

The Corporation of the Town of Bradford West Gwillimbury

BY-LAW 2017-61

Being a By-law to amend Zoning By-law 2010-050 to apply zoning to the Highway 400 Employment Lands.

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

AND WHEREAS zoning for the Highway 400 Employment Lands was deferred at the time of passing the main comprehensive Zoning By-law;

AND WHEREAS the Official Plan Review has recommended a new policy framework for the Highway 400 Lands that conforms to the Province's and County's respective plans for this area;

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. Zoning By-law 79B25 of the former Township of West Gwillimbury is hereby repealed on lands shown on Schedule "A" attached hereto and forming part of this By-law.
2. By-law 2010-050 is hereby further amended by refining the boundaries of the lands subject to this By-law to include those lands shown on Schedule "A" attached hereto and forming part of this By-law on Schedule 'A' of By-law 2010-050.
3. By-law 2010-050 including Schedule 'A' thereto, is hereby further amended by applying the zones 400 Lands Industrial "400A(H7)", 400 Lands Interchange "400B(H7)", 400 Lands Industrial/Commercial "400C(H7)", Environmental Protection "EP", Agricultural "A", and Future Development "FD" Zone as shown on Schedule "B" attached hereto and forming part of this By-law.
4. Table 1.1 of By-law 2010-050 is amended by deleting the D3 row in its entirety.
5. Section 2.1 of By-law 2010-050 is amended by adding a new grouping of zones at the end of the section as follows:

"Highway 400 Employment Lands Zones (Part 11)

<i>400 Lands Industrial</i>	<i>400A</i>
<i>400 Lands Interchange</i>	<i>400B</i>
<i>400 Lands Industrial/Commercial</i>	<i>400C"</i>

6. Part 3 of By-law 2010-050 is amended by adding the following new subsection (f) at the end of the definition of *Lot Line, Front*:

" f) A corner lot or through lot on lands in a Highway 400 Employment Lands Zone, the front lot line shall be deemed to be that line which does not abut the County road or Provincial highway. If the lot only abuts a County Road and Provincial highway, the front lot line shall be the County Road."

7. Part 3 of By-law 2010-050 is further amended by adding the following new Section 3.1 at the end of the current list:

" 3.1 Special Definitions for the Highway 400 Employment Lands

The following additional definitions apply only to lands in a Highway 400 Employment Lands Zone. Their existence and application does not serve to scope or alter any other permission or definition as it applies in any other zone.

Agricultural Related Uses means those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.

Business Office, Standalone: shall mean a premises that, in the ordinary course of business, provide services directly to uses, or for the management, design and/or creation of the uses, which are permitted within industrial areas such as business or professional services including but not limited to management, architectural, engineering, town planning, land surveying, industrial design and/or interior design services and other professional services.

Data centre means a premises used to house computer systems and associated components, such as telecommunications and storage systems, and may generally include redundant or backup power supplies, redundant data communications connections, and security devices.

Farm Produce Stand means a use accessory to an agricultural use in a separate structure where produce grown as a part of the same agricultural uses are sold on a seasonal basis.

Laboratory or research centre means a premises used for scientific, medical, or dental testing, experimentation, or research.

Outdoor processing means the accessory conduct of an industrial use, such as equipment servicing and equipment testing yards, outdoors.

Training facility means a premises where instruction of a skill for a trade is provided."

8. Section 4.1.3 of By-law 2010-050 is amended by adding the words “, *Highway 400 Employment Lands*” after the word, “*Employment*”.
9. Section 4.1.6(a) of By-law 2010-050 is amended by adding the words “, or *Highway 400 Employment Lands*” after the word, “*Employment*”.
10. Section 4.1.7(a) of By-law 2010-050 is amended by adding the words “, or *Highway 400 Employment Lands*” after the word, “*Employment*”.
11. Section 4.1.9 of By-law 2010-050 is amended by adding the words “, or between any wall of a building and lot line abutting Highway 400 or a major arterial road, minor arterial road, or collector road as shown on Schedule ‘G’ of the Town Official Plan or its successor,” after the words “*Prestige Employment (M2) Zone*”.
12. Section 4.1.10 of By-law 2010-050 is amended as follows:
 - (a) By adding the words “, *Highway 400 Employment Lands*,” after the word “*Employment*” in the introductory paragraph; and,
 - (b) By adding the words “, *Highway 400 Employment Lands*,” after the word “*Employment*” in subsection (b)(v).
13. Section 4.13.2(a)(i) of By-law 2010-050 is amended by adding the words, “, *Highway 400 Employment Lands*,” after the word, “*Employment*”.
14. Section 4.24 of By-law 2010-050 is amended by adding the words, “and outdoor processing” after each instance of the words “*outdoor storage*”.
15. Section 4.24 of By-law 2010-050 is further amended by adding a new subsection (e) as follows:
 - “e) *Notwithstanding subsection (a), outdoor storage and outdoor processing shall not be permitted between any wall of a building and lot line abutting*

