

SECTION 4 – GENERAL PROVISIONS

15378 4.1 FRONTAGE ON A **STREET**

No **Building** or **Structure** shall be built upon any **Lot** unless that **Lot** abuts a **Street**. For the purpose of this section, a lane shall not be considered to be a **Street**.

4.2 USES PERMITTED IN ALL ZONES

Despite anything else in this **By-law**, the **City**, a transportation system owned or operated by or for the **City**, any telephone or communications utility company operating within the **City**, any agency of the Federal or Provincial Government, and a company holding a Provincial license to transport or distribute natural gas may for the purposes of the public service, **Use** any land or erect or **Use** any **Building**, **Structure** or tower in any **Zone** subject to: the **Use** of land or **Building** or **Structure** being in compliance with the regulations prescribed for such **Zone** or **Use** and subject to there being no outdoor storage of goods, materials or equipment in any **Yard** abutting a residential **Zone**.

This exemption for **Use** in any **Zone**, however, shall not apply to any land or **Building Used** by Guelph Hydro, Ontario Hydro or any telephone or communications utility company for executive or administrative offices or retail purposes.

4.3 USES PROHIBITED IN ALL ZONES

Despite any other provision of this **By-law**, the following **Uses** and activities are prohibited in all **Zones**, either alone or in conjunction with other **Uses**, unless specifically permitted by this **By-law**.

4.3.1 The **Use** of a tent, trailer, **Recreational Vehicle**, transport trailer, truck, bus, coach or streetcar body as living accommodation or for the purposes of a **Retail Establishment** or **Office** except as provided in Section 4.21;

4.3.2 The incineration or disposal of biomedical wastes, organic or inorganic chemical wastes, or radioactive wastes;

4.3.3 A **Vehicle** salvage yard or **Vehicle** wrecking establishment;

4.3.4 A mobile home dwelling; and

16026 4.3.5 A **Gaming Establishment**

19691 4.3.6 The **Use** or storage of a container, truck or transport trailer or any part thereof on a residentially **Zoned** property.

4.4 NUMBER OF **BUILDINGS** PER **LOT**

In any residential R.1 or R.2 **Zone**, with the exception of an accessory **Building**, there shall not be more than one **Building** located on a **Lot** except as specifically permitted in this **By-law**.

4.5 ACCESSORY **BUILDINGS** OR **STRUCTURES**

The erection, alteration, enlargement, maintenance and **Use** of accessory **Buildings** and **Structures** shall comply with the regulations of the applicable **Zone**, except as otherwise provided for in this Section.

19063 4.5.1 An accessory **Building** or **Structure** may occupy a **Yard** other than a **Front yard** or required **Exterior side yard** on a lot provided that:

4.5.1.1 Not more than 30% of the **Yard** is occupied;

4.5.1.2 Such accessory **Building** or **Structure** is not located within 0.6 metres of any **Lot Line**, except that two adjoining property owners may erect an accessory **Building** with a common party wall; and

4.5.1.3 If, in an industrial **Zone**, an accessory **Building** or **Structure** is a gatehouse not exceeding 20 m² in **Gross Floor Area**, it may be located in the **Front** or **Exterior Side Yard** provided it is **Setback** a minimum of 7.5 metres from the **Street Line**.

19063 4.5.1.4 In a residential **Zone**, the total ground floor area of all accessory **Buildings** or **Structures** shall not exceed 70 square metres.

4.5.2 Unless otherwise permitted in this **By-law**, an accessory **Building** or **Structure**:

4.5.2.1 in a residential **Zone**, shall not exceed 3.6 metres in height except as provided for in Section 4.18 ; and

4.5.2.2 in any other **Zone**, shall not exceed 4.5 metres in height except as provided for in Section 4.18.

4.5.3 No accessory **Building** or **Structure** shall be used for human habitation.

19063 4.5.4 Deleted by **By-law** (2010)-19063

15006 4.5.4.1 Deleted by **By-law** (2010)-19063

19063

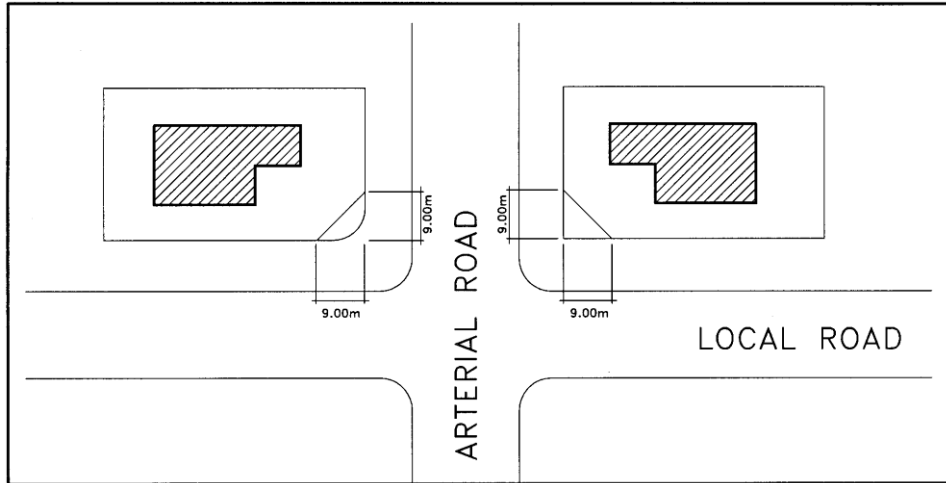
- 19063 4.5.5 Swimming Pools and Hot Tubs
Despite any other provision of this **By-law**, an outdoor swimming pool or hot tub shall be located or erected in accordance with the following provisions:
- 19063 4.5.5.1 No outdoor swimming pool or hot tub shall be located in any part of a **Front** or required **Exterior Side Yard**;
- 17187
19063 4.5.5.2 Despite Section 4.5.5.1, an outdoor swimming pool or hot tub shall be permitted in the **Exterior Side Yard** when located behind the rear wall of the **Main Building** and in compliance with Section 4.6.2.
- 19063 4.5.5.3 Every swimming pool or hot tub shall be located a minimum of 1.5 metres from any **Lot Line**. Any decking associated with the pool that is above 0.6 metres from **Finished Grade**, shall be located a minimum 1.5 metres from a **Lot Line**.
- 15692
19063 4.5.5.4 Despite Section 4.5.5.3, any decking located between the **Main Building** and the swimming pool shall not be subject to Section 4.5.1.1 and shall be located a minimum of 0.6 metres from all **Lot Lines**.
- 4.5.6 A **Porch** is not subject to Section 4.5, but is subject to Section 4.7.

4.6 SIGHT LINE TRIANGLES

- 15006
15692 4.6.1 Corner Lots
- i) On a **Corner Lot** in any **Zone**, within the sight line triangle formed by joining the point of intersection to points on each **Street Line**, measured 9 metres from that point of intersection, no **Building**, **Structure**, play equipment, statue or parked motor **Vehicle** shall be located.
- 15692 ii) A **Fence**, hedge, shrub or foliage may be located within the sight line triangle provided it is maintained in such a manner that its height is not more than 0.8 metres above the level of the travelled portion of the abutting **Streets**. This provision shall not prevent the planting of one deciduous tree within the defined triangle, or municipal tree planting.

15006

ILLUSTRATION OF **CORNER LOT** SIGHT LINES



Corner Lot Sight Line Distances Specified in Section 4.6.1

17187

4.6.2 General Sight Lines

The following general sight line regulations shall apply to properties along the entire **Block Face**:

4.6.2.1 The sightline triangle at a **Driveway**, lane, **Parking Aisle** or other vehicular access from the **Street** shall be the triangular area created by connecting the points measured as follows:

4.6.2.1.1 commencing at each edge of the vehicular access on the **Lot** side of the sidewalk or curb (whichever is closer to the **Lot Line**) and measuring a distance of 4 metres away from such edges at a 90 degree angle and commencing at the edge of the **Lot** side of the sidewalk and measuring a distance of 5 metres toward the **Lot** at a 90 degree angle.

