

Stovel and Associates Inc.
Planners, Agrologists and Environmental Consultants

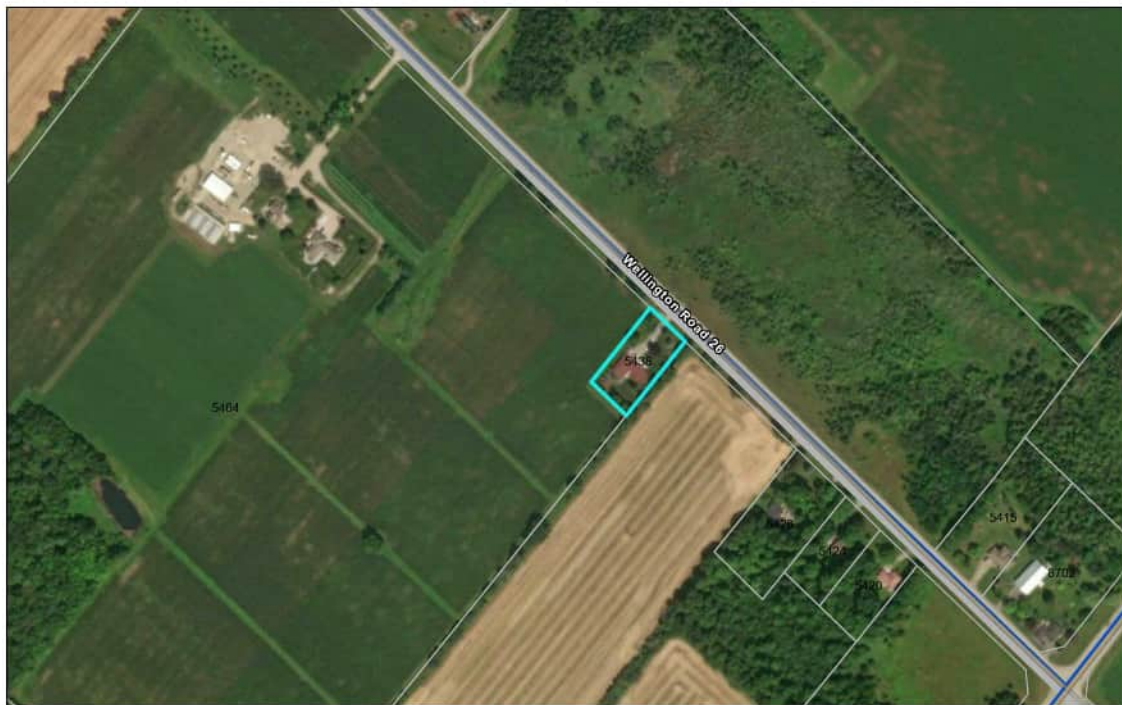
January 21, 2025

Guelph/Eramosa Township
8348 Wellington Road 124
P.O. Box 700
Rockwood, Ontario
N0B 2K0

RE: Minor Variance Application for 5438 Wellington Road 26 – Kim and Randy Richard

Stovel and Associates Inc. (“SAI”) are the consulting planners on this matter for Kim and Randy Richards. On behalf of Richards, SAI has prepared an application for a minor variance to permit the operation of a small equipment and motor vehicle maintenance business at 5438 Wellington Road 26. Map 1 illustrates the location of the subject lands.

Map 1: Subject Lands



12/23/2024

— Local Road - Rural	■ Municipal Boundary
— County	■ Subject Lands
□ Parcels	

1:5,730

0 0.04 0.07 0.14 mi
0 0.05 0.1 0.2 km

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Description of the Site

The subject property is approximately 4066.9 m² (1 acre) in size with frontage of approximately 45.72m (150 feet) and a depth of 88.9m (291.65 feet). The subject property includes a house with attached garage/shop (see site Sketch at rear of the report). This house is approximately 175.7 m² (1891 ft²) in size. The attached garage is 109.6 m² (1180 ft²) and the attached shop is approximately 105.91 m² (1140 ft²) in size. The site does not include any agricultural lands or accessory, detached structures used for business storage of equipment, automobiles, or livestock.



The Business

The Richard Family operates a small equipment maintenance and repair business for the residents of the local area. Approximately 60-70% of the business is for local residents (i.e. residents within 10 km of the site) and 10-20% of the business is for the farming community and family.

The business activities include the following:

- Inspection of equipment.
- Changing of tires.
- Maintenance work on small machinery like weed whackers, chainsaws, push mowers, riding lawn mowers.
- Maintenance work on farm equipment including horse trailers, wagons, small tractors, pickup trucks, and side by side utility vehicles.
- Maintenance work on automobile engines.

The business activities also include offsite inspection and maintenance of equipment, i.e. service to a local farm.

The office is located in the house. The personal garage is used for storage of personal vehicles. The Richard family owns five (5) personal vehicles, two trailers and one mid-size tractor (equipped with a snow blower). Personal vehicles are also stored in the driveway.

The shop is used for maintenance work on small equipment and automobiles. The shop was installed in 2012 for the sole purpose of working on automobiles and small equipment as part of an Accessory Use (see Building Permit No. 0186-2011, Dec. 02, 2011). At the time of construction, the Richards owned and operated a race car and worked on several hobby cars. In 2013-14, following the loss of employment, Mr. Richard started operating as a small commercial business, focusing mainly on minor equipment repair, including automobiles for family and friends in the local area. The work is restricted to the attached shop, with occasional temporary parking in the paved driveway area.

