

PROPOSED HOUSEKEEPING TEXT CHANGES TO TOWN COMPREHENSIVE ZONING BY-LAW NO. 080-13

	Current Bylaw	Proposed Change (Red)	Rationale for change
1	Does not currently exist in by-law.	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.	Proposed change to reflect that zoning of lands with no zone (e.g. roads, sale of closed right of way) will absorb the same zoning as the adjacent lands. This change is to avoid potential restrictions for property owners who would like to develop unzoned land such as former roads.
2	2.51 Driveway means an area of land which provides vehicular access from a street to a parking aisle or garage .	2.51 Driveway means an area of land that provides vehicular access from a street or private road to a parking aisle or garage .	Proposed change to reflect scenarios such as driveways leading to dwellings and garages on private streets or condo townhouses on private streets. Existing definition only captures driveways on public streets.
3	Does not currently exist in by-law.	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.	Add definition of “footprint” in definition section to clarify for development review. The definition was adopted from the Community Planning Permit By-Law 062-17.
4	2.106 Landscaping means any combination of trees, grass or	2.106 Landscaping means any permeable combination	The addition of a permeable requirement to the landscaping definition helps with respect to site drainage. In the current Zoning By-law, a resident may

	<p>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.</p>	<p>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.</p>	<p>make all of their property impermeable. In this definition, impermeable paving would still be permitted but no longer count toward Minimum Landscaped Open Space.</p>
5	<p>2.117 Lot Coverage means the combined lot area covered by all buildings including attached/detached decks 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)</p> <p>3.3 a) The total lot coverage of detached accessory buildings and structures including decks, detached private</p>	<p>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)</p>	<p>Decks lower than 1.8 metres from the established grade to the deck are proposed to be given flexibility above and beyond the maximum lot coverage and would only need to meet setbacks and minimum landscaped open space regulations. This is similar to what is currently in the Our Shore Community Planning Permit System (CPPS) By-law.</p> <p>Decks 1.8 metres or higher would not be granted lot coverage relief and would have to go through a variance process if they exceed lot coverage. Detached decks are also still subject to lot coverage.</p> <p>Home builders often maximize lot coverage on new lots, leaving no space for a deck. This change allows additional lot coverage for a deck if it is below 1.8 metres in height. This would avoid current situations where variances to the Committee of Adjustment are often required even for small decks.</p> <p>1.8 metres reflects the Ontario Building Code trigger point for requiring a 42" guard. Furthermore, 1.8 metres is below the maximum fence height of 1.82 metres.</p>

	<p>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)</p>	<p>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)</p> <p>3.3 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</p>	
--	--	--	--

		platform, the attached deck shall not be subject to lot coverage.	
6	<p>3.28 MEDICAL MARIHUANA PRODUCTION FACILITIES</p> <p>2.6 Agricultural Use means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for farm labour when the size and nature of the operation requires additional employment. For purposes of clarification, a medical marihuana production facility does not meet this definition of an agricultural use.</p> <p>2.130 Medical Marihuana Production Facility means a building used for growing, producing, processing, testing,</p>	<p>3.28 CANNABIS PRODUCTION FACILITIES</p> <p>2.6 Agricultural Use means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals” for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for farm labour when the size and nature of the operation requires additional employment. For purposes of clarification, a cannabis production facility does not meet this definition of an agricultural use.</p> <p>2.130 Cannabis Production Facility means a building used for growing, producing,</p>	<p>As a change to cannabis policies, the text amendments would remove the word medical (as recreational cannabis use has since been legalized) and replace the word marihuana with cannabis. This is also to reflect existing legislation (e.g. Cannabis Act).</p>

	<p>destroying, storing or distribution of medical marihuana or cannabis authorized by a license issued by the federal Minister of Health, pursuant to Section 25 of the Marihuana for Medical Purposes Regulations, SOR/2013-119, under the Controlled Drugs and Substances Act, SC 1996, c 19, 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 Item I of Schedule II to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended; and marihuana means the substance referred to as “Cannabis” in sub-item I(2) of Schedule II to the Controlled Drugs and Substances Act, SC 1996, c 19, as amended.</p>	<p>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 <i>Cannabis Act, SC 2018, c 16</i>, 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 <i>Cannabis Act, SC 2018, c 16</i>, as amended.</p> <p>3.28 CANNABIS PRODUCTION FACILITIES</p> <p>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-</p>	
--	---	--	--

