

# The Corporation of the Town of Bradford West Gwillimbury

## By-law 2024–XX

Being a By-law to amend Zoning By-law 2010-050 to amend definitions and zoning standards for Accessory Dwellings.

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WHEREAS By-law 2010-050 is the main comprehensive Zoning By-law of the Town of Bradford West Gwillimbury;

AND WHEREAS By-law 2010-050 was approved by the Council of The Corporation of the Town of Bradford West Gwillimbury on June 8, 2010;

AND WHEREAS the Ontario Municipal Board under Case No. PL100684, by Order issued on August 13, 2010, deemed Zoning By-law 2010-050 in force and effect as of June 8, 2010, save and except for site-specific appeals, all of which have been disposed;

AND WHEREAS the Council of The Corporation of the Town of Bradford West Gwillimbury has conducted a consultation process aimed at amending applicable sections of the Zoning by-law to modify Accessory Dwelling Unit permissions;

AND WHEREAS the Council of The Corporation of the Town of Bradford West Gwillimbury deems it desirable and expedient that Zoning By-law 2010-050 be amended;

AND WHEREAS authority is granted under Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13;

NOW THEREFORE the Council of The Corporation of the Town of Bradford West Gwillimbury enacts as follows:

1. Part 3 of By-law 2010-050 is amended by adding the following definitions to the current list:

***Dwelling Structure, Accessory*** means an accessory building or structure containing a maximum of one dwelling unit located on the same lot as the principal residential building.

***Parcel of Urban Residential Land*** means a “parcel of urban residential land” as defined in the *Planning Act*.

2. That the Definition of Accessory Dwelling in Part 3 of Zoning By-law 2010-050, as amended, is hereby deleted and replaced with the following:

**Dwelling, Accessory** means an accessory dwelling unit that is located within a single detached, semi-detached, or townhouse dwelling unit or in a non-residential building.

3. Part 4 – General Provisions is hereby amended by replacing Section 4.3.1 with the following:

#### **4.3.1 Residential Zones, Places of Worship**

Where an **accessory dwelling** or **accessory dwelling structure** is permitted in a Residential **Zone** or accessory to a **place of worship** in this By-law:

- a) The maximum number of **accessory dwellings** permitted on a **Parcel of Urban Residential Land** lot shall be 3, of which only 1 dwelling unit may be permitted within an **accessory dwelling structure**;

Such **accessory dwelling structures** shall not be closer to the front lot line or exterior side lot line than the required setback for the main building on the lot except as provided in Table 4.1.1 below, or unless otherwise provided by this By-law.

- b) Unless otherwise permitted in this by-law, an **accessory dwelling** shall only be permitted within a **detached dwelling, semi-detached dwelling, townhouse dwelling** or **place of worship**;
- c) A maximum of only 1 **accessory dwelling** shall be located entirely within a **place of worship**;
- d) Except in Estate Residential “ER” **zones**, no more than one entrance to any **dwelling unit** is contained within any **main wall** facing a **street line**;
- e) The entrance to the accessory dwelling is not located within a private garage;
- f) The maximum **gross floor area** of the **accessory dwelling** shall be 49% of the **gross floor area** of the **main building**;
- g) The entrance to any **accessory dwelling structure** located in a **rear yard** shall be accessed by a continuous, unobstructed path of travel of at least 1.2 metres wide between the **main wall** of the building and the side **lot line** with access to a public or private street;
- h) The maximum **height** of an **Accessory dwelling structure** shall not exceed 5.4 metres;

- i) An **Accessory dwelling unit** shall not be located within any hazardous lands as determined by the applicable Conservation Authority including, but not limited to, the regulatory flood limits or erosion hazard limits and/or lands that do not have safe access appropriate to the nature of the development and the natural hazard.
- j) Human habitation is not permitted in an accessory structure except for **accessory dwelling structures** as specifically permitted by this by-law.

**TABLE 4.1.1: SETBACKS FOR PERMITTED ACCESSORY DWELLING STRUCTURES**

PERMITTED STRUCTURE	APPLICABLE REQUIRED YARDS	REQUIRED SETBACK
<b>ACCESSORY DWELLING STRUCTURE:</b>		
Residential <b>accessory dwelling structure</b> 5.4 m or less in <b>height</b>	Front Yard	No closer than 3.0 m from <b>Additional Dwelling Structure</b> to main building.
	Side Yard	No closer than 1.2 m from side lot line on one side and 0.6 m from the opposite side lot line on other side (applicable to one interior side yard only).
	Rear yard	No closer than 1.2 m from the rear lot line.

4. Part 5 – Parking and Loading Provisions is hereby amended by adding the following use to Table 5.3 in section 5.18 – Residential Parking Requirements:

USE	MINIMUM PARKING SPACE REQUIREMENT
<b>Dwelling Accessory</b>	1/unit, in addition to the required parking for the principal building or use

5. This By-law shall come into effect and take effect pursuant to the provisions of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

Enacted this \_\_\_\_ day of \_\_\_\_\_, 2024.

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Tara Reynolds, Clerk

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James Leduc, Mayor

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