



## **STAFF REPORT EXECUTIVE SUMMARY**

**STAFF REPORT NO:** DSR-154-20

**DATE:** October 14, 2020

**To:** Mayor, Deputy Mayor and Members of Council

**From:** Tim Cane, Director of Growth

**Subject:** Mobility Orbit - Draft Ministerial Zoning Order and Next Steps

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### **EXECUTIVE SUMMARY:**

This report is to provide Council with a draft Ministerial Zoning Order which could form the basis of a Town request to begin implementing the Orbit Vision and realizing the proposed new GO Station. The draft document is being provided to Council and stakeholders at this time for comment prior to a subsequent recommendation report scheduled to return to Council on October 28, 2020.

### **RECOMMENDATION:**

1. That Staff Report DSR-154-20 dated October 14, 2020, regarding the Orbit – Draft Ministerial Zoning Order, be received; and
2. That Council directs Staff to incorporate comments received and provide Council with a report on October 28, 2020 that outlines recommendations to facilitate and support the proposed delivery of The Orbit Vision and a new GO Station in Innisfil.

# **TOWN OF INNISFIL STAFF REPORT**

**Staff Report No.:** DSR-154-20  
**Date:** October 14, 2020  
**To:** Mayor, Deputy Mayor and Members of Council  
**From:** Tim Cane, Director – Growth Services  
**Subject:** Mobility Orbit – Draft Ministerial Zoning Order and Next Steps  
**Cross Reference:** DSR-099-20; DSR-124-99

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## **RECOMMENDATION:**

- 1. That Staff Report DSR-154-20 dated October 14, 2020, regarding the Orbit – Draft Ministerial Zoning Order, be received; and**
- 2. That Council directs Staff to incorporate comments received and provide Council with a report on October 28, 2020 that outlines recommendations to facilitate and support the proposed delivery of The Orbit Vision and a new GO Station in Innisfil.**

## **1.0 BACKGROUND:**

### 1.1 Purpose

In November 2019, Council adopted the vision for The Orbit. Since that time, and with the input of residents, stakeholders, professionals, Council and Town Staff, a conceptual design for the Orbit Station and immediately surrounding area (“Centre of Mass”) was created and approved by Council on July 15, 2020, as per the recommendations of [DSR-099-20](#).

The project team has continued to work on the proposed station design and surrounding area with construction anticipated to commence as early as 2022. However, the residential and employment development densities needed by the developer to secure financing for the proposed station and support the provincial Transit Oriented Community (“TOC”) model requires an expedited planning approval process.

As a result of the land use certainty required to make significant infrastructure investments and construct the proposed GO Station, a request of the Minister of Municipal Affairs and Housing (“MMAH”) for a Ministerial Zoning Order (“MZO”), by the Town with support from the County of Simcoe, is proposed to establish the outer limit of the Orbit as a “Major Transit Station Area” and support the initial stages of The Orbit, including the proposed GO Station with specific planning controls for future development.

### 1.1 The MZO Process

The Planning Act in Ontario allows for the Minister of MMAH to expedite the approval process that establishes how a piece of land is used for projects that may be of provincial interest. While any project can request an MZO, most recently MZOs are reserved for projects deemed by the Minister to speed up economic recovery, provide affordable housing and support the concept of Transit Oriented Communities. For example, a recent MZO in Innisfil was issued for the Tollendale Seniors Housing project.

The approval of an MZO is at the sole and absolute discretion of the Minister of MMAH to be used strategically and for supporting local priorities that align with provincial goals. There is no certainty that an MZO will be granted or that it will be granted in the form or scope requested. MZOs do not require any public or municipal engagement, are not appealable to the Local Planning Appeal Tribunal and are used sparingly where projects of provincial interest are considered to require a more expedited planning process. That said, requests of the Minister for MZOs can be considered more favourable when they are initiated and supported by the local and upper tier jurisdictions where the project(s) will occur. Staff have been working in consultation key stakeholders to establish a process that supports The Orbit Vision and provincial priorities, recognizing the issuance of an MZO will allow for critical elements and key infrastructure investments to move forward to support the GO Station and The Orbit Vision.

To assist with the Town's request, a draft MZO (**Attachment 1**) has been prepared by staff (in consultation with the station design team which includes the lead developer) to provide further opportunity for public and Council input. The draft MZO can then be amended to reflect community feedback before being considered by Council at their meeting on October 28, 2020. Should Council choose to endorse a an MZO request, County Council's support will then be sought in November, so that the formal request to the Minister is as comprehensive as possible and can be received before the end of the year.

## 1.2 Extent of the MZO

The extent of the proposed draft MZO is based on The Orbit Vision approved by Council in November 2019. The Orbit Vision was used as the basis for the ultimate and long-term boundary of the "Major Transit Station Area" in the proposed MZO draft.

It is important to note that land use changes are not proposed for the entire MZO area. Land use permissions (**Attachment 2**) are only being proposed for a radius of 425 m from the proposed station in order to be consistent with the approach that an expedited approval (and the future land use certainty it provides) is necessary at this time to support the private investment and financing required for infrastructure (rail station, services, interchange, roads, etc.) that will ultimately serve the wider Orbit Vision. The ultimate Orbit Vision and Major Transit Station Area boundary will still support the concept of a community that can walk to the proposed GO Station and its immediate amenities within approximately 20 minutes.

Land uses and policies that support The Orbit Vision will be established through a Secondary Plan process, including further research and public consultation. This process is anticipated to be carried out over the next 18 months. Until that process is complete, no development outside of the 425 m radius of the Go Station will be permitted.

It should be recognized that much of the area proposed to be subject to the MZO consideration underwent an Official Plan Amendment process, including full public consultation to convert the lands from agricultural/rural to urban uses through the adoption of the Town's Growth

Amendment Official Plan Amendment 1 (“OPA1”) in 2009. The County’s approval decision was appealed and remains currently adjourned. Land use densities proposed were less than the Orbit because OPA1 predated the Provincial growth plan process and the proposed GO Station location at the 6<sup>th</sup> Line. Please note that this past process is not being relied upon to support the MZO request because of its current status before LPAT, but rather to point out that urban type uses have been publicly considered in this vicinity before.

Further land use planning processes occurred related to much of the same lands, with extensive background studies, through the Alcona South Secondary Plan that proceeded to the Council public meeting stage. The proposed Official Plan Amendment was put on hold following the public meeting in 2011 due to the release of the *Growth Plan for the Greater Golden Horseshoe* (“Growth Plan”) that provided growth targets for the Town and County below those being proposed.

