

**The Corporation of the Township of
Guelph/Eramosa**

By-law Number 7/2022

**A By-law to amend the Township of
Guelph/Eramosa's Zoning By-law -
Housekeeping Amendments to
Zoning By-law 40/2016**

WHEREAS the Council of the Corporation of the Township of Guelph/Eramosa deems it expedient to enact this By-law to amend Zoning By-law Number 40/2016;

AND WHEREAS Council is empowered to enact this By-law under the authority of Section 34 of the *Planning Act*, R.S.O. 1990, Chapter P. 13, as amended;

NOW THEREFORE the Council of the Corporation of the Township of Guelph/Eramosa hereby enacts as follows:

1. That Zoning By-law Number 40/2016 is hereby amended as follows:
 - a) That Section 3 – Definitions, is amended by replacing the letter C with **B** after the word *Appendix*.
 - b) That Section 3 – Definitions, “Dwelling, Apartment”, is amended by removing *having independent access either directly from the outside or through a common vestibule* and adding “**of which obtain access through a common entrance(s) at street level and through a common corridor or hallway from the inside**” after the word *each*.
 - c) That Section 3 – Definitions, “Cemetery”, is amended by replacing *Cemeteries Act* with “**Funeral, Burial, and Cremation Services Act**”.
 - d) That Section 3 – Definitions, is amended by adding the following new definition in alphabetical order:

““Driveway”, 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 vehicles 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 the vehicle.”
 - e) That Section 3 – Definitions, is amended by adding the following new definition in alphabetical order:

““Motor Vehicle”, means any vehicle propelled or driven otherwise than by muscular power, but does not include a motor vehicle running only upon rails, a power assisted bicycle, a motorized snow vehicle, a farm tractor, or electric slow-moving vehicles and personal mobility devices. For the purposes of this by-law, the terms motor vehicles and vehicle are interchangeable.”
 - f) That Section 3 – Definitions, “Restaurant”, is amended by adding a second sentence as follows: “**A patio with seating up to 50% of the indoor, licensed capacity may be permitted as an accessory use subject to site plan approval, restaurant parking provisions, and all other applicable provisions of this By-law.**”
 - g) That Section 3 – Definitions, “Transportation Establishment” is amended by adding “**and main**” after the word *land*.

- h) That Section 4.1 – General Provisions, is amended by adding the following new section after Section 4.1.2 and renumbering the sections that follow this addition accordingly:

“4.1.3 Enlargement and/or Extension of *Non-Conforming Buildings or Structures*

Nothing in this By-law shall prevent a *non-conforming building or structure* from being enlarged or extended provided that the enlargement, or extension does not further reduce or create additional *non-compliance* of the *building or structure* with this By-law.”

- i) That Section 4.1.3 – Lots Having Less Lot Area and/or Lot Frontage, is amended by removing the word *lesser* after the word *a*, removing the words *of not more than 20%* after the word *frontage*, replacing the word *that* with **“the minimum”** after the word *than* and adding the words **“servicing can be accommodated to the satisfaction of the Township”** after the words *provided that*.
- j) That Section 4.3.7 – Shipping Container Regulations, is amended by removing the words “Not be permitted on any lot less than 4 hectares in the Agricultural Zone, and”.
- k) That Section 4.11.1 – Buffer Strip Requirements, is amended by adding **“and for a *parking area*”** after the words *parking lot*.
- l) That Section 4.17.4 – Uses Restricted in All Zones, is amended by adding the following additional provisions:

“m. the parking or storage of trailers or *commercial motor vehicles* on a vacant *lot*;

n. the outdoor storage of partially dismantled *motor vehicles* or trailers or *motor vehicle* or trailer parts unless otherwise specifically permitted by this By-law;

o. any *use* unable to obtain the approval from the Medical Officer of Health or Ministry of the Environment and Energy, owing either to the quantity of water required thereof or to the quality of effluent produced thereby.

p. the *use* of any tent, trailer, truck, bus, coach body, rail car or vehicle for human habitation, except where permitted by this By-law;

q. the *use* of any *accessory building or structure* for human habitation or for gain or profit, unless as otherwise permitted by this By-law”

- m) That Section 4 – General Provisions is amended by adding the following new section:

“Section 4.32 On-Site Snow Storage

New Commercial, industrial, institutional, mixed *use*, and multi-unit residential *uses* shall provide a location for on-site snow storage. The snow storage shall not be located in any part of a required *parking space*.”