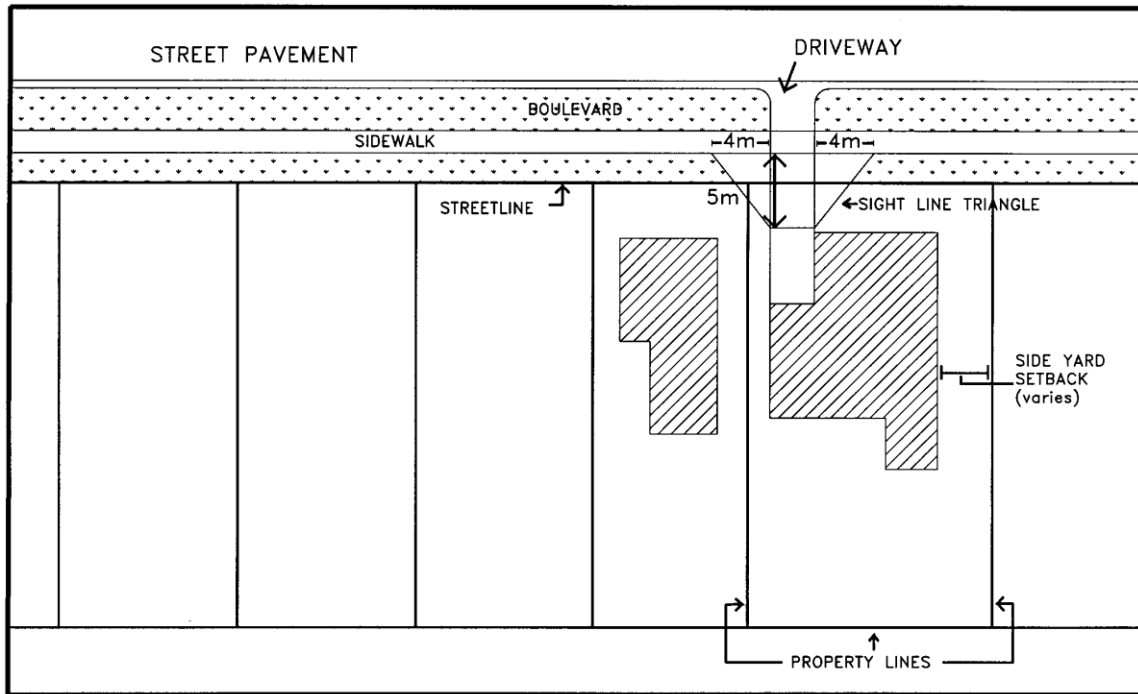
15006
15692
19063

4.6.2.2 Within any part of a sight line triangle at vehicular access area no **Building, Structure**, play equipment, statue, swimming pool/hot tub or parked motor **Vehicle** shall be located.

15692

4.6.2.3 Within the sight line triangle, a **Fence**, hedge, shrub or foliage may be located provided it is maintained in such a manner that its height is not more than 0.8 metres above the level of the travelled portion of the **Street**.

ILLUSTRATION OF GENERAL SIGHT LINE TRIANGLE

4.7 PERMITTED YARD PROJECTIONS

4.7.1 Required **Yards** shall not be obstructed in any manner whatsoever, except in accordance with Table 4.7

4.7.2 Where Section 4.6 is in conflict with Section 4.7, Section 4.6 shall prevail.

15006 4.7.3 For dwellings along **Streets** with the road allowance requirements listed in Section 4.24, the minimum **Setback** of the projection shall be from the new **Street Line** required for the road widening as determined by Section 4.24 rather than the **Lot Line**.

15006 4.7.4 Deleted by **By-law** (2010)-19063
19063

15006,15378,15692,17187, 19063, 19691 **Table 4.7 - Permitted Required *Yard* Projections**

Row	Structure	Required <i>Yard</i>	Maximum Projection into the Required <i>Yard</i>	Minimum Setback From <i>Lot Line</i>
1	Uncovered Porch not more than 1.2 metres above Finished Grade * ***	Front and Exterior Side Yards Side Yard Rear Yard	3 metres ----- -----	0.8 metres 0.6 metres 0.6 metres
2	Uncovered Porch above 1.2 metres to a maximum height not exceeding the main floor/entry level* ***	Front and Exterior Side Yards Side Yard Rear Yard	3 metres 2 metres -----	0.8 metres 0.6 metres 0.6 metres
3	Open, Roofed Porch not exceeding 1 Storey in height* ***	Front and Exterior Side Yards Side Yard Rear Yard	2.4 metres 1.2 metres 5 metres	2 metres 0.6 metres 2 metres
4	Cold Room or Fruit Cellar*	Front and Exterior Side Yards	3 metres	-----
5	Fire Escapes	Side Yard Rear Yard	1.2 metres 1.5 metres	0.8 metres -----
6	Canopies and Awnings above doors and windows	All Yards	1.8 metres	0.5 metres
7	Cantilevered Rooms to a maximum of 25% of the wall area	All Yards	0.8 metres	0.8 metres
8	Balconies (applicable to floors above main floor/entry level) * **	Front and Rear Yards of R.1 and R.2 Zones All Yards in the R.3 Zones All Yards in the R.4 Zones	2.4 metres 2.4 metres 1.8 metres	2 metres 2 metres 2 metres
9	Central Residential Air Conditioners and Heat Pump Units	Front and Exterior Side Yards Side Yard Rear Yard	1.2 metres 1.2 metres -----	-----
10	Belt Courses, Sills, Cornices, Chimney Breasts and Eaves	All Yards	0.8 metres	-----
11	Barrier Free Access Ramp	Front and Exterior Side Yards Side and Rear Yards	----- -----	0.8 metres 0.6 metres
12	Exterior Stairs	Front and Exterior Side Yards Side Yard Rear Yard	1.5 metres 1.5 metres 1.5 metres	0.8 metres 0.6 metres 0.6 metres

*Note 1: Stairs associated with Rows 1, 2, 3, 4 and 8 are permitted to project to the minimum **Setback** from the **Lot Line**.

Note 2: A 2.0 metre deep balcony at the front of the house does not require a 2.0 metre **Setback from the **Side Lot Line** when the balcony is within the proposed and/or existing **Building** envelope.

***Note 3: For a lot with a dwelling requiring a 0.0 metre interior **Side Yard**, the **Setback** to that interior **Side Lot Line** from a porch or deck, inclusive of stairs, shall be 0.0 metres. (See Regulation 5.2.2.4)

4.8 OUTDOOR LIGHTING

- 4.8.1 Outdoor flashing lights are prohibited.
- 4.8.2 Outdoor lights and lighting shall not be erected in such a way as to be confused with or interfere with traffic lights or otherwise be hazardous to traffic.
- 4.8.3 Outdoor lights and lighting shall not be erected in such a way as to shine directly into any window of any other property.

19063

4.9 GARBAGE, REFUSE AND STORAGE

- 4.9.1 No garbage or refuse shall be stored on any **Lot** in any **Zone** except within the principal **Building** or any accessory **Building** or **Structure** on such **Lot** or in container in a **Side Yard** or **Rear Yard** of such **Lot**.
- 4.9.2 Every garbage or refuse storage area required by this **By-law**, including any garbage loading or unloading area, which is visible from an adjoining site **Zoned** Residential, Commercial, Wetland, Institutional, or Park, or from a river or **Street**, shall have a visual screening consisting of fencing.
- 4.9.3 A dumpster or garbage container shall be regulated in the same manner as an accessory **Building** or **Structure** in the **Zone** in which it is located.
- 4.9.4 A residential garbage container in a R.1 or R.2 **Zone** is exempt from the provisions of Section 4.9 when such container is less than 1 cubic metre in size.

20134

4.10 MUNICIPAL SERVICES

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.

Despite Section 4.10, the following **Uses** may be permitted without full municipal services:

- 4.10.1 Any **Use, Building** or **Structure** permitted by a **By-law** which existed on the date of the passing of this **By-law**, or any predecessor thereof, and for which prior approval had been obtained from the Medical Officer of Health to permit the **Use** of a private sewage disposal system;
- 4.10.2 Any permitted agricultural, municipal parkland or conservation **Use** on a **Lot** with a minimum size of 4 hectares; or
- 4.10.3 Additions to and accessory **Buildings** or **Structures** for existing legal non-conforming **Single Detached Dwellings** or legal non-conforming two-unit Residential **Buildings** if such additions and accessory **Buildings** or **Structures** comply with the established **Building Setback** and all other regulations of the **Zone** in which the residential **Building** is located.
- 19691 4.10.4 When the owner of a property proposes to develop, redevelop, and/or sever the property that has an existing **Building** on it, the owner will be obligated to connect to **City** services if the municipal services are within 45.74 metres (150.0 feet) of the **Dwelling**. Furthermore, the piping from the private well and/or septic tank will have to be disconnected and the well and septic tank must be decommissioned to the satisfaction of the **City’s** Plumbing Inspector.
- 19063 4.11 Deleted by **By-law** (2010)-19063.
- 15692 4.12 OUTDOOR STORAGE
 - 4.12.1 In a Commercial **Zone**:
 - 4.12.1.1 an **Outdoor Storage Area** shall not be permitted in any required **Front, Side** or **Exterior Side Yard**, except in the case of a permitted Agricultural **Use**, an **Occasional Use** permitted in Section 4.21, or an **Outdoor Sales and Display Area** of goods and materials in conjunction with Section 4.22.
 - 4.12.1.2 No **Outdoor Storage Area** shall be visible from any **Street** or from any adjacent **Lot**, where the adjacent **Lot** is located in a **Zone** other than a Commercial or Industrial **Zone**, and every **Outdoor Storage Area** shall

be visually screened, wherever necessary in order to comply with this provision, consisting of a **Fence**, wall or other barrier of not less than 2 metres in height and the buffer strip between a Commercial and Residential **Zone** may function as a visual screen for an **Outdoor Storage Area**.

This provision shall not apply to any **Outdoor Storage Area** accessory to a permitted Agricultural **Use** or to an **Occasional Use** of an **Outdoor Sales and Display Area** of goods and materials in conjunction with a permitted Commercial **Use**.