In September 2020, the Growth Plan was amended, replacing the specific population limits in Simcoe County with a broader population minimum. The Growth Plan continues to reinforce the role of Major Transit Station Areas as detailed below.

If an MZO is issued, it will create the regulatory framework to allow for the proposed GO Station and initial phases of The Orbit to proceed to the next steps of detailed site plan and building permit applications, while the concurrent secondary planning process unfolds.

## **2.0 ANALYSIS/CONSIDERATION:**

### 2.1 Draft Minister’s Zoning Order

The purpose of the draft MZO being provided to Council in this report is to:

1. Provide Council and stakeholders with the opportunity to comment prior to considering a formal request for an MZO;
2. Ensure that the draft MZO captures the spirit and intent of The Orbit Vision and the collective will of the key stakeholders.

The draft MZO would apply broadly to the lands captured in the Orbit Vision adopted by Council in November 2019 and attached to the Draft MZO. It proposes a framework and phasing of development standards that radiates outwardly from the proposed GO Station and public plaza anchored at the centre of the Orbit.

The **first concentric zoning ring** proposed in the MZO would apply to lands within a 225 metre radius of the Orbit centre and permits the form of mixed development represented in the Orbit Vision attached as Appendix B to the Draft MZO, including the proposed GO Station itself, minimum densities of 200 residential dwelling units per net hectare and a combined minimum of 11,000 square metres of non-residential floor area at various levels. Building heights are generally proposed at a minimum of 6 storeys.

The **second concentric zoning ring** within the Draft MZO applies to lands within a 225m to 425m radius of the Orbit centre. Within this second zoning ring, a minimum of 150 residential dwelling units per net hectare and a minimum 1,000 square metres of non-residential floor area is proposed. In total and over many years (depending on market absorption), the Draft MZO will

facilitate the construction of a minimum of approximately **7,000 dwelling units (approximately 20,000 people) within 425 metres** of the Orbit centre.

To ensure the critical mass of The Orbit is constructed in an orderly and phased approach that radiates outward from the proposed GO Station anchor (and is able to finance construction of the proposed station), the MZO proposes staged development before construction can advance to the second concentric zoning ring. For example, building permit applications must be received for a minimum of 1,000 dwelling units, 50% of the non-residential floor area, and the proposed GO Station before constructing within the second zoning ring. This approach corresponds with the collective approach between the Town, County and other key stakeholders to coordinate the milestones of the MZO with the proposed GO Station approval process (and its implementing agreements).

Of note, the northeast quadrant (located within the Alcona settlement, which includes part of Phase 4 and Phase 5 of the Sleeping Lion Development between Webster Boulevard and the railway) will be developed concurrently with the proposed station. For this quadrant, the MZO is proposing more specific phasing requirements tied to a Master Site Plan.

The **outer ring lands beyond a 425m** radius of the proposed station are identified as part of the Major Transit Station Area for future development. The framework for development of these future development lands, including population would be established through the concurrent Secondary Plan process, the Orbit Potential and Innovation Plan (“OPIP”), associated implementing By-law(s) and/or Community Planning Permit By-laws and Municipal Comprehensive Review process underway at the County of Simcoe.

Within the 425m radius of the proposed station, the draft MZO proposes to permit a wide range of uses that align with the Orbit Vision including retail, commercial, entertainment, employment, institutional, community and parks. To encourage flexible, sustainable and creative design that aligns with the vision and design concept for the Orbit, the draft MZO does not propose minimum development standards for lot area, frontage, yard setbacks and parking/loading spaces or maximum regulations for lot coverage and building height; instead, it proposes a Master Site Plan process of minimum densities and building heights that develop in accordance with the Orbit Vision and Principles (described further below).

The Orbit Principles set out in the draft MZO establish key foundations that will underpin the new form of responsive, sustainable and innovate development imagined and reimagined by the Orbit Vision, including the following:

- Establishing human-scaled, transit-supportive densities in a range of built forms and typologies (i.e. multi-storey, multi-unit, perimeter buildings and laneway housing) within the principles of gentle density;
- Requiring a network or integrated and higher quality public open space and private amenity spaces, including a 5,000 m<sup>2</sup> public plaza at the Orbit centre, linear rail park & trail, and radial parks, as well as integrated and visible green infrastructure in all buildings and amenity spaces;
- Solidifying the concentric design and prioritization of safe, alternative mobility choices for people of all ages;
- Facilitating employment opportunities through a range of flexible business spaces;

- Ensuring place making and cultural spaces are curated in accordance with key Town master plans including Cultural Master Plan, Parks Master Plan, Our Health Strategy, Our Place Official Plan and the Innovative Innisfil 2030 Community Strategic Plan;
- Establishing sustainability principles and targets to guide green, resilient approaches to stormwater management and measures to reduce climate change and mitigate its impacts; and,
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- Promoting a socially balanced, resilient community through inclusivity, pandemic-readiness, access to food and basic services and the requirement for affordable housing.

Through the MZO request finalization process, the Orbit Principles may be amended to reflect Council and community feedback, including but not limited to best practice infrastructure design, building design, wellness, technology/data governance, and further sustainability guidance.

The Orbit Vision, and its implementation through a potential MZO, continues to evolve to reflect the highest principles of sustainability in all aspect of its design, construction, and future operation. The Sustainability Principles (Appendix A of the Draft MZO) have evolved to become the new community's overriding characteristic, ensuring that economic, placemaking, technological aspirations and cultural success will follow in line with the Town's Official Plan and Innovative Innisfil 2030 Community Strategic Plan, as well as the Vision itself. Sustainability policies will build on current best practices and standards, including but not limited to concepts contained in the Sidewalk Labs Master Innovation and Development Plan (MIDP), and the principles of LEED and the Circular Economy.

## **2.1 Relevant Land Use Planning Policies**

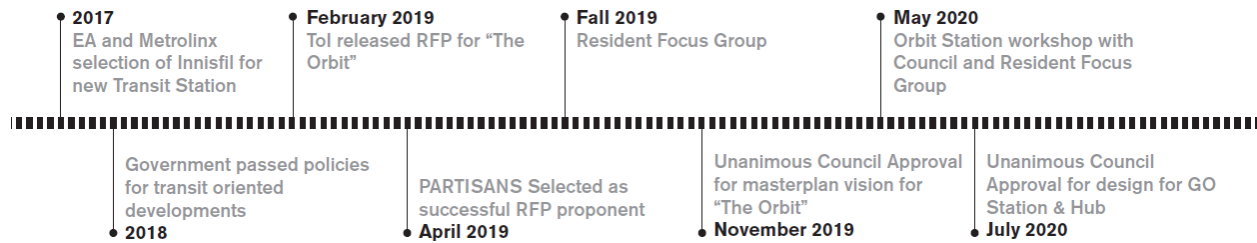
The draft MZO is consistent with provincial initiatives (including Transit Oriented Communities and increasing housing supply) and is supported by many policies in the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, Local and County Official Plans, and the Town's community strategic plan.

