

FILE: 08-3360-20-2023

REPORT DATE: February 29, 2024

MEETING DATE:

March 12, 2024

TO: Mayor and Council

FROM: Patrick Ward, Director of Planning and Development

SUBJECT: Home-based Business Regulations Update

CHIEF ADMINISTRATIVE OFFICER REVIEW/APPROVAL:



RECOMMENDATION(S):

THAT Council:

- A. Grant third reading to Zoning Text Amendment Bylaw No. 2961, 2024, as amended, regarding updates to the home-based business section; OR
 - B. Other.
-

PURPOSE

Following a public hearing, Council to consider granting third reading to Zoning Amendment Bylaw No. 2961, 2024, to update the home-based business regulations.

☐ Information Report

☒ Decision Report

☐ Direction Report

DISCUSSION

Background:

Following adoption of the City's Official Community Plan in 2022, the home-based business section of the Zoning Bylaw was identified for review and updates. A number of changes are proposed based on the staff review and feedback received from the City's Economic Development Advisory Committee. First and second readings of the amending bylaw were granted on February 6, 2024, and a public hearing was held on February 27, 2024.

Relevant Policy, Bylaw or Legislation:

The Official Community Plan Bylaw No. 2864, 2020 contains the following policy relevant to home-based businesses:

4.5.1.a. Support live-work units and ensure zoning regulations continue to support opportunities for appropriate home-based businesses.

The Zoning Bylaw No. 2505, 2011 contains regulations for home-based businesses, and these have remained unchanged since the adoption of the current Zoning Bylaw in 2011.

The Sign Bylaw No. 2719, 2019 permits one sign for a home-based business per property, to a maximum size of 0.5 m².

Analysis:

A public hearing for the application was held on February 27, 2024. Three written submissions were received in advance of the public hearing. Two of the submissions focussed on a specific type of private car-sharing / car rental business and the number of vehicles that would be permitted on a property associated with a home-based business. The third submission focussed on the potential for multiple home-based businesses and related parking issues.

During the review process and development of the amending bylaw, the number of vehicles permitted for use by a home-based business was discussed extensively. In order to ensure flexibility for home-based businesses with adequate space on-site, while maintaining the residential character of a street, it was determined that the following regulations be included:

- Deliveries and loading must be accommodated on the lot;
- Any vehicle used by the home-based business must be parked on the lot associated with the home-based business, to a maximum of four, and a maximum weight of 4,600 kg;
- Exterior storage, exterior manufacturing, and/or exterior conducting of business is not permitted;
- May not produce noise, vibration, smoke, dust, odours, heat, glare, electrical, or radio disturbance detectable beyond the property lines;
- Hours of operation are limited to 7am to 9pm.

This means that a home-based business is permitted to have up to four vehicles associated with it, but only if those vehicles can be parked on the lot and that the actual business activity only occurs indoors. Staff have amended the draft bylaw to clarify that, of those four vehicles permitted on a lot, only one can be a commercial vehicle with a maximum weight of 4,600 kg.

Regarding the number of home-based businesses permitted, the intent of the regulations is to limit the impact of businesses by way of a cap on: the total area used for the businesses within a dwelling, the number of non-resident employees, the number of clients/visitors, the number of

vehicles used by the business, and by the amount of parking available. Where a property has multiple home-based businesses, those numbers cannot exceed the maximum for the category of those businesses. For example, a single-family dwelling can only have multiple home-based businesses if they do not exceed the total combined floor area of 50 m² (or 100 m² in the rural area) and if the lot can accommodate the required parking spaces. Two business licences for a hair salon and music instruction, for example, may not be approved if both businesses could not be contained with 50 m² and the lot could not accommodate the required additional parking spaces. In comparison, a townhouse with two business licences for financial planning conducted online would be permitted, because the amount of office space required is minimal and there would be no additional parking requirements as no customers or employees would be attending the dwelling. The proposed limitations on the number of non-resident employees will similarly reduce parking demand for home-based businesses and prevent properties from being used as a meeting or dispatch site for large numbers of workers heading to off-site work locations.

One submission also identified a concern about water usage for car washing. It is noted that home-based businesses are not exempt from any City or Regional water restrictions, and that if a water use infraction is observed then bylaw enforcement action can be taken.

At the public hearing, there were no speakers.

Recommendation

Enabling home-based businesses supports the needs of small business, and helps to contribute towards a vibrant and diverse economy in the City. It is anticipated that the proposed regulation changes will provide more opportunities for small, local businesses to develop in the City, while maintaining the character of neighbourhoods.

Following third reading, and prior to final approval of the bylaw, approval from Ministry of Transportation and Infrastructure (MOTI) is also required because the zoning amendment affects parcels within 800m of a Lougheed Highway intersection.

COUNCIL STRATEGIC PLAN ALIGNMENT

- | | | |
|---|--|---|
| <input type="checkbox"/> Principled Governance | <input checked="" type="checkbox"/> Balanced Economic Prosperity | <input type="checkbox"/> Infrastructure |
| <input type="checkbox"/> Community Spirit & Wellbeing | <input type="checkbox"/> Corporate Pride | <input type="checkbox"/> Public Safety |
| <input type="checkbox"/> Not Applicable | | |

Business Vitality. Cultivate a vibrant and diverse economy where local businesses prosper by attracting visitors and businesses.

WORKPLAN IMPLICATIONS

- ☒ Already accounted for in department workplan / no adjustments required
☐ Emergent issue / will require deferral of other priority(ies)
☐ Other
-

FINANCIAL IMPLICATIONS

- ☒ None ☐ Budget Previously Approved ☐ Referral to Business Planning
☐ Other
-

PUBLIC PARTICIPATION

- ☒ Inform ☒ Consult ☐ Involve ☐ Collaborate ☐ Empower

Comment(s):

First and second readings were granted on February 6, 2024. A public hearing was held on February 27, 2024.

KATZIE FIRST NATION CONSIDERATIONS

Referral ☐ Yes ☒ No ☐ Other

SIGN-OFFS**Written by:**

Allison Dominelli,
Senior Development Services Technician

Reviewed by:

Colin O'Byrne,
Manager of Planning

Patrick Ward,
Director of Planning and Development

ATTACHMENT(S):

A. Zoning Amendment Bylaw No. 2961, 2024