SECTION 4 – GENERAL PROVISIONS

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

4.3.5 A Gaming Establishment

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 20134

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 19063 4.5.4.1 Deleted by By-law (2010)-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:

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**;

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.

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**.

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**

4.6.1 **Corner Lots**

i) **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.

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.
Corner Lot Sight Line Distances Specified in Section 4.6.1

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.

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.

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.
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
Table 4.7 - Permitted Required Yard Projections

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

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

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

4.8 \textbf{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.

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4.9 \textbf{GARBAGE, REFUSE AND STORAGE}

4.9.1 No garbage or refuse shall be stored on any \textit{Lot} in any \textit{Zone} except within the principal \textit{Building} or any accessory \textit{Building} or \textit{Structure} on such \textit{Lot} or in container in a \textit{Side Yard} or \textit{Rear Yard} of such \textit{Lot}.

4.9.2 Every garbage or refuse storage area required by this \textit{By-law}, including any garbage loading or unloading area, which is visible from an adjoining site \textit{Zoned} Residential, Commercial, Wetland, Institutional, or Park, or from a river or \textit{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 \textit{Building} or \textit{Structure} in the \textit{Zone} in which it is located.

4.9.4 A residential garbage container in a R.1 or R.2 \textit{Zone} is exempt from the provisions of Section 4.9 when such container is less than 1 cubic metre in size.

4.10 \textbf{MUNICIPAL SERVICES}

20134 No land shall be \textit{Used} or built upon and no \textit{Building} or \textit{Structure} shall be erected, \textit{Used} or expanded for any purpose unless all \textit{Municipal Services} including sanitary sewers, storm sewers and drains, water mains, electric power lines and roads are \textit{Available} and \textit{Adequate}.

In addition to the terms defined in this \textit{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.
The outdoor storage of portable toilets shall not be permitted in an Outdoor Storage Area within 250 metres of a residentially zoned property.

**OFF-STREET PARKING**

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.

### 4.13.2 Location

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

#### 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, P, and, I Zones provided that no part of a parking space is located closer than 3 metres to any Street Line.

#### 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

20555 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, Additional Residential Dwelling Units 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 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, Additional Residential Dwelling Units, 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 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.
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.

4.13.3.4 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.

4.13.4 Required Parking Spaces

Off-Street Parking Spaces shall be provided in accordance with the following:
4.13.4.1 Parking Ratios for **Malls**

<table>
<thead>
<tr>
<th>Type of Use or Building</th>
<th>Minimum Required Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighbourhood Commercial Shopping Centre (NC Zone)</td>
<td>1 per 18 m² <em>Gross Floor Area</em> (G.F.A.)</td>
</tr>
<tr>
<td>Community Commercial Shopping Centre (CC Zone)</td>
<td>1 per 18 m² G.F.A.</td>
</tr>
<tr>
<td>Regional Commercial Shopping Centre (RC Zone)</td>
<td>1 per 20 m² G.F.A.</td>
</tr>
<tr>
<td>Service Commercial Mall (SC.1 and SC.2 Zones)</td>
<td>1 per 16.5 m² G.F.A.</td>
</tr>
<tr>
<td>Industrial Mall</td>
<td>- 1 <em>Parking Space</em> per 50 square metres up to 1,000 square metres of <em>Gross Floor Area</em>.</td>
</tr>
<tr>
<td></td>
<td>- 1 <em>Parking Space</em> per 100 square metres between 1,000 square metres and 5,000 square metres of <em>Gross Floor Area</em>, and</td>
</tr>
<tr>
<td></td>
<td>- 1 <em>Parking Space</em> per 150 square metres over 5,000 square metres of <em>Gross Floor Area</em>.</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Type of Use or Building</th>
<th>Minimum Required Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>1 per 33 m² G.F.A.</td>
</tr>
<tr>
<td>Retail Establishment</td>
<td>1 per 16.5 m² G.F.A.</td>
</tr>
</tbody>
</table>
Despite the ratios listed in Section 4.13.4.2, the parking ratios for the following *Uses* shall apply:

