THE CORPORATION OF THE CITY OF GUELPH

By-law Number (2017) - 20134

A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph (Technical Revisions 2017)

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. 1.1 Section 2 of By-law No. (1995)-14864 is amended as follows:

Section 2.1 of By-law (1995)-14864 as amended, is hereby further amended by adding the following:

2.1.3 Technical Revisions to ***By-law***

Revisions may be made to this ***By-law*** without the need for a Zoning ***By-law*** amendment in the following cases:

(1) correction of grammar, punctuation or typographical errors or revisions to format in a manner that does not change the intent of a provision;

(2) adding or revising technical information on maps or schedules that does not affect the zoning of lands including, but not limited to, matters such as updating and correcting infrastructure information, keys, legends or title blocks; and;

(3) changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, historical or reference information, page numbering, footers and headers, which do not form a part of this ***By-law*** and are editorially inserted for convenience of reference only.

2. 2.1 Section 3 of By-law (1995)-14864, as amended, is hereby further amended as follows:

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

"***Donation Centre***" shall mean an establishment owned and operated by a registered non-profit charitable organization which is attended by employees to receive donations from the public of primarily used or second hand housewares, furniture, appliances, equipment, toys and clothing and where these goods are sorted and re-used in part.

2.2 Section 3.1 of By-law (1995)-14864 as amended, is hereby further amended by deleting the existing definition and adding the following definition:

"Driveway (Residential)" means a surface area between a ***Street*** and a main ***Structure*** consisting of, but not limited to, asphalt, concrete, compact gravel, interlocking brick, paving stone or the like used or designed to be used for the driving or parking of ***Vehicle***s and shall include any surfaced walk or hard landscaping situated parallel to the driveway in a manner capable of being parked or driven upon by part or the whole of a ***Vehicle***.

3. 3.1 Section 4 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

Section 4.5.1.4 is amended is amended by deleting the existing regulation and replacing it with the following:

4.5.1.4 "In a residential ***Zone***, the total ground floor area of all accessory ***Building***s or ***Structures*** shall not exceed 70 square metres

3.2 Section 4.10 is amended by adding the following:

4.10 "No land shall be ***Used*** or built upon and no ***Building*** or ***Structure*** shall be erected, ***Used*** or expanded for any purpose unless all ***Municipal Services*** including sanitary sewers, storm sewers and drains, water mains, electric power lines and roads are ***Available*** and ***Adequate***.

In addition to the terms defined in this ***By-law***, the following terms shall have the corresponding meaning for the purposes of this Section:
"***Adequate***" means the necessary capacity is available for ***Municipal Services***.

"***Available***" means the necessary provision of ***Municipal Services*** to the level of construction, state of completion or period of commissioning as the ***City*** deems to be ***Appropriate***.

"Appropriate" means ***Municipal Services*** are constructed for the ***Street*** abutting the lot/block for which a building permit is required.

"Municipal Services" means sanitary sewers, storm sewers and drains, water mains, electric power and roads.

3.3 Section 4.13 is amended by deleting 4.13.3.2.2 and replacing it with the following:

4.13.3.2.2 "Despite Section 4.13.3.2.1, the minimum ***Parking Space*** dimensions for ***Single Detached***, ***Semi-Detached*** and ***Duplex Dwellings*** or ***Home Occupations***, ***Group Homes***, ***Bed and Breakfast Establishments***, ***Accessory Apartments***, ***Lodging House Type 1***, ***On-Street Townhouses, Cluster Townhouses, Stacked Townhouses*** and R.4 ***Zones*** are 3 metres by 6 metres within a ***Garage*** or ***Carport***. The minimum exterior ***Parking Space*** dimensions are 2.5 metres by 5.5 metres."

3.4 Section 4.21 is amended by deleting 4.21.4 and replacing it with the following:

4.21.4 Despite Section 4.21.1, a construction trailer on a ***Building*** site shall be permitted provided such trailer is removed upon the ***Building*** being completed, a final inspection of such ***Building*** being conducted or until the ***Building*** permit is revoked, whichever occurs first.

3.5 Section 4.21 is amended by deleting 4.21.5 and replacing it with the following:

4.21.5 Despite Section 4.21.1, a real estate sales office shall be permitted as an ***Occasional Use*** on a construction site until such construction is completed or a final ***Building*** inspection is conducted, whichever occurs first.

3.6 Section 4.25 is amended by deleting 4.25 and replacing it with the following:

4.25 REGULATIONS GOVERNING ***LODGING HOUSE TYPE 1*** AND ***GROUP HOMES***

4.25.1 ***Lodging House Type 1***
A ***Lodging House Type 1*** shall be permitted in the R.1 ***Zone*** and the CBD ***Zone*** and any specialized ***Zone*** thereto, unless specifically prohibited in the specialized ***Zone***.

