

The Corporation of the City of Guelph

By-law Number (2020)-20555

A by-law to amend By-law Number (1995)-14864, as amended, known as the Additional Residential Dwelling Unit Amendment (OZS20-03).

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;

The Council of the Corporation of the City of Guelph enacts as follows:

1. Section 2.9 of By-law (1995)-14864, as amended, is hereby further amended as follows:
 - 1.1. Section 2.9.1 (xxiv) is amended by replacing "**Accessory Apartment**" with "**Additional Residential Dwelling Unit.**"
2. Section 3.1 of By-law (1995)-14864, as amended, is hereby further amended as follows:
 - 2.1. The definition "**Accessory Apartment**" is deleted.
 - 2.2. The definition "**Additional Residential Dwelling Unit**" is added:

"Additional Residential Dwelling Unit" means a **Dwelling Unit** that is self-contained, subordinate to and located within the same **Building** or on the same **Lot** of a primary **Dwelling Unit**.
 - 2.3. The definition of "**Dwelling Unit**" be modified:

"Dwelling Unit" means a room or group of rooms occupied or designed to be occupied as an independent and separate self-contained housekeeping unit.
 - 2.4. The definition of "**Garden Suite**" be modified:

"Garden Suite" means a one-unit detached **Dwelling Unit** containing bathroom and kitchen facilities that is separate from and subordinate to a primary **Dwelling Unit** and that is designed to be portable and temporary.
3. Section 4.13 of By-law (1995)-14864, as amended, is hereby further amended, as follows:
 - 3.1. Section 4.13.3.1 is amended by replacing "**Accessory Apartments**" with "**Additional Residential Dwelling Units.**"
 - 3.2. Section 4.13.3.2.2 is amended by replacing "**Accessory Apartments**" with "**Additional Residential Dwelling Units.**"
 - 3.3. Section 4.13.4.3 is amended by deleting "**Semi-Detached Dwelling** with an **Accessory Apartment, 3**" and "**Single Detached Dwelling** with an **Accessory Apartment, 3**" and adding "**Additional Residential Dwelling Unit, 1 per unit.**"
 - 3.4. Section 4.13.4.3 is amended by adding section 4.13.4.3.2 as follows:

"Despite Section 4.13.4.3, if no legal off-street **Parking Space** can be provided for the primary **Dwelling**, as of the date of the passing of this **Bylaw**, no **Parking Spaces** are required for the **Additional Residential Dwelling Units.**"
4. Section 4.15.1 of By-law (1995)-14864, as amended, is deleted and replaced with the following:

- 4.1. "4.15.1 For the purposes of Section 4.15, the following term shall have the corresponding meaning:

"Total Net Floor Area" means the total floor area of the **Building** measured from the interior walls, including **Cellars** and **Basements** with a floor to ceiling height of at least 1.95 metres. **Total Net Floor Area** does not include stairs, landings, cold **Cellars**, **Garages**, **Carports**, and mechanical rooms. Section 2.7 does not apply to the floor to ceiling height of 1.95 metres.

Any **Additional Residential Dwelling Unit** shall be developed in accordance with the following provisions:

