

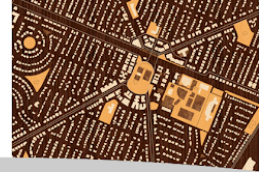


# **RICHMOND HILL ZONING BY-LAW REVIEW**

## **Home-Based Businesses**

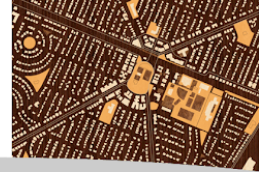
**(Home Occupations, Live-Work Units,  
Home Businesses and Home Industries)**

**August 11, 2022**



## Table of Contents

<b>1.0</b>	<b>Introduction .....</b>	<b>4</b>
<b>2.0</b>	<b>Legislative Context and Policy Context .....</b>	<b>6</b>
2.1	Planning Act and Zoning By-laws .....	6
2.2	Oak Ridges Moraine Conservation Plan.....	8
2.3	City of Richmond Hill Official Plan.....	10
2.3.1	Home Occupations.....	11
2.3.2	Live-Work Units.....	12
2.3.3	Home Businesses and Home Industries.....	13
2.3.4	Secondary Plans.....	14
<b>3.0</b>	<b>Home-Based Businesses in Richmond Hill .....</b>	<b>16</b>
3.1	Review of Current Zoning Standards for Home Occupations.....	16
3.2	Review of Current Zoning Standards within the Oak Ridges Moraine .....	18
3.3	Summary of Complaints to By-law Enforcement.....	21
<b>4.0</b>	<b>Area Municipal Plan Comparison .....</b>	<b>22</b>
4.1	Home Occupations.....	22
4.1.1	Employees.....	22
4.1.2	Outdoor Storage.....	22
4.1.3	External Display.....	23
4.1.4	Location.....	23
4.1.5	Size Restrictions .....	23
4.1.6	Priority of Use.....	25
4.1.7	Sale of Goods.....	26
4.1.8	Signage.....	27
4.1.9	Nuisance Impacts.....	28
4.1.10	Specific Permitted Uses .....	28
4.1.11	Specific Prohibited Uses .....	30
4.1.12	Parking .....	31
4.2	Live-Work Units.....	32
4.2.1	City of Toronto.....	33
4.2.2	City of Vaughan .....	36
4.2.3	Town of Newmarket.....	38
4.2.4	Town of Oakville.....	40
4.2.5	Town of Ajax.....	41
4.3	Home Businesses.....	43



4.3.1	City of Burlington.....	44
4.3.2	Town of Ajax.....	44
4.3.3	City of Ottawa.....	45
4.3.4	Town of Caledon.....	47
4.3.5	Town of East Gwillimbury.....	47
<b>4.4</b>	<b>Home Industries.....</b>	<b>48</b>
4.4.1	Town of Caledon.....	49
4.4.2	King Township.....	51
4.4.2	Municipality of Clarington.....	52
4.4.3	Municipality of Port Hope.....	55
4.4.4	Town of East Gwillimbury.....	58
4.4.5	Town of Whitchurch-Stouffville.....	59
4.4.6	Town of Aurora.....	61
<b>5.0</b>	<b>Survey and Open House.....</b>	<b>62</b>
<b>6.0</b>	<b>Options for the City to Consider .....</b>	<b>64</b>
<b>6.1</b>	<b>Options for Home Occupations .....</b>	<b>65</b>
6.1.1	Zoning Options .....	65
6.1.2	Home Occupation Guidelines.....	73
<b>6.2</b>	<b>Options for Live-Work Units .....</b>	<b>74</b>
6.2.1	Zoning Options .....	74
6.2.2	Live-Work Unit Guidelines.....	75
<b>6.3</b>	<b>Options for Home Business .....</b>	<b>75</b>
<b>6.4</b>	<b>Options for Home Industries .....</b>	<b>79</b>
<b>7.0</b>	<b>Conclusion.....</b>	<b>84</b>

Appendix A: Detailed Area Municipal Plan Comparison

Appendix B: Summary of Home Occupation Zoning Provisions

Appendix C: Area Municipal Plan Comparison – Oak Ridges Moraine

Appendix D: Survey Questions



## 1.0 INTRODUCTION

The City of Richmond Hill contains many small and medium sized businesses, which play a significant role in supporting the City's economic vitality.

Richmond Hill has been identified as a growth centre within York Region and will be expected to accommodate 17 per cent of its anticipated growth. Located along Yonge Street, the City is ideally situated along one of the major transportation and development corridors within the Greater Toronto Area (GTA).

York Region's Municipal Comprehensive Review report, entitled 2019 Planning for Employment Background Report, reveals that working from home is a rapidly growing employment type in the Region. As of 2018, there were an estimated 51,100 people working from home, which is 8 per cent of the total employment in the Region. Further, Statistics Canada Census data identifies that between 2008 and 2018, growth in the number of York Region residents working at home increased by 32 per cent.

Key observations from the report suggests that the nature of work is shifting. Growth in York Region residents who are self-employed, working at home, or with no fixed workplace address has outpaced employment growth for those with a usual place of work.

Further, the Report identified that since the 2008 recession, York Region's economy has profoundly shifted from goods producing towards knowledge-based industries. Globalization, advances in technology as well as strong growth in knowledge-based sectors have had an impact on the type of work in the Region.

As work becomes more integrated into life, it is expected that home-based employment will increase. This Technical Paper is not addressing work from home, whereby someone is employed by a business but carries out some of their work from home on a full-time or part-time basis. In this regard, it is not possible to restrict a resident from turning a bedroom into a home office.

On the basis of the above, many municipalities attempt through zoning to identify acceptable business activities that can be carried out in a dwelling, primarily to ensure that the character of the dwelling as a residential use is not changed. This Technical Paper focuses on home business, home industry, live-work units and home occupation, which are collectively referred to as home-based businesses. Home business and home industry uses are derived from the Oak Ridges Moraine Conservation Plan ('ORMCP') and generally apply to lands within the ORMCP, while live-work units and the home occupation use generally apply within settlement areas. In this regard, the home is the base or headquarters of the business.



As examples, most municipalities permit the office of a 'professional', such as a doctor or accountant, and others may also permit service businesses, such as hairstyling and other personal grooming services. In rural areas, small-scale manufacturing or repair shops may also be permitted.

The Richmond Hill Official Plan ('RHOP') supports the establishment of office uses as a home occupation within neighbourhoods, providing residents with an opportunity to work from home subject to being compatible with the surrounding area. Live-work units are also supported in specific parts of the City that are served by higher order transit (centres and corridors) and provide for limited small-scale office commercial and retail uses that are compatible with the surrounding area. As well, home industries are recognized in the Official Plan within agricultural and rural areas within the Oak Ridges Moraine Conservation Plan area. Table 1 below provides a summary of the home-based business uses included in the RHOP and identifies the designations where the use is permitted.

Table 1: Summary of home-based business uses and designations where they are permitted.

Home-based business uses	Richmond Hill Official Plan: Designations that permit the use
Home occupation	Neighbourhood designation
Live-work unit	Richmond Hill Centre designation Downtown Local Centre designation Oak Ridge's Local Centre Key Development Area designation Local Development Area designation Regional Mixed Use Corridor designation Local Mixed Use Corridor designation Along Arterial Roads in the Neighbourhoods Designation Within existing neighbourhood commercial sites in the Neighbourhood Commercial designation
Home business	Oak Ridges Moraine designations
Home industry	Oak Ridges Moraine designations

The intent of this Technical Paper is to review example zoning approaches in other area municipalities and identify zoning options for these types of uses in the City. On the basis of the above, this Technical Paper is organized as follows:

Section 2 reviews the Planning Act and City of Richmond Hill Official Plan as it relates to the type of home-based businesses in the City's residential areas;



Section 3 reviews the current Zoning By-law provisions that apply to home occupations, live-work units, home businesses and home industries in the City of Richmond Hill;

Section 4 includes an area municipal plan comparison of the zoning provisions that apply to home occupations, live-work units, home businesses and home industries in a number of municipal zoning by-laws, including an analysis of trends;

Section 5 includes an overview of the responses received on the City's survey on home occupations, live-work units, home businesses and home industries and the comments that were made at an Open House held on March 31, 2022;

Section 6 discusses the zoning options for the City of Richmond Hill to consider; and,

Section 7 includes concluding remarks and describes the next steps.

## **2.0 LEGISLATIVE CONTEXT AND POLICY CONTEXT**

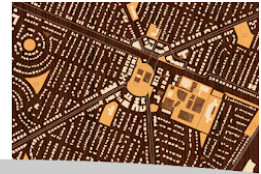
### **2.1 Planning Act and Zoning By-laws**

Section 34 of the Planning Act enables municipalities to pass zoning by-laws to legally control land uses. A zoning by-law implements the objectives and policies of a municipality's Official Plan and provides a legal way of managing land use and future development.

According to Section 34(1) of the Planning Act, a zoning by-law can among other things:

- Regulate the proportion of a lot that any building or structure may occupy;
- Prohibit the use of land or buildings for any use that is not specifically permitted by the by-law;
- Prohibit the erection or siting of buildings and structures on a lot except in locations permitted by the by-law; and,
- Regulate the type of construction and the height, bulk, location, size, floor area, spacing and use of buildings or structures.

With respect to home occupation uses, a zoning by-law commonly restricts the physical configuration of a home occupation by placing limitations on the space that a resident may devote to a home occupation. It is usually 25 per cent of the floor space or less, requiring that the operation be conducted solely within the confines of the home and not in any accessory structure, including attached garages, and prohibiting a resident from physically altering the external appearance of the dwelling to accommodate the business. Notwithstanding the above, certain types of home occupations can alter the external appearance of a residence if special



venting is required and/or if a small sign is affixed to the front wall; however, these changes are anticipated to be minor.

A zoning by-law can also regulate the type of businesses that can operate in a home, limiting their use or prohibiting specific uses altogether.

A zoning by-law can limit who can work in a home. Most require the owner of the business to reside in the dwelling and restricts non-resident employees.

A zoning by-law can also regulate the internal practices of home businesses by precluding client or customer visits, essentially prohibiting all commercial transactions and sales of any product.

Zoning by-laws can also make it illegal for a home business to manufacture a product, to maintain any inventory on the premises, and to advertise their business through product displays and signs visible from the street.





## 2.2 Oak Ridges Moraine Conservation Plan

In 2001, the Province enacted the Oak Ridges Moraine Conservation Act and subsequently, released the Oak Ridges Moraine Conservation Plan (ORMCP) pursuant to Section 3 of the Act. The primary purpose of the ORMCP is to protect the ecological and hydrological integrity of the Oak Ridges Moraine.

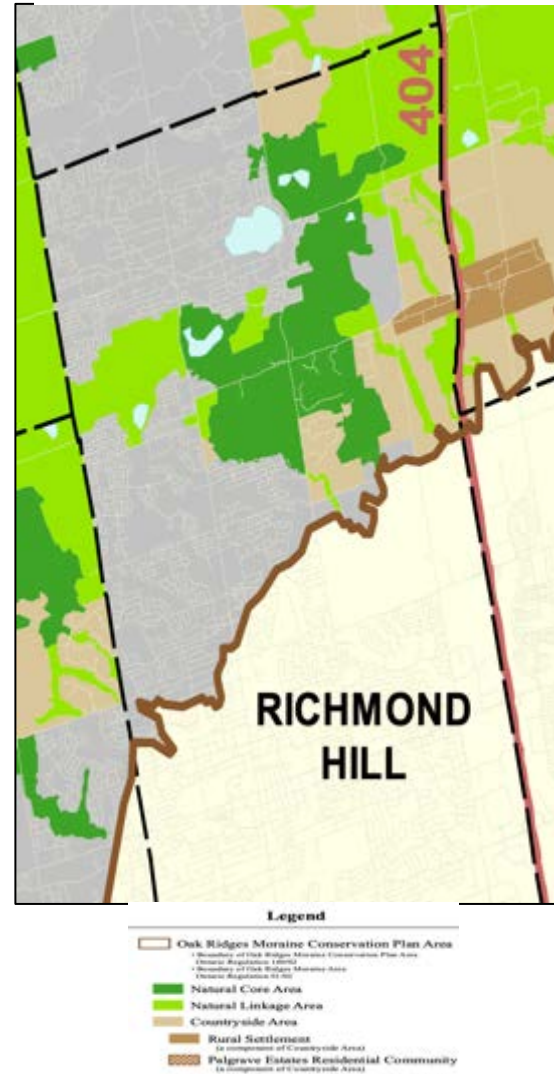
All land use decisions on planning applications found within the Oak Ridges Moraine Conservation Plan Area must conform to the Oak Ridges Moraine Conservation Plan.

The policies of the ORMCP ensure that land and resource uses maintain, improve or restore ecological and hydrological functions. Land use permissions for new development, resource management, recreational and other uses are restricted near key natural heritage features and key hydrological features and are only permitted if they will not adversely affect these features. An excerpt of the ORM mapping over Richmond Hill is shown in Figure 1.

In 2017, the Province released updated land use policies to the ORMCP, which further strengthened the protection and support for agricultural land uses and natural heritage systems, and provided enhanced consideration for climate change and conserving cultural heritage systems.

Policies of the ORMCP (2017) support the agricultural land base, which comprises prime agricultural areas, rural lands, and the agri-food network of services and assets that are important to the viability of the agri-food sector.

Figure 1: Excerpt of the Oak Ridges Moraine Conservation Plan in the City of Richmond Hill







The ORMCP (2017) also includes policies on Settlement Areas, which are intended to support uses and the development of complete communities, including the development of community hubs and the co-location of public services.

As shown on Figure 1, ORMCP lands comprise of three specific land use designations: the ORM Natural Core, ORM Natural Linkage and ORM Countryside Area. Settlement areas, which are a component of the Countryside Area designation are also identified.

Richmond Hill's ORMCP lands extend across the northern portion of the municipality and comprise over half of the City's geographic area. As shown on Figure 2 to the right, the City's larger Greenway System recognizes the land use designations of the ORMCP.

Home businesses and home industries are permitted in accordance with the permitted uses in each of the land use designations of the ORMCP. Home businesses and home industries are permitted provided that the use is incidental to an existing single detached dwelling, which may be existing or new under the ORMCP.

A few minor changes were made to the ORMCP in 2017 as it relates to home industries. In this regard, the definition of home business has been amended to differentiate whether it is on a farm or not. A new definition of home occupation was also added. These changes will need to be addressed in a future update to the RHOP.

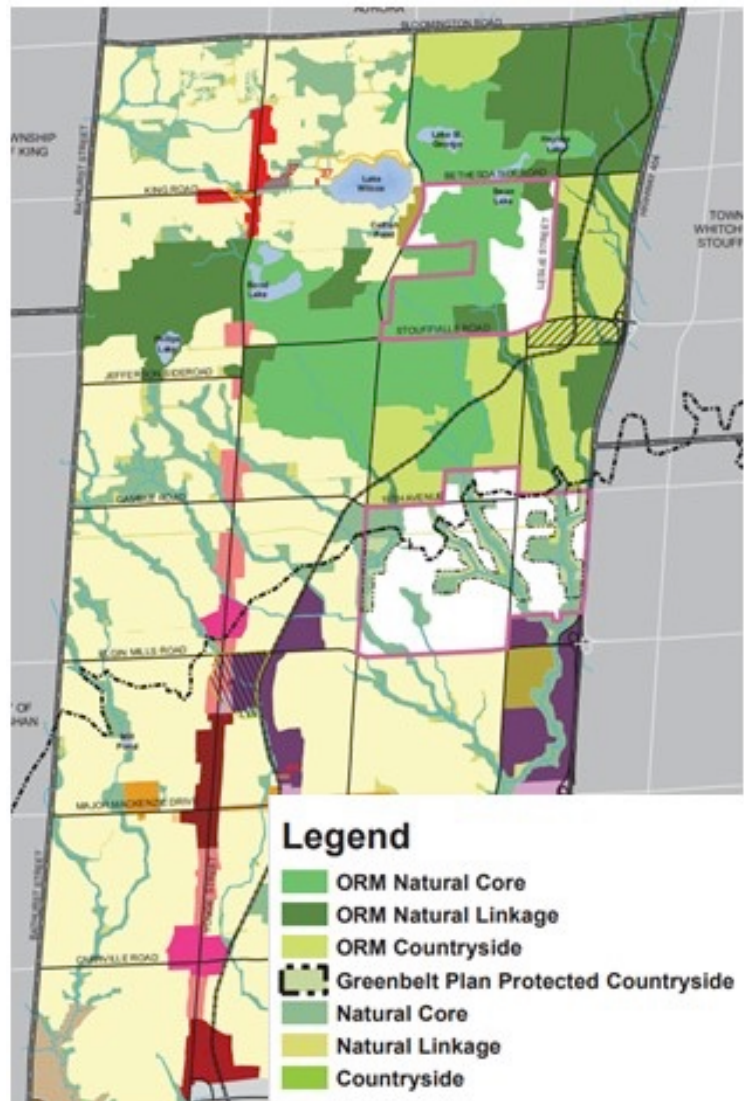


Figure 2: Excerpt from RHOP Schedule A2 Land Use

The three relevant definitions as contained in the ORMCP are reproduced below.

“Home business” means a business that is not located on a farm and,



- a) Involves providing personal or professional services or producing custom or artisanal products,
- b) Is carried on as a small-scale secondary use within a single dwelling, or a building that is accessory to the dwelling, by one or more residents of the dwelling, and
- c) Does not include uses such as an auto repair or paint shop or furniture stripping;

“Home industry” means an industry that,

- a) Is carried out in the home or in a building that is accessory to the home or, if the home is located on a farm, to the agricultural operation;
- b) If the home is not located on a farm,
  - i. Is carried on as a small-scale use that is secondary to the principal use of the home as a single dwelling,
  - ii. Provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the farming community, and
  - iii. Does not include uses such as auto repair or paint shop or furniture stripping, and
- c) If the home is located on a farm,
  - i. Is carried on as a small-scale use that is secondary to the principal use of the farm as an agricultural operation, and
  - ii. May include, but is not limited to, a sawmill, welding or woodworking shop, manufacturing or fabrication shop, equipment repair and seasonal storage of boats or trailers;

“Home occupation” means an occupation that is carried out on a farm and that,

- a) Involves providing personal or professional services such as those offered at or by a professional office, bookkeeper, land surveyor, art studio, hairdresser, massage therapist, daycare, veterinary clinic, kennel classes or workshops, and
- b) Is carried on as a small-scale secondary use within a single dwelling on the farm;

The ORMCP was implemented in Richmond Hill by By-law 128-04, which was approved by City Council on May 31, 2004 and subsequently approved, with modifications, by the Ontario Municipal Board (now OLT) on July 6, 2009. An overview of By-law 128-04 is provided in Section 3.2 of this Technical Paper.

## **2.3 City of Richmond Hill Official Plan**

Home-based businesses are recognized under Section 3.3.2 - Economic Vitality and Employment Intensification and Section 3.3.3.3 – Employment in the Neighbourhoods in the RHOP. Home Occupations are permitted within the Neighbourhood designation and live-work units are generally permitted within most centres and corridors of the RHOP.



There are two additional types of employment in the RHOP, which are similar to home occupations: home businesses and home industries. These are terms used within specific land use designations under the Oak Ridges Moraine (Linkage, Core and Countryside).

### **2.3.1 Home Occupations**

Home occupations are permitted in the Neighborhood designation of the RHOP, in accordance with policies under Chapter 3 – Building a New Kind of Urban. The Neighbourhood designation is generally characterized by low-density residential areas comprising a range of service uses and facilities such as commercial plazas, schools, day nurseries, places of worship, community centres, parks and urban open spaces. In this designation, small-scale infill development is also permitted. Amendment 18.4, which was adopted by Council in July 2022, makes it clear that home occupations are permitted in the Neighbourhood designation.

The following outlines RHOP Policy 3.3.2.10, addressing home occupations, as amended by Amendment 18.4:

The following policies shall apply to home occupations where permitted within the Zoning By-law:

- a. The home occupation is subordinate to the residential use of the dwelling, and the owner of the home occupation resides in the dwelling;
- b. The home occupation is conducted wholly within a dwelling;
- c. The home occupation remains accessory to the primary residential use and is limited in floor space to a portion of the dwelling as determined by the zoning by-law;
- d. The number of employees is generally limited to the home occupant and one additional employee may be permitted;
- e. The built form of a dwelling and property should continue to maintain its appearance and principal use as a residential dwelling in keeping with the character of the area;
- f. Adequate on-site parking is provided;
- g. Signage is limited in accordance with the City's by-law;
- h. Home occupations shall not provide a storefront. Any retail sales of good or merchandise associated with a home occupation shall be incidental and accessory to a home occupation;
- i. Veterinary services are not permitted. The Zoning By-law may reference other types of home occupations that are prohibited;
- j. No outdoor storage or display of goods, materials or equipment associated with a home occupation shall be permitted; and
- k. Prior to establishing a home occupation, proponents shall ensure that the proposed home occupation complies with all applicable municipal by-laws, including but not limited to, the



City's noise, sign, property standards, and parking standards as regulated through the applicable Zoning By-laws and Municipal Code. For greater certainty, home occupations shall not create, or have the potential to create, a hazard, nuisance or adverse impact with respect to excessive noise or vibration, vehicular traffic, emissions, objectionable odours, gases, fumes, dust or glare, and the occupation shall not be considered offensive or incompatible within a residential area;"

The changes made by Amendment 18.4 in July 2022 indicate that home occupations may be carried out in any dwelling type. In addition, Amendment 18.4 makes it clear that any outside storage is not permitted and that home occupations shall not create, or have the potential to create, a hazard, nuisance or adverse impact. Lastly, Amendment 18.4 indicates that the implementing zoning by-law may further identify prohibited home occupations.

The RHOP defines a Home Occupation as:

An occupation or profession that is conducted by an individual residing in the same premises and where the business or profession is conducted wholly within the dwelling but is accessory to the principal residential use.

### **2.3.2 Live-Work Units**

The RHOP also recognizes the importance of live-work units in certain locations of the City to provide for limited, small-scale office, commercial and retail uses, which are compatible with the surrounding area and contribute to an appropriate mix of economic activity in the City.

The RHOP provides a definition for Live-Work Units:

A single unit (e.g. studio, loft, or apartment) consisting of both a commercial, retail, and/or office component and a residential component that is occupied by the same resident. A live work unit may be used as both a living accommodation, which has a kitchen and sanitary facilities, and a business operated by one or more people who live in the unit.

The RHOP directs live-work units to the Centres and Corridors designations and this was recently confirmed in Section 3.3.3.2.9 by Amendment 18.3 to the Official Plan, which was adopted in June 2022. This Amendment indicated that live-work units shall be directed to locate anywhere in the Centres and Corridors, unless otherwise stated in Chapter 4 of the Official Plan. Most of these areas are of higher density, mixed use developments and includes the Richmond Hill Centre, Local Centres, Key Development Areas, Local Development Areas, Regional Mixed Use Corridors and Local Mixed Use Corridors. Amendment 18.4, which was adopted in July 2022, indicates that live-work units in the Neighbourhoods designation are



permitted provided they front on an arterial street and within existing neighbourhood commercial sites.

Policy 3.3.3.2.10 provides the following Live-Work Unit policies:

The following policies shall apply to live-work units where permitted within the Zoning By-law:

- a. The live-work unit is a primary dwelling of the occupant;
- b. The commercial and or retail component of the live-work unit is limited to occupations identified in the Zoning By law;
- c. Live-work units with a retail component are generally restricted to units at street level and are directly fronting onto a public street;
- d. Outdoor storage and display are not permitted;
- e. Exterior lighting and signage will be restricted to avoid impacting adjacent land uses and shall be in accordance with the Town Sign By-law;
- f. The live-work unit is compatible with the adjacent uses with respect to built form;
- g. The use of the live-work unit shall not generate traffic, noise or odour that is incompatible with adjacent uses,
- h. Adequate parking is provided; and,
- i. Where live-work units are permitted within the same building or structure as residential units, a separate building entrance and hallway access points may be required to the satisfaction of the Town.

Amendment 18.4 also replaced the definition of live-work unit with the following:

Means a single unit (e.g. studio, loft, or apartment) consisting of both a subsidiary commercial, retail, and/or office component and a residential component that is occupied by the same resident. A live-work unit shall comply with the provisions set out in the Ontario Building Code and may be used as both a living accommodation, which has a kitchen and sanitary facilities, and a business operated by one or more people who live in the unit.

As indicated by City staff, the exterior lighting and signage requirement may not be an issue for live-work units that are located on an arterial street or in centres or corridors. In this regard, this policy may be addressed in a future update to the RHOP. Further, such matters are regulated by Municipal Act by-laws and beyond the scope of this paper.

### **2.3.3 Home Businesses and Home Industries**

Section 4.10 of the RHOP includes policies that apply to the Greenway System and includes policies that apply to lands within the Oak Ridges Moraine such as the ORM Natural Core designation (policy 4.10.1), ORM Natural Linkage designation (policy 4.10.2) and ORM





Countryside designation (policy 4.10.3). It is noted that the Hamlet of Gormley is identified as a Rural Settlement Area in the RHOP, which is a component of the ORM Countryside designation.

Home businesses and home industries are permitted within the ORM Natural Core, ORM Natural Linkage and ORM Countryside designations, subject to the policies of Section 3.2.1.1.17 of the RHOP which reads as follows:

Home businesses, home industries, bed and breakfast establishments and farm vacation homes shall be permitted in accordance with the permitted uses in all of the ORM land use designations provided the use is ancillary or subordinate to a lawfully existing single detached dwelling or a new single detached dwelling permitted by this Plan and the Oak Ridges Moraine Conservation Plan.

As indicated above, a home business or home industry is permitted in all of the ORM land use designations provided the use is accessory to a lawfully existing single detached dwelling or a new single detached dwelling.

The RHOP defines a Home Business as:

- a) Involves providing personal or professional services or producing custom or artisanal products;
- b) Is carried on as a small-scale accessory use within a single detached dwelling by one or more of its residents; and,
- c) That does not include uses such as an auto repair or paint shop or furniture stripping.

There is no definition for home industry in the RHOP, however such a definition is included within the ORMCP.

## **2.3.4 Secondary Plans**

Schedule A2 to the RHOP identifies secondary plan areas in pink outline (see Figure 3). In this regard, the West Gormley Secondary Plan and North Leslie Secondary Plan both include lands that are subject to the ORMCP and include policies that address home business and home industries. Both of these secondary plans are briefly discussed below.



The West Gormley Secondary Plan ('West Gormley SP') includes lands that are generally bound by Bayview Avenue to the west, Leslie Street to the east, Bethesda Sideroad to the north and Stouffville Road to the south. The lands within the West Gormley SP are designated Settlement Area (as a component of the Countryside designation in the ORMCP), Natural Core Area and Natural Linkage Area in accordance with the ORMCP.

While the West Gormley SP is within the ORMCP, it does not include policies that address home business or home industry. However, Section 8.6.2.5.4 of the West Gormley SP permits home occupations within the Residential land use designation without an amendment to the Zoning By-law, subject to the following set of criteria:

- i. The home occupation is carried on by an occupant of the dwelling;
- ii. The home occupation constitutes a secondary use and is carried on entirely within the dwelling unit;
- iii. The business does not generate traffic on a daily or routine basis which exceeds the residential parking standard;
- iv. There is no outside storage of goods or materials;
- v. The residential façade and appearance of the dwelling unit is maintained;
- vi. Signage is consistent with the residential requirements in the Sign By-law;
- vii. The home occupation does not include retail sales from the dwelling; and,
- viii. Medical and animal clinics are not permitted.



Figure 3: Excerpt of Schedule A2 from the RHOP

The North Leslie Secondary Plan ('North Leslie SP') includes lands that are generally bound by 19<sup>th</sup> Avenue to the north, Highway 404 to the east, Elgin Mills Road East to the south and Bayview Avenue to the west. The lands within the North Leslie SP are within the City's Urban Area and Oak Ridges Moraine Planning Area.





Section 9.6.2.4 of the North Leslie SP includes policies that apply to other permitted uses in Residential Designations. Section 9.6.2.4.4 permits home based businesses in Residential land use designations without an amendment to the Zoning By-law, provided that the following criteria are met:

- i. The home occupation is carried on by an occupant of the dwelling;
- ii. The home occupation constitutes a secondary use and is carried on entirely within the dwelling unit;
- iii. The business does not generate traffic on a daily or routine basis which exceeds the residential parking standard;
- iv. There is no outside storage of goods or materials;
- v. The residential façade and appearance of the dwelling unit is maintained;
- vi. Signage is consistent with the residential requirements in the Sign By-law;
- vii. The home occupation does not include retail sales from the dwelling; and,
- viii. Medical and animal clinics are not permitted.

The North Leslie SP does not include a definition for home based business (in accordance with the Section 9.6.2.4.4 policy above), however it does include a definition for Home Business as follows:

“Home business” means an occupation that,

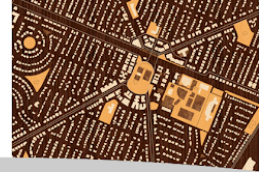
- a. Involves providing personal or professional services or producing custom or artisanal products,
- b. Is carried on as a small-scale accessory use within a single dwelling by one or more of its residents, an
- c. Does not include uses such as an auto repair or paint shop or furniture stripping.

It is noted that the policies that apply to home based businesses in the North Leslie SP include the same set of criteria for home occupations as in the West Gormley SP. In both of the secondary plans, the permissions are different from those that are contained in Part I of the RHOP. The City could consider harmonizing these policies through the ongoing Official Plan update.

## **3.0 HOME-BASED BUSINESSES IN RICHMOND HILL**

### **3.1 Review of Current Zoning Standards for Home Occupations**

Richmond Hill contains many parent zoning by-laws, which apply to separate geographic areas of the City. As part of this Technical Paper, City Staff provided a sample of zoning by-laws with provisions that apply to Home Occupations.



The following section reviews the Home Occupation provisions in the sample of zoning by-laws that continue to apply. Table 2 below provides a summary of the City's zoning by-laws that were reviewed.