Mr. and Mrs. Richards are the only workers in this business. The Richard's hope to continue the business for another 5-6 years to reach retirement.

There is no sign for the business. There is no sale of equipment or automobiles. There is no storage or sale of petroleum products onsite. Personal vehicles are occasionally left outside overnight.

Zoning Compliance

Township staff provided a zoning infraction report that indicated non-compliance with Zoning Bylaw 40/2016 dealing with the unapproved *“Use of land and building or structure as an Automobile Service Establishment”*.

SAI completed a review of the definitions of the Zoning Bylaw 40/2016 and determined that there was no definition of an *Automobile Service Establishment*. However, a definition for *Automobile Service/Gas Station* was identified and copied below for the benefit of the reader.

““Automobile Service/Gas Station” means a building or place where service, maintenance or minor mechanical repair essential to the operation of a motor vehicle is provided and/or gasoline pumps for the sale of gasoline are provided. These primary uses may include the sale of motor vehicle products or convenience products, together with the necessary pump islands, light standards, kiosk, concrete aprons, canopy, storage tanks, automobile washing establishment, and related facilities required for the dispensing of gasoline. An automobile service/gas station does not include an automobile body/repair shop.”

The fundamental difference between the activities that the Richard’s family business conducts and the definition focus squarely on the word *“Station”*. The use of the word *“Station”*, in my planning opinion would refer to the primary use of the land being clearly identified as an Automobile Service Station. This type of land use would regularly include a noticeable business station, a distinct office for customer interactions (and possibly customer waiting room) and dedicated parking area for clients. The Richards operate a small, business that is clearly secondary to the primary use of the site being a rural residential land use with manicured lawns and gardens.

The Richard’s family business does not complete major repairs to motor vehicles, body work or painting. In part the business completes service, maintenance and minor mechanical repairs to motor vehicles. However, there are several additional activities that are conducted by the landowners such as service to small engines, tractors, trailers that are not addressed in this definition.

The Richard’s family business does not engage in automobile sales, automobile washing, automobile gas station or a salvage yard.

Surrounding Land Uses

Map 2 (at the rear of the report) illustrates the surrounding land uses. There are no livestock operations within 750 m of the subject property. Therefore, there are no MDS I setbacks.

The closest residence is located 158m from the subject property. This separation distance is sufficient to buffer any potential for impacts, such as noise.

Provincial Planning Statement 2024

The Provincial Planning Statement (PPS, 2024) was issued under section 3 of the *Planning Act* and came into effect October 20, 2024. It replaces the Provincial Policy Statement that came into effect on May 1, 2020 and *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 (as amended 2020)*.

It is important to note that the Richard’s land use proposal is modest in scale.

The following policies of the PPS 2024 provide direction with respect to growth in Rural Areas. I have underlined the key provisions that provide the policy direction that support the proposal.

2.5 Rural Areas in Municipalities

1. *Healthy, integrated and viable rural areas should be supported by:*
 - a) *building upon rural character, and leveraging rural amenities and assets;*
 - b) *promoting regeneration, including the redevelopment of brownfield sites;*
 - c) *accommodating an appropriate range and mix of housing in rural settlement areas;*
 - d) *using rural infrastructure and public service facilities efficiently;*
 - e) *promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*
 - f) *providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;*
 - g) *conserving biodiversity and considering the ecological benefits provided by nature; and*
 - h) *providing opportunities for economic activities in prime agricultural areas, in accordance with policy 4.3.*

The proposed land use promotes the diversification of the rural economic base and provides a valuable service to the agricultural and rural economy.

It is my opinion that the proposed development is consistent with the provisions of the PPS 2024.

County of Wellington

The County of Wellington Official Plan was adopted by Wellington County Council on September 24, 1998, approved by the Ministry of Municipal Affairs on April 13, 1999 and came into effect on May 6, 1999. The Official Plan was last updated in July 2024.

The policies outlined in the County of Wellington Official Plan guide growth within the Rural System and Prime Agricultural Areas. I have highlighted the key provisions that align with and support the proposal.

The County of Wellington Official Plan promotes the use of Home Businesses (4.2.6). The key elements of the Home Business provision are: i) small in size, ii) normally restricted to occupants of the property, iii) provision of services rather than retail, and iv) minimal offsite impacts.

4.2.6 Home Business

Wellington County supports the trend towards more home based businesses and will facilitate new home business through planning policy. The opportunity to work from home will be encouraged. In the Urban System, home businesses will be small in size and normally restricted to the occupants of the property. These uses will be oriented towards providing services rather than retail functions. Compatibility with surrounding residential development is a primary consideration.

In the Rural System, home businesses similar to those allowed in the Urban System are encouraged.

Additionally, the following uses may be considered:

- *sales outlets for agricultural products produced on the farm;*
- *home industries which are small in scale with limited employees, and minimal off site impact;*
- *bed and breakfast establishments*
- *farm vacation enterprises.*

The County of Wellington Official Plan provides the following policy direction with respect to Permitted Used in the Prime Agricultural Area:

6.4.3 Permitted Uses

Permitted uses and activities in Prime Agricultural Areas may include:

- a) agricultural uses
- b) secondary uses including home businesses and farm businesses
- c) agriculture-related uses
- d) existing uses
- e) single detached homes
- f) Additional Residential Units subject to Sections 4.4.6
- g) garden suites subject to Section 4.4.7
- h) accessory residence
- i) forestry uses
- j) wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts
- k) licensed aggregate operations
- l) community service facilities
- m) group homes on existing lots of records
- k) kennels on existing lots of record.