- 4.15.1.1 A maximum of two **Additional Residential Dwelling Units** shall be permitted on a **Lot**, one within the same **Building** as the primary **Dwelling Unit** and one located in a separate **Building** on the same **Lot**.
- 4.15.1.2 An **Additional Residential Dwelling Unit** in a separate **Building** on the same **Lot** is not permitted to be severed from the **Lot** of the primary **Dwelling Unit**.
- 4.15.1.3 Parking for **Additional Residential Dwelling Units** shall be developed in accordance with Section 4.13.
- 4.15.1.4 Notwithstanding Sections 4.13.2.1 and 4.13.3.1 the required off-street **Parking Spaces** for **Additional Residential Dwelling Units** may be stacked behind the required off-street **Parking Space** of the primary **Dwelling Unit** in the **Driveway (Residential)**.
- 4.15.1.5 Table 5.3.2, Row 18, shall not apply to **Additional Residential Dwelling Units** located in the R.3B **Zone**.
- 4.15.1.6 **Additional Residential Dwelling Unit** within a primary **Dwelling Unit**
 - 4.15.1.6.1 The **Additional Residential Dwelling Unit** shall not exceed 45% of the **Total Net Floor Area** of the **Building**.
 - 4.15.1.6.1.1 Despite Section 5.15.1.6.1, if the **Additional Residential Dwelling Unit** is located within the **Basement**, the **Additional Residential Dwelling Unit** may occupy the entirety of the **Basement**.
 - 4.15.1.6.2 The **Additional Residential Dwelling Unit** within a primary **Dwelling Unit** shall not contain more than three bedrooms.
 - 4.15.1.6.3 Interior access is required between floor levels and between the **Additional Residential Dwelling Unit** and the primary **Dwelling Unit**.
- 4.15.1.7 **Additional Residential Dwelling Unit** within a separate **Building** on the same **Lot**
 - 4.15.1.7.1 The **Additional Residential Dwelling Unit** shall not exceed 45% of the **Total Net Floor Area** of the primary **Building**, or a maximum of 80 square metres in **Floor Area**, whichever is less.
 - 4.15.1.7.2 The **Additional Residential Dwelling Unit** within a separate **Building** on the same **Lot** shall not contain more than two bedrooms.

- 4.15.1.7.3 The **Additional Residential Dwelling Unit** shall not occupy more than 30% of the **Yard**, including all accessory **Buildings** and **Structures**, and shall be in accordance with Section 4.15.1.7.1, whichever is less.
- 4.15.1.7.4 The maximum **Building Height** shall be two **Storeys** and 6.1 metres, and shall not exceed an overall **Building Height** of the primary **Dwelling**.
- 4.15.1.7.5 A 1.2 metre wide unobstructed pedestrian access shall be provided to the entrance of the unit, unless access to the **Additional Residential Dwelling Unit** is provided directly from a **Street** or lane. A gate may be constructed within the pedestrian access.
- 4.15.1.7.6 A minimum 1.2 metre **Side Yard Setback** is required for the primary dwelling in the **Yard** closest to the unobstructed pedestrian access, unless access to the **Additional Residential Dwelling Unit** is provided directly from a **Street** or lane.
- 4.15.1.7.7 An **Additional Residential Dwelling Unit** in a separate **Building** on a **Lot** may occupy a **Yard** other than a **Front Yard** or required **Exterior Side Yard**.
- 4.15.1.7.8 An **Additional Residential Dwelling Unit** in a separate **Building** on a **Lot** shall have a minimum **Side** and **Rear Yard Setback** consistent with the **Side Yard Setback** for the primary **Dwelling** in the applicable **Zone**.
- 4.15.1.7.8.1 Notwithstanding Section 4.15.1.7.8, a two **Storey Additional Residential Dwelling Unit** shall have a minimum 3 metre **Side Yard** and **Rear Yard Setback** where a window is adjacent to the property line.
- 4.15.1.7.9 A minimum distance of 3 metres shall be provided between the primary **Dwelling Unit** and an **Additional Residential Dwelling Unit in a separate Building** on the same **Lot**."

5. Section 4.25 of By-law (1995)-14864, as amended, is hereby further amended as follows:

- 5.1. Table 4.25, Row 1, is amended by replacing "The whole of a **Single Detached Dwelling Unit**. A **Building** containing a **Lodging House Type 1** cannot contain an **Accessory Apartment**" with "The whole of a **Single Detached Dwelling Unit**. A **Lot** containing a **Lodging House Type 1** cannot contain an **Additional Residential Dwelling Unit** within the primary **Dwelling** or in a separate **Building** on the same **Lot**".

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

- 6.1. Section 5.1.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 6.2. Section 5.2.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 6.3. Section 5.3.1.2 is amended by adding "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1" as a permitted use.

