

# THE CORPORATION OF THE CITY OF GUELPH

## By-law Number (2010) - 19076

A by-law to amend By-law Number (1995)-14864, as amended, known as the Zoning By-law for the City of Guelph, permitting amendments to various sections of the Zoning By-law to regulate Lodging Houses and Accessory Apartments.

WHEREAS Section 34(1) of the *Planning Act*, R.S.O. 1990, c.P.13 authorizes the Council of a Municipality to enact Zoning By-laws;

AND WHEREAS the Council of The Corporation of the City of Guelph passed a resolution on June 7, 2010 directing staff to undertake a review of the zoning regulations pertaining to accessory apartments and lodging houses for the purpose of recommending zoning amendments to address identified issues associated with the concentration of shared rental housing in addition to complementary strategic initiatives to address the issues.

## NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF GUELPH ENACTS AS FOLLOWS:

1. Section 3.1 of By-law (1995)-14684, as amended, is hereby further amended as follows:
  - a. Clause (58) is amended by deleting the existing definition of "Dwelling Unit" and replacing it with the following new clause (58):

(58) "**Dwelling Unit**" means a room or group of rooms occupied or designed to be occupied as an independent and separate self-contained housekeeping unit usually containing cooking, eating, living, sleeping and sanitary facilities;
  - b. Clause (58)(a) is amended by deleting the existing definition of "Accessory Apartment" and replacing it with the following new clause (58)(a):

(58)(a) "**Accessory Apartment**" means a **Dwelling Unit** located within and subordinate to an existing **Single Detached Dwelling or Semi-Detached Dwelling**;
  - c. Clause (95) is amended by deleting the existing definition of "**Lodging House Type 1**" and replacing it with the following new clause (95):

(95) "**Lodging House Type 1**" means a **Single Detached Dwelling** that is used to provide 5 or more **Lodging Units** for hire or gain directly or indirectly to persons.
  - d. Clause (95)(b) is amended by deleting the existing definition of "**Lodging Unit**" and replacing it with the following new clause (95)(b):

(95)(b) "**Lodging Unit**", for the purpose of **Lodging House Type 1** and **Lodging House Type 2**, means a room **Used** to provide sleeping accommodation which does not have the exclusive use of either a kitchen or a bathroom.

2. Section 4.15.1 of By-law (1995)-14684, as amended, is hereby further amended by adding the following new clause:

4.15.1.8 Minimum Separation Distance of a **Building** with an **Accessory Apartment** containing a total of six (6) or more bedrooms within the **Building**, from a **Lodging House**, a **Group Home**, an **Emergency Shelter** and/or from a **Building** with an **Accessory Apartment**, shall be 100 metres. Such a distance is to be measured from the closest points of the two properties at the property line.

3. Section 4.25.2 of By-law (1995)-14684, as amended, is hereby further amended by deleting the existing clause 4.25.2.1 and replacing it with the following new clause 4.25.2.1:

4.25.2.1 **Lodging Houses** shall be limited to a maximum of 8 **Lodging Units**.

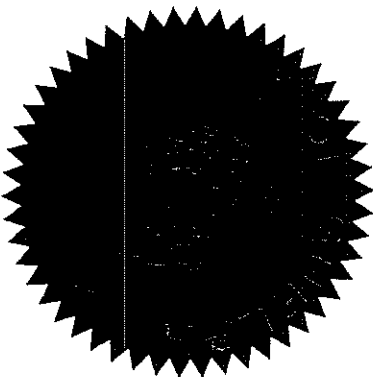
4. Section 4 of By-law (1995)-14864, as amended, is hereby further amended as follows:

Table 4.25, Row 3: "Minimum Separation Distance", by adding the following:


Minimum Separation Distance between **Buildings** being used as a **Lodging House Type 1** and **Buildings** with an **Accessory Apartment** containing a total of six (6) or more bedrooms within the **Building**, shall be 100 metres. Such distance is to be measured from the closest points of the two properties at the property line.

Where notice of this by-law is given in accordance with the *Planning Act*, and where no notice of objection has been filed within the time prescribed by the regulations, this by-law shall come into effect. However, where notice of objection has been filed within the time prescribed by the regulations, no part of this by-law shall come into effect until all such appeals have been finally disposed of by the Ontario Municipal Board.

**PASSED this TWENTIETH day of SEPTEMBER, 2010.**



  
KAREN FARBRIDGE - MAYOR

  
LOIS A. GILES - CITY CLERK

**EXPLANATION OF PURPOSE AND EFFECT**  
**FOR BY-LAW NUMBER (2010) – 19076**

1. By-law Number (2010-19076) has the following purpose and effect:

This by-law authorises amendments to the City of Guelph Comprehensive Zoning By-law (1995)-14864, which are intended to introduce modified and new regulations regarding a Lodging House Type 1 and/or an Accessory Apartment within the City of Guelph.

The proposed Amendment would modify or introduce new regulations in the following general categories:

- modify the definitions of a Dwelling Unit, Accessory Apartment, Lodging House Type 1 and Lodging Unit;
- introduce a 100 metre Minimum Separation Distance for a Building with an Accessory Apartment containing a total of six(6) or more bedrooms within the Building from another Building being used as an Accessory Apartment, a Lodging House, a Group Home and/or an Emergency Shelter;
- limit a Lodging House to a maximum of 8 Lodging Units; and
- introduce a 100 metre Minimum Separation Distance between Buildings used as a Lodging House Type 1 and Buildings with an Accessory Apartment containing a total of six(6) or more bedrooms within the Building.

The proposed zoning amendment was considered by Guelph City Council at a Public Meeting held on September 7, 2010.

Further information may be obtained by contacting or visiting Planning, Engineering and Environmental Services, (519) 837-5616, extension 2519, City Hall, Guelph, Ontario.

Persons desiring to officially support or object to this zoning amendment must file their support or objection with the City Clerk, City Hall, Guelph, as outlined on the page entitled "Notice of Passing". Any comments or objections which you may have previously submitted are considered to have been unofficial and for the City's guidance only.

2. By-law (2010-19076) applies to applicable areas within the City of Guelph.