- n) That Section 5.1.10.3.2 – Ingress and Egress to Parking Areas for Residential Uses, is amended by adding **“and the length of the driveway”**, after the word *line*.
- o) That Section 5.1.13 – Accessible Parking, is amended by deleting the section and replacing it with the following:

“Designated accessible *parking spaces* for persons with a disability shall be provided in accordance with the provisions of this By-law and the Highway Traffic Act.

The minimum required accessible *parking spaces* for persons with a disability shall be provided in accordance with the following:

Number of required <i>parking spaces</i>	Number of designated accessible <i>parking spaces</i>
1-3	1 Type A
4-12	1 Type A and 1 Type B
13 to 100	2 accessible parking spaces plus 4%
101 to 200	3 accessible parking spaces plus 3%
201 to 1000	4 accessible parking spaces plus 2%
More than 1000	14 accessible parking spaces plus 1%

Where the minimum number of accessible *parking spaces* required is even, an equal number of Type A and Type B accessible *parking spaces* shall be provided.

Where the minimum number of accessible *parking spaces* is odd, an equal number of Type A and Type B accessible *parking spaces* shall be provided but the odd-numbered accessible *parking space* may be a Type B.

The total number of accessible *parking spaces* shall be included within the total required parking calculation for the *lot* or *use* and shall be rounded up to the nearest whole number.

Accessible *parking space* shall also meet the following:

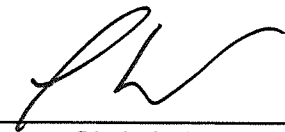
- Type A: a minimum width of 3.4 m and signage that identifies the space as “van accessible”.
- Type B: a minimum width of 2.4 m;
- An access aisle must be provided for all accessible parking spaces that has a minimum width of 1.5 m;
- When a Type A and B share an access aisle the minimum width shall be 2 m;
- An access aisle must be marked with high tonal contrast diagonal lines;
- Hard-surfaced and level;
- Located near and accessible to an entrance; and
- Identified by a sign with the International Symbol for Handicapped Persons.

Notwithstanding the above, accessible *parking spaces* are not required for *detached, semi-detached, or duplex dwellings.*”

- p) That Section 5.1.11.1 – Industrial Plaza Complex Parking, is amended by correcting the numbering to **5.1.12.1**.
- q) That Section 6.2.7 – Livestock Facilities, is amended by removing the existing section and replacing it with the following: “**New and existing Livestock Facilities may be permitted on lots larger than 0.8 hectares (2 ac) subject to Minimum Distance Separation (MDS) setbacks (Section 4.24).**”
- r) That Section 8.2.1 – Regulations for Detached & Duplex Dwellings, is amended by removing (35ha) in Section 8.2.1 and renumbering each section as follows: 8.2.1 to **8.2.1.1**, 8.2.2 to **8.2.1.2**, 8.2.3 to **8.2.1.3**, 8.2.4 to **8.2.1.4**, 8.2.5 to **8.2.1.5**, 8.2.6 to **8.2.1.6**, 8.2.7 to **8.2.1.7** and 8.2.8 to **8.2.1.8**
- s) That Section 8.2.5 – Regulations for Detached & Duplex Dwellings, is amended by replacing *is* with *if*, after the word *3m*.

- t) That Section 11.2.9.9 – Regulations for Apartment Dwellings and Retirement Homes, is amended by removing *Number of Units* and replacing it with **“Dwelling Units Above Commercial Use.”**
 - u) That Section 14.1 - Permitted Uses is amended by adding the word **“Facility”** after the word *storage*.
 - v) That Section 14.2 –Regulations, is amended by adding a new section to the chart: **“14.2.9 Minimum *Buffer Strip*: In addition to Section 4.11, a *buffer strip* with a minimum width of 3 m is required along the *front lot line* and *exterior lot line*.”**
 - w) That Section 14.2.9 Gross Floor Area for Accessory Uses, is amended by renumbering it to **14.2.10**.
 - x) That Section 20.2.1 – Restriction on Agricultural Uses, is amended by adding **“identified in the County Official Plan Schedules”**, after the words *Hamlet Areas*.
 - y) That Schedule A – Map 23, 30 and 31 is amended by adding OS1 and EP zoning to the Guelph Lake Conservation Area as shown on Schedule “A” of this By-law.
 - z) That Appendix B – Illustrations is amended by adding the accessible parking illustration shown on Schedule “B” of this By-law
2. All other applicable provisions of By-law 40/2016 shall continue to apply to the lands affected by this amendment.
3. That this By-law shall become effective from the date of passing hereof.

