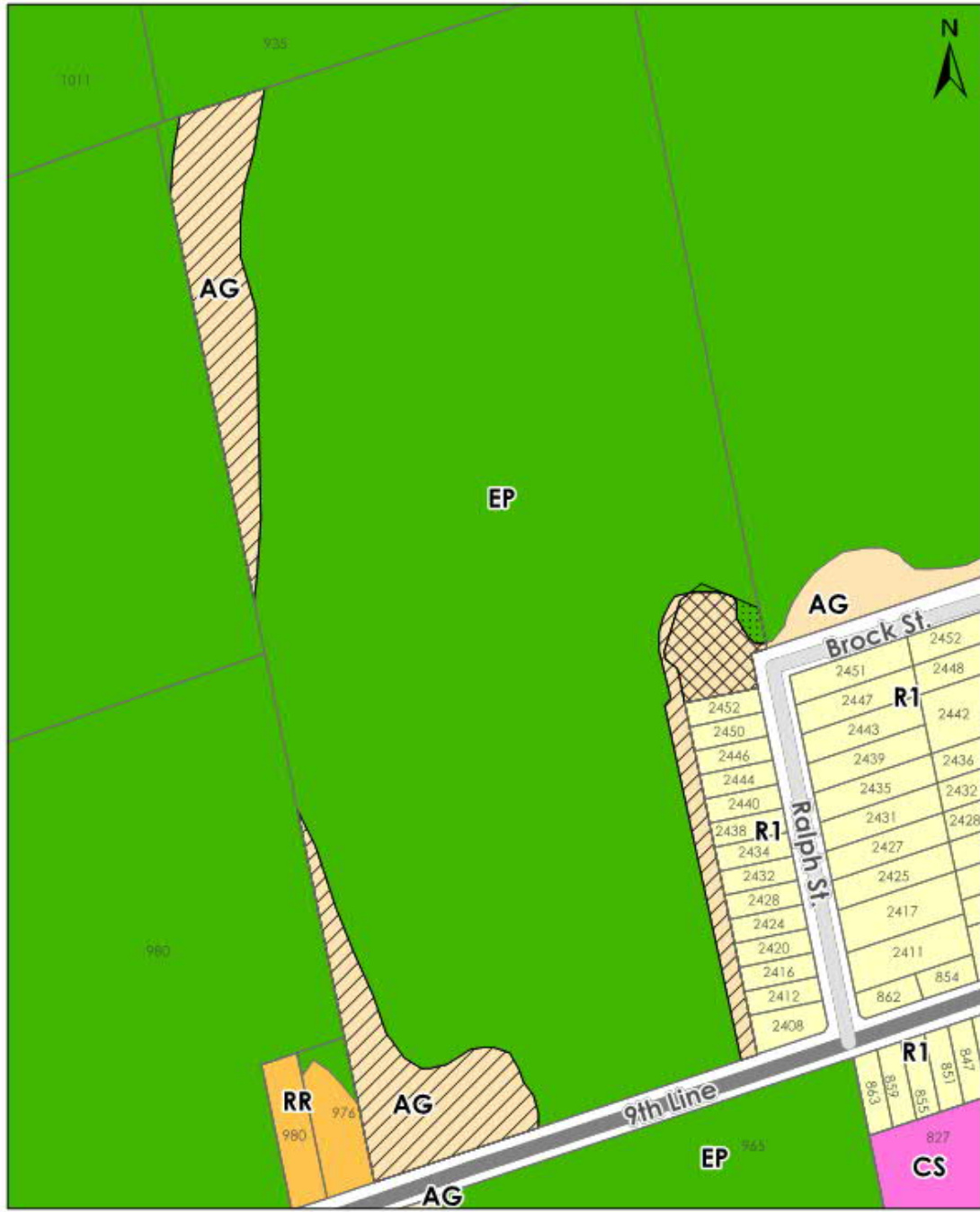





 **RESIDENTIAL TOWNHOUSE (RT-16) ZONE TO OPEN SPACE (OS) ZONE**

2014 McNeil Street

**SCHEDULE 'A'**  
**BY-LAW NO. 039-21**

**MAP 5**

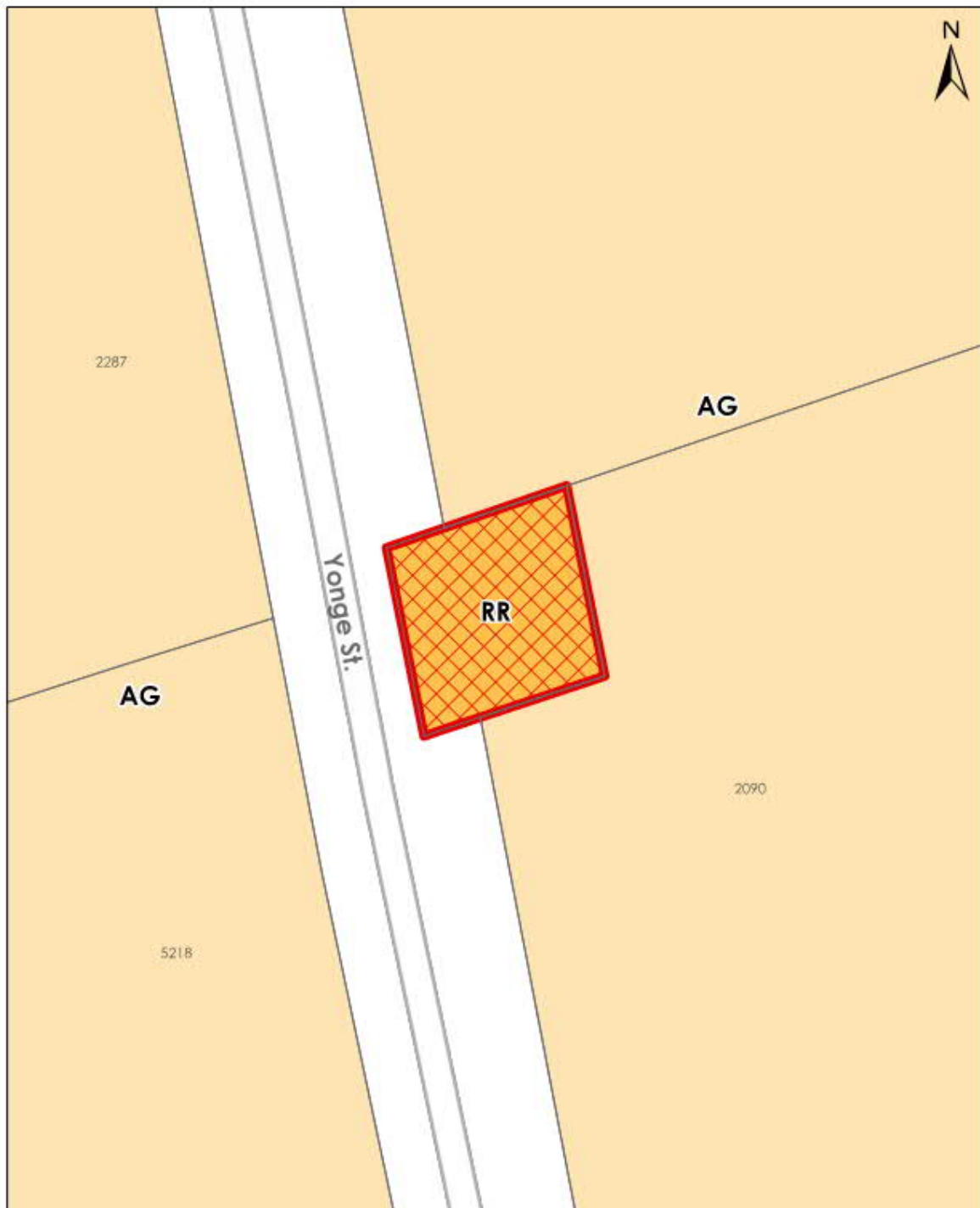


-  AGRICULTURAL GENERAL (AG) ZONE TO RESIDENTIAL 1 (R1) ZONE
-  AGRICULTURAL GENERAL (AG) ZONE TO ENVIRONMENTAL PROTECTION (EP) ZONE
-  ENVIRONMENTAL PROTECTION (EP) ZONE TO RESIDENTIAL 1 (R1) ZONE

960 9<sup>th</sup> Line

**SCHEDULE 'A'**  
**BY-LAW NO. 039-21**

**MAP 6**



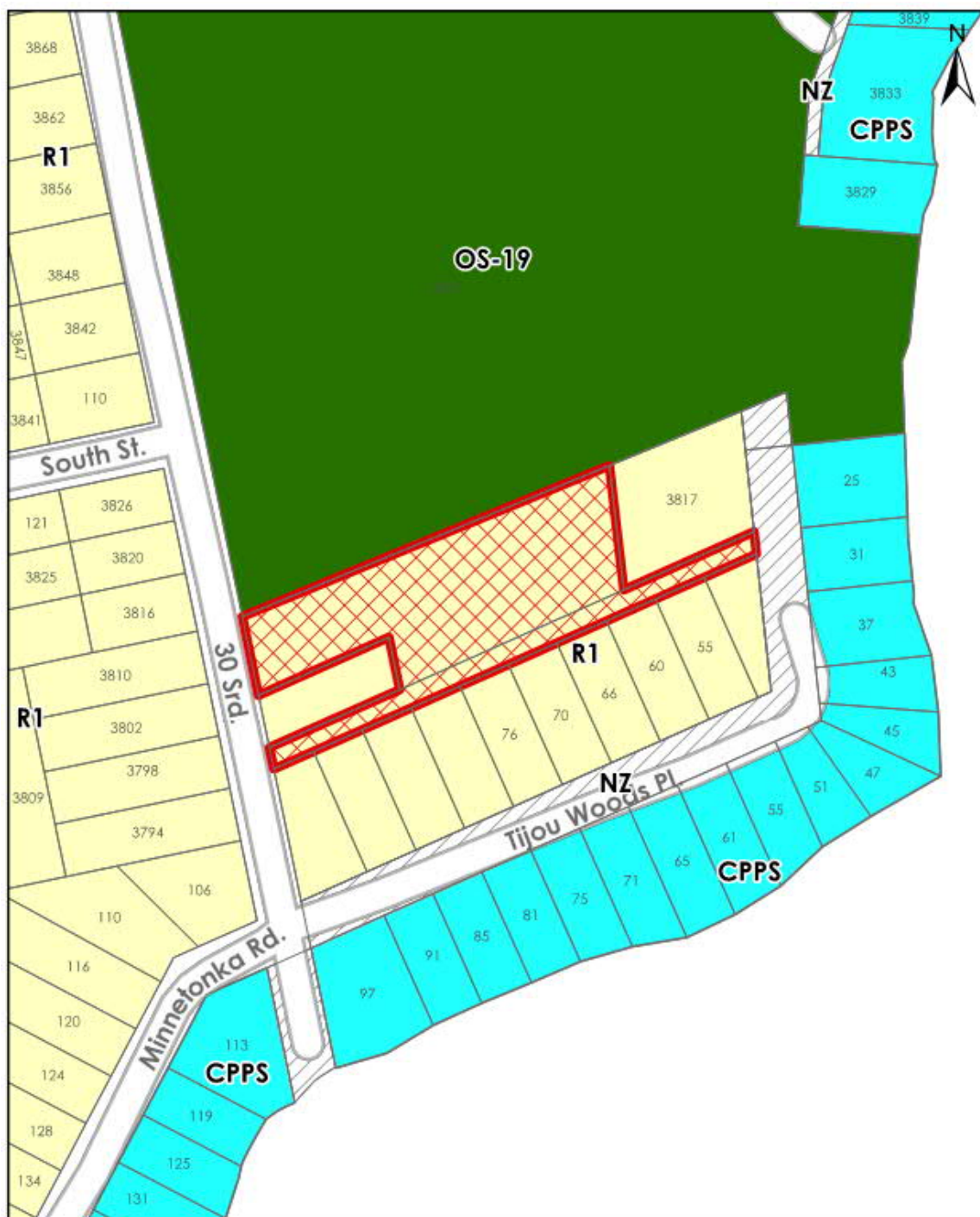
**RESIDENTIAL RURAL (RR) ZONE TO COMMUNITY SERVICE (CS) ZONE**

5275 Yonge Street



**SCHEDULE 'A'**  
**BY-LAW NO. 039-21**

**MAP 7**

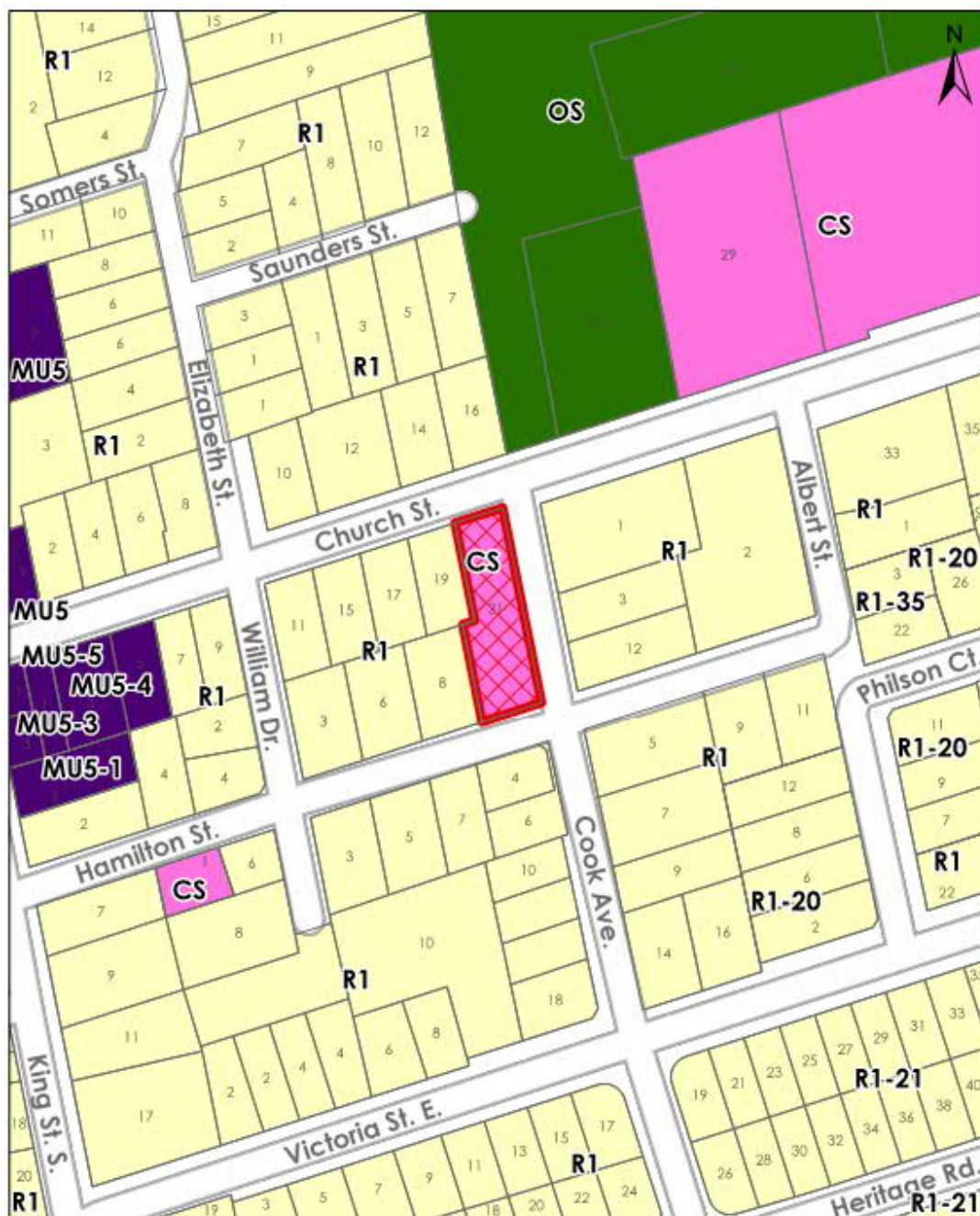


**RESIDENTIAL 1 (R1) ZONE TO ENVIRONMENTAL PROTECTION (EP) ZONE**

3811 30 Sideroad, 3797 30 Sideroad

**SCHEDULE 'A'**  
**BY-LAW NO. 039-21**

**MAP 8**

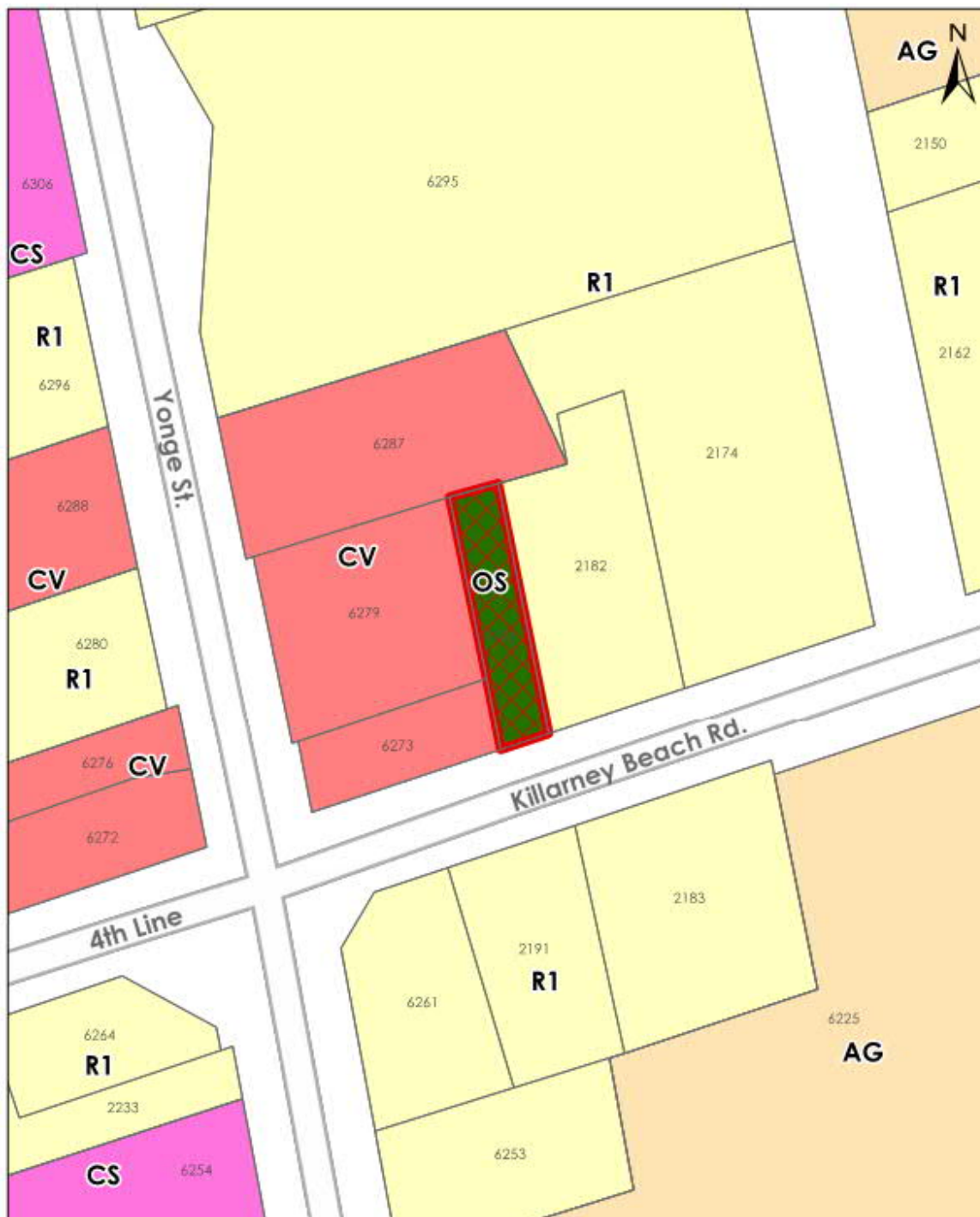


**COMMUNITY SERVICE (CS) ZONE TO COMMUNITY SERVICE (CS-13)  
ZONE**

21 Church Street

**SCHEDULE 'A'**  
**BY-LAW NO. 039-21**

**MAP 9**



 **OPEN SPACE (OS) ZONE TO COMMUNITY SERVICE (CS) ZONE**


2168 Killarney Beach Road



SCHEDULE 'A'  
BY-LAW NO. 039-21

MAP 10



 MIXED USE 1 HOLD (MU1 (H)) ZONE TO RESIDENTIAL 3 HOLD (R3 (H)) ZONE

1320 Innisfil Beach Road