THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2016)-20093

A by-law to amend By-law Number (1995)-14864, as amended, known as the City initiated Zoning By-law Amendment to permit food vehicles in some zones within the City of Guelph. (ZC1610)

WHEREAS Section 34(1) of The Planning Act, R.S.O. 1990, c.P.13 authorizes the Council of a Municipality to enact Zoning By-laws;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

1. Section 3.1 of By-law (1995)-14864, as amended, is hereby further amended by adding the following:

   1.1 The definition ***"Food Preparation and Vending Vehicle"*** is deleted.

   1.2 The definition ***"Food Vehicle"*** is added:
   "Food Vehicle" means an outdoor vehicle not permanently affixed to the ground and capable of being moved on a daily basis, from which food intended for immediate consumption is provided for sale or sold, and includes a motorized, self-propelled vehicle (i.e. food truck), a vehicle that is not self-propelled, but can be towed (i.e. food trailer) and a vehicle moved by human exertion (i.e. food cart).

   1.3 The definition ***"Chip Wagon"*** is deleted.

2. Section 4 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

   2.1 Section 4 is amended by adding a new subsection 4.30 Regulations for ***Food Vehicles***:

   "4.30 Regulations for ***Food Vehicles***
   Every ***Food Vehicle*** shall operate in accordance with the regulations for the ***Zone*** in which the ***Food Vehicle*** is located and the following:

   4.30.1 Within any Commercial, Institutional or Industrial ***Zone***:

   4.30.1.1 Shall occupy a defined ***Parking Space.***

   4.30.1.2 Shall not occupy any accessible ***Parking Space***.

   4.30.1.3 Shall be in accordance with Section 4.6."

3. Section 6 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

   3.1 Sections 6.1.1, 6.2.1.1, 6.3.1.1, 6.4.1.1 and 6.6.1 are amended by adding a "***Food Vehicle*** in accordance with Section 4.30", to the list of permitted uses.

4. Section 7 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

   4.1 Sections 7.1.1, 7.1.2, 7.1.3 and 7.4.1 are amended by adding a "***Food Vehicle*** in accordance with Section 4.30", to the list of permitted uses.

5. Section 8 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

   5.1 Sections 8.1.1, 8.1.2 and 8.1.3 are amended by adding a "***Food Vehicle*** in accordance with Section 4.30", to the list of permitted uses.

6. Section 9 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

   6.1 Sections 9.1.3 and 9.1.5 are amended by adding a "***Food Vehicle*** in accordance with Section 4.30", to the list of permitted uses.

7. Part 5 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

   7.1 Section 6.1.3.22.1 is amended by adding a "***Food Vehicle*** in accordance with Section 4.30", to the list of permitted uses.

8. Part 6 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

   8.1 Sections 6.2.3.1.4.1, 6.2.3.1.6.1, 6.2.3.2.3.1, 6.2.3.2.8.1 and 6.2.3.2.22.1 are amended by adding a "***Food Vehicle*** in accordance with Section 4.30", to the list of permitted uses.

9. Part 7 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

   9.1 Section 6.3.3.1.3.1 is amended by adding a "***Food Vehicle*** in accordance with Section 4.30", to the list of permitted uses.

10. Part 8 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

    10.1 Sections 6.4.3.1.2.1, 6.4.3.1.4.1, 6.4.3.1.5.1, 6.4.3.1.6.1, 6.4.3.1.7.1, 6.4.3.1.8.1, 6.4.3.1.10.1, 6.4.3.1.12.1, 6.4.3.1.13.1, 6.4.3.1.15.1, 6.4.3.1.16.1, 6.4.3.1.18.1, 6.4.3.1.20.1, 6.4.3.1.22.1, 6.4.3.1.24.1, 6.4.3.1.26.1, 6.4.3.1.27.1, 6.4.3.1.28.1, 6.4.3.1.30.1, 6.4.3.1.32.1, 6.4.3.1.33.1, 6.4.3.1.34.1, 6.4.3.1.35.1, 6.4.3.1.36.1, 6.4.3.1.39.1, 6.4.3.1.41.1, 6.4.3.1.43.1, 6.4.3.1.44.1, 6.4.3.1.45.1, 6.4.3.1.48.1, 6.4.3.1.51.1, 6.4.3.1.53.1, 6.4.3.1.56.1, 6.4.3.2.2.1, 6.4.3.2.3.1, 6.4.3.2.4.1, 6.4.3.2.5.1, 6.4.3.2.6.1, 6.4.3.2.7.1, 6.4.3.2.8.1, 6.4.3.2.10.1, 6.4.3.2.12.1, 6.4.3.2.13.1, 6.4.3.2.14.1 and 6.4.3.2.15.1 are amended by adding a "***Food Vehicle*** in accordance with Section 4.30", to the list of permitted uses.