Table 2: List of Richmond Hill Zoning By-laws

By-law	In-effect	Area
38-95	August 4, 1995	Bayview North-West Planning District By-law
313-96	March 26, 1997	North Urban Area Zoning By-law
42-02	June 24, 2002	Yonge West Secondary Plan Area By-law
54-15	March, 2016	West Gormley Zoning By-law
55-15	December 7, 2015	North Leslie Secondary Plan Zoning By-law
111-17	February 26, 2021 (partial approval)	Yonge and Bernard Key Development Area Secondary Plan Zoning By-law

In examining each of the zoning by-laws listed in Table 2, it was found that each of the By-laws define a home occupation as:

An economic enterprise operated within a dwelling unit, incidental and secondary to the residential use.

Under General Provisions, each of the By-laws regulate home occupations in residential dwellings as follows:

- a. Shall be conducted entirely within an enclosed building;
- b. Shall not detract from the residential character of the dwelling unit or the lot on which the home occupation is located;
- c. Shall not involve the outdoor storage or an outdoor display and sales area for materials or finished products associated with the home occupation use;
- d. Shall not occupy more than 25 percent of the gross floor area of the dwelling unit;
- e. Shall not result in the discharge or emission of odorous, noxious or toxic matter or vapours, heat, glare, noise or radiation, or recurrently generated ground vibrations;
- f. Shall not consist of an occupation that involves the salvage, repair, maintenance or sales of motor vehicles or motor vehicles' engines or parts; and,
- g. Shall not consist of an occupation that involves the sale of a commodity not produced on the premises, except that telephone or mail order sales of goods may be permitted provided that customers do not enter the premises to inspect, purchase or take possession of the goods.

It is noted that ZBL 111-17, which applies to lands within the Yonge and Bernard Secondary Plan Area also indicates that a home occupation shall only be for an office use.



Other similar zoning provisions regulating home occupations within Richmond Hill address their use in accessory buildings or structures:

Where this By-law provides that land may be used or a building or structure may be erected or used for a purpose, that purpose may include any accessory building, accessory structure or accessory use.

Unless specifically permitted by this By-law, no accessory building or accessory structure shall be used for an occupation for gain or profit or for human habitation.

Notwithstanding the above, By-laws 38-95 and 313-96 permit a home occupation in an accessory building, however the recently-approved By-law 13-21 does not permit a home occupation use in an accessory building containing an accessory residential unit, or within an additional residential unit in the main dwelling.

### **3.2 Review of Current Zoning Standards within the Oak Ridges Moraine**

City Council passed Zoning By-law 128-04 on May 31, 2004, which applies to the lands within the ORMCP. On July 6, 2009, the Ministry of Municipal Affairs approved By-law 128-04, with modifications.

Lands subject to Zoning By-law 128-04 are shown on Figure 4 on the following page. The lands are bounded by Bloomington Road to the north and Highway 404 to the east. A segment of the southern boundary follows an elevation of land that traverses over 19<sup>th</sup> Avenue to the south. To the west, the boundary runs along Bayview Avenue, with a smaller portion of the boundary extending westerly past Yonge Street.

The effect of By-law 128-04 was to place all lands within zones that were consistent with the ORMCP as it read at the time.

By-law 128-04 introduced nine individual zone categories:

- Oak Ridges Moraine Natural Core (ORMNC);
- Oak Ridges Moraine Natural Linkage (ORMNL);
- Oak Ridges Moraine Key Natural Features (ORMKNF);
- Oak Ridges Moraine Minimum Vegetation Protection (ORMOS);
- Oak Ridges Moraine Open Space (ORMOS1);
- Oak Ridges Moraine Countryside (ORMCO);
- Oak Ridges Moraine Hamlet (ORMH);
- Oak Ridges Moraine Pit (ORMP); and,
- Urban Zone (UR).

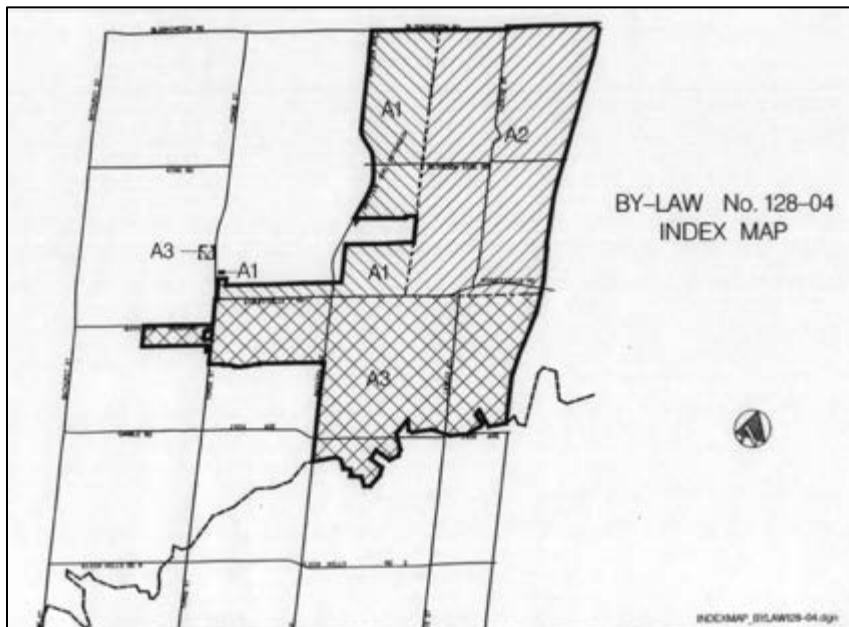


Figure 4: Excerpt from Zoning By-law 128-04

The ORMNC, ORMNL and ORMKNF zones primarily protect the various environmental features and recognize existing uses (as of November 15, 2001), agricultural uses, conservation projects, fish, wildlife and forest management, low intensity recreational uses and public parks. The ORMOS zone is a buffered area around key natural heritage features and key hydrologic features. The ORMOS1 zone applies to recognize open space.

The ORMCO and ORMH zones permit existing buildings, structures and uses as of November 1, 2001, as well as agricultural uses, conservation projects, fish, wildlife and forest management and low intensity recreational uses. The ORMH Zone however, applies only to the Hamlet of Gormley.

The ORMP zone recognizes the existing licensed mineral aggregate operation located on the south side of Bloomington Road between Leslie Street and Bayview Avenue. This is the only ORM zone that does not permit a single detached dwelling.

The only UR Zone remaining in the City applies to the lands in the north-east quadrant of Stouffville Road and Yonge Street.

#### Home Business

Under the By-law 128-04 definition, a Home Business means an occupation that:

- (a) Involves providing personal or professional services or producing custom or artisanal products;



- (b) Is carried on as a small-scale accessory use within a single dwelling by one or more of its residents; and,
- (c) Does not include uses such as an auto repair or paint shop or furniture stripping.

Section 5.2 – Regulations for Accessory Home Businesses reads as follows:

- a) Shall be conducted entirely within an enclosed building;
- b) Shall not detract from the residential character of the dwelling unit or the lot on which the home business is located;
- c) Shall not involve the outdoor storage or an outdoor display and sales area for materials or finished products associated with the home business use;
- d) Shall not occupy more than 25 percent of the gross floor area of the dwelling unit;
- e) Shall not result in the discharge, or emission of odorous, noxious or toxic matter or vapour as listed in Ontario Regulation 347 of the Revised Regulations of Ontario, 1990; heat; glare; noise; radiation; or recurrently generated ground vibrations;
- f) Shall not consist of an occupation that involves the salvage, repair, maintenance or sales of motor vehicles or motor vehicles' engines or parts; and, (it is noted that sub-section g) was deleted by a later amendment)

## Home Industry

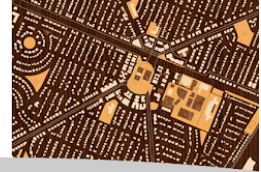
Under By-law 128-04, Section 6.41 the definition for a Home Industry states that it:

- a) Is carried on as a small-scale use that is accessory to a single dwelling or agricultural operation;
- b) Provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the farming community;
- c) May be carried on in whole or in part in an accessory building; and,
- d) Does not include uses such as an auto repair or paint shop or furniture stripping.

There are no zoning regulations specified within By-law 128-04 for Home Industries.

Table 3 summarizes permitted uses for home businesses and home industries found within By-law 128-04. Each are permitted subject to a special provision in the By-law that states that the uses are permitted only within buildings or structures that existed on November 15, 2001 and additions thereto.

Table 3: Permitted uses for Home Businesses and Home Industries, Zoning By-law 128-04



Use	Oak Ridges Moraine Zone where use is permitted
Home Business	<ul style="list-style-type: none"> <li>- Urban Zone (UR)</li> <li>- Oak Ridges Moraine Countryside (ORMCO) <sup>1</sup> Zone</li> <li>- Oak Ridges Moraine Hamlet (ORMH) <sup>1</sup> Zone</li> <li>- Oak Ridges Moraine Natural Corridor (ORMNC) <sup>1</sup> Zone</li> <li>- Oak Ridges Moraine Natural Linkage (ORMNL) <sup>1</sup> Zone</li> <li>- Oak Ridges Moraine Open Space (ORMOS1) <sup>1</sup> Zone</li> <li>- Oak Ridges Moraine Key Natural Heritage Features (ORMKNF) <sup>1</sup> Zone</li> </ul>
Home Industry	<ul style="list-style-type: none"> <li>- Oak Ridges Moraine Countryside (ORMCO) <sup>1</sup> Zone;</li> <li>- Oak Ridges Moraine Hamlet (ORMH) <sup>1</sup> Zone;</li> <li>- Oak Ridges Moraine Natural Corridor (ORMNC) <sup>1</sup> Zone</li> <li>- Oak Ridges Moraine Natural Linkage (ORMNL) <sup>1</sup> Zone</li> <li>- Oak Ridges Moraine Open Space (ORMOS1) <sup>1</sup> Zone</li> <li>- Oak Ridges Moraine Key Natural Heritage Features (ORMKNF) <sup>1</sup> Zone</li> </ul>

<sup>1</sup> Uses are permitted only within buildings or structures that existed on November 15, 2001 and additions thereto.

### 3.3 Summary of Complaints to By-law Enforcement

The City's By-law Enforcement staff tracks the number of complaints about home occupations as well as violations that are investigated by By-law Enforcement. Table 4 below includes a summary of the complaints received between January 2016 and October 2021.

Table 4: Summary of By-law Enforcement complaints about home occupations.

Year	Complaint About the Use	Other Complaint	Total Number of Complaints	Outcome
2016	10	1	11	Resolved
2017	11	0	11	Resolved
2018	11	3	14	Resolved
2019	3	3	6	Resolved
2020	17	2	19	Resolved
2021	11	0	11	Resolved

With the exception of 2019 and 2020, the number of complaints outlined in the table above over the last six years has remained relatively consistent. The majority of the concerns were related to a residential home being used as a business, whereas, "other" complaints were a combination of noise associated with the business, customers trespassing onto a neighbouring





property etc. For the most part, the complaints have been addressed and that home based businesses have coexisted satisfactorily with the residential community.

## 4.0 AREA MUNICIPAL PLAN COMPARISON

The purpose of this section of the Technical Paper is to undertake a review and assessment of home-based employment of surrounding area municipalities, which will inform the City's new Comprehensive Zoning By-law. Zoning provisions for home occupations, home businesses, home industries and live-work units from other area municipalities are reviewed in this section. Detailed provisions that apply to each zoning by-law reviewed are contained in the following appendices to this Technical Paper:

- Appendix A: Detailed Area Municipal Plan Comparison;
- Appendix B: Summary of Home Occupation Zoning Provisions; and,
- Appendix C: Area Municipal Plan Comparison – Oak Ridges Moraine.

### 4.1 Home Occupations

This section of the Technical Paper includes a brief overview of the common provisions that are contained in the reviewed zoning by-laws, with reference to the current standards that apply across the municipalities (see Appendix B). In this regard, the sub-sections below review provisions that apply to employees, outdoor storage, external display, location and access to buildings, size restrictions, priority of use, sale of goods, signage, nuisance impacts, specific and prohibited uses and parking.

#### 4.1.1 Employees

Some of the by-laws reviewed prohibit the employment of any person other than a member of the household residing on the premises. Vaughan, Oakville, Burlington and Mississauga do not allow any employees on the premises.

Markham, Newmarket, Ajax, Ottawa and Cambridge are less restrictive and allow a limited number of employees that are not members of the household. These municipalities allow between 1 and 2 external employees.

#### 4.1.2 Outdoor Storage

A review of the zoning by-laws revealed that outside storage use is generally not permitted. None of the reviewed by-laws permit any outside storage for a home occupation, ensuring that





the residential nature of the property and surrounding neighbourhood are orderly and maintained.

### **4.1.3 External Display**

None of the zoning by-laws examined allow external display of any kind related to a home occupation. Having no external display of goods or services associated with a home occupation maintains the residential character of the property and surrounding neighbourhood.

### **4.1.4 Location**

A home occupation is typically permitted entirely within the main building used as the dwelling. This, in conjunction with a maximum percentage of gross floor area permitted for a home occupation, prevents the operation from overtaking the primary residential use of the dwelling and reduces the chances of the home occupation becoming harmful to the neighbourhood and to the overall residential character of the area.

#### **Within an Accessory Structure**

With the exception of Markham, all other zoning by-laws examined for this Technical Paper do not allow a home occupation operating within an accessory building on a residential lot. Markham's Home Occupations By-law 53-94 permits a home occupation to be carried out in an accessory building if the accessory building complies with the required setbacks for an accessory building on a residential lot.

#### **Other**

In addition to permitting a home occupation within a dwelling or an oversized dwelling unit, Ottawa permits a home occupation within a secondary dwelling unit or a rooming unit.

### **4.1.5 Size Restrictions**

Generally, each of the municipal zoning by-laws contain provisions that specifically limit the amount of space in the dwelling that can be devoted to a home occupation. These regulations are designed to ensure that the occupation is incidental to the primary residential use of the dwelling, however it can be a challenge to enforce as a permit is not typically required for a home occupation use.

#### **Percentage of Dwelling Unit**



The most common method for limiting the home occupation within a dwelling unit is to identify a particular percentage of floor area. Most municipalities share a common limitation of 25 percent of gross floor area, including Markham, Oakville, Burlington, Ajax, Mississauga, Ottawa and Cambridge. Newmarket is less restrictive, allowing up to 35 per cent of a dwelling unit to be devoted to a home occupation.

### Gross Floor Area

The second common form of regulating area within a dwelling is to limit a home occupation based on an absolute amount of floor space. Such is the case with Oakville, Burlington, Ajax, Mississauga, Ottawa and Cambridge. Most municipalities have a maximum limit of floor space. Appendix B to this Technical Paper indicates that Oakville, Mississauga and Cambridge permit up to 50 square metres or 500 square feet of gross floor area, which is the highest compared to Newmarket (42 square metres) and Ajax (45 square metres).

### Combining a Percentage and Gross Floor Area

With the exception of Markham, Newmarket and Burlington, the remaining municipalities use a combination of a percentage of the dwelling unit and an absolute amount of floor area. The combination of both measures limits a home occupation proportionately to the size of the dwelling unit for smaller dwellings, and restricts the area up to a finite amount of space for larger dwellings. The zoning by-laws reviewed indicate that the lesser of the two would apply. This ensures that a home occupation remains incidental to the primary use of the residence.

An example of a common zoning by-law provision for a home occupation is a limit of 25 percent of a dwelling unit or “up to” 50 square metres, whichever is less. In the case of a 185 square metre townhouse, a percentage (25% of 185 = 46.25 square metres) and/or absolute amount (up to 50 square metres) of floor area would equate to devoting a large portion of one entire floor for a home occupation. For a large residence of 464 square metres, the maximum per cent of the dwelling (25% of 464 = 116 square metres) and the absolute amount (50 square metres) mean that the latter would apply, restricting the share of gross floor area for a home occupation to one or two rooms.

### What Areas are Included

For most municipalities, floor limitations for a home occupation are not specific to any part of the dwelling. However, provisions favoured by some municipalities include identifying what areas of a dwelling unit that can be added in the calculation. For instance, Mississauga identifies that all areas above and below the established grade may be dedicated to a home occupation.



Burlington indicates that an attached garage shall not be included in the calculation for a home occupation. Vaughan, Markham, Newmarket, Oakville and Cambridge are silent on this matter.

Ottawa's By-law 2008-250 is very detailed as it specifies that a home occupation may be permitted within a dwelling unit, oversize dwelling unit or secondary dwelling unit:

- a) If within a dwelling unit, oversize dwelling unit or secondary dwelling unit, the cumulative size of all home-based businesses per dwelling unit or oversize dwelling unit or secondary dwelling unit must not exceed 25% of the unit's gross floor area or 28 square metres whichever is the greater;

Further, an attached garage may be included in the total area of a home occupation:

- b) If within an attached garage, the cumulative size of all home-based businesses must not exceed a maximum of 54 square metres, and the required parking for the dwelling unit or oversize dwelling unit must continue to be legally provided on the lot; (By-law 2018-206)

Ottawa also allows a home occupation to operate from a rooming unit and no maximum size limit applies:

- c) If within a rooming unit, no maximum size limit applies, but the home-based business must take place solely within the rooming unit and not within any communal area within the building; and

If a home occupation is operating only from a secondary dwelling unit, it must be calculated separately from any other home occupation that may be operating within the dwelling unit:

- d) In the case of subsections (a) and (b), the cumulative total is for all home-based businesses within the principal dwelling unit and attached garage combined, with a separate cumulative total applicable to the secondary dwelling unit, and not for the principal dwelling unit, attached garage and secondary dwelling unit combined.

#### **4.1.6 Priority of Use**

Generally, each of the area municipal zoning by-laws states that a home occupation is a secondary use on a residential lot. There are a few variations, however the intention remains the same.

For instance, Vaughan, Markham, Oakville, and Cambridge indicate, "...secondary use on the lot, permitted as an accessory use to the dwelling unit". Newmarket, Burlington and Ajax



indicate “...secondary use and does not change the residential character of the dwelling and lot”.

Mississauga stipulates a “...secondary use on the lot with no visible indication from the exterior that a home occupation exists”. Ottawa is less descriptive indicating simply that a home occupation is a “secondary use on the lot”.

#### **4.1.7 Sale of Goods**

Some home occupations offer the sale of personal services, music instructions or tutoring, that offer a limited sale of actual products. In other home occupations, such as an artist studio or hairdresser, some products may be offered for sale and require stock on the premises as a consequence.

As shown in Appendix B to this Technical Paper, the sale of goods is generally permitted across each of the municipalities examined, except in Mississauga, which does not allow the sale of goods on the premises, stating “uses permitted precludes uses requiring the sale of goods”. Vaughan and Oakville are silent on this matter. Markham, Ajax, Ottawa and Cambridge limit the sale of goods to only those produced on the premises. The intent of this provision allows owners of home occupations to sell limited goods produced on-site.

Other municipalities provide more direct language that indicates the sale of goods should be completely incidental to the home occupation and not the main purpose for it to be in operation. This means that products sold as part of a home occupation should be accessory or ancillary to the home occupation’s primary use or a component of a service offered by a home occupation.

Newmarket indicates that “accessory sale of goods permitted on the premises”. Burlington indicates that the sale of goods is “not permitted unless and ancillary to the permitted use”.

The intent is clear that goods kept or sold on the premises should be very limited, which ensures the appropriateness of operating a home occupation and ensure it maintains the residential character of an area.

#### **Online Sales and Delivery of Goods**

In the past several years, online sales have grown and residents are increasingly purchasing goods online and having them delivered directly to their home. Based on our review, Burlington is the only municipality that includes language in the zoning by-law allowing online sales. However, it is also indicated in their by-law that no pick-ups are allowed, which ensures that traffic and parking is not generated on the premises.



Markham allows mail orders (which is a very dated terms that precedes on-line sales) and their by-law indicates the following: “no commodities sold or services rendered that require receipt or delivery of merchandise, goods, or equipment by other than a passenger vehicle or by parcel or letter carrier mail service using vehicles typically employed in residential deliveries”. Ottawa also identifies that the sale of goods can be conducted by telephone or mail order, provided that any merchandise purchased is delivered or mailed directly to the customer.

#### **4.1.8 Signage**

In the review, where signs are permitted, the zoning by-law defers to the municipality’s Sign By-law to direct and regulate their use. The City of Richmond Hill’s Sign By-law regulates signage for home occupations and for this reason it is not part of this review.

Provisions for home occupation signs are designed to restrict sign visibility and limit signage to information only rather than for advertising. Where permitted, signage may include a maximum size, location on the dwelling, content (e.g. name, office hours etc.) and lighting.

The municipalities prohibiting signs in connection with a home occupation include Vaughan, Markham, Oakville, Mississauga and Cambridge.

Burlington and Ajax are silent on this matter, whereas Newmarket and Ottawa allow one sign, in accordance with the respective Sign By-law.

Ottawa stipulates that one sign may be permitted under Section 127 – Home-Based Business Provisions:

There is no visible display or indication of any home-based business from the street, other than the maximum of one sign for all home-based businesses on the lot, as provided for in an applicable Signs By-law.

Further, Section 94 of the Ottawa By-law indicates that signage may be permitted for car-sharing spaces:

Signage used to identify car-sharing spaces is permitted subject to the applicable provisions of the Signs By-law. However, in an R3, R4 or R5 Zone, one sign may be used to identify car-sharing spaces and the sign must comply with the provisions specified for Home-based Businesses in the Signs By-law.



#### **4.1.9 Nuisance Impacts**

A number of zoning by-laws protect the residential areas against any undesirable uses that might otherwise take place as a home occupation. Among the by-laws reviewed, Markham, Burlington, Mississauga and Ottawa share common wording to this effect. The most comprehensive list observed is Ottawa's zoning by-law, as follows:

- a) They must not become a nuisance because of noise, odour, dust, fumes, vibration, radiation, glare, traffic, or parking generated;
- b) They must not become a fire or building hazard or health risk; and,
- c) They must not interfere with radio, television or other telecommunications transmissions.

Municipalities that are silent on the matter include Vaughan, Newmarket, Oakville, Ajax and Cambridge. These municipalities may rely on other municipal by-laws rather than the zoning by-law to regulate adverse impacts that may be inadvertently created by operating a home occupation. For instance, Oakville's Nuisance By-law 2007-143 is responsible for regulating public nuisances including, "noise, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors".

Nuisance criteria are subjective and are to be used in measuring the degree of adverse impacts. In this regard, many municipalities have odorous nuisance, light pollution and noise by-laws to control nuisances. For instance, it is not clear how a home occupation can interrupt telecommunication signals and it would be difficult to measure and this form of nuisance would fall under Federal Regulations.

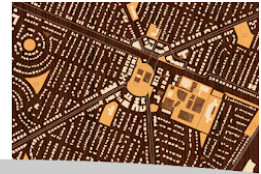
#### **4.1.10 Specific Permitted Uses**

A number of zoning by-laws identify the type of home occupations that would be allowed within a dwelling unit. In this regard, typical home occupations are generally categorized as professional offices, general services, instructional services, home artisan businesses and small equipment repair services.

Of the nine municipalities that were reviewed, three including Ajax, Ottawa and Cambridge are silent regarding any specific uses that can be permitted as a home occupation.

Vaughan, Markham, Newmarket, Oakville, Burlington and Mississauga provide a list of permitted home occupations. Each municipality is different in terms of breadth and level of detail provided under each (see Appendix B to this Technical Paper). Table 5 below includes a list of permitted home occupations in Burlington, Oakville and Mississauga.

Table 5: Permitted home occupations in Vaughan, Burlington, Oakville and Mississauga.



Municipality	Permitted Home Occupations in Applicable Zoning By-law
Vaughan	<ul style="list-style-type: none"> <li>• Art studio</li> <li>• Business service, provided that no retail is permitted</li> <li>• Clinic</li> <li>• Home based day care</li> <li>• Home based catering, provided that no retail is permitted</li> <li>• Massage establishment</li> <li>• Personal service</li> <li>• Office</li> <li>• Instruction or tutoring including personal fitness, music, dance, math/science/language tutoring or instruction, cooking, and similar activities.</li> </ul>
City of Burlington	<ul style="list-style-type: none"> <li>• Music</li> <li>• Dance or singing activities</li> <li>• Physical fitness</li> <li>• Medical or healthcare office</li> <li>• Esthetician</li> <li>• Hair stylist</li> <li>• Complementary healthcare</li> <li>• Pet grooming or training (inside only)</li> </ul>
Town of Oakville	<ul style="list-style-type: none"> <li>• Art gallery</li> <li>• Business office</li> <li>• Commercial school (musical only)</li> <li>• Medical office</li> <li>• Service commercial</li> </ul>
City of Mississauga	<ul style="list-style-type: none"> <li>• Tutoring</li> <li>• Music instruction</li> <li>• Artist or artisan</li> <li>• Office subject to exclusions</li> </ul>

#### Other Restrictions

There is a range of other restrictions in the other by-laws that were reviewed. For example, Burlington's Zoning By-law permits certain home occupations in a single detached dwelling only:

- (f) Location Restrictions - The following businesses are permitted in detached dwellings only:
- Music, Dance, or Singing activities;
  - Physical Fitness activities;
  - Medical or Health Care Office;
  - Aesthetician;





- Hairstylist;
- Complementary Health Care;
- Pet Grooming (inside only); and,
- Pet Training (inside only).

Newmarket's Zoning By-law limits the number of staff providing a service as per the below under Section 4 – General Provisions:

- a) The office of a licensed medical practitioner as a home occupation shall be limited to only one practitioner; and,
- b) Operation of a hairdresser or barber shop shall be limited to one hairdresser or barber at any one time.

Markham's Zoning By-law permits certain home occupations on major roads as per Section 6 – General Provisions of the 'New Urban Area' By-law 177-96:

A medical office may be located within the dwelling unit of a physician provided the dwelling unit is located on a lot that has a front lot line or an exterior side lot line that abuts a Provincial Highway, a major or minor arterial road or a major collector road as shown on the Schedules to the City of Markham Official Plan.

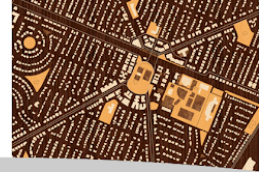
Markham's 'Home Occupations' By-law 53-94, also directs offices to main roadways under Section 1.4 - Home Occupations:

The offices of physicians, dentists and drugless practitioners shall be permitted only on lots in a Residential Zone having a front yard or flankage yard on a Provincial Highway, Major Arterial Road, Minor Arterial Road or Major Collector Road as designated in the Official Plan of the Markham Planning Area provided that the dwelling unit is used by the said physician. Dentist or drugless practitioner and his/her private residence.

#### **4.1.11 Specific Prohibited Uses**

A number of municipalities have recognized that it is helpful to identify what a home occupation is not, to ensure that the residential character of neighbourhoods is protected.

Of the nine municipalities that were reviewed, four, including Vaughan, Oakville, Burlington and Ajax, are silent regarding any specific uses that are prohibited as a home occupation. The remaining municipalities include a list of prohibited uses. The City's Official Plan indicates that the City's zoning by-laws can also identify prohibited uses.



As shown in Appendix B to this Technical Paper, some are more extensive than others. To compare, Markham and Cambridge provide a comprehensive list of prohibited uses that includes auto-related uses/repair, medical offices, animal care/grooming, food/catering, and dating and escort services.

Newmarket restricts a variety of different uses, including a medical clinic, day nursery, nursing home, tearoom, veterinary, clinic/hospital, automotive uses and a body rub parlour. Mississauga's exclusions are limited to the medical field, and include a physician, dentist, drugless practitioner or health professional's office. Ottawa's Zoning By-law excludes a dispatching office or supply depot as well as the business of storing automobiles, buses, boats, recreation and any other types of vehicles.

Listing the exclusions up-front provides a clear response to any inquiries on what home occupations are unsuitable for a residential neighbourhood as well as providing additional support for by-law enforcement.

#### **4.1.12 Parking**

Parking requirements for a home occupation are affected by the nature and size of the home occupation, the number of vehicles owned by a household, as well as the type of dwelling unit and size of the driveway. Other factors that may determine the need for additional parking include how many non-resident employees are permitted in a home occupation.

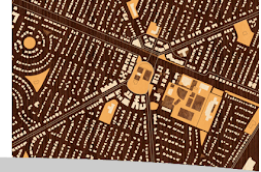
A few municipalities are now factoring the location of higher order transit into the determination of whether additional parking is required. For example, Ottawa requires one additional parking space for a home-based business in Suburban and Rural areas, whereas there is no requirement for an additional parking space within the Inner Urban and Inner Urban Main Streets and Outer Urban /Inner Suburban zones within the Zoning By-law.

##### **Based on Floor Area**

Newmarket requires parking based on the amount of gross floor area of the home occupation. For instance, 1 parking space is required for an area greater than 24 square metres and an additional parking space is required for every 9 square metres above this amount. This may be challenging to implement since it is difficult to determine where a home occupation begins and ends in a dwelling.

##### **Additional Spaces**

Mississauga, Ajax and Cambridge identify that one additional parking space is permitted per non-resident employee. Markham Home Occupation By-law 53-94 requires that one additional



off-street parking space be provided if there is a non-resident employee, whereas the City-wide By-law 177-96 for the “New Urban Area” is silent on this issue. It is noted that reliance would need to be placed on the homeowner on whether there is a non-resident employee working on site, which is not ideal.

### No Additional Parking

Oakville indicates that there is no minimum parking requirement for a non-resident employee. Burlington does not require off-street parking in accordance with parking requirements of the by-law. Under Burlington’s Nuisance provision, among other items, “no equipment or process be used that becomes a public nuisance including parking”.

## 4.2 Live-Work Units

A Live-Work Unit is essentially a custom-built space for employment within a residential dwelling unit, which is the principal use. Unlike home occupations, which are permitted in low-rise residential areas, live-work units are directed to intensification areas and mixed-use areas.



Figure 5: Live-work development in Uptown Core, Town of Oakville (Google Maps)



Figure 5: Cross-section of a live-work unit (Google Images)

Usually when people think of live-work units, they think of a two-storey building where the commercial component is on the main floor and the residents live upstairs (see Figure 5). At the other end of the spectrum, a live-work unit might be a three or four storey townhouse, with commercial space on the first floor and the residential component being on the remaining floors (see Figure 6).