4.25.2 Maximum Occupancy for a ***Lodging House Type 1***

4.25.2.1 A ***Lodging House Type 1*** shall be limited to a maximum of 12 ***Lodging Units***.

4.25.2.2 Deleted by By-law (2006)-18116

4.25.2.3 Deleted by By-law (2006)-18116

4.25.2.4 Off-Street Parking for a ***Lodging House Type 1***

4.25.2.4.1 Despite Section 4.13.2, where 1 or more ***Parking Spaces*** are located to the rear of the main front wall of the ***Lodging House Type 1***, a maximum of 2 ***Parking Spaces*** with a minimum size of 2.5 metres wide by 5.5 metres long may be located in the ***Driveway (Residential)*** and be counted as part of the parking requirement for the ***Lodging House Type 1***.

4.25.2.4.2 The ***Parking Spaces*** referred to in Section 4.25.2.4.1 may be stacked spaces.

4.25.2.4.3 Sections 4.25.2.4.1 and 4.25.2.4.2 shall not apply to any ***Lodging House Type 1*** located within the CBD.1 ***Zone*** that is situated in a ***Building*** which existed prior to June 7, 1971.

4.25.2.5 Deleted by By-law (2006)-18116

4. 4.1 Section 5 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

4.2 Section 5.1.2.3 is amended by deleting 5.1.2.3 and replacing it with the following:

5.1.2.3 In the event that there is a transformer easement on a particular ***Lot***, portions of the ***Single Detached Dwelling*** may be required to be ***Setback*** further than specified in Row 6 of Table 5.1.2 in order that a minimum separation of 3 metres may be maintained between the transformer easement and any part of the dwelling.

4.3 Section 5.2.2.1.3 is amended by deleting 5.1.2.3 and replacing it with the following:

5.2.2.1.3 In the event that there is a transformer easement on a particular ***Lot***, portions of the dwelling may be required to be ***Setback*** further than specified in Row 5 of Table 5.2.2 in order that a minimum separation of 3 metres may be maintained between the transformer easement and any part of the dwelling.

4.4 Section 5.3.2.1 is amended by deleting 5.3.2.1 and replacing it with the following:

5.3.2.1 Despite Row 8 of Table 5.3.2, in an R.3A, ***Cluster Townhouse Zone***, where one ***Parking Space*** per unit is provided underground or ***Garages*** are attached or designed as an integral part of the dwelling units, the maximum coverage for the ***Buildings*** shall be 40 per cent.

4.5 Section 5.3.2.3.1 is amended by deleting 5.3.2.3.1 and replacing it with the following:

5.3.2.3.1 The distance between the front, exterior side and rear face of one ***Building*** and the front, exterior side and rear face of another ***Building***, each of which contains windows to ***Habitable Rooms*** shall in no case be less than 15 metres

4.6 Section 5.3.2.3.3 is amended by deleting 5.3.2.3.3 and replacing it with the following:

5.3.2.3.3 The distance between the interior S***ide Yard*** of any two ***Buildings*** on the same ***Lot*** shall in no case be less than 3 metres

5. Part 8, Specialized Service Commercial (SC) Zones is amended as follows:

5.1 Section 6.4.3.1.18 SC. 1-18 zone is deleted in its entirety

6. Part 11, Specialized Industrial and Specialized Corporate Business Park (B) Zones is amended as follows:

6.1 Section 7.3.2.7 is amended by deleting 7.3.2.7 in its entirety and replacing it with the following:

7.3.2.7 **B.2-7**
170 Southgate Drive As shown on Defined Area Map 20 of Schedule "A" of this ***By-law***.

7.3.2.7.1 Permitted ***Uses***
In addition to the permitted ***Uses*** listed in Section 7.1.1, the following additional ***Use*** shall be permitted in the B.2-7 ***Zone***:

Animal Crematorium – means a ***Building*** fitted with appliances for the purpose of cremating companion animal remains and includes everything incidental and ancillary thereto. This type of crematorium specifically excludes the cremation of livestock and undomesticated animal remains.

7.3.2.7.2 Regulations
In accordance with Section 7.3 of Zoning ***By-law*** (1995) – 14864, as amended.

6.2 Section 7.3.4.1 is amended by deleting the following from the text:

7.3.4.1.1	5 Arthur Street S.	• Major and small electric appliance ***Manufacturing*** • Plastic product ***Manufacturing***

7. Schedule "A" of By-law (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 62 and replacing it with new Defined Area Map 62, attached hereto as Schedule "A".

8. Schedule "A" of By-law (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map 73 and replacing it with new Defined Area Map 73, attached hereto as Schedule "A".