<table>
<thead>
<tr>
<th>Type of Use or Building</th>
<th>Minimum Required Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Building Supply</strong></td>
<td></td>
</tr>
<tr>
<td>Interior Retail</td>
<td>1 per 20 m² G.F.A. for <em>Building</em></td>
</tr>
<tr>
<td>Outdoor Retail</td>
<td>1 per 50 m² G.F.A. for <em>Outdoor Sales and Display Area</em></td>
</tr>
<tr>
<td><strong>Interior Warehouse</strong></td>
<td>1 per 50 m² G.F.A. for <em>Warehouse area</em></td>
</tr>
<tr>
<td><strong>Car wash - Manual</strong></td>
<td>2 per bay plus 5 waiting spaces per bay</td>
</tr>
<tr>
<td><strong>Automatic</strong></td>
<td>5 per bay plus 15 waiting spaces per bay</td>
</tr>
<tr>
<td><strong>Catering Service</strong></td>
<td>1 per 50 m² G.F.A.</td>
</tr>
<tr>
<td><strong>Cleaning Establishment</strong></td>
<td>1 per 50 m² G.F.A.</td>
</tr>
<tr>
<td><strong>Commercial Entertainment</strong></td>
<td>1 per 5 seats or 1 per 5 m² G.F.A., whichever is greater</td>
</tr>
<tr>
<td><strong>Commercial School</strong></td>
<td>1 per 2 staff members plus 1 per 28 m² classroom floor space</td>
</tr>
<tr>
<td><strong>Computer Establishment</strong></td>
<td>1 per 33 m² G.F.A.</td>
</tr>
<tr>
<td>Construction and Farm Equipment Sales</td>
<td>1 per 33 m² G.F.A.</td>
</tr>
<tr>
<td><strong>Contractor’s Yard</strong></td>
<td>greater a minimum of 4 per yard or 1 per 50 m² G.F.A. whichever is greater</td>
</tr>
<tr>
<td><strong>Convenience Store</strong></td>
<td>1 per 16.5 m² G.F.A.</td>
</tr>
<tr>
<td><strong>Day Care Centre</strong></td>
<td>1 per 10 children plus 1 for the facility</td>
</tr>
<tr>
<td><strong>Dry Cleaning Outlet</strong></td>
<td>1 per 33 m² G.F.A</td>
</tr>
<tr>
<td><strong>Factory Sales Outlet</strong></td>
<td>1 per 33 m² G.F.A. of sales area</td>
</tr>
<tr>
<td><strong>Financial Establishment</strong></td>
<td>1 per 16.5 m² G.F.A.</td>
</tr>
<tr>
<td><strong>Garden Centre</strong></td>
<td></td>
</tr>
<tr>
<td>Interior Retail</td>
<td>1 per 20 m² G.F.A. for <em>Building</em></td>
</tr>
<tr>
<td>Business Type</td>
<td>Density/Area Requirement</td>
</tr>
<tr>
<td>---------------------------</td>
<td>-------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Outdoor Retail</td>
<td>1 per 50 m² G.F.A. for <strong>Outdoor Sales and Display Area</strong></td>
</tr>
<tr>
<td><strong>Hardware Store</strong></td>
<td>1 per 20 m² G.F.A.</td>
</tr>
<tr>
<td><strong>Hotel</strong></td>
<td>1 per guest room plus 1 per 10 m² G.F.A. open to the public excluding corridors, lobbies or foyers.</td>
</tr>
<tr>
<td><strong>Liquor Store</strong></td>
<td>1 per 16.5 m² G.F.A.</td>
</tr>
<tr>
<td><strong>Manufacturing</strong></td>
<td>- 1 <strong>Parking Space</strong> per 50 square metres up to 1,000 square metres of Gross Floor Area.</td>
</tr>
<tr>
<td></td>
<td>- 1 <strong>Parking Space</strong> per 100 square metres between 1,000 square metres and 5,000 square metres of Gross Floor Area, and</td>
</tr>
<tr>
<td></td>
<td>- 1 <strong>Parking Space</strong> per 150 square metres over 5,000 square metres of Gross Floor Area.</td>
</tr>
<tr>
<td><strong>Medical Clinic</strong></td>
<td>6 per practitioner or 1 per 15.5 m² G.F.A., whichever is greater.</td>
</tr>
<tr>
<td><strong>Medical Office</strong></td>
<td>7 per practitioner</td>
</tr>
<tr>
<td><strong>Monument Sales Establishment</strong></td>
<td>1 per 50 m² G.F.A.</td>
</tr>
<tr>
<td><strong>Office Supply</strong></td>
<td>1 per 25 m² G.F.A.</td>
</tr>
<tr>
<td><strong>Personal Service Establishment</strong></td>
<td>1 per 16.5 m² G.F.A.</td>
</tr>
<tr>
<td><strong>Print Shop</strong></td>
<td>1 per 50 m² G.F.A.</td>
</tr>
<tr>
<td><strong>Storage Facility</strong></td>
<td>1 per 50 m² G.F.A.</td>
</tr>
<tr>
<td><strong>Recreation Centre</strong></td>
<td>1 per 10 m² G.F.A., or 1 per 5 seats whichever is greater, except in the case of:</td>
</tr>
<tr>
<td></td>
<td>i) a <strong>Golf Course</strong> which shall provide 6 per hole</td>
</tr>
<tr>
<td></td>
<td>ii) a miniature golf course or driving range which shall provide 1 per tee or hole.</td>
</tr>
</tbody>
</table>
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 m² G.F.A.