7. Section 6 of By-law (1995)-14864, as amended, is hereby further amended as follows:
 - 7.1. Table 6.3.1.1 is amended by replacing "**Accessory Apartment**" with "**Additional Residential Dwelling Unit**" in the D.2 zone.
 - 7.2. Section 6.5.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
8. Part 1 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
 - 8.1. Section 5.1.3.2.19, R.1B-19 zone, be deleted.
 - 8.2. Section 5.1.3.2.28, R.1B-28 zone, be deleted.
 - 8.3. Section 5.1.3.2.33.1, R.1B-33 zone, be deleted.
 - 8.4. Section 5.1.3.2.35.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
 - 8.5. Section 5.1.3.2.44, R.1B-44(H) zone, be deleted.
 - 8.6. Section 5.1.3.2.45.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
 - 8.7. Section 5.1.3.2.49.1 be deleted.
 - 8.8. Section 5.1.3.2.49.2.1 be deleted.
 - 8.9. Section 5.1.3.2.49.2.2 be deleted.
 - 8.10. Section 5.1.3.2.49.2.3 is amended by replacing "Maximum **Building Height**" with "Maximum **Building Height** for an **Additional Residential Dwelling Unit** in a separate **Building**, and by replacing "**Coach House**" with "**Additional Residential Dwelling Unit.**"
 - 8.11. Section 5.1.3.2.49.2.5 is amended by replacing "**Coach House**" with "**Additional Residential Dwelling Unit.**"
 - 8.12. Section 5.1.3.2.49.2.7 is amended by replacing "**Coach House**" with "**Additional Residential Dwelling Unit.**"
 - 8.13. Section 5.1.3.2.49.2.8 be deleted.
 - 8.14. Section 5.1.3.2.49.3 be deleted.
 - 8.15. Section 5.1.3.3.15.1 is amended by replacing "**Accessory Apartment**" with "**Additional Residential Dwelling Unit**".
 - 8.16. Section 5.1.3.3.23.1 is deleted and replaced with the following:

"Permitted **Uses**
In accordance with Section 5.1.1 of this **Bylaw.**"
 - 8.17. Section 5.1.3.3.23.2.2 be deleted.
 - 8.18. Section 5.1.3.3.24.1 is deleted and replaced with the following:

"Permitted **Uses**
In accordance with Section 5.1.1 of this **Bylaw.**"

- 8.19. Section 5.1.3.3.24.2.4 is amended by replacing "**Garden Suite Dwelling Unit**" with "**Additional Residential Dwelling Unit** within a separate **Building** on the **Lot**" and by replacing "**Accessory Apartment**" with "**Additional Residential Dwelling Unit.**"
- 8.20. Section 5.1.3.3.24.2.4 ii) be deleted.
- 8.21. Section 5.1.3.3.24.2.4 iii) be deleted.
9. Part 2 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
 - 9.1. Section 5.2.3.2.1.3 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
 - 9.2. Section 5.2.3.6.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
 - 9.3. Section 5.2.3.7.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
 - 9.4. Section 5.2.3.8.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
 - 9.5. Section 5.2.3.30.2.6 be deleted.
10. Part 3 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
 - 10.1. Section 5.3.3.1.12.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
 - 10.2. Section 5.3.3.2.2.1 is amended by adding "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
 - 10.3. Section 5.3.3.2.10.1 is amended by adding "An **Additional Residential Dwelling Unit** is permitted in **On-street Townhouses** in accordance with Section 4.15.1".
 - 10.4. Section 5.3.3.2.12.1 is amended by adding "An **Additional Residential Dwelling Unit** is permitted in **On-street Townhouses** in accordance with Section 4.15.1".
 - 10.5. Section 5.3.3.2.14.1 is amended by adding "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
11. Part 7 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
 - 11.1. Section 6.3.3.1.4.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
12. Part 9 of By-law (1995) – 14864, as amended, is hereby further amended as follows:
 - 12.1. Section 6.5.3.7.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".

