

Guelph/Eramosa Additional Residential Units Amendment

*Terms that are bolded and italicized are defined in the Zoning By-law

*The **orange** and **bolded** terms signify proposed changes

#	Zoning By-law Section		Existing Provision/Section	Proposed Provision/Section	Recommendation
1.	3	Definitions Add Definition	<p>“Dwelling, Accessory Second Unit”, means a residential dwelling unit within a detached or semi-detached dwelling or a building or structure ancillary to a detached or semi-detached dwelling. An Accessory Second 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.”</p>	<p><i>“Dwelling, Additional Residential Unit”</i>, means a residential <i>dwelling unit</i> that is subordinate to a <i>detached, semi-detached</i> or <i>townhouse dwelling</i> and located within a <i>detached, semi-detached, or townhouse dwelling</i> or within an <i>ancillary building or structure</i> located on the same lot and <i>ancillary</i> to a <i>detached, semi-detached</i> or <i>townhouse dwelling</i>. An <i>additional residential unit</i> 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 <i>stacked townhouse dwelling</i> and <i>cluster townhouse dwelling</i> is not permitted to have an <i>additional residential unit</i>.</p>	<p>Revise definition to expand on the definition of what an additional residential unit is</p>

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2.	3	Definitions	“Dwelling, Duplex”, means a residential dwelling divided horizontally to contain two independent residential dwelling units and which have independent entrances either directly from the outside or through a common vestibule. A dwelling that includes an accessory second unit is not a duplex dwelling.	“Dwelling, Duplex”, means a residential dwelling divided horizontally to contain two independent residential dwelling units and which have independent entrances either directly from the outside or through a common vestibule. A dwelling that includes an accessory second dwelling unit is not a duplex dwelling.	Replace the term ‘accessory second unit’ with ‘Additional Residential Unit’
3.	3	Add Definition	“Attic” means the space between the roof of a building and the ceiling of the top storey of the building or the space between a dwarf wall of a building and the sloping roof of the building that and is not a habitable room .		Introduce definition of attic based on past review of gross floor area
4.	4	General Provision – Section 4.4 - Accessory Second Unit Regulations	<p>4.4 Accessory Second Unit Regulations</p> <p>4.4.1 Accessory Second Unit in Agricultural or Residential Zone Regulations Wherever an accessory second unit is permitted in an Agricultural or Residential Zone by this By-law, such an accessory second unit shall only be constructed or used in accordance with the following:</p>	<p>4.4 Additional Residential Unit Regulations</p> <p>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:</p> <p><u>4.4.1 General Provisions</u></p>	Remove the section and included general provisions and provisions specific to types of additional residential units for ease of use

		<p>1. Driveway access to both the main dwelling and the accessory second 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.</p> <p>2. When exterior alterations to the main dwelling are proposed for an attached accessory second unit, the siting of an accessory second unit shall be to the rear or side of the main dwelling, and shall comply with the yard and setback requirements of the Zone in which such buildings is situated.</p> <p>3. The maximum gross floor area of an accessory second unit shall be no more than an amount equal to 45% of the gross floor area of the main dwelling, to a maximum size of 115 m² .</p> <p>a. Notwithstanding the above, if the accessory second unit is located in a basement, the accessory second unit may occupy the whole of the basement.</p> <p>b. Where an attached garage is converted to create an accessory second unit (in whole or</p>	<p>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.</p> <p>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 a cellar and attic if these spaces would meet the definition of a habitable room.</p> <p>3. In all cases the additional residential unit shall be clearly secondary and subordinate to the main dwelling;</p> <p>4. The height of the additional residential unit(s) shall not exceed the height of the main dwelling;</p> <p>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,</p>	
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		<p>in part), the attached garage will be included in calculation of the gross floor area of the main dwelling.</p> <p>4. A maximum of one accessory second unit per lot is permitted, and shall be accessory to the main dwelling. 5. One parking space will be provided for the accessory second unit, in addition to the required parking for the main dwelling. 6. In addition to the above, the following provisions apply only to Accessory Second Units within ancillary buildings or structures:</p> <ul style="list-style-type: none"> • The Accessory Second Unit may not be severed; • The ancillary building or structure must be located within the main building cluster; • 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; • A garden suite must not be located on the same lot; and • Shall be permitted subject to the satisfaction of the Township of Guelph/Eramosa, that the water and sewer 	<p>where one entrance from each street may exist, subject to Section 4.19 or Section 4.20 as applicable.</p> <p>6. One parking space will be provided for the additional residential unit, in addition to the required parking for the main dwelling.</p> <p>7. Shall not be permitted within hazardous lands as identified by the applicable Conservation Authority;</p> <p>8. Shall be required to conform to all Ontario Building Code and Ontario Fire Code regulations;</p> <p>9. Shall be required to conform to Minimum Distance Requirements (4.24.1), where applicable; and</p> <p><u>4.4.2. Attached Additional Residential Unit</u> 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:</p> <p>1. In addition to Section 4.4.1.2, the following is applicable:</p> <ul style="list-style-type: none"> a. If the additional residential unit is located in a basement, the 	