It is noted that live-work units are subject to specific Ontario Building Code (‘OBC’) rules that need to be taken into account. One of these is that the size of the live-work unit cannot exceed 200 square metres.

Based on the area municipal comparison plan review in Appendix A to this Technical Paper, which consists of nine municipalities, only Vaughan, Oakville, Newmarket and Ajax include live-



work unit provisions within their zoning by-laws. Richmond Hill Staff requested that Toronto's Zoning By-law also be reviewed and our analysis is below.

#### 4.2.1 City of Toronto

Toronto's Comprehensive Zoning By-law (By-law 569-2013), recognizes live-work units and includes a level of detail on this type of use not found in the other municipal zoning by-laws.

##### Toronto Official Plan

The Toronto Official Plan ('Toronto OP') supports live-work spaces under Section 4.7 - Regeneration Areas, which applies to areas with significant vacant lands and/or buildings that are in need of revitalization as a means of fostering growth and physical change. In Regeneration Areas, commercial, residential, live-work, institutional and light industrial uses can be mixed within the same block or even the same building.

The Toronto OP identifies Regeneration Areas mainly within parts of the Downtown as well as the port lands located along the waterfront. The intent of providing live-work units in the Toronto OP mainly focuses on small theatre, music and dance companies that are struggling to find affordable production and rehearsal space as well as for individual artists looking to create synergies within an artistic umbrella organization.

Land use policies for Toronto's Regeneration Areas are also outlined in various Secondary Plan areas. Examples of Secondary Plans that support live-work units include the Central Waterfront Secondary Plan, the Garrison Secondary Plan and the King-Parliament Secondary Plan, all of which support artists working out of live-work units.

##### Toronto Zoning By-law

Under By-law 569-2013, Chapter 50, 'live/work' units are permitted within the Commercial Residential Employment (CRE) Zone. This category permits uses associated with the Regeneration Areas designation in the Toronto OP along with a range of retail, service commercial, office, residential and light industrial and institutional uses in single and multiple use buildings.

The By-law includes a list of permitted uses for residential and non-residential components. For instance, uses permitted within the commercial "C" in the "CRE" zone label includes, among others, an Art Gallery Artist Studio, Massage Therapy, Medical Office, Office, Performing Arts Studio, Personal Service Shop, Pet Services, Production Studio, Retail Service, Service Shop, Software Development and Processing, and Wellness Centre. Depending on the use, there are also specific standards to mitigate any negative impacts on the surrounding area.





Provisions identify various building types that Live-Work Units can occupy. In the Commercial Residential Employment Zone category Live-Work Units are permitted in a Detached House, Semi-Detached House, Townhouse, Duplex, Triplex, Fourplex, Apartment Building or Mixed-Use Building.

Another zone in which Live-Work Units can be permitted is found within Chapter 40 - Commercial Residential (CR) Zone - within By-law 569-2013. Although not specifically termed as 'live-work' in the By-law, the Commercial Residential (CR) zone permits uses associated with the Mixed-Use designation of Toronto's OP.

In the CR zone, a live-work unit is permitted in a mixed-use building, apartment or townhouse. The CR zone is further subdivided into three distinct development standard categories, Standard Set One (SS1), Standard Set Two (SS2), and Standard Set Three (SS3). The three development standard categories apply to the building context found in either the downtown, the main streets, or the existing commercial zones found along major arterial roads (shown in red shown on Figure 7).

An example of a CR zone would be along Bayview Avenue, south of Eglinton Avenue, as shown in Figure 8.

The Toronto By-law includes subsections with details for Live-Work Units. For instance, the CR zone sets out exclusion areas in calculating the gross floor area for a mixed-use building, apartment, and townhouse within the CR zone category.



Figure 7: Excerpt of Toronto Zoning By-law



Figure 8: CR Zone, Bayview Avenue, south of Eglinton, Toronto (Google Streetview)



For a mixed-use building, the floor space index is the result of the gross floor area minus the areas listed in the regulations:

- Parking, loading and bicycle parking below-ground;
- Required loading spaces at the ground level and required bicycle parking spaces at or above-ground;
- Storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
- Shower and change facilities required for required bicycle parking spaces;
- Amenity space required by this By-law; and,
- Elevator and garbage shafts.

The list of exclusion areas was developed as a result of recommendations made in City meetings with the appellants of Toronto's City-wide Zoning By-law review exercise. As part of the review, many appellants were concerned about the definition of gross floor area in the previous version of Toronto's Zoning By-law because it did not account for certain areas within a building in the calculation. As such, the By-law now provides a clearer understanding of which areas remain for residential living space and live-work space.

The By-law also stipulates that for a mixed-use building, all residential use portions of the building must be located above non-residential use portions of a building, other than residential lobby access.

On a corner lot, dwelling units may be located on the first storey of a building if the dwelling units have direct access to a street which is not a major street or, dwelling units must be located to the rear of the non-residential uses on the first storey. Section 40.10.20 – Permitted Uses, lists each of the permitted uses per use category, which are not subject to any special provisions or conditions:

(A) In the CR Zone, the following uses are permitted under the letter 'C' in the zone label referred:

- Ambulance Depot
- Art Gallery
- Artist Studio
- Automated Banking Machine
- Community Centre
- Courts of Law
- Education Use
- Financial Institution
- Fire Hall



- Library
- Massage Therapy
- Medical Office
- Museum
- Office
- Park
- Passenger Terminal
- Performing Arts Studio
- Personal Service Shop
- Pet Services
- Police Station
- Post-Secondary School
- Production Studio
- Religious Education Use
- Software Development and Processing
- Veterinary Hospital

Further to the above, there is a separate list of additional uses which are permitted in the CR zone, subject to conditions. They range in nature from an arcade, nightclub and take-out restaurant to vehicle-related uses; all of which appear to have, among other restrictions, minimum distance separation requirements from residential areas as well as maximum floor area requirements.

#### **4.2.2 City of Vaughan**

##### **Vaughan Official Plan**

Vaughan is undertaking an urban transformation, with a focus on intensification along the Centres and Corridors, which are primary locations for a range of mixed uses, heights and densities in accordance with the Vaughan OP (2010).

Policy 2.2.1 - Vaughan's Urban Structure identifies areas for planned growth within Intensifications Areas, including the Vaughan Metropolitan Centre (VMC), Primary Centres, Local Centres, Regional Intensification Corridors and Primary Intensification Corridors.

Policy 9.2.2 - Land Use Designations (9.2.2.14) indicates that live-work opportunities are supported in New Community Areas of the City, which are subject to a Secondary Plan process:





iv The provision of live-work opportunities through a combination of flexible zoning permissions and accommodations for combined residential and business or personal services, office uses and home occupations;

The Vaughan OP permits live-work units in Local Centres, as part of new communities such as Vellore Village and Carrville Centre, as well as the historic villages of Woodbridge and Maple. The intent is to nurture new and existing main streets and mixed-use retail areas. Live-work units within such areas provide opportunities for small-scale commercial activities that are built to address the street, accommodate residential or office/service uses and foster an animated pedestrian-oriented retail experience.

The intent of including live-work units within these areas is to support public transit and active transportation along regional and local Centres and Corridors. VOP Policy 5.1.2 - Directing Economic Activity (5.1.2.2) states:

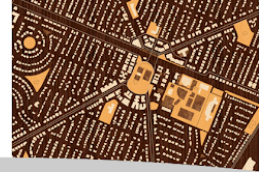
...Other economic activities, including retail activities and major offices should be directed to Intensification Areas, where they can be better served by transit and help create vibrant mixed-use centres and corridors.

#### Vaughan Zoning By-law

Vaughan's new Zoning By-law defines Live-Work Units, known as 'Dwelling, Live-work', as follows:

A dwelling containing a business that is operated by at least one resident of the associated dwelling unit.

Vaughan's new Zoning By-law allows Live-Work Units in the Vaughan Metropolitan Centre (VMC) Zones, Station Zone (V1), Centre South Zone (V2), and Neighbourhood Zone (V3), that surround the Toronto-York subway station, located on the north side of Highway 7, west of Jane Street.



The area immediately surrounding the subway station is planned for mixed-use high-rise development, scaling down to mid-rise and 3-4 storey townhouse dwellings (see Figure 9).

Live-work units are also permitted in the High-Rise Mixed-Use (HMU), Mid-Rise Mixed-Use (MMU), Community Commercial Mixed-Use (CMU), General Mixed-Use (GMU) and Employment Mixed-Use (EMU) zones. Live-work units are further permitted in the Low-Rise Mixed-Use (LMU), Mid-Rise Mixed-Use (MMU) and High-Rise Mixed-Use (HMU) zones as well as within the Main Street Mixed-Use – Woodbridge Zone (WMS) and the Main Street Mixed-Use – Maple Zone (MMS).



Figure 9: VMC Station, Downtown Vaughan (Google)

According to Section 6.0 - Parking and Loading Requirements of the new Vaughan Zoning By-law, live-work uses are required to provide a minimum of one resident parking space and one visitor parking space in the Main Street Mixed Use – Kleinburg (KMS) zone as well as the LMU, MMS and WMS zones. These are the Mixed-Use zones that apply within Vaughan's villages.

### 4.2.3 Town of Newmarket

#### Newmarket Official Plan

Newmarket's OP (2016) focuses on live-work opportunities as part of the revitalization of the Historic Downtown Centre, which is located along Main Street, through promoting mixed uses. Newmarket's OP Policy 1.3.6 - Revitalization of the Historic Downtown, identifies that the district was at one time the traditional central business district (see Figure 10) and that there is potential for revitalization to attract additional residents and visitors.



Building on the OP policies for this area, the Historic Downtown Community Improvement Plan (2001) provides a framework supporting the area, identifying live-work opportunities with a particular focus on the high-tech sector, where workers can easily work on-line and from home.

Live-work homes are intended to contribute to ensuring that Newmarket's Main Street will be home to more residents who will shop and use essential services in the area, with the goal of offering a mix and design of retail and service, office, institutional, entertainment, recreational and residential uses.



Figure 10: Historic Downtown, Newmarket (Google Maps)

Outside of the Historic Downtown Centre, the Newmarket OP recognizes live-work units in growth areas. Under Section 3.3 - Emerging Residential Areas, OPA #16 added the following live-work unit policy to Policy 3.3.2 – Permitted Uses:

#4. Within the Emerging Residential Area located on Davis Drive, immediately west of the GO Bus Terminal, permitted uses shall also include 4 to 6 story apartment buildings and mixed use "live-work" units.

Emerging Residential Areas are identified as areas that have not yet been fully built out, located along the periphery of the Town on greenfield lands. These areas are intended to accommodate a mix of housing types, including rowhouses, townhouses, duplexes, fourplexes, apartments and other multi-unit buildings.

### Newmarket Zoning By-law

Newmarket's Zoning By-law 2010-40 includes a definition for a live-work unit:

Means a building containing a professional office and a dwelling unit in which, the owner/occupant of the office resides.

Under the By-law, a live-work unit is permitted in the Historic Downtown zone. Parking requirements for the residential component are not identified in the Zoning By-law. Section 5.3.4 - Downtown (UC-D1) Zone identifies parking requirements for non-residential uses:

iii) A change from one permitted use to another within the confines of any existing building, need not provide additional parking. Any increase in floor space through additions or expansion into



space not presently used for commercial purposes shall provide additional parking at the rate of 1 parking space per 31 square metres of gross floor area or cash-in-lieu of parking;

Parking requirements for dwelling units not in existence on the date of approval of the By-law must be provided in accordance with the parking requirements for residential uses (Section 5.3.1), however existing on-site parking currently used for commercial purposes may be used for new dwelling units and the reduction of parking for commercial purposes may be taken as cash-in lieu of parking. In both cases, no explicit parking requirements are found for live-work units.

#### **4.2.4 Town of Oakville**

##### **Oakville Official Plan**

Oakville's Official Plan does not reference live-work units however, there are live-work areas found in newer communities, notably within the Uptown Core Area (see Figure 11).

The Planning Reports completed for the Uptown Core Area also do not reference live-work uses, notwithstanding that the area is intended to form a mixed-use, medium- to high-density urban node, with characteristics commonly associated with a "downtown."



Figure 11: Uptown Core Area, Oakville

##### **Oakville Zoning By-law**

Despite live-work uses not being identified within the policies of the OP, Oakville's Zoning By-law (By-law 2004-014) includes a definition for live-work units, referred to as live-work dwellings:

Means a dwelling unit used and operated by one or more persons of a single household containing a subsidiary business and personal services occupancy that does not include food preparation requiring exhaust hood ventilation or producing grease-laden vapour.

The definition restricts any food preparation to address any cooking odours spreading in proximity to other dwellings and mitigates any adverse issues for the surrounding area.

In reviewing the Zoning By-law, the minimum number of parking spaces for a live-work unit is two spaces for the residential component, plus one space per 40.0 square metres of net floor





area for the commercial component. Live-work units are permitted provided that a parking space is not in a front or side yard.

Further the Zoning By-law indicates that in the Growth Areas, the minimum number of parking spaces required can be reduced to support the Town's strategic and policy objectives related to transit, growth management, and design. The Uptown Core Area is identified as one of six Growth Areas in the Oakville OP.

The Transportation Policy 8.1.2 of the Oakville OP indicates that the Town may accept a level of service, which is less than optimum, in return for a more pedestrian, cycling and transit-oriented environment along its roads within the Growth Areas such as the Uptown Core Area. Further, Parking Policy 8.15.2 supports reduced off-street parking requirements for specific areas where appropriate, particularly in major transit station areas and within the Growth Areas. This may be provided on a case-by-case scenario at the development application stage.

#### 4.2.5 Town of Ajax

##### Ajax Official Plan

Live-work units are generally found under the Employment Areas and Mixed-use Areas within the Ajax OP. Compared to other municipal OPs, Ajax has more detailed policies in support of live-work units.

While intensification is expected to occur throughout Ajax's built-up area, the majority of intensification is expected to be directed to the Centres and Corridors. Live-work units are generally directed to intensification areas.

Policy 3.2.2.4 - GO Transit Station Mixed Use Area recognizes opportunities for live-work within the Ajax GO Train Station lands and the area within 500 metres of the Station located on Westney Road (in blue on Figure 12). This area is recognized as an opportunity for a high-density mixed-use area, anchored by employment uses:

An important feature of this area is the opportunity presented for office or live-work employment as well as residential uses situated next to established high order transit facilities.

Policy 3.2.3.5 - GO Transit Station Mixed Use Area identifies live-work opportunities within this

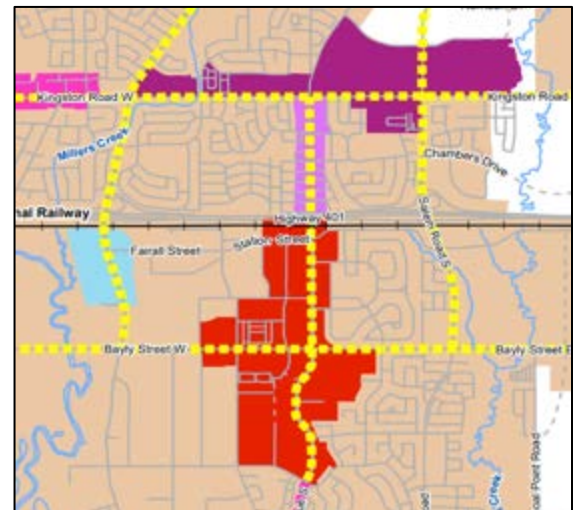


Figure 12: Intensification Areas in Ajax



designation, which is intended to retain its importance as an Employment Area and is planned for mixed commercial and employment uses.

Under the GO Transit Station Mixed Use Area policy, permission for residential uses will be contingent upon the creation of employment spaces to allow for live-work and apartments.

Outside of the GO Transit Station Areas, Mixed-Use Areas policies allow live-work units within designated Centres and Corridors, including the Midtown Corridor, and Downtown Residential area.

Policy 3.2.3.2 - Midtown Corridor applies to an area located along Harwood Avenue, which is also a Regional Corridor that connects the Downtown with the Uptown (in purple on Figure 14). This area represents a concentration of mixed-use and mid-rise buildings with a more residential focus, and high quality design and pedestrian friendly streetscapes. Uses permitted in mixed use or stand-alone buildings on lands designated Midtown Corridor include institutional and community facilities as well as:

i) Commercial uses such as retail stores, office uses, personal services, live-work units, artist studios, financial establishments and restaurants;

Policy 3.2.3.6 - Downtown Residential applies to portions of Ajax's Downtown Regional Centre that are already developed for high density residential uses (in orange on Figure 13). This designation permits a range of residential, mixed use and community facilities, include live-work units.

i) Residential uses such as street, block, stacked and back-to-back townhouses, back-to-back stacked townhouses, double-front townhouses, apartments, and live-work units;

Further, the Ajax OP includes specific language stating that block townhouse units facing or having direct pedestrian access to specified roads must be designed as live-work units, allowing office and home-based business type uses within the dwelling unit, together with residential space. To facilitate these live-work opportunities, pedestrian access to the units from the street should avoid dramatic grade changes, or excessive stairs.

### Ajax Zoning By-law

Ajax is undertaking its first comprehensive review of Zoning By-Law 95-2003 to implement new Official Plan policies. Ajax's Zoning By-Law provides the most comprehensive and detailed definition for dwelling, live-work units of the municipalities included in this review:





Shall mean a dwelling unit with a minimum ceiling height of 2.75 metres on the ground floor, and designed to accommodate a home-based business in accordance with all relevant provisions for the same, save and except that:

- i) only an office, an archive or library, a personal service shop (excluding the sale of goods not assembled, crafted or produced on the premises), or the studio of an artist, photographer or craftsperson, shall be permitted as the non-residential component of the dwelling unit; and
- ii) up to two employees, in addition to the resident(s) of the dwelling unit, may be engaged in the business and working in the dwelling unit.

Ajax's By-law 95-2003 permits live-work units in the Downtown Central Area (DCA) Zones. Specifically, live-work units are permitted in Downtown Central Area - Mixed Use (DCA/MU), Downtown Central Area - Residential Multiple 1 (DCA/RM1), and Downtown Central Area - Residential Multiple 2 (DCA/RM2).

The Zoning By-law also identifies a special provision for dwellings having frontage on identified roads which are required to be designed as live-work units, with direct pedestrian access (not vehicular) to the road. The minimum parking requirement for live-work units is two spaces per unit, with no maximum parking requirement.

No other provisions are identified regarding live-work units in the Zoning By-Law.

### **4.3 Home Businesses**

Home businesses are generally very similar to home occupations; however, they may sometimes be carried out in an accessory building to a main dwelling. A home business is generally not located on a farm, but could be. Examples of zoning provisions for home businesses in other municipalities were based on an examination of zoning by-laws from two different groups: non-ORM lands (Appendix A) and lands within the ORM (Appendix C), since a home business is not a commonly used term across municipal zoning by-laws.

Of the nine municipalities reviewed from Appendix A to this Technical Paper, only Burlington, Ajax and Ottawa, identify a home business in their respective zoning by-law. Of the seven municipalities reviewed from Appendix C, only Caledon and East Gwillimbury identify a home business, both of which are partially in the Oak Ridges Moraine. A home business is permitted on lands within the ORMCP.



### 4.3.1 City of Burlington

Burlington's By-law 2020 identifies a Home Business as 'Personal Services – Home-Based Businesses', with the following definition:

An office or personal service use, excluding a body-rub parlour, conducted from a residential dwelling unit by a person or persons residing in the dwelling unit, which is secondary to the primarily residential use of the dwelling.

A home business is permitted in all the zones within a dwelling unit. The By-law stipulates that a home business shall be permitted as an accessory use to a commercial farm only in the Rural Agricultural (RA) zones. No one other than a resident of the dwelling may be employed by a home business.

The home business may be up to 25 percent of the floor area above grade, in addition to a basement or cellar, and is not permitted in an attached garage. In the Rural Agricultural (RA) or Rural Greenlands (RG) zones, the maximum permitted floor area is 100 square metres or 25 per cent of the residential living area, whichever is less. A maximum of three clients is permitted at any one time. For pet grooming and pet training, a maximum of four pets is permitted, including personal dogs and/or cats.

The following businesses are permitted in detached dwellings only:

- Music, Dance, or Singing activities
- Physical Fitness activities
- Medical or Health Care Office
- Aesthetician
- Hairstylist
- Complementary Health Care
- Pet Grooming (inside only)
- Pet Training (inside only)

### 4.3.2 Town of Ajax

Ajax's By-law 95-2003 identifies home based businesses, which are permitted within Residential, Rural and Downtown zones, as:

An accessory use within part of a dwelling unit for a lawful occupation or business activity that results in a product or service and which is clearly secondary to the main use of the dwelling unit.



The By-law describes a home based business much the same as a home occupation, whereby the use is clearly secondary to the residential use and does not change the residential character of the dwelling or the lot. Not more than the lesser of 25 percent of the gross floor area or 45 square metres of floor area of the dwelling unit may be used for the purpose of the home based business.

Not more than one employee, in addition to the residents of the dwelling unit, can work in the dwelling. The use is restricted to the dwelling unit and not an accessory building.

Outdoor storage or display of material or equipment is not permitted. Only the sale of goods assembled, crafted or produced on the lot is permitted.

A minimum of one parking space is required for the home based business, in addition to parking requirements for the dwelling.

### **4.3.3 City of Ottawa**

Ottawa is very detailed when compared to other municipal zoning by-laws. The term 'Home-based Business' appears to be all encompassing, with no other term in the Ottawa By-law that describes a resident working from home, and is defined as:

One or more businesses operated by a resident as secondary and subordinate uses to a residence or farm, and includes a home-based day care.

Ottawa specifies provisions for home-based businesses for on-farm diversified uses, as well as the Residential, Villages, Rural, and Agricultural zones. From there, applicable zoning provisions are based on context and the nature of the home-based businesses.

For on-farm diversified uses, the total area of all home-based businesses on the lot includes the area of buildings or structures built prior to April 30, 2014 associated with an on-farm diversified use, minus 50 percent.

The area also includes buildings, structures, outdoor storage, landscaped areas, berms, laneways, parking and the area occupied by well and septic systems associated with an on-farm diversified use that were built on or after April 30, 2014. The area does not include agri-tourism uses associated with activities such as, wagon rides or corn mazes on lands producing harvestable crops. Lastly, if there is more than one on-farm diversified use on a lot, the combined area of all on-farm diversified uses is included in the total.

Any associated signage must comply with Ottawa's 'Home-based Businesses of the Signs By-law' (By-law 2016-249). Signage used to identify car-sharing spaces is permitted in this by-law.



The parking space requirements are based on geographical zone. For instance, areas which are more central (e.g. Inner Urban Area) have no minimum parking requirements, whereas the by-law requires one space per home-based business for the Suburban and Rural area.

Separate home-based business provisions apply to the Residential zones, which are essentially the same as provisions typical of a home occupation, where home-based businesses are permitted in any zone that permits residential uses.

What is unique about this by-law, is that any number of businesses may exist provided the cumulative maximum total gross floor area is not exceeded. Further, the By-law permits a home-based business to be located within a dwelling unit and oversize dwelling unit, as well as a secondary dwelling unit, rooming unit, or dwelling unit within a low rise, mid-rise or high rise apartment building.

Despite the unlimited number of businesses permitted, a maximum of one, on-site, non-resident employee is permitted per principal dwelling unit or oversize dwelling unit. No external employees, clients or customers are permitted on the premises for home-based businesses in other dwelling unit types.

All home-based businesses in each dwelling unit, oversize dwelling unit or secondary dwelling unit must not cumulatively exceed 25 percent of the unit's gross floor area or 28 square metres, whichever is the greater. If within an attached garage, the cumulative size of all home-based businesses must not exceed a maximum of 54 square metres. If within a rooming unit, no maximum size limit applies, but the home-based business must take place solely within the rooming unit and not within any communal area.

Home-based businesses in the Rural and Agricultural zones have other provisions, including the requirement for a minimum lot size of 0.8 hectares. Despite the unlimited number of businesses permitted, a maximum of three, on-site, non-resident employees are permitted per principal dwelling unit or oversize dwelling unit. Home-based businesses are permitted in the dwelling unit, oversize dwelling unit, secondary dwelling unit, rooming unit, garage and accessory buildings to a cumulative maximum of 150 square metres, excluding outdoor storage associated with the home-based businesses.

If within a dwelling unit or secondary dwelling unit, the cumulative size of all home-based businesses per dwelling unit or secondary dwelling unit must not exceed 25 percent of the unit's gross floor area or 28 square metres whichever is the greater. If within a rooming unit, no maximum size limit applies, but the home-based business must take place solely within the rooming unit. Outdoor storage is permitted to a maximum of 5 percent of the lot area or 100 square metres, whichever is less and must be screened from public view.



Separate home-based business provisions also apply to the Village zones. Any number of home-based businesses are permitted in the dwelling unit, oversize dwelling unit, secondary dwelling unit, rooming unit, garage and accessory buildings to a cumulative maximum of 75 square metres.

If within a dwelling unit or secondary dwelling unit, the cumulative size of all home-based businesses per dwelling unit or secondary dwelling unit must not exceed 45 percent of the unit's gross floor area or 75 square metres, whichever is the lesser. If the business operates from a rooming unit, no maximum size limit applies, but the home-based business must take place solely within the rooming unit and not within any communal area within the building.

Despite the unlimited number of businesses permitted, a maximum of two, on-site, non-resident employees are permitted per principal dwelling unit or oversize dwelling unit.

#### **4.3.4 Town of Caledon**

Caledon's Comprehensive Zoning By-law 2006-50 (2006) does not specify provisions regarding a home business, however the definition and 'ORM' suffix indicates that a home business is permitted within the Oak Ridges Moraine zones. Ultimately, the definition provides some direction, as the by-law identifies 'Home Business (ORM)' as follows:

- a) involves providing personal or professional services or producing custom or artisanal products,
- b) is carried on as a small-scale accessory use within a single detached dwelling by one or more of its residents, and
- c) does not include uses such as an auto repair or paint shop or furniture stripping.

As noted above, the by-law does not include provisions that apply to a home business and they are only permitted within the agricultural, rural and small agricultural holdings zones.

#### **4.3.5 Town of East Gwillimbury**

East Gwillimbury's Comprehensive Zoning By-law 2018-43 (2018) includes home business provisions which are similar to those of a home occupation. A home business is restricted to the dwelling unit and/or an accessory building or structure or private garage. An accessory building or structure can only be used if the lot is a minimum of 2.5 hectares in size, and the home business does not occupy more than 50 square metres.

The maximum gross floor area that can be dedicated to the home business is no greater than 25 percent of the gross floor area of the dwelling unit or 50 square metres, whichever is less.



A home business must be secondary to the main use of the dwelling unit and there can be no change in the external character of the dwelling unit or lot other than a sign, as per the Town's Sign By-law.

Only one non-resident employee may be involved in the home business. Also, no outdoor storage or outdoor display and sales area of materials or goods in conjunction with the Home Business is permitted.

#### **4.4 Home Industries**

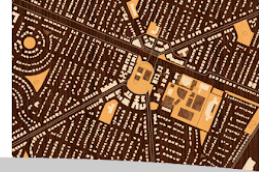
A home industry is typically characterized as a small-scale industrial use, which is operated as a secondary use to a single-detached dwelling on the same lot. Typical home industry uses may include a carpentry shop, a metal working shop, a plumbing shop, and an electrical shop, among others, which are associated with more rural businesses.

Similar to a home occupation, home industries are intended to be incidental to the primary use of a residential dwelling unit. Any goods produced for sale would be completely secondary to the Home Industry and not the main purpose for its operation.

Home industries are permitted in the ORMCP provided that the use is secondary to a farm operation and compatible with the agricultural or rural character of the area. In many cases, a home industry is unrelated to the primary farm operation on the premises.

The policies of the ORMCP differentiate between home industries located on farms and those which are not. In this regard, the ORMCP includes the following provisions:





“Home Industry” means an industry that,

- a) is carried out in the home or in a building that is accessory to the home or, if the home is located on a farm, to the agricultural operation,
- b) if the home is not located on a farm,
  - (i) is carried on as a small-scale use that is secondary to the principal use of the home as a single dwelling;
  - (ii) provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the farming community; and,
  - (iii) does not include uses such as auto repair or paint shop or furniture stripping; and,
- c) if the home is located on a farm:
- d) is carried on as a small-scale use that is secondary to the principal use of the farm as an agricultural operation; and,
- e) may include, but is not limited to, a sawmill, welding or woodworking shop, manufacturing or fabrication shop, equipment repair and seasonal storage of boats or trailers.

Home industries are considered to be a valuable sector of the rural economy. On-farm diversified uses, which include home occupations and home industries, are permitted in Prime Agricultural Areas in the Natural Core Area and Natural Linkage Area as well as in the Countryside Area of the ORMCP.

The following sections provide an overview of zoning provisions for the home industry use that have been implemented in Zoning By-laws for Caledon, King, Clarington, Port Hope, East Gwillimbury, Aurora and Stouffville, which are all within the Oak Ridges Moraine. Appendix C to this Technical Paper includes all of the specific zoning provision in each Zoning By-law.

#### **4.4.1 Town of Caledon**

Approximately one quarter of Caledon is located within the ORM, found in the northeast portion, with a band extending into the centre of the Town (see Figure 13). The Caledon East Rural Service Centre and the Village of Palgrave and the Palgrave Estate Residential Community are wholly within the ORMCP. The hamlets of Albion and Mono are also located within the ORMCP.