- 12.2. Section 6.5.3.8.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 12.3. Section 6.5.3.9.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 12.4. Section 6.5.3.10.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 12.5. Section 6.5.3.11.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 12.6. Section 6.5.3.13.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 12.7. Section 6.5.3.17.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 12.8. Section 6.5.3.20.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 12.9. Section 6.5.3.21.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 12.10. Section 6.5.3.22.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 12.11. Section 6.5.3.23.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 12.12. Section 6.5.3.24.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 12.13. Section 6.5.3.25.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 12.14. Section 6.5.3.28.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 12.15. Section 6.5.3.33.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 12.16. Section 6.5.3.34.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 12.17. Section 6.5.3.36.1 is amended by replacing "**Accessory Apartment** in accordance with Section 4.15.1" with "**Additional Residential Dwelling Unit** in accordance with Section 4.15.1".
- 12.18. Section 6.5.3.49.1 is amended by replacing "**Accessory Apartment** in

accordance with Section 4.15.1" with "***Additional Residential Dwelling Unit***" in accordance with Section 4.15.1".

12.19. Section 6.5.3.50.1 is amended by replacing "***Accessory Apartment***" in accordance with Section 4.15.1" with "***Additional Residential Dwelling Unit***" in accordance with Section 4.15.1".

12.20. Section 6.5.3.53.1 is amended by replacing "***Accessory Apartment***" in accordance with Section 4.15.1" with "***Additional Residential Dwelling Unit***" in accordance with Section 4.15.1".

12.21. Section 6.5.3.54.1 is amended by replacing "***Accessory Apartment***" in accordance with Section 4.15.1" with "***Additional Residential Dwelling Unit***" in accordance with Section 4.15.1".

13. Part 16 of By-law (1995) – 14864, as amended, is hereby further amended as follows:

13.1. Table 14.1.5, Row 3, is amended by replacing "***Accessory Apartment***" with "***Additional Residential Dwelling Unit***".

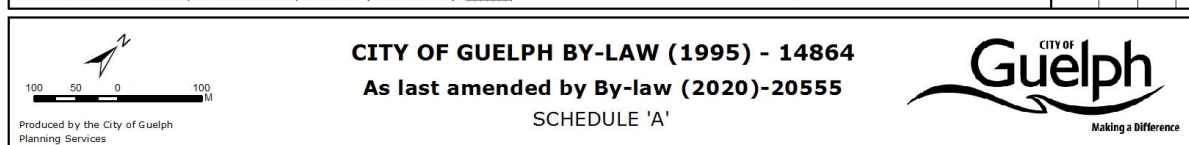
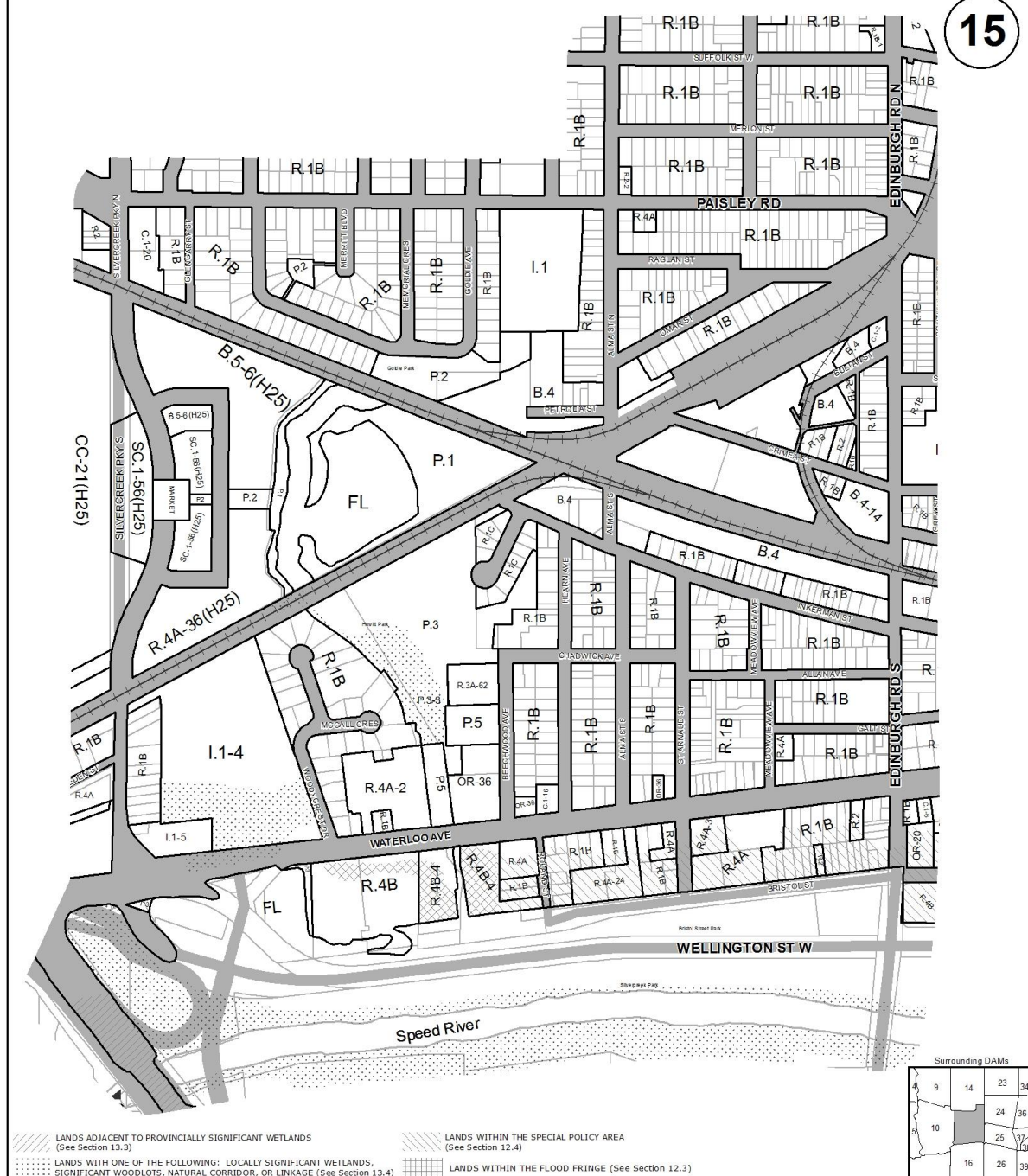
13.2. Section 14.7.1 is amended by replacing "***Accessory Apartment***" in accordance with Section 4.15.1" with "***Additional Residential Dwelling Unit***" in accordance with Section 4.15.1".