3.28 MEDICAL MARIHUANA PRODUCTION FACILITIES

Notwithstanding any other provisions in this **by-law** to the contrary, the following provisions shall apply to permit medical marihuana production facilities in the permitted **zones** specified in this **by-law** within the Town of Innisfil:

- a) A **medical marihuana production facility** shall comply with all provisions of the **zone** that it is located within.
- b) A **medical marihuana production facility** will be prohibited on a **lot** within a residential **zone** and on any **lot** containing a **dwelling**.
- c) A **medical marihuana 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.

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

<p>e) Parking spaces and loading spaces must be provided in accordance with the Loading Provisions and Parking Provisions specified in this by-law. A medical marihuana production facility will be interpreted as an 'other industrial use' for the purposes of calculating the required number of parking spaces and loading spaces.</p> <p>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 medical marihuana 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.</p> <p>g) Access to municipal water supply is preferred, however in the case of a private water supply, the Town will require</p>	<p>required number of parking spaces and loading spaces.</p> <p>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.</p> <p>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.</p> <p>h) Access to municipal sanitary sewer is preferred, however in the case of a private septic system or</p>	
--	---	--

	<p>justification that there is sufficient water for daily usage (Ministry of Environment water taking permit may be required) and adequate fire suppression.</p> <p>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.</p> <p>Table 6.1 [...] Medical Marihuana Production Facility</p>	<p>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.</p> <p>Table 6.1 [...] Cannabis Production Facility</p>	
7	<p>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/balcon</p>	<p>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</p>	<p>Footprint clarifies this measurement is to the outer wall based on clear new definition in proposed Section 2.78.</p> <p>Staff are not proposing to increase the 50m2 maximum at this time, this would be through the Comprehensive Zoning review.</p>

	<p>y, swimming pool, boathouse, or dock permitted in accordance with the provisions of this By-law. (By-law 031-17)</p> <p>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.</p>	<p>deck/porch/verandah/balcony, swimming pool, boathouse, or dock permitted in accordance with the provisions of this By-law. (By-law 031-17)</p> <p>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.</p>	
8	<p>3.3(e) Notwithstanding any other provision of this By-law, no accessory buildings and structures shall be located closer to the exterior side lot line than the principal building in any zone, except where specifically permitted by this By-law.</p>	<p>3.3(e) Notwithstanding any other provision of this By-law, no accessory buildings and structures shall be located closer to the exterior side lot line than the principal building in any zone, except where specifically permitted by this By-law.</p>	<p>Proposal to remove requirement that no accessory buildings be closer to exterior side lot line than principal building. Minimum exterior side yard setbacks are still required to be adhered to, however. This is to avoid situations where irregular lots with large exterior side yards prohibit any structures (e.g. sheds, pools) without a Committee of Adjustment variance.</p>
9	<p>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</p>	<p>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</p>	<p>Amend section to provide consistency with Section 3.3 of the Town's Fence and Pools By-law 052-05, regarding increase height of noise wall for drive through facilities to match Town Engineering Standards.</p> <p>Section 2.2.4.14 Fencing of the Town's Engineering Standards specifies a maximum height of acoustical fence to be 2.15 metres.</p>

	<p>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 1.8 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</p>	<p>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</p>	
10	<p>3.35.1.1(ao) 1 parking space for every 37 square metres of gross floor area up to 3,000 square metres, plus 1 parking space for each additional 100 square metres of gross floor area up to 6,000 square metres, and 1 parking space for each 200 square metres over 6,000 square metres</p>	<p>3.35.1.1(ao) 1 parking space for every 45 square metres of gross floor area up to 2,000 square metres, plus 1 parking space for each additional 100 square metres of gross floor area up to 6,000 square metres, and 1 parking space for each 200 square metres over 6,000 square metres</p>	<p>Amend industrial parking rates to a lower rate. The industrial parking rates in the By-law are high compared to other municipalities. These high parking rates will create better land use efficiencies and more development opportunities.</p> <p>Below is a list of how other municipalities regulate “other industrial uses” in their zoning bylaws and which parking rates they are using:</p> <p>City of Barrie</p> <ul style="list-style-type: none"> - 1 space per 70 m² of GFA min. 2 spaces (Table 4.6) <p>Township of Oro Medonte</p> <ul style="list-style-type: none"> - 1 space per 45 m² of GFA for the first 3,001 m² and then 1 parking space per 100 m² for the remaining gross floor area <p>Town of Lindsay</p>