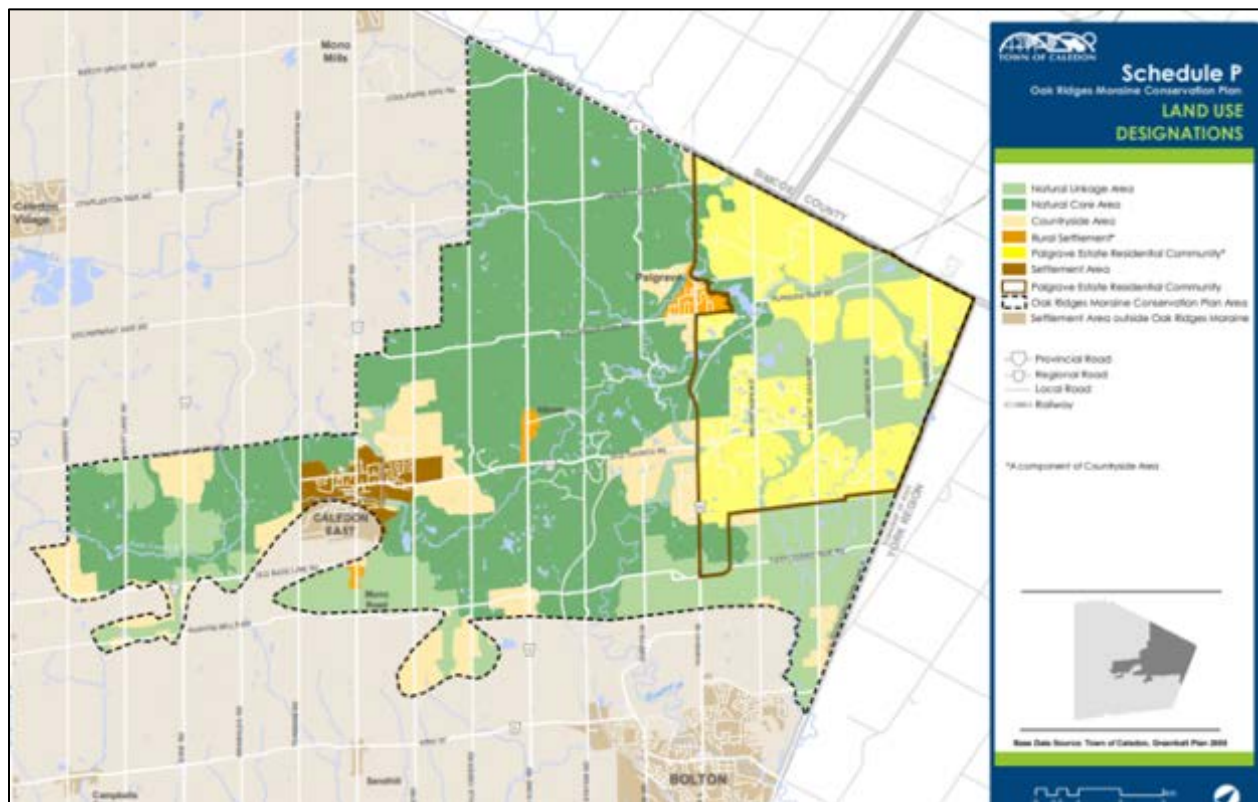


Figure 13: Excerpt from Schedule P – Land Use Designation, Caledon Official Plan

Caledon's Official Plan ('Caledon OP') identifies farm-based Home Industries as:

Shall mean a use, that is limited in area and located on and subordinate or incidental to, a permitted farm operation with limited retailing of products, created in whole or in part in an accessory building to a single-detached dwelling, performed by one or more residents of the property and may include but is not limited to:

- a carpentry shop;
- a craft shop;
- a metal working shop;
- a repair shop;
- a plumbing shop;
- an electrical shop;
- a welding shop;
- a woodworking shop;
- a blacksmith;
- a building for the indoor storage of school buses, snowmobiles, or a similar use, but shall not include an auto repair shop or vehicle paint shop.



The Caledon OP recognizes home industries as a component of on-farm diversified uses, which are intended to improve the viability of farming within the municipality.

Caledon's Zoning By-law 2006-50 identifies a home industry (ORM), which applies only to lands within the ORMCP Area. A home industry (ORM) is permitted in the following zones under Section 10.0 - Agricultural and Rural Zones:

- Agricultural – Oak Ridges Moraine - A1-ORM;
- Rural – Oak Ridges Moraine - A2-ORM; and,
- Small Agricultural Holdings – Oak Ridges Moraine - A3-ORM.

The Caledon Zoning By-law includes the following provisions that apply to the home industry (ORM) zone:

- a) is carried on as a small-scale use that is accessory to an agricultural operation;
- b) provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the farming community;
- c) may be carried on in whole or in part in an accessory building; and,
- d) does not include uses such as an auto repair or paint shop or any use that involves furniture stripping.

Section 4 – General Provisions of the Zoning By-law provides two regulations for a home industry. The first states that no more than three people, other than an occupant of the premises, may be employed in the Home Industry. The second regulation prohibits any external display or advertising, other than a lawful sign.

#### **4.4.2 King Township**

King Township is primarily rural and approximately three-quarters of the lands are within the ORMCP, traversing across the municipality. Non-ORM lands are islands to the north and south ends. Most of King's residents live in the communities of King City, Nobleton, and Schomberg.

In reviewing the King Community Plan (2003) for King City, the mapping indicates that lands are primarily within the Settlement Area of the ORMCP, with two small pockets of Natural Core Area along the southern limit, shown in green on **Figure 14**. As such, there are no policies in the body of the King Community Plan that speak to Home Industries, which are generally applicable to rural and agricultural lands.

However, the King Community Plan defines a Home Industry as:

is carried on as a small-scale use that is accessory to a single dwelling or agricultural operation;



- provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the farming community;
- may be carried on in whole or in part in an accessory building; and,
- does not include uses such as an auto repair or paint shop or furniture stripping.

The Nobleton Community Plan (2005) was also reviewed, which permits home industries within the Rural Area designation, as well as small-scale home industries accessory to agriculture and other rural land uses in the Agricultural Area designation.

King's Zoning By-law 2005-23 is a conformity by-law, applying to lands within the ORMCP Area. A home industry is permitted under following ORM zones:

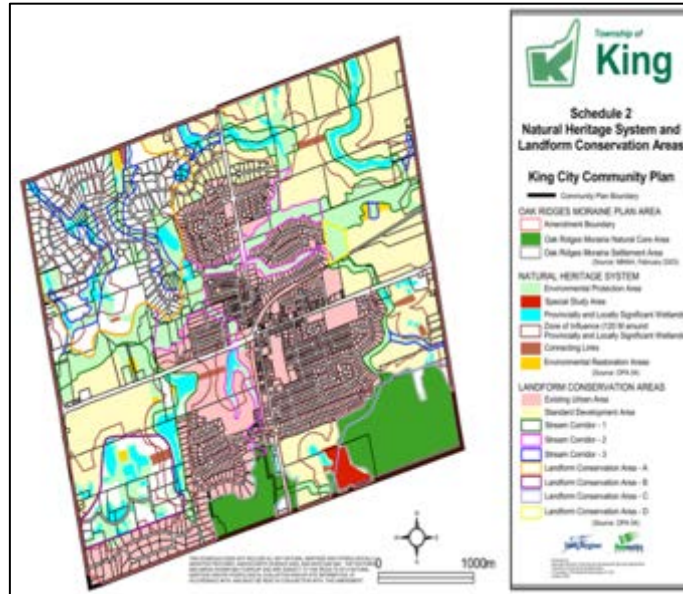


Figure 14: Excerpt from Schedule 6 – ORM Landform Conservation Areas, King Township

- Oak Ridges Moraine Feature Protection - ORMFP;
- Oak Ridges Moraine Core and Linkage – ORMNCL; and,
- Oak Ridges Moraine Countryside – ORMCL.

There are no other provisions in the By-law regulating home industries.

#### 4.4.2 Municipality of Clarington

The Municipality of Clarington is primarily rural in nature, and encompasses lands within the Greenbelt and the ORMCP. As shown on **Figure 15**, the Oak Ridges Moraine comprises the northern portion of the municipality (outlined in red), and includes Natural Core Area, Natural Linkage Area and Countryside.

The Clarington OP (2018), allows home industry uses within the Countryside subject to the following special policies under Policy 13.3.4:

- Be clearly secondary to the agricultural use of the property or accessory to the residence if it is a residential property;





- b) Be carried out in a garage or accessory building, other than associated office uses which may be located within the dwelling unit;
- c) Be compatible with and not hinder surrounding agricultural uses;
- d) Not provide outdoor storage or display of goods, materials or products;
- e) Use the common driveway to the farm or residence;
- f) Meet the requirements of the Municipality and the Region of Durham for water supply and sewage disposal and where possible, share the services with the dwelling on the lot; and
- g) Meet the requirements of the Ministry of Environment and Climate Change for approvals related to air emissions and waste management if required.

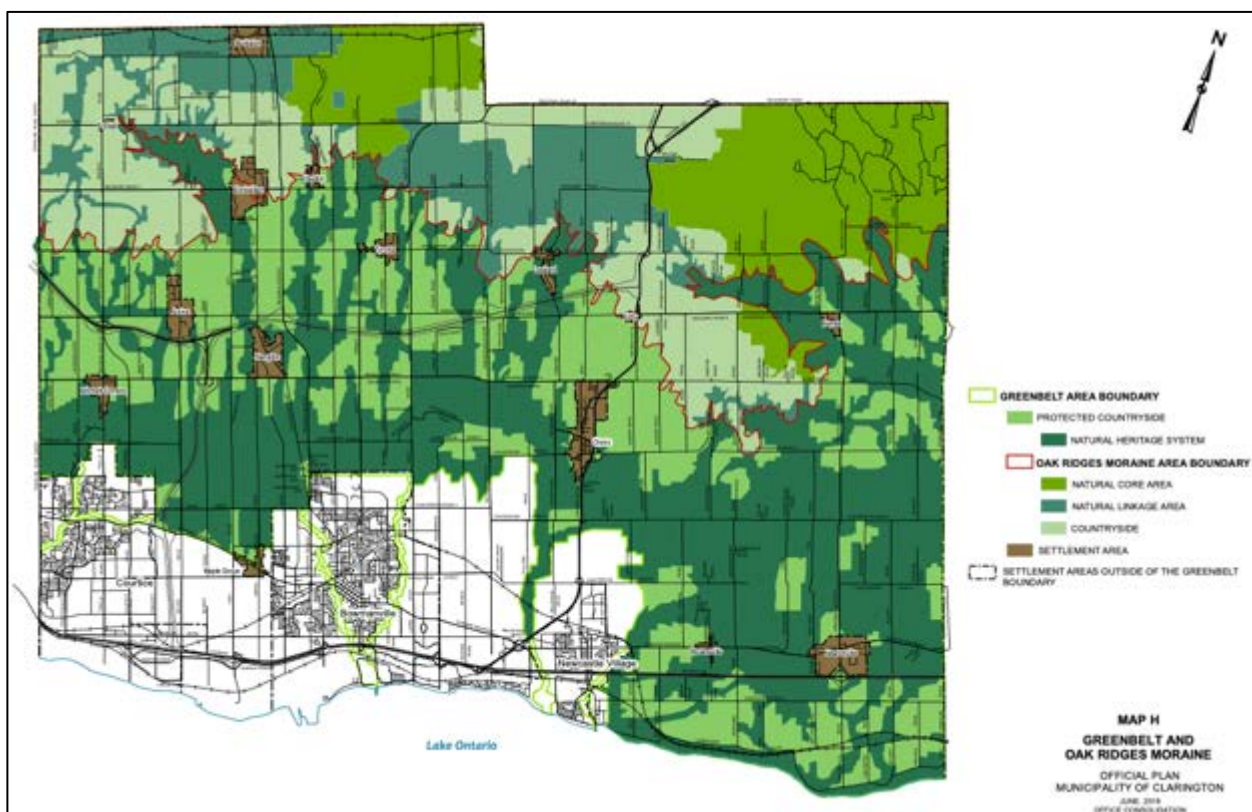


Figure 15: Excerpt from Map H- Greenbelt and Oak Ridges Moraine, Clarington Official Plan

The Clarington OP defines a Home Industry as:

A small-scale industrial use primarily serving the agricultural community which is an accessory use to a farm or rural residential lot and includes such uses as furniture restoration, small engine repair, welding, crafts, which is accessory to a single detached dwelling. It shall not include auto repair, furniture stripping or outside storage of materials or the storage of commercial motor vehicles. A home industry may be conducted in whole or in part in an accessory or farm building.



Home industries are also permitted in the OP's Natural Linkage Area - Oak Ridges Moraine.

Clarington's Zoning By-law 2005-109 applies to lands located on the Oak Ridges Moraine. The Zoning By-law recognizes Home Industries and offers a detailed approach, similar to provisions typical of home occupations.

The by-law does not indicate in which zones home industries are permitted, however, subject to specific site conditions listed in Table 5-4 - Regulations - Home Industries in the By-law. Home industries are permitted to operate within a single detached dwelling, attached garage or an accessory building. A minimum lot area of 0.8 hectares is required to operate a home industry. If a home industry is operating within an accessory building, it must be located in the rear yard and subject to the building setbacks, as per the by-law.

A 50 percent maximum floor area of a dwelling may be used for a home industry to a maximum of 200 square metres, whichever is less. The maximum floor area for all accessory buildings is 200 square metres.

No more than four employees may be engaged in the business, which may include two persons who do not reside in the dwelling. Where a home industry is located on the same lot as a home occupation, the maximum permitted floor area and number of employees applies in total, to both uses.

The parking space requirement for a home industry is one space for each employee that resides on a different lot, plus the number of spaces required for the dwelling. Parking spaces are not required for a home industry that does not require the delivery or pick-up of goods, does not have clients coming to the dwelling, and does not have employees who reside on a different lot.

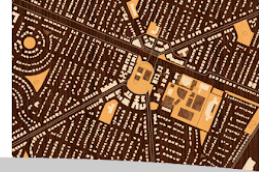
No outdoor external display or storage of goods is permitted. Permitted home industry uses may include:

- a) Custom furniture making or restoration;
- b) Small engine repair;
- c) Welding;
- d) Woodworking and crafts; and
- e) The production of value - added agricultural products such as cider, honey or wine.

The following uses are not permitted as a home industry use:

- a) Automotive repair, automotive painting, motor vehicle body shop or furniture stripping;
- b) Any use that could create a public nuisance due to noise, glare, dust, odours, vibration, interruption of communication signals, or traffic generation; and,





- c) Any use that requires receipt or delivery of merchandise, goods or equipment by motor vehicles exceeding 4 tonnes at registered gross vehicle weight.

#### **4.4.3 Municipality of Port Hope**

Port Hope is primarily rural and within the Greenbelt Area, however the northern portion falls within the ORMCP (see green area in Figure 16 on the next page). Port Hope includes a very detailed approach to regulating home industries and home occupations both through its Official Plan and Zoning By-law.

Section F2 of the Port Hope Official Plan ('Port Hope OP') is dedicated to the Oak Ridges Moraine Secondary Plan, encompassing the boundary of the ORMCP within Port Hope.

The Oak Ridges Moraine Secondary Plan recognizes Natural Core Area, Natural Linkage Area and Countryside lands and the Rural Settlement Area.

In the Port Hope OP, a home industry is generally permitted under two Agricultural designations: Prime Agricultural and General Agriculture. Prime Agricultural policies under



Section D7.1 identify that home occupations and home industries may be permitted as part of on-farm diversified uses that are secondary to the principal agricultural use of a property.

On-farm diversified uses may be permitted on a farm property as part of the farm unit. On-farm diversified uses are intended to provide the farm with supplementary means of income. Uses permitted are to be small scale and they should be clearly secondary to the principal use of the property for farming purposes.

Such uses include farm-related commercial activities such as pick-your-own operations, attractions which rely on normal farm materials, farm vacations, and other uses which do not detract from the farming activities or adjacent properties.

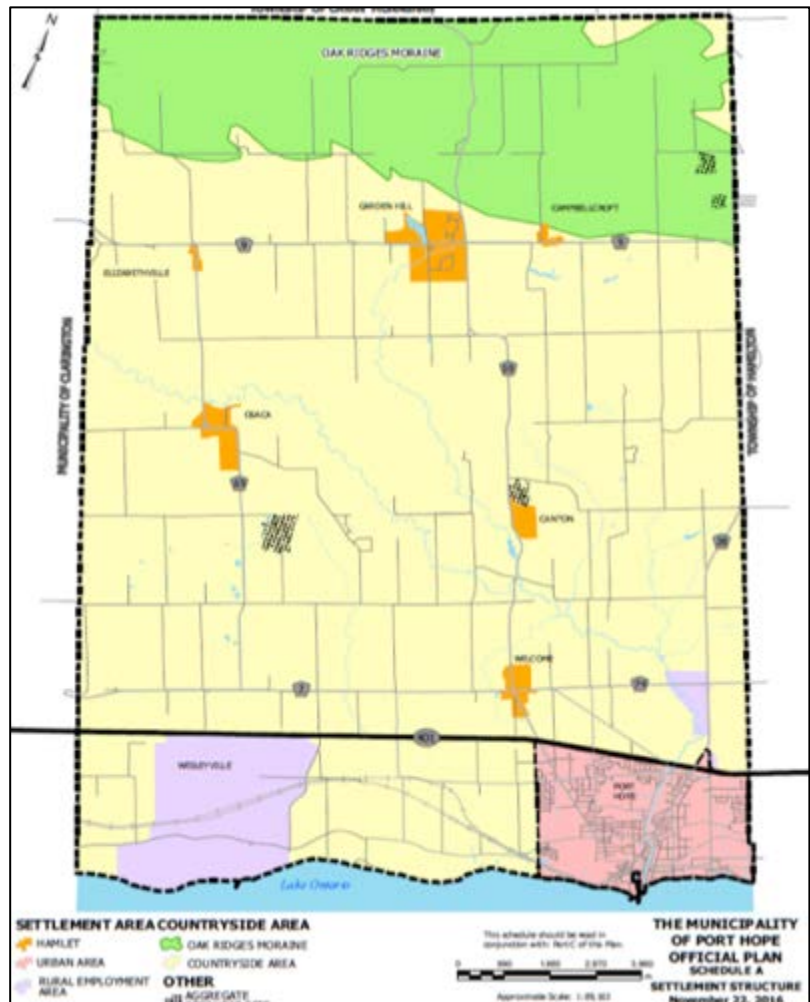
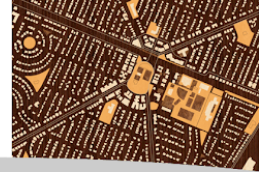


Figure 16: Schedule A - Settlement Structure, Port Hope Official Plan

General Agriculture policies under Policy D.7.2 of the Port Hope OP permit limited non-farm growth provided they do not interfere with or limit surrounding farm activity and a home industry is a permitted use.

Port Hope's Zoning By-law (By-law 20/2010) is municipal-wide and covers lands within the ORMCP. Similar to Clarington's Zoning By-law, Port Hope's Zoning By-law also includes detailed provisions that apply to home industries.

Home industries are permitted within the Agricultural (A) and Rural (RU) Zones. The Zoning By-law defines a Home Industry as:



A small-scale industrial use on a commercial farm which is an accessory use to an agricultural use. For the purpose of this By-law, a contractor's yard, the repairing of motor vehicles or paint shop, mobile homes and trailers are not considered to be home industries.

Home industry uses must be clearly secondary and accessory to the main use on the same lot and must meet a minimum lot area of at least four hectares. The maximum gross floor area dedicated to the home industry must not be more than 200 square metres.

Further, as shown on Table 6, the lot size is a factor in terms of the number of permitted employees:

Table 6: Excerpt from Section 4.12 Home Industry, Zoning By-law 20/2020 (2019)

Lot Size	Number of Employees
Less than 0.6 ha	1
0.6 ha – 1.7 ha	2
Greater than 1.7 ha	3

A home industry is permitted within an accessory building, no further than 30 metres from the detached dwelling on the same lot and no closer than 30.0 metres from any lot line.

The driveway accessing the home industry must be shared with the driveway that is used for the main use on the lot. Only the sale of goods that are primarily manufactured, processed, fabricated or produced on the premises is permitted.

Outdoor storage of goods or materials is permitted, provided that the area it occupies does not exceed 50 percent of the gross floor area of the home industry.

Only licensed motor vehicles associated with the home industry, may be parked or stored on the lot and within an interior side or rear yard. There is no external advertising other than a sign in accordance with the municipal Sign By-law.

Prohibited uses for a Home Industry include:

- construction/landscaping contractors' yards;
- any use involving the storage, repair, maintenance;
- painting and/or towing of motor vehicles or recreational vehicles; and,
- shall not include the generation of or storage of hazardous waste, liquid industrial waste, or any severely toxic contaminant listed under Schedule 3 of the Environmental Protection Act, and shall not generate sewage effluent in excess of 4,500 litres per day.

No more than one home industry, home occupation or custom workshop is permitted on a lot.



#### 4.4.4 Town of East Gwillimbury

East Gwillimbury is primarily rural and approximately one quarter of the lands are within ORMCP (in brown outline on Figure 17), covering the western part of Mount Albert.

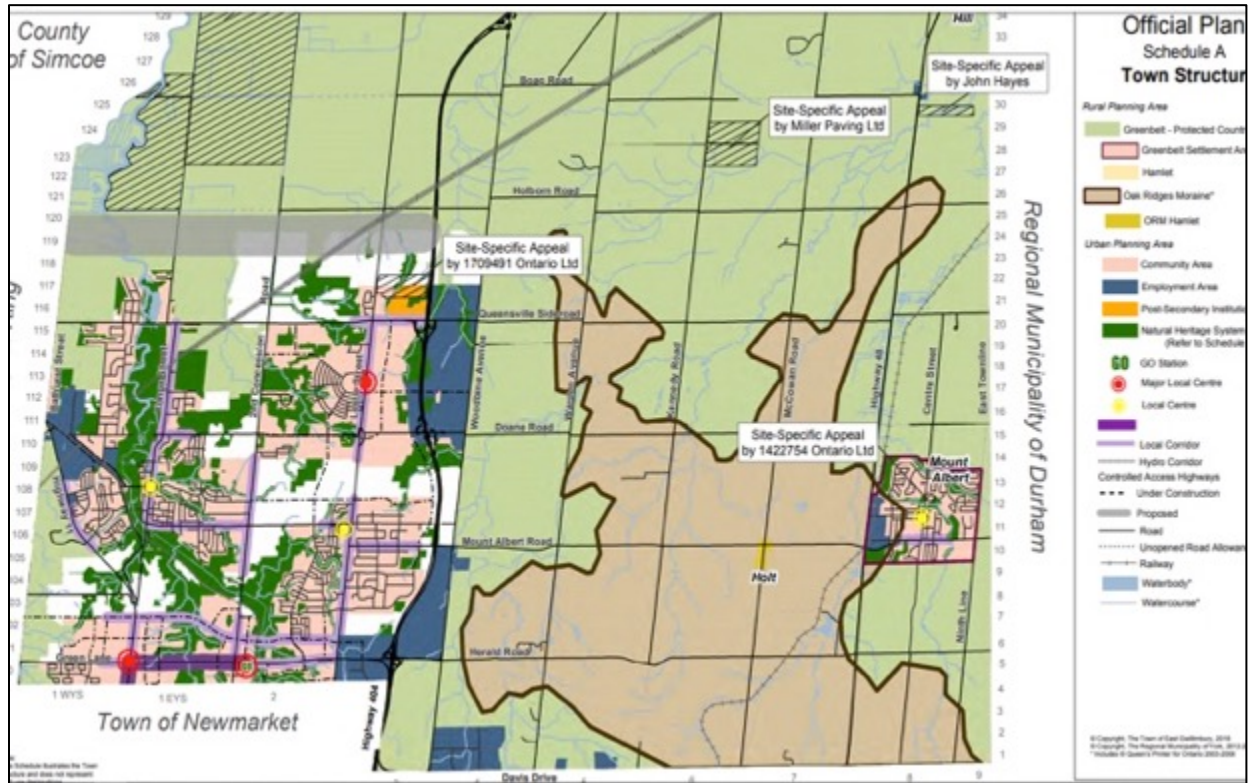


Figure 17: Excerpt from Schedule A - Town Structure

The Rural Planning Area of the Town is defined by the Greenbelt Plan and ORMCP as areas where urban development will not occur, with the exception of Mount Albert (the Greenbelt Settlement Area). The Town supports the agricultural industry and rural economy, while preserving the history and heritage of existing hamlets.

The East Gwillimbury Official Plan ('East Gwillimbury OP') defines a Home Industry as:

A small-scale industrial use, such as a carpentry shop, a metal working shop, antique restoring, and landscaping services, that provides services or products to the surrounding community and which is an accessory use to an agricultural use or a single detached dwelling.

In the East Gwillimbury OP, home industries are identified as 'secondary uses' to the principal use of the property, which also include uses that produce value-added agricultural products from the farm operation on the property.





East Gwillimbury's comprehensive Zoning By-law 2018-43 (2018) does not contain any zoning provisions for a home industry.

#### 4.4.5 Town of Whitchurch-Stouffville

The Town of Whitchurch-Stouffville is primarily rural and approximately three quarters of the lands are within ORMCP, traversing across the Town (area in grey as shown on Figure 18).

The Town of Whitchurch-Stouffville Official Plan ('Whitchurch-Stouffville OP') permits home industries under the Agricultural and Rural Area designations as associated or accessory uses. Accessory uses produce value added agricultural products from a farm operation on a property, such as road side stands.

The Whitchurch-Stouffville OP also permits home industries in the ORM - Natural Core Area, ORM - Natural Linkage Area, and ORM - Countryside Area designations subject to policy provisions. Home industries are permitted in the above noted land use designations only in association with any legally established use, subject to the regulations of the Zoning By-law.

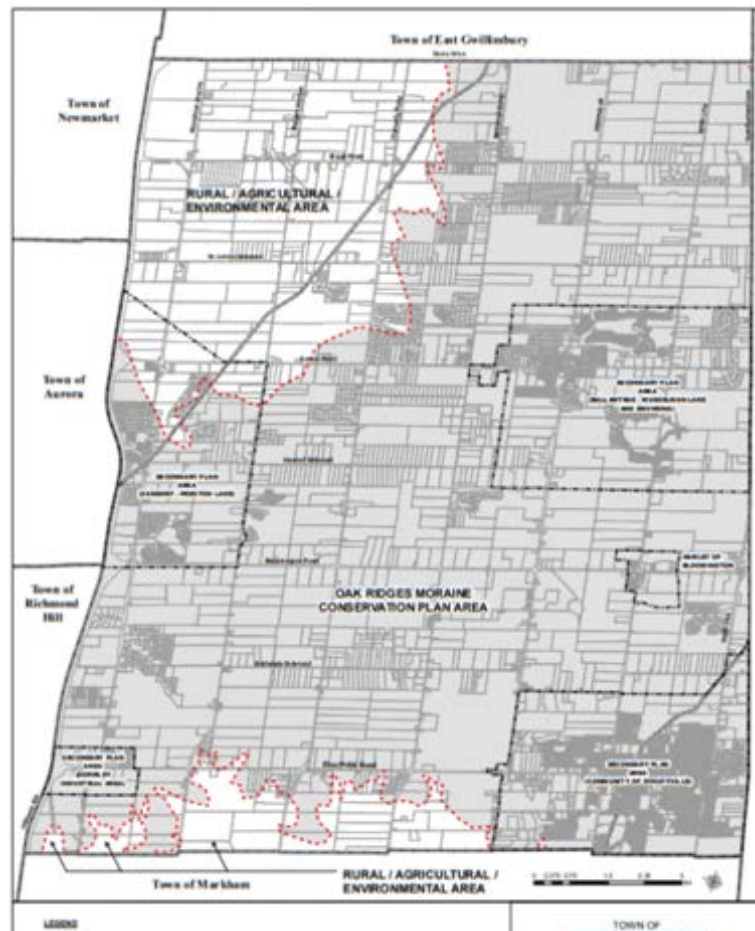


Figure 18: Excerpt from Figure 1 - Community Structure, Stouffville Official Plan

Whitchurch-Stouffville's Comprehensive Zoning By-law 2010-001-ZO (2011) defines a Home Industry use as follows:

A small-scale light industrial use, such as a carpentry shop, metal working shop, welding shop, electrical shop, small equipment repair shop, gardening establishment or blacksmithing establishment, primarily for the farming community, that:



- i. is carried on as a small-scale use that is accessory to a use in a single detached dwelling
- ii. may be carried on in whole or in part in the dwelling or an accessory building
- iii. has no external signage

Prohibited uses include automotive sales and service uses, motor vehicle body repair shops and furniture stripping.

Home industry uses are permitted in the following zones under Section 4 - Rural and Environmental Zones:

- AG - Agriculture;
- ENV Outside Oak Ridges Moraine Area;
- ENV Oak Ridges Moraine Area;
- ENV Stouffville/Ballantrae Musselman's Lake;
- ORM-C - Oak Ridges Moraine – Countryside;
- ORM-L - Oak Ridges Moraine – Linkage; and,
- ORM-NC - Oak Ridges Moraine - Natural Core.

Home industries are not permitted in the Residential zones of the By-law. Home industries can include the production of custom or artisanal products and services such as carpentry, metalworking, welding, electrical work, gardening or blacksmithing, primarily for the farming community. Home Industry uses are permitted in the above-noted zones within a single detached dwelling, provided that the lot containing any such home industry use is a minimum of 5 hectares in lot area.

The single detached dwelling in which the home industry is located must be the principal residence. A maximum of one non-resident person may be engaged in the home industry use.

A maximum of one home industry use is permitted on a lot and it cannot involve any changes to the outward appearance of the building except for any modifications required to accommodate barrier free access.

The home industry use may be located in part of a dwelling unit or in any accessory building or structure, provided that no more than 25 percent of the gross floor area of the dwelling unit or accessory building or structure is used for the Home Industry use to a maximum of 140 square metres.

Any outdoor storage, display or signage associated with the home industry is prohibited. No retail sales are permitted as part of a home industry use other than the sale of what is produced or repaired on site. Lastly, a home industry must not generate adverse effects such as that from electrical interference, excessive traffic, parking, noise, or odour.





#### 4.4.6 Town of Aurora

More than half of the Town of Aurora is located within the ORMCP, which is found along the western municipal boundary and most of the southern half of the Town. As shown on Figure 19, the majority of the lands are designated Stable Neighbourhoods (in greenish-yellow) including neighbourhoods that are located within the ORMCP (delineated by the red dashed line). OPA #48 is intended to bring the Aurora Official Plan into conformity with the 2001 ORMCP.