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		<p>service is capable of accommodating the Accessory Second Unit.</p>	<p><i>additional residential unit</i> may occupy the whole of the <i>basement</i>.</p> <p>b. Where an attached <i>garage</i> is converted to create an <i>additional residential unit</i> (in whole or in part), the attached <i>garage</i> will be included in calculation of the <i>gross floor area</i> of the <i>main</i> dwelling.</p> <p>2. When exterior alterations to the <i>main</i> dwelling are proposed for an attached <i>additional residential unit</i>, the following applies:</p> <p>a. the siting of an <i>additional residential unit</i> shall be to the rear or side of the <i>main</i> dwelling, and</p> <p>b. shall comply with the <i>yard</i> and setback requirements of the Zone in which such <i>buildings</i> are situated.</p> <p>4.4.3 Detached Additional Residential Unit One <i>additional residential unit</i> is permitted in an <i>ancillary building</i> or <i>structure</i>, subject to the provisions in Section 4.4.1. and the following:</p> <p>1. Shall be located on the same <i>lot</i> as the <i>main</i> dwelling and the <i>additional</i></p>	

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			<p><i>residential unit</i> shall not be severed from the <i>main</i> dwelling;</p> <p>2. The <i>ancillary building</i> or <i>structure</i> must be located within the <i>main building</i> cluster and shall not be located more than 60 m away from the <i>main</i> dwelling;</p> <p>3. The <i>ancillary building</i> or <i>structure</i> is to be screened and/or buffered to the satisfaction of the Township of Guelph/Eramosa in order to minimize visual impacts;</p> <p>4. A detached <i>additional residential unit</i> can occupy a part of or the entirety of an <i>ancillary building</i> or <i>structure</i>.</p> <p>5. If the <i>additional residential unit</i> occupies the entirety of an <i>ancillary building</i> or <i>structure</i>, the following additional provisions are applicable:</p> <ul style="list-style-type: none"> a. Shall comply with the minimum required <i>yard</i> standards in which the unit is situated; b. Shall not exceed 5 metres in height <p>6. Notwithstanding Section 4.2.5, in the Agriculture (A) Zone, if the <i>additional</i></p>	

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				<p><i>residential unit</i> occupies the second storey of an ancillary building the maximum height shall not exceed 8 metres.</p> <p>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.</p> <p>a) A <i>garden suite</i> must not be located on the same lot.</p>	
5.	4.4.2	<p>General Provisions – Accessory Second Unit in Commercial Zone Regulations</p>	<p>4.4.2 Accessory Second Unit in Commercial Zone Regulations</p> <p>Wherever an accessory second unit is permitted in a Commercial Zone by this By-law, such an accessory second unit shall only be constructed or used in accordance with the following:</p> <p>1. Driveway access to both the commercial use and the accessory second 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.</p>	<p>4.4.2 Accessory Second Dwelling Unit in Commercial Zone Regulations</p> <p>Wherever an <i>accessory second dwelling unit</i> is permitted in a Commercial Zone by this By-law, such an <i>accessory second dwelling unit</i> shall only be constructed or used in accordance with the following:</p> <p>1. Driveway access to both the commercial use and the <i>accessory second dwelling unit</i> 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.</p>	<p>Differentiate between an Additional Residential Unit and a dwelling unit accessory to a commercial use. Modify section 4.4.2 to replace the term ‘accessory second unit’ with ‘dwelling unit’</p>

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			<p>2. The accessory second unit shall be located above or behind the main commercial use.</p> <p>3. The maximum gross floor area of an accessory second unit that is located behind a 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.</p> <p style="padding-left: 40px;">a. Notwithstanding the above, if the accessory second unit is located above a commercial use, the accessory second unit may occupy the whole of the upper level floor.</p> <p>4. A maximum of one accessory second unit per lot will exist, and shall be accessory to the commercial use. Where residential uses exist above a commercial use, an accessory second unit will not be permitted to the rear of the commercial use.</p> <p>5. One parking space will be provided for the accessory second unit, in addition to the required parking for the commercial use.</p>	<p>2. The accessory second dwelling unit shall be located above or behind the <i>main</i> commercial use.</p> <p>3. The maximum gross floor area of an accessory second dwelling unit that is located behind a 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.</p> <p style="padding-left: 40px;">a. Notwithstanding the above, if the accessory second dwelling unit is located above a commercial use, the accessory second dwelling unit may occupy the whole of the upper level floor.</p> <p>4. A maximum of one accessory second dwelling unit per lot will exist, and shall be accessory to the commercial use. Where residential uses exist above a commercial use, an accessory second dwelling unit will not be permitted to the rear of the commercial use.</p> <p>5. One parking space will be provided for the accessory second dwelling unit, in addition</p>	

