

The Corporation of the Township of Guelph/Eramosa

By-law Number 33/2024

A By-law to amend Township of Guelph/Eramosa Zoning By-law 40/2016 Entirety of the Township of Guelph/Eramosa

WHEREAS the Council of the Corporation of the Township of Guelph/Eramosa deems it expedient to enact this By-law to amend Zoning By-law Number 40/2016;

AND WHEREAS Council is empowered to enact this By-law under the authority of Section 34 of the *Planning Act*, R.S.O. 1990, Chapter P. 13, as amended;

NOW THEREFORE the Council of the Corporation of the Township of Guelph/Eramosa hereby enacts as follows:

1. That Zoning By-law Number 40/2016 is hereby amended as follows:
 - a) That Section 3 Definitions be amended by adding the following definition after the definition of *Home Occupation*:

“Home Occupation – Trade” – a small scale trade or artisan craft conducted for gain or profit within an **accessory building** as an **accessory use** to the **main dwelling unit**. The trade, artisan craft, or service must be conducted by a person that resides in the **main dwelling unit** and includes uses such as skilled craft work, including; wood working, small engine repair, or other similar crafts; individuals employed in the building trades, including; stonemasons, carpenters, electricians, painters, plumbers, sheet metal workers, general contractors, carpet layers, or other similar trades; but does not include **wholesale outlet, warehouse, contractor or tradesperson establishment, retail store, automobile service/gas station, transport establishment, automobile body/repair shop, automobile sales establishment, or automobile washing establishment** as defined herein.

- b) That Section 4 General Provisions be amended by removing 4.12 and replacing with the following:

4.12 Home Occupation Regulations

Where permitted within this By-law, a **home occupation** and a **home occupation - trade** are subject to the following regulations:

4.12.1 General Provisions

1. Is clearly secondary to the **main dwelling unit** and does not change the residential character of the **dwelling unit** and has been demonstrated to the satisfaction of the Township to not create or become a public nuisance in particular regarding noise, odour, dust, traffic, storage or parking;
2. Only two (2) employees in addition to the permanent residents of the **main dwelling unit** may be employed;
3. The parking requirements of this by-law shall apply to any **home occupation** and **home occupation –trade use**, in addition to the required spaces for the **main dwelling unit**;

4. There is no **open storage** of goods, materials, supplies, equipment or vehicles including heavy equipment such as excavation machinery, or any vehicles not licensed for the road.

5. No external display or advertising other than a fascia or ground sign having a maximum area of 0.2 m² which does not include changeable copy or internal illumination.

6. Where a **home occupation** and/or **home occupation - trade** is permitted, it shall comply with the **yard** and **setback** requirements of the zone the **use** is permitted in.

4.12.2 Home Occupation

1. Shall be in accordance with Section 4.12.1 (General Provisions)

2. No external storage, external display of goods or materials, or **accessory buildings** may be used in relation to a **home occupation**.

3. Up to 25% of the **gross floor area** of the **dwelling unit** may be used for a **home occupation**.

4.12.3 Home Occupation – Trade

1. A **building accessory** to the **main dwelling unit** may be used for the **home occupation – trade**, including for the storage of equipment, vehicles and supplies, provided that not more than 100 m² (1,076 ft²) of an **accessory building gross floor area** shall be devoted to the **use**.

2. Shall be permitted on a lot that has a minimum **lot area** of 1 ac (0.4 ha).

3. Notwithstanding Section 4.12.1.6 the minimum **interior side yard** requirements in Section 6.2.5 are applicable.

4. No **building** or **structure** used for a **home occupation-trade** shall be located within 30 m of a **dwelling unit** on a separate lot. Notwithstanding the above, the setback may be reduced, but not less than the minimum setbacks identified in Section 4.12.1.6 and 4.12.3.3, where it has demonstrated to the satisfaction of the Township that the **use** will not create a public nuisance identified in Section 4.12.1.

5. Only one **home occupation – trade** or **farm home industry** is permitted on a lot in the Agricultural (A) Zone.

6. Shall comply with Section 4.12.1 (General Provisions)

7. A **home occupation-trade** is not permitted within a **dwelling unit**; however, nothing in these provisions shall apply to prohibit operating an office in the **main dwelling unit** in accordance with the provisions of Section 4.12.2.

8. Servicing of the structure shall be provided to the satisfaction of the Township.

c) That Section 6.1 Permitted Uses be amended by adding **Home Occupation – Trade** as a permitted use in the Agricultural Zone.

2. All other applicable provisions of By-law 40/2016 shall continue to apply to the lands affected by this amendment.

3. That this By-law shall become effective from the date of passing hereof.

READ three times and finally passed
this 8th day of July, 2024.



Chris White, Mayor



Amanda Knight, Clerk

THE CORPORATION OF THE TOWNSHIP OF GUELPH/ERAMOSIA

EXPLANATION OF BY-LAW #33/2024

By-law Number 33/2024 amends the Township of Guelph/Eramosa Zoning By-law 40/2016 by adding a new definition, general provision and permitted use related to Home Occupation – Trade within the Agricultural (A) Zone only.

The purpose of the proposed zoning by-law amendment is to permit a Home Occupation – Trade use as an accessory use to the main dwelling on small lots within the Agricultural (A) Zone. There are general provisions applicable to both home occupations and home occupation – trade and additional use specific provisions related to items such as land use compatibility, setbacks, scale, parking, servicing.

For the purpose of clarity, all terms, including those both bolded and italicized, that are also listed in Section 3 – Definitions are subject to the corresponding definitions.