- 4.12.1.3 Every **Outdoor Storage Area** shall be provided and maintained with a stable surface that has been treated to prevent the raising of dust or loose particles and is properly drained.
- 4.12.1.4 No **Outdoor Storage Area** shall be considered part of any **Landscaped Open Space** or as part of a buffer.
- 4.12.1.5 No **Parking Space, Parking Aisle** or **Loading Space** required by this **By-law** shall be **Used** for outdoor storage purposes.
- 4.12.2 In an Industrial Zone:
an **Outdoor Storage Area** shall not be permitted in a **Front Yard** or **Exterior Side Yard** and shall only be permitted in a **Side Yard** or **Rear Yard** when:
- 4.12.2.1 An **Outdoor Storage Area** is not located in any **Yard** between a **Lot Line** abutting an arterial road and the nearest wall of the **Main Building**.
- 4.12.2.2 An **Outdoor Storage Area** is *fenced* in accordance with Sections 4.20.6 and 4.20.7.
- 4.12.2.3 A landscaped strip, consisting of trees, shrubbery or a berm, is located between the **Outdoor Storage Area** and any point where the **Outdoor Storage Area** is visible from a **Street**; and
- 4.12.2.4 An **Outdoor Storage Area** is in addition to and separate from any required off-street Parking or **Loading Space**.
- 19063 4.12.2.5 The outdoor storage of portable toilets shall not be permitted in an **Outdoor Storage Area** within 250 metres of a residentially zoned property.

4.13 OFF-STREET PARKING

1

No land shall be **Used** and no **Building** or **Structure** shall be **Used** or erected in any **Zone** unless off-street parking is provided and maintained in accordance with the following regulations.

4.13.1 General

Every off-street **Parking Area** shall be located on the same **Lot** as the **Use** requiring the parking and shall not infringe on or obstruct any required **Loading Spaces**.

15378

4.13.2 Location

Despite any Yard provisions of this **By-law** to the contrary, a **Parking Area** shall be permitted as follows:

19063

4.13.2.1 R.1, R.2, and R.3B Zones

In a R.1, R.2 and R.3B **Zone**, every required **Parking Space** shall be located a minimum distance of 6 metres from the **Street Line** and to the rear of the front wall of the main **Building**.

4.13.2.2 R.3A and R.4 Zones

In a R.3A or R.4 **Zone**, every **Parking Space** shall be located in the **Side** or **Rear Yard** provided that no **Parking Space** is located within 3 metres of any **Lot Line**.

4.13.2.2.1

Despite Section 4.13.2.2, only visitor parking (not more than 25% of the minimum off-street parking required) may be located in the **Front Yard** or **Exterior Side Yard** provided it is to the rear of the required **Front** or **Exterior Side Yard**.

4.13.2.2.2

No part of any surface **Driveway** or surface **Parking Area** shall be located within 3 metres of a **Building** entrance or any window of a **Habitable Room**.

4.13.2.3 Commercial, Park and Institutional Zone

Uncovered parking areas shall be located within all yards in the C.1, NC, RC, SC, OR, CR, CBD, P, and, I **Zones** provided that no part of a parking space is located closer than 3 metres to any **Street Line**.

17187

4.13.2.4 Industrial or Aggregate Extraction Zones

In an Industrial or Aggregate Extraction **Zone**, the required parking prescribed for such **Use** in Section 4.13.4 shall be shown on a site plan to be submitted for approval pursuant to Section 41 of The Planning Act, as amended from time to time or any successor thereof, and the required parking facilities may be developed in stages in accordance with the approved site plan.

In an Industrial **Zone**, a **Parking Area** may be located in the **Front Yard** or **Exterior Side Yard** only in accordance with the following provisions:

4.13.2.4.1 in no case shall the **Parking Area** be within 3 metres of a **Street Line**; and

4.13.2.4.2 the **Parking Area** shall be screened from view of any **Street** with suitable landscaping consisting of sod, trees, shrubbery or berms.

4.13.3 Parking Design

17187 4.13.3.1

Access

Every off-street **Parking Area** shall be provided with adequate means of ingress and egress to and from a **Street** or lane and shall not interfere with the normal public use of a **Street**. With the exception of **Parking Areas** provided for **Single Detached, Semi-Detached, Duplex Dwellings** or **Home Occupations, Group Homes, Bed and Breakfast establishments, Accessory Apartments** and **On-Street Townhouses, Parking Areas** shall provide for ingress and egress of **Vehicles** to and from a **Street** in a forward motion only.

4.13.3.2 Parking Space Dimensions

17187 4.13.3.2.1

The required **Parking Spaces** prescribed in Section 4.13.4 shall be shown on a site plan to be submitted for approval pursuant to Section 41 of The Planning Act, as amended from time to time or any successor thereof.

17187
18116
19063
19691
20134 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.

18116
19063 4.13.3.2.3

The minimum exterior **Parking Space** dimensions for all other uses is 2.75 metres by 5.5 metres.

18116 4.13.3.2.4

Every **Driveway** associated with such **Parking Spaces** shall have a minimum width for access to a **Street** or lane of 3 metres.

19063 4.13.3.2.5

For both interior and exterior **Parking Spaces**, the required **Parking Space** shall not be obstructed in any way except for a stair to the

access door into the dwelling. The stair shall be wide enough to accommodate the width of the entrance and a maximum projection of 0.8 metres into the required **Parking Space**.

4.13.3.3 Surface Treatment of **Parking Areas**

4.13.3.3.1 The surface of every **Parking Area** and **Driveway** in every **Zone** shall be constructed with gravel or other stable surface and treated so as to prevent the raising of dust or loose particles and drained so as to prevent the flow of surface water onto adjacent lands.

4.13.3.3.2 Despite Section 4.13.3.3.1, the surface of every **Parking Area** and **Driveway** located in any **Front** or **Exterior Side Yard** of any **Lot** in a R.3, R.4, or non-residential **Zone**, shall be paved with asphalt, concrete or paving stones.

4.13.3.3.3 Despite Sections 4.13.3.3.1 and 4.13.3.3.2, the surface of every **Parking Area** or **Driveway** located in any **Yard** in a non-residential **Zone** which is located within or adjacent to a residential **Zone** shall be paved with asphalt, concrete or paving stones.

15006 4.13.3.3.4 The surface of every **Parking Area** or **Driveway** in any Industrial **Zone** shall be exempt from Section 4.13.3.3.2, but shall comply with Sections 4.13.3.3.1 and 4.13.3.3.3.

4.13.3.4 Enclosed **Parking Areas**/Parking **Structures**

4.13.3.4.1 Every above-ground **Structure** containing a **Parking Area** shall conform to the provisions for the **Zone** where such **Structure** is located.

4.13.3.4.2 Nothing in this **By-law** shall prevent the location of an underground **Parking Area** in any part of a required **Side Yard** or **Rear Yard** on a **Lot** provided such underground **Parking Area** is not within 3 metres of a **Lot Line**.

4.13.3.4.3 Despite Section 4.13.3.4.2, an underground **Parking Area** located within the CBD.1 or CBD.2 **Zones** may be located within 3 metres of a **Lot Line**.

4.13.4 Required **Parking Spaces**

Off-Street **Parking Spaces** shall be provided in accordance with the following:

4.13.4.1 Parking Ratios for *Malls*

	<u>Type of <i>Use</i> or <i>Building</i></u>	<u>Minimum Required <i>Parking Spaces</i></u>
	Neighbourhood Commercial Shopping Centre (NC Zone)	1 per 18 m ² Gross Floor Area (G.F.A.)
	Community Commercial Shopping Centre (CC Zone)	1 per 18 m ² G.F.A.
15006	Regional Commercial Shopping Centre (RC Zone)	1 per 20 m ² G.F.A.
	Service Commercial Mall (SC.1 and SC.2 Zones)	1 per 16.5 m ² G.F.A.
19063	Industrial Mall	<ul style="list-style-type: none"> - 1 Parking Space per 50 square metres up to 1,000 square metres of Gross Floor Area. - 1 Parking Space per 100 square metres between 1,000 square metres and 5,000 square metres of Gross Floor Area, and - 1 Parking Space per 150 square metres over 5,000 square metres of Gross Floor Area.
4.13.4.1	a) In a NC, CC, B.3, B.4, SC.1, or SC.2 Zone where a Restaurant or Tavern occupies more than 30% of the Gross Floor Area of a Mall , the specific parking ratio requirement for the Restaurant or Tavern shall be required in addition to the Mall requirement for the remaining Gross Floor Area of the Mall ; and	
	b) Where an upper Storey of a Mall has been declared for Office Use only, then the parking requirement for that section of the Mall shall be in accordance with the Office parking ratio listed in Section 4.13.4.2.	

4.13.4.2 Standard Commercial *Use* Ratios

<u>Type of <i>Use</i> or <i>Building</i></u>	<u>Minimum Required <i>Parking Spaces</i></u>
Office	1 per 33 m ² G.F.A.
Retail Establishment	1 per 16.5 m ² G.F.A.

15378

Restaurant, Tavern 1 per 7.5 m² G.F.A.

Restaurant (Take-out) 1 per 9 m² G.F.A.

