



City of Port Moody Report/Recommendation to Council

Date: November 2, 2021

Submitted by: Community Development Department – Building, Bylaw, and Licensing Division

Subject: Home-Based Businesses

Purpose

To provide Council with recommendations related to zoning bylaw regulations for Home-Based businesses.

Recommended Resolution(s)

THAT City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 64, 2021, No. 3335 (Home-Based Businesses and Housekeeping) be read a first, second, and third time as recommended in the report dated November 2, 2021, from the Community Development Department – Building, Bylaw, and Licensing Division regarding Home-Based Businesses.

Background

At the November 10, 2020, Regular Council meeting, Council passed the following resolution:

RC 20/415

THAT staff be directed to prepare amendments to relevant bylaws to allow artisans to sell their wares from home under Accessory Home Occupation Use Type I as recommended in the report dated October 21, 2020, from the Office of Councillor Steve Milani regarding Home-Based Businesses;

AND THAT staff be directed to prepare amendments to relevant bylaws to allow a legal suite and an Accessory Home Occupation Use Type I (A) or Type II (B) to coexist on properties zoned for single-family homes where sufficient space exists.

In addition to the above resolutions, the proposed amendment Bylaw addresses allowing licensed home-based businesses to operate in multi-family residential developments. The increased scope was presented to Council in spring 2021 and is included in Council Strategic plan project 4.1.4.

The purpose for the increased scope is to address the growing number of inquiries to allow home-based businesses in multi-family developments for low-impact businesses such as tutoring and therapists (e.g., massage therapy). As multi-family developments are the

Considered at the January 11, 2022 Council meeting

423

predominant housing form being built in Port Moody, consideration of this additional provision will allow more people to live and work in Port Moody.

Discussion

Currently, Port Moody's zoning bylaw does not permit a Home Occupation-Type B in a multi-family residential building or in the same house that contains a secondary suite. The Zoning Bylaw does allow for Home Occupation Type A in a multi-family residential building, which is a business that does not allow for any customer or client visits. Following are the definitions of Home Occupations:

- Home Occupation Type – A is commonly referred to as a home office, or a business that is typically just the use of a computer and/or phone and does not generate any customer or client visits, such as a plumbing contractor or landscaper.
- Home Occupation -Type B is referred to as a home-based business or, a business that allows for client and customer visits such as a hairdresser or piano teacher.

Staff have researched Home-Based business regulations in neighbouring municipalities. The cities of Coquitlam, Port Coquitlam, and Burnaby all allow some type of home-based business in multi-family residential developments. Most municipalities surveyed prohibit home-based business that can cause nuisances such as noise or smell, alterations to the exterior of the building, exterior storage, and the display or sales of goods. The exception in the group surveyed is the City of Coquitlam, which allows the display and sales of goods if the goods are produced on-site.

Based on the findings, staff have drafted an amendment to the Zoning Bylaw that includes a third type of home occupation, Type C – Low-Impact Home-Based Business (**Attachment 1**). This new category of home occupation is meant to be used in multi-family residential buildings as well as single detached residential buildings that contain a secondary suite. The regulations for this new category are meant to capture businesses that would not impact a neighbourhood by generating a lot of customer visits or put a strain on resident parking. This category would not require any additional on-site parking. In the instance where the business licence request is located in a building with a strata, strata approval will be required prior to the issuance of the business licence. Examples of Low Impact Home-Based Businesses include tutoring, therapist, and lawyer. The amendment bylaw also includes an allowance for business owners to sell goods they produced in their home, from their home.

During the review of the zoning bylaw, staff identified a few other housekeeping amendments and have included these in the attached amendment bylaw. These house keeping provisions include removal of the construction of a Firewall in the RS9 zone and the inclusion of Secondary Suites in CD-30 and CD-34 zones.

Other Option(s)

THAT the report dated November 2, 2021, from the Community Development Department – Building, Bylaw, and Licensing Division regarding Home-Based Businesses be received for information.

Considered at the January 11, 2022 Council meeting

424

Financial Implications

Although this Bylaw amendment could eventually increase business licence revenue for the City, staff anticipate that the change will be less than \$1,000 per year over the next few years.

Communications and Civic Engagement Initiatives

The amended bylaw would be updated on the City's website and staff would respond accordingly to inquiries received.

Council Strategic Plan Objectives

This report aligns with Council's Strategic Initiative of providing Economic Prosperity.

Attachment(s)

1. Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 64, 2021, No. 3335 (Home-Based Businesses and Housekeeping).

Report Author

Robyn MacLeod, RBO

Manager of Building, Bylaw, and Licensing

Considered at the January 11, 2022 Council meeting

425

Report Approval Details

Document Title:	Home-Based Businesses.docx
Attachments:	- Attachment 1 - Draft City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 64, 2021, No. 3335.pdf
Final Approval Date:	Nov 29, 2021

This report and all of its attachments were approved and signed as outlined below:

Kate Zanon, General Manager of Community Development - Nov 23, 2021 - 9:18 AM

Dorothy Shermer, Corporate Officer - Nov 23, 2021 - 11:28 AM

Rosemary Lodge, Manager of Communications and Engagement - Nov 25, 2021 - 12:06 PM

Paul Rockwood, General Manager of Finance and Technology - Nov 25, 2021 - 1:38 PM

Tim Savoie, City Manager - Nov 29, 2021 - 7:36 AM



City of Port Moody

Bylaw No. 3335

A Bylaw to amend City of Port Moody Zoning Bylaw, 2018, No. 2937 to rename Home Occupation Type A and Type B, to add Home Occupation Type C – Low-Impact Home-Based Business, and to make housekeeping changes in Schedule D – Comprehensive Development Zones.