**Research Establishment**
1 per 33 m² G.F.A.

Retail Sales/service/Rental of
- Furniture and Appliances 1 per 33 m² G.F.A.
- Electronic and Audio Visual Equipment 1 per 20 m² G.F.A.

**Tradesperson’s Shop**
1 per 40 m² G.F.A

**Trucking Operation**
1 per 50 m² 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 m² G.F.A.

**Vehicle Sales Establishment/Recreation Vehicles and Equipment Sales**
1 per 25 m² G.F.A. or a minimum of 2, whichever is greater (parking is exclusive of display and storage areas)

**Veterinary Service**
1 per 25 m² G.F.A.

**Warehouse**
1 per 200 m² G.F.A.

### Residential Land Use Ratios

<table>
<thead>
<tr>
<th>Type of Use or Building</th>
<th>Minimum Required Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Apartment Building</strong></td>
<td>for the first 20 units: 1.5 per unit, and for each unit in excess of 20: 1.25 per unit</td>
</tr>
<tr>
<td><strong>Bed and Breakfast establishment</strong></td>
<td>1 per guest room and 1 for the proprietor</td>
</tr>
<tr>
<td><strong>Group Home</strong></td>
<td>1 per Building plus 1 for staff</td>
</tr>
<tr>
<td><strong>Lodging House Type 1</strong></td>
<td>1 per Building plus 1 per 3 Lodging Units</td>
</tr>
</tbody>
</table>
Nursing Home 1 per 3 beds
Semi-Detached/Duplex Dwelling 1 per unit
Single Detached Dwelling 1 per unit

Additional Residential Dwelling Unit 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.

4.13.4.3.2 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.

4.13.4.4 Miscellaneous Use Parking Ratios

<table>
<thead>
<tr>
<th>Type of Use or Building</th>
<th>Minimum Required Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggregate Extraction</td>
<td>4 per operation</td>
</tr>
<tr>
<td>Arena (no seats)</td>
<td>1 per 33 m² G.F.A.</td>
</tr>
<tr>
<td>Public Hall including:</td>
<td>1 per 5 seats or 1 per 10 m² G.F.A.</td>
</tr>
<tr>
<td>• Arena (with seats)</td>
<td>Used for a hall, auditorium or similar</td>
</tr>
<tr>
<td>• Assembly Hall</td>
<td>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 m² of movable seating.</td>
</tr>
<tr>
<td>• Auditorium</td>
<td></td>
</tr>
<tr>
<td>• Religious Establishment</td>
<td></td>
</tr>
<tr>
<td>• Gymnasium</td>
<td></td>
</tr>
<tr>
<td>• Auction Centre</td>
<td></td>
</tr>
<tr>
<td>• Club</td>
<td></td>
</tr>
<tr>
<td>• Other place of assembly</td>
<td></td>
</tr>
<tr>
<td>• Auditorium or Gymnasium accessory to another Use</td>
<td></td>
</tr>
</tbody>
</table>