Despite the ratios listed in Section 4.13.4.2, the parking ratios for the following **Uses** shall apply:

<u>Type of Use or Building</u>	<u>Minimum Required Parking Spaces</u>
Building Supply	
Interior Retail	1 per 20 m ² G.F.A. for Building
Outdoor Retail	1 per 50 m ² G.F.A. for Outdoor Sales and Display Area
Interior Warehouse –	1 per 50 m ² G.F.A. for Warehouse area
Car wash - Manual Automatic	2 per bay plus 5 waiting spaces per bay 5 per bay plus 15 waiting spaces per bay
Catering Service	1 per 50 m ² G.F.A.
Cleaning Establishment	1 per 50 m ² G.F.A.
Commercial Entertainment	1 per 5 seats or 1 per 5 m ² G.F.A., whichever is greater.
Commercial School	1 per 2 staff members plus 1 per 28 m ² classroom floor space
Computer Establishment	1 per 33 m ² G.F.A.
Construction and Farm Equipment Sales	1 per 33 m ² G.F.A.
Contractor's Yard	greater a minimum of 4 per yard or 1 per 50 m ² G.F.A. whichever is greater
Convenience Store	1 per 16.5 m ² G.F.A.
Day Care Centre	1 per 10 children plus 1 for the facility
Dry Cleaning Outlet	1 per 33 m ² G.F.A.
Factory Sales Outlet	1 per 33 m ² G.F.A. of sales area
Financial Establishment	1 per 16.5 m ² G.F.A.

Garden Centre	1 per 20 m ² G.F.A. for Building 1 per 50 m ² G.F.A. for Outdoor Sales and Display Area
Interior Retail Outdoor Retail	
Hardware Store	1 per 20 m ² G.F.A.
Hotel	1 per guest room plus 1 per 10 m ² G.F.A. open to the public excluding corridors, lobbies or foyers.
Liquor Store	1 per 16.5 m ² G.F.A.
19063	Manufacturing
	<ul style="list-style-type: none"> - 1 Parking Space per 50 square metres up to 1,000 square metres of Gross Floor Area. - 1 Parking Space per 100 square metres between 1,000 square metres and 5,000 square metres of Gross Floor Area, and - 1 Parking Space per 150 square metres over 5,000 square metres of Gross Floor Area.
Medical Clinic	6 per practitioner or 1 per 15.5 m ² G.F.A., whichever is greater.
Medical Office	7 per practitioner
Monument Sales Establishment	1 per 50 m ² G.F.A.
Office Supply	1 per 25 m ² G.F.A.
Personal Service Establishment	1 per 16.5 m ² G.F.A.
Print Shop	1 per 50 m ² G.F.A.
Storage Facility	1 per 50 m ² G.F.A.
Recreation Centre	1 per 10 m ² G.F.A., or 1 per 5 seats whichever is greater, except in the case of: <ul style="list-style-type: none"> i) a Golf Course which shall provide 6 per hole

- ii) a miniature golf course or driving range which shall provide 1 per tee or hole.
- iii) A bowling alley which shall provide 1 per 6 lanes plus 1 for each 23 m² of **Gross Floor Area Used** for an **Accessory Use**.

Repair Service	1 per 33 m ² G.F.A.
Research Establishment	1 per 33 m ² G.F.A.
Retail Sales/service/Rental of	
• Furniture and Appliances	1 per 33 m ² G.F.A.
• Electronic and Audio Visual Equipment	1 per 20 m ² G.F.A.
Tradesperson's Shop	1 per 40 m ² G.F.A.
Trucking Operation	1 per 50 m ² G.F.A.
Vehicle Gas Bar	a minimum of 2
Vehicle Service Station and Vehicle Repair Shop and Vehicle Speciality Repair Shop	1 per 14 m ² G.F.A.
Vehicle Sales Establishment/ Recreation Vehicles and Equipment Sales	1 per 25 m ² G.F.A. or a minimum of 2, whichever is greater (parking is exclusive of display and storage areas)
Veterinary Service	1 per 25 m ² G.F.A.
Warehouse	1 per 200 m ² G.F.A.

18116 4.13.4.3 Residential Land Use Ratios

<u>Type of Use or Building</u>	<u>Minimum Required Parking Spaces</u>
Apartment Building	for the first 20 units: 1.5 per unit, and for each unit in excess of 20: 1.25 per unit
Bed and Breakfast establishment	1 per guest room and 1 for the proprietor
Group Home	1 per Building plus 1 for staff

18116	Lodging House Type 1	1 per Building plus 1 per 3 Lodging Units .
	Nursing Home	1 per 3 beds
	Semi-Detached/Duplex Dwelling	1 per unit
18116	Semi-Detached Dwelling with an Accessory Apartment	3
	Single Detached Dwelling	1 per unit
18116	Single Detached Dwelling with an Accessory Apartment	3
	Townhouse	1 per unit
	Tourist Home	1 per Building plus 1 per guest room

4.13.4.3.1 Despite Section 4.13.4.3, the minimum required **Parking Spaces** for an **Apartment Building** in the R.4C Zone shall be 1 per unit.

4.13.4.4 Miscellaneous **Use** Parking Ratios

<u>Type of Use or Building</u>	<u>Minimum Required Parking Spaces</u>
Aggregate Extraction	4 per operation
Arena (no seats)	1 per 33 m ² G.F.A.
Public Hall including: <ul style="list-style-type: none"> • Arena (with seats) • Assembly Hall • Auditorium • Religious Establishment • Gymnasium • Auction Centre • Club • Other place of assembly • Auditorium or Gymnasium accessory to another Use 	1 per 5 seats or 1 per 10 m ² G.F.A. Used for a hall, auditorium or similar Use involving the assembly of persons, whichever is greater. Where public assembly seating is provided in the form of fixed benches or pews, then 0.5 metres of each such bench or pew length shall be considered as equalling one seat. The number of persons to be accommodated for public assembly activities with movable seating shall be based on 1 person per 1 m ² of movable seating.
Medical Treatment Facility	1.25 spaces per bed
School – Elementary	1 per classroom plus a minimum of 4 visitor Parking Spaces plus any required parking for a Public Hall if such exists.

School – Secondary

3 per classroom plus any required parking for a **Public Hall** if such exists.

4.13.4.5 Despite Section 4.13.4, a **Designated Structure** is permitted to have a reduction of 20% of the number of required **Parking Spaces** for the **Uses** listed in Section 4.13.4.2, however in no case shall the reduction be greater than 5 **Parking Spaces**.

4.13.4.6 In addition to the requirements specified in Section 4.13.4, the following shall apply:

4.13.4.6.1 If the calculation of the required **Parking Spaces** results in a fraction, the required **Parking Spaces** shall be the next higher whole number; and

4.13.4.6.2 Where a specific type of retail **Use** is specified in Section 4.13.4, as having a different parking requirement from the generic “**Retail Establishment**” requirement, the parking requirement for the specific type of retail **Use** shall apply.

19063
19691

4.13.5 Designated Accessible **Parking Spaces**
In any commercial, institutional, industrial, park or residential R.3A and R.4 **Zones**, where more than 25 **Parking Spaces** are required by Section 4.13.4, the required number of **Parking Spaces** shall include the provision of designated accessible **Parking Spaces** for the **Use** of physically disabled persons in the minimum quantity specified in Section 4.13.5.1:

19063
19691

4.13.5.1	<u>Total Required Parking Spaces</u>	<u>Number of Required Designated Accessible Parking Spaces</u>
	2 – 50	1
	51 – 200	2
	201 – 300	3
	301 – 400	4
	more than 400	1 additional space per 100 required spaces

4.13.5.2 Every required special **Vehicle Parking Space** shall be a minimum of 4.0 metres wide by 5.5 metres long.

4.13.6 Visitor Parking
In a R.3A or R.4 **Zone**, in addition to the requirements of Section 4.13.4.3, a minimum of 20% of the calculated total required number of **Parking Spaces** shall be provided for the **Use** of visitors to a residential **Building** and such **Parking Spaces** shall be located above grade and clearly identified as being reserved for the exclusive **Use** of visitors.

4.13.7 Parking in Residential Zones

In addition to the parking provisions for residential **Uses** in Section 4.13.2 and 4.13.4, the following parking regulations shall apply:

4.13.7.1 In a R.3 and R.4 **Zone**, if access to required off-street **Parking Spaces** is by 1 **Driveway** or **Parking Aisle** only, such **Driveway** or **Parking Aisle** shall have a minimum width of 6 metres throughout its length.

17187 4.13.7.2 In a R.1 and R.2 **Zone** and for **On-Street Townhouse Buildings**:

i) Deleted by By-law (2003)-17187

15378
19691

ii) 1 **Driveway (Residential)** access only shall be created per residential property.

iii) All off-street parking in the **Front Yard** and **Exterior Side Yard** shall be confined to the **Driveway (Residential)** area and any recognized legal off-street **Parking Area**.

4.13.7.2.1 A **Driveway (Residential)** in an R.1 **Zone** shall have a maximum width of:

i) 7.5 metres in an R.1A **Zone**

ii) 6.5 metres in an R.1B **Zone**

iii) 6 metres in an R.1C **Zone**

iv) 5 metres in an R.1D **Zone**

4.13.7.2.2 Despite Section 4.13.7.2.1, a surfaced walk within 1.5 metres of the nearest foundation wall is permitted providing that it is not **Used** for parking.

4.13.7.2.3 A **Driveway (Residential)** in an R.2 **Zone** shall have a maximum driveway width of 3.5 metres.

4.13.7.2.4 Despite Section 4.13.7.2.3, a surfaced walk within 1.5 metres of the nearest foundation wall is permitted providing that it is not **Used** for parking.