All uses permitted by this section must be compatible with and not hinder surrounding agricultural uses.

6.4.4 Home Businesses and Farm Businesses

Home businesses are home occupations and home industries that are secondary to the principal use of the property and may be allowed, subject to zoning provisions, as a means of supplementing farm incomes and providing services in agricultural areas and may include:

- *small home occupations conducted from the main residence with employment normally limited to the occupants of the property – examples include bed and breakfast, day care, hairdresser, and professional services;*
- *home industries which are small in scale with a limited number of employees, and minimal off-site impacts – examples include minor equipment repair, woodworking, crafts, and welding;*

Farm businesses are small scale businesses that provide value-added products from the farm and may be allowed subject to zoning provisions – examples include:

- *farm vacation enterprises;*
- *cottage wineries;*
- *value-added processing or packing;*
- *sales outlets for agricultural products produced on the farm;*
- *seed cleaning*
- *pick-your-own, catch-your-own operations*

Secondary uses are defined as:

means uses secondary to the principal use of the property, including home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.

It is my opinion that the proposed use conforms to the Wellington County Official Plan, as it would be considered a secondary use. The principal use of the property is for rural residential purposes. The

proposed business use is small in scale, operated by the homeowners, contained within an existing structure that was approved for an Accessory Use, provides an important service for the rural community (including farmers) and is compatible with surrounding agricultural uses. No new buildings/structures are required to permit the proposed use.

Guelph-Eramosa Zoning By-law

The purpose and intent of the zoning bylaw is set out in section 1.1.1 as described below:

1.1.1 Purpose of a Zoning By-Law

A Comprehensive Zoning By-law is a precise document used by the Township of Guelph/Eramosa (the Township) to regulate the use of land. It states which land uses are currently permitted in the Township and provides other detailed information.

The Township's Zoning By-law implements the objectives and policies of the Wellington County Official Plan. The Zoning By-law acts as a legal tool under Ontario's Planning Act for managing the use of land and future development in the Township. Zoning By-laws also protect property owners from the development of conflicting land uses. Any use of land or the construction or use of any building or structure not specifically authorized by this By-law is prohibited.

The subject land is zoned Agricultural in the Guelph-Eramosa Zoning Bylaw. The permitted uses in the Agricultural zone are as follows:

6.1 Permitted Uses

Within any Agricultural Zone, no person shall use any lot or erect, alter or use any building or structure for any purpose except one or more of the following uses:

Accessory Use (Section 4.2)

Agricultural Use

Agricultural-Related Business

Bed and Breakfast Establishment

Conservation

Dwelling, Additional Residential Unit (Section 4.4)

Dwelling, Detached

Dwelling, Garden Suite (Section 4.5)

Dwelling, Group Home

Farm Home Industry (Sections 4.13 and 6.2.9)

Farm Business (Section 6.2.9)

Home Occupation (Section 4.12)

Kennel (Section 6.2.10)

Notwithstanding the above list, permitted uses may be restricted through the General Provisions (Section 4).

The Township recently passed Bylaw 33/2024 to amend the Township of Guelph/Eramosa Zoning Bylaw to add the following definition for Home Occupation – Trade (see Appendix 2).

“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.

This definition closely follows the activities proposed by the Richard family.

Planning Remedy

A minor variance is requested by the homeowner to permit this use. The minor variance would help bring clarity to an existing, local business that services the local community. The owners of the business were not aware that the business is not permitted in the Township, and if they had known that there was an issue they would have lobbied to get their business recognized during the drafting of the Home Occupation – Trade. In addition, it is their intent to only operate the proposed business for a few more years until retirement.

The second portion of the proposed minor variance concerns the maximum size of the structure. The maximum size of the Home Occupation – Trade is set at 1076 ft². There is no specific rationale regarding the use of 1076 ft² as the maximum size except that this represents the metric to imperial conversion from 100 m². The subject garage is approximately 1140 ft². While not all the garage is used entirely for the Home Occupation, it is proposed that the size of the Home Occupation – Trade be varied to allow an increase in the size from 1076 ft² to 1140 ft². This represents a 5.9% increase in the maximum size for a Home Occupation - Trade.

In addition, the Richard's have committed to not using any portion of their yard for business storage purposes. They have removed any such items and, in their, opinion are in compliance with this portion of the infraction notice.

The following table illustrates the conformity/compliance of the proposed use with the Home Occupation – Trade provisions of the zoning bylaw.

Provision in Bylaw	Proposed Use	Conformity/Comment
Small-scale Trade		Yes it complies.
Accessory Use to Main Dwelling Unit		Yes it complies.
Trade or Service to be Conducted by person Residing in the Main Dwelling Unit		Yes it complies.
Includes Uses such as: small engine repair.		Yes it complies.
Does not include: automobile service/gas station.	The proposal is not for a gas or service station. But the proposal would include some minor servicing and repairs of engines (including automobile engine) amongst many other activities.	Variance is needed to clarify the use and to include maintenance and engine repair (including automobiles). However, the proposal is not to create a Automobile Service Station as a primary use.
Does not include: automobile body/repair shop.	The proposal is not for an automobile body/repair shop and does not include a paint shop.	Yes it complies.
Does not include: automobile sales establishment.	The proposal is not for an automobile sales establishment.	Yes it complies.