Please refer to **Attachment 3** for the Applicable Supporting Policy Summary.

## **2.2 Key Steps to Date & Next Steps**

In an effort to introduce even greater transparency, this report introduces a Draft MZO to continue the conversation of The Orbit Vision and to further engage with the community.

Leading up to the release of the draft MZO, a number of steps and stakeholder meetings have occurred to date to move the Orbit Vision and proposed station design forward, as outlined below and further informed by the resident survey in November 2019 (490 responses), station design team meetings, collaboration with the County and Metrolinx, reengagement of the resident focus group, and Council Workshop in May 2020.



Continued dialogue and public consultation will continue to shape the implementation of the Orbit Vision in the following ways:

- Maintaining the project webpage for establishing a common information base and a Get Involved Innisfil link to solicit and capture ongoing feedback;
- A Draft Orbit MZO virtual open house tentatively scheduled for Thursday, October 15, 2020 to discuss the draft MZO and its role in implementing The Orbit Vision;
- Dialogue with the Residents Focus Group and direct stakeholder engagement;
- Continuing public consultation and reports to Council at key junctures on the OPIP Secondary Plan process.

Staff anticipate reporting back to Council on October 28, 2020 with a recommendation based on feedback received from Council and stakeholders over the coming weeks. The final proposed MZO will form the basis of a Town request, hopefully together with the County of Simcoe's support, to be made of the Minister of Municipal Affairs and Housing before the end of the year.

#### **FINANCIAL CONSIDERATION:**

The *Planning Act* process of the MZO will result in cost saving to the municipality by reducing the staff time required to process more typical Official Plan and Zoning By-law Amendments over a longer period of time.

The financial considerations of the Orbit remain relatively unchanged since the July 15, 2020 staff report. Staff time to advance the Orbit and prepare the MZO continues to be funded by approved Capital Project RDS358 (90% funded through the DC Background Study).

Staff Report [DSR-099-20](#) authorized staff to execute a Joint Consultant Agreement with the lead developer (i.e. Cortel Group). That agreement is expected to be fully executed prior to Council's consideration of the final proposed MZO on October 28, 2020.

#### **OPTIONS/ALTERNATIVES:**

Between now and the October 28, 2020 Council meeting, staff will be actively looking for feedback on the draft MZO and including that feedback in the recommendation report to Council.

Alternative recommendations that Council could consider as part of this report include but are not limited to:

1. Direct staff to amend Orbit Principles to be reflected in the draft MZO;
2. Suggest alternative next steps and the date for reporting back to Council; and

3. Identify potential amendments to the draft MZO document that would further direct growth phasing in this area.

**CONCLUSION:**

If considered by the Minister, the draft MZO is a tool that can ignite the proposed GO Station and Centre of Mass, while establishing the principles and framework to accelerate the wider Orbit Vision. This multi-generational project embraces the way Innisfil wants to grow - Rural Reimagined.

**PREPARED BY:**

Mary Nordstrom RPP, Manager of Planning  
Tim Cane RPP, Director of Growth

**APPROVED BY:**

Jason Reynar, CAO

**ATTACHMENTS:**

Attachment 1	Draft Ministerial Zoning Order (including Orbit Vision Plans)
Attachment 2	List of permitted uses in the Draft MZO
Attachment 3	Applicable Supporting Policy Summary



# ONTARIO REGULATION

made under the

## PLANNING ACT

### ZONING ORDER – TOWN OF INNISFIL, COUNTY OF SIMCOE

#### Definition

1. In this Order,

“Active Uses” means uses and structures that activate public spaces including but not limited to retail store, restaurant, market, gallery, library and community centre, common areas, and associated public art, outdoor seating, shelter structures, and placemaking infrastructure.

“Affordable Housing” means home ownership and/or rental housing for low income households. In the case of home ownership, housing for which the purchase price is at market value, with a reduced down payment resulting in at least 20% below the average purchase price of a similar resale unit in regional market area. In the case of rental housing, the least expensive of a unit for which rent does not exceed 30% of gross annual household income for low and moderate income households or a unit for which rent is at or below the market rent of a unit in the regional market area.

“At-grade” means lands within 1 metre of the final elevation at the 6<sup>th</sup> Line where it crosses the centreline of the Metrolinx rail line.

“Flex space” means a building or portion of a building flexible in design (i.e. spatially, electrically, digitally) and with a minimum 4.2 metre ceiling height measured from first floor to ceiling directly above to accommodate a range of non-residential uses listed in this Order. Flex spaces shall provide for adaptable floor plans, fibre optic connection, and active façades.

“Heritage Homes” means buildings that have been designated under Part IV of the Ontario Heritage Act as having cultural heritage value or interest.

“Higher Order Transit Station” means a new GO rail station spread over 2 levels that includes the requirements of the station operator including but not limited to trackwork, platforms, washrooms, access, trail connections, parking, alternative transit links/facilities, and common public areas generally consistent with the Orbit Vision Plans. Such station shall also include space available to the Town for active and community uses.

“Laneway Suite” means a self-contained living accommodation for a person or persons living together as a separate single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the suite and is in an ancillary building abutting a lane.

“Live-work unit” means a dwelling unit, part of which must be used as a commercial or manufacturing business establishment and where the dwelling unit is the principal residence of the business operator. The commercial floor space of the Live-work unit shall not permit

residential uses and shall be distinct and separate from the residential floor space of the Live-work unit.

“Major Transit Station Area” means the area including and around the rail station as outlined in red on a map numbered \_\_\_ identified by a stamp of the Registrar of Regulations on (INSERT DATE), 2020 and filed at the Toronto office to the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

“Master Site Plan” means a conceptual plan for a quadrant, submitted for the purposes of confirming compliance with the minimum density requirements and Sustainability Principles of this Order consistent with Section 47 of the Planning Act. The Master Site Plan shall establish and substantially implement the Orbit Vision Plan and Orbit Principles through concentric circulation patterns, parkland distribution, development blocks, and defined and measurable sustainability targets.