			<ul style="list-style-type: none"> - 1 space per 45 m² up to and including 2,800 m², plus 1 for each additional 190 m² over 2,800 m² <p>Town of Blue Mountains</p> <ul style="list-style-type: none"> - 1 space per 30 m² for the first 1,000 m² - 1 space per 100 m² for the floor area between 1,000 and 5,000 m² - Plus 1 space per 200 m² in excess of 5,000 m² <p>Town of Newmarket</p> <ul style="list-style-type: none"> - not specific with industrial uses but see Manufacturing - 1 space per 45 m² of GFA up to 1860 m² GFA - 1 space per 90 m² of GFA from 1861 m² to 3720 m² GFA - 1 space per 185 m² of GFA greater than 3720 m² GFA 										
11	<p>3.35.2(b) Except in accordance with Section 3.35.3, the maximum width of parking spaces shall be 3.0 metres. The minimum length for parking spaces shall be 5.7 metres and increased to 6.0 metres where overhang cannot be accommodated.</p>	<p>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.</p>	<p>Reflect parking numbers identified in Innisfil in the new Transportation Master Plan. The Transportation Master Plan recommends a Zoning By-law Study to consider reduced minimum parking standards.</p> <p>Other municipalities:</p> <p>City of Barrie</p> <ul style="list-style-type: none"> - Minimum width of 2.7m, minimum length of 5.5m which includes additional area (aisle) <table border="1"> <thead> <tr> <th>Angle of Parking</th> <th>Minimum Aisle Width</th> </tr> </thead> <tbody> <tr> <td>30 degrees</td> <td>2.8m(1)</td> </tr> <tr> <td>45 degrees</td> <td>3.4m(1)</td> </tr> <tr> <td>60 degrees</td> <td>5.2m(1)</td> </tr> <tr> <td>90 degrees</td> <td>6.4m</td> </tr> </tbody> </table> <p>(1) One way traffic only shall apply to these minimum aisle widths.</p>	Angle of Parking	Minimum Aisle Width	30 degrees	2.8m(1)	45 degrees	3.4m(1)	60 degrees	5.2m(1)	90 degrees	6.4m
Angle of Parking	Minimum Aisle Width												
30 degrees	2.8m(1)												
45 degrees	3.4m(1)												
60 degrees	5.2m(1)												
90 degrees	6.4m												

[Town of Lindsay](#)

Parking Angle (degrees)	Parking Space Width (m)	Parking Space Length (m)	Driveway/Aisle Width (m)
0 to 20	2.75	6.7	4*
21 to 45	2.75	5.8	4*
46 to 60	2.75	5.8	4*
61 to 75	2.75	5.8	5.5*
76 to 90	2.75	5.8	7

[Town of Blue Mountains](#)

- Minimum 2.75 m width, minimum length of 5.5m

Parking Angle	Minimum Aisle Width
90 degrees - 60 degrees	5.8 metres
59 degrees - 45 degrees	5.5 metres
44 degrees - or less	3.6 metres

[City of Waterloo](#) (s. 6.1.5)

Parking Space angle to the Driveway, Drive Aisle, or STREET	Parking Space Dimension (minimum)	
	Width	Length