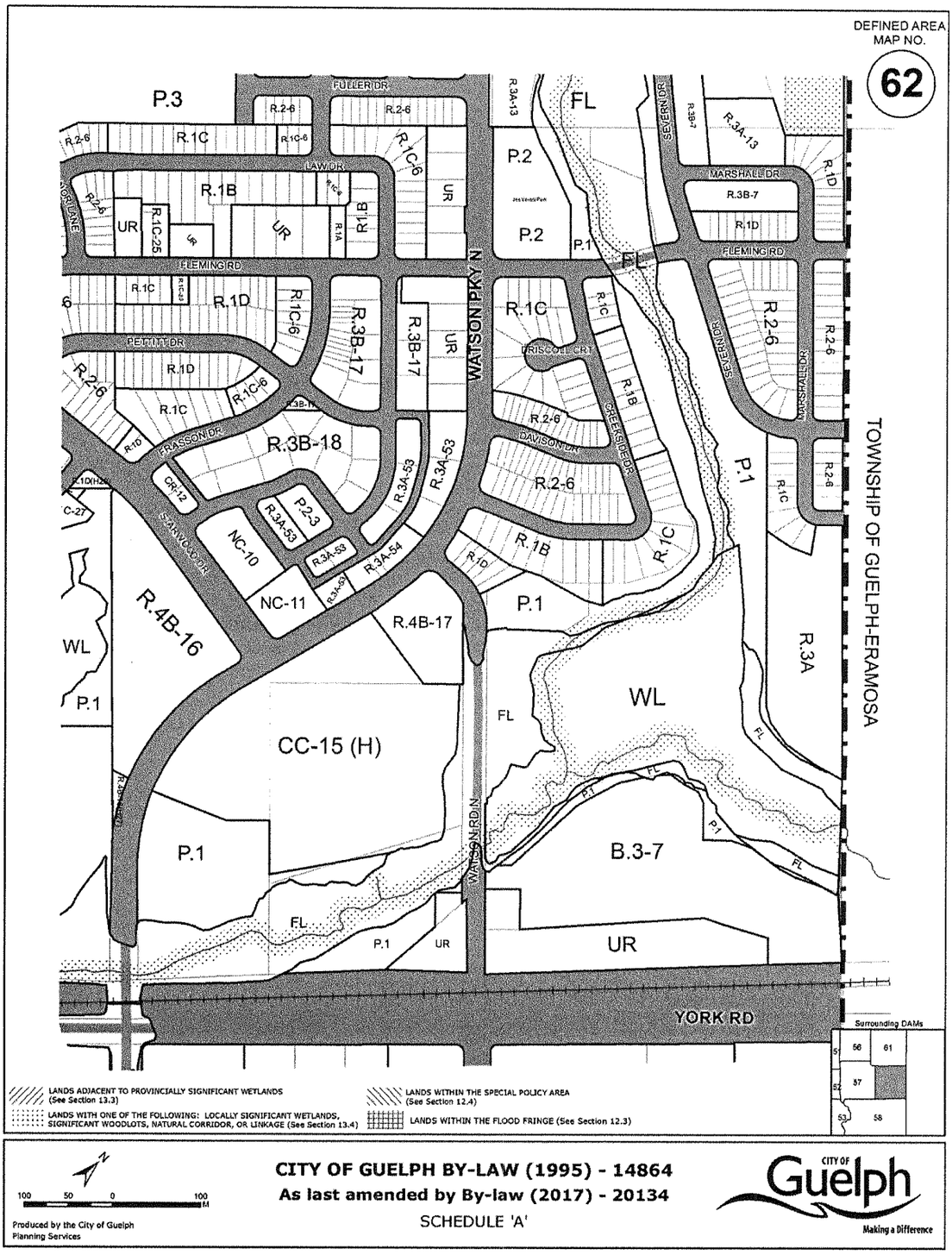
9. Where notice of this by-law is given in accordance with the Planning Act, and where no notice of objection has been filed within the time prescribed by the regulations, this by-law shall come into effect. Notwithstanding the above, where notice of objection has been filed within the time prescribed 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 THIRTEENTH day of FEBRUARY, 2017.