“Orbit Principles” shall mean:

- i. Providing high quality and articulated built form emphasizing varied and different parts of a building with a range of housing and employment options consistent with the Orbit Vision Plans;
- ii. Integrating higher quality public open spaces and private amenity spaces where buildings and site design incorporate visible plantings to green structures and spaces in three dimensions over the entire building elevation with connections to private and common areas;
- iii. Including gentle density principles of liveable, human scale neighbourhoods and built forms that accommodate flexible, dynamic and comfortable indoor and outdoor spaces (including vegetated outdoor spaces), promote walkability, placemaking, and foster a sense of identity. Neighbourhoods shall include innovative street design, dynamic cross sections for adaptable uses, and active street features that create ‘pedestrian/active transportation first’ environments.
- iv. Promoting a socially balanced and resilient community through health impact assessments, fostering wellness, access to food/basic services, pandemic-readiness, inclusivity, programming for active living, support mental and physical health and affordable housing;
- v. Providing space to support arts, cultural and heritage activities;
- vi. Providing employment opportunities through private sector enterprises, small business/start-up spaces, public sector organizations and academic institutions;
- vii. Embracing placemaking through a modern, walkable community with quality of life through arts, culture, social activities, access to water, and animated and curated public spaces;
- viii. Embedding applicable principles of Town master plans including but not limited to the Innovative Innisfil 2030 Community Strategic Plan, Our Place Official Plan, Culture Master Plan, Parks Master Plan, and Our Health Strategy;
- ix. Designing for district energy, Smart Grid principles and sustainable infrastructure components (i.e. solar, wind, energy storage, recycled water) that incentivize and make measurable contributions to decarbonization, net energy concepts, and reducing climate change;
- x. Planning for transportation that prioritizes alternative and active transport modes;
- xi. Embedding sustainability principles that adopt best practice stormwater management, alternative building/green standards, reduces climate change, and protects key natural features consistent with Appendix A – Sustainability Principles to Guide Development;
- xii. Embracing technology to solve historic urban challenges and facilitate Orbit Principles including smart city components, data governance, and digital infrastructure .

“Orbit Vision Plans” means plans produced and adopted by Town Council on November 27, 2019 and July 15, 2020 as attached in Appendix B.

“Perimeter Mixed or Residential Use Buildings” means a building typology that provides an active street frontage with minimal disruption by access and service areas to form an internal courtyard amenity space for the building occupants and/or shared public space. .

“Radius” shall be measured from the intersection of the 6<sup>th</sup> Line and the rail line and any lot or block that intersects the radius shall be deemed to be within that radius.

“Rail Park” means a park abutting the rail line corridor and extending a minimum of 30 metres from the rail line corridor and shall include a multi-use trail network, public art and sculpture features, outdoor seating with protection/shelter from weather elements and may include transit station, buildings, structures, infrastructure and stratified underground parking.

“Stratified Parkland” means the creation of public parkland above or below structures such as parking garages, underpasses, overpasses through appropriate agreements (i.e. strata title arrangements).

“Sustainability Principles” means those principles contained in Appendix A to this Order.

“Track-level” means lands within the 1 metre elevation of the rail line corridor.

“Office Amenity Space” means floor space within a residential or mixed use building used for amenity space accessible to residents and/or members of the public for office use.

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

## **Application**

### **2.**

- (1) This Order applies to lands in the Town of Innisfil in the County of Simcoe, in the Province of Ontario, being the lands outlined in red on a map numbered \_\_\_ identified by a stamp of the Registrar of Regulations on (INSERT DATE), 2020 and filed at the Toronto office to the Ministry of Municipal Affairs and Housing located at 777 Bay Street (“Lands”).
- (2) This Order shall apply to the Lands until such time that a Secondary Plan (called the “Orbit Potential and Innovation Plan”) and implementing planning controls are approved.
- (3) This Order shall require owners of lands as described in Section 2.(1) to enter into one or more agreements with the Town of Innisfil to implement the Order and Orbit Principles through matters as outlined in Section 47(4.4) of the Planning Act.

## **Mixed Use - Major Transit Station Area**

### **3. Permitted Uses**

(1) The permitted uses on the lands within the 425 m radius of the Station identified on the lands subject to this Order are as follows:

- a. All uses listed in Section 3.47 of the Zoning By-law;
- b. All uses listed in the Mixed Use 2 – MU2 zone of the Zoning By-law, with the exception of drive through facilities;
- c. All uses listed in the Community Services – CS Zone of the Zoning By-law, with the exception of cemetery;
- d. Townhouses and Stacked Townhouse Dwelling <sup>[1]</sup>
- e. Rail Park;
- f. Higher Order Transit Station
- g. The following uses:
  - i. Light, small scale manufacturing and processing, including micro-breweries and micro-distilleries <sup>[2]</sup>; and
  - ii. Outdoor patios and outdoor rooftop patios.

<sup>[1]</sup> Townhouses and stacked townhouse dwelling units are only permitted within a 225 metre to 425 metre radius.

<sup>[2]</sup> Limited to a maximum of 2,500 square metres of gross floor area per use.

#### 4. Regulations

(1) The following regulations shall apply:

- a. The following minimum regulations shall not apply to the lands:
  - i. Lot Area
  - ii. Lot Frontage
  - iii. Yard setbacks;
  - iv. Landscaped Open Space and width of landscaped strip;
  - v. Amenity Space provided that, where common amenity space is not provided, each unit has direct access to private outdoor space;
  - vi. Floor area for a residential dwelling unit provided there are flexible floor plates/ownership options available to allow for a variety of family unit needs;
  - vii. Number of Parking Spaces<sup>[3]</sup>;
  - viii. Minimum Number of required Loading Spaces<sup>[3]</sup>.
- b. There following maximum regulations shall not apply to the lands:
  - i. Lot Coverage;
  - ii. Building Height;
  - iii. Density and dwelling units other than as set out in (2) to (5) below.
- c. Dwelling units are subject to Sections (2) to (5) of this Order
- d. The following regulations shall not restrict the location of streets, parks or development blocks with the exception of the following:
  - i. The framework of streets, parks and development blocks as shown on the approved Master Site Plan generally consistent with the Orbit Vision Plan and Orbit Principles.
  - ii. A minimum 5,000 square metres of park area(s) shall be located **at-grade** and within 80 metres of the centreline of the rail line and the 6<sup>th</sup> Line and shall include public art, outdoor seating, green infrastructure, weather protective elements and equipped with infrastructure to support outdoor retail, public cleansing stations, outdoor markets, community art classes and performances and pop-up commercial and cultural use.
  - iii. Parkland shall be provided through dedication and/or payment in lieu at the discretion of the Town using the following minimum rates:

1. In the case of commercial or industrial purposes, 2% of developable land area;
2. In all other cases, dedication of 1 hectare of developable land area per 300 dwelling units and payment in lieu of parkland dedication of 1 hectare per 500 dwelling units;
3. For the purpose of this regulation, the following shall be accepted as partial parkland credit as required by Section 5(d)(iii) of this Order, subject to satisfactory arrangements and agreements:
  - a. **Stratified Parkland**;
  - b. Privately owned public spaces; and
  - c. Linear trail connections with a minimum width of 8m.
- e. Within a 125 metre **radius** of the Station, a minimum of 1500 square metres of the non-residential gross floor area required in Sections (2) and (3) space shall be community space, library or or similar indoor cultural use and shall provide active, weather protected, three-season outdoor space(s).
- f. There shall be no regulations restricting the location any permitted uses beneath streets or parks, subject to providing for required infrastructure.
 