READ three times and finally passed
this 7th day of **February, 2022**.



Chris White, Mayor



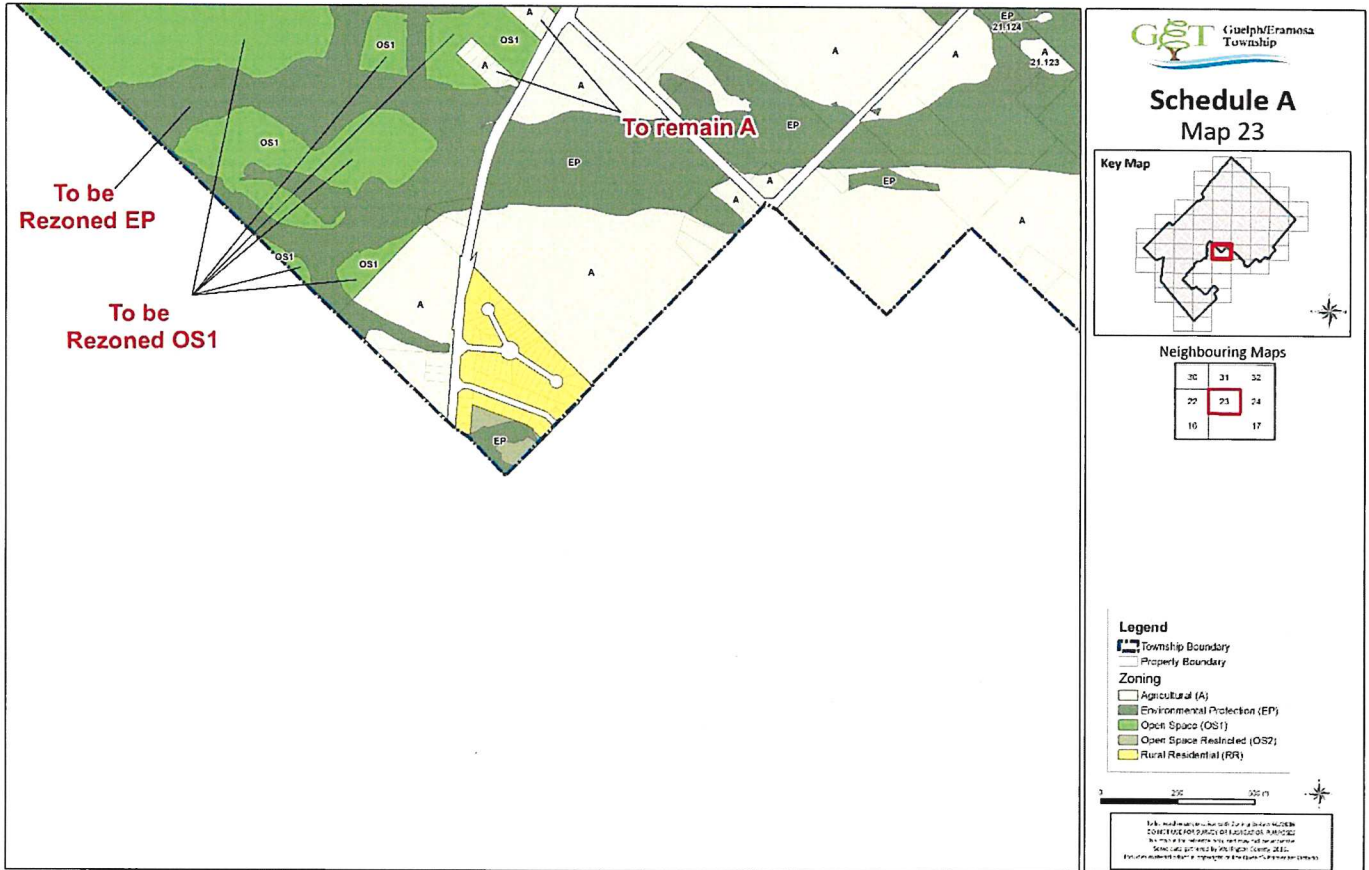