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 4.13.5 Designated Accessible Parking Spaces
19691 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 4.13.5.1 Total Required Parking Spaces Number of Required Designated Accessible Parking Spaces
19691 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.

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

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.

2017 4.13.7.3 Off-street parking shall be provided and located in accordance with the following regulations in residential Zones and Downtown 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 Carport, 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 4.15.1 For the purposes of Section 4.15, the following term shall have the corresponding meaning:

17187
17376
20555

"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 two 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
4.15.1.7 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 5 metres, and shall not exceed an overall Building Height of the primary Dwelling.

4.15.1.7.4.1 Despite section 4.15.1.7.4, when an Additional Residential Dwelling Unit is located above a detached Garage, the maximum total Building Height shall be 6.1 metres, and shall not exceed the 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.”

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.
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.

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

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

"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.

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:

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 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.

19691 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 D.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.

20187 4.17.2.3 Despite Section 4.17.2.1, except in the D.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**

20187 (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 and except in D Zones the parking Use ratio shall be in accordance with Table 6.3.2.5.1

(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.

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.

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

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

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

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**.

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.
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**.

### OCCASIONAL USES

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

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.

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.

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.

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.

Any **Occasional Use** identified in Section 4.21 shall be permitted to be conducted outdoors, but shall comply with Section 4.22.

In the CC, RC or P Zones or in any specialized Zone thereof, a carnival and midway shall be permitted as an **Occasional Use**.

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:

- the parking or loading of a **Vehicle**;
- an **Outdoor Patio** of a **Restaurant** or **Tavern** and in accordance with Section 4.17;
- 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 by 15006.

