

# 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 Home Occupations.

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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 home occupations 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:

***Home-based Catering Business*** means a premises used for the purpose of preparing and providing food and beverages to be consumed at a different *premises*.

***Home-based Fitness Instruction*** means the provision of training to individuals or small groups of students in recreational or athletic activities, including but not limited to personal training, dancing, gymnastics, martial arts, exercise, and fitness classes.

***Home-Based Medical Practitioner*** means a home occupation use in which a health professional provides diagnosis and treatment to improve the general wellness and recovery from ailments of patients. This may include, but is not limited to doctors, dentists, psychiatrists, chiropractors, registered massage therapists, holistic health practitioners, counselors, drugless practitioners, naturopaths, and traditional Chinese medicine practitioners. This does not include a veterinarian.

**Home-based Teaching** means a home occupation use that provides the service of indoor teaching, including but not limited to academics, instruments, singing, or art to a single student or small group of students.

**Home Occupation Visitors** are customers, clients, students, patients or the like, that benefit in receiving the goods or services (i.e., appointment, teaching, treatment, instruction, etc.) from the home occupation employee. People accompanying a visitor, individuals traveling in the same motor vehicle as the visitor but are not receiving goods or services, are not counted as visitors.

**Indirect Sales** means a use in which the buyer coordinates transactions for goods and services away from the premises through use of technology that may include, but is not limited to telephone, mail, or internet.

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

**Home Occupation** means the *use* of part of land and/or premises for the conduct of a profession, trade, or occupation that results in a product or service and which is clearly accessory to the principal residential *use* of the *dwelling unit*.

3. Part 4 – General Provisions is hereby amended by replacing section 4.1.1(d) as follows:

#### **4.1.1 ACCESSORY BUILDINGS, STRUCTURES AND USES – PERMITTED USES**

- d) Accessory building or structures may be used for an occupation for gain or profit subject to compliance to all applicable provision of this by-law.

4. Part 4 – General Provisions is hereby amended by replacing Section 4.12 with the following:

#### **4.12 HOME OCCUPATIONS AND CUSTOM WORKSHOPS**

Where a home occupation or custom workshop is a permitted use, it shall be permitted subject to the following provisions:

- a) A home occupation shall be conducted as an indoor accessory use within a permitted dwelling unit or enclosed accessory building;
  - i) Notwithstanding the above, home occupation consisting of instructional swimming lessons may be conducted in an outdoor swimming pool.
- b) A Home Occupation shall not occupy parking spaces necessary to meet the cumulative parking requirements for all uses on the property.
- c) The dwelling or accessory building in which the home occupation or custom workshop is located shall be the principal private residence of a person or persons conducting the

- home occupation;
- d) Not more than one non-resident employee who does not reside in the dwelling unit, in addition to the residents of the dwelling unit, is permitted to be engaged in the home occupation and custom workshop business and working in the dwelling unit and associated accessory building;
- e) The maximum gross floor area dedicated to the cumulative home occupation and associated accessory building or a custom workshop shall be in accordance with areas identified in Table 4.3, below:

ZONES	MAXIMUM GROSS FLOOR AREA
<ul style="list-style-type: none"> <li>All Residential <i>Zones</i></li> </ul>	Total permitted maximum area is equivalent to 25% of the dwelling's gross floor area or 50.0 sq.m, whichever is the lesser
<ul style="list-style-type: none"> <li>All other <i>Zones</i>, where permitted</li> </ul>	<p>For home occupations, the total permitted maximum area is equivalent to 25% of the dwelling's gross floor area up to a maximum of 100.0 sq.m</p> <p>For custom workshops, the total permitted maximum area is equivalent to 25% of the cumulative gross floor area of buildings on the lot, up to a maximum of 100.0 sq.m</p>

- f) Only goods and merchandise produced on the premises or goods and merchandise associated with a permitted service conducted on the premises shall be offered for sale;
- g) There is no outside storage of materials or goods in conjunction with the home occupation use;
- h) There is no external advertising other than a sign erected in accordance with the Town Sign By-law;
- i) On the premises of the home occupation, the cumulative visitations of home occupation visitors is limited to 10 hours daily;
- j) Where a home occupation involves hosting multiple home occupation visitors at a single time, one off-street parking space shall be provided for each home occupation visitor and at no time shall the cumulative number of home occupation visitors exceed five, except in periods of transition between cohorts or scheduled sessions.
- k) There shall be no commodities sold or services rendered that require receipt or delivery of merchandise, goods, or equipment by other than a passenger motor vehicle or by parcel or letter carrier mail service using vehicles typically employed in residential deliveries;

- l) The home occupation and associated accessory building or custom workshop shall not become offensive, obnoxious, or create a public nuisance by reason of hours of operation or emission of odour, dust, smoke, noise, gas, glare, fumes, light, vibration, radiation, debris, heat, humidity, refuse or television, radio, or internet interference which is apparent from outside the dwelling unit and associated accessory building or custom workshop and/or which exceed limits established by Town by-laws and Provincial legislation.
- m) In addition to the provisions in section 1.3 and 1.4, home occupations shall comply with or satisfy all applicable local, provincial, and/or federal agencies regulations, legislation, policies, and approvals applicable to the proposed home occupation.
- n) The following shall not be permitted as a home occupation or custom workshop:
  - i) Adult entertainment use;
  - ii) Dating/escort services;
  - iii) Paint shop;
  - iv) Tattoo parlour;
  - v) Taxi service depot - greater than 1 vehicle;
  - vi) Animal clinic – Large Animal and Animal clinic – small animal;
  - vii) Any use involving the storage, repair, maintenance and/or towing of mobile homes, motor vehicles or recreational vehicles;
  - viii) Pet salon;
  - ix) Fitness centre;
  - x) Restaurant, Patio Restaurant, and Take-Out Restaurant and;
  - xi) Retail Store.
- o) The following shall be permitted as a home occupation subject to the compliance will all provision of 4.12:
  - i) Home-based Teaching;
    - i. Notwithstanding the above, music lessons are only permitted in detached dwellings.
  - ii) Home-based Fitness Instruction;
    - i. Notwithstanding the above, dance instruction are only permitted in detached dwellings.
  - iii) Outdoor Swimming Lessons;
  - iv) Home-based Catering Business;
  - v) Indirect Sales; and
  - vi) Home-based Medical Practitioner and subject to the following provisions:
    - i. A maximum of two (2) examination rooms are permitted.
    - ii. Limit of one (1) primary licenced medical practitioner practicing at a time.
    - iii. No accommodation of patients overnight, it is prohibited.



6. Part 7 – Commercial zone is hereby amended by replacing Table 7.1 with the following table:

<b>USE</b>	<b>C1</b>	<b>C2</b>	<b>C3</b>	<b>C4</b>	<b>C5</b>
<i>Custom Workshop</i>	X (3)				
<i>Dwelling, Apartment</i>	X (1)				
<i>Dwelling, Accessory (2)</i>	X	X	X		X
<i>Dwelling, Detached</i>	X (4)				
<i>Dwelling, Multiple Unit</i>	X (4)				
<i>Group Home Type 1</i>	X (4)				
<i>Home Occupation</i>	X	X	X		X

7. Special Provisions for Table 7.1 is hereby amended by replacing number 3 as follows:
3. Permitted only within a detached dwelling, linked dwelling, and semi-detached dwellings. Subject to Section 4.12 of this By-law.
8. 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