

Staff Report to Council

Planning & Development

FILE: 09-3900-30/23

REPORT DATE: March 29, 2024

MEETING DATE:

April 09, 2024

TO: Mayor and Council

FROM: Patrick Ward, Director of Planning and Development

SUBJECT: Bylaw Notice Enforcement Bylaw Update (Home-based Business Regulations)

CHIEF ADMINISTRATIVE OFFICER REVIEW/APPROVAL:



RECOMMENDATION(S):

THAT Council:

- A. Grant first, second and third readings to the Bylaw Notice Enforcement Amendment Bylaw No. 2981, 2024 as presented at the April 9, 2024 Council Meeting; OR
 - B. Other.
-

PURPOSE

To update the home-based business section references and penalties in Bylaw Notice Enforcement Bylaw No. 2439, 2009.

☐ Information Report

☒ Decision Report

☐ Direction Report

DISCUSSION

Background:

The Bylaw Notice Enforcement Bylaw is the primary tool used by the City to issue fines for specific bylaw offences. Within this bylaw, Schedule A identifies designated bylaw contraventions and penalties. In this Schedule, City bylaws that can levy a fine through bylaw notices are listed individually, along with the specific infraction from the bylaw and associated fine amount.

On March 12, 2024, Council granted third reading to Zoning Amendment Bylaw No. 2961, 2024 to update the home-based business regulations. A complementary amendment to the Bylaw Notice Enforcement Bylaw is required to update the section references in Schedule A to align with the new Zoning Bylaw section numbers for the home-based business regulations.

Relevant Policy, Bylaw or Legislation:

The *Community Charter* and *Local Government Bylaw Notice Enforcement Act* provide legislative framework for bylaw enforcement matters, including matters related to bylaw notice enforcement.

Analysis:

Bylaw Notice Enforcement Amendment Bylaw No. 2981, 2024 updates the section references in Schedule A of the Bylaw Notice Enforcement Bylaw to align with the new home-based business section numbers introduced by Zoning Amendment Bylaw No. 2961, 2024. The Amendment Bylaw also updates the penalties for home-based business regulation infractions; currently, the penalties range between \$100 and \$500, depending on the infraction. A \$500 penalty for all home-based business regulation infractions is recommended for consistency purposes, and to serve as a stronger penalty for home-based businesses that violate the regulations.

Zoning Amendment Bylaw No. 2961, 2024 has received three readings and the approval of the Ministry of Transportation and Infrastructure. Should Council grant first, second and third readings to Bylaw Notice Enforcement Amendment Bylaw No. 2981, 2024, consideration of final adoption will be coordinated with consideration of final adoption of Zoning Amendment Bylaw No. 2961, 2024.

COUNCIL STRATEGIC PLAN ALIGNMENT

- ☐ Principled Governance ☐ Balanced Economic Prosperity ☐ Infrastructure
☐ Community Spirit & Wellbeing ☐ Corporate Pride ☒ Public Safety
☐ Not Applicable

Bylaws – Resolve complaints through education and voluntary compliance and implement enforcement measures.

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):

The public will be informed of these updates through the normal agenda notification process.

KATZIE FIRST NATION CONSIDERATIONS

Referral ☐ Yes ☒ No ☐ Other

SIGN-OFFS

Written by:

Chantal Gemperle,
Manager of Building & Bylaw Services

Reviewed by:

Patrick Ward,
Director of Planning and Development

ATTACHMENT(S):

A. Bylaw Notice Enforcement Amendment Bylaw No. 2981, 2024