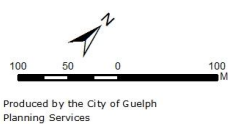
14. Schedule "A" of By-law (1995)-14864, as amended, is hereby further amended by deleting Defined Area Map Numbers 15, 24, 34, and 45 and replacing them with new Defined Area Map Numbers 15, 24, 34, and 45 attached hereto as Schedule "A".

Passed this FOURTEENTH day of DECEMBER, 2020.

Cam Guthrie, Mayor

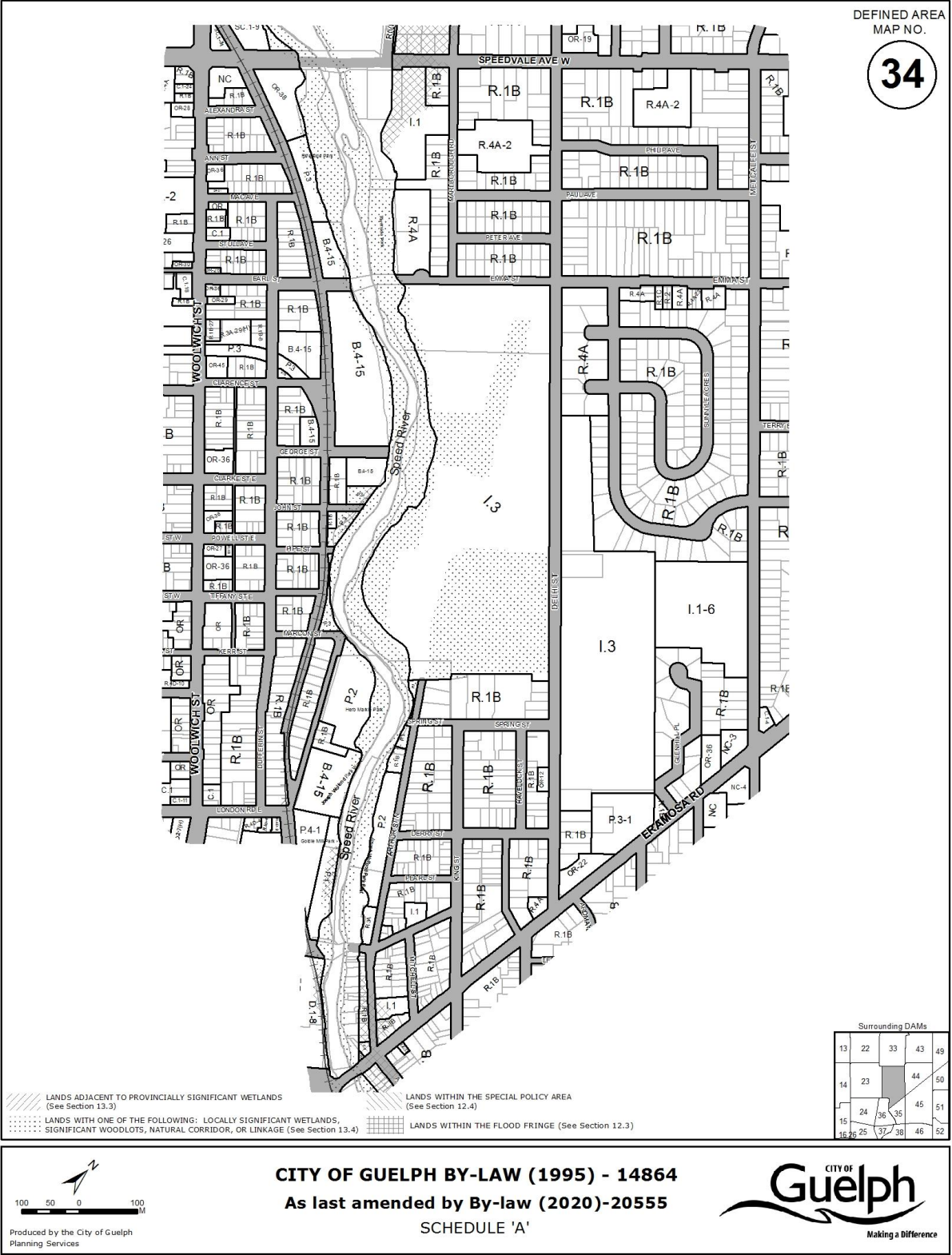
Dylan McMahon, Deputy City Clerk

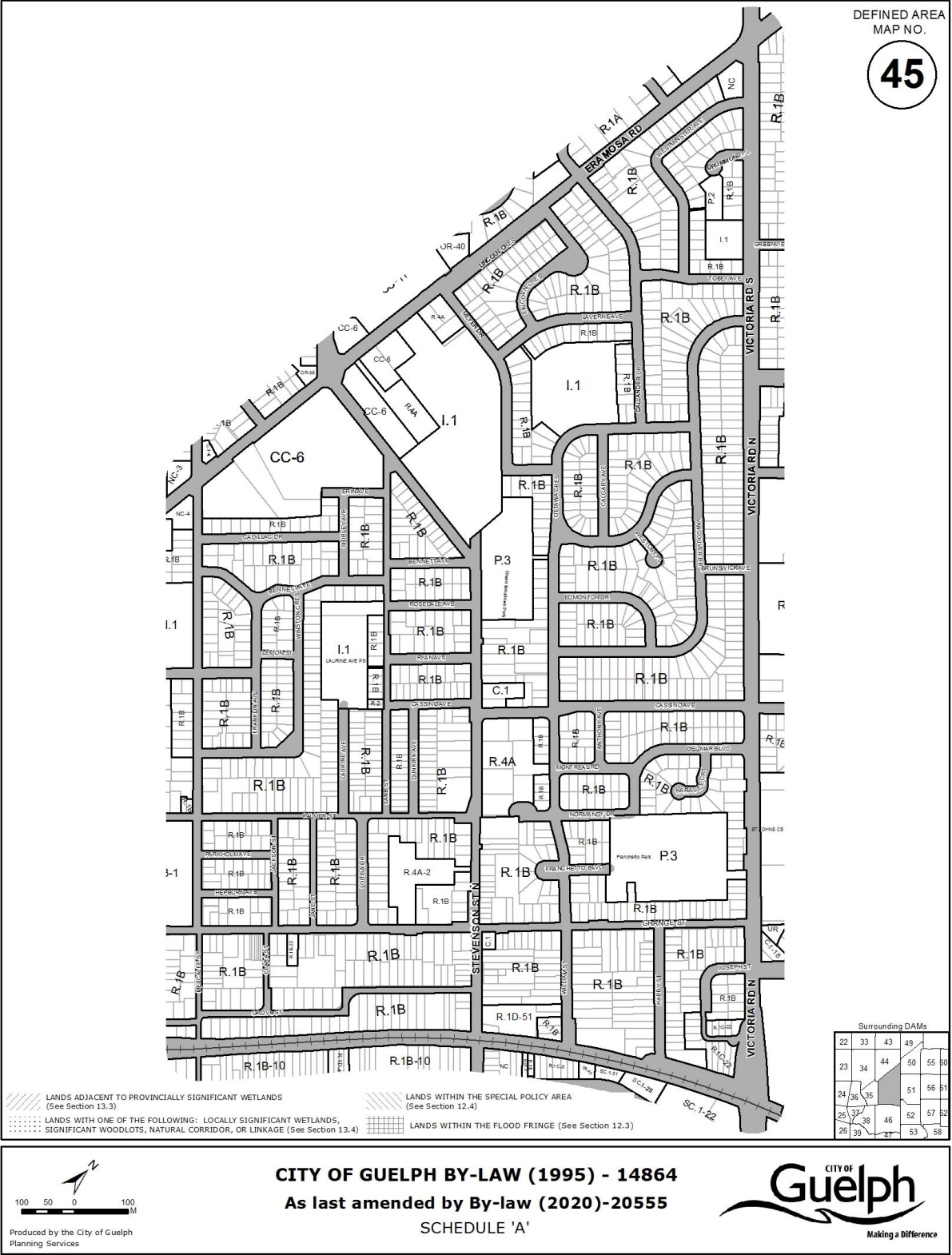




CITY OF GUELPH BY-LAW (1995) - 14864
As last amended by By-law (2020)-20555
 SCHEDULE 'A'







**EXPLANATION OF PURPOSE AND EFFECT FOR
BY-LAW NUMBER (2020)-20555**

1. By-law Number (2020)-20555 has the following purpose and effect:

This By-law authorizes an amendment to the City of Guelph Comprehensive Zoning By-law (1995)-14864, which is intended to delete, modify and introduce new regulations to the text and maps related to Additional Residential Dwelling Units.

The purpose of the Additional Residential Dwelling Unit Amendment is to update the accessory apartment, coach house and garden suite regulations in accordance with policies and regulation for additional residential units in the Planning Act.

