



## REQUEST FOR DECISION

**MEETING DATE:** January 15, 2024

**TITLE:** C-1269-23 - Land Use Bylaw Text Amendment - Home Occupations

**DIVISION:** Sustainable Growth and Development Services

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### **SUMMARY:**

C-1269-23 - Land Use Bylaw Text Amendment - Home Occupations proposes to streamline the regulations for Home Occupations to enable a more efficient approval process for the majority of new Home Occupation applications. Administration is providing clarity to questions received from Council when the bylaw was brought forward for second reading on November 20, 2023, and seeking feedback from the Governance and Priority Committee on the options proposed.

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### **PROPOSED MOTION:**

To be determined based on discussion and feedback of Committee.

### **BACKGROUND / ANALYSIS:**

C-1269-23 - Land Use Bylaw Text Amendment - Home Occupations was brought forward for public hearing, second, and third reading on October 10, 2023 to streamline the regulations for Home Occupations. Second reading was postponed until November 20, 2023. Council requested additional clarity on several items on November 20, 2023 at second reading, and further postponed second reading of the bylaw until Q1 of 2024.

#### Purpose of Bylaw C-1269-23

Home Occupations are small scale businesses that do not impact the residential character of the home or surrounding neighbourhood. The majority of Home Occupations currently operating within the City generate minimal neighbourhood impacts, including visitors, traffic, or parking. Bylaw C-1269-23 proposes to streamline the approval process for these low impact businesses, by creating a separate definition for Major and Minor Home Occupations based on

their intensity, and making Minor Home Occupations a permitted use in the relevant districts. The streamlining benefit is that Minor Home Occupations, which includes those businesses that have minimal neighbourhood impacts, would require a less rigorous approval process through a permitted use permit. Permitted use permits do not require neighbourhood notification and are not subject to appeals from the community. Bylaw C-1269-23 would enable an estimated 90 per cent of the Home Occupation applications the City receives to be processed as a permitted use as opposed to a discretionary use under the current Land Use Bylaw to create a more efficient approval process for small businesses.

A Major Home Occupation use class would allow higher impact businesses that require more careful review by Administration to be designated as a discretionary use to enable the Development Officer to request additional information (i.e., a parking plan) or refuse the development permit if appropriate, and to allow impacted neighbours the opportunity to appeal.

Administration proposed some additional minor changes with the bylaw to improve clarity including providing a definition for a Home Office; incorporating performance standards; allowing a maximum of two Home Occupations per dwelling; clarifying that a Home Occupation is not allowed in a Secondary, Garage, or Garden Suite; and allowing Home Occupations to have a small sign within the associated dwelling unit.

#### Information to Address Council's Inquiries from November 20, 2023

Administration has reviewed Council's request to further explore allowing more than one visitor for Minor Home Occupations and adding provisions for on-site employees.

Administration did not propose these, or other significant changes with this bylaw, as the intent of this bylaw was to streamline the regulations that apply to the majority of home occupation applications. These two provisions would only apply to less than 10 per cent of potential Home Occupation applications.

Allowing more than one visitor at a time with Minor Home Occupation or allowing Home Occupations to have outside employees would both require more careful consideration during the approval process due to potential neighbourhood impacts. They would also require public engagement due to the more substantive potential impact on adjacent uses.

#### *1. Limiting Minor Home Occupations to one visitor at a time.*

Currently, Home Occupations with more than one visitor at a time can be accommodated under a Major Home Occupation. The proposed bylaw limits Minor Home Occupations to one visitor at a time, not including dependents such as children. As a permitted use, Minor Home Occupation would be approved as of right and cannot be appealed by impacted community members. Therefore, Minor Home Occupations are limited to one visitor at a time to ensure minimal neighbourhood impacts such as

parking and traffic. Administration has also found that an estimated 90 per cent of the Home Occupations previously approved have one visitor at a time, indicating a low demand for more intensive Home Occupations.

2. *Limiting on-site employees for Home Occupations to the resident only*

Employees are typically at the home for extended and more frequent periods of time, while visitors are often only at the home for an hour or less. Administration has only received one inquiry in recent years about whether Home Occupations can have employees, indicating a negligible demand for on-site employees. Additionally, allowing Home Occupations to have off-site employees would only apply to a very small number of potential applications for Home Occupations.

Due to the potential neighbourhood impacts from allowing Home Occupations to have on site employees, more due diligence would be required to determine how to best regulate on site employees.

## **OPTIONS / ALTERNATIVES:**

Committee may recommend to Council to:

### Option 1 (Recommended)

Support proposed Bylaw C-1269-23 - Land Use Bylaw Text Amendment - Home Occupations to streamline the regulations for 90 per cent of Home Occupations, and undertake a further review of other Home Occupation requirements or options when the comprehensive Land Use Bylaw Review is undertaken in 2025.

### Option 2

Retain the current Land Use Bylaw regulations for Home Occupations, and undertake an in-depth review of Home Occupations when the Land Use Bylaw Review is undertaken in 2025.

## **CONSULTATION / ENGAGEMENT:**

A statutory Public Hearing was held on October 10, 2023 for this bylaw, so any significant changes proposed to the bylaw will require a new Public Hearing and advertising.

## **IMPLEMENTATION / COMMUNICATION:**

If approved, Bylaw C-1269-23 - Land Use Bylaw Text Amendment - Home Occupations will be consolidated into C-824-12 - Land Use Bylaw. A Communications Strategy has been developed to update the City's website with regard to Home Occupations.

**IMPACTS:**

Approval of this bylaw will remove red tape and simplify the approval process for the majority of Home Occupations.

**FINANCIAL IMPLICATIONS:**

n/a