4.13.7.2.5 The **Driveway (Residential)** width in an R.3B **Zone** shall not exceed the **Garage** width of the unit, as measured from the outside walls of the **Garage** or no more than 50% of the **Front Yard**, whichever is less, to a minimum of 3 metres wide. The **Front Yard**, excepting the **Driveway (Residential)** shall be landscaped and no parking shall be permitted within this **Landscaped Open Space**.

- 4.13.7.2.6 The width of the **Driveway (Residential)** is measured parallel to the front of an attached **Garage** or in the case of a **Lot** where there is no **Garage** or there is a detached **Garage**, the driveway width is measured perpendicular to the direction in which the **Vehicle** drives and parks on the **Driveway (Residential)**.
- 4.13.7.2.7 Every **Driveway (Residential)** associated with such **Parking Spaces** shall have a minimum width of 3 metres. This driveway width may be reduced to 2.5 metres at the point of entry of a **Garage** entrance or **Fence** opening.
- 4.13.7.3 Off-street parking shall be provided and located in accordance with the following regulations in residential **Zones**.
- 4.13.7.3.1 no boat shall be parked or stored except in a **Garage** or **Rear Yard**;
- 4.13.7.3.2 No **Recreational Vehicle** shall be parked or stored except in a **Garage, Side Yard** or **Rear Yard** and:
- 4.13.7.3.3
- i) when the **Recreational Vehicle** is a converted bus, it shall only be parked or stored in a **Garage** or **Rear Yard**;
 - ii) no **Recreational Vehicle** shall be occupied or **Used** for living or residential purposes;
 - iii) when a **Recreational Vehicle** is parked or stored in a **Side Yard**, the **Vehicle** shall be at least 1 metre away from the **Side Lot Line** and shall be parked or stored on a paved portion of the property; and
 - iv) no **Recreational Vehicle** shall occupy or obstruct any access to or from the required off-street **Parking Space** of a **Residential Unit**.
- 4.13.7.3.4 Every utility trailer, boat trailer and unmounted camper top, if not parked or stored in a **Garage** or **Carpport**, shall be parked or stored behind the front wall of the **Main Building**.
- 4.13.7.4 Where an off-street **Parking Space** does not exist and where such space cannot be provided to the rear of the front wall of the **Main Building** of an existing **Single-Detached Dwelling**, 1 off-street **Parking Space** may be wholly or partially located within the required **Front Yard** provided such **Parking Space** is located totally within a distance of 3.5 metres from the **Side Lot Line**.

19063 4.13.7.5 In any Residential zone, the parking or storage of **Commercial Vehicles** is subject to the following regulations:

- i) No **Commercial Vehicle** shall be parked in a residential **Zone** when such **Vehicle** exceeds a registered gross weight of 3,000 kilograms;
- ii) No **Commercial Vehicle** shall be parked in a residential **Zone** when such **Vehicle** (including any attached equipment) exceeds a height of 2.6 metres above the ground surface;
- iii) No **Commercial Vehicle** shall be parked in a residential **Zone** when such **Vehicle** has an overall length greater than 6 metres;
- iv) Notwithstanding section 4.13.7.5 (i), 4.13.7.5 (ii), and 4.13.7.5 (iii), no tow truck, tilt/n/load, dump truck, tractor trailer, semitrailer, or any component thereof, shall be parked or stored in a residential **Zone**.

18116 4.13.7.6 In R.1 and R.2 **Zones** where the **Parking Area** is situated in the **Rear Yard**, the **Parking Area** shall not be within 1 metre of any **Lot Line** and is to be screened from adjacent properties with a minimum 1.5 metre high solid **Fence** or suitable landscaping.

4.14 LOADING SPACE REQUIREMENTS

In an industrial **Mall** or **Use**, an Aggregate **Use**, commercial **Mall** or **Use**, or a **Warehouse**, shall have adequate **Loading Spaces** provided.

4.15 RESIDENTIAL INTENSIFICATION

15204
17187
17376 4.15.1 For the purposes of Section 4.15, the following terms shall have the corresponding meaning:

“**Floor Area**” means the total **Floor Area** of the **Building** measured from the exterior face of outside walls, or centre line of common walls, including **Cellars** and **Basements** with a floor to ceiling height of at least 1.95 metres. **Floor Area** does not include stairs, landings, cold **Cellars**, **Garages** and **Carports**. Section 2.7 does not apply to the floor to ceiling height of 1.95 metres.

“**Service Meter**” shall mean any equipment essential to the provision, operation and metering of electricity, gas, water, sewage, telephone service, telecommunications or cable television.

Any **Accessory Apartment** shall be developed in accordance with the following provisions:

- 4.15.1.1 The external appearance of all **Building** facades and outdoor **Amenity Areas** shall be preserved except dual service meters are permitted.
- 4.15.1.2 An **Accessory Apartment** shall only be permitted within a **Single-Detached Dwelling** or **Semi-Detached Dwelling**.
- 4.15.1.3 A maximum of one **Accessory Apartment** shall be permitted in a **Single-Detached Dwelling** or in each half of a **Semi-Detached Dwelling**, provided that the **Single-detached Dwelling** or **Semi-detached Dwelling** is a conforming **Use** in the **Zone** in which it is located.
- 4.15.1.4 Parking for the **Accessory Apartment** shall be developed in accordance with Section 4.13.
- 18116 4.15.1.4.1 Notwithstanding Sections 4.13.2.1 and 4.13.3.1 the required off-street **Parking Space** for an **Accessory Apartment** may be stacked behind the required off-street **Parking Space** of the host **Dwelling** in the driveway. A maximum of 2 **Parking Spaces** are permitted in a stacked arrangement.
- 18116 4.15.1.5 The **Accessory Apartment** shall not exceed 45% of the total **Floor Area** of the **Building** and shall not exceed a maximum of 80 square metres in **Floor Area**, whichever is lesser.
- 4.15.1.6 Interior access is required between floor levels and between the **Accessory Apartment** and the host **Dwelling Unit**.
- 4.15.1.7 The **Accessory Apartment** shall not contain more than two bedrooms.
- 4.15.2 **Dwelling Units with Commercial Uses**
No **Dwelling Unit** contained within a commercial **Use Building** or **Structure** shall be erected, altered, extended, or enlarged except in accordance with the following:
- 4.15.2.1 Every **Dwelling Unit** shall have a separate private entrance, which shall not be an open exterior stairway, but shall be a side or rear exterior entrance or an interior common vestibule.
- 18187 4.15.2.2 Every **Dwelling Unit** shall comply with all Ontario Building Code, as amended from time to time or any successor thereof, requirements for new **Buildings** including minimum floor area, ceiling height, heating, plumbing, insulation, windows, fire separations, exits, foundation drainage and damp roofing.

4.15.2.3 Every **Dwelling Unit** shall function completely separate from any commercial **Use**.

4.15.2.4 A minimum of 1 off-street **Parking Space** shall be provided per **Dwelling Unit** in accordance with Section 4.13, exclusive of any required commercial parking.

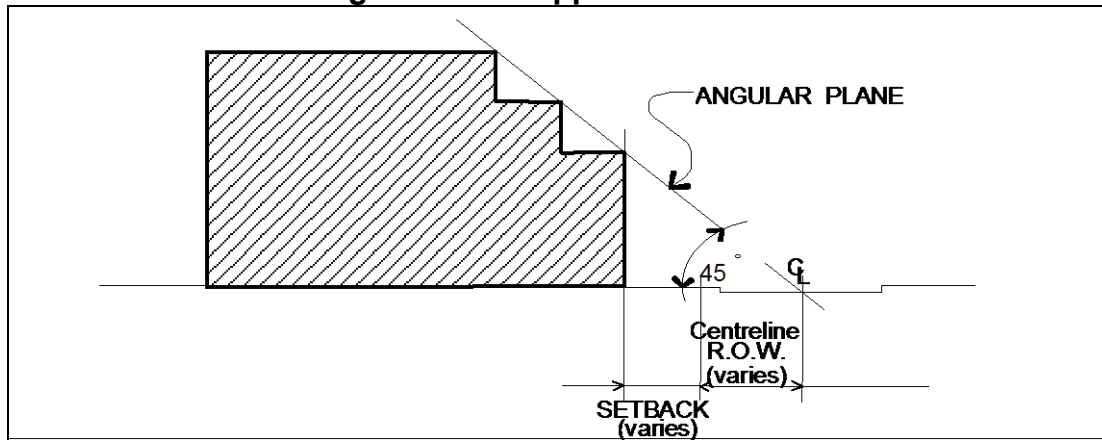
4.16 ANGULAR PLANES

19691 4.16.1 “**Angular Plane from a River or Park**” means an imaginary inclined plane, rising over a **Lot** adjacent to a river or park, drawn at a specified angle from the horizontal, the bottom side of which is coincidental with the **Lot Lines**, which together with other **Building** regulations and **Lot** size requirements, delineates the maximum bulk and **Building Height**.

“**Angular Plane from a Street**” means an imaginary inclined plane, rising over a **Lot**, drawn at a specified angle from the horizontal, the bottom side of which is coincidental with the **Centre Line** of the **Street** and which together with other **Building** regulations and **Lot** size requirements, delineates the maximum bulk and **Building Height**.”