			<table border="1"> <tr> <td>Parallel Parking</td> <td>2.8m</td> <td>6.5m</td> </tr> <tr> <td>45 degrees and TANDEM Parking</td> <td>2.8m</td> <td>6.0m</td> </tr> <tr> <td>90 degrees</td> <td>2.8m</td> <td>5.5m</td> </tr> <tr> <td>90 degrees when one side abuts a wall or column</td> <td>3.0m</td> <td>5.5m</td> </tr> <tr> <td>90 degrees when both sides abut a wall or column</td> <td>3.2m</td> <td>5.5m</td> </tr> </table> <p>Town of Bradford West Gwillimbury</p> <ul style="list-style-type: none"> - Minimum width of 2.7m, minimum length of 6.0m (surface area parking, driveway, or garage) <table border="1"> <thead> <tr> <th>Parking Angle</th> <th>Minimum Aisle Width</th> </tr> </thead> <tbody> <tr> <td>0-40 degrees</td> <td>3.5m</td> </tr> <tr> <td>45-55 degrees</td> <td>4.3m</td> </tr> <tr> <td>56-70 degrees</td> <td>6.5m</td> </tr> <tr> <td>70-90 degrees</td> <td>6.7m</td> </tr> </tbody> </table>	Parallel Parking	2.8m	6.5m	45 degrees and TANDEM Parking	2.8m	6.0m	90 degrees	2.8m	5.5m	90 degrees when one side abuts a wall or column	3.0m	5.5m	90 degrees when both sides abut a wall or column	3.2m	5.5m	Parking Angle	Minimum Aisle Width	0-40 degrees	3.5m	45-55 degrees	4.3m	56-70 degrees	6.5m	70-90 degrees	6.7m
Parallel Parking	2.8m	6.5m																										
45 degrees and TANDEM Parking	2.8m	6.0m																										
90 degrees	2.8m	5.5m																										
90 degrees when one side abuts a wall or column	3.0m	5.5m																										
90 degrees when both sides abut a wall or column	3.2m	5.5m																										
Parking Angle	Minimum Aisle Width																											
0-40 degrees	3.5m																											
45-55 degrees	4.3m																											
56-70 degrees	6.5m																											
70-90 degrees	6.7m																											
12	3.54(f)(i) No closer than 1.2 metres from any interior lot line or rear lot line	3.54 (f)(i) No closer than 1 metre from any interior lot line or rear lot line	<p>This change resolves a conflict between sections 3.54(f), 3.54(g) and zoning regulations for an accessory structure in Table 4.2a.</p> <p>Specifically, 3.54 f) deals with decks higher than 0.2m above grade.</p>																									

	<p>3.54 (f)(iii) No closer than 4.0 metres from any exterior lot line</p> <p>3.54 (g)(iii) 1.2 metres into any required interior side yard setback or exterior side yard setback, but no closer than 0.6 metres from any lot line</p>	<p>3.54 (f)(iii) No closer than 3 metres from any exterior lot line</p> <p>3.54 (g)(iii) 1 metre into any required interior side yard setback or 3 metres into any exterior side yard setback, but no closer than 1 metre from any lot line</p>	<p>3.54 g) deals with unenclosed porches and verandahs having a landing area of not more than 5.0 square metres and a height of not more than 1.5 metres above established grade</p>
13	<p>Table 5.1 – Permitted Uses for Accessory Uses, Buildings and Structures permits Outdoor Patio in CN and CH Zones only</p>	<p>Table 5.1 – Permitted Uses for Accessory Uses, Buildings and Structures permits Outdoor Patio in CV, CT, CBP, CN and CH Zones.</p>	<p>Amend section to permit outdoor patios in the Commercial Tourist (CT) Zone, Commercial Village (CV) Zone and Commercial Business Park (CBP) Zone. Restaurants are permitted in all of these zones. This change is to avoid potential restrictions for businesses located in these commercial zones. Note: all commercial zones are subject to site plan control, which would include the review of permits for patios.</p>
14	<p>Does not currently exist in by-law.</p>	<p>Table 7.1 – Permitted Uses for Principal Uses permits Day Nursery in the Community Service (CS) Zone.</p>	<p>Change Table 7.1 to allow for Day Nursery uses in the Community Service (CS) zone. Day nursery use is currently permitted in the Town Official Plan for similar designations (e.g. Community Spaces designation) and was also previously permitted in the Town Comprehensive Zoning By-law No. 054-04.</p>