

ORIGINAL

THE CORPORATION OF THE TOWN OF INNISFIL

BY-LAW NO. 043-21

A By-law of The Corporation of the Town of Innisfil to Amend the Town's Comprehensive Zoning By-Law 080-13, as amended.

WHEREAS the Council of the Town of Innisfil deems it desirable to amend the Town's Comprehensive Zoning By-Law 080-13, as amended with provisions for up to two accessory dwelling units on certain properties in Innisfil; and

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

WHEREAS no further notice is to be given pursuant to Section 34 (17) of the *Planning Act*, R.S.O. 1990, as amended; and

WHEREAS Section 35.1 of the *Planning Act*, R.S.O. 1990, passed as part of the Province's Housing Supply Action Plan, requires local municipalities to pass by-laws that allow up to two accessory dwelling units on certain properties in Innisfil.

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

(1) Table 4.1 and Table 8.1 delete 'Garden suite dwelling' as a permitted use and rename 'Accessory Second Dwelling Unit' to 'Accessory Dwelling Unit'.

(2) Section 2, Definitions, is hereby amended as follows:

1. Section 2.57 "Dwelling, Accessory" to:

"An accessory dwelling unit shall be a self-contained **dwelling unit** that is physically detached, attached, and/or within the **principal dwelling** on a **lot**."

2. Section 2.58 "Dwelling, apartment" is hereby amended by replacing the word "three" with the word "four" after the word, "containing".

(3) Section 3, General Provisions, is hereby amended as follows:

1. Section 3.5, Accessory Dwelling Units is hereby amended to read as follows:

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

General

a) A maximum of two (2) **accessory dwelling units** will be permitted per **lot**.

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- b) Any **accessory dwelling unit** shall not be greater than 50% of the **gross floor area** of the **principal dwelling** on the **lot**, up to a maximum **gross floor area** of 100 square metres. When accessory dwelling units are constructed within the **existing principal residential structure** on the **lot**, each accessory dwelling unit shall be less than the **gross floor area** of the **principal dwelling** unit.
- c) Any **accessory dwelling unit** shall have a maximum of 3 bedrooms.
- d) Any **accessory dwelling unit** shall not be permitted within a **group home**.
- e) Any **accessory dwelling unit** shall not be severed from the **lot** that contains the **principal dwelling**.

Parking

- f) Notwithstanding the provisions of Section 3.35.1 in this By-Law, a minimum of 2 off-street **parking spaces** must be provided when a **lot** has one 1 **accessory dwelling unit**, and a minimum of 4 off-street **parking spaces** when a property has 2 **accessory dwelling units**. **Tandem parking** is permitted. Notwithstanding the provisions of 3.35.2 in this By-Law, exterior **parking spaces** shall be a minimum of 2.5 metres in width and 5 metres in length.

Detached Accessory Dwelling Units

- g) The maximum **height** for a detached **accessory dwelling unit** shall not exceed the **height** of the **principal dwelling** or 6 metres, whichever is less.
- h) A maximum of two (2) detached **accessory dwelling units** shall be permitted on a **lot** that has a minimum **lot area** of 1,000 square metres. On a **lot** with less than 1,000 square metres of **lot area**, a maximum of one (1) detached **accessory dwelling unit** shall be permitted and a **balcony** shall not be permitted on a detached **accessory dwelling unit**.
- i) Any detached **accessory dwelling units** shall not be located within the **front yard** of the **lot** and shall not be located more than 60 metres from the **principal dwelling** on the **lot**.
- j) Notwithstanding the provisions in Section 3.3 of this By-Law, any detached accessory dwelling units located in a **rear yard** shall be a combined maximum of 50% of the **rear yard**, up to a maximum of 50 square metres each in building footprint coverage, measured as the outside perimeter of the **structure** containing the accessory dwelling unit, with a minimum of 25% of the **rear yard** maintained as **landscaped open space**. Any detached **accessory dwelling unit** shall be **setback** a minimum of 1.2 metres from the **rear** and **side lot line**.
- k) Any detached **accessory dwelling unit** shall be **setback** a minimum of 3 metres from the **exterior side lot line**.
- l) The entrance to any detached **accessory dwelling unit** located in a **rear yard** shall be accessed by a continuous, unobstructed path of travel of at least 1 metre wide between the main wall of the **building** and the **side lot line**.

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Restricted Areas

- m) Any **accessory dwelling unit** shall not be permitted on a **lot** serviced by a private septic system, where the **lot** is located within 100 metres of the Lake Simcoe shoreline.
- n) Any **accessory dwelling unit** shall not be permitted on a **lot** within the Cookstown Settlement Area until sufficient servicing capacity is available, subject to the determination of the Town.
- o) Any **accessory dwelling unit** shall not be located within any area subject to natural hazards such as flooding or erosion hazards.

Regulation

- p) The property owner must register each **accessory dwelling unit** with the Town and shall be in compliance with any applicable Accessory Dwelling Units Registration By-Law.

PASSED THIS 2ND DAY OF JUNE, 2021.



Lynn Dollin,

Mayor



Lee Parkin,

Clerk