11. Part 9 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

    11.1 Sections 6.5.3.12.1 and 6.5.3.39.1 are amended by adding a "***Food Vehicle*** in accordance with Section 4.30", to the list of permitted uses within a mall.

12. Part 10 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

    12.1 Sections 6.6.3.1.1, 6.6.3.2.1, 6.6.3.8.1.1, 6.6.3.9.1 and 6.3.3.11.1 is amended by adding a "***Food Vehicle*** in accordance with Section 4.30", to the list of permitted uses.

13. Part 11 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

    13.1 Sections 7.3.2.5.1 and 7.3.2.8.1 are amended by adding a "***Food Vehicle*** in accordance with Section 4.30", to the list of permitted uses.

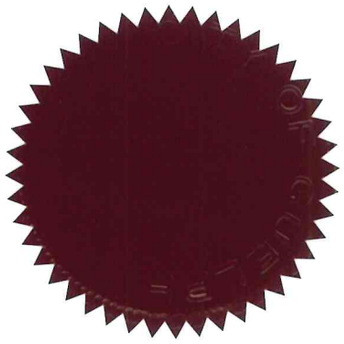
    13.2 Section 7.3.4.7.1 is amended by deleting "***Chip Wagon*** as an ***Accessory Use*** to the ***Flea Market***".

14. Part 12 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

    14.1 Sections 8.3.2.1.1, 8.3.2.2.1 and 8.3.2.3.1 are amended by adding a "***Food Vehicle*** in accordance with Section 4.30", to the list of permitted uses.

15. Where notice of this by-law is given in accordance with the Planning Act, and where no notice of objection has been filed within the time prescribed by the regulations, this by-law shall come into effect. Notwithstanding the above, where notice of objection has been filed within the time prescribed by the regulations, no part of this by-law shall come into effect until all of such appeals have been finally disposed of by the Ontario Municipal Board.

PASSED this TWELFTH day of SEPTEMBER, 2016.



CAM GUTHRIE- MAYOR

TINA AGNELLO- DEPUTY CLERK

By-law (2016) – 20093

EXPLANATION OF PURPOSE AND EFFECT

1. By-law Number (2016)-20093 has the following purpose and effect:

This By-law authorises amendments to the City of Guelph Comprehensive Zoning By-law (1995)-14864, which is intended to introduce new regulations related to food vehicles to the text of the Zoning By-law.

The purpose of the Food Vehicle Zoning By-law amendment is to introduce food vehicles as a permitted land use and to permit them in some zones within the City.

The effect of the proposed Food Vehicle Zoning By-law amendment would permit food vehicles in appropriate commercial, industrial, institutional and park zones, including specialized zones of these zoning categories. It is proposed that food vehicles be regulated through Section 4 of the Zoning By-law, General Provisions, requiring that food vehicles:

- Shall occupy a defined parking space;
- Shall not occupy an accessible parking space; and,
- Shall be in compliance with Section 4.16, sight line regulations.

Lands affected by this amendment include all lands in the City covered by Zoning By-law Number (1995)-14864, as amended.

The proposed zoning amendment was considered by Guelph City Council at a Public Meeting held on July 11, 2016.

Further information may be obtained by contacting Infrastructure, Development and Enterprise at 519-837-5616, extension 3314, City Hall, Guelph, Ontario.

Persons desiring to officially support or object to this zoning amendment must file their support or objection with the City Clerk, City Hall, Guelph, as outlined on the page entitled "Notice of Passing".