The Council of the City of Port Moody enacts as follows:

1. Citation

- 1.1 This Bylaw may be cited as “City of Port Moody Zoning Bylaw, 2018, No. 2937, Amendment Bylaw No. 64, 2021, No. 3335 (Home-Based Businesses and Housekeeping)”.

2. Amendments

- 2.1 City of Port Moody Zoning Bylaw, 2018, No. 2937 is amended by replacing section 5.2.3 in its entirety with the following:

“5.2.3 Home Occupation Use – Type A, Type B, and Type C

(a) The following regulations apply to all types of Home Occupation:

- (i) no offensive noise, vibration, traffic, smoke, dust, odours, heat, glare, electrical, or radio disturbance shall be produced by the Home Occupation;
- (ii) no exterior alterations are permitted that are inconsistent with the Residential character of the Buildings and property;
- (iii) outside storage of materials, equipment, or finished products is not permitted; and
- (iv) a business must not involve:
 - Veterinary care, Animal Daycare or boarding, or breeding of animals; and
 - Retail sale or lease of goods from the premises unless the goods are produced on the premises.

Considered at the January 11, 2022 Council meeting

427

(b) Where permitted in this Bylaw, a Home Occupation – Type A – Home Office shall:

- (i) be carried out exclusively by a resident of the principal Dwelling Unit in which the Home Occupation is located on the premises;
- (ii) be wholly contained within the principal Dwelling Unit or permitted Accessory Building;
- (iii) not generate customer visits; and
- (iv) not display signs or advertising.

(c) Where permitted in this Bylaw, a Home Occupation – Type B – Home-Based Business shall:

- (i) not be permitted on a Lot containing a Bed and Breakfast, Boarding use, Child Care use, or a Secondary Suite;
- (ii) be carried out exclusively by a resident of the principal Dwelling Unit in which the Home Occupation is located and not more than two non-resident employees on the premises;
- (iii) be wholly contained within a Dwelling Unit or Accessory Building and not exceed 50m² of Floor Area;
- (iv) not generate significant traffic impacts within the neighbourhood;
- (v) provide Off-Street Parking in accordance with section 6.0 of this Bylaw; and
- (vi) be permitted to display signage in accordance with the Sign Bylaw.

(d) A Home Occupation – Type C – Low-Impact Home-Based Business shall be permitted in all zones where residential use is permitted and shall:

- (i) not be permitted in a Dwelling Unit that contains a Child Care use;
- (ii) be carried out exclusively by a resident of the principal Dwelling Unit in which the Home Occupation is located;
- (iii) be located in a multi-residential building subject to strata and/or property owner approval;
- (iv) generate only single-person or one-family client/customer visits;

Considered at the January 11, 2022 Council meeting

428

- (v) not display any signage or advertising except for in a multi-residential building where approval is given by strata and/or property owners;
- (vi) be completely enclosed within the Dwelling Unit, and if located in a strata, may not be conducted in any common property; and
- (vii) not involve more than five visits to the premises per day by customers or persons making deliveries to or from the premises.”.

- 2.2 Bylaw No. 2937 is further amended by replacing section 8.13.6 in its entirety with the following:

“8.13.6 Conditions of Use for Semi-Detached Residential Use

- (a) Semi-Detached Residential use is permitted on Lots 1,125m² and greater.
- (b) Two Accessory Buildings or Structures shall be permitted on a Lot for Semi-Detached Residential use.
- (c) The Lot Coverage of a permitted Accessory Building that includes enclosed parking shall not exceed 80m².”.

- 2.3 Bylaw No. 2937 is further amended by replacing section 100.2 in Schedule D – Comprehensive Development Zones in its entirety:

“100.2 Permitted Use

- (1) Two-family Residential
- (2) Accessory Home Occupation (Type II)
- (3) Accessory Off-Street Parking
- (4) One Secondary Suite”

- 2.4 Bylaw No. 2937 is further amended by replacing section 104.2 in Schedule D – Comprehensive Development Zones in its entirety:

“104.2 Permitted Use

- (1) Multiple Family Residential
- (2) Accessory Home Occupation
- (3) Accessory Off-Street Parking
- (4) One Secondary Suite”

Considered at the January 11, 2022 Council meeting

429

3. Severability

- 3.1 If a portion of this Bylaw is found invalid by a court, it will be severed, and the remainder of the Bylaw will remain in effect.

Read a first time this ___ day of ____, 2021.

Read a second time this ___ day of ____, 2021.

Public Hearing held this ___ day of ____, 2022.

Read a third time this ___ day of ____, 2022.

Adopted this ___ day of ____, 2022.

R. Vagramov
Mayor

D. Shermer
Corporate Officer

I hereby certify that the above is a true copy of Bylaw No. 3335 of the City of Port Moody.

D. Shermer
Corporate Officer