The effect of the proposed Additional Residential Dwelling Unit amendment is to update definitions, modify section 4.15.1, general provisions for residential intensification, update permitted uses and parking requirements, and update specialized zones.

The proposed amendment would delete, modify or introduce new regulations related to Additional Residential Dwelling Units, including:

- New definitions;
- New General Provisions and parking standards;
- Permitted uses;
- Specialized residential zones.

Lands affected by this amendment include lands zoned Residential R.1, R.2 and R.3B, R.1B-19, R.1B-28, R.1B-33, R.1B-35, R.1B-44(H), R.1B-45, R.1B-49(H), R.1C-15, R.1C-23, R.1C-24, R.2-2, R.2-6, R.2-7, R.2-8, R.2-30, R.3A-12, R.3B-2, R.3B-10, R.3B-12, R.3B-14, Office Residential (OR), OR-7, OR-8, OR-9, OR-10, OR-11, OR-13, OR-17, OR-20, OR-21, OR-22, OR-23, OR-24, OR-25, OR-28, OR-33, OR-34, OR-36, OR-49, OR-50, OR-53, OR-54, Downtown D.1-3, D.1-24, Downtown D.2, and D.2-13 in Zoning Bylaw (1995)-14864, as amended.

The proposed zoning amendment was considered by Guelph City Council at a Public Meeting held on July 13, 2020.

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".