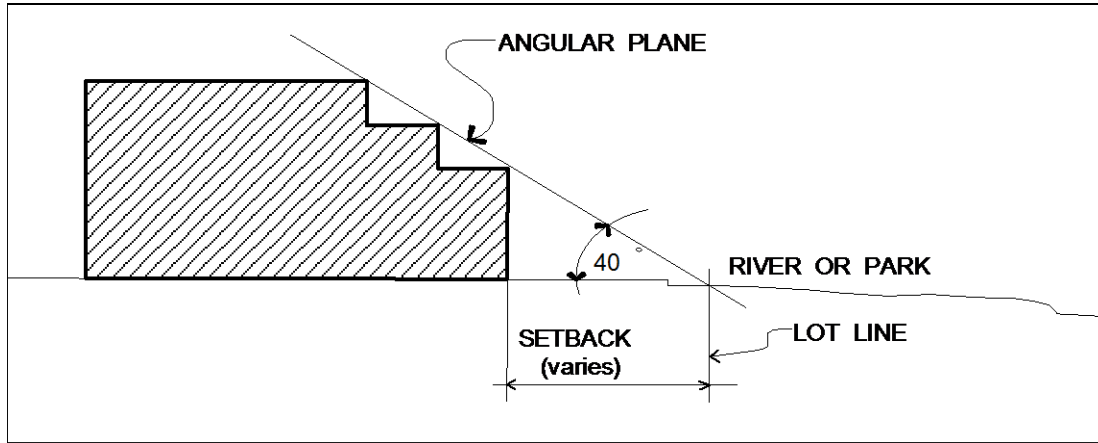
4.16.2 In addition to maximum **Building Height**, in certain **Zones**, angular planes will also be required in determining maximum **Building Height**. Where an angular plane is required, it shall be determined as follows:

Angular Plane Applied to a Street



NOTE: **Streets** and **Front Yards** vary. Wider **Streets** will permit greater **Building Heights** adjacent to the **Street** and narrower **Streets** will result in lower **Building Heights** adjacent to the **Street**. Similarly, a larger **Front Yard** will permit greater **Building Heights** adjacent to the **Street** and smaller a **Front Yard** will result in reduced **Building Heights** adjacent to the **Street**.

Angular Plane Applied to a River or Park



4.17 **OUTDOOR PATIOS**

Despite any other provisions of this *By-law*, the following shall apply to an ***Outdoor Patio*** of a ***Restaurant*** or ***Licensed Establishment***.

17681
19691

4.17.1 **Capacity**

The total number of persons permitted on all ***Outdoor Patios*** associated with the ***Restaurant*** or ***Licensed Establishment*** shall not exceed 50% of the indoor licensed capacity, or 70 persons, whichever is less.

4.17.2 **Location**

4.17.2.1 No ***Outdoor Patio*** shall be permitted where more than 1 ***Lot Line*** adjoins lands which are in a Residential ***Zone***.

15378

4.17.2.2 Despite Section 4.17.2.1, except in the CBD.1 ***Zone***, where only the ***Rear Lot Line*** adjoins a Residential ***Zone***, an ***Outdoor Patio*** shall be permitted in the ***Front Yard*** or ***Exterior Side Yard*** provided it is a minimum of 3 metres away from the ***Street***.

15378

4.17.2.3 Despite Section 4.17.2.1, except in the CBD.1 ***Zone***, where only the ***Side Lot Line*** adjoins a Residential ***Zone***, an ***Outdoor Patio*** shall be permitted if it is located in the ***Side Yard*** or ***Exterior Side Yard*** which is not adjacent to a Residential ***Zone***.

4.17.2.4 No ***Outdoor Patio*** shall be located above the first ***Storey*** floor elevation of the ***Main Building*** where the ***Outdoor Patio*** adjoins a residential ***Zone*** unless the ***Outdoor Patio*** is a distance of at least 30 metres or more away from the boundary of the Residential ***Zone***.

4.17.2.5 Every ***Outdoor Patio*** shall be located a minimum of 3 metres away from any ***Loading Space, Parking Space, Parking Aisle*** or ***Driveway***.

15378

4.17.2.6 Where permitted, ***Outdoor Patios*** shall be permitted within the building envelope of the development on the site.

17681 4.17.2.7 Despite Section 4.17.2.4, **Outdoor Patios** within the area outlined on Defined Area Map 79 shall only be located at **Finished Grade** or within two feet of the **First Floor**.

17681 4.17.2.8 If any part of the **Outdoor Patio** is covered above by a permanent or temporary material of any kind, the covered **Outdoor Patio** or the portion thereof so covered above shall not be enclosed by any material by more than 50%. This percentage includes the adjacent building walls.

4.17.3 Boundary Definition

Every **Outdoor Patio** shall be defined by a wall or **Fence** with a minimum height of 0.8 metres above the patio floor.

4.18 HEIGHT RESTRICTIONS

4.18.1 No **Building** or **Structure** shall exceed the height restrictions set out in this **By-law** for the **Zone** in which such **Building** or **Structure** is located except for the following:

- a) an antenna or mast (when attached to or on a **Building**)
- b) a barn
- c) a belfry
- d) a chimney or smokestack
- e) a church spire or steeple
- f) a clock tower, bell tower, or church tower
- g) a cupola or other ornamental **Structure** or device
- h) an electrical power transmission tower or line and related apparatus
- i) an elevator or stairway penthouse
- j) a light standard, including **Outdoor Sportsfield** lighting facilities
- k) a flag pole
- l) a flight control tower
- m) a lightning rod
- n) a radio, television, or telecommunications reception or transmission tower, excluding a **Satellite Antenna**
- o) a silo or storage elevator
- p) a water tower
- q) a windmill or turbine
- r) a weathervane or other weather monitoring device
- s) storage tank

4.18.2 Despite Section 4.18.1, no part of any **Building** or **Structure** constructed within any of the Protected View Areas defined on Defined Area Map Number 63 of Schedule "A" of this **By-law** shall exceed the elevation specified for its site construction by Defined Area Map Number 63 of Schedule "A" of this **By-law**.

16595 4.19 **HOME OCCUPATIONS**

For the purposes of Section 4.19, the following term shall have the corresponding meaning:

“**Floor Area**” means the total floor area of the **Dwelling Unit**, including the Basement, measured from the centre line of partition walls and the exterior face of outside walls.

One or more **Home Occupations** are permitted within a **Dwelling Unit** by a permanent resident of said dwelling unit subject to the following requirements:

- 4.19.1 (i) The total **Floor Area** occupied by one or more home occupations within the enclosed portion of the **Dwelling Unit** shall not exceed 33 square metres; or
- (ii) Where a **Home Occupation** has a non-resident employee, partner or associate, a maximum of 10% of the floor area of the level of the **Dwelling Unit** on which the **Home Occupation** is situated may be occupied by **Home Occupations** to a maximum of 33 square metres.
- (iii) Every Home Occupation shall be conducted entirely within a **Dwelling Unit** and shall not occupy any portion of a **Garage, Carport** or Accessory **Building** or **Structure**.
- 4.19.2 Only one (1) non-resident employee, partner or associate of a **Home Occupation** is permitted per Lot, regardless of the number of **Home Occupations** on the **Lot**.
- 4.19.3 **Parking Area and Driveway Requirements for Home Occupations**
- (i) Every **Home Occupation** shall require a **Parking Area** in accordance with the standards identified in Section 4.13, except that the parking **Use** ratio for medical related **Uses**, identified in 4.19.4 (iii) shall be the same as for a **Personal Services Establishment**.
- (ii) Tandem parking spaces shall be permitted for one or more **Home Occupations**.
- (iii) All areas required for parking in conjunction with one or more **Home Occupations** shall be provided on a paved portion of a driveway.
- (iv) No part of any required residential **Parking Space** shall be used to provide parking for any **Home Occupation**.
- (v) In the case where a non-resident employee, partner or associate is affiliated with the **Home Occupation**, the required **Parking Space** shall be occupied

by such employee, partner or associate during the time the employee is at said premises.

- (vi) Where a **Home Occupation** is located within a **Dwelling Unit** which does not have an individual **Driveway** providing access to said unit, the home occupation shall be limited to one **Office** only, no non-resident employee, partner or associate or client shall be permitted, and, notwithstanding Section 4.19.1, the **Home Occupation** shall not exceed an area of 10 square metres **Floor Area**. Notwithstanding the requirements for off-street parking, provided in Section 4.19.3, no additional off-street parking requirements shall apply

4.19.4 Regulations Applying to Certain Types of **Home Occupation Uses**

- (i) No **Manufacturing** activity involving the processing of raw or semi-processed materials shall be carried out in conjunction with a **Home Occupation** except for the fabrication of handmade goods or crafts associated with an **Artisan Studio**, home bakery or home sewing establishment. The assembly of fully processed goods shall be permitted and shall only occur within the **Dwelling Unit**.
- (ii) A **Retail Establishment** shall not be permitted as a **Home Occupation**. Retail sales shall be limited to items that are prepared within the area associated with the **Home Occupation** or which are accessory to the **Home Occupation** and shall not occupy more than 25% of the **Floor Area** associated with the **Home Occupation**.
- (iii) Medical related uses permitted in conjunction with a **Home Occupation** shall be limited to sole practitioners providing diagnostic, consultative and treatment services and include counseling, massage therapy, physiotherapy or similar services. A **Medical Office** and an **Adult Entertainment Parlour** shall not be permitted as a **Home Occupation**.
- (iv) A **Repair Service** shall be limited to the repair of personal effects and small household appliances such as electronic equipment, bicycles, apparel, furniture, toys and sporting goods. The repair of household appliances and equipment that have oil and grease-filled transmissions such as lawn care equipment, other power equipment, major appliances and **Vehicles** however, shall not be permitted.
- (v) Regardless of the number of **Home Occupations** a maximum of 3 clients may be present on the property at any given time.
- (vi) The **Home Occupation** shall not involve the **Use** of the **Lot** or **Dwelling Unit** as a base for persons who are non-resident employees, partners or associates of the **Home Occupation** but work

off-site, nor shall the **Lot** or **Dwelling Unit** be used for the assembly of persons who require transportation to a work site.