Highway 400 or a major arterial road, minor arterial road, or collector road as shown on Schedule 'G' of the Town Official Plan or its successor."

16. Section 4.29 of By-law 2010-050 is amended by adding the words "*in a Highway 400 Employment Lands Zone or*" after the words "*The following provisions apply*" in the introductory paragraph.
17. Section 4.31.3 of By-law 2010-050 is amended by renumbering the current paragraph to become subsection (a) and adding a new subsection (b) as follows:

" (b) Notwithstanding subsection (a) above, all buildings and structures and the following features shall be setback a minimum of 14.0 metres from the Highway 400 street line on lands in a Highway 400 Employment Lands Zone:

 - (i) Any minimum parking space, including a barrier-free parking space, bicycle parking space, or stacking space;*
 - (ii) Any loading space/dock;*
 - (iii) Any aisle leading to any of the features listed in subsections (a) and (b) above;*
 - iv) drive-thrus*
 - v) fire routes and,*
 - (iv) Stormwater management facility."*
18. Section 5.20.1 of By-law 2010-050 is amended by adding the words "*or Highway 400 Employment Lands,*" after the word "*Employment*".
19. Section 5.20.5(e) of By-law 2010-050 is amended by adding the words "*or Highway 400 Employment Lands,*" after the word "*Employment*".
20. Part 11 of By-law 2010-050 is deleted in its entirety and replaced with the following:

"Part 11: Highway 400 Employment Lands

11.1 List of Applicable Zones

400 Lands Industrial	400A
400 Lands Interchange	400B
400 Lands Industrial/Commercial	400C

11.2 General Prohibition

No person shall, within any Highway 400 Employment Lands Zone, use or permit the use of any land, or erect, alter, enlarge, use or maintain any building or structure for any use other than as permitted in Table 11.1 and in accordance with the standards contained in Table 11.2, the General Provisions contained in Part

4 and the Parking and Loading Provisions contained in Part 5 of this By-law.

11.3 Permitted Uses

Uses permitted in the Highway 400 Employment Lands *Zones* are denoted by the symbol 'X' in the column applicable to that *Zone* and corresponding with the row for a specific permitted *use* in Table 11.1, below. Any number(s) following the symbol 'X', *zone* heading, or identified permitted *use*, indicates that one or more conditions apply to the *use* noted or, in some cases, to the entire *Zone*. Conditions are listed below the Permitted *Use* Table 11.1:

Table 11.1: Permitted Uses

USE	400A	400B	400C
<i>Business Office, Ancillary</i> (2)	X (2)	X (2)	X (2)
<i>Business Office, Standalone</i> (3)(H8)		X	X
<i>Conservation Use</i>	X	X	X
<i>Data Centre</i>		X (9)	X (9)
<i>Day Nurseries</i>	X (6)(8)	X (1)(6)(H8)	X (1)(6) (H8)
<i>Emergency Service Facility</i>	X	X	X
<i>Equipment Sales and Rental Establishment</i>		X (1)	
<i>Farm Implement Dealer</i>		X (1)	
<i>Financial Institution</i> (H8)		X (1)	X (1)
<i>Fitness Centre</i> (H8)		X (1)	X (1)
<i>Hotel</i> (H8)		X (10)	
<i>Industrial Use</i>	X	X	X
<i>Laboratory or Research Centre</i>		X	X
<i>Medical Office</i>		X (2)(3)	X (2)(3)
<i>Motor Vehicle Gas Bar</i> (H8)		X (1)	X (1)
<i>Motor Vehicle Washing Establishment</i> (H8)		X (1)(13)	X (1)(13)
<i>Motor Vehicle Repair Establishment</i> (H8)		X (1)	X (1)
<i>Outdoor Display and Sales Area, Accessory</i> (4)	X	X	X
<i>Outdoor Processing, Accessory</i> (5)	X		
<i>Outdoor Storage, Accessory</i> (5)	X		X
<i>Park</i>	X	X	X
<i>Personal Service Establishment</i> (H8)		X (1)	X (1)
<i>Place of Amusement</i> (H8)		X (1)	
<i>Public Works Yard</i>	X		X
<i>Restaurant</i>	X (8)	X (1) (H8)	X (1) (H8)
<i>Retail store, Accessory</i> (7)	X	X	X
<i>Retail store</i> (H8)		X (1)(11)	X (1)
<i>Service Shop</i> (H8)		X (1)	X (1)
<i>Supermarket</i> (H8)		X (12)	
<i>Trade and Convention Centre</i>		X (10)	
<i>Training Facility</i>	X (8)	X (H8)	X (H8)
<i>Warehousing</i>	X	X	X

