

Proposed Definition:

“**Dwelling, Additional Residential Unit**”, means a residential **dwelling unit** that is subordinate to a **detached, semi-detached** or **townhouse dwelling** and located within a **detached, semi-detached, or townhouse dwelling** or within an **ancillary building or structure** located on the same lot and **ancillary** to a **detached, semi-detached** or **townhouse dwelling**. An **additional residential unit** shall contain sleeping accommodations, a kitchen and sanitary facilities for the exclusive use of the occupants, and having a private entrance from outside the building or from a common hallway or stairway inside the building. For the purpose of this By-law, a **stacked townhouse dwelling** and **cluster townhouse dwelling** is not permitted to have an **additional residential unit**.

4.4 Additional Residential Unit Regulations

A maximum of two **additional residential units** shall be permitted per **lot** in any zone where a **single detached, semi-detached** or **townhouse dwelling** is permitted, and shall only be **constructed** or **used** in accordance with the following:

4.4.1 General Provisions

1. Shall only be permitted provided that appropriate water and sanitary services and servicing capacity is available to the satisfaction of the Township of Guelph/Eramosa.
2. The maximum **gross floor area** of an **additional residential unit** shall be no more than an amount equal to 45% of the **gross floor area** of the **main** dwelling up to a maximum size of 115 m². The calculation of the maximum **gross floor area** for the **additional residential unit** and the **main** dwelling shall also include shall also include a **cellar** and **attic** if these spaces would meet the definition of a **habitable room**.
3. In all cases the **additional residential unit** shall be clearly secondary and subordinate to the **main** dwelling;
4. The **height** of the **additional residential unit(s)** shall not exceed the **height** of the **main** dwelling;
5. Driveway access to both the **main** dwelling and the **additional residential unit** shall be limited to one access so that no new entrance from the **street** shall be created, except in the case of a **corner lot**, where one entrance from each **street** may exist, subject to Section 4.19 or Section 4.20 as applicable.
6. One **parking space** will be provided for the **additional residential unit**, in addition to the required parking for the **main** dwelling.

7. Shall not be permitted within hazardous lands as identified by the applicable Conservation Authority;
8. Shall be required to conform to all Ontario Building Code and Ontario Fire Code regulations;
9. Shall be required to conform to Minimum Distance Requirements (4.24.1), where applicable; and

4.4.2. Attached Additional Residential Unit

One ***additional residential unit*** is permitted within the ***main*** dwelling or attached to the ***main detached dwelling***, subject to the provisions in Section 4.4.1 and the following:

1. In addition to Section 4.4.1.2, the following is applicable:
 - a. If the ***additional residential unit*** is located in a ***basement***, the ***additional residential unit*** may occupy the whole of the ***basement***.
 - b. Where an attached ***garage*** is converted to create an ***additional residential unit*** (in whole or in part), the attached ***garage*** will be included in calculation of the ***gross floor area*** of the ***main*** dwelling.
2. When exterior alterations to the ***main*** dwelling are proposed for an attached ***additional residential unit***, the following applies:
 - a. the siting of an ***additional residential unit*** shall be to the rear or side of the ***main*** dwelling, and
 - b. shall comply with the ***yard*** and setback requirements of the Zone in which such ***buildings*** are situated.

4.4.3 Detached Additional Residential Unit

One ***additional residential unit*** is permitted in an ***ancillary building*** or ***structure***, subject to the provisions in Section 4.4.1. and the following:

1. Shall be located on the same ***lot*** as the ***main*** dwelling and the ***additional residential unit*** shall not be severed from the ***main*** dwelling;
2. The ***ancillary building*** or ***structure*** must be located within the ***main building*** cluster and shall not be located more than 60 m away from the ***main*** dwelling;
3. The ***ancillary building*** or ***structure*** is to be screened and/or buffered to the satisfaction of the Township of Guelph/Eramosa in order to minimize visual impacts;
4. A detached ***additional residential unit*** can occupy a part of or the entirety of an ***ancillary building*** or ***structure***.

5. If the **additional residential unit** occupies the entirety of an **ancillary building** or **structure**, the following additional provisions are applicable:
 - a. Shall comply with the minimum required **yard** standards in which the unit is situated;
 - b. Shall not exceed 5 metres in height
6. Notwithstanding Section 4.2.5, in the Agriculture (A) Zone, if the **additional residential unit** occupies the second storey of an ancillary building the maximum height shall not exceed 8 metres.
7. All provisions within Section 4.2 are applicable, except for provisions that conflict with Sections 4.4.3.6 and 4.4.3.7.
 - a) A **garden suite** must not be located on the same lot.

4.4.4 Accessory Dwelling Unit in Commercial Zone Regulations

Wherever an **accessory dwelling unit** is permitted in a Commercial Zone by this By-law, such an **accessory dwelling unit** shall only be **constructed** or **used** in accordance with the following:

1. Driveway access to both the commercial **use** and the **accessory dwelling unit** shall be limited to one access so that no new entrance from the **street** shall be created, with the exception of a **corner lot**, where one entrance will be permitted from each **street**.
2. The **accessory dwelling unit** shall be located above or behind the **main** commercial **use**.
3. The maximum **gross floor area** of an **accessory dwelling unit** that is located behind a **main** commercial **use** shall be no more than an amount equal to 40% of the **gross floor area** of the commercial **use**, to a maximum size of 115 m².
 - a. Notwithstanding the above, if the **accessory dwelling unit** is located above a commercial **use**, the **accessory dwelling unit** may occupy the whole of the upper level floor.
4. A maximum of one **accessory dwelling unit** per **lot** will exist, and shall be **accessory** to the **main** commercial **use**. Where residential **uses** exist above a **main** commercial **use**, an **accessory dwelling unit** will not be permitted to the **rear** of the **main** commercial **use**.
5. One **parking space** will be provided for the **accessory dwelling unit**, in addition to the required parking for the **main** commercial **use**.