<sup>[3]</sup> If parking and loading spaces are provided they shall adhere to the minimum size and area requirements of the Zoning By-law.

(2) The following uses and regulations shall apply within a 225 metre **radius** of the Station:

- a. Within a 125 **radius**, a range of 4 to 8 primary mixed use buildings concentrically arranged around the **Higher Order Transit Station** substantially in accordance with the Orbit Vision Plan and **Master Site Plan** with respect to massing, public realm, access, sustainability targets, and articulated building design with visible vegetative plantings in dimensions.
- b. Minimum 850m<sup>2</sup> **Higher Order Transit Station** to be located at grade and track level.
- c. Minimum of 200 residential dwelling units per net hectare per **quadrant**, to be determined based on a **Master Site Plan**.
- d. Minimum 11,000 square metres of non-residential gross floor area to be determined based on a **Master Site Plan** as follows:
  - i. A minimum of 5,000 square metres of non-residential gross floor area to be located **at grade** and/or **track level**;
  - ii. A minimum of 4,000 square metres of non-residential gross floor area to -be located above-grade, a portion of which may include live-work units, **Office Amenity** and/or **Flex Space**.
  - iii. a minimum of 1500 square metres of the non-residential gross floor area for each quadrant shall be community space, library or similar indoor cultural use and shall provide active, weather protected, three-season outdoor space(s).
- e. Minimum Building Height of 6 storeys, with the exception of the following:
  - i. Heritage Homes beyond a radius of 125 metres.
- f. Residential dwelling units with direct access to grade are not permitted **at-grade** within a **radius** of 125 metres, with the exception of **Live-Work Units**. **Live Work Units** shall not comprise more than 10% of at-grade frontages.
- g. Beyond a radius of 125 metres, a minimum of 35% of residential units shall be in **Perimeter Mixed or Residential Use Buildings**.
- h. A minimum of 10% of all residential units in buildings of 10 or more apartment units shall be **Affordable Units**.

- i. A minimum of 50% of the overall 11,000 square metres non-residential gross floor area shall be **Flex Space**.
  - j. Where a lot is contiguous to a park, a minimum of 10% of **at-grade** uses shall be **Active Uses**.
- (3) The uses and regulations in (3)(a) shall apply for the northeast quadrant following the submission of a complete **Master Site Plan** within the 225m radius for a **Higher Order Transit Station**, at least 500 residential dwelling units and at least 25% of the non-residential gross floor area required in Section 2(d):
- a. The following regulations apply beyond a 225 metre **radius** and within a 425m **radius**:
    - i. Minimum 150 residential dwelling units per net hectare to be determined based on a **Master Site Plan**;
    - ii. Minimum 1,000 square metres of non-residential gross floor area and may include live-work units to be determined based on a **Master Site Plan**;
    - iii. A minimum of 35% of residential units shall be in **Perimeter Mixed or Residential Use Buildings** based on a **Master Site Plan**;  
A minimum of 10% of all residential units in multi-unit buildings of 10 or more dwelling units shall be **Affordable Units**.
    - iv. Minimum Building Height of 4 storeys, with the exception of:
      - 1. Townhouse dwellings, which may have a minimum height of 3 storeys provided the land area for townhouse dwellings does not exceed 40% of the northeast quadrant;
      - 2. **Laneway Suites**; and
      - 3. **Heritage Dwellings**
- (4) The uses and regulations in 4(a) shall apply for the northwest, southwest and southeast quadrants following applications for building permits within the 225m radius for a **Higher Order Transit Station**, at least 1,000 dwelling units, and at least 50% of the non-residential gross floor area required in 2(c):
- a. The following regulations apply beyond a 225 metre **radius** and within a 425m **radius**:
    - i. Minimum 150 residential dwelling units per net hectare to be determined based on a **Master Site Plan**;
    - ii. Minimum 1,000 square metres of non-residential gross floor area and may include live-work units to be determined based on a master site plan;
    - iii. A minimum of 35% of residential units shall be in **Perimeter Mixed or Residential Use Buildings** based on a **Master Site Plan**;
    - iv. A minimum of 10% of all residential units in buildings of 10 or more apartment units shall be affordable units.
    - v. Minimum Building Height of 4 storeys, with the exception of:
      - 1. Townhouse dwellings, which may have a minimum height of 3 storeys provided the total land area for townhouse dwellings does not exceed 15% of quadrant land area;
      - 2. **Laneway Suites**; and
      - 3. **Heritage Dwellings**.
- (5) The following shall apply beyond a 425 metre radius:

- a. Future Development within the **Major Transit Station Area** shall be permitted in accordance with policies and regulations determined through the approval of a Secondary Plan (Orbit Potential and Innovation Plan – OPIP) under Section 21 of the Planning Act and implementing By-law(s) or Community Planning Permit By-law(s) under Section 34 of the Planning Act, in accordance with the principles set out in Appendix A to this Order.