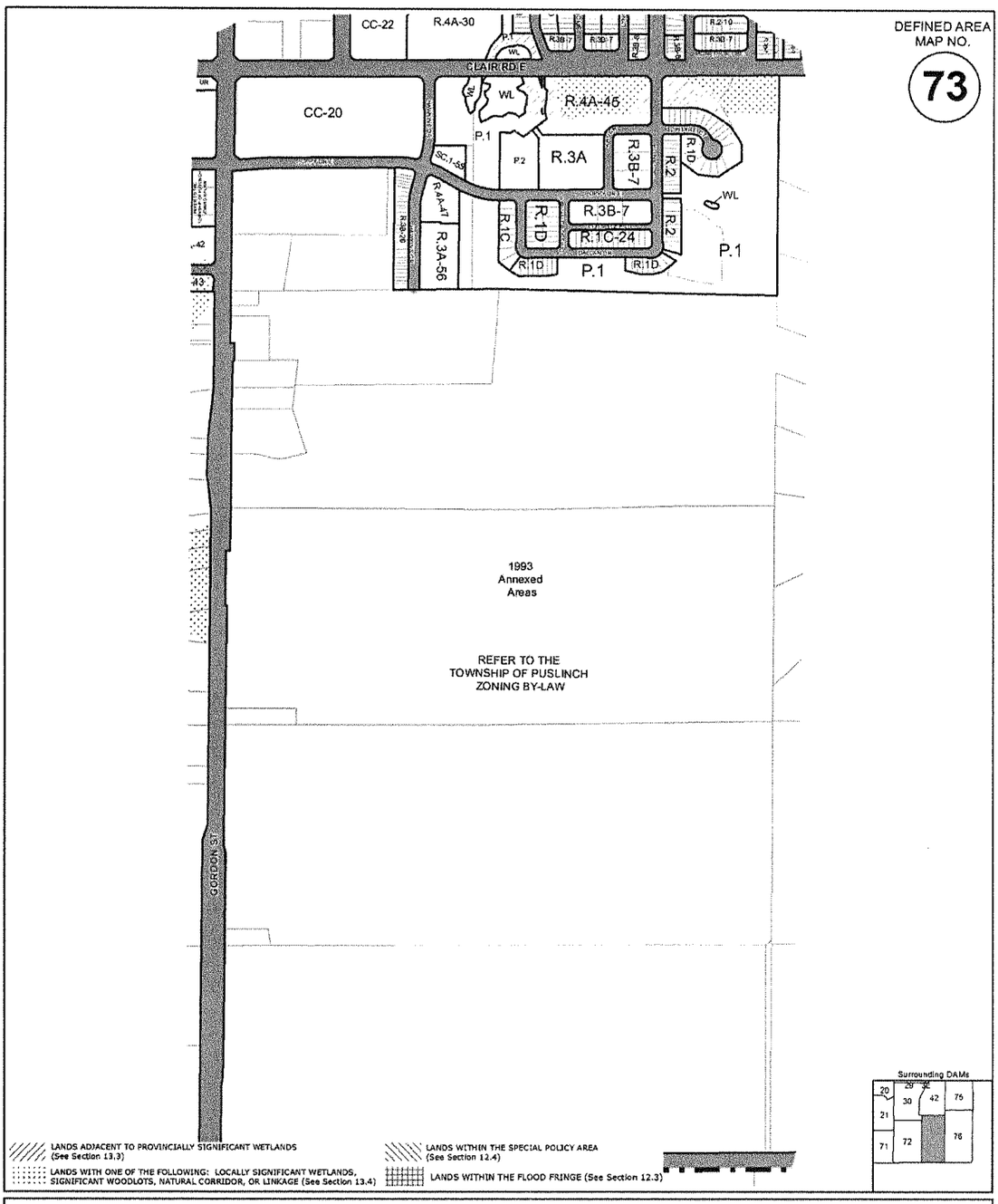
CAM GUTHRIE- MAYOR

TINA AGNELLO – DEPUTY CITY CLERK

By-law (2017) – 20134
Schedule 'A'



By-law (2017) – 20134
Schedule 'A' continued



BY-LAW (2017)-20134

EXPLANATION OF PURPOSE AND EFFECT AND KEY MAP

1. By-law Number (2017)-20134 has the following purpose and effect:

This by-law authorises technical revisions to the City of Guelph Comprehensive Zoning By-law (1995)-14864, which are intended to introduce modified and amended regulations to the text and maps.

Staff have been monitoring the implementation of the present by-law and reviewing common variances and requested changes from developers and staff that regularly use the by-law.

This proposed Amendment would modify or introduce new regulations in the following general categories:

- Definitions (various)
- General Provisions including Accessory Buildings, Municipal Servicing, Parking and Occasional Uses
- Regulations for Residential Single Detached (R.1) and Semi-Detached (R.2) Zones
- Regulations for Residential Townhouse (R.3A and R.3B) Zone regulations
- The correction of minor typographical and mapping errors

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

The intent of this proposed amendment is to improve the usability of the By-law for the development community, the general public, as well as City Staff.

The proposed zoning amendment was considered by Guelph City Council at a Public Meeting held on November 14, 2016 and was approved by Guelph City Council on February 13, 2017.

Further information may be obtained by contacting or visiting Planning Services, 837-5616, 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". Any comments or objections which you may have previously submitted are considered to have been unofficial and for the City's guidance only.