
PART 1 INTERPRETATION AND ADMINISTRATION

1.1 TITLE AND DEFINED AREA

This By-law shall be known as the "*Town of Bradford West Gwillimbury Zoning By-law*" and applies to all lands within the corporate boundaries of the *Town of Bradford West Gwillimbury*, as shown on Schedules 'A', 'B' and 'C' of this By-law.

1.2 CONFORMITY AND COMPLIANCE WITH BY-LAW

No lands shall be used and no *building* or *structure* shall be erected, altered, enlarged or used within the *Town* except in conformity with the provisions of this By-law.

Any *use* not specifically permitted by this By-law shall not be permitted in the *Town*.

1.3 BUILDING PERMITS, CERTIFICATES OF OCCUPANCY AND MUNICIPAL LICENSES

The requirements of this By-law must be met before any municipal license or certificate of occupancy is approved or any building permit is issued for the erection, addition to or alteration of any *building* or *structure*. Without limiting the generality of the foregoing, this shall include those matters defined as applicable law under Section 1.4.1.3 of Ontario Regulation 350/06 (Ontario Building Code).

1.4 OBLIGATION

Nothing in this By-law shall serve to relieve any *person* from any obligation to comply with the requirements of any other By-law of the *Town* or the Ontario Building Code (or regulations thereunder) or any other requirement of the *County of Simcoe*, the Province of Ontario or the Government of Canada that may affect the *use* of lands, *buildings* or *structures* in the *Town*.

In particular, flood prone lands, unstable slopes, natural areas, and their associated lands are regulated by the Lake Simcoe Region Conservation Authority and Nottawasaga Valley Conservation Authority in accordance with the Conservation Authorities Act. Notwithstanding that development may be permitted as set out in this by-law, permits may be required from a conservation authority prior to the Town accepting building permit applications for lands within regulated areas. Such areas include the entirety of the Holland Marsh.

1.5 INSPECTION OF PREMISES

The Director of Planning and Development, or any officer designated by *Council* to enforce the provisions of the Zoning By-law shall have the powers authorized by Section 49 of the Planning Act, R.S.O. 1990, c. P.13, as amended.

1.6 ENFORCEMENT

Any *person* or *corporation* convicted of a violation of this By-law is liable to the penalties established in Section 67 of the Planning Act, R.S.O. 1990, c. P.13, as amended.

1.7 VALIDITY

If a court of competent jurisdiction declares any provision, or any part of a provision, of this By-law to be invalid, if it be found to be of no-force and effect, it is the intention of Council that each and every other provision of this By-law be applied and in force in accordance with its terms to the extent possible according to law.

1.8 EFFECTIVE DATE

This By-law shall take effect and shall come into force in accordance with the provisions of the Planning Act, R.S.O. 1990, c. P.13, s. 34, as amended.

1.9 REPEAL OF FORMER BY-LAWS

Subject to sections 1.8 and 15.1 herein, By-law 2263 of the former Town of Bradford, By-laws 1134 and 79B25 as they apply to lands subject to this By-law of the former Township of West Gwillimbury, and By-law 81-37 of the former Township of Tecumseth as it applies within the Town, and all amendments thereto, are hereby repealed with the exception of those lands that have been deferred by section 1.13 herein.

1.10 MINOR VARIANCES TO FORMER BY-LAWS, AS AMENDED

Where the Committee of Adjustment of the *Town* of Bradford West Gwillimbury or the Ontario Municipal Board has authorized a minor variance from the provisions of By-law 2263 of the former *Town* of Bradford, By-laws 1134 and 79B25 (as it applies to lands subject to this By-law), of the former Township of West Gwillimbury, By-law 81-37 of the former Township of Tecumseth as it applies within the *Town*, in respect of any land, *building* or *structure* and the decision of the Committee of Adjustment of the *Town* of Bradford West Gwillimbury or the Ontario Municipal Board authorizing such minor variance has become final and binding prior to the enactment of this By-law, the provisions of this By-law, as they apply to such land, *building* or *structure*, shall be

deemed to be modified to the extent necessary to give effect to such minor variance.

1.11 SITE PLAN AGREEMENTS

Where a Site Plan Agreement has been entered into prior to the effective date of this by-law, the provisions of this By-law, as they apply to such land, *building* or *structure*, shall be deemed to be modified to the extent necessary to give effect to such Site Plan Agreement.

1.12 EXPANSIONS TO LEGAL NON-CONFORMING USES

Where the Committee of Adjustment of the Town of Bradford West Gwillimbury or the Ontario Municipal Board has authorized the expansion of a legal non-conforming *use, building* or *structure* in accordance with Section 45 (2) a) i) of the Planning Act, R.S.O. 1990, c. P.13, as amended, and the decision of the Committee of Adjustment of the Town of Bradford West Gwillimbury or the Ontario Municipal Board authorizing such expansion has become final and binding prior to the enactment of this By-law, the provisions of this By-law, as they apply to such land, *building* or *structure* shall be deemed to be modified to the extent necessary to give effect to such a decision.

1.13 OUTSTANDING DEFERRALS

For the purposes of this By-law, a number of distinct Deferral Provisions have been applied as set out in Table 1.1.

In Table 1.1:

- Column 1 sets out the number of each Deferral “D” provision which corresponds to an area of the *Town* identified on the Zoning Schedules by the same number;
- Column 2 identifies the Schedule on which to locate each Deferral;
- Column 3 provides a description and explanation of each Deferral.

TABLE 1.1: DEFERRALS TO THE BY-LAW

DEFERRAL No.	SCHEDULE	DESCRIPTION
D1	Schedule A Map 9	Zoning deferred at the north-west corner of Line 11 and Sideroad 10 pending the outcome of the owner’s efforts to secure permission for a cemetery on the subject lands within the policies and designations of the Simcoe County Official Plan.
D2	Schedule A Maps 9 and 10	Zoning deferred at the north-east corner of Line 11 and Sideroad 10 pending the outcome of the owner’s efforts to secure permission for a cemetery on the subject lands within the policies and designations of the Simcoe County Official Plan.

DEFERRAL No.	SCHEDULE	DESCRIPTION
D3	Schedule A Maps 14, 15, 19, and 20	These lands are designated under the provincial Growth Plan for the Greater Golden Horseshoe as "Bradford West Gwillimbury Strategic Settlement Employment Area". Land uses are controlled by ministerial zoning orders known as Ontario Regulation 464-09, 465-09 and 466-09 (found at Part 11). Zoning By-law 2010-050 is deferred for this area pending an amendment that will mirror and complement the ministerial zoning orders.