### **Terms of Use**

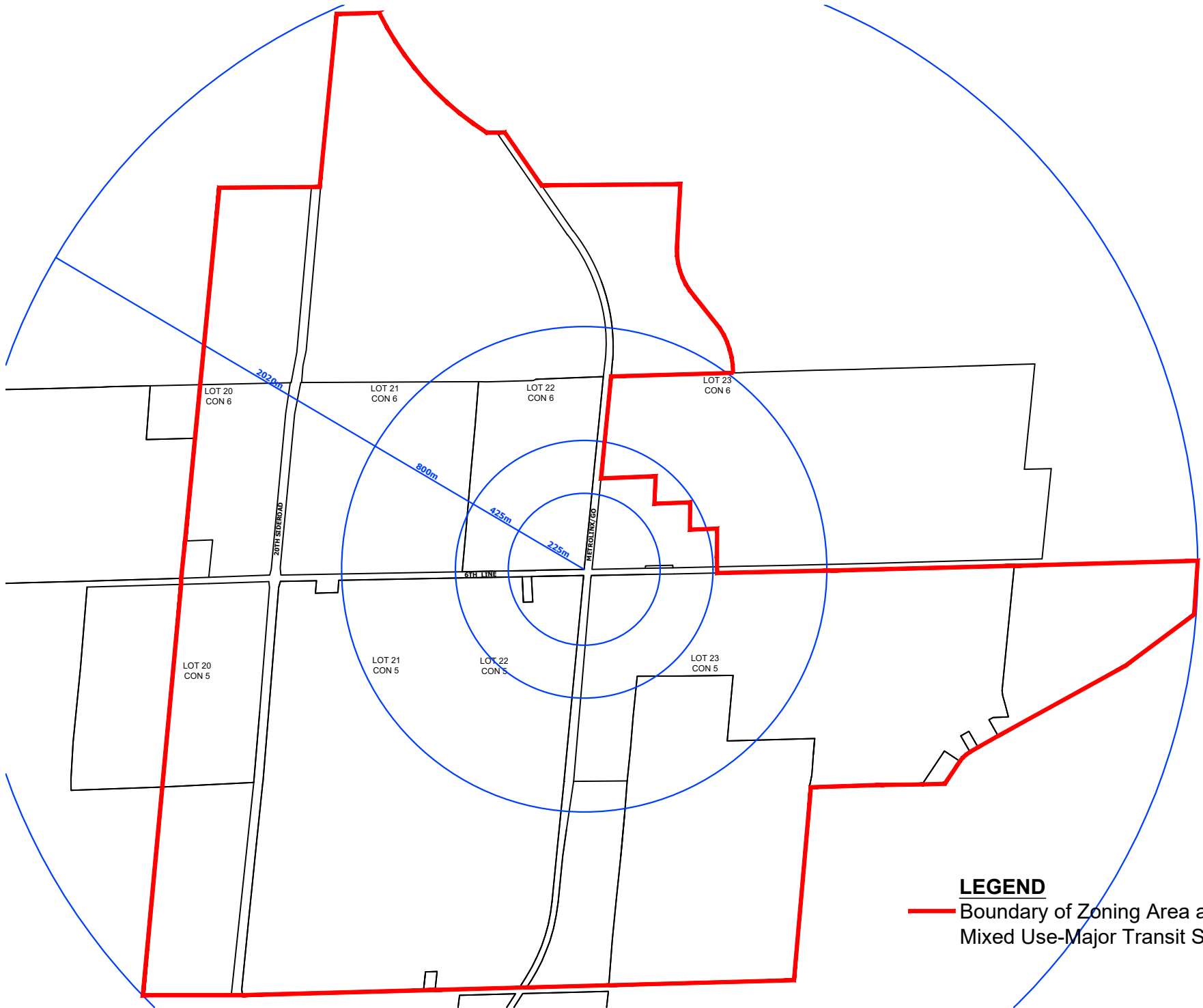
5. Every use of land and every erection, location and use of buildings or structures shall be in accordance with this Order.
6. Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.
7. Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.
8. Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.
9. The Lands are identified as a Major Transit Station Area and minimum density targets represent an alternative minimum target permitted by the Minister.
10. This Order shall remain in effect until adoption of a Secondary Plan (Orbit Potential and Innovation Plan – OPIP) under Section 21 of the Planning Act and implementing By-law(s) or Community Planning Permit By-law(s) under Section 34 of the Planning Act.

### **Deemed by-law**

11. This Order is deemed for all purposes, except for purposes of section 24 of the Act, to be and to always have been a by-law passed by the Council of the Town.

### **Commencement**

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



**LEGEND**  
— Boundary of Zoning Area and  
Mixed Use-Major Transit Station Area



## Appendix A – Sustainability Principles to Guide Development

This Order seeks to begin implementing *The Orbit: Innisfil*, a vision for a complete, cutting-edge community to be built in Alcona around a new Major Transit Station at 6<sup>th</sup> Line and 20<sup>th</sup> Sideroad. Innisfil envisions a community where its small town and rural lifestyles are enhanced by the benefits of urban living, allowing Innisfil to grow while preserving natural and agricultural lands. The Orbit allows Innisfil to grow in a way that concentrates and shapes development to prevent sprawl, support sustainability and protect the environment. Sustainability principles will build on current best practices and standards, including but not limited to concepts contained in the Sidewalk Labs Master Innovation and Development Plan (MIDP), and the principles of LEED and the Circular Economy.

Flexibility in the use and form of development will provide a framework that will attract investment and employment, as well as accommodate a diverse range of employment and housing options, including affordable housing. The Orbit will achieve a healthy community through design for active transportation, low impact development, water management and energy conservation, complemented by open spaces for both active and passive recreation.

The Orbit represents a natural and forward-thinking shift that will incorporate flexible and adaptable buildings, protection of the natural environment and high-quality public spaces. The principles outlined below are intended to shape a complete community concept that will facilitate and embrace sustainable growth:

- Design for spatial and physical flexibility in design, function and use
- Design for adaptability
- Integrated and visible green infrastructure in all buildings and amenity spaces spread over the entire elevation of the building (i.e. planters, shrubs, vines, trees)
- Design for integrated and quality parks, open spaces and green spaces that are biodiverse, socially and culturally inclusive, attractive and support mental and physical health
- Achieve place-making and public art initiatives through design for social and cultural viability
- Design for a mix and synergy of uses that contribute to walkable, complete communities
- Prioritize achievement of local and regional connectivity by walking, cycling and public transit
- Design for and encourage walkability and bike usage for all ages and abilities
- Encourage the use of low emitting fuel efficient vehicles, carpooling and car sharing
- Design for cycling as a more convenient, safe mode of transport and clean air alternative
- Facilitate access to local healthy foods and improving community food security
- Roof gardens, integrated building planters and other measures to reduce the impact of local heat islands on human and ecosystem health
- Reduce energy loads in buildings, orient building to capture solar energy, incorporate passive design strategies, design for district energy/smart grid, and provide protection during power disruptions
- Provide lower carbon energy sources of supply
- Enable self-recovery during an emergency power disruption
- Protect water quality during construction and demolition
- Green infrastructure to improve energy efficiency and supply of renewable energy
- Capture and manage rainfall to improve stormwater runoff and enhance resilience of infrastructure to extreme rainfall events
- Manage and clean stormwater that leaves the site