SPECIAL PROVISIONS

1. a) No *net floor area* may be occupied by *uses* subject to this footnote without prior construction having occurred of an

- equal amount of *net floor area* on the same *lot* for any other *use* permitted that is not subject to this provision.
- b) Section 11.4.1 of this By-law additionally applies.
 - c) Where a new *lot* is proposed as part of a Plan of Subdivision or is proposed to be created after a Plan of Subdivision has received a minimum of draft plan approval, the entirety of lands within the applicable Plan of Subdivision shall be used to determine compliance with this Special Provision.
2. Is required to be *accessory* to an *industrial use* or occupy no more than 20% of the *net floor area* of a multi-unit *building*.
 3.
 - a) Notwithstanding special provision 2, stand-alone *uses* are permitted to a cumulative maximum *gross floor area* of 10,000.0 square metres per *lot* in the 400 Lands Interchange (400B) Zone and 7,500.0 square metres per *lot* on lands zoned 400 Lands Industrial/Commercial (400C).
 - b) Section 11.4.2 of this By-law additionally applies.
 4. Subject to Section 4.23 of this By-law.
 5. Subject to Section 4.24 of this By-law.
 6. Subject to Section 4.6 of this By-law.
 7. Maximum cumulatively permitted *net floor area* for all *uses* subject to this provision is 10% of the *net floor area* of the *main use*.
 8. Accessory *uses* only. *Uses* subject to this provision shall be located within the same *premises* as its associated main *use*.
 9. The maximum *gross floor area* shall be 10,000.0 square metres in the 400 Lands Interchange (400B) Zone and 7,500.0 square metres on lands zoned 400 Lands Industrial/Commercial (400C).
 10. The maximum cumulative *gross floor area* shall be 8,000.0 square metres.
 11. The maximum *gross floor area* shall be 3,500.0 square metres.
 12.
 - a) The maximum *gross floor area* shall be 600.0 square metres.
 - b) The maximum cumulative *gross floor area* for all *supermarkets* in this zone shall be 1,200.0 square metres.
 13. Shall only be permitted *accessory* to a *motor vehicle gas bar*.

11.4 Special Land Area Requirements

11.4.1 Employment-supportive Uses

- a) *Uses* subject to Special Provision 1 of Table 11.1 on lands *zoned* 400 Lands Interchange (400B) shall only be permitted to occupy a maximum of 8.5% of the cumulative land area of lands *zoned* 400 Lands Interchange (400B) plus lands *zoned* 400 Lands Industrial/Commercial (400C).

- b) *Uses* subject to Special Provision 1 of Table 11.1 on lands *zoned* 400 Lands Industrial/Commercial (400C) shall only be permitted to occupy a maximum of 2.8% of the cumulative land area of lands *zoned* 400 Lands Interchange (400B) plus lands *zoned* 400 Lands Industrial/Commercial (400C).
- c) For the purposes of this Section, land area shall be calculated to include the sum of:
 - (i) The area of a *lot* occupied by *buildings* and *structures* occupied or associated with the applicable *use*;
 - (ii) The area of a *lot* occupied by *parking area* excluding a *driveway* assigned or devoted to the applicable *use*;
 - (iii) Any lands between the *buildings* and *structures* occupied or associated with the applicable *use* and the outer boundary of the *parking area* defined in subsection (ii) above; and,
 - (iv) Any pedestrian walkway or bicycle *parking area* assigned or devoted to the applicable *use*.