4.19.5 Regulations Relating to Operations and Deliveries for **Home Occupations**

- (i) There shall be no **Outdoor Display and Sales Area** or **Outdoor Storage Area**, parking of any equipment, or outdoor activity, associated or carried on in conjunction with a **Home Occupation**.
- (ii) The **Home Occupation** shall not involve the shipping or receiving of goods or materials by **Commercial Vehicles** other than automobiles or delivery vans used by courier services.

4.19.6 No **Home Occupation Use** shall result in a change of the residential character of the **Building** in which it is housed.

4.19.7 Every person conducting a **Home Occupation** shall ensure that the **Use** is conducted in accordance with all other applicable law including but not limited to health and safety requirements, business licensing requirements and building and fire code requirements.

16590

4.20 **FENCES**

Within any Commercial, Park, Urban Reserve or Institutional **Zone**, any **Fence**:

4.20.1 shall be in accordance with Section 4.6;

4.20.2 located in a **Front Yard, Side Yard** or **Exterior Side Yard** shall not exceed 1.6 metres in height;

4.20.3 located in a **Front Yard, Side Yard** or **Exterior Side Yard** shall not be within 4 metres of a **Street Line** unless the height of such **Fence** is less than 0.8 metres;

4.20.4 located in a **Rear Yard** shall not exceed 1.8 metres in height except where:

- (i) the portion of the **Fence** in excess of 1.8 metres in height is of an open nature with openings representing not less than 50% of the surface area of the **Fence** portion which exceeds 1.8 metres and in no case shall the maximum height of such **Fence** exceed 3 metres;

4.20.5 Height shall be measured from the ground elevation at the supporting posts on the property on which the **Fence** is located and in the case of a mutual **Fence**, such **Fence** height shall be measured from the highest ground elevation of either property at the supporting posts.

In an Industrial or Aggregate Extraction **Zone**, any **Fence**:

4.20.6 Shall be a maximum height of 3 metres measured from the ground level to

the top of the **Fence**; and

4.20.7 In a **Front Yard** shall be an open chain link and may have a wire top provided the overall height of the **Fence** and wire top complies with Section 4.20.6.

Within any Residential **Zone**, any **Fence**:

4.20.8 shall comply with the provisions of Sections 4.6.1, 4.6.2.1, 4.6.2.2 and 4.6.2.3;

4.20.9 located in the **Front Yard** shall not exceed 0.8 metres in height;

4.20.10 located in the **Exterior Side Yard** shall

4.20.10.1 Not exceed 2.5 metres in height from the midpoint of the main **Building** to the rear property line, and not within 4 metres of a **Street** line.

19063 4.20.10.2 Not exceed 1.9 metres in height from the midpoint of the main **Building** to the rear property line and up to 0 metres from the **Street** line.

19063 4.20.10.3 Not exceed 0.8 metres in height in the remaining **Exterior Side Yard**.

19063 4.20.11 located in the interior **Side Yard** shall not exceed 1.9 metres in height.

19063 4.20.12 located in the **Rear Yard** shall not exceed 2.5 metres in height.

19063 4.20.13 No **Fence** shall be located or constructed so as to block access to a **Parking Space** as required by the Zoning By-law, unless such **Fence** is constructed with a gate at least 2.5 metres (8.2 feet) wide giving access to such **Parking Space**.

19063 4.20.14 Height shall be measured from the ground elevation at the supporting posts on the property on which the **Fence** is located and in the case of a mutual **Fence**, such **Fence** height shall be measured from the highest ground elevation or either property at the supporting posts.

19063 4.20.15 Despite Section 4.5.1, one entrance arbour structure is permitted in each yard with a maximum height of 3 metres and a maximum area of 5 square metres provided the arbours are not located in the site line triangles and general site lines. This arbour structure may be located with a zero lot line **Setback**.

4.21 **OCCASIONAL USES**

17822 4.21.1 **Occasional Uses** are permitted in the C.1, NC, CC, RC, CR, CBD, SC, I.1, P.4 or P.5 **Zones** or any specialized **Zone** thereof.

4.21.2 No **Occasional Use** shall be offensive to any area resident by way of the emission of light, heat, fumes, noise, vibration, gas, dust, odour or pollution of any kind.

- 4.21.3 A maximum of 3 **Garage Sales** are permitted to be conducted on any given property in any 1 calendar year and each separate sale shall be limited to a maximum duration of 2 consecutive days.
- 20134 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.
- 20134 4.21.5 Despite Sections 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 events occurs first.
- 4.21.6 Any **Occasional Use** identified in Section 4.21 shall be permitted to be conducted outdoors, but shall comply with Section 4.22.
- 4.21.7 In the CC, RC or P **Zones** or in any specialized **Zone** thereof, a carnival and midway shall be permitted as an **Occasional Use**.
- 4.22 ENCLOSED OPERATIONS
- 4.22.1 The operations of every commercial or institutional **Zone Use** shall be conducted within an enclosed **Building** or **Structure**, except for the following which may be conducted outdoors:
- 4.22.1.1 the parking or loading of a **Vehicle**;
- 15006 4.22.1.2 an **Outdoor Patio** of a **Restaurant** or **Tavern** and in accordance with Section 4.17;
- 4.22.1.3 an **Outdoor Sales and Display Area** associated with a permitted **Occasional Use**;
- 4.22.1.4 an **Outdoor Sales and Display Area** of a **Garden Centre, Vehicle Sales Establishment, Rental Outlet, or Building Supply**; and
- 4.22.1.5 a midway or carnival operation.
- 15692 4.22.2 Every **Outdoor Sales and Display Area**, shall be at least 3 metres away from every **Street Line** and in accordance with Section 4.6.
- 15006 4.22.3 An **Outdoor Sales and Display Area** or midway or carnival operation may have temporary tents or trailers in accordance with Section 4.5.
- 4.22.4 No **Outdoor Sales and Display Area** shall occupy any required **Parking Space, Driveway, Parking Aisle** or **Loading Space**.

4.23 ACCESSORY USES

4.23.1 Every **Accessory Use** shall be located in the same **Building** or **Structure** as the permitted **Use** to which it is devoted and shall not occupy more than 25% of the **Gross Floor Area** of the said **Building** or **Structure**.

15006 4.23.2 Deleted

16026 4.23.3 An **Abattoir** or an **Adult Entertainment Parlour** or a **Gaming Establishment** shall not be construed as an **Accessory Use** at any time.

4.24 ROAD ALLOWANCE REQUIREMENTS FOR SPECIFIC ROADS

Despite any other provision of this **By-law** except for Section 2.5.4, no **Building** or **Structure** shall be erected or located closer to the original **Centre Line** of any **Street** listed in Table 4.24 than the minimum **Setback** required by this **By-law** plus the "Specification From the Original **Centre Line** of the Right-Of-Way" listed in Table 4.24 for that **Street**.

Table 4.24 - Road Allowance Requirements for Specific Roads

	<u>Road</u>	<u>Specification From the Original Centre Line of the Right of Way</u>
1.	Alice St.	10 metres south side between Morris St. and Huron St.
2.	Arkell Rd.	15 metres both sides, Gordon St. to City limits
3.	Cardigan St.	10 metres east side, London Road to Marcon St.
4.	Church Lane	6 metres both sides, Norfolk St. to end
5.	College Ave.	15 metres both sides, Hanlon Expwy to Gordon St. 13 metres south side, Hanlon Expwy to Argyle Drive 13 metres both sides, Gordon St. to Victoria Rd.
6.	Crimea St.	11.2 metres south side, Edinburgh Rd. to Alma St.
7.	Downey St.	15 metres east side, Old Downey Rd. to south City limits
8.	Dufferin St.	12 metres west side, London Rd. to Kerr St.
9.	Eastview Rd.	15 metres both sides, Mountford Drive to City limits
10.	Edinburgh Rd.	13 metres both sides, College Ave. to Suffolk St. 15 metres both sides, Suffolk St. to Woodlawn Rd.
11.	Elizabeth St.	12 metres both sides, Arthur St. to Garibaldi St. 15 metres both sides, Garibaldi St. to York Rd.
12.	Elmira Rd.	18 metres east side, Massey Rd. to Woodlawn Rd. 18 metres west side, Speedvale Ave. to Massey Rd.
13.	Emma St.	12.5 metres south side, Speed River to Delhi St. 10 metres both sides, Delhi St. to Stevenson St.
14.	Eramosa Rd.	11.5 metres both sides, Woolwich St. to Metcalfe St. 15 metres both sides, Metcalfe St. to Meyer Dr. 13 metres both sides, Meyer Dr. to Victoria Rd. 15 metres both sides, Victoria Rd. to City limit
15.	Exhibition St.	10 metres east side, Division St. to Verney St.