- Reduce demand for potable water through efficient fixtures and appliances and reusing non-potable water
- Create resilient landscapes that support tree growth and enhance the urban forest
- Protect, restore, enhance and establish natural features
- Enhancement of native plant and animal species, habitat and ecosystems
- Design buildings to reduce bird collisions and mortality
- Reduce nighttime glare, uplight and light trespass to support ecosystem and human health through dark sky lighting
- Design buildings and spaces to facilitate waste reduction and diversion
- Encourage adaptive reuse and optimize the environmental performance of products and materials
- Divert non-hazardous construction and demolition debris
- Encourage the use of products and materials that minimize the lifecycle impact to the environment
- Establish defined and measurable sustainability targets
- Provide for affordable housing, such as affordable home ownership whereby the down payment would be supplemented by a third-party not-for-profit organization or institution to achieve required CMHC insurability. The not-for-profit organization would take back a second mortgage from the purchaser for the difference between the market value and the affordable price. The second mortgage would bear no interest and would remain in place for the duration of the purchaser's ownership of the unit. In the event of any sale, the purchaser must pay back the down payment loan plus 10% of any realized capital gain and the increase in value gained by the not-for-profit would be used to finance the program and the interest free loans to future purchasers.

DRAFT

APPENDIX B - Orbit Vision Plans



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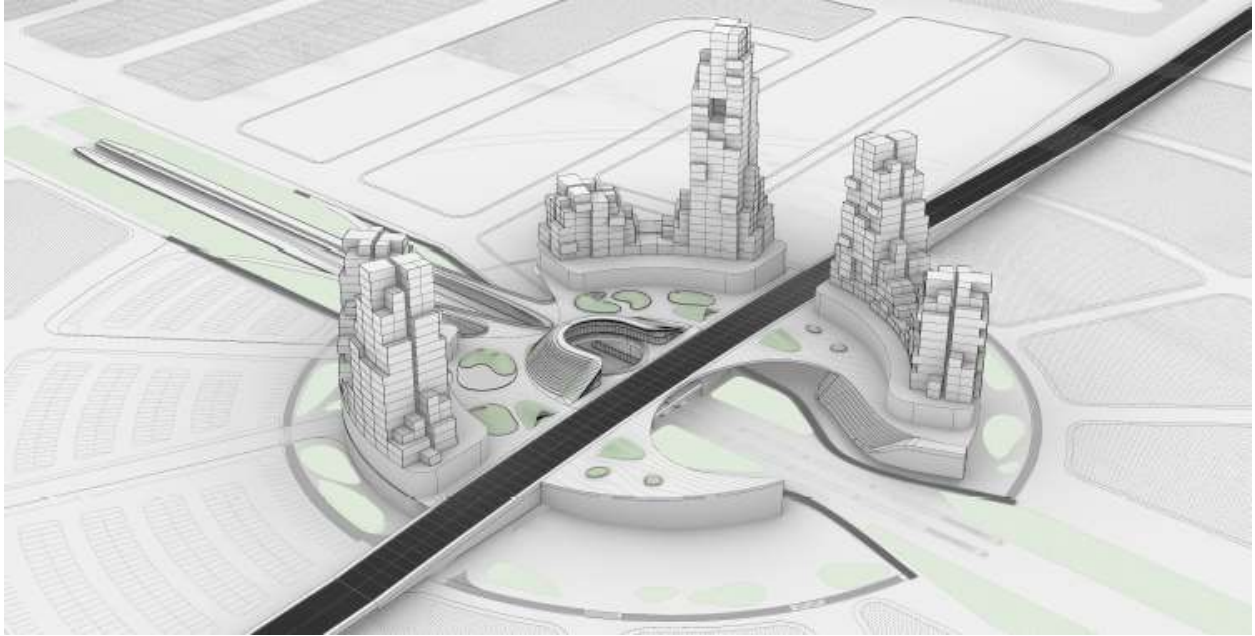


Phase 1 – Transit Station and Public Plaza

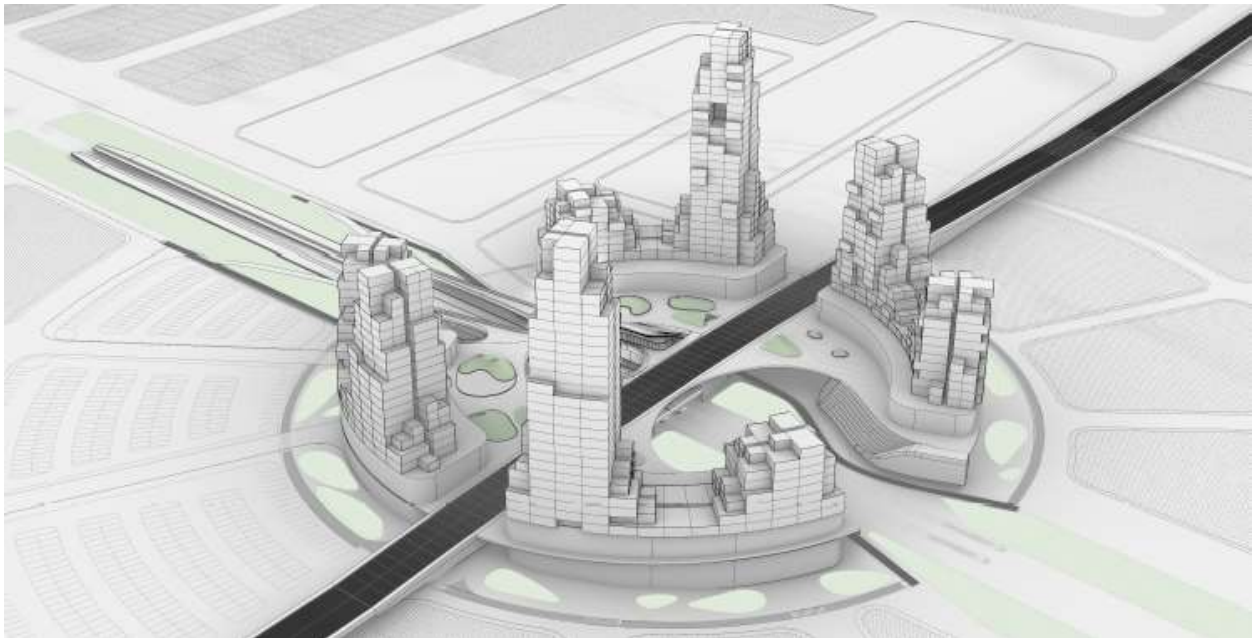


Phase 2 – Centre of Mass Residential (northeast and northwest quadrants within 125m radius) and Sleeping Lion (northeast quadrant within 425m radius)