Does not include: automobile washing establishment.	The proposal is not for an automobile washing establishment.	Yes it complies.
Clearly Secondary to the Main Dwelling Unit and does Not Change the Character of the Residential Unit.	The proposal is clearly secondary to the main dwelling unit and rural residential yard . The proposal will not change the character of the rural residential unit.	Yes it complies.
Only two employees in addition to the residents of the main residential unit.	The residents of the main residential unit are the only workers at the proposed business.	Yes it complies.
Parking	No additional parking requested.	Yes it complies.
No Open Storage of goods, materials, supplies, equipment or vehicles including excavation equipment, or any vehicles not licensed for the road.	Proposal does not include open storage. Vehicles will not be stored outside overnight. Vehicles will be taken into the shop.	Yes it complies.
No external display or advertising other than a ground sign (max. 0.2 m2 in size).	No sign proposed.	Yes it complies.
Not more than 100 m2 (1,076 ft2) of an accessory building gross floor area shall be devoted to the use.	The existing shop is approximately 1,140 ft2. This represents a 5.9% increase in the maximum floor area.	A variance would be required to permit a 5.9% increase in the maximum gross floor area to be devoted to the use.
Minimum lot area is 1 ac (0.4 ha).	The site is slightly larger than 1 ac.	Yes it complies.
Minimum interior side yard setback is applicable (6.2.5).		Yes it complies.
No building or structure used for a home occupation-trade shall be located within 30 m of a dwelling unit on a separate lot.	Closest dwelling on a separate lot is over 150 m.	Yes it complies.
Only one home occupation trade permitted on a lot in the A zone.		Yes it complies.
A Home Occupation – Trade is not permitted within a dwelling unit but an office is permitted in the main dwelling unit.		Yes it complies.
Servicing of structure to the satisfaction of the Township.	No additional servicing required.	Yes it complies.

As previously noted, the proposed use closely aligns with the provisions of the Home Occupation – Trade definition. There are two minor variations of the Home Occupation – Trade that would need to be approved to ensure compliance with the Zoning Bylaw: a) the definition should be modified to include maintenance and engine repair (including automobiles), and b) the maximum size of the building would need to increase by approximately 5.9% to reflect the external measurements of the structure. The remaining activities conducted by the proposed use are already included within the provisions of the Home Occupation – Trade definition.

Four Tests

The following table summarizes the planning evaluation of this proposed minor variance application relative to the four tests under the Planning Act.

Tests	Discussion
That the requested use is minor in nature.	There are two variances requested: 1) to increase the size of the Home Occupation – Trade from 1076 ft ² to 1140 ft ² . This represents a small increase in the size representing 5.9 %. 2) to add to the permitted uses of the Home Occupation – Trade the following: maintenance and engine repair (including automobiles). It is my opinion that these variances are minor.
That the intent and purpose of the Zoning By-law is maintained.	The intent and purpose of the Zoning Bylaw is to implement the policies of the Wellington County Official Plan and to protect property owners from development of conflicting land uses. The proposed use is secondary to the principal use of the property as a rural residential land use. The proposed use is small in scale and limited to the owners of the property who live in house. There are only two employees of the business (i.e. Mr. and Mrs. Richards). No conflicts are anticipated given the significant setback distances between the subject property and adjacent farming operations and sensitive land uses, including other dwellings.
That the general intent and purpose of the Official Plan is maintained.	The general intent of the Official Plan is maintained. The property is in Prime Agriculture designation. Secondary uses, including home industries, are permitted in the Prime Agriculture designation. Home industries which are small in scale with a limited number of employees, and minimal off-site impacts – examples include minor equipment repair, woodworking, crafts, and welding are recognized. The proposed use meets the intent of the description of a Secondary Use in the Official Plan. No offsite impacts and no conflicts with the agricultural land uses, including farm operations, are anticipated.
That the variance is desirable for the appropriate development and use of the land, building or structure.	The variance is desirable and appropriate for the use of the land/building given that it is small in size and operated by only the two homeowners. Most of the activities that are conducted at the site would be included in the general description for Home Occupation – Trade, with the exception of maintenance and engine repair (including automobiles). The client base for this business is mainly local and includes adjacent farms. No offsite impacts are anticipated as the site is well-separated and buffered from adjacent land uses. There is no outside storage at the proposed use as equipment, including cars, are either removed from the site each day or stored inside the garage at night.

Conclusion

It is my opinion that the proposed minor variance, if approved, is in the public interest and would allow an existing small family business to continue. The proposed use is small and limited in size and it services the surrounding rural area, including farmers. The service provided by the Richard's is a specialized trade that the local community, including local farmers, utilize and need. Given the substantial setbacks to adjacent land uses, there are no anticipated offsite impacts, including MDS I setbacks. The minor variance application

would maintain the general intent and purpose of the Official Plan and Zoning Bylaw and is a desirable and appropriate use of the subject property.

I trust that this explanation is of sufficient detail. Please do not hesitate to contact me should you have any questions.