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

<table>
<thead>
<tr>
<th>Road</th>
<th>Specification From the Original Centre Line of the Right of Way</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Alice St.</td>
<td>10 metres south side between Morris St. and Huron St.</td>
</tr>
<tr>
<td>2. Arkell Rd.</td>
<td>15 metres both sides, Gordon St. to City limits</td>
</tr>
<tr>
<td>3. Cardigan St.</td>
<td>10 metres east side, London Road to Marcon St.</td>
</tr>
<tr>
<td>4. Church Lane</td>
<td>6 metres both sides, Norfolk St. to end</td>
</tr>
<tr>
<td>5. College Ave.</td>
<td>15 metres both sides, Hanlon Expwy to Gordon St.</td>
</tr>
<tr>
<td></td>
<td>13 metres south side, Hanlon Expwy to Argyle Drive</td>
</tr>
<tr>
<td></td>
<td>13 metres both sides, Gordon St. to Victoria Rd.</td>
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<tr>
<td>No.</td>
<td>Street Name</td>
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</tr>
<tr>
<td>6.</td>
<td>Crimea St.</td>
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<td>7.</td>
<td>Downey St.</td>
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<td>8.</td>
<td>Dufferin St.</td>
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<td>9.</td>
<td>Eastview Rd.</td>
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<td>10.</td>
<td>Edinburgh Rd.</td>
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<td>11.</td>
<td>Elizabeth St.</td>
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<td>12.</td>
<td>Elmira Rd.</td>
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<td>13.</td>
<td>Emma St.</td>
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<td>14.</td>
<td>Eramosa Rd.</td>
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<td>15.</td>
<td>Exhibition St.</td>
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<td>16.</td>
<td>Fife Rd.</td>
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<td>17.</td>
<td>Gordon St.</td>
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<td>18.</td>
<td>Grange St.</td>
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<td>19.</td>
<td>Hyland Rd.</td>
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<tr>
<td>20.</td>
<td>Janefield Ave.</td>
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<td>21.</td>
<td>Kathleen St.</td>
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<td>23.</td>
<td>Marlborough Rd.</td>
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<td>24.</td>
<td>Neeve St.</td>
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<td>25.</td>
<td>Nicklin Rd.</td>
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<td>27.</td>
<td>Norwich St.</td>
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<td>28.</td>
<td>Paisley Rd.</td>
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<td>29.</td>
<td>Palmer St.</td>
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<tr>
<td>30.</td>
<td>Queen St.</td>
</tr>
<tr>
<td>31.</td>
<td>Raglan St.</td>
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<tr>
<td>32.</td>
<td>Raymond St.</td>
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<tr>
<td>33.</td>
<td>Regent St.</td>
</tr>
<tr>
<td>34.</td>
<td>Roland St.</td>
</tr>
<tr>
<td>35.</td>
<td>Silvercreek Pkwy.</td>
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<tr>
<td>No.</td>
<td>Street</td>
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<tr>
<td>36.</td>
<td>Silvercreek Rd.</td>
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<tr>
<td>37.</td>
<td>Speedvale Ave.</td>
</tr>
<tr>
<td>38.</td>
<td>Stevenson St.</td>
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<tr>
<td>39.</td>
<td>Stone Rd.</td>
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<tr>
<td>40.</td>
<td>Suffolk St.</td>
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<tr>
<td>41.</td>
<td>Surrey St.</td>
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<tr>
<td>19691</td>
<td>Victoria Rd.</td>
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<tr>
<td>43.</td>
<td>Watson Rd.</td>
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<tr>
<td>44.</td>
<td>Watson Pkwy.</td>
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<tr>
<td>45.</td>
<td>Wellington St.</td>
</tr>
<tr>
<td>46.</td>
<td>Woollawn Rd.</td>
</tr>
<tr>
<td>47.</td>
<td>Woolwich St.</td>
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<tr>
<td>48.</td>
<td>Wyndham St</td>
</tr>
<tr>
<td>49.</td>
<td>York Rd.</td>
</tr>
</tbody>
</table>

20134 4.25 REGULATIONS GOVERNING LODGING HOUSE TYPE 1 AND GROUP HOMES

18116 4.25.1 Lodging House Type 1
A Lodging House Type 1 shall be permitted in the R.1 Zone and the D Zones 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 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

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

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.

The Parking Spaces referred to in Section 4.25.2.4.1 may be stacked spaces.

Sections 4.25.2.4.1 and 4.25.2.4.2 shall not apply to any Lodging House Type 1 located within the D.1 Zone that is situated in a Building which existed prior to June 7, 1971.

Deleted by By-law (2006)-18116

Deleted by By-law (2017)-20187

Deleted by By-law (2017)-20187

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.

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

<table>
<thead>
<tr>
<th>Row</th>
<th>Regulations</th>
<th>Lodging House Type 1</th>
<th>Group Homes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Types of Buildings that may be occupied by Lodging House Type 1 and Group Homes</td>
<td>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.</td>
<td>The whole of: a Single Detached Dwelling unit, a converted Single Detached Dwelling, both units of a Semi-Detached or Duplex Building.</td>
</tr>
<tr>
<td>2</td>
<td>Minimum Gross Floor Area</td>
<td>18 m² per adult and 9 m² per child.</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Minimum separation between Buildings being used as</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Separation Distance</td>
<td>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.</td>
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<td>---------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>4</td>
<td>Minimum Amenity Area</td>
<td>Minimum Amenity Area shall be located in the Rear Yard and amount to 12 m² for each resident, including live-in staff or receiving family, and not less than a total of 100 m² for each Group Home.</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Minimum Off-Street Parking In accordance with Sections 4.13 and 4.25.2.4.</td>
<td>In accordance with Section 4.13 and 4.25.4.</td>
<td></td>
</tr>
</tbody>
</table>

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.
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.

20187 4.29.2 Off-Street Parking for Emergency Shelters
Every Emergency Shelter outside of the D.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.