Amanda Knight, Clerk

THE CORPORATION OF THE TOWNSHIP OF GUELPH/ERAMOSA

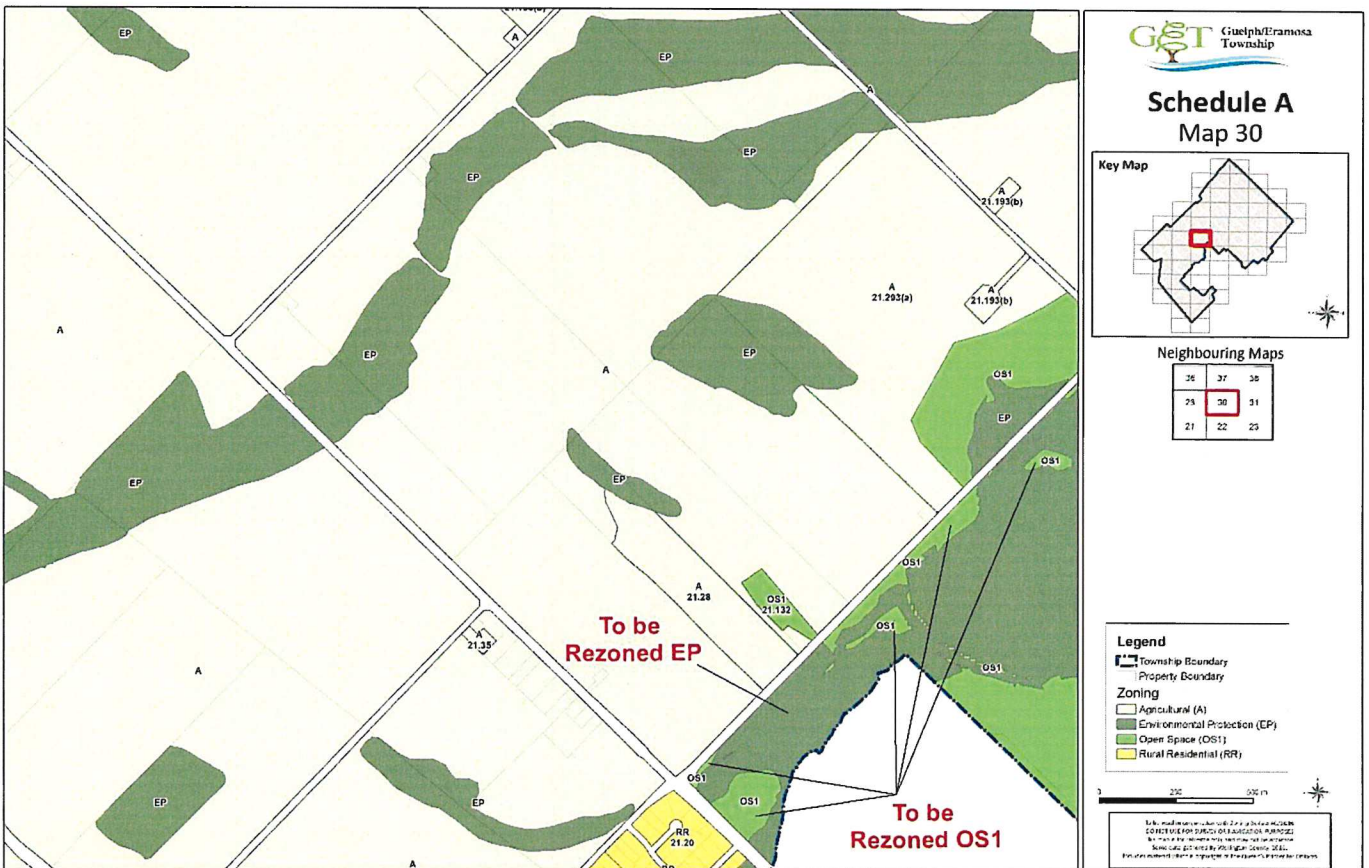
BY-LAW NO. 7/2022

SCHEDULE "A"