Yours truly,

Rob Stovel

Robert P. Stovel, M.Sc., M.C.I.P., R.P.P., P.Ag.

Rob Stovel Jr.

Robert L. Stovel, B.Sc.

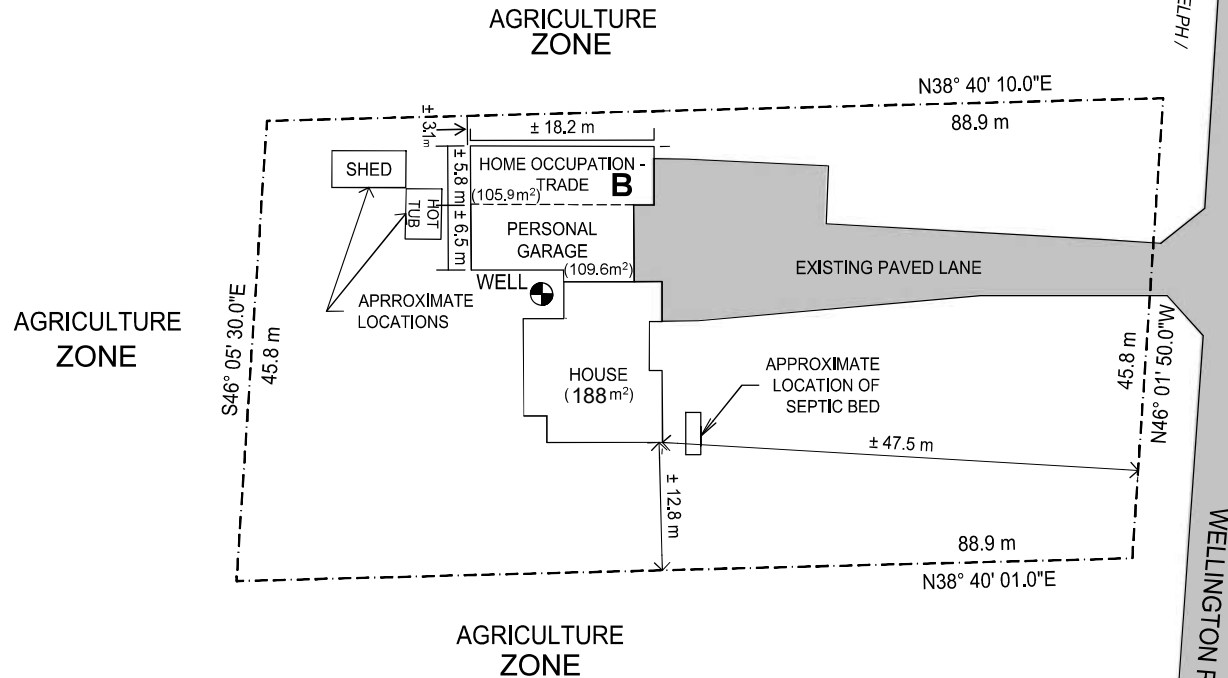
cc. Kim and Randy Richard

APPENDIX A: Maps

MINOR VARIANCE REQUESTS:

A - Home Occupation – Trade description to be modified on a site-specific basis to include maintenance and engine repair (including automobiles) for 5438 WR 26

B - Increase the minimum size of Home Occupation - Trade to (105.9 m²) to recognize the existing structure.



ITEM	Required	Provided	Does it Satisfy
Total Lot Area	0.4 ha	.4051	Yes
Floor Area of Existing Garage (m ²)	N/A	109.6	
Floor Area of Home Occupation (m ²)	100	105.9	Variance Required
Minimum Interior Sideyard Setback (m)	3	3.1m	Yes
No building or structure used for a home occupation-trade shall be located within 30 m of a dwelling unit on a separate lot.	30 m	156	Yes
Only one Home occupation - trade or farm industry is permitted on a lot in the Agriculture Zone	1	1	Yes

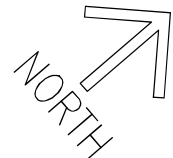
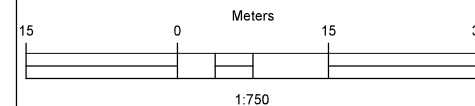
**Concept Plan
Minor Variance Application**

Kim & Randy Richard

5438 Wellington Road 26
Part of Northeast Half of Lot 14, Concession 7
Guelph / Eramosa Township,
Wellington County

Notes

- BSRD SURVEY (LEGAL & AS BUILT) OCTOBER 6, 1995.
- THE TOWNSHIP OF GUELPH / ERAMOSIA BUILDING PERMIT. DECEMBER 2, 2011.
- FLOOR PLAN - ADDITION, PELLY, 2003.
- INFORMATION FOR APPROXIMATE LOCATION OF SEPTIC TANK, SHED, WELL, AND DIMENSIONS OF HOUSE PROVIDED BY HOMEOWNER.
- GET ZONING BYLAW.



Stovel and Associates Inc.