APPENDIX B - Orbit Vision Plans



Phase 3 – South Plaza and Mixed Use Buildings within southeast quadrant



Phase 4 – Mixed Use Buildings within southwest quadrant

ATTACHMENT 2 – List of Permitted Uses in Draft MZO

Accessory building and structure	Photography or artist's studio
Accessory dwelling unit	Place of entertainment
Apartment dwelling	Place of Worship
Bake Shop	Printing and publishing establishment
Banquet Hall	Professional office
Commercial school	Public parking lot or structure
Community centre	Public uses
Conservation use	Rail Park
Convenience store	Religious retreat or camp
Custom workshop	Restaurant
Day nursery	Restaurant, take-out
Financial institution	Retail store
Fitness centre	Retirement home
Fruit and vegetable produce market	School
Funeral home	Service and repair establishment
Government facility	Shopping centre
Grocery store	Taxi stand or dispatch office
Higher Order Transit Station	Townhouses and Stacked Townhouses (within 225 and 425m radius)
Hospital	University or College
Hotel, motel	Uses permitted in all zones as per 3.47 of Comprehensive Zoning By-law 080-13 (i.e. utilities, telecommunications, transportation)
Indoor Recreational Centre	Veterinary clinic
Laundry and dry cleaning depot	
Library	
Light, small scale manufacturing and processing, including micro-breweries and micro-distilleries (maximum 2,500 m <sup>2</sup> )	
Long term care home or nursing home	
Medical office	
Outdoor patio	
Outdoor rooftop patios	
Outdoor Recreation Use	
Park	
Passive Recreation	
Personal Service establishment	
Pet day care establishment	

The Draft MZO provides a tool to achieve the type of transit-oriented development supported by land use planning policies at the Provincial, County and Town level as summarized below.

### Planning Act

The Ontario Planning Act sets out the overall framework for how land use planning in Ontario is to occur. The Act sets out “matters of provincial interest” that “the Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to.” This list of “matters of provincial interest” includes:

- *(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians*

### Provincial Policy Statement

The Provincial Policy Statement (PPS) provides further policy direction on matters of provincial interest related to land use planning and development. The PPS covers policies about managing growth, using and managing natural resources, protecting the environment, and public health and safety. The PPS places considerable emphasis on “transit-supportive” development that is defined as:

- *Transit-supportive: in regard to land use patterns, means development that makes transit viable, optimizes investments in transit infrastructure, and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities, including air rights development, in proximity to transit stations, corridors and associated elements within the transportation system. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.*

Based on this definition, there are numerous instances in the PPS where ‘transit-supportive development’ is promoted. For example, within Section 1.1. entitled ‘Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns’, Policy 1.1.1 states:

- *1.1.1 Healthy, liveable and safe communities are sustained by:  
e) Promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*

Other instances in the PPS where there is emphasis on ‘transit-supportive’ development in the creation of compact, complete communities include:

- *1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:  
f) Are transit-supportive, where transit is planned, exists or may be developed.*



- *1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development.*
- *1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:  
e) Requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.*
- *1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.*

### Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe provides more detailed land use planning policies for this region of Ontario. As part of its overall goal to make better use of land and infrastructure by directing growth to settlement areas and prioritizing intensification, this Plan also places emphasis on transit-supportive development within ‘major transit station areas’ that are defined as:

- *Major Transit Station Area The area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk.*

Section 2.2.4 of the Growth Plan includes policies to guide the planning of ‘major transit station areas’ that bear direct relevance to the planning of the ‘major transit station area’ in Innisfil:

- *2.2.4.8 All major transit station areas will be planned and designed to be transit-supportive and to achieve multimodal access to stations and connections to nearby major trip generators by providing, where appropriate:
  - *a) connections to local and regional transit services to support transit service integration;*
  - *b) infrastructure to support active transportation, including sidewalks, bicycle lanes, and secure bicycle parking; and*
  - *c) commuter pick-up/drop-off areas.**
- *2.2.4.9. Within all major transit station areas, development will be supported, where appropriate, by:
  - *a) planning for a diverse mix of uses, including additional residential units and affordable housing, to support existing and planned transit service levels;*
  - *b) fostering collaboration between public and private sectors, such as joint development projects;*
  - *c) providing alternative development standards, such as reduced parking standards; and*
  - *d) prohibiting land uses and built form that would adversely affect the achievement of transit-supportive densities. Lands adjacent to or near to existing and planned frequent transit should be planned to be transit-**

*supportive and supportive of active transportation and a range and mix of uses and activities.*

- *2.2.4.10. Lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities.*
- *2.2.4.11. In planning lands adjacent to or near higher order transit corridors and facilities, municipalities will identify and protect lands that may be needed for future enhancement or expansion of transit infrastructure, in consultation with Metrolinx, as appropriate.*

### County of Simcoe Official Plan

The County's Official Plan also includes the following policy that places an emphasis on planning for intensification areas and transit-supportive development:

- *3.5.6 Municipalities with primary settlement areas will, in their official plans, identify primary settlement areas, identify and plan for intensification areas within primary settlement areas and ensure the development of high quality urban form and public open spaces within primary settlement areas through site design and urban design standards that create attractive and vibrant places that support walking and cycling for everyday activities and are transit-supportive.*

### Town of Innisfil 'Our Place' Official Plan

The Town's Our Place Official Plan, Schedule A – Municipal Strategy identifies a radius around the intersection of 6<sup>th</sup> Line and the railway corridor as GO Station and supports transit-supportive growth as follows:

- Policy 9.2.6 of the Town's Official Plan states that "A major focus of future growth in our Town shall be lands within the Major Transit Station Area in proximity to the future GO Station."
- Policy 9.14.2 identifies a minimum density target of 150 residents and jobs per hectare within the 'major transit station area', which aligns with the Growth Plans' minimum density targets around GO stations in the GGH on 'priority transit corridors' (south of Aurora along the Barrie rail line)

The draft MZO is proposing between 150 and 200 residential units per net hectare within the first 425m radius of the station centre, which achieves and exceeds the minimum density target established in Our Place and reflect the emphasis in provincial policies for the efficient use of land and infrastructure. As currently drafted, the MZO would result in a minimum population of approximately 20,000 people within the centre of mass. The vision for the Orbit contemplates scenarios where there are a total of nearly 150,000 living within the Orbit at full build-out; the Town's existing Official Plan is planning the Town to achieve a minimum population of 56,000 by the year 2031.

The Draft MZO for the Innisfil Mobility Orbit would therefore support implementation of the land use policies of the Province, County and Town that promote 'transit-supportive' development.