



PLANNING REPORT 24/04 for the TOWNSHIP OF GUELPH/ERAMOSA

Prepared by the County of Wellington Planning and Development Department in our capacity as planning consultants for the Township

MEETING DATE: March 18th, 2024
TO: Committee of the Whole
Township of Guelph Eramosa
FROM: Zach Prince, Senior Planner
SUBJECT: **Proposed Zoning By-law Changes, Home Occupation - Trade**
ATTACHMENTS: 1. Chart with proposed changes

RECOMMENDATION:

That the Township of Guelph/Eramosa receive Planning Report 24/04 regarding Proposed Zoning By-law Changes, Home Occupation - Trade as information.

That the Committee of the Whole direct staff to initiate a Township Initiated Zoning By-law amendment to the Zoning By-law 40/2016 related to Home Occupation – Trade uses as described in Report 24/04 and Report 23/13.

Introduction:

Planning staff previously brought forward background information about employment type uses on small rural lots. This report is in addition to previous report 23/13 which provides background information into the topic.

Staff review

Planning staff have reviewed the zoning by-laws of surrounding municipalities, the County's Official Plan and the Guelph/Eramosa Zoning By-law. Staff have identified an area where changes could be made to align the Guelph/Eramosa Zoning By-law with adjacent municipalities. The proposed changes would allow for small scale light industrial uses which are accessory to the main residential use in the Agricultural area. The intent of the changes are to allow for small businesses performed by Guelph/Eramosa residents to exist on larger lots. Staff are proposing a number of regulations to reduce the risk of compatibility concerns with adjacent properties or neighbouring property owners.

Proposed Changes

The detailed proposed changes are provided in **Attachment 1**. By providing a definition of the new use and general regulations the use is clearly distinguishable from existing definitions and regulations such as 'Home Occupation' and 'Farm Home Industry.' Staff are proposing revising the Home Occupation regulations as the intent of the changes are to reflect a use that is secondary to a residential lot where the owner resides.

Planning staff are proposing a minimum lot area of 2 ha (5 ac), a minimum setback of the new building of 22 m (72 ft) to a lot line and a 60 m (196 ft) setback to an adjacent dwelling. The proposed maximum area the use could occupy is 100 m² (1,076 ft²). These provisions are similar to permissions in surrounding municipalities.

Examples of Home Occupation – Trade

The proposed changes are not in relation to a specific property or use; however there could be properties that currently operate outside of the by-law which may align with the proposed changes. Some examples could include a multi-generational electrician business utilizing an existing building on a large rural lot in the Agricultural area, with a small amount of staff and minimal storage and vehicle requirements. Another example could be woodworking shop (ie cabinet or furniture making) on a hobby farm where the lot size would be too small to meet the existing Farm Home Industry provisions.

Township Staff Comments

Planning staff have reviewed the proposed changes with Township staff and will continue to discuss following direction from Committee of the Whole, as such there may be modifications when the proposed by-law is next in front of Council.

Next Steps

That Council receive this report for information and direct staff to initiate an internal zoning amendment including notice of complete application and public meeting to reflect the above topic.

Respectfully submitted by:



Zach Prince RPP MCIP
Senior Planner

Reviewed by
Township of Guelph Eramosa

Ian Roger, P.Eng.
CAO

Attachment 1: Chart with proposed changes

Guelph/Eramosa Proposed Amendments
March 18th, 2024

#	Zoning By-Law 40/2016 Section	ZBA Section	Existing Provision/Section	Proposed Provision/Section	Recommendation
1	Section 3 Definitions	Definitions		<p><i>Add Definition for 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. The trade, artisan craft, or service must be conducted by a person that resides in the main dwelling 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, transport establishment or automobile body/repair shop as defined herein.</i></p>	Add definition for new use
2	Section 4 General Provisions	4.12 Home Occupation	<p>4.12 Home Occupation A home occupation is permitted within a dwelling unit by a resident of said dwelling unit, subject to the following regulations:</p> <ol style="list-style-type: none"> 1. The home occupation is clearly secondary to the main residential use and does not change the residential character of the dwelling unit nor create or become a public nuisance in particular in regard to noise, traffic or parking; 2. Only two employees in addition to the 	<p><i>Revise 4.12 Home Occupation</i> Where permitted, home occupations are subject to the following regulations:</p> <p>4.12.1 General Provisions</p> <ol style="list-style-type: none"> 1. Is clearly secondary to the main residential use and does not change the residential character of the dwelling unit and does create or become a public nuisance in particular regarding noise, traffic, storage or parking; 	<p>Add new use for Home Occupation – trade to allow more flexibility to residential lots in the A zone where there is appropriate size for more intensive uses.</p> <p>Clearly distinguish between a home occupation permitted in all residential zones and a</p>

#	Zoning By-Law 40/2016 Section	ZBA Section	Existing provision/section/reason	Proposed provision/section	Recommendation
			<p>permanent residents of the dwelling unit may be employed;</p> <p>3. No external storage, external display of goods or materials, or accessory buildings may be used in relation to a home occupation;</p> <p>4. 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.</p> <p>5. No mechanical equipment, except that which is customarily used in dwellings for domestic or household purposes, or for use by a dentist, drugless practitioner, physician, or other professional persons;</p> <p>6. Up to 25% of the gross floor area of the dwelling unit may be used for home occupation purposes; and</p> <p>7. The parking requirements of this By-law shall apply to any home occupation use, in addition to the required spaces for the dwelling unit.</p>	<p>2. Only two (2) employees in addition to the permanent residents of the primary dwelling unit may be employed;</p> <p>4. 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 dwelling unit;</p> <p>5. 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;</p> <p>6. 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.</p> <p>7. Where a Home Occupation is permitted, it shall comply with the yard and setback requirements of the zone the use is permitted in.</p> <p>4.12.2 Home Occupation</p> <p>1. Shall be in accordance with Section 4.12.1 (General Provisions)</p> <p>2. No external storage, external display of goods or materials, or accessory buildings may be used in relation to a home occupation</p> <p>2. Up to 25% of the gross floor area of the</p>	<p>home occupation – trade permitted in the A zone only.</p> <p>A definition for Farm Home Industry is permitted in the A zone, a Home Occupation – Trade would be in addition to the existing Home Occupation and Farm Home Industry provisions.</p>

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				<p>dwelling unit may be used for a home occupation</p> <p>4.12.3 Home Occupation – Trade</p> <ol style="list-style-type: none"> 1. A building accessory to the main dwelling 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 accessory building floor area shall be devoted to the use. 2. Shall only be permitted on a lot that has a minimum lot area of 2 ha. 3. No building or structure used for a Home Occupation-Trade shall be located within 22.0 m of a lot line and 60.0 m of a dwelling unit on a separate lot. 4. Only one Home Occupation – Trade or Farm Home Industry is permitted on a lot in the Agricultural Zone. 5. Shall comply with Section 4.12.1 (General Provisions) 6. A Home Occupation-Trade is not permitted within a dwelling; however, nothing in these provisions shall apply to prohibit a tradesperson from operating an office in the main dwelling in accordance with the provisions of Section 4.12.2. 	

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				7. Servicing of the structure shall be provided to the satisfaction of the Township	
3	Section 6 Agricultural (A) Zone	6.1 Permitted Uses		<i>Add Home Occupation - Trade</i> as a permitted use in the Agricultural Zone	Permit in A zone only