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Land Use Minor Variance Application

5438 Wellington Road 26
Part of Northeast Half of Lot 14, Concession 7
Guelph / Eramosa Township,
Wellington County

Legend

- Subject Land ▬
- Study Area (750 metres) ▬
- Non-Farm Residence 4
- Agricultural Operation
(Traditions Natural Grains and Gardens) 1

Notes

1. PROPERTY BOUNDARIES HAVE BEEN EXTRACTED FROM WELLINGTON COUNTY BASE DATA.
2. AIRPHOTO - 2024 MICROSOFT CORPORATION & MAXAR CNES AIR DISTRIBUTION AIRBUS. THIS IS NOT A PLAN OF SURVEY.
3. MAXAR, PROVINCE OF ONTARIO, ESRI CANADA, ESRI, TOMTOM, GARMIN, SAFEGRAPH, GEOTECHNOLOGIES, INC, METI/NASA, USGS, EPA, NPS, USDA, NRCAN, PARKS CANADA
5. MDS 1 SETBACKS ARE NOT REQUIRED AS THERE ARE NO LIVESTOCK FARMS WITHIN 750 METRES OF THE SUBJECT LAND.

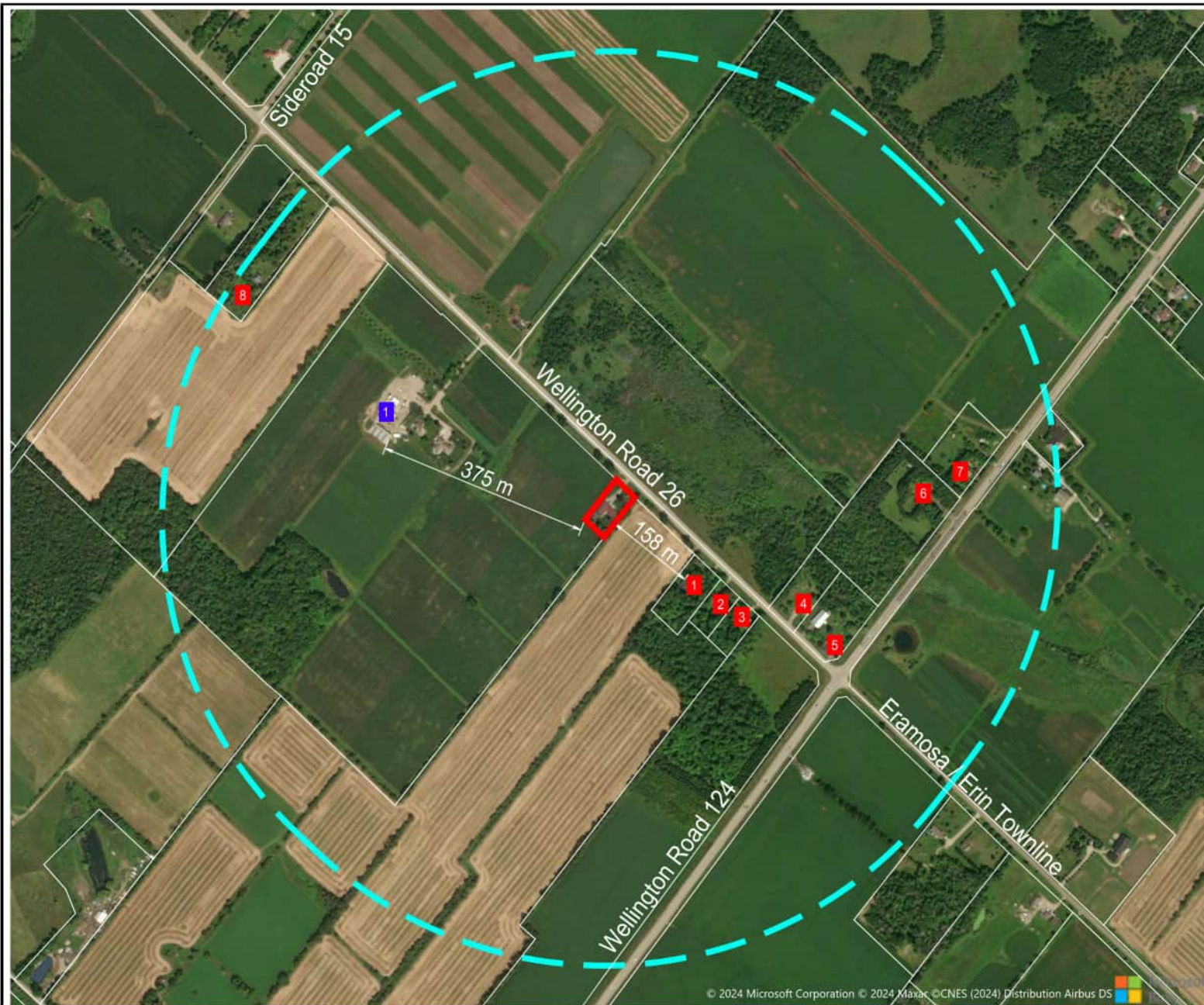
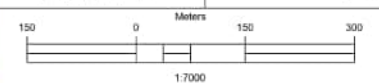