16. Fife Rd. 7.5 metres both sides, Verney St. to Speedvale Ave.
15 metres both sides, Wellington St. to **City** limit
17. Gordon St. 15 metres west side, Wellington St. to Speed River
12 metres both sides, Speed River to College Ave.
13 metres both sides, College Ave to Stone Rd.
15 metres both sides, Stone Rd. to **City** limit
18. Grange St. 12 metres both sides, Arthur St. to Victoria St.
15 metres both sides, Victoria Rd. to Watson Rd.
19. Hyland Rd. 10 metres both sides, Eleanor Court to end
20. Janefield Ave. 13 metres east side, College Ave to Scottsdale Dr.
21. Kathleen St. 10 metres west side, Division St. to Speedvale Ave.
22. London Rd. W 12 metres south side, Edinburgh Rd to North St.
23. Marlborough Rd. 10 metres both sides, Emma St. to Speedvale Ave.
24. Neeve St. 10 metres both sides, CNR to York Rd.
25. Nicklin Rd. 13 metres east side, Brentwood drive to Woodlawn Rd.
26. North St. 12 metres west side, London Rd. W to Suffolk St.
27. Norwich St. 13 metres south side, Arthur St. to Speed River
28. Paisley Rd. 11.5 metres both sides, Edinburgh Rd. to Silvercreek Pkwy.
15 metres both sides, Silvercreek Pkwy. to west **City** limit
29. Palmer St. 8 metres both sides, Queen St. to Stevenson St.
30. Queen St. 10 metres both sides, Arthur St. to Palmer St.
31. Raglan St. 10.7 metres south side, Edinburgh Rd. S. to Omar St.
32. Raymond St. 13.3 metres east side, Bristol St. to 70 metres south
33. Regent St. 13 metres east side, Rose St. to Grange St.
34. Roland St. 10 metres both sides, Waterloo Ave. to Bristol St.
35. Silvercreek Pkwy. 15 metres both sides, Wellington St. to Woodlawn Rd.
36. Silvercreek Rd. 15 metres both sides, Woodlawn Rd. to **City** Limit
37. Speedvale Ave. 15 metres both sides, west **City** limit to east **City** limit
38. Stevenson St. 13 metres both sides, York Rd. to Lane St.
15 metres both sides, Lane St. to Eramosa Rd.
39. Stone Rd. 18 metres south side, Speed River to Victoria Rd.
18 metres both sides, Victoria Rd. to Watson Rd.
40. Suffolk St. 10.7 metres north side, Edinburgh Rd. to North St.
41. Surrey St. 11.2 metres on south side, Grant St. to Wyndham St.
42. Victoria Rd. 15 metres both sides, north **City** limit to York Rd.
15 metres both sides, York Rd. to Stone Rd.
18 metres both sides, Stone Rd. to south **City** limit
43. Watson Rd. 15 metres both sides, south **City** limit to north **City** limit
44. Watson Pkwy. 18 metres both sides, Watson Rd. (south) to CNR
15 metres both sides, CNR to Watson Rd. (north)
45. Wellington St. 20 metres south side, Imperial Rd. to west **City** limits
46. Woodlawn Rd. 18 metres both sides, Hanlon Pkwy. to west **City** limit
15 metres both sides, Hanlon Pkwy. to Woolwich St.
15 metres south side, Woolwich St. to Victoria Rd.
47. Woolwich St. 12 metres both sides, London Rd. to Speedvale Ave.
15 metres both sides, Speedvale Ave to north **City** limit

48. Wyndham St 15 metres both sides, Wellington St. to York Rd.
 49. York Rd. 15 metres both sides, Victoria Rd. to Watson Rd.
 12 metres both sides, Wyndham St. S. to Victoria Rd.

20134 4.25 REGULATIONS GOVERNING **LODGING HOUSE TYPE 1** AND **GROUP HOMES**

18116 4.25.1 **Lodging House Type 1**
 20134 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**.

18116 4.25.2 Maximum Occupancy for a **Lodging House Type 1**
 20134

20134 4.25.2.1 A **Lodging House Type 1** shall be limited to a maximum of 12 **Lodging Units**.

18116 4.25.2.2 Deleted by By-law (2006)-18116
 20134

18116 4.25.2.3 Deleted by By-law (2006)-18116
 20134

20134 4.25.2.4 Off-Street Parking for a **Lodging House Type 1**

18116 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**.
 20134

15378 4.25.2.4.2 The **Parking Spaces** referred to in Section 4.25.2.4.1 may be stacked spaces.
 20134

20134 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.

18116 4.25.2.5 Deleted by By-law (2006)-18116
 20134

4.25.3 **Group Homes**
 No **Group Home** shall be permitted in any **Zone** other than a CBD, R.1, R.2, C.1, SC, NC, CC, RC, CR, I or OR **Zone** or in any specialized **Zone** thereto.

4.25.4 Off-Street Parking Requirements for **Group Homes**
 In addition to the requirements of Section 4.13.4.3, every **Group Home**:

4.25.4.1 in the CBD.1 **Zone** shall have 1 off-street **Parking Space**; and

4.25.4.2 in the CBD.2 **Zone** shall have 2 off-street **Parking Spaces**.

15341 4.25.4.3 The second **Parking Space** required for a **Group Home**, referred to in Section 4.13.4.3, may be located in the **Driveway** in a stacked position.

15341
18116
19062

Table 4.25 - Regulations Governing **Lodging House Type 1** and **Group Homes**

Row	Regulations	Lodging House Type 1	Group Homes
1	Types of Buildings that may be occupied by Lodging House Type 1 and Group Homes	The whole of a Single Detached Dwelling Unit . A Building containing a Lodging House Type 1 cannot contain an Accessory Apartment .	The whole of: a Single Detached Dwelling unit, a converted Single Detached Dwelling , both units of a Semi-Detached or Duplex Building .
2	Minimum Gross Floor Area		18 m ² per adult and 9 m ² per child.
3	Minimum Separation Distance	Minimum separation between Buildings being used as Lodging House Type 1 , Group Homes and/or Emergency Shelters shall be 100 metres. Such distance is to be measured from the closest points of the two properties at the property line.	
4	Minimum Amenity Area		Minimum Amenity Area shall be located in the Rear Yard and amount to 12 m ² for each resident, including live-in staff or receiving family, and not less than a total of 100 m ² for each Group Home .
5	Minimum Off-Street Parking	In accordance with Sections 4.13 and 4.25.2.4.	In accordance with Section 4.13 and 4.25.4.

4.26 REGULATIONS FOR **DAY CARE CENTRES**

Every **Day Care Centre** shall be developed and licensed in accordance with the guidelines of the Provincial Ministry of Community and Social Services and shall:

4.26.1 comply with the off-street parking requirements of Section 4.13; and

4.26.2 have a minimum **Lot Area** of 460 square metres.

4.27 REGULATIONS FOR **BED AND BREAKFAST** ESTABLISHMENTS

Every **Bed and Breakfast** establishment shall be developed in accordance with the regulations for the **Zone** in which the **Bed and Breakfast** establishment is located and the following:

4.27.1 have a minimum **Lot Area** of 460 m²;

4.27.2 have a minimum **Lot Frontage** of 15 metres; and

4.27.3 comply with the off-street parking requirements of Section 4.13 with the additional allowance for the required **Parking Spaces** to be stacked.

17187 4.28 **Exterior Side Yards**

Despite Table 5.1.2 Row 6a, Table 5.2.2 Row 5a and Table 5.3.2 Row 5a, 6 metres is required on existing and proposed Arterial and Collector roads as set out in Schedule 9A: Existing Road Network and Schedule 9B: Recommended Road Plan of the City of Guelph Official Plan.

19062 4.29 REGULATIONS FOR **EMERGENCY SHELTERS**

Every **Emergency Shelter** shall be developed in accordance with the regulations for the **Zone** in which the **Emergency Shelter** is located and the following:

4.29.1 Maximum Occupancy for **Emergency Shelters**
Emergency Shelters shall be limited to a maximum of 16 beds.

4.29.2 Off-Street Parking for **Emergency Shelters**
Every **Emergency Shelter** outside of the CBD.1 **Zone** shall have a minimum of 1 off-street **Parking Space** for every 4 beds.

4.29.3 Minimum Separation Distance
Minimum separation distance between **Buildings** being used as **Lodging House Type 1, Group Homes, and/or Emergency Shelters** shall be 100 metres. Such a distance is to be measured from the closest points of the two properties at the property line.

20093 4.30 REGULATIONS FOR **FOOD VEHICLES**

Every **Food Vehicle** shall operate in accordance with the regulations for the **Zone** in which the **Food Vehicle** is located and the following:

4.30.1 Within any Commercial, Institutional or Industrial **Zone**:

4.30.1.1 Shall occupy a defined **Parking Space**.

- 4.30.1.2 Shall not occupy any accessible ***Parking Space***.
- 4.30.1.3 Shall be in accordance with Section 4.6.