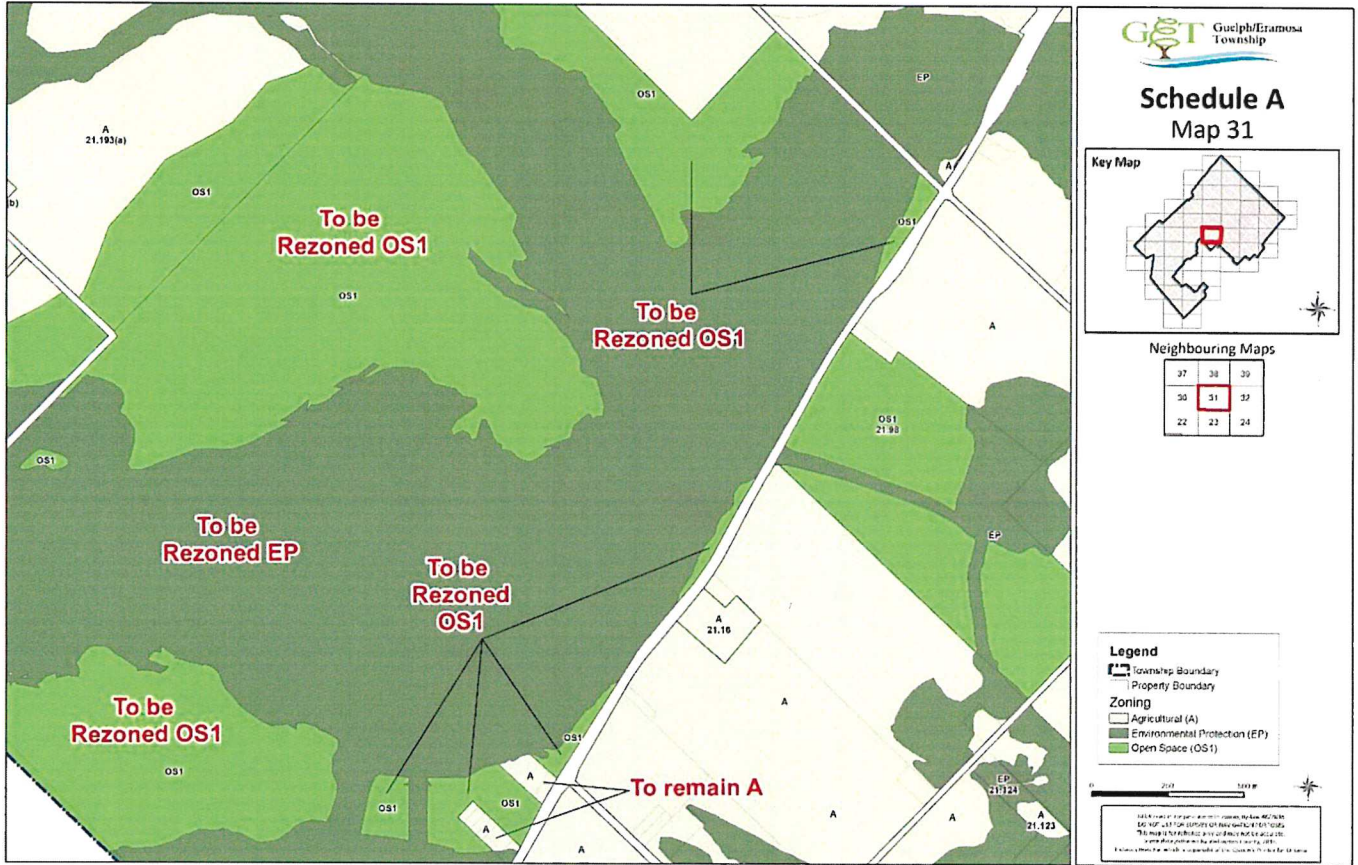
Map 23



Map 30



Map 31

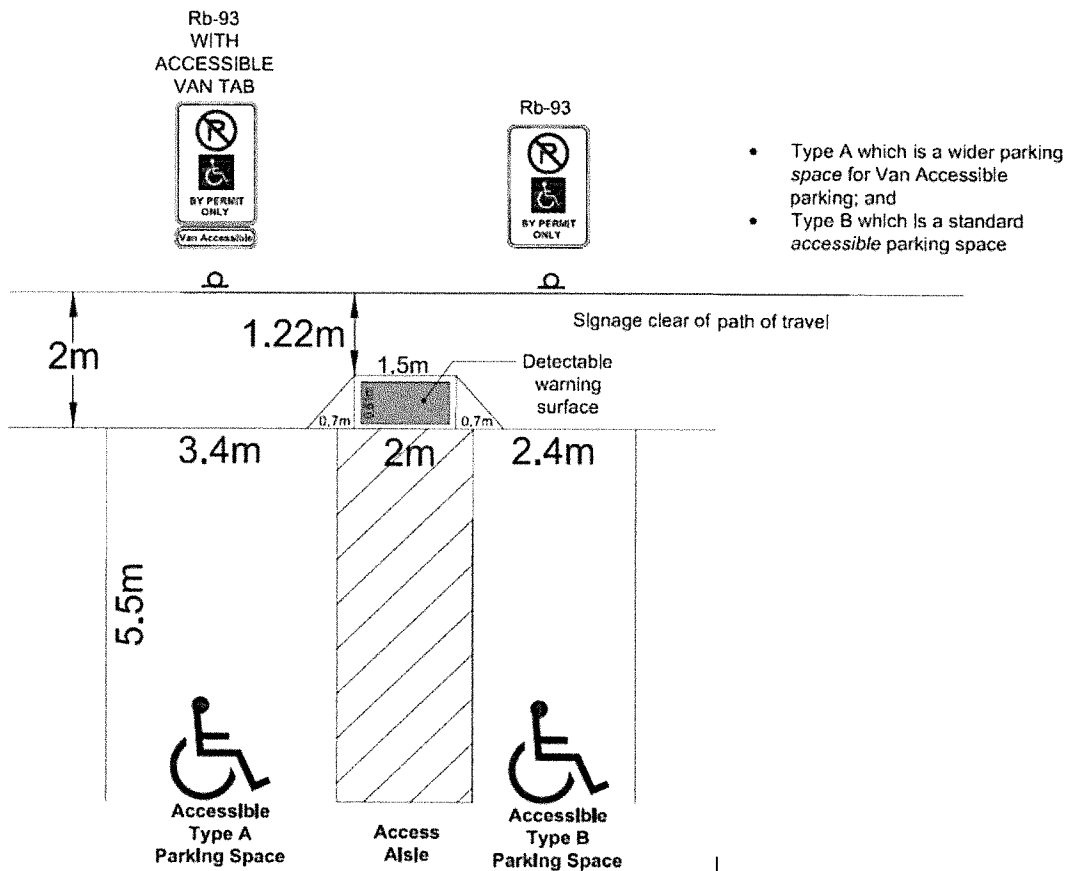


THE CORPORATION OF THE TOWNSHIP OF GUELPH/ERAMOSA

BY-LAW NO. 7/2022

SCHEDULE "B"

Accessible Parking



THE CORPORATION OF THE TOWNSHIP OF GUELPH/ERAMOSIA

EXPLANATION OF BY-LAW NO. 7/2022

By-law Number 7/2022 amends the Township of Guelph/Eramosa Zoning By-law 40/2016.

THE PURPOSE AND EFFECT OF THE ZONING BY-LAW AMENDMENT is to provide for “housekeeping” changes to the Zoning By-law as generally itemized below:

- I. Add new definitions including: Driveway and Motor Vehicle
- II. Revise definitions including: Dwelling Apartment, Cemetery, Restaurant and Transport Establishment.
- III. Add for a new general provision for Enlargement and/or Extension of Non-Conforming Buildings or Structures, Snow storage Provision, and Minimum buffering requirements in the M1 Zone, including expanding on Uses Restricted in All Zones
- IV. Renumber other General Provisions.
- V. Clarify General Provision wording for - Lots Having Less Lot Area and/or Lot Frontage and Buffer Strip Requirements.
- VI. Updating the Accessible Parking Regulations to align with current practice and current provincial parking stall requirements as per the Ontario Sections 80.32 to 80.38 (Accessible Parking) in the Ontario Disabilities Act, including adding a new diagram to Appendix B.
- VII. Revisions to address permissions within the Agriculture Zone, specifically shipping containers and livestock facilities
- VIII. Mapping corrections, including re-instating zoning for Guelph Lake Conservation Area and updates.
- IX. Typos, renumbering, corrections and other changes.

For the purpose of clarity, all terms, including those both bolded and italicized, that are also listed in Section 3 – Definitions are subject to the corresponding definitions.