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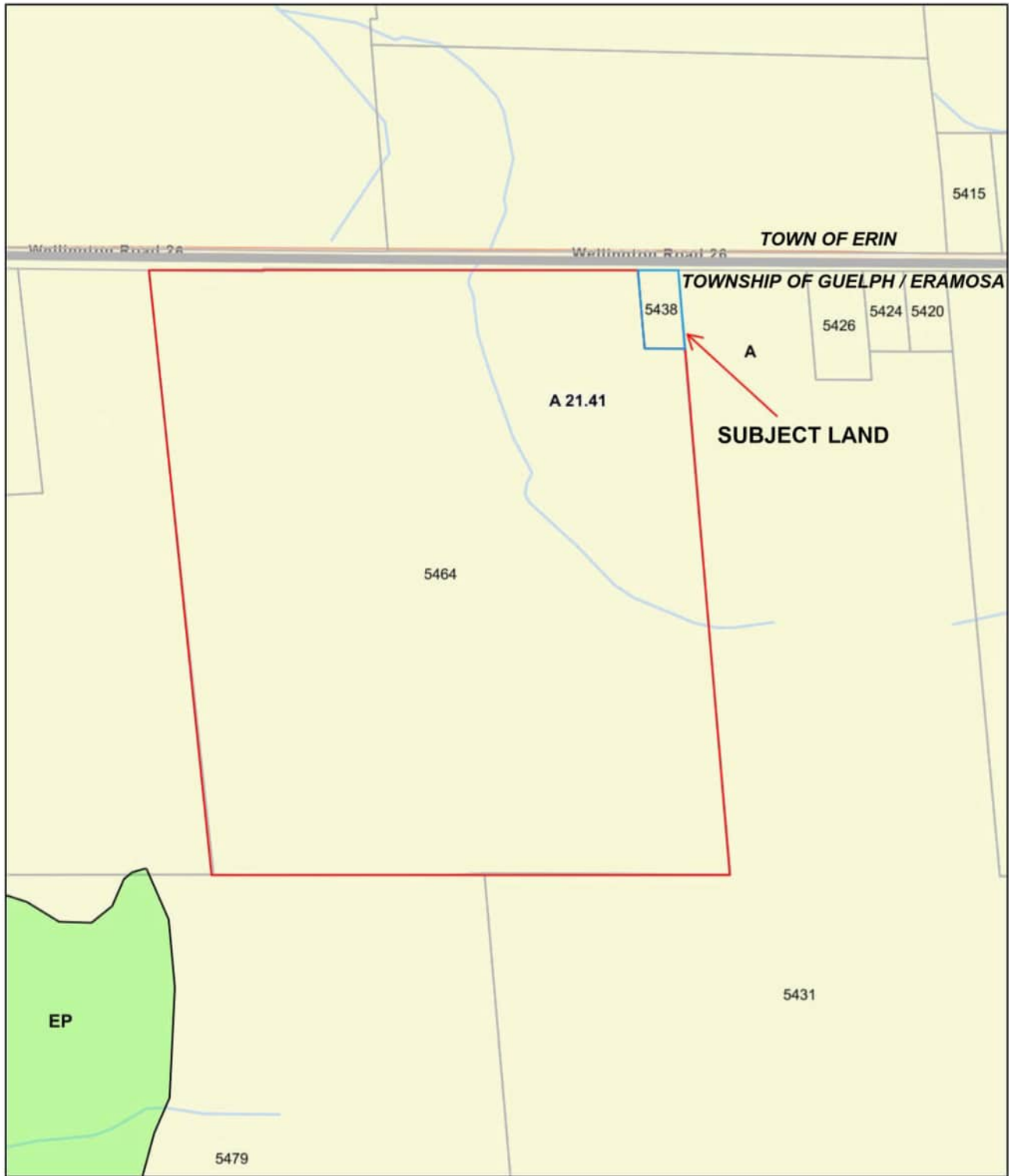


MAP 2



12/30/2024

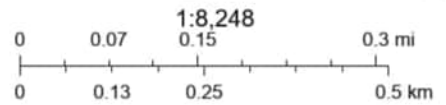


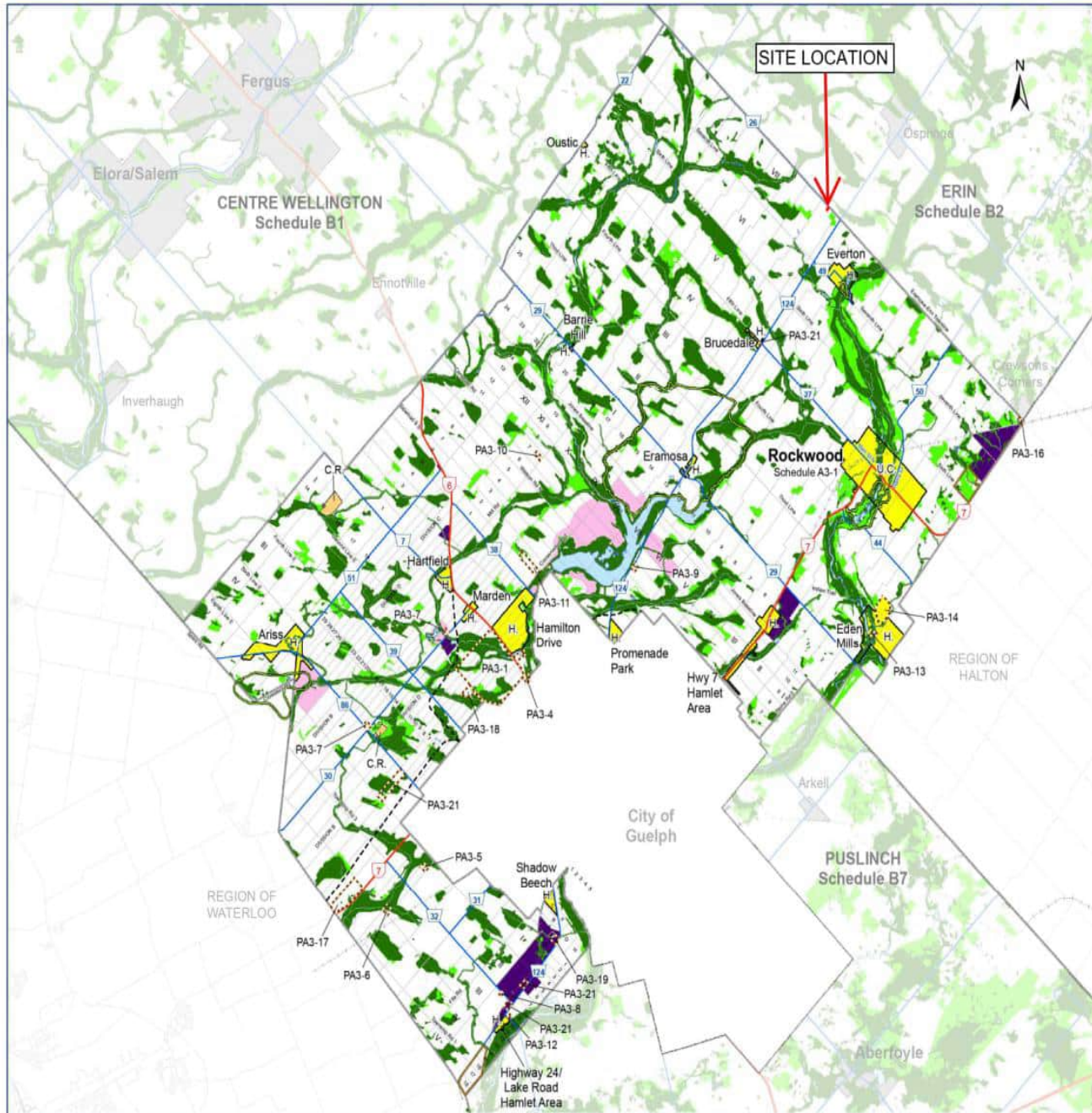
Zoning Map



12/30/2024

-  Parcels
-  Municipal Boundary





Land Use GUELPH/ERAMOSIA

- The Greenlands System**
- Core Greenlands
 - Greenlands
 - Earth Science ANSI

- The Rural System**
- Prime Agricultural
 - Hamlet
 - Mineral Aggregate Area
 - Recreational
 - Rural Employment Area
 - Country Residential
 - Policy Area

- The Urban System**
- Primary Urban Centre

- Other**
- Trans Canada Trail
 - Proposed Major Roadways
 - County Roads
 - Provincial Highways
 - Railway
 - Waterbody
 - Watercourse

Mineral Aggregate Resources are identified on Schedule D of the Official Plan. Licensed Aggregate Operations are identified on Appendix 2 of the Official Plan.



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Sources:
 County of Wellington 2024,
 Ministry of Natural Resources and Forestry,
 Grand River Conservation Authority,
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Last Revised: July 2024

Schedule B3 County of Wellington Official Plan

APPENDIX B: Home Industry-Trade Amendment

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.

APPENDIX C: Building Permit



The Township Of Guelph Eramosa
 8348 Wellington Rd. 124 P.O. Box 700
 Rockwood, Ontario,
 N0B 2K0
 (519) 856-9596
 Contact: Mike Newark
 Phone: (519) 856-9596 Ext. 114
 Fax: (519) 856-2240

Permit No.
 0186 -2011

Building Permit

Action	Assessment Roll No.	Issued to	Date Issued
Extend	2311-000-005-16910-0000	Owner	December 2, 2011
Owner:	RICHARD RANDY DWIGHT L	RR 4 ROCKWOOD ON N0B 2K0	
Contractor:			
Property Address: 5438 WELLINGTON RD 26		Lot Area: 1 Acres	
Legal Description: CON 7 E PT LOT 14 RP 61R719		Lot Frontage: 150	
Permit Fee: \$787.60			
Brief Project Description: 19'-0" x 59'-9" Garage Addition			
Structure:	ATTACHED GARAGE 19'-0" x 59'-9" Garage Addition	Length: 59.75 Height: 14.50	Width: 19.00 Permit Area: 1,135 Sq. Feet
Zoning:	A (Agricultural)		

The personal information on this permit was collected pursuant to the Building Code Act and forms part of a public record open to inspection by any person upon request at the office of the clerk during normal office hours. See the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, s. 14(1)(c).

The person to whom this permit has been issued shall notify the Chief Building Official in advance of the stages of construction specified in Building Code R.S.O. 1992 Reg 350/06, Division C, Part 1, s.1.3.5.1 (2) or attached

BUILDING CODE, O. Reg. 350/06 as amended

Michael Newark

Mike Newark, Chief Building Official

STAGES OF CONSTRUCTION REQUIRING NOTICE

- Footings or slab (prior to pouring concrete)
- Foundation prior to backfill
- Framing
- Rough-in plumbing, pressure test, underground drains, venting system
- Insulation/VB, air barrier
- Occupancy
- Final
- Miscellaneous

*Necessary Use in Accordance with
 the provisions of the zoning
 by-law.*

POST THIS CARD IN A LOCATION TO BE SEEN FROM THE ROAD / WATER