11.4.2 Office Uses

- a) *Business offices* and *medical offices* that are subject Special Provision 3 of Table 11.1 on lands *zoned* 400 Lands Interchange (400B) or 400 Lands Industrial/Commercial (400C) shall only be permitted to a maximum of 5.7% of the cumulative land area of lands *zoned* 400 Lands Interchange (400B) plus lands *zoned* 400 Lands Industrial/Commercial (400C).
- b) For the purposes of this section, land area shall be calculated to include the sum of:
 - (i) The area of a *lot* occupied by *buildings* and *structures* occupied or associated with the applicable *use*;
 - (ii) The area of a *lot* occupied by *parking area* excluding a *driveway* assigned or devoted to the applicable *use*;
 - (iii) Any lands between the *buildings* and *structures* occupied or associated with the applicable *use* and the outer boundary of the *parking area* defined in subsection (ii) above; and,
 - (iv) Any pedestrian walkway or bicycle *parking area* assigned or devoted to the applicable *use*."

11.5 Zone Standards

No *person* shall within any Highway 400 Employment Lands *Zone* use or permit the *use* of any *lot* or *erect, alter* or *use* any *building* or *structure* except in accordance with the *zone* standards in Table 11.2, below.

11.6 Future Development (FD) Zone in the Highway 400 Employment Lands

Notwithstanding Section 10.3, the following additional *uses* are permitted on lands zoned Future Development (FD) within the Highway 400 Employment Lands as shown on the Schedules to the Official Plan, all subject to the Special Provisions of Table 9.1:

- a) *Agricultural use;*
- b) *Agricultural Related Uses;*
- c) *Conservation use;*
- d) *Custom workshop;*
- e) A new *detached* dwelling not used in conjunction with an agricultural use if on a vacant lot that legally existed on July 11, 2017;
- f) A *detached dwelling* that legally existed on July 11, 2017, that is not accessory to an *agricultural use*;
- g) *An accessory dwelling;*
- h) *Farm related tourism establishment;*
- i) *Home occupation;*
- j) *Home industry;*
- k) *Private home daycare;*
- l) *Farm Produce Stand.*

Table 11.2: Standards in the Highway 400 Employment Lands Zones

ZONE	MINIMUM LOT FRONTAGE	MINIMUM LOT AREA	MINIMUM REQUIRED FRONT YARD	MINIMUM REQUIRED REAR YARD	MINIMUM REQUIRED INTERIOR SIDE YARD	MINIMUM REQUIRED EXTERIOR SIDE YARD	MAXIMUM HEIGHT	MINIMUM REQUIRED LANDSCAPED OPEN SPACE
400A	30.0 m	4,000 m ²	6.0 m	3.0 m	3.0 m	6.0 m	n/a	15%
400B	30.0 m	2,000m ²	0.0 m	3.0 m	3.0 m	0.0 m	n/a	15%
400C	30.0 m	2,000m ²	6.0 m	3.0 m	3.0 m	3.0 m	n/a	15%

21. Table 13.1 of By-law 2010-050 is amended by adding the following new rows at the end of the table:

COL. 1	COLUMN 2	COLUMN 3	COLUMN 4	COL. 5
SYMBOL	APPLICATION	PROPERTY/LEGAL DESCRIPTION	CONDITIONS FOR REMOVAL	DATE ENACTED
H7	Highway 400 Employment Lands Zones	Multiple properties	<p>The Holding (H7) provision may be lifted once:</p> <ul style="list-style-type: none"> a) <i>Council</i> is satisfied that an appropriate Development Agreement (Subdivision Agreement, Condominium Agreement, Development or Site Plan Agreement) has been executed; b) If applicable, any required Environmental Study Report has been prepared satisfactory to the <i>Town</i>; c) If applicable, any Financing Plan has been prepared satisfactory to the <i>Town</i>; d) If applicable, a Functional Servicing Study has been prepared satisfactory to the <i>Town</i>; e) Confirmation has been received by the <i>Town</i> from the trustee of the cost sharing agreement that the landowner is a member in good standing; and, f) Satisfactory arrangements have been made with the <i>Town</i> for the provision of all planned municipal infrastructure. 	July 11, 2017
H8	Employment Supportive Uses and Office Uses	Multiple properties	The Holding (H8) provision may be lifted once <i>Council</i> is satisfied that the regulations of Section 11.4 of the Zoning By-law have been complied with.	July 11, 2017