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				to the required parking for the commercial use.	
6.	5.1	<p>Parking, Stacking & Loading Area Regulations</p> <p>Use and Parking Requirement (Gross Floor Area (GFA) unless otherwise specified)</p>	Dwellings including: Accessory Second Units & Garden Suites Units & Garden Suites 1 space per dwelling unit	Dwellings including: Additional Second Residential Units & Garden Suites Units & Garden Suites 1 space per dwelling unit. A parking space that is provided and maintained for the sole use of the occupant of the additional residential unit may be a tandem parking space.	Replace the term ‘accessory second unit’ with ‘additional residential unit’, clarify that the parking space provided may be a tandem parking space
7.	6.1	Agricultural (A) Zone Permitted Uses	<ul style="list-style-type: none"> • Dwelling, Accessory Second Unit (Section 4.4) 	<ul style="list-style-type: none"> • Dwelling, Additional Residential Unit (Section 4.4) 	Replace the permitted use ‘accessory second unit’ with ‘additional residential unit’ to align with common wording in Official Plan and <i>Planning Act</i>
8.	7.1	Rural Residential (RR) Zone Permitted Uses	<ul style="list-style-type: none"> • Dwelling, Accessory Second Unit (Section 4.4) 	<ul style="list-style-type: none"> • Dwelling, Additional Residential Unit (Section 4.4) 	Replace the permitted use ‘accessory second unit’ with ‘additional residential unit’ to align with common wording in Official Plan and <i>Planning Act</i>

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9.	8.1	Village Residential Low Density (R1) Zone Permitted Uses	<ul style="list-style-type: none"> • Dwelling, Accessory Second Unit (Section 4.4) 	<ul style="list-style-type: none"> • Dwelling, Additional Residential Unit (Section 4.4) 	Replace the permitted use 'accessory second unit' with 'additional residential unit' to align with common wording in Official Plan and <i>Planning Act</i>
10.	9.1	Village Residential Medium Density (R2) Zone Permitted Uses	<ul style="list-style-type: none"> • Dwelling, Accessory Second Unit (Section 4.4) 	<ul style="list-style-type: none"> • Dwelling, Additional Residential Unit (Section 4.4) 	Replace the permitted use 'accessory second unit' with 'additional residential unit' to align with common wording in Official Plan and <i>Planning Act</i>
11.	10.1	Village Commercial Zone Permitted Uses	<ul style="list-style-type: none"> • Dwelling, Accessory Second Unit (Section 4.4) 	<ul style="list-style-type: none"> • Accessory Dwelling Unit (Section 4.4.2) 	Replace the permitted use 'accessory second unit' with 'Accessory Dwelling Unit (Section 4.4.2)' to differentiate it from an Additional Residential Unit
12.	11.1	Village Service Commercial (C2) Zone Permitted Uses	<ul style="list-style-type: none"> • Dwelling, Accessory Second Unit (Section 4.4) 	<ul style="list-style-type: none"> • Accessory, Dwelling Unit (Section 4.4.2) 	Replace the permitted use 'accessory second unit' with 'Accessory Dwelling Unit (Section 4.4.2)' to differentiate it from an Additional Residential Unit

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13.	12.1	Hamlet Mixed Use Zone	<ul style="list-style-type: none"> • Dwelling, Accessory Second Unit (Section 4.4) 	<ul style="list-style-type: none"> • Accessory Dwelling Unit (Section 4.4.2) 	Replace the permitted use 'accessory second unit' with 'Accessory Dwelling Unit (Section 4.4.2)' to differentiate it from an Additional Residential Unit
14.	13.1	Highway Commercial (C4) Zone	<ul style="list-style-type: none"> • Dwelling, Accessory Second Unit (Section 4.4) 	<ul style="list-style-type: none"> • Accessory Dwelling Unit (Section 4.4.2) 	Replace the permitted use 'accessory second unit' with 'Accessory Dwelling Unit (Section 4.4.2)' to differentiate it from an Additional Residential Unit
15.	21.94	Special Provisions	Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 17, Concession 5 East, in the former Township of Pilkington, illustrated on Schedule "A", an accessory second unit is permitted. Notwithstanding the provisions of the Agricultural (A) Zone, each Dwelling Unit shall be fully self-contained; shall have a floor area of not less than 152.4 m ² ; and there shall be no exterior stairways, except open metal fire escapes.	Notwithstanding the provisions of the Agricultural (A) Zone, on lands described as Part of Lot 17, Concession 5 East, in the former Township of Pilkington, illustrated on Schedule "A", an accessory second unit additional residential unit is permitted. Notwithstanding the provisions of the Agricultural (A) Zone, each Dwelling Unit shall be fully self-contained; shall have a floor area of not less than 152.4 m ² ; and there shall be no exterior stairways, except open metal fire escapes.	Replace the term 'accessory second unit' with 'additional residential unit' for consistency