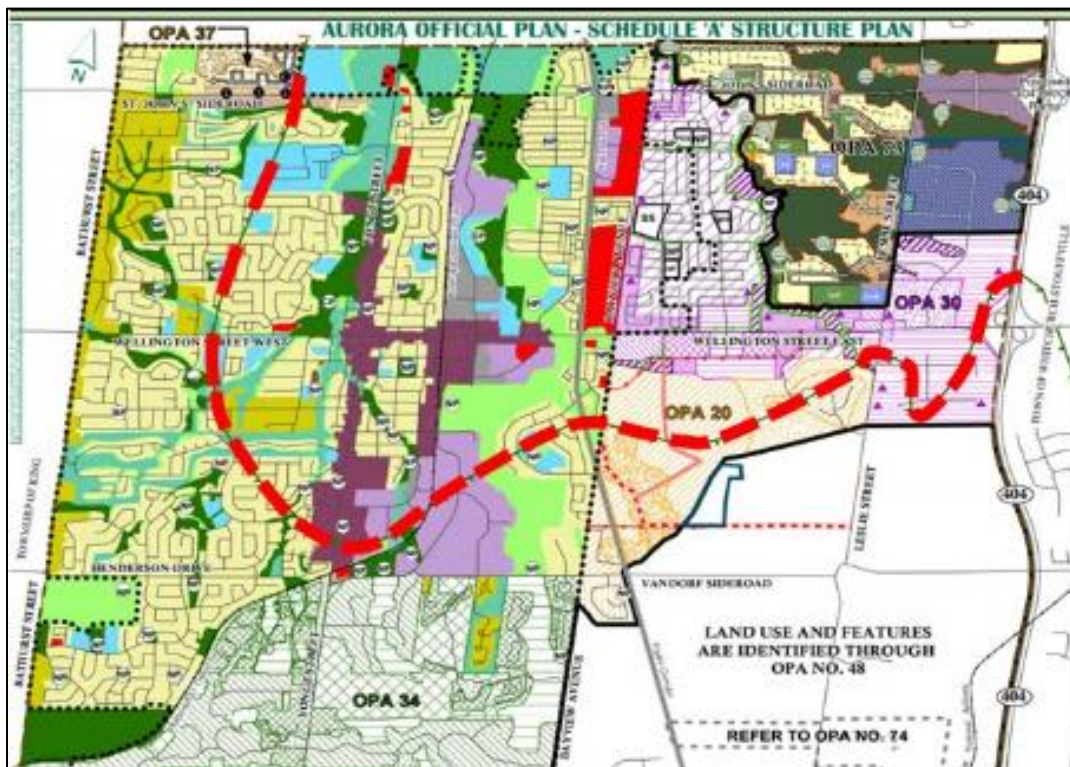
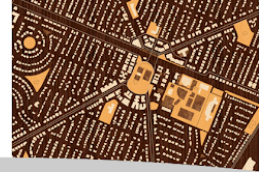


Figure 19: Excerpt from Schedule A – Structure Plan, Aurora Official Plan

The Town of Aurora is mainly built out, with a large area designated Stable Neighbourhoods that represents mature and distinct residential neighbourhoods. As well, the Town of Aurora has planned areas within the northeast quadrant of the Town and within the Settlement Area of the ORMCP.

OPA #48 provides a definition for a Home Industry:

- a) is carried out on as a small-scale use that is accessory to a single dwelling or agricultural operation,
- b) provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the farming community,
- c) may be carried on in whole or in part in an accessory building; and,



d) does not include uses such as an auto repair or paint shop or furniture stripping.

The Town of Aurora Official Plan does not contain any other policies addressing the home industry use and a home industry use is not recognized in the Town of Aurora Comprehensive Zoning By-law 6000-17 (2019).

## 5.0 SURVEY AND OPEN HOUSE

As part of the City's Zoning By-law review, surveys have been prepared on the range of topics being considered to obtain an understanding of the public concerns and priorities with respect to various aspects of the Zoning By-law review. In the case of the subject of this Technical Paper, a 17 question survey was prepared by the City to better understand community sentiment as to how home occupations, home based businesses, home industries and live-work units should be regulated. The survey questions are included as Appendix D to this Technical Paper. The number of respondents per each question ranged from approximately 65 to 75 people.

Below is a summary of the relevant responses to the survey. The vast majority of the respondents (82%) lived in a single detached house. The remainder lived in a semi-detached (1%), townhouse (12%), or an apartment/condominium (5%).

The overwhelming majority of respondents indicated that they did not operate a home based business, home occupation or home industry nor live in a live-work unit within the City of Richmond Hill. More specifically, 70% of respondents indicated they did not operate a home based business or home occupation, while 90% of respondents indicated they did not operate a home industry and 93% of respondents indicated they did not live in a live-work unit. Of those respondents that do operate a home based business, home occupation or home industry (22 respondents) most were office/administrative uses (12 respondents), food/baking services (5 respondents), or crafts/artisans (4 respondents). One respondent indicated that their home based business/home occupation involved product sales.

Respondents were asked a number of questions regarding how home based businesses, home occupations, home industries and live-work units should be regulated. Question 1 asked respondents what types of uses should be prohibited as a home based business or home occupation. Most responses included uses that had a potential outside impact on surrounding community uses. Respondents were able to choose more than one option. The top 5 uses that respondents indicated should be prohibited include: automotive uses, kennels, manufacturing of products, retail sales/distribution of products, and food services.

Question 2 asked respondents where home occupations and home based businesses should be permitted. Respondents overwhelmingly indicated that such uses should be located in ground-related dwelling forms such as a single detached dwelling (82%) followed by semi-



detached dwellings (53%) and townhouse dwellings (47%). Again, for this question, respondents were able to choose more than one option.

The responses to Question 3 indicate that the majority of respondents feel that the current size limitation of a home occupation or home based business to 25% gross floor area of the dwelling is appropriate with 58% of respondents indicating that this existing maximum should be maintained. The remaining responses were fairly evenly split with 22% indicating that the existing size maximum should be increased while 20% indicated that the size limitation should be decreased.

Questions 4 and 5 probed whether home occupations and home based businesses should be able to have non-resident employees and if so, how many. The responses to Question 4 were fairly evenly distributed with 56% of respondents indicating that non-resident employees should be permitted, while 44% of respondents indicated that non-resident employees should not be permitted. The responses to Question 5 as to how many employees should be permitted were somewhat evenly distributed; 31% indicated that no employees should be permitted (including a number of responses recorded as “other”), 24% indicated that only 1 employee should be permitted, and 28% indicated that up to 2 employees should be permitted. Of the remainder, 11% of respondents indicated that there should be no limit, while the final 6% provided answers outside of these trends. In aggregate, the responses to Question 5 indicate an even stronger response; that non-resident employees should be permitted with 63% of the respondents indicating that at least some number of employees should be permitted.

Question 6 inquired as to how many clients/customers should be able to attend a home occupation or home based business at any given time. The majority responses (56%) indicated that between 1 to 3 clients should be permitted to be in attendance at a home based business or home occupation at any one time although this number increased to 62% when accounting for answers in the “Other” category that also fell within this range.

Currently, the City does not require that extra parking be required for a home based business, home occupation or home industry. Question 7 probed whether respondents were of the opinion that the current approach to parking was appropriate. Respondents did not indicate a strong response to change the current approach. The top 3 answers to Question 7 were to monitor on-street parking and enforce restrictions, continue exempting parking, and encourage greater use of transit, walking and cycling rather than motor vehicle travel. Where it was felt that parking should be required, slightly more responses indicated that parking was needed for non-resident employees versus customers/clients.

Question 8 asked respondents to identify concerns with home based businesses and home occupations by choosing from a list of potential impacts. Respondents were able to select more than one answer. In general terms, the options provided were a range of potential impacts that



would be detectable within the surrounding community. Of the options provided, the top 2 options selected were related to nuisance impacts being: 1) noise and vibrations; and 2) odour and emissions. These were followed by on-street parking, outdoor storage, and aesthetics.

Question 9 asked respondents how the City could best regulate home industries. Respondents were able to select more than one answer. In general terms, the options provided included a range of regulatory options such as limiting the size, location, non-resident employees, or customers as well as requiring minimum setbacks from adjacent residential uses and requiring parking. Of the options provided, the top 2 options selected included limiting the number of customers that may attend the home industry at any one time as well as limiting the number of non-resident employees. This was followed by requiring minimum setbacks from adjacent residential uses and limiting the floor area of the dwelling that may be used for the home industry.

Question 10 is similar to Question 9 in that it asked respondents how the City could best regulate live-work units. Again, respondents were able to select more than one answer. The options provided were the same as those from Question 9 in that they included options to regulate the size, location, non-resident employees, or customers as well as requiring minimum setbacks from adjacent residential uses and requiring parking. Of the options provided, the top 2 options for regulating live-work units again included limiting the number of customers that may attend the occupation at the live-work unit at any one time as well as limiting the number of non-resident employees. This was again followed by requiring minimum setbacks from adjacent residential uses and limiting the floor area of the dwelling that may be used for the live-work unit. However, in the case of live-work units more people additionally indicated that minimum parking should be required.

An open house was held on this topic on March 31, 2022. Questions were raised at the open house on the impacts on street parking from the use of homes for street parking. Questions were also raised on what type of signage could be permitted in accordance with a home occupation. One participant indicated that the industries in California have been buying up houses for employee use during the Covid-19 situation and the impacts of doing this on parking and neighbourhood character.

## **6.0 OPTIONS FOR THE CITY TO CONSIDER**

The area municipal plan comparison identified many similarities in the types of zoning provisions that municipalities have included in their zoning by-laws to regulate home occupations. For home industries, home businesses and live-work units zoning provisions tend to be more unique to each municipality, where regulations vary depending on the history and characteristics of the municipality.





Some municipal zoning by-laws also include much more detailed provisions that are likely the result of consolidating many separate municipal by-laws whereas others have more straightforward provisions.

As a regulatory tool, the zoning by-law implements the policies of an Official Plan and reflects the intent of the policies. The challenge is to provide for a set of regulations that address key concerns in a simple and straightforward manner, which is consistent with other zoning regulations and municipal by-laws.

Below are a number of options for the City to consider in regulating home occupation, live-work units, home industries and home businesses. The final sub-section includes considerations for the Official Plan update to address home-based businesses as well.

## **6.1 Options for Home Occupations**

### **6.1.1 Zoning Options**

It is assumed that the City's intent through its Zoning By-law Update is to establish a single zoning by-law to regulate land use across the City. The existing provisions that are in-effect in the City's parent zoning by-laws reflect many of the provisions found through the area municipal plan comparison as detailed in earlier sections of this Technical Paper and in Appendices A, B and C. As noted earlier, a number of other municipal zoning by-laws include common zoning provisions that apply to home occupations and the City of Richmond Hill could consider including such provisions in the new Zoning By-law. Below is a summary of the options for zoning provisions that apply to home occupations.

#### **Location/Access Building**

RHOP Policy 3.3.2.10 - Home Occupations specifies that the owner of the home occupation must reside in the dwelling and that a home occupation is permitted in any type of dwelling. The City's zoning by-laws will need to be updated to reflect this policy direction.

#### **Outdoor Storage**

Richmond Hill's Zoning By-law prohibits outdoor storage as well as any external display and sales area for materials or finished products associated with a home occupation use. Across other municipalities, prohibiting outdoor storage from public view is consistent and contributes to maintaining the character of a residential neighbourhood by preventing dwellings from appearing like retail stores. In accordance with the approach in other municipalities as well as the City's new Zoning By-law, it is recommended that the provision for prohibiting outdoor storage be unchanged.



Further, the definition for home occupation includes that any outside use associated with a home occupation is not permitted. As such, any associated outside storage would not be in compliance with the policies of the Official Plan.

#### Size restrictions (Maximum Gross Floor Area)

Richmond Hill's Zoning By-law limits the maximum permitted gross floor area for a home occupation to no more than 25 percent of the gross floor area of the dwelling unit.

This regulation can be difficult to measure, however in most instances, such as for a medical practitioner or a hair salon, the delineation of a working space and living space will likely be clear.

In the area municipal plan comparison, almost all of the municipal by-laws allow 25 percent or up to a specific square footage allotted to a home occupation, however some of the municipalities use a combination of a percentage and an absolute amount of floor area.

The combination of both measures limits a home occupation proportionately to the size of the dwelling unit for smaller dwellings, and restricts the area up to a finite amount of space for larger dwellings. Staff may wish to consider a combination of the two, and whichever is less would apply in each case. This ensures that a home occupation remains incidental to the primary use of the residence.

Further, some of the by-laws stipulate what areas of the dwelling may be included in the total area. For instance, Burlington's Zoning By-law allows the use of the basement or cellar and an additional 25 percent of the non-basement gross floor area, up to 100 square metres, whereas Oakville includes the basement in the calculation of the permitted 25 percent of the gross floor area. Attached garages are also an option for including in the total gross floor area. Toronto provides more detail on this topic with a clear list of exclusion areas within each building type (e.g. mixed use building, townhouse etc.). The list approach helps to avoid any confusion and possible disputes.

In this regard, the City should consider clearly describing in the by-law what areas within a dwelling unit are permitted, and most importantly counted, in the total square footage. In this regard, the definition of gross floor area should be clear on what components are included when calculating the area.

#### Priority of Use





The RHOP includes policies that require that a home occupation remain accessory to the primary residential use and is limited in floor space to a portion of the dwelling as determined by the Zoning By-law. It is recommended that this approach continue to be followed.

## Sale of Goods

Richmond Hill's Zoning By-law requires that the sale of goods be conducted entirely within an enclosed building. Further, a home occupation shall not consist of an occupation that involves the sale of a commodity not produced on the premises, except for telephone or mail order sales of goods, provided that customers do not enter the premises to inspect, purchase or take possession of the goods. Further, RHOP Policy 3.3.2.10 indicates that a home occupation shall not include retail sales or services.

The intent of the above language is to limit any potential disruptions in a neighbourhood through direct customer sales or merchandise pickup and to discourage the establishment of warehouses. The following options may provide Enforcement Staff more robust language to help regulate home occupations.

The Zoning By-law should include that the sale of goods is incidental to a home occupation or are produced onsite. This generally means that products sold as part of a home occupation is secondary to the main business. The intent is to prevent a home occupation from exclusively operating a retail store from a dwelling. For example, the Newmarket Zoning By-law permits the accessory sale of goods permitted on the premises and the Burlington Zoning By-law specifies that the sale of goods is not permitted unless it is ancillary to the permitted use.

Staff may wish to consider a new zoning term "Incidental Goods" as a means to ensure that any products that may be sold as part of the home occupation are accessory to the home occupation's primary use.

Staff may also wish to modernize this component of the provision to include online sales. As a result, permitted sale of goods could be defined to mean a use in which "the buyer completes transactions for goods and services through use of technology that may include, but is not limited to telephone, mail or online transactions".

The intent of this type of provision is that purchased goods and services are delivered directly to the buyer, eliminating high intensity or frequent deliveries or appointments in a residential area. However, caution must be exercised to ensure that this does not inadvertently permit the establishment of mini-warehouses or depots where suppliers and customers drop off or pick up items. While this could be controlled by limiting the number of deliveries permitted, this would be difficult if not impossible to enforce through a zoning by-law. As a result, the City could consider



prohibiting the warehousing of third party goods as part of a home occupation. It is recognized however, that even this provision would be difficult to enforce as well.

The City of Burlington is the only municipality in the review that includes online sales as another method of permitted sales, with the added restriction that no pick up is permitted on the premises.

### Signage

A home occupation is permitted to have a sign, as per the Richmond Hill Signs By-law 52-09. Section 3.3.2.10 of the RHOP indicates that signage for a home occupation is only permitted in accordance with the City's sign by-law.

The majority of the zoning by-laws reviewed delegate and permit signage to be carried out in accordance with their respective sign by-laws. Oakville, Mississauga, Burlington and Cambridge prohibit signs. It is recommended that signage continue to be regulated through the City's sign by-law.

### External Display

RHOP Policy 3.3.2.10 - Home Occupations indicates that the built form of a dwelling and property should continue to maintain its appearance and principal use as a residential dwelling, in keeping with the character of the area. Zoning by-laws in other jurisdictions also do not allow external display of any kind related to a home occupation. It is recommended that the no external display of goods or services provision should remain unchanged.

### Nuisance Impacts

Richmond Hill zoning by-laws require that a home occupation not result in the discharge or emission of odorous, noxious or toxic matter or vapours, heat, glare, noise or radiation, or recurrently generated ground vibrations. The intent of this provision is to provide a more general guide for the types of uses that are not desirable as a home occupation.

As Richmond Hill's Noise By-law (Chapter 1055 – Noise), deals solely with noise and some vibration, Staff may wish to consider preparing a Nuisance By-law to ensure all other adverse impacts can be enforced.

As mentioned in the area municipal plan comparison, Oakville's Nuisance By-law 2007-143 is a great example, responsible for regulating public nuisances including, "noise, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors". The outdoor component is important for regulating any impacts generated from a home occupation and extending outdoors.



### Specific Permitted Uses

The Richmond Hill Zoning By-laws do not include a list of the types of uses that are permitted as a home occupation. In contrast, Section 3.3.2.10 of the RHOP indicates that a home occupation is a professional occupation and is limited to an office use.

Several of the municipalities reviewed in the area municipal plan comparison provide a list of permitted uses that can operate as home occupations. Generally, there are also opportunities for other possible types of home occupations which are not specifically listed.

One approach that the City of Richmond Hill could consider is to create a list of home occupation permitted uses, understanding that there may be multiple types of occupations that can operate from a dwelling.

In the municipalities reviewed, home occupations are generally categorized as professional office, general service, instructional service, home artisan business and/or small repair service. Some permitted uses are subject to further provisions, including limits to their scale and mitigating potential negative impacts.

Rather than preparing a list of permitted uses that could operate as home occupations, it is recommended that the City consider developing a list of prohibited home occupation uses. This will be to ensure that such uses cannot be introduced in residential areas due to their potential for creating negative impacts, such as through noise, parking and odour. The following section provides a list of prohibited uses to consider.

### Specific Prohibited Uses

Section 3.3.2.10 of the RHOP indicates that in addition to veterinary services, the implementing zoning by-law may reference other types of home occupations that may be prohibited. In this regard, a number of Richmond Hill Zoning By-laws already prohibit a home occupation that involves “the salvage, repair, maintenance or sales of motor vehicles or motor vehicles' engines or parts”.

From the area municipal plan comparison, the City of Cambridge was found to have the most comprehensive list of prohibited home occupation uses. As shown in Appendix B, Cambridge's list is inclusive of all other prohibited uses from the other municipalities with some variations in terminology, and includes the following:

- Adult entertainment establishment;
- Animal clinic;
- Assembly and storage of hazardous substances;



- Construction/landscaping contractor's yard;
- Scrap metal recycling operation or salvage yard;
- Industrial use;
- Boarding and/or breeding kennel;
- Medical office;
- Noxious use;
- Place of amusement (e.g. arcades);
- Restaurant;
- Retail store;
- Taxi service depot/dispatch establishment (due to concern with traffic and parking);
- Limousine business (due to concern with traffic and parking); and,
- Any use involving the storage, repair, maintenance, painting and/or towing of motor vehicles or recreational equipment (mobile).

This list of uses, or a variation of it, could be considered when updating the Richmond Hill Zoning By-law.

From the area municipal plan comparison, municipalities vary on their approach to some of these uses and these are discussed in further detail below

#### Medical Office Uses

Medical offices can be used for consultations, examinations or therapeutic treatment by a licensed physician, dentist, drugless practitioner or health professional. This use may involve several patients in a waiting room waiting for their appointments, creating a very busy space. In this regard, medical offices generate one of the highest parking demands, which is based on the high frequency of appointments.

The intent of limiting medical office uses as a home occupation is to ensure that there are no adverse impacts on adjacent dwellings and that the home occupation is not out of character with the residential neighbourhood.

Oakville and Burlington permit medical offices as home occupations outright, without restrictions on their location while Markham and Newmarket only permit medical offices as home occupations in certain locations. For example, in Markham permits a medical office in the dwelling unit of a physician provided the property's front lot line or exterior lot line abuts a Provincial Highway, a major or minor arterial road or a major collector road.



In Newmarket, one medical practitioner is permitted in a dwelling unit as a home occupation, which can include the office of one physician, dentist, or drugless practitioner. A medical office, however, is prohibited, which means:

A building or part thereof, used to accommodate the offices of one or more medical physicians, dentists, drugless practitioners, or other healthcare professionals to provide diagnosis and treatment to patients, but which does not provide overnight accommodation.

Mississauga permits an office use as part of a Home Occupation; however a physician, dentist, drugless practitioner or health professional's office is not permitted. The remaining municipalities are silent on medical office uses, therefore permission to operate this use would require relief from the Zoning By-law.

### Restaurants/Food Preparation

The City of Cambridge identifies restaurants as a prohibited home occupation use, whereas Markham prohibits "any use involving the sale of prepared food for human consumption" as a home occupation, which may be more inclusive as a "catch all" for the food preparation business.

### Swimming Pools

City of Richmond Hill Zoning staff have indicated that they have experienced a number of challenges associated with a minor variance to permit a backyard swimming pool to be used as a home occupation to provide swimming lessons.

Markham's review of the issue was examined in a Paper entitled, City of Markham Task 11: Review & Assessment of Home Occupations, Comprehensive Zoning By-law Project (2015). This report indicated that there was a follow up assessment by Markham staff in a report to Council which recommended not amending the Zoning By-law to permit this activity, but that such requests should continue to be dealt with at the Committee of Adjustment.

Similar to Markham's Official Plan, the RHOP requires activities related to home occupations to be contained entirely within a ground-related dwelling (e.g. single detached, semi-detached or townhouse) and therefore any outside component would not be in conformity with the policies of the Official Plan.

### Commercial Schools

Educational uses are sometimes mentioned under the regulations for home occupations. The Town of Oakville allows a commercial school for music only, while the City of Mississauga



allows tutoring and music instruction. In the City of Burlington, music, dance or singing activities and physical fitness instruction is permitted in detached dwellings only.

The key elements to consider with respect to educational uses as home occupations are the potential sound or noise generated, the frequency of lessons, the number of children/students and drop off and pick-up arrangements. City of Richmond Hill staff may wish to consider limiting specific types of schools such as music and dance instruction, to dwelling units where the noise generated would pose less of a compatibility issue with adjacent dwellings, such as single detached dwellings.

Further, limiting instructional activity to a specific number of students may also help maintain the character of the neighbourhood and not overextend class sizes. For instance, in Markham there is a limit of no more than four students at a time for instructional activity. In the City of Mississauga, a maximum number of two clients is permitted to attend a home occupation at any time.

In the City of Ottawa, no client or customer may be attended to or served onsite. Other municipalities are silent on the number of clients, customers or students permitted to be served at a home occupation.

### Pet Grooming and Training

In the City of Burlington, pet grooming and training is permitted inside only and only in detached dwellings. These types of business are typically also permitted within commercial areas.

For this type of potential home occupation, it is important to consider odour, noise, the frequency of appointments, the number of animals and vehicle drop off and pick-up arrangements. City of Richmond Hill staff may wish to consider limiting specific types of uses to dwelling units which would mitigate any adverse impacts, such as to single detached homes

### Other Types of Prohibited Uses

While not included on City of Cambridge's more comprehensive list, the Town of Newmarket Zoning By-law also prohibits day nurseries, nursing homes and tea rooms. These uses are not frequently established as home occupations, and are typically delegated to commercial areas. Although day nurseries are common in residential areas, home day cares are regulated by the Day Nurseries Act, and thus should not be included as part of a home occupation.

### Home Occupations in Multi-Unit Buildings

From the area municipal plan comparison, home occupation provisions are generally silent when it comes to mid or high-rise multi-unit buildings. It is however noted that the RHOP now





permits home occupations in any dwelling type. Across the Greater Toronto Area, municipalities are now ‘building up’, and eventually municipalities will need to determine whether, and what type of, home occupations are an appropriate use for multi-unit residential buildings.

Typically, when purchasing a residential condominium unit, owners are subject to the Condominium Board, which abides by a set of rules. The most common complaint or issue dealt with by Condominium Boards is noise, as sounds can travel easily into another unit or in the common elements. Odour is another common issue, which would travel in the same way.

City of Richmond Hill staff may wish to start with determining whether the current provisions for home occupations would require adjustments to address any adverse impacts to abutting dwelling units.

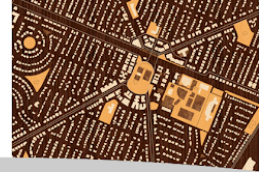
City of Richmond Hill staff may also wish to include a list of prohibited uses, grouped as manufacturing, animal grooming and care, food production and auto related, and perhaps medical offices, in multi-unit buildings.

## Parking

The RHOP requires adequate on-site parking be provided for a home occupation use. Based on the area municipal plan comparison, it was observed that some municipalities include alternative parking requirements based on neighbourhood context (e.g. less parking for areas close to public transit). The requirement for additional parking may also negatively impact the streetscapes. In keeping with the City of Richmond Hill's initiatives and policies to reduce single-occupancy vehicle use, and promote complete communities and active transportation, Richmond Hill staff may wish to reassess the need for non-resident employee parking because of the difficulties enforcing and implementing such a restriction, given that there is no process in place to determine number of employees, and the number of non-resident employees can change.

### **6.1.2 Home Occupation Guidelines**

Another option for the City to consider is the adoption of home occupation guidelines that could either be in the form of a separate guideline document or in the form of explanatory text on the City's webpage, which is more common. While such guidelines and/or website text are not part of the Zoning By-law, they could be written in layman's terms to explain key concepts and direct the reader to applicable provisions in the Zoning By-law. It could also provide a general guide of prohibited uses as home occupations, or alternatively, generally prohibit uses which would generate adverse impacts such as noise, fumes and odour.



## 6.2 Options for Live-Work Units

As noted in the area municipal plan comparison, live-work units contribute to providing a diversity of housing types and tenures to accommodate a wide range of households and family types, while fostering small businesses.

In terms of their location, and based on a review of each respective municipal Official Plan, live-work units are directed to the following areas:

- Regeneration Areas (Toronto);
- Centres and Corridors (Vaughan and Ajax);
- Major Transportation Stations (Ajax and Vaughan);
- Historical Villages (Vaughan) and Historical Downtown Centres (Newmarket); and,
- New Residential Areas (Newmarket and Oakville).

Based on the area municipal plan comparison, they can also be permitted in low, mid and high-rise developments, ranging from primarily residential areas to mixed use areas that accommodate other commercial and employment land uses.

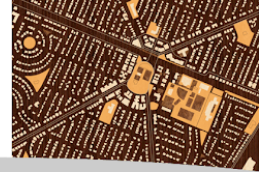
The RHOP directs live-work units to centres and corridors as well as along arterial street frontages in the Neighbourhoods designation and within existing neighbourhood commercial sites. Live-work units are permitted uses in the Richmond Hill Centre, Downtown Local Centre, Oak Ridges Local Centre, Yonge Street and 16<sup>th</sup> Avenue Key Development Area, Yonge Street and Bernard Avenue Key Development Area, Local Development Areas, Regional Mixed Use Corridor and Local Mixed-Use Corridor.

Below are a number of options to address live-work units for the City to consider.

### 6.2.1 Zoning Options

In terms of zoning options, the zoning provisions for live-work units were inconsistent in the area municipal plan comparison, without the level of detail typical of home occupation provisions. However, zoning by-law provisions for live-work units within a townhouse or other low-rise dwellings were found in the research. In this regard, a list of common characteristics is provided below for Staff's consideration when contemplating live-work unit provisions:

- Non-residential uses are restricted to the ground floor;
- A percentage of the ground floor of a residential use building is identified for the non-residential component, in accordance with Ontario Building Code requirements (up to 200 square metres permitted);
- A minimum ceiling height is required for the first storey;



- An at-grade entrance facing a public street is required as the principal entrance to the business;
- Blended parking space requirements are established if a live-work unit is established (as opposed to separate parking requirements for residential and non-residential uses);
- Loading spaces should not typically be required for live-work units;
- Outdoor sales and display of goods are limited to an area immediately in front of the live work-unit, if retail sales are involved;
- Typical uses include an art gallery, artisan studio, financial establishment, personal service establishment, retail establishment, florist, medical office, office or a commercial school; and,
- All waste generated from the business establishment is stored internally.

### **6.2.2 Live-Work Unit Guidelines**

Another option for the City to consider is the adoption of live-work unit guidelines. Such guidelines would assist Staff and applicants in the evaluation of a re-zoning (if one is required), site plan approval and/or a license under the Municipal Act and could include guidance on requirements for:

- Light and ventilation;
- Safety and security (CPTED principles);
- Parking and loading;
- Area dedicated to live-work space;
- List of permitted and restricted uses; and,
- Approvals (Building Code, Zoning).

### **6.3 Options for Home Business**

Under the 2017 ORMCP, the definition for a Home Business has been updated to clarify that such businesses are not located on a farm. The updates are underlined:

“home business” means a business that is not located on a farm and,

- a) involves providing personal or professional services or producing custom or artisanal products,
- b) is carried on as a small-scale secondary use within a single dwelling, or a building that is accessory to the dwelling, by one or more residents of the dwelling, and,
- c) does not include uses such as an auto repair or paint shop or furniture stripping.

Home businesses are generally very similar to home occupations, providing personal or professional services are involved in producing custom or artisanal products. However, home



businesses can also be carried out in an accessory building to a main dwelling. This last point can vary across municipalities, with zoning provisions based on geographical context and the nature of uses permitted as home businesses.

As of 2017, the ORMCP allows a Home Business within the Oak Ridges Moraine Natural Core (ORMNC), the Oak Ridges Moraine Natural Linkage (ORMNL) and the Oak Ridges Moraine Countryside (ORMCO) designations. Richmond Hill's By-law 128-04 also permits a home business within the ORM Zones, including the Urban Zone (ORMUR) as well as all of the other ORM Zones within a building or structure that existed on November 15, 2001 and additions thereto.

In the Town of Caledon, a home business is permitted in the Agricultural, Rural and Small Agricultural Holdings Zones within the Oak Ridges Moraine and the Environmental Protection Zone. East Gwillimbury allows home businesses to operate from the Mixed-Use Zones, Residential Zones, including the Estate Residential and the Hamlet Residential Zones, the Rural Zone and the Oak Ridges Moraine Zones, including the Core (ORMC), Countryside (ORMCS) and Industrial Extractive (ORMIE) Zones.

Based on the area municipal plan comparison, the following provides a number of options that Staff may wish to consider when updating the Zoning By-law for home businesses.

#### Permitted and Prohibited Uses

The following list of potential uses to be permitted as home businesses may be considered as part of the City's Zoning By-law Update:

- Office or Personal Service use;
- Music, Dance, or Singing activities;
- Tutoring;
- Physical Fitness activities;
- Medical or Health Care Office;
- Aesthetician;
- Hairstylist;
- Pet Grooming (inside only); and,
- Pet Training (inside only).

Richmond Hill's By-law 128-04 currently permits personal or professional services or producing custom or artisanal products as a home business. The City could consider prohibiting the following uses:

- Adult entertainment use;



- Body-rub parlour;
- Animal clinic;
- Contractor yard;
- Kennel;
- Taxi service depot and limousine business;
- Paint shop or furniture stripping; and,
- On-site storage, repair, maintenance, sale, and/or towing of motor vehicles, recreational vehicles or engines.

Richmond Hill's Zoning By-law 128-04 only identifies salvage, repair, maintenance or sales of motor vehicles or motor vehicles' engines or parts as prohibited uses.

### Minimum Lot Size

The City of Ottawa's Zoning By-law identifies that a minimum lot size of 0.8 hectares (2 acres) is required to permit a home business. East Gwillimbury's Zoning By-law permits an accessory building or structure to be used for a home business only if the lot is a minimum of 2.5 hectares (6 acres) in size. The City could consider establishing a minimum lot size for home businesses if they are proposed in an accessory building as per the approach taken in East Gwillimbury. It is noted that Richmond Hill's By-law 128-04 does not include a minimum lot area for home businesses, which are currently permitted in the ORM zones.

### Priority of Use

Across all the municipalities reviewed, a home business is required to be secondary to the residential use and not change the residential character of the dwelling or the lot.

In Ajax, a home business is restricted to the dwelling unit and is not permitted in an accessory building. East Gwillimbury's Zoning By-law restricts a home business to the dwelling unit and/or an accessory building or structure or private garage. Ottawa identifies that one or more businesses operated by a resident must be secondary and subordinate uses to a residence or farm.

Similarly, Richmond Hill's By-law 128-04 indicates that a home business must be carried on as a small-scale accessory use within a single detached dwelling. Staff may wish to consider allowing a home business to operate within structures outside of the principal dwelling.

### Location

The City of Ottawa has separate home business provisions for each zone. In the Rural and Agricultural zones, a home-based business is permitted in a dwelling unit, oversize dwelling



unit, secondary dwelling unit, rooming unit, garage and accessory buildings to a cumulative maximum of 150 square metres, excluding outdoor storage associated with the home-based businesses.

### Employees

No outside employees are permitted on the premises in Burlington, whereas only one non-resident employee is permitted in Ajax and East Gwillimbury. Ottawa's Zoning By-law allows a maximum of three non-resident employees per principal dwelling unit or oversize dwelling unit. Staff may wish to include a restriction on employees, such as a maximum of one non-resident employee, associated with a home business use.

### Clients

In Ajax, the maximum number of clients permitted at any one time is three. For pet grooming and pet training, a maximum of four pets is permitted, including personal dogs and/or cats.

Richmond Hill's By-law 128-04 does not include provisions for regulating the number of clients permitted on the premises. The value of adding such a regulation depends on the type of uses permitted as home businesses. However, any instruction-based or pet-related businesses may require a limit on the number of students/pets permitted at any one time, similar to provisions for home occupations.

### Percentage of Floor Area

In Ajax, the Zoning By-law indicates that no more than the lesser of 25 per cent of the gross floor area or 45 square metres of floor area may be dedicated to a home business. In Burlington, the maximum permitted floor area is 100 square metres or 25 per cent of the residential living area, whichever is less. East Gwillimbury allows a maximum gross floor area of no greater than 25 percent of the gross floor area of the dwelling unit or 50 square metres, whichever is the less.

In each of the above cases, the maximum area permitted for a home business is a combination of a percentage of floor area up to a maximum amount. Currently Richmond Hill's provision indicates only a percentage amount. Similar to a home occupation, Staff should consider a combination of both measures, which proportionately limits the size of the home business for smaller dwellings, and restricts the area up to a finite amount of space for larger homes.

In Ottawa, the Zoning By-law takes the provisions one step further by identifying that the total area of all home-based businesses on the lot includes the area of buildings or structures associated with an on-farm diversified use, minus 50 per cent. The area also includes buildings,





structures, outdoor storage, landscaped areas, berms, laneways, parking and the area occupied by well and septic systems associated with an on-farm diversified use. This may be onerous on home businesses, difficult to calculate and difficult to enforce, and is not recommended for Richmond Hill.

### Parking

Ajax requires one additional parking space for a home business, whereas in Ottawa's by-law the parking space requirement is based on geographical zone. There is no minimum parking requirement for home businesses within the inner urban areas.

Staff may wish to consider using the same methodology, basing the requirement for parking spaces on distance from public transit and amenities, which are typically located in urban areas.

### Sale of Goods

Ajax indicates that only the sale of goods assembled, crafted or produced on the lot is permitted for a home business. No other municipalities were found to include such a provision through the area municipal plan comparison exercise.

Richmond Hill's By-law 128-04 prohibits the sale of a commodity not produced on the premises for home businesses. Staff may wish to update this provision, similar to Home Occupations, to suggest that telephone or mail order sales of goods may be permitted provided that customers do not enter the premises, as well as include online sales and delivery of goods. The latter alternative would provide for an expanded market for goods produced by a home business.

### Storage and Display

Ajax prohibits any storage and display of goods except in the rural agricultural zones where a home business may store farm equipment outdoors. Merchandise may only be displayed indoors. East Gwillimbury prohibits outdoor storage and outdoor display and sales areas of materials or goods in conjunction with a home business.

Richmond Hill's By-law 128-04 prohibits the outdoor storage and outdoor display and sales areas for materials or finished products associated with the Home Business use. This provision should remain unchanged.

## 6.4 Options for Home Industries

Home Industries are a valuable sector of the rural economy and are permitted under the ORMCP. They are carried out in a dwelling unit or an accessory building and provide a service



to the farming community or to an agricultural operation. Examples include carpentry, metalworking, welding, electrical work or blacksmithing.

As a result of the updated 2017 ORMCP, it is recommended that Staff begin with identifying any policy gaps between the updated language of the ORMCP (2017) and the policies of the RHOP.

Under Section 3(1) – Definitions, the definition of a Home Industry has been modified in several respects, including differentiating Home Industries located on farms and those which are not. The updated definition is as follows:

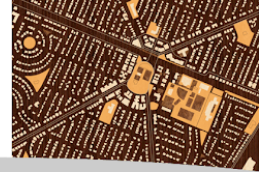
"home industry" means an industry that,

- a) is carried out in the home or in a building that is accessory to the home or, if the home is located on a farm, to the agricultural operation;
- b) if the home is not located on a farm,
  - (i) is carried on as a small-scale use that is secondary to the principal use of the home as a single dwelling,
  - (ii) provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the farming community, and
  - (iii) does not include uses such as auto repair or paint shop or furniture stripping, and
- c) if the home is located on a farm,
  - (i) is carried on as a small-scale use that is secondary to the principal use of the farm as an agricultural operation, and
  - (ii) may include, but is not limited to, a sawmill, welding or woodworking shop, manufacturing or fabrication shop, equipment repair and seasonal storage of boats or trailers.

There are no zoning regulations within the Richmond Hill By-law 128-04 for home industries other than those included as part of the definitions section. In this regard, the provisions of the ORMCP provide a comprehensive framework from which Staff can begin their review.

Richmond Hill By-law 128-04 currently allows a home industry in the Oak Ridges Moraine Countryside (ORMCO), Oak Ridges Moraine Natural Corridor (ORMNC), Oak Ridges Moraine Natural Linkage (ORMNL), Oak Ridges Moraine Open Space (ORMOS1) and Oak Ridges Moraine Key Natural Heritage Features (ORMKNF) zones.

In the Richmond Hill OP, the Hamlet of Gormley is identified as a Rural Settlement Area and within the ORM Countryside designation of the ORMCP. Within the Hamlet, RHOP policies



allow modest residential infill, and small-scale commercial, residential or industrial uses intended to maintain its rural character.

The area municipal plan comparison highlighted that there are no zoning provisions in King's Zoning By-law 2005-23 or East Gwillimbury's comprehensive Zoning By-law 2018-43 (2018) for a home industry. Clarington's Zoning By-law 2005-109, applying to lands solely located on the Oak Ridges Moraine, recognizes home industries and offers a detailed approach, similar to provisions typical for home occupations. Port Hope's Zoning By-law 20/2010 also offers a detailed approach to Home Industry provisions, which are permitted within the Agricultural (A) and Rural (RU) Zones.

From the area municipal plan comparison, a list of permitted uses associated with a home industry was developed, which may be considered as part of the update for home industry for inclusion in the City's new Zoning By-law:

- Custom furniture making or restoration (excluding furniture stripping);
- Small engine or equipment repair;
- Welding;
- Woodworking and crafts;
- The production of value - added agricultural products such as cider, honey or wine, which could include accessory uses such as tasting rooms etc.;
- Electrical shop,
- Small equipment repair shop, gardening establishment; and,
- Blacksmithing establishment.

Richmond Hill's By-law 128-04 only includes carpentry, metalworking, welding, electrical work or blacksmithing within the definition. Language in the by-law could provide further limits for the above uses, to minimize any adverse impacts. With regards to the 2017 ORMCP, Staff may also consider differentiating between uses for a home industry located on a farm and one that is not on a farm.

Uses not permitted as a home industry includes:

The following list of potential uses to prohibit as home industries may be considered in the City's new Zoning By-law:

- Automotive repair, automotive painting, motor vehicle body shop or furniture stripping;
- Any use that could create a public nuisance due to noise, glare, dust, odours, vibration, interruption of communication signals, or traffic generation;
- Construction/ landscaping contractors' yards;



- Painting and/or towing of motor vehicles or recreational vehicles;
- Storage of mobile homes and trailers; and,
- Shall not include the generation of or storage of hazardous waste, liquid industrial waste, or any severely toxic contaminant listed under Schedule 3 of the Environmental Protection Act, and shall not generate sewage effluent in excess of 4,500 litres per day.

Richmond Hill's By-law 128-04 currently only includes an auto repair, paint shop or furniture stripping as prohibited uses for a home industry.

#### Minimum Lot Size

Clarington's Zoning By-law 2005-109, requires a minimum lot area of 0.8 hectares to operate a Home Industry on the premises. If a home industry is operating within an accessory building, it must be located in the rear yard and subject to the building setbacks.

Port Hope's Zoning By-law 20/2010, identifies that home industry uses must be clearly secondary and accessory to the main use on the same lot and properties must meet a minimum lot area of four hectares in size.

#### Priority of Use

From the area municipal plan comparison, it was observed that several municipal zoning by-laws include a provision that a home industry must be carried out as a small-scale use that is accessory to a single detached dwelling or agricultural operation. Staff should include newer policy language from the 2017 ORMCP that if the home is not located on a farm, then the home industry must be secondary to the principal use of the single detached dwelling. If the home is located on a farm, it is secondary to the principal use of the farm as an agricultural operation.

#### Location

Clarington's Zoning By-law 2005-109 allows home industries to operate within a single detached dwelling, an attached garage or an accessory building. Stouffville's Comprehensive Zoning By-law 2010-001-Z0 indicates that a home industry may be carried out in whole or in part in the dwelling or an accessory building. Port Hope's Zoning By-law 20/2010, also allows the same, provided that the accessory building is no further than 30 metres from the detached dwelling on the same lot and no closer than 30 metres from any lot line.

Richmond Hill's Zoning By-law 128-04 indicates that home industries may be carried out in whole or in part in an accessory building. Staff should include newer policy language from the 2017 ORMCP that if the home is not located on a farm, then the home industry must be



secondary to the principal use of the single detached dwelling. If the home is located on a farm, it is secondary to the principal use of the farm as an agricultural operation.

## Employees

Clarington's Zoning By-law 2005-109 indicates that no more than four employees may be engaged in the business, which may include two persons who do not reside in the dwelling. Where a home industry is located on the same lot as a home occupation, the maximum permitted floor area and number of employees applies in total, to both uses. Caledon's Zoning By-law 2006-50, states that no more than three people may be employed in the home industry.

In Port Hope's Zoning By-law 20/2010, lot size is a factor in the number of permitted employees that can engage in employment. For a lot size that is greater or equal to 0.6 hectares, one employee is permitted. Lot sizes between 0.6 and 1.7 hectares allow two employees and lastly, for lot sizes greater than 1.7 hectares, three employees are permitted.

Staff may wish to consider basing the number of permitted people engaged in the home industry on the size of the lot for home industries that operate on a farm for the City's new Zoning By-law.

## Clients

There are some municipal zoning provisions which speak to the number of clients that may be permitted on-site for a Home Industry use. It is suggested that any instruction-based businesses may need to be limited in number of students, similar to provisions found for some Home Occupations.

## Percentage of Floor Area

Clarington's Zoning By-law 2005-109 allows a maximum floor area of 50 per cent of a dwelling to a maximum of 200 square metres, whichever is less. Further, the maximum floor area for all accessory buildings must be 200 square metres. Port Hope's Zoning By-law 20/2010, permits no more than 200 square metres.

Including such a provision to limit the size of an operation in whole or in part operating from an accessory structure would be beneficial.

## Parking

Clarington's Zoning By-law 2005-109 identifies a minimum parking space requirement of one space for each employee that resides on a different lot, plus the number of spaces required for the residential use. Clarington's Zoning By-law 2005-109 identifies that only licensed motor





vehicles associated with the home industry are permitted to be parked or stored on the lot and within an interior side or rear yard.

Staff would need to consider if parking spaces are needed for home industries. Parking spaces should generally not be required for a Home Industry that does not require the delivery or pick-up of goods, does not have clients coming to the dwelling, and does not have employees who reside on a different lot.

### Sale of Goods

Clarington's Zoning By-law 2005-109 indicates that only the sale of goods that are primarily manufactured, processed, fabricated or produced on the premises is permitted.

Similar to home occupations, a provision indicating that only the sale of goods assembled, crafted or produced on the lot is permitted should be considered for the City's new Zoning By-law.

### Storage and Display

Clarington's Zoning By-law 2005-109 indicates that the outdoor external display or storage of goods is permitted. Port Hope's Zoning By-law 20/2010, permits the outdoor storage of goods or materials, provided that the area it occupies does not exceed 50 per cent of the gross floor area of the home industry. Stouffville's Comprehensive Zoning By-law 2010-001-ZO indicates that there is no external advertising permitted, other than a sign in accordance with the municipal Sign By-law. Caledon's Zoning By-law 2006-50, indicates that external display or advertising is not permitted, other than a lawful sign.

Where signs are permitted, the Zoning By-law contains various specific limitations on their use. Staff may wish to consider that any signage associated with a home industry be regulated under the municipal signage by-law.

## 7.0 CONCLUSION

This Discussion Paper provides an overview of the City of Richmond Hill Official Plan as it relates to home occupations, live-work units, home businesses and home industries. This Discussion Paper also includes a review of the current zoning provisions that apply to these types of uses across the City of Richmond Hill and provides an overview of zoning approaches implemented in other municipalities to regulate these uses. This area municipal plan comparison concluded by highlighting trends in zoning approaches for those municipalities that were reviewed.



In addition to the above, a survey was also administered to obtain a better understanding of community sentiment as to how home occupations, home based businesses, home industries and live-work units should be regulated. As a result, the survey results are also summarized in this Discussion Paper and provide insight into the public's opinion on these uses. A summary of the open house held on March 31, 2022 is also provided.

On the basis of the above, this Discussion Paper concludes with a number of options for the City to consider to regulate home occupations, live-work units, home businesses and home industries. A number of other potential zoning provisions to include in the new Zoning By-law have also been identified.

As mentioned at the outset of this Discussion Paper, the intent of the Discussion Paper is to identify options and then determine which ones are feasible, or not, based on input received from Council, staff, stakeholders and members of the public and the business community. Further consideration of the options and a recommended course of action will be undertaken in a future phase of the project.

Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
City of Vaughan  By-law 01-2021	<p><b>Home Industry:</b> Means an ancillary use for gain or for profit that may include uses such as a carpentry shop, metal working shop, plumbing shop, electrical shop, or small machinery shop, but shall not include motor vehicle repair or heavy equipment sales, rental and services establishment.</p> <p><b>Home Occupation:</b> Means a business or occupation that is operated as an ancillary use to a dwelling unit.</p> <p><b>Dwelling, Live-work:</b> Means a dwelling containing a business that is operated by at least one resident of the associated dwelling unit.</p>	<p><b>5.8 Home Industry</b></p> <ol style="list-style-type: none"><li>1. A home industry shall only be permitted as accessory to the principal use of a lot.</li><li>2. A home industry shall be wholly located within a principal dwelling or in an accessory building or structure.</li><li>3. The maximum gross floor area of a home industry shall be 25% of the gross floor area of the principal dwelling.</li><li>4. A home industry shall have a maximum of three employees, where at least one employee shall be a resident of the principal dwelling.</li><li>5. Where an accessory building or structure is used for a home industry, it shall be subject to the general provisions for accessory buildings and structures of this By-law.</li><li>6. A home industry use that includes an obnoxious use shall be prohibited.</li><li>7. Outside storage and an outdoor display area accessory to a home industry shall be prohibited.</li></ol> <p><b>6.3.5 Parking Space Rates</b> Where a building or structure is erected or used in any zone, the required parking space shall be provided in accordance with Table 6-2.</p> <p><b>Home industry</b> Minimum Parking Spaces: 1 parking space for each employee of the home industry plus the minimum required parking for the dwelling unit. Maximum Parking Spaces: No requirement</p> <p>Home industry permitted as an accessory use in the Agriculture zone</p> <p><b>4.12 Oak Ridges Moraine Suffix Zone (-ORM)</b></p> <ol style="list-style-type: none"><li>1. Notwithstanding any other requirement of this By-law, uses permitted on any lands zoned Agriculture (A) and subject to the Oak Ridges Moraine suffix zone (-ORM) on Schedule A shall be restricted to the following:<ol style="list-style-type: none"><li>1. Agriculture;</li><li>2. Accessory agriculture dwelling;</li></ol></li></ol>

Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
Continued City of Vaughan  By-law 01-2021		<div>3. Conservation use;</div> <div>4. Home industry;</div> <div>5. Home occupation in a single detached dwelling;</div> <div>6. Low Intensity Recreational Uses (Oak Ridges Moraine);</div> <div>7. Seasonal farm stand as accessory to an agriculture use;</div> <div>8. A single detached dwelling existing as of November 15, 2001; and,</div> <div>9. Temporary sales office, provided it is located on the same lot as a draft approved plan of subdivision or plan of condominium that is permitted in accordance with the Oak Ridges Moraine Conservation Plan.</div> <div>5.9 Home Occupation:</div> <div>1. A home occupation shall include the following uses:</div> <div><div>a. Art studio;</div><div>b. Business service, provided that no retail is permitted;</div><div>c. Clinic;</div><div>d. Home based day care;</div><div>e. Home based catering, provided that no retail is permitted;</div><div>f. Massage establishment;</div><div>g. Personal service;</div><div>h. Office; and,</div><div>i. Instruction, education or tutoring including personal fitness, music, dance, math/science/language tutoring or instruction, cooking, and similar activities.</div></div> <div>2. A home occupation for instruction of personal fitness, music or dance shall only be permitted in a single detached dwelling.</div> <div>3. For any massage establishment, personal service, art studio, clinic, business service, office or instruction home occupation use, a maximum of one client shall be permitted on the premises at any given time.</div>

Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
Continued City of Vaughan  By-law 01-2021		<p>4. A maximum of one home occupation shall be permitted per dwelling unit.</p> <p>5. A home occupation shall be operated solely by the person or persons whose principal residence is the dwelling in which the home occupation is operated. For greater clarity, a home occupation shall not include employment of a person or persons whose principal residence is not the dwelling in which the home occupation is operated.</p> <p>6. A home occupation shall not occupy an area greater than 25% of the gross floor area of the dwelling, or have a total area greater than 50.0 m<sup>2</sup>, whichever is less.</p> <p>7. An accessory building or structure, or any part thereof, shall not be used for a home occupation. For clarity, an attached private garage shall be permitted to be used for a home occupation provided the required minimum number of parking spaces is maintained.</p> <p>8. Outside storage or an outdoor display area associated with a home occupation shall be prohibited.</p> <p>9. Advertising or signs shall not be permitted to be displayed on a lot, except in accordance with the City of Vaughan’s Sign By-law where it relates specifically to home occupations.</p> <p><b>6.3.5 Parking Space Rates</b> Where a building or structure is erected or used in any zone, the required parking space shall be provided in accordance with Table 6-2.</p> <p><b>Home Occupation</b> The minimum parking rate applicable to the principal dwelling shall apply.</p> <p><u>6.3.2 Parking Requirements for the MMU, HMU, CMU and EMU Zones</u> Home Occupation permitted as a Specified Accessory Use; Minimum Parking Spaces: 1 for the home occupation plus the minimum parking required for the dwelling unit;</p>



Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions																																																
Continued <b>City of Vaughan</b>  By-law 01-2021		<p>Maximum Parking Spaces: 2 for the home occupation plus the minimum parking required for the dwelling unit;</p> <p>Permitted in the following zones: RE, R1, R2, R3, R4, R5, RT1, RT2, RM1, RM2, RM3, LMU, MMU and HMU, KMS, WMS, MMS, V1, V2, V3, A</p> <p><b>6.3.5 Parking Space Rates</b> Where a building or structure is erected or used in any zone, the required parking space shall be provided in accordance with Table 6-2.</p> <p><b>Live-work Dwelling</b></p> <table><tr><th></th><th>Rate Calculation</th><th colspan="2">Other Zones</th><th colspan="2">LMU, KMS, MMS, WMS</th><th colspan="2">MMU, HMU, CMU, GMU and EMU</th><th colspan="2">VMC</th></tr><tr><th></th><th></th><th>Min</th><th>Max</th><th>Min</th><th>Max</th><th>Min</th><th>Max</th><th>Min</th><th>Max</th></tr><tr><td rowspan="2">Live-work dwelling</td><td>Resident spaces per dwelling unit</td><td>-</td><td>-</td><td>1</td><td>-</td><td>0.8</td><td>2</td><td>0.6</td><td>2</td></tr><tr><td>Visitor spaces per dwelling unit</td><td>-</td><td>-</td><td>1</td><td>-</td><td>0.7</td><td>-</td><td>0.4</td><td>-</td></tr></table>											Rate Calculation	Other Zones		LMU, KMS, MMS, WMS		MMU, HMU, CMU, GMU and EMU		VMC				Min	Max	Min	Max	Min	Max	Min	Max	Live-work dwelling	Resident spaces per dwelling unit	-	-	1	-	0.8	2	0.6	2	Visitor spaces per dwelling unit	-	-	1	-	0.7	-	0.4	-
	Rate Calculation	Other Zones		LMU, KMS, MMS, WMS		MMU, HMU, CMU, GMU and EMU		VMC																																										
		Min	Max	Min	Max	Min	Max	Min	Max																																									
Live-work dwelling	Resident spaces per dwelling unit	-	-	1	-	0.8	2	0.6	2																																									
	Visitor spaces per dwelling unit	-	-	1	-	0.7	-	0.4	-																																									
<b>City of Markham</b>  By-law 177-96 (“New Urban Area By-law”)  Consolidated September 1, 2017	<p><b>Zoning By-law 177-96 Home Occupation:</b> "Home Occupation" means a business conducted for gain in a dwelling unit or a detached accessory building.</p> <p><b>Zoning By-law 53-94: Home Occupation:</b></p>	<p><b>By-Law 177-96 Home Occupation:</b> <u>SECTION 4: PERMITTED USES</u> Home Occupation is permitted in the following Residential Zones as per Table A1 – Residential Zones Permitted Uses: <div>R1, R2, R2-S, R2-LA, R3, R4</div></p> <p>Home Occupation is permitted in the following Residential Zones as per Table A2 – Retail and Mixed-use Zones Permitted Uses: <div>CA1, CA2, CA3</div></p> <p><u>SECTION 6: GENERAL PROVISIONS</u> <u>6.8 HOME OCCUPATIONS</u></p>																																																

## Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
<p>&amp; Home Occupation By-law (By-law 53-94)</p> <p>March 1994</p>	<p>Home Occupation means a secondary use of a dwelling unit and its accessory buildings by at least one of the permanent residents of such dwelling unit to conduct a gainful occupation or business activity.</p> <p>(Note: By-law 177-96 and By-law 53-94 only define and regulate “Home Occupations”, not other types of home-based businesses (e.g. home business, live-work etc.)</p>	<p><u>6.8.1 Conditions</u></p> <p>Where a home occupation is permitted in a Zone, the home occupation:</p> <ul style="list-style-type: none"> <li>a) shall clearly be a secondary use of the lot;</li> <li>b) shall be conducted entirely within a dwelling unit in the main building on the lot;</li> <li>c) shall be conducted by at least one of the residents of a dwelling unit located on the same lot;</li> <li>d) shall not occupy more than 25 percent of the gross floor area of the dwelling unit and any associated accessory buildings on the same lot;</li> <li>e) may be carried out in an accessory building if the accessory building complies with the required setbacks for the accessory building on the lot;</li> <li>f) shall not create noise, vibration, fumes, odour, dust, glare or radiation which is evident outside the dwelling unit;</li> <li>g) shall not employ more than one employee, in addition to members of the household;</li> <li>h) shall not involve the outdoor storage or outdoor display of materials or finished products;</li> <li>i) shall not consist of an occupation that involves the sale of a commodity not produced on the premises, except that telephone or mail order sales of goods is permitted;</li> <li>j) if involving instructional activity, shall not be occupied by more than four students at any one time for such an activity; and,</li> <li>k) shall not require receipt or delivery of merchandise, goods or equipment by other than a passenger motor vehicle or by parcel or letter carrier mail service using motor vehicles typically employed in residential deliveries.</li> </ul>
<p>Continued</p> <p><b>City of Markham</b></p> <p>By-law 177-96 (“New Urban Area By-law”)</p>		<p>6.8.2 Prohibited Home Occupations Notwithstanding the above, the following uses are not home occupations for the purposes of this By-law:</p> <ul style="list-style-type: none"> <li>a) any use involving the storage, repair, maintenance and/or towing of motor vehicles or other machinery or equipment;</li> <li>b) medical offices, except as set out in Section 6.8.3;</li> <li>c) any use involving the treatment, care and/or grooming of any animal, including a kennel or a day-kennel;</li> <li>d) any use involving the sale of prepared food for human consumption;</li> <li>e) dating bureaus/escort services;</li> <li>f) contractors' yards;</li> <li>g) taxi service depot/dispatch; and,</li> <li>h) retail stores.</li> </ul>

Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
<div>Continued</div> <div>City of Markham</div> <div>Home Occupation By-law (By-law 53-94)</div>		<p>6.8.3 Special Provision for Medical Offices</p> <p>A medical office may be located within the dwelling unit of a physician provided the dwelling unit is located on a lot that has a front lot line or an exterior side lot line that abuts a Provincial Highway, a major or minor arterial road or a major collector road as shown on the Schedules to the City of Markham Official Plan.</p> <p>6.8.4 Special Parking Provision</p> <p>No parking spaces for the home occupation shall be located in the front yard.</p> <p><u>7.10 HOME OCCUPATIONS IN CORNELL (By-law 177-96)</u></p> <p>Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *10 on the Schedules to this Bylaw. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.</p> <p><u>7.10.1 Zone Standards</u></p> <p>The following specific Zone Standards apply:</p> <p>a) Maximum floor area of a home occupation – 100%, provided it is located in the first storey.</p> <p><u>7.145 RESIDENTIAL DEVELOPMENT ON BUR OAK AVENUE, CORNELL (By-law 2001-183)</u></p> <p>Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *145 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.</p> <p><u>7.145.1 Only Uses Permitted</u></p> <p>The following uses are the only uses permitted:</p> <p>a) accessory dwelling units;</p> <p>b) home occupations, which may occupy up to 100% of floor area of the first storey; and,</p> <p>c) townhouse dwellings.</p>

Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
<p>Continued</p> <p><b>City of Markham</b></p> <p>Home Occupation By-law (By-law 53-94)</p>		<p><b>HOME OCCUPATION BY-LAW 53-94:</b></p> <p>Notwithstanding any other provisions contained within the aforementioned by-laws, Home Occupations shall be permitted in any Residential Zone subject to the following:</p> <ul style="list-style-type: none"> <li>a) the Home Occupation use is clearly a Secondary Use of the dwelling unit as a private residence and is conducted entirely within an enclosed building;</li> <li>b) the Home Occupations use does not occupy more than 25% of the total combines Gross Floor Area of the Dwelling Unit and any associated accessory buildings on the same lot;</li> <li>c) such Home Occupations shall not create noise, vibration, fumes, odour, dust, glare or radiation which is evident outside of the Dwelling Unit and which exceeds limited of established by Town by-laws and Provincial legislation;</li> <li>d) other than members of the household residing in the Dwelling Unit there shall be no more than one employee, provided that one off-street parking space is available solely for the used by such an employee;</li> <li>e) there shall be no exterior storage or display of goods, materials or equipment associated with Home Occupation;</li> <li>f) retail sales shall be limited to those goods and articles which are produced within the dwelling or it’s accessory buildings (excepting mail order sales, which shall not be subject to this restrictions);</li> <li>g) any Home Occupation involving instructional activity shall be limited to a maximum of 4 students at a time;</li> <li>h) there shall be no commodities sold or services rendered that require receipt or delivery of merchandise, goods, or equipment by other than a passenger motor vehicle or by parcel or letter carrier mail service using vehicles typically employed in residential deliveries;</li> <li>i) where a Home Occupation use is present, the following special parking restrictions shall apply: <ul style="list-style-type: none"> <li>i) no required parking space shall be located in the front yard</li> <li>ii) parking or storage of vehicles in the front yard or flankage yard shall be prohibited except on a driveway</li> </ul> </li> <li>j) an accessory building may be used for a Home Occupation only if it complies with the setback requirements established for the Main Building;</li> <li>k) signs advertising the Home Occupation shall not be permitted.</li> </ul> <p>1.3 Home Occupations shall not include the following business activities:</p> <ul style="list-style-type: none"> <li>- Office of a physician, dentist or drugless practitioner except in accordance with the provisions of Section 1.4</li> </ul>

Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
Continued  City of Markham  Home Occupation By-law (By-law 53-94)		<ul style="list-style-type: none"><li>- motor vehicle repair garage</li><li>- scrap yards</li><li>- dating bureau/escort service</li><li>- public bath/whirlpool</li><li>- vehicle towing</li><li>- contractor's yards</li><li>- taxi service</li><li>- kennel</li><li>- animal hospital</li><li>- adult entertainment parlour</li><li>- retail store</li><li>- restaurant</li><li>- fast food restaurant</li><li>- takeout restaurant</li><li>- sales or service of motorized vehicles, machinery or equipment</li><li>- sales or installation of automotive and audio products</li><li>- any use which from its nature or operation, creates a nuisance or is liable to become a nuisance or offensive by the creations of noise or vibration, or by reason of the emissions of gas, fumes, dust or objectionable odour, or be reason of the matter, waste or other material, and without limiting the generality of the forgoing shall include any uses which under the appropriate regulations may be declared to be a noxious or offensive trade, business or manufacture</li><li>- any other use or use prohibited pursuant to the prohibited uses section of the applicable zoning by-law(s)</li></ul> <p>1.4 Notwithstanding the provisions of Section 1.3 the offices of physicians, dentists and drugless practitioners shall be permitted only on lots in a Residential Zone having a front yard or flankage yard on a Provincial Highway, Major Arterial Road, Minor Arterial Road or Major Collector Road as designated in the Official Plan of the Markham Planning Area provided that the dwelling unit is used by the said physician. Dentist or drugless practitioner and his/her private residence.</p>



## Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
		1.5 The provisions of Section 1.2 shall not apply to Home Occupations which are regulated by By-law 19-94, the Buttonville Core Area By-law.
<b>Town of Newmarket</b>  By-law 2010-40  June 1, 2010 Consolidated 2016   Continued  <b>Town of Newmarket</b>  By-law 2010-40  June 1, 2010	<b>Home Occupation:</b> Means any lawful occupation or business which is conducted entirely within a dwelling unit and which is clearly subordinate or incidental to the primary residential use of the dwelling.  <b>Live Work Unit:</b> Means a building containing a professional office and a dwelling unit in which, the owner/occupant of the office resides.	<b>Home Occupation:</b> <u>Section 4 - General Provisions</u> <u>4.6 Home Occupations</u> Where a home occupation is permitted the following provisions shall apply: i) In addition to the resident(s) of the dwelling unit operating the home occupation, not more than two non-resident employees may be engaged in the business and working in the dwelling; ii) Notwithstanding Section 4.6 (i) above, the following shall apply: a) the office of a licensed medical practitioner as a home occupation shall be limited to only one practitioner; and, b) operation of a hairdresser or barber shop shall be limited to one hairdresser or barber at any one time; iii) The use is entirely restricted to the dwelling unit and is not conducted in whole or in part in any accessory building, yard or detached garage; iv) No more than 35%, up to a maximum of 42m <sup>2</sup> , of the gross floor area of the dwelling unit is used for the purpose of the home occupation; v) There is no outdoor storage or display of material or equipment, nor any facilities associated with the home occupation in any outdoor amenity area or yard; vi) Only the accessory sale of retail goods shall be permitted from the premises; (By-law 2012-74) vii) There is no external advertising other than a sign erected in accordance with the Town of Newmarket Sign By-Law; viii) Off-street parking spaces shall be provided in accordance with the requirements of Section 5.3.1 of this By-Law; ix) The use is clearly secondary to the residential use and does not change the residential character of the dwelling or lot; and x) Notwithstanding the above provisions, a medical clinic, day nursery, nursing home, tea room, veterinary clinic, veterinary hospital, automotive uses, or body rub parlour shall not be permitted as a home occupation. (By-law 2012-74)  <u>Section 5: Parking, Loading and Queuing Requirements</u> <u>5.3.1 Residential Uses</u> The minimum, off-street parking requirements for residential uses shall be as follows:

Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
Consolidated 2016		<p>Minimum Off-Street Parking Requirements for Home Occupation: Where the area occupied by the home occupation exceeds 24m2, 1 parking space shall be required for every 9m2 above the 24m2 of the dwelling unit used for the home occupation; There is no Maximum Off-Street Parking Requirement.</p> <p><u>5.3.3.1 Residential Uses in the Urban Centres</u> The minimum and maximum off-street parking requirements for permitted residential uses in the zones in the Urban Centres. A Home Occupation is permitted in the following residential dwellings types:</p> <ul style="list-style-type: none"><li>- Dwelling, Detached;</li><li>- Dwelling, Link;</li><li>- Dwelling, Semi-Detached;</li><li>- Dwelling, Duplex;</li><li>- Dwelling, Quadruplex; or</li><li>- Dwelling, Maisonette;</li></ul> <p>Minimum Off-Street Parking Requirements for Home Occupation: Where the area occupied by the home occupation exceeds 24m2, 1.0 parking space shall be required for every 9m2 above the 24m2 of the dwelling unit used for the home occupation There is no Maximum Off-Street Parking Requirement</p> <p><u>6.2 Residential Zones</u> <u>6.2.1 Permitted Uses</u> Home Occupations are permitted in the following Residential Zones in accordance with Section 4.6:</p> <div>R1, R2, R3, R4, R5</div> <p><b>Live Work:</b> <u>6.4 Downtown and Urban Centre Zones</u> <u>6.4.1 Permitted Uses in the Downtown and Urban Centre Zones</u></p>

Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
		<div>Live Work Units are permitted under the following Residential Zone:</div> <div>UC-D1 - Historic Downtown Zone</div>
<p><b>Town of Oakville</b></p> <p>By-law 2014-014</p> <p>Feb. 25, 2014</p>	<p><b>Home Occupation:</b> Means the accessory use of a dwelling for an occupation or business.</p> <p><b>Dwelling, Live-work:</b> Means a dwelling unit used and operated by one or more persons of a single household containing a subsidiary business and personal services occupancy that does not include food preparation requiring exhaust hood ventilation or producing grease-laden vapour</p>	<p><b>Home Occupation:</b></p> <p><u>Part 4 – General Provisions</u></p> <p><u>4.9 Home Occupations</u></p> <p>Where a home occupation is permitted, the following regulations apply:</p> <p>a) A home occupation shall be conducted entirely within the dwelling.</p> <p>b) A home occupation shall be operated by the person or persons whose principal residence is the dwelling in which the home occupation is located.</p> <p>c) A home occupation shall have no one other than a resident of the dwelling engaged in the home occupation.</p> <p>d) A home occupation shall occupy a maximum of 25% of the residential floor area of the dwelling, up to a maximum of 50.0 square metres. For the purposes of this subsection, residential floor area shall include all area within a basement.</p> <p>e) Outside storage and outside display and sales areas are not permitted.</p> <p>f) Advertising or signs are not permitted to be displayed on the lot.</p> <p>g) Only the following uses are permitted to be undertaken:</p> <p>i) Art gallery;</p> <p>ii) Business office;</p> <p>iii) Commercial school, however music instruction shall only be permitted in a detached dwelling;</p> <p>iv) Medical office; and,</p> <p>v) Service commercial establishment.</p> <p><u>5.2 Motor Vehicle Parking Spaces</u></p> <p><u>5.2.1 Minimum Number of Parking Spaces</u></p> <p>Home Occupations are permitted under Accessory Residential Uses;</p> <p>There is no Minimum Number of Parking Spaces required within Accessory Residential Use;</p> <p><u>5.2.2 Minimum Number of Parking Spaces in Mixed Use Zones</u></p>

Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
Continued  <b>Town of Oakville</b>  By-law 2014-014  Feb. 25, 2014		<p>Home Occupations are permitted under Accessory Residential Uses; There is no Minimum Number of Parking Spaces required within Accessory Residential Use;</p> <p>Note: In the Growth Areas, the minimum number of parking spaces required are reduced to support the Town’s strategic and policy objectives related to transit, growth management, and design.</p> <p><u>6.0 Residential Zones</u> <u>6.2 Permitted Uses</u> Home Occupations are permitted in the Residential Low Zones and the Residential Uptown Core Zones: RL1, RL2, RL3, RL4, RL5, RL6 RL7, RL8, RL9 RL10 RL11 RUC</p> <p>Home Occupations are permitted in the Residential Medium and Residential High Zones: (2017-025) RM1, RM2, RM3, RM4, RH</p> <p><u>8.0 Mixed Use Zones</u> <u>8.2 Permitted Uses</u> Home Occupations* are permitted in the Mixed-Use Zones: (2017-025) CBD, MU1, MU2, MU3, MU4</p> <p>*A maximum of one of the uses subject to this footnote shall be permitted in a dwelling.</p> <p><u>13.0 Environmental Zones</u> <u>13.2 Permitted Uses</u> Home Occupations* are permitted in the Environmental Zones: (2017-025) GB, PB2</p>

Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
		<p><b>Dwelling, Live-work:</b> <u>5.2 Motor Vehicle Parking Spaces</u> <u>5.2.2 Minimum Number of Parking Spaces in Mixed Use Zones</u> <u>8.0 Mixed Use Zones</u> <u>8.2 Permitted Uses</u> Live-work dwellings* are permitted in the Mixed-Use Zones: (2017-025)</p> <div>CBD, MU1, MU2</div> <p>*Permitted only where the use legally existed on the lot on the effective date of this By-law.</p>
<p><b>City of Burlington</b>  By-law 2020</p>	<p><b>Home Industry:</b> A small-scale use or activity located on a commercial farm and which is accessory to a residential or agricultural use serving the farming community. A Home Industry may be conducted in whole or</p>	<p><b>Home-Based Business, Cottage Industry or Home Industry:</b> <u>Subsection 2.25 - Part 1 – General Conditions and Provisions</u> <u>Off-Street Parking Standards as per Table 1.2.6:</u> Home-Based Business: None required (Home Industry &amp; Cottage Industry not identified in Table1.2.6)</p> <p><u>2.18 HOME-BASED BUSINESS, COTTAGE INDUSTRY, HOME INDUSTRY</u></p>



## Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
<p>Continued</p> <p><b>City of Burlington</b></p> <p>By-law 2020</p>	<p>part from an accessory building and may include a carpentry shop, metal working shop, welding shop, electrical shop, or blacksmith shop, etc., but does not include an auto repair shop, paint shop, or furniture stripping.</p> <p><b>Personal Services - Home - Based Businesses:</b> An office or personal service use, excluding a body-rub parlour, conducted from a residential dwelling unit by a person or persons residing in the dwelling unit, which is secondary to the primarily residential use of the dwelling.</p> <p><b>Cottage Industry:</b> An activity conducted as an accessory use within a single detached dwelling or in an addition to the dwelling or an accessory building not further than 30m from the dwelling and serviced by the same</p>	<p>2.18.1 A Home-Based Business and Cottage Industry shall be permitted in all zones within a dwelling unit. A Home Industry shall be permitted as an accessory use to a commercial farm only in RA zones. A Home-Based Business, Cottage Industry and Home Industry shall comply with the following provisions:</p> <p>(a) Residential Character and Compatibility - The residential appearance and character of the dwelling and property shall be maintained and no exterior alteration shall be made to the dwelling, which would indicate that any part of the premises is being used for any purpose other than that of a residential dwelling.</p> <p>(b) Parking Off-Street - Parking shall be provided in accordance with Subsection 2.25 (see above).</p> <p>(c) Size - A Home-Based Business, Cottage Industry or Home Industry shall not be permitted within an attached garage, but may be conducted within a dwelling unit from a basement or cellar and up to 25% of the floor area above grade, excluding an attached garage. A Home-Based Business or Cottage Industry in an RA or RG Zone shall have a maximum floor area of 100 m<sup>2</sup> or 25% of the residential living area, whichever is less. In addition, a Home Industry may be conducted from an accessory building having a maximum floor area of 200 m<sup>2</sup>. Where the business involves classes for teaching or instructional purposes, the maximum number of clients permitted at any one time shall be 3. For pet grooming and pet training, a maximum of 4 pets is permitted, including personal dogs and/or cats.</p> <p>(d) Employees - In a Home-Based Business or Cottage Industry, no one other than a resident of the dwelling may be employed or have their services retained in the operation of the business or industry nor shall any person who is not a resident of the dwelling report to the dwelling for work assignment. In a Home Industry one employee who is not a resident of the dwelling on the property is permitted.</p> <p>(e) Retail Sales - The retail sale of merchandise is not permitted except when the merchandise sold or offered for sale is ancillary to the permitted use. On-line sales are permitted provided that no direct customer sales or customer merchandise pick up is conducted on the site.</p> <p>(f) Location Restrictions - The following businesses are permitted in detached dwellings only:</p>

Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
	private water and wastewater systems, performed by one or more residents of the household on the same property. A Cottage Industry may include such activities as dressmaking, upholstering, weaving, baking, ceramics, arts and crafts, and repairs of personal effects.	<ul style="list-style-type: none"> <li>- Music, Dance, or Singing activities</li> <li>- Physical Fitness activities</li> <li>- Medical or Health Care Office</li> <li>- Aesthetician</li> <li>- Hairstylist</li> <li>- Complementary Health Care</li> <li>- Pet Grooming (inside only)</li> <li>- Pet Training (inside only)</li> </ul> <p>(g) Storage and Display - Outdoor storage or display of merchandise, material or equipment is prohibited except in RA zones where a Home Industry may store farm equipment outdoors. Merchandise may be displayed within the dwelling provided it shall not be visible from outside the dwelling. Merchandise, material and equipment may be stored within an attached or detached garage or other accessory building provided it shall not be visible from outside the garage or accessory building.</p> <p>(h) Nuisance - No equipment or process shall be used which creates or becomes a public nuisance in regard to persistent noise, odour, fumes, vibration, glare, traffic or parking, nor shall it cause electrical interference or interference with telephone, television, radio or satellite equipment reception.</p>
<b>Town of Ajax</b>  By-law 95-2003  2014 consolidation	<b>Home Based Businesses:</b> Shall mean an accessory use within part of a dwelling unit for a lawful occupation or business activity that results in a product or service and which is clearly secondary to the main use of the dwelling unit.	<b>Home Based Businesses:</b> <u>4.0 General Provisions</u> <u>4.11 HOME BASED BUSINESS</u>  Where a home-based business is permitted the following provisions shall apply: <ul style="list-style-type: none"> <li>i) Not more than one employee, in addition to the residents of the dwelling unit, is engaged in the business and working in the dwelling;</li> <li>ii) The use is restricted to the dwelling unit and shall not be conducted in whole or in part in any accessory building;</li> <li>iii) Not more than the lesser of 25% of the gross floor area or 45 square metres of floor area of the dwelling unit is used for the purpose of the home-based business;</li> </ul>

Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
Continued  <b>Town of Ajax</b>	<p><b>Dwelling, Live Work Units:</b> (Amended by By-law 86-2005, 55-2008) Shall mean a dwelling unit with a minimum ceiling height of 2.75 metres on the ground floor, and designed to accommodate a home-based business in accordance with all relevant provisions for the same, save and except that:</p> <p>i) only an office, an archive or library, a personal service shop (excluding the sale of goods not assembled, crafted or produced on the premises), or the studio of an artist, photographer or craftsman, shall be permitted as the non-residential component of the dwelling unit; and</p> <p>ii) up to two employees, in addition to the resident(s) of the dwelling unit, may be engaged in the business and working in the dwelling unit.</p>	<p>v) There is no outdoor storage or display of material or equipment; vi) Only the sale of goods assembled, crafted or produced on the lot is permitted; and, vii) The use is clearly secondary to the residential use and does not change the residential character of the dwelling or the lot. vi) Notwithstanding any other provision of this Section, a home based business forming the non-residential component of a live-work unit shall not be subject to the floor area provisions of sub-section 4.11 iii) above, provided that some part of the live-work unit, having a minimum gross floor area of 40.0 m2, is retained exclusively for residential use as a dwelling unit.</p> <p><u>5.10 PARKING REQUIREMENTS</u> <u>5.10.1 Residential Parking Requirements</u> (Amended by by-law 86-2005, 114-2013) Off-Street Parking Requirements; Minimum: 1 parking space in addition to the parking requirements for the dwelling; however, no parking spaces beyond what are necessary for the dwelling are required if the homebased business is located in a Live Work Unit;</p> <p><u>6.2 RESIDENTIAL ZONES</u> <u>6.2.1 Permitted Uses</u> (Amended by By-law 114-2013) Home Based Businesses are permitted in the following Residential Zones: CR, R1-A, R1-B, R1-C, R1-D, R1-E, R1-F, R2-A, R2-B, R3, RM4, RM5, RM6</p> <p><u>6.6 RURAL ZONES</u> <u>6.6.1 Permitted Uses</u> (Amended by By-law 114-2013) Home Based Businesses are permitted in the following Rural Zones: PC, A</p> <p>6.9 DOWNTOWN CENTRAL AREA ZONES (New section as incorporated by By-law 86-2005) 6.9.1 Permitted Uses Home Based Businesses are permitted in the Downtown Central Area Zones. DCA/MU, DCA/RM1, DCA/RM2</p>

Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
By-law 95-2003		<p><b>Dwelling, Live Work Units:</b></p> <p><u>5.10 PARKING REQUIREMENTS</u></p> <p><u>5.10.1 Residential Parking Requirements</u> (Amended by by-law 86-2005, 114-2013)</p> <p>Off-Street Parking Requirements;</p> <p>Minimum: 2 spaces per unit;</p> <p>6.9 DOWNTOWN CENTRAL AREA ZONES (New section as incorporated by By-law 86-2005)</p> <p>6.9.1 Permitted Uses</p> <p>Dwelling, Live Work Units * are permitted in the Downtown Central Area Zones.</p> <div><p>DCA/MU, DCA/RM1, DCA/RM2</p><p>*Dwellings having frontage on Bayly Street, Commercial Avenue, Falby Court, Harwood Avenue South, Kings Crescent, Kitney Drive, MacKenzie Avenue, Monarch Avenue and/or any east-west link between Kitney Drive and Harwood Avenue South, shall be designed as live-work units, with direct pedestrian access (not vehicular) to these roads.</p></div>

Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
<p>City of Mississauga By-law 0225-2007 (June 20, 2007)</p>	<p><b>Home Occupation:</b> Means an occupation for profit or gain conducted entirely within a dwelling unit, that is incidental and secondary to the use of the dwelling unit for residential purposes and does not change the residential character of the dwelling unit. (0297-2013), (0144-2016)</p> <p><b>Home Office:</b> Means an office for profit or gain conducted entirely within a dwelling unit, that is incidental and secondary to the use of the dwelling unit for residential purposes and does not change the residential character of the dwelling unit. (0297-2013), (0144-2016)</p>	<p><b>Home Office:</b> <u>Part 2: General Provisions</u> <u>2.1.9 Uses Permitted in More Than One Zone Category</u> 2.1.9.12 Home Office In addition to the provisions contained in Parts 1 to 3 of this By-law, a home office shall comply with the provisions contained in Table 2.1.9.12 - Home Office. (0144-2016)</p> <p>A home office (excluding resident physician, dentist, drugless practitioner or health professional, or home occupation) is permitted within a dwelling unit (0181-2018/LPAT Order 2019 February 15)**</p> <div>R1 to R16, RM1 to RM12, RA1 to RA5, C4, and CC1 to CC4 **</div> <p>**Subject to the following additional criteria:</p> <ul style="list-style-type: none"> <li>- Max Floor Area: 15m2;</li> <li>- shall be conducted wholly within a dwelling unit;</li> <li>- 1 home office shall be permitted within a dwelling unit;</li> <li>- shall be the principal private residence of a person or persons conducting the home office and they must not be an occasional or casual resident thereof;</li> <li>- shall not employ staff who are not a resident of the dwelling unit;</li> <li>- outdoor storage or outdoor display of merchandise, material or equipment associated with a home office is not permitted;</li> <li>- shall not be visible from the exterior of the dwelling unit;</li> <li>- shall not have clients attending the dwelling unit to do business within a home office; and</li> <li>- shall not create noise, vibration, fumes, odour, dust, glare, or radiation which is detectable outside of the dwelling unit.</li> </ul> <p><b>Home Occupation:</b> <u>Part 4: Residential Zones</u> <u>4.1 General Provisions for Residential Zones</u> 4.1.16 Home Occupation (0297-2013), (0144-2016)</p>
Continued		



Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
City of Mississauga By-law 0225-2007		<p>4.1.16.1 A home occupation is permitted within a detached dwelling in a Residential Zone subject to the following:</p> <p>4.1.16.1.1 The following home occupations are permitted:</p> <p>(1) tutoring;</p> <p>(2) music instruction;</p> <p>(3) artist or artisan;</p> <p>(4) office (excluding resident physician, dentist, drugless practitioner or health professional's office).</p> <p>4.1.16.1.2 The total area used for a home occupation shall not exceed 25% of the gross floor area - residential of the detached dwelling, to a maximum of 50 m2;</p> <p>4.1.16.1.3 For the purpose of calculating the area devoted to a home occupation, gross floor arefa - residential shall include all areas above and below established grade used for the home occupation;</p> <p>4.1.16.1.4 A home occupation shall be conducted wholly within a detached dwelling;</p> <p>4.1.16.1.5 Only one (1) home occupation shall be permitted within a detached dwelling;</p> <p>4.1.16.1.6 The dwelling in which the home occupation is located shall be the principal private residence of a person or persons conducting the home occupation and they must not be an occasional or casual resident thereof;</p> <p>4.1.16.1.7 A home occupation shall not employ staff who are not a resident of the detached dwelling;</p> <p>4.1.16.1.8 Outdoor storage or outdoor display of merchandise, material or equipment associated with a home occupation is not permitted;</p> <p>4.1.16.1.9 There shall be no visible indication from the exterior of the detached dwelling that a home occupation is carried on in the detached dwelling;</p>
Continued		

## Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
<b>City of Mississauga By-law 0225-2007</b>		<p>4.1.16.1.10 The maximum number of clients attending a home occupation at any one time shall be two (2);</p> <p>4.1.16.1.11 A home occupation shall not create noise, vibration, fumes, odour, dust, glare, or radiation which is detectable outside of the detached dwelling;</p> <p>4.1.16.1.12 In addition to the required number of parking spaces for the detached dwelling, one (1) additional parking space for the home occupation shall be provided;</p> <p>4.1.16.1.13 Tandem parking spaces shall be permitted;</p> <p>4.1.16.1.14 An aisle adjacent to parking spaces is not required.</p>
<b>City of Ottawa Zoning By-law 2008-250 Consolidated June 27, 2018)</b>  Continued  <b>City of Ottawa</b>	<p><b>Home-based business:</b> Means one or more businesses operated by a resident as secondary and subordinate uses to a residence or farm, and includes a home-based day care. (entreprise à domicile)</p> <p>Note: By-law 2008-250 only defines and regulates “Home-based Business”, not other types of home-based businesses (e.g. home business, live-work etc.)</p>	<p><b>Home-based business:</b> <u>Part 3 – Specific Use Provisions (Sections 78-99) (By-law 2019-41)</u> <u>Provisions for On-farm Diversified Uses (Section 79)</u></p> <p>(1) On-farm diversified uses are subject to the following provisions:</p> <p>(c) the maximum area of an on-farm diversified use includes:</p> <p>(i) the total area of all home-based businesses on the lot;</p> <p>(ii) the area of buildings or structures built prior to April 30, 2014 that are associated with an on-farm diversified use, discounted by 50%;</p> <p>(iii) the area of buildings, structures, outdoor storage, landscaped areas, berms, laneways, parking and the area occupied by well and septic systems that were built on or after April 30, 2014 that are associated with an on-farm diversified use;</p> <p>(iv) despite subclauses (ii) and (iii), the area of agri-tourism uses associated with activities such as wagon rides or corn mazes on lands producing harvestable crops are not included in the area calculations; and</p> <p>(v) if there is more than one on-farm diversified use on a lot the combined area of all on-farm diversified uses is included in the total.</p>

## Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
<p><b>Zoning By-law 2008-250</b></p> <p><b>Consolidated June 27, 2018)</b></p>		<p><u>Car Sharing Services (Section 94)</u>            (4) Signage used to identify car-sharing spaces is permitted subject to the applicable provisions of the Signs By-law. However, in an R3, R4 or R5 Zone, one sign may be used to identify car-sharing spaces and the sign must comply with the provisions specified for Home-based Businesses in the Signs By-law. (By-law 2016-249)</p> <p><u>Part 4 – Parking, Queuing and Loading Provisions (Sections 100-114)</u>  <u>Minimum Parking Space Rates (Section 101)</u>            Minimum Parking Space Requirement for a Home-based Businesses as per Table 101 and on Schedule 1A- Areas for Minimum Parking Space Requirements:</p> <p><u>Area X and Y on Schedule 1A:</u>            Inner Urban and Inner Urban Main Streets: None</p> <p><u>Area B on Schedule 1A:</u>            Outer Urban/Inner Suburban: None</p> <p><u>Area C on Schedule 1A:</u>            Suburban: 1 per home-based business</p> <p><u>Area D on Schedule 1A:</u>            Rural: 1 per home-based business</p> <p><u>Part 5 – Residential Provisions (Sections 120-143)</u>  <u>Home-Based Business Provisions (Section 127)</u>            (1) Home-based businesses are permitted in any dwelling unit, oversize dwelling unit, secondary dwelling unit or rooming unit, in any zone that permits residential uses provided:</p>
Continued		
City of Ottawa		

## Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
<b>Zoning By-law 2008-250</b>  <b>Consolidated June 27, 2018)</b>		<p>(a) they must not become a nuisance because of noise, odour, dust, fumes, vibration, radiation, glare, traffic, or parking generated;</p> <p>(b) they must not become a fire or building hazard or health risk;</p> <p>(c) they must not interfere with radio, television or other telecommunications transmissions;</p> <p>(d) one or more residents may operate a business; and</p> <p>(e) the operators of the home-based businesses must reside in the dwelling, oversize dwelling unit, secondary dwelling unit or rooming unit from which the home-based business is conducted, including when the business is in operation.</p> <p>(2) Any number of businesses may exist provided the cumulative maximum total gross floor area outlined in either subsection (9) or Section 128(3), as the case may be, is not exceeded.</p> <p>(3) Despite the unlimited number of businesses permitted, a maximum of only one, on-site, non-resident employee is permitted per principal dwelling unit or oversize dwelling unit.</p> <p>(4) On-site non-resident employees are prohibited in association with any home-based business located within a secondary dwelling unit, rooming unit, or dwelling unit within an apartment dwelling, low rise or an apartment dwelling, mid-rise or an apartment dwelling, high rise.</p> <p>(5) No client or customer may be attended or served on-site in the case of any home-based business located within a secondary dwelling unit, rooming unit, or dwelling unit within an apartment dwelling, low rise or an apartment dwelling, mid-rise or an apartment dwelling, high rise.</p> <p>(6) Where any parking is required for the home-based business, such space may be located in the driveway.</p> <p>(7) There is no visible display or indication of any home-based business from the street, other than the maximum of one sign for all home-based businesses on the lot, as provided for in an applicable Signs By-law.</p> <p>(8) Home-based businesses must not involve the use of the premises as a dispatching office or supply depot.</p> <p>(9) Any number of home-based businesses is permitted on a lot which permits a residential use, either within the dwelling unit, or oversize dwelling unit, rooming unit or secondary dwelling unit, or within an attached garage on the lot, provided that:</p> <p>(a) if within a dwelling unit, oversize dwelling unit or secondary dwelling unit, the cumulative size of all home-based businesses per dwelling unit or oversize dwelling unit or secondary dwelling unit must not exceed 25% of the unit's gross floor area or 28 m2 whichever is the greater;</p> <p>(b) if within an attached garage, the cumulative size of all home-based businesses must not exceed a maximum of 54m2, and the required parking for the dwelling unit or oversize dwelling unit must continue to be legally provided on the lot;</p>
Continued		
City of Ottawa		

Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
<p><b>Zoning By-law 2008-250</b></p> <p><b>Consolidated June 27, 2018)</b></p> <p>Continued</p>		<p>(c) if within a rooming unit, no maximum size limit applies, but the home-based business must take place solely within the rooming unit and not within any communal area within the building; and</p> <p>(d) In the case of subsections (a) and (b), the cumulative total is for all home-based businesses within the principal dwelling unit and attached garage combined, with a separate cumulative total applicable to the secondary dwelling unit, and not for the principal dwelling unit, attached garage and secondary dwelling unit combined.</p> <p>(10) The business of storing automobiles, buses, boats, recreation and any other types of vehicles is specifically prohibited.</p> <p>(11) Outdoor storage is prohibited.</p> <p>(12) Where a home-based business sells on the premises, it sells only those items that are made on the premises. Despite the foregoing, telemarketing and mail order sales are permitted provided that any merchandise purchased is delivered or mailed directly to the customer.</p> <p>(13) Businesses that require a business, not professional, license under the City of Ottawa’s licensing by-laws are not permitted, except that the following businesses requiring licenses are permitted:</p> <p>    (a) electricians and electrical contractors;</p> <p>    (b) plumbing contractors;</p> <p>    (c) taxi cab and limousine drivers, but not brokers, to a maximum of two taxis or limousines</p> <p>(14) Nothing in subsection (13) prevents the administrative and indoor storage functions of such licensed businesses from being operated as a home-based business provided such functions comply with the provisions of subsections (1) through (12) inclusive. (By-law 2012- 334)</p> <p>(15) Section 126 sets out the regulations applicable to the parking of heavy vehicles.</p> <p><u>Home-Based Businesses in RU and AG Zones (Section 128)</u></p> <p>128. On lots zoned RU-Rural Countryside or AG-Agricultural that are a minimum size of 0.8 ha, the following additional regulations apply to home-based businesses:</p> <p>(1) The regulations of Sections 127(1), 127(2), Section 127(4) through 127(9), and Sections 127(12) through 127(14) apply.</p> <p>(2) Despite the unlimited number of businesses permitted, a maximum of three, on-site, non-resident employees are permitted per principal dwelling unit or oversize dwelling unit. (Bylaw 2018-206)</p>

Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
<p>City of Ottawa</p> <p>Zoning By-law 2008-250</p> <p>Consolidated June 27, 2018)</p> <p>Continued</p>		<p>(3) Home-based businesses are permitted in the dwelling unit, oversize dwelling unit, secondary dwelling unit, rooming unit, garage and accessory buildings to a cumulative maximum of 150 m2, excluding outdoor storage associated with the home-based businesses.</p> <p>(4) Section 127(6) applies with all necessary modifications.</p> <p>(5) In the case of subsection (3), the cumulative total is for all home-based businesses within the principal dwelling unit, garage and accessory buildings combined, with a separate cumulative total applicable to the secondary dwelling unit, and not for the principal dwelling unit, garage, accessory buildings and secondary dwelling unit combined. If within a dwelling unit or secondary dwelling unit, the cumulative size of all home-based businesses per dwelling unit or secondary dwelling unit must not exceed 25% of the unit’s gross floor area or 28 m2 whichever is the greater; and if within a rooming unit, no maximum size limit applies, but the home-based business must take place solely within the rooming unit and not within any communal area within the building.</p> <p>(6) Section 127(2) applies with all necessary modifications.</p> <p>(7) In addition to the types of licensed businesses permitted under subsection 127(13), snow plough contractors, drain contractors, antique dealers and any business of storing automobiles, buses, boats and recreation vehicles are also permitted, subject to paragraph 127(1)(e).</p> <p>(8) Sales areas are restricted to within principal dwelling units, oversize dwelling units and accessory buildings only.</p> <p>(9) No part of any garage or accessory building used for a home-based business may be located closer than 10 metres to any residential use on another lot, or to the side lot line if the neighbouring lot is not developed with a residential use.</p> <p>(10) A maximum cumulative 5% of the lot area or 100 m2, whichever is the lesser is permitted to be used for outdoor storage associated with all of the home-based businesses combined.</p> <p>(11) The permitted outdoor storage is restricted to the rear yard or to an interior yard adjacent to the rear yard.</p> <p>(12) The outdoor storage is not to be located within 10 metres of any side lot line.</p> <p>(13) The outdoor storage must be screened from view from any abutting public street, or abutting property, with an opaque screen or fence, with a minimum height of 1.4 metres.</p> <p>(14) On-site storage of hazardous chemicals or explosives is prohibited.</p> <p>(15) No open storage may lead to the creation of a salvage yard.</p> <p>(16) Section 126 sets out the regulations applicable to the parking of heavy vehicles.</p>



Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
<p>City of Ottawa</p> <p>Zoning By-law 2008-250</p> <p>Consolidated June 27, 2018)</p> <p>Continued</p>		<p>(17) For lots zoned in an EP subzone where a dwelling is permitted, the associated home-based businesses are subject to the regulations of Section 127 only and Section 128 does not apply.</p> <p><u>Home-Based Businesses in Villages (Section 128A)</u></p> <p>128A. On lots zoned V1 – Village Residential First Density, V2 – Village Residential Second Density, V3 – Village Residential Third Density and VM – Village Mixed-Use zones that are subject to the Village Residential – Enterprise Overlay, the following regulations apply to home-based businesses:</p> <p>(1) Section 127 applies, except for subsections (2), (3) and (9).</p> <p>(2) Subsection 127(14) applies, with modifications such that 127 (2), (3) and (9) do not apply.</p> <p>(3) Any number of home-based businesses are permitted in the dwelling unit, oversize dwelling unit, secondary dwelling unit, rooming unit, garage and accessory buildings to a cumulative maximum of 75 m2.</p> <p>(4) In the case of subsection (3) the cumulative total is for all home-based businesses within the principal dwelling unit, garage and accessory buildings combined, with a separate cumulative total applicable to the secondary dwelling unit, and not for the principal dwelling unit, garage, accessory buildings and secondary dwelling unit combined. If within a dwelling unit or secondary dwelling unit, the cumulative size of all home-based businesses per dwelling unit or secondary dwelling unit must not exceed 45% of the unit’s gross floor area or 75 m2 whichever is the lesser; and if within a rooming unit, no maximum size limit applies, but the home-based business must take place solely within the rooming unit and not within any communal area within the building.</p> <p>(5) Despite the unlimited number of businesses permitted, a maximum of two, on-site, nonresident employees are permitted per principal dwelling unit or oversize dwelling unit.</p> <p><u>Other provisions related to a Home-Based Business:</u></p> <p><u>Part 2 – General Provisions (Sections 55-73)</u></p> <p><u>Flood Plain Hazard Overlay (Section 58)</u></p> <p>(3) Despite the uses permitted in the underlying zone, and despite Section (2), the following uses are not permitted in a flood plain overlay: (p) home-based daycare</p> <p><u>Part 6 – Residential Zones (Sections 155-168)</u></p>

Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
<div>City of Ottawa</div> <div>Zoning By-law 2008-250</div> <div>Consolidated June 27, 2018)</div> <div>Continued</div>		<p>Home Based Businesses are permitted in the following Residential Zones, subject to Part 5, Section 127:</p> <div>R1, R2, R3, R4, R5, RM</div> <p>Part 8 – Open Space &amp; Leisure Zones (Sections 173- 180)</p> <p>Home Based Businesses are permitted in the following Open Space &amp; Leisure Zones, subject to Part 5, Section 127:</p> <div>L2</div> <p>are permitted in the following Environmental Zones, subject to Part 5, Section 127:</p> <div>EP2, EP3</div> <p>184. In the EP Zone, the following subzones apply:</p> <p><u>EP2 Subzone</u></p> <p>(2) In the EP2 Subzone,</p> <p>(a) the following uses are also permitted: agricultural use, see Part 2, Section 62 one detached dwelling on a lot fronting on a public street home-based business, see Part 5, Section 127;</p> <p>(b) the provisions of Table 183 applicable to a detached dwelling also apply to all agricultural use buildings and structures.</p> <p><u>EP3 Subzone</u></p> <p>(3) In the EP3 Subzone,</p> <p>(a) the following uses are also permitted: one detached dwelling on a lot fronting on a public street home-based business, see Part 5, Section 127;</p> <p>(b) an accessory building or structure associated with a detached dwelling or a home-based business may be located no further than 60m from the detached dwelling.</p> <p>NOTE: Development in an EP zone or adjacent to an EP zone may be regulated under the Conservation Authorities Act, and, in addition to a building permit from the municipality under the Building Code Act, may require a permit from the Conservation Authority or other authority having jurisdiction over the regulated area.</p>

## Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
<p><b>City of Ottawa</b></p> <p><b>Zoning By-law 2008-250</b></p> <p><b>Consolidated June 27, 2018)</b></p>		<p><u>Part 10 – Mixed Use/Commercial Zones (Sections 185- 198)</u>  Home Based Businesses are permitted in the following Mixed Use/Commercial Zones, subject to Part 5, Section 127:</p> <div data-bbox="849 444 1776 521" style="border: 1px solid black; padding: 2px;"> AM, AM5, AM12, GM, GM2, GM18, GM29, LC, LC8, MC, MC6, MC8, MC15, MD, MD4, TD, TM* </div> <p>* (By-law 2019-410)</p> <p><u>Part 13 – Rural Zones (Sections 211-236)</u>  Home Based Businesses are permitted in the following Rural Zones, subject to Part 5, Section 127:</p> <div data-bbox="849 716 1776 756" style="border: 1px solid black; padding: 2px;"> AG, AG4-AG8, ME, ME1, ME3, MR1, RR, RU, VM, V1, V2, V3 </div> <p><u>Part 14 – Other Zones (Sections 237-238)</u>  Home Based Businesses are permitted in the following Other Zones, subject to Part 5, Section 127.</p> <div data-bbox="849 878 1776 919" style="border: 1px solid black; padding: 2px;"> DR </div>
<p><b>City of Cambridge</b></p> <p><b>Draft By-law, May, 2019</b></p> <p>Continued</p> <p><b>City of Cambridge</b></p>	<p><b>Home occupation:</b>  An occupation conducted within a dwelling unit by the resident or residents of the dwelling unit and which is an accessory use to the dwelling unit.</p>	<p><b>Home occupation:</b>  <u>Part 4.0 - General Provisions</u>  (b) No accessory building or structure can be used for human habitation or as a home occupation, unless expressly permitted by this By-law.</p> <p><u>4.7 Home Occupations</u>  Where a home occupation is permitted by this By-law, the following regulations apply:  (a) A home occupation shall be operated entirely within a principal dwelling unit.  (b) A home occupation shall be conducted by the person or persons whose principal residence is the dwelling unit in which the home occupation is located.  (c) Not more than one non-resident employee can be engaged in a home occupation.</p>

## Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
Draft By-law, May, 2019		<p>(d) The total amount of residential floor area within the principal dwelling unit that can be occupied by a home occupation is 25%, up to a maximum of 50 square metres.</p> <p>(e) Outside storage and outside display and sales areas are not permitted in conjunction with a home occupation.</p> <p>(f) The sale of goods or materials is limited to such goods or materials that are made on the premises or are accessory to the home occupation.</p> <p>(g) Any home occupation that creates noise, vibration, fumes, odour, dust or glare that is detectable from outside of the dwelling unit is not permitted.</p> <p>(h) Any parking required for the home occupation shall be in addition to the parking required for other uses on the same lot.</p> <p>(i) The following uses are not permitted as a home occupation:</p> <ul style="list-style-type: none"> <li>(i) Adult entertainment establishment;</li> <li>(ii) Animal clinic;</li> <li>(iii) Assembly and storage of hazardous substances;</li> <li>(iv) Construction/landscaping contractor's yard;</li> <li>(v) Scrap metal recycling operation or salvage yard;</li> <li>(vi) Dating/escort service;</li> <li>(vii) Industrial use;</li> <li>(viii) Boarding and/or breeding kennel (except in the A and RC Zones);</li> <li>(ix) Medical office;</li> <li>(x) Noxious use;</li> <li>(xi) Place of amusement;</li> <li>(xii) Restaurant;</li> <li>(xiii) Retail store;</li> <li>(xiv) Taxi service depot/dispatch establishment;</li> <li>(xv) Limousine business; and,</li> <li>(xvi) Any use involving the storage, repair, maintenance, painting and/or towing of motor vehicles or recreational equipment (mobile).</li> </ul>
Continued		
City of Cambridge		<p><u>4.19 Secondary Dwelling Units</u></p>

Appendix A: Detailed Area Municipal Plan Comparison

Municipality & Zoning By-law	Relevant Definitions in Zoning By-law	Zoning Provisions
Draft By-law, May, 2019		<p>(c) A secondary dwelling unit is not permitted on a lot where a home occupation or a garden suite is also situated.</p> <p><u>5.8 Residential Parking Requirements</u> The number of parking spaces required for residential uses must be calculated in accordance with the standards set out in Table 5.8. Minimum Parking Space Requirement for a Home Occupation: 1 space for each employee that is not a resident in the dwelling unit in addition to the requirement for the dwelling unit</p> <p><u>Part 6.0 – Core Area Zones</u> Home Occupations are permitted in the following zones as per Tables 6.2A, subject to Section 4.7 of this By-law: CMU1, CMU2. CMU3</p> <p><u>Part 7.0 - Residential Zones</u> Home Occupations are permitted in the following zones as per Table 7.1, subject to Section 4.7 of this By-law: RR, R1, R2, R3, R4M, R5M</p> <p><u>Part 11.0 – Other Zones</u> Home Occupations are permitted in the following zones as per Table 11.2, subject to Section 4.7 of this By-law: A, RC, D, TU, F</p>

## Appendix B: Summary of Home Occupation Zoning Provisions

	Vaughan	Markham	Newmarket	Oakville	Burlington	Ajax	Mississauga	Ottawa	Cambridge
<b>Employees</b>	0 - only residents	1 plus resident(s)	2 plus resident(s)	0 - only residents	0 - only residents	1 plus resident(s)	0 – only residents	1 – only residents	1 plus resident(s)
<b>Outdoor Storage</b>	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted unless a Home Industry in a RA zone (farm equipment)	Not permitted	Not permitted	Not permitted	Not permitted
<b>External Display</b>	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted
<b>Location / Access Bldg.</b>	Entirely within dwelling unit only Not permitted in accessory buildings or structures	Main dwelling or accessory building if accessory building complies with yard setbacks for main building on lot	Entirely within dwelling unit only Not permitted in accessory buildings or structures	Entirely within dwelling unit only	Entirely within dwelling unit only	Entirely within dwelling unit only	Entirely within detached dwelling only	Entirely within dwelling, oversize dwelling unit, secondary dwelling unit or rooming unit	Entirely within dwelling unit only
<b>Max GFA</b>	25% of dwelling GFA, or have a total area greater than 50.0 m <sup>2</sup> , whichever is less	25% of dwelling GFA	35% of dwelling GFA to a max 42 m <sup>2</sup>	25% of dwelling GFA to a max 50 m <sup>2</sup>	From a basement or a cellar and up to 25% of dwelling GFA & excludes attached garage  Home-based or Cottage Industry in RA and RG zone - Max 100m2 or 24% of dwelling unit, whichever is less & maximum of 1 client at a time for instructional classes	Lesser of 25% of dwelling GFA or 45 m <sup>2</sup>  Live-work unit not subject to this requirement, rather than a minimum gross floor area of 40.0 m2, is retained exclusively for residential use as a dwelling unit.	25% of dwelling GFA to a max 50 m <sup>2</sup>  Calculation of GFA for dwelling includes all areas above and below established grade dedicated to home occupation  Max. GFA for a Home Office: 15m2	25% of dwelling GFA to a max 28 m <sup>2</sup>  If within an attached garage maximum cumulative size of all home-based business 54 m <sup>2</sup>  If within a rooming unit, no maximum size limit applies, but home business shall not take up any communal area(s)	25% of dwelling GFA to a max 50 m <sup>2</sup>



<b>Priority of Use</b>	Secondary use on the lot, permitted as an “accessory use” to the dwelling unit	Secondary use on the lot, permitted as an “accessory use” to the dwelling unit	Secondary use and does not change residential character of the dwelling and lot	Secondary use on the lot, permitted as an “accessory use” to the dwelling unit	Secondary use and does not change residential character of the dwelling and lot	Secondary use and does not change residential character of the dwelling and lot	Secondary use on the lot - No visible indication from exterior that home occupation exists	Secondary use on the lot	Secondary use on the lot, permitted as an “accessory use” to the dwelling unit
<b>Sale of Goods</b>	Silent	Only those produced on the premises - except mail order business permitted  No commodities sold or services rendered that require receipt or delivery of merchandise, goods, or equipment by other than a passenger vehicle or by parcel or letter carrier mail service using vehicles typically employed in residential deliveries	The accessory sale of goods permitted on premises	Silent	Not permitted unless ancillary to permitted use Online sales permitted - no pick up permitted on premises	Only those produced on the premises	Uses permitted precludes uses requiring sale of goods	Only those items that are made on the premises - except telephone or mail order business permitted provided that any merchandise purchased is delivered or mailed directly to the customer	Only those produced on the premises
<b>Signage</b>	Not permitted/ per Sign-By-law	Not permitted	1 permitted in accordance with Sign By-law  Not permitted on lot with live-work unit	Not permitted	Silent	Silent	Not Permitted	1 permitted in accordance with Sign By-law plus signage permitted to identify car-sharing spaces accordance with Sign By-law for specific zones	Not permitted

<b>Nuisance Impacts</b>	Silent	Shall not create noise, vibration, fumes, odour, dust, glare or radiation	Silent	Silent	No noise, odour, fumes, vibration, glare, traffic or parking, electrical, telephone interference, radio or satellite reception	Silent	No noise, vibration, fumes, odour, dust, glare, or radiation	No noise, odour, dust, fumes, vibration, radiation, glare, traffic, or parking, no fire or building hazard or health risk, radio, television or other telecommunication transmission interference	No noise, vibration, fumes, odour, dust or glare
<b>Specific Permitted Uses</b>	Silent	Special provisions for medical offices front or an exterior lot line must abut a Provincial Highway, a major or minor arterial road or a major collector road	1 medical practitioner permitted  1 hairdresser or barber permitted at one time	Art gallery, business office, commercial school (music only), medical office, service commercial	In detached dwellings only: Music, dance or singing activities, physical fitness, medical or health care office, aesthetician, hairstylist, complementary health care, pet grooming or training (inside only)	Silent	Tutoring; music instruction; artist or artisan; office subject to exclusions (see below)	Silent	Silent

<p><b>Specific Prohibited Uses</b></p> <p>continued</p> <p><b>Specific Prohibited Uses</b></p>	Silent	<p>Not permitted:</p> <ul style="list-style-type: none"> <li>- any use involving the storage, repair, maintenance and/or towing of motor vehicles or other machinery or equipment;</li> <li>-medical offices,</li> <li>-any use involving the treatment, care and/or grooming of any animal, including a kennel or a day-kennel;</li> <li>-any use involving the sale of prepared food for human consumption;</li> <li>-dating bureaus/escort services;</li> <li>-contractors' yards;</li> <li>-taxi service depot/dispatch; and,</li> <li>-retail stores</li> </ul>	<p>Not permitted:</p> <ul style="list-style-type: none"> <li>- medical clinic</li> <li>- day nursery</li> <li>- nursing home</li> <li>- tea room</li> <li>- veterinary clinic/hospital</li> <li>- automotive uses</li> <li>- body rub parlour</li> </ul>	Silent	Silent	Silent	Office exclusions: physician, dentist, drugless practitioner or health professional's office.	<p>Not permitted:</p> <p>dispatching office or supply depot, business of storing automobiles, buses, boats, recreation and any other types of vehicles</p>	<p>Not permitted:</p> <p>Adult entertainment establishment;</p> <p>Animal clinic;</p> <p>Assembly and storage of hazardous substances;</p> <p>Construction/landscaping contractor's yard;</p> <p>Scrap metal recycling operation or salvage yard;</p> <p>Dating/escort service;</p> <p>Industrial use;</p> <p>Boarding and/or breeding kennel;</p> <p>Medical office;</p> <p>Noxious use;</p> <p>Place of amusement;</p> <p>Restaurant;</p> <p>Retail store;</p> <p>Taxi service depot/dispatch establishment;</p> <p>Limousine business; and, any use involving the storage, repair, maintenance, painting and/or towing of motor vehicles or recreational equipment (mobile)</p>
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<b>Parking</b>	1 for the home occupation plus the minimum parking required for the dwelling unit.	By-law 177-96: Silent By-law 53-94: 1 parking space	1-2 spaces, based on area of Home Occupation: - >24m2: 1 space - every 9m2 above 24m2: 1 space	No minimum parking spaces required;  Note in the ZBL: that in the Growth Areas, the minimum number of parking spaces required are reduced to support the Town's strategic and policy objectives related to transit, growth management, and design.	None required for "Home-Based Businesses"	1 additional space for "Home-Based Businesses"	1 additional space; tandem parking spaces shall be permitted	1 additional space for "Home-Based Businesses" in Suburban and Rural area  none required for "Inner Urban and Inner Urban Main Streets" and "Outer Urban /Inner Suburban"	1 additional space per non-resident employee
<b>Miscellaneous</b>		No more than 4 students at a time for instructional activity					Permitted only in detached dwelling in a residential zone  Only 1 Home Occupation or Home Office per detached dwelling  Max number of clients attending Home Occupation at any one time is 2	No client or customer may be attended or served on-site within a secondary dwelling unit, rooming unit, or dwelling unit within an apartment dwelling, low rise or an apartment dwelling, mid-rise or an apartment dwelling, high rise  Any number of businesses may exist provided maximum GFA is not exceeded	

## Appendix C: Area Municipal Plan Comparison – Oak Ridges Moraine

Municipality	Definitions	Provisions
<b>Caledon</b>  Comprehensive Zoning By-law 2006-50 (2006)	<p><b>Home Business (ORM):</b>            Applies only to lands within the Oak Ridges Moraine Conservation Plan Area and means an occupation that:</p> <p>a) involves providing personal or professional services or producing custom or artisanal products,            b) is carried on as a small-scale accessory use within a single detached dwelling by one or more of its residents, and            c) does not include uses such as an auto repair or paint shop or furniture stripping.</p> <p><b>Home Industry (ORM):</b>            Applies only to lands within the Oak Ridges Moraine Conservation Plan Area and means a business that:</p> <p>a) is carried on as a small-scale use that is accessory to an agricultural operation,            b) provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the farming community,            c) may be carried on in whole or in part in an accessory building, and d) does not include uses such as an</p>	<p><b>Home Business:</b>  <u>Section 10 - Agricultural and Rural Zones</u>  <u>10.2 Permitted Uses</u>            Home Business are permitted in the following Zones:            A1-ORM Agricultural – Oak Ridges Moraine            A2-ORM Rural – Oak Ridges Moraine            A3-ORM Small Agricultural Holdings – Oak Ridges Moraine</p> <p><u>Section 11 - Environmental Policy Area Zone</u>  <u>11.2 Permitted Uses</u>            Home Business are permitted in the following Zones:            EPA2-ORM Environmental Policy Area 2 – Oak Ridges Moraine in a detached dwelling only</p> <p><b>Home Industry:</b>  <u>Section 4 – General Provisions</u>            4.14 HOME INDUSTRIES (ORM)            4.14.1 A home industry shall not be permitted in any zone unless it complies with the following provisions:            4.14.2 Not more than 3 persons, other than an occupant of the premises, shall be employed in the home industry.            4.14.3 There shall be no external display or advertising, other than a lawful sign, to indicate to persons outside that any part of the lot is being used for home industry purposes.</p> <p><u>Section 10 - Agricultural and Rural Zones</u>  <u>10.2 Permitted Uses</u>            Home Industries are permitted in the following Zones:            A1-ORM Agricultural – Oak Ridges Moraine            A2-ORM Rural – Oak Ridges Moraine            A3-ORM Small Agricultural Holdings – Oak Ridges Moraine</p> <p><b>Home Occupation:</b>  <u>4.15 Home Occupations</u>            4.15.1 A home occupation shall not be permitted in any zone unless it complies with the following provisions:            4.15.2 No more than 25% of the dwelling unit area shall be used for the purpose of a home occupation use.</p>

	<p>auto repair or paint shop or any use that involves furniture stripping.</p> <p><b>Home Occupation:</b> means an occupation or business which is conducted entirely within a dwelling unit and which is clearly subordinate or incidental to the principal use of the dwelling unit for residential purposes.</p>	<p>4.15.3 No accessory building shall be constructed, altered or used for the purposes of a home occupation.</p> <p>4.15.4 Any dwelling unit containing a home occupation shall be occupied as a residence by the operator.</p> <p>4.15.5 Not more than 1 person, other than an occupant of the dwelling unit containing the home occupation, shall be engaged in the home occupation.</p> <p>4.15.6 There shall be no external display or advertising on the lot, other than a lawful sign, to indicate to persons outside that any part of the house, dwelling unit or lot is being used for a purpose other than residential.</p> <p>4.15.7 On any lot containing a home occupation, there shall be no goods, wares or merchandise, other than those produced on the premises, offered or displayed for sale or rent on such premises.</p> <p>4.15.8 No part of any lot containing a home occupation shall be used as an accessory open storage area to that home occupation use.</p> <p><u>Section 10 - Agricultural and Rural Zones</u></p> <p><u>10.2 Permitted Uses</u></p> <p>Home Occupations are permitted in the following Zones, provided that no more than 6 students are permitted in any one lesson for a home occupation:</p> <p>instruction of a craft or skill.:</p> <p>A1 Agricultural</p> <p>A2 Rural</p> <p>A3 Small Agricultural Holdings</p> <p><u>Section 11 - Environmental Policy Area Zone</u></p> <p><u>11.2 Permitted Uses</u></p> <p>Home Occupations are permitted in the following Zones, provided that no more than 6 students are permitted in any one lesson for a home occupation involving the instruction of a craft or skill and only permitted in a detached or semi-detached dwelling only.</p> <p>-EPA2-ORM Environmental Policy Area 2 – Oak Ridges Moraine</p>
<p><b>King</b></p> <p>By-law 2005-23 (Separate ORM Conformity Zoning By-law)</p>	<p><b>Home Industry:</b> means a business that,</p> <p>a. is carried on as a small-scale use that is accessory to a single dwelling or agricultural operation;</p> <p>b. provides a service such as carpentry, metalworking, welding,</p>	<p><b>Home Occupation:</b> means any occupation which is carried on as an accessory use and only by members of the one family residing in a dwelling house or dwelling unit provided that:</p> <p>a. no person, other than a member of the family is engaged in canvassing, delivering or as a go-between in distributing merchandise to customers;</p> <p>b. there is no display, other than a legal sign, to indicate to persons outside, that any part of the dwelling house, unit or lot is being used for a purpose other than residential;</p>



	<p>electrical work or blacksmithing, primarily to the farming community;  c. may be carried on in whole or in part in an accessory building, and  d. does not include uses such as an auto repair or paint shop or furniture stripping.</p> <p><b>Home Occupation:</b> means any occupation which is carried on as an accessory use and only by members of the one family residing in a dwelling house or dwelling unit subject to provisions.</p>	<p>c. such home occupation is clearly secondary to the main residential use and does not change the residential character of the dwelling house or unit nor create or become a public nuisance, in particular, in regard to noise, noxious odours or emission of smoke, traffic or parking;  d. no more than one (1) person not resident in the dwelling shall be employed;  e. such home occupation does not interfere with television or radio reception;  f. there are no goods, wares or merchandise, publicly offered or exposed for sale on the premises;  g. not more than 25% of the gross floor area of the dwelling house or unit is used for the purposes of home occupation uses; and  h. such home occupation uses may include the office of a medical or drugless practitioner, lawyer, or a real estate agent, but a beauty parlour, or a barber shop, a clinic, a hospital, a nursing home, tea room, an animal hospital, an auto repair or paint shop or furniture stripping shall not be deemed to be home occupations.</p> <p><u>Home Industries and Home Occupations are permitted in the following Zones:</u>  Oak Ridges Moraine Feature Protection– ORMFP (Section 28)  Oak Ridges Moraine Core and Linkage– ORMNCL ZONE (Section 29)  Oak Ridges Moraine Countryside– ORMC Zone (Section 30)</p>
<p><b>Clarington</b></p> <p>Zoning By-law 2005-109 (Separate ORM Conformity By-law)</p>	<p><b>Home Industry:</b>  means a small-scale industrial operation that is carried on, in whole or in part, in accordance with the provisions of this By-law, as accessory to a permitted single detached dwelling.</p> <p><b>Home Occupation:</b>  a. Adult Home Care Shall mean a home occupation that provides temporary care and companionship to senior citizens and/or adults with disabilities on a regular basis for a continuous period not exceeding 24 consecutive hours;</p>	<p><b>Home Industry: (there are no specific Zones in which Home Industries are permitted in the ZBL)</b></p> <p><u>5.5 Home Industries</u>  5.5.2 The following are examples of uses that are permitted to be conducted as a home industry:  a. Custom furniture making or restoration;  b. Small engine repair;  c. Welding;  d. Woodworking and crafts; and  e. The production of value - added agricultural products such as cider, honey or wine.</p> <p>5.5.3 The following are examples of uses that are not permitted to be conducted as a home industry:  a. Automotive repair, automotive painting, motor vehicle body shop or furniture stripping;  b. Any use that could create a public nuisance due to noise, glare, dust, odours, vibration, interruption of communication signals, or traffic generation, and  c. Any use that requires receipt or delivery of merchandise, goods or equipment by motor vehicles exceeding 4 tonnes at registered gross vehicle weight.</p>

	b. Children's Home Care shall mean a home occupation that provides temporary care and education of children on a regular basis and for continuous periods not exceeding 24 consecutive hours;
	c. Home Occupation shall mean an occupation or business that is carried on in accordance with all provisions of this By-law, within a dwelling as accessory to a permitted residential use.

TABLE 5 - 4 REGULATIONS - HOME INDUSTRIES	
<b>Legend</b>	
<i>(#)</i> Notation	
<u>Lot Area</u>	0.8 ha
Location on lot	<i>Single detached dwelling</i> <sup>(1)</sup> , <i>attached garage</i> , or <i>accessory building</i>
<i>Floor area (max) of home industry</i>	200 m²
<i>Floor area (max) of all accessory buildings if home industry located on lot</i>	200 m²
Number of employees (max)	4 people, which may include 2 persons who do not reside in the <i>dwelling</i> <sup>(2)</sup>
<u>Yard setback</u>	ZR <sup>(3)</sup>
Parking <sup>(4)</sup>	1 space for each employee that resides on a different lot, plus the number of spaces for the <i>use</i> required by Section 6
Outdoor Storage	No exterior display or storage of goods

Notations for Table 5 - 4

(1) 50% (max) of dwelling may be used for a home industry to a maximum of 200 m2 whichever is less.

(2) Where a home industry is located on the same lot as a home occupation, the regulations in Table 5 - 4 regarding maximum floor area and number of employee shall apply in total, to both the home occupation and home industry.

(3) Accessory building containing a home industry shall be located in the rear yard.

(4) Parking spaces are not required for a home industry that does not require the delivery or pick-up of goods, does not have clients coming to the dwelling, and does not have employees who reside on a different lot.

**Home Occupation:**

5.6 Home Occupations

5.6.2 A home occupation may be conducted in association with any permitted dwelling subject to the provisions of Section 5.6 and further provided that the home occupation is clearly accessory to the residential use of the dwelling and does not change the residential character of the dwelling.

5.6.3 The following uses are permitted to be conducted as a home occupation:

- a. Personal service;
- b. Professional service;
- c. Business or administrative office;
- d. Instructional service for a maