

ORIGINAL

THE CORPORATION OF THE TOWN OF INNISFIL

BY-LAW NO. 104-20

A By-law of The Corporation of the Town of Innisfil to amend Zoning By-law No. 080-13, as amended, by rezoning the lands listed in schedule A and mapped on Schedule B.

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

WHEREAS Council has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

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

1. Schedule "B" attached forms part of this By-law.

Schedule A - Maps no. 39 and 40 to Zoning By-law 080-13, are hereby further amended by rezoning a portion of those lands as shown on Schedule "B" attached hereto from the *Residential 1 (R1) Zone* to *Mixed Use 3 Exception 1 (MU3-1)* and *Mixed Use 3 Exception 2 (MU3-2)*.

2. Section 5 "Commercial and Mixed Use Zones" of Zoning By-law No. 080-13 is hereby amended by adding the following text:

Mixed Use Zones	
ZONE	SYMBOL
Mixed Use 3 Zone	MU3

3. Table 5.1 "Permitted Uses" of Zoning By-law No. 080-13 is hereby amended by adding the following column and text:

	MU3
Primary Use	
Apartment dwelling	• (2)
Duplex dwelling	
Group home (1)	
Single detached dwelling	
Semi detached dwelling	
Townhouse dwelling	• (2)(8)
Auction establishment	
Bake shop	•

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	MU3
Banquet hall	•
Building supply outlet	
Campground (1)	
Commercial school	•
Convenience store	•
Custom workshop	•
Day nursery	•
Equipment sales, rental and servicing	
Farm implement dealer	
Financial institution	•
Fitness centre	•
Fruit and vegetable produce market	•
Funeral home	
Garden centre or nursery	•(7)
Golf course	
Grocery store	•
Hotel, motel	•
Indoor Recreational Centre	•
Laundry and dry cleaning depot	•
Marina	
Medical office	•
Motor vehicle dealership	
Motor vehicle gas bar	
Motor vehicle repair garage	
Motor vehicle service station (1)	
Motor vehicle washing establishment	
Personal service establishment	•
Pet day care establishment	•
Photography or artist's studio	•

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	MU3
Place of entertainment	•
Prefabricated home sales establishment or modular home sales and display	
Printing and publishing establishment	•
Professional office	•
Recreational vehicle sales establishment	
Restaurant	•
Restaurant, take-out	•
Retail store	•
Self storage units	
Service and repair establishment	•
Shopping centre	•
Taxi stand or dispatch office	●
Tourist cabin establishment	
Tourist commercial establishment	
Tourist information centre	
Veterinary clinic	•
Warehouse retail	
Government facility	•
Long term care home or nursing home	•
Park	•
Place of worship	•
Public parking lot or structure	•
Public uses	•
Retirement home	•
School	•
University or college	•
Accessory buildings and structures (1)	•

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	MU3
Accessory dwelling unit (1)	
Drive-through facility (1)	
Garden suite dwelling (1)	
Outdoor patio	• (5)
Outdoor rooftop patio (accessory use)	• (6)
Restaurant or private club that is accessory to a golf course, marina or other use permitted in the Commercial Tourist zone	

4. Section 5.1 “Notes” of Zoning By-law No. 080-13 is hereby amended by adding the following text:

“(5) Patios are only permitted in the MU1, MU2, MU3, MU4 and MU5 **zones**”

“(7) A **nursery** use is not permitted.”

“(8) **Dwelling, Stacked Townhouse use** is permitted, subject to non-residential **use** requirements of Section 5.1 Notes (2).”

5. Table 5.2b “Mixed Use Zone Regulations (1 of 2)” of Zoning By-law No. 080-13 is hereby amended by adding the following columns, rows, and text:

Table 5.2b – Mixed Use Zone Regulations (1 of 2)

Principal Use	MU3
Minimum Lot area	1000 m ²
A: Minimum Lot Frontage	15 m
Minimum Building Frontage	See (1)
B: Minimum Front Yard	1 m (3); Where the building height is greater than 2 storeys or 7.5 m, the third storey and all above storeys must be setback a minimum of 3 m more than the provided first storey setback from the front lot line as set out.
B: Maximum Front Yard	3 m (3)
C: Minimum Interior side Yard	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.

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Principal Use	MU3
C: Maximum Interior Side Yard	3 m; Except where a driveway is provided which leads to a parking area, a maximum of 7.5 m shall be provided.
D: Minimum Exterior side Yard	1 m; Where the building height is greater than 2 storeys or 7.5 m, the third storey and all above storeys must be setback a minimum of 3 m more than the provided first storey setback from the exterior lot line as set out.
D: Maximum Exterior Side Yard	3 m
E: Minimum Rear yard	7.5 m and subject to the 45 degree angular plane (2)
Maximum Lot coverage	N/A
F: Minimum Building Height	7.5 m, and not less than 2 storeys, and subject to the 45 degree angular plane (2)
F: Maximum Building Height	16 m, and not more than 4 storeys, and subject to the 45 degree angular plane (2)
Minimum landscaped open space	N/A
Minimum width of landscaped strip at front and exterior side lot lines	0 m; Except where a yard is provided and not used for entranceways, aisles, parking or loading spaces, the yard must be dedicated as landscaped open space.
Minimum width of landscaped strip at rear lot line	0 m; Except where the yard abuts a residential zone, a minimum of 3 m shall be provided.
Minimum width of landscaping adjacent to the interior lot lines	0 m; Except where the yard abuts a residential zone, a minimum of 3 m shall be provided.
Minimum Amenity Space	4 m ² per residential unit (6)
Maximum Density	N/A
Maximum Garage Width	N/A
Minimum floor area for a residential dwelling unit	47 m ²
Notwithstanding anything to the contrary the following Minimum Number of Parking Spaces are required.	Commercial Uses - 1 space per 40 m ² of all leasable area. Place of Worship – 1 space per every 6 persons to be accommodated.

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6. Section 5.2b.1 “Special Provisions for MU1 and MU2” of Zoning By-law No. 080-13 is hereby amended by adding the following text additions to include MU3 in the existing special provisions:

“5.2b.1 Special Provisions for MU1, MU2, and MU3 Zones

The following additional special provisions shall apply to lands **zoned** MU1, MU2, and MU3” (...)

“(2) Outdoor Roof Top Patios

Outdoor Roof Top Patios are permitted in the MU2 and MU3 **Zones.**” (...)

“(5) Accessory Buildings and Storage

Notwithstanding any provisions to the contrary, **accessory buildings** and storage within MU1, MU2, and MU3 **Zones** shall comply” (...)

7. Section 5.3.8 “Mixed Use 3 Zone” of Zoning By-law No. 080-13, containing the proposed Mixed Use exceptions, is hereby amended by adding the following text:

“5.3.8 Mixed Use 3 Zone (MU3)

5.3.8.1 MU3-1 (104-20) - Maps No. 39 and 40

- 1) In addition to the uses described in Section 5.1 the following uses shall be prohibited:
 - a) **Taxi Stand or Dispatch Office**
 - b) **Service and Repair Establishment**
- 2) In addition to the **uses** permitted in Section 5.1 the following **uses** shall also be permitted:
 - a) Notwithstanding Note (6) of Section 5.1 and Note (2) of Section 5.2b.1, **Outdoor Rooftop Patios** shall be permitted and must be set back at least 30 metres from any residential zone.
- 3) All **zone** regulations for the MU3 **zone** shall apply to the lands **zoned** MU3-1 with the following exceptions:
 - a) Interior Side Yard Setback: Shall be a minimum of 6 m where the interior side yard abuts a residential zone.
 - b) Rear Yard Setback: Shall be a minimum of 10 m where a rear yard abuts a residential zone, and subject to the 45 degree angular plane as defined by this By-law.
 - c) Loading
 - i) No **loading space(s)** or platform or overhead vehicular door used for loading purposes shall be located in any yard or wall of any **building** or **structure**, which adjoins or abuts a street.
 - ii) All **loading space(s)** or platform or overhead vehicular door used for loading purposes shall be limited to the rear yard of any **building** and screened from view of a **street**.
 - d) The first storey shall have a minimum ceiling height of 4.5 m.

5.3.8.2 MU3-2 (104-20) - Maps No. 39 and 40

- 1) In addition to the uses described in Section 5.1 the following uses shall be prohibited:

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- a) **Taxi Stand or Dispatch Office**
- b) **Service and Repair Establishment**
- 2) In addition to the **uses** permitted in Section 5.1 the following **uses** shall also be permitted:
 - a) Notwithstanding Note (6) of Section 5.1 and Note (2) of Section 5.2b.1, Outdoor Rooftop Patios shall be permitted and must be set back at least 30 metres from a residential zone.
- 3) All **zone** regulations for the MU3 **zone** shall apply to the lands **zoned** MU3-2 with the following exceptions:
 - a) Interior Side Yard Setback: Shall be a minimum of 6 m where the interior side yard abuts a residential zone;
 - b) Rear Yard Setback: Shall be a minimum of 10 m where a rear lot line abuts a residential zone, and subject to the 45 degree angular plane (2);
 - c) Building Height: Shall be a maximum of 13 m.
 - d) Loading
 - i) No **loading space(s)** or platform or overhead vehicular door used for loading purposes shall be located in any yard or wall of any **building** or **structure**, which adjoins or abuts a **street**.
 - ii) All **loading space(s)** or platform or overhead vehicular door used for loading purposes shall be limited to the rear yard of any **building** and screened from view of a **street**.
 - e) The first storey shall have a minimum ceiling height of 4.5 m.

PASSED THIS 25TH DAY OF NOVEMBER, 2020



Lynn Dollin,

Mayor



Lee Parkin,

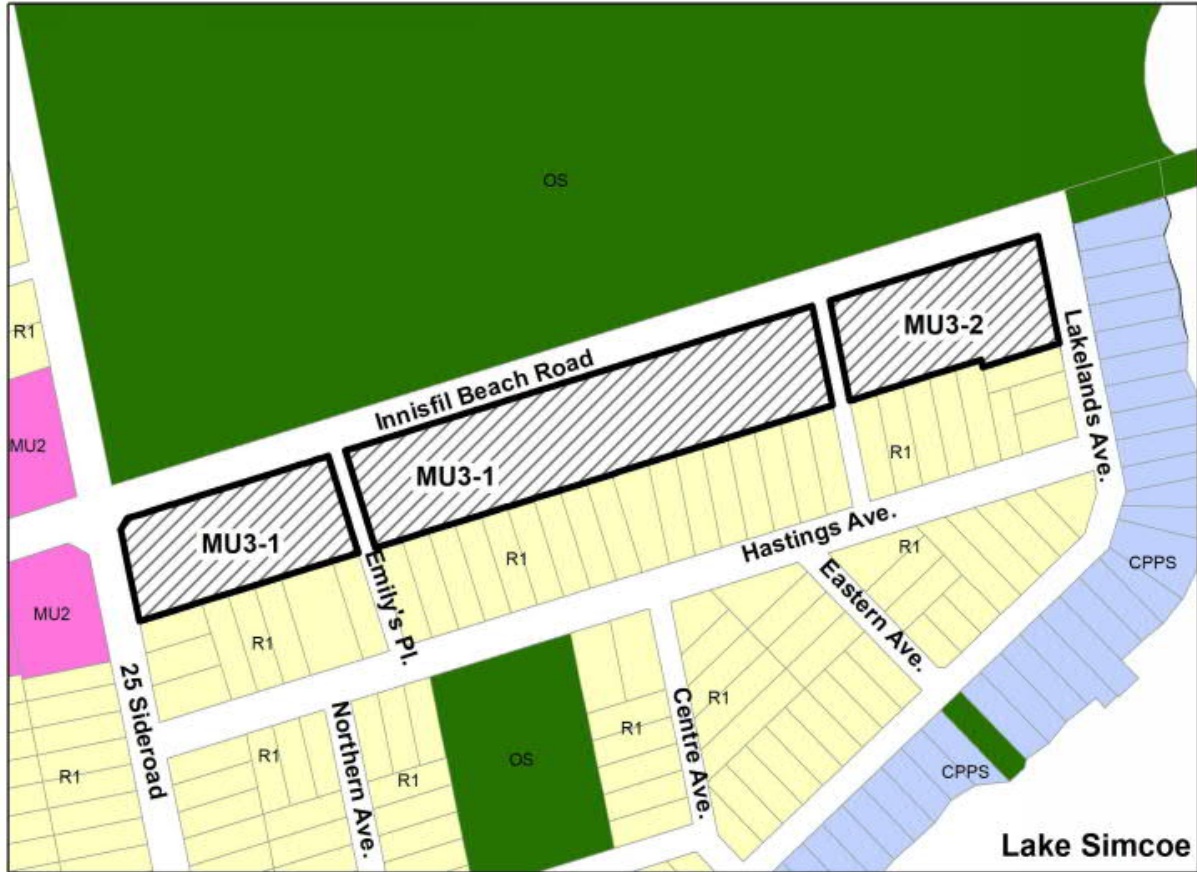
Clerk

SCHEDULE 'A'

LANDS SUBJECT TO BY-LAW 104-20

2090 Emily's Place
2091 25th Sideroad
2095 25th Sideroad
626 Lakelands Avenue
628 Lakelands Avenue
630 Lakelands Avenue
687 Innisfil Beach Road
693 Innisfil Beach Road
695 Innisfil Beach Road
699 Innisfil Beach Road
703 Innisfil Beach Road
707 Innisfil Beach Road
711 Innisfil Beach Road
713 Innisfil Beach Road
715 Innisfil Beach Road
721 Innisfil Beach Road
723 Innisfil Beach Road
725 Innisfil Beach Road
729 Innisfil Beach Road
733 Innisfil Beach Road
737 Innisfil Beach Road
741 Innisfil Beach Road
745 Innisfil Beach Road
749 Innisfil Beach Road
753 Innisfil Beach Road
755 Innisfil Beach Road
759 Innisfil Beach Road
761 Innisfil Beach Road
765 Innisfil Beach Road
766 Hastings Ave
769 Innisfil Beach Road
777 Innisfil Beach Road
779 Innisfil Beach Road
781 Innisfil Beach Road
787 Innisfil Beach Road
791 Innisfil Beach Road
795 Innisfil Beach Road

SCHEDULE 'B'
BY-LAW NO. 104-20



 Lands subject to By-law 104-20