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

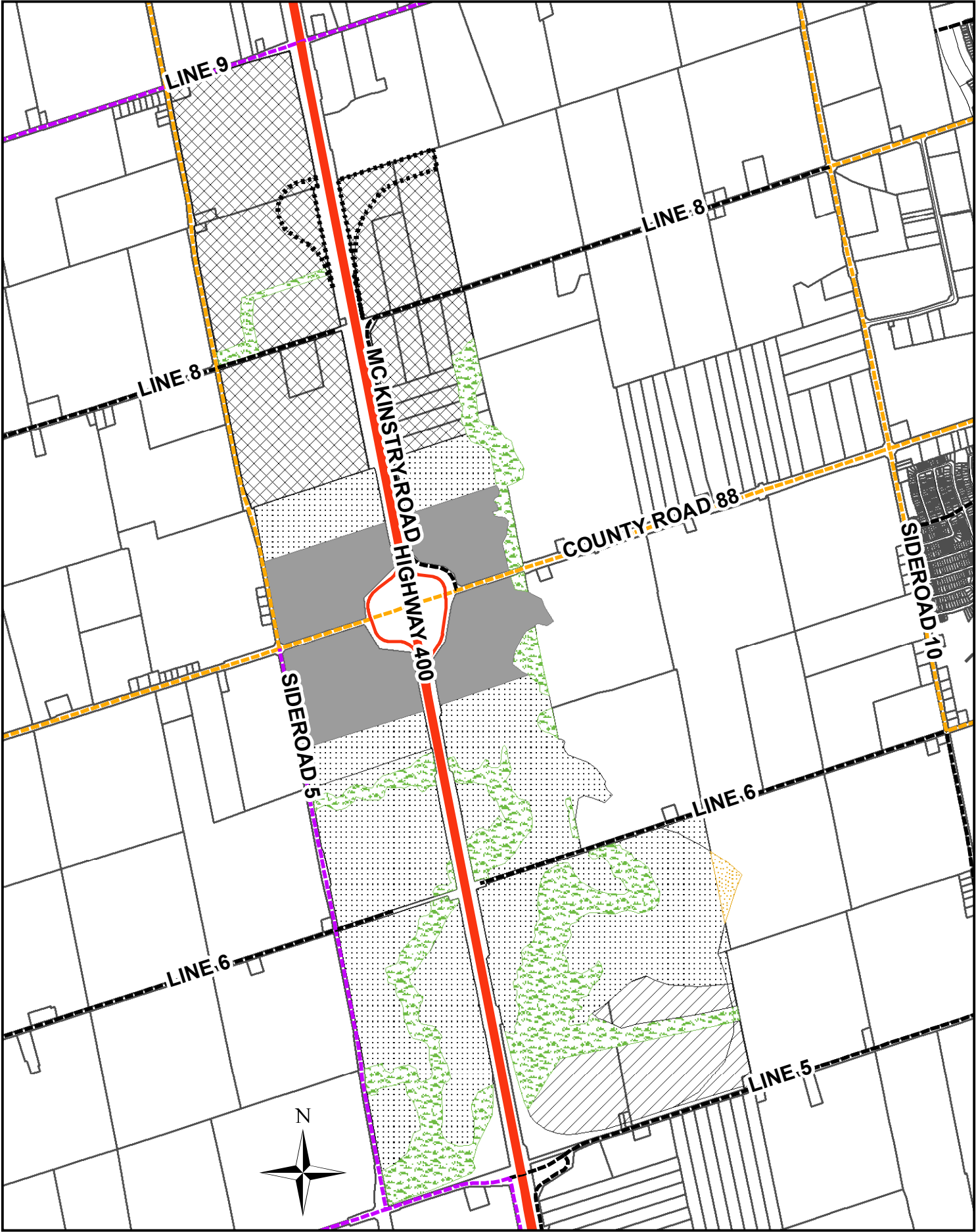
Enacted this 11th day of July, 2017

Rebecca Murphy, Clerk

Rob Keffer, Mayor

Schedule "A"
By-law 2017-61





Legend

- Future "Highway Extension" Lands (for reference only)
- Lands to be zoned 400 Lands Industrial/Commercial Hold (400C(H7))
- Lands to be zoned 400 Lands Industrial Hold (400A(H7))
- Lands to be zoned 400 Lands Interchange Hold (400B(H7))
- Lands to be zoned Agricultural (A)
- Lands to be zoned Environmental Protection (EP)
- Lands to be zoned Future Development (FD)
- Lot Fabric (MPAC data)