

**Subject: Land Use Bylaw – Home Business and Home Occupation Amendment****APPROVALS:****Annette Antoniak**\_\_\_\_\_  
Director\_\_\_\_\_  
Chief Administrative Officer**Recommended Motion:**

\*Process Note: Debate and voting will occur on the following tabled amending motion first. A mover is not required for this motion. A seconder is required for this motion. Please note there will be no delegations.

**Motion:**

1. THAT Bylaw No. 18/004 be amended by:

- Adding Pet grooming under definitions in section 2 to read as follows: Pet Grooming refers to the hygienic care and cleaning of pets and does not include the retail sale of products, a place for breeding or overnight boarding of pets.
- Amending section 4 so that the numbering 69.1 is replaced with 69.1(a) and the following is added as 69.1(b) no noise, vibration, smoke, odors, heat, glare, electrical or radio disturbance beyond the property boundary shall be produced by the home occupation. The privacy and enjoyment of adjacent residences shall be preserved and the amenities of the neighbourhood maintained at all times.
- Amending section 5 to add as the last sentence of 70.1(b) the following: The privacy and enjoyment of adjacent residences shall be preserved and the amenities of the neighbourhood maintained at all times.
- Amending 70.1(a) to read as follows:
  - a) The area occupied by a Home Business shall not exceed:
    - i) 30% of the total interior floor area of a Dwelling or Dwelling Unit, or
    - ii) 30% of the total interior floor area of an Accessory building; or
    - iii) Any combination of the above to a maximum of 30% of the floor area.
- Amending Section 3 of the bylaw by adding Animal Services Facility Minor as a definition to be deleted and adding the following as the substitution therefore: Animal Service Facility Minor means development for the purposes of outpatient care treatment of animals and includes retail sales of associated products. Typical uses are small animal veterinary clinics.

\*Process Note: Debate and voting will then occur on second reading of Bylaw No. 18/004. A mover and seconder for this motion is not required. Please note there will be no delegations.

**Motion:**

2. THAT Bylaw No. 18/004, being a Land Use Bylaw Text Amendment, be read a second time as amended.

\*Process Note: Debate and voting will then occur on third reading of Bylaw 18/004. We will require a mover and seconder for this motion. Please note there will be no delegations.

**Motion:**

3. THAT Bylaw No. 18/004 be read a third and final time.

**Summary:**

On March 27, 2018, a public hearing was held specific to Bylaw No. 18/004, Land Use Bylaw Amendment. Following the public hearing, second reading was put forward for consideration and at that time an amending motion was brought forward by Councillor S. Lalonde. After some discussion and debate, Council passed a resolution to defer the proposed amending motion, and second and third readings of Bylaw No. 18/004 to the April 10, 2018 Council Meeting to allow Council the time to fully consider the content of the proposed amending motion.

As the public hearing relative to Bylaw No. 18/004 has been held, it must be noted that delegations will not be permitted on this matter on April 10, 2018. As a matter of process, Council will debate and vote on the amending motion followed by consideration of second and third readings.

**Background:**

Through the day-to-day use of the Land Use Bylaw the Planning and Development department has discovered some inconsistencies and points that require clarification. The changes proposed in this amendment address the issues with the General Regulations sections for Home Occupation and Home Business. These regulations are outlined in sections 69 and 70 respectively.

Home Business and Home Occupation are permitted uses in Residential Districts and therefore are allowed in a wide variety of residential housing types, but predominately in single family homes. The justification behind allowing these uses is that business operations will not adversely impact the neighbourhood, and most importantly the use, amenity and enjoyment of adjacent residents. This is ensured by limiting the number of employees, clientele and requiring additional onsite parking. However, the current Land Use regulations are vague and open to interpretation creating discrepancies at the time

of implementation and obtaining compliance should it be necessary.

The proposed amendments are summarized as follows:

1. Adding the definitions for Business, Commercial Vehicle and Mobile Food Vendor.
2. The definitions for Home Occupation and Home Business were changed to ensure the list of not permitted uses is complete.
3. The term “online sales” was included in section 69(g) and 70.1 (e) to be consistent with current business trends.
4. The policies that limit the number of employees are vague and leads to the interpretation that there is no limit for offsite employees.
5. Proposed to section 70.1 (g) limits the number of clients to a maximum of two at any given time.
6. Proposed sections 69.3 and 70.1 (i) limits the number of Home Business and Home Occupation that may be approved for a property.
7. The allocation of parking for the Commercial Vehicle associated to with Home Business is unclear, therefore proposed section 70.2(d) provides clarity for provisions.
8. A new section on Mobile Food Vendors has being added.
9. New sections regarding Home Business for pet grooming and breeding are proposed. This provides a limit to the number of pets to be kept on the property at all times.

**Rationale for Recommendation:**

The proposed amendments to the Land Use Bylaw focus on adding clarity to the regulations that outline the number of employees, the number of clients and onsite parking. These changes limit the size and operation of Home Business and at the same time protect the character of residential neighbourhoods by limiting traffic and on street parking.

**Strategic Priorities:**

Responsible Government

**Attachments:**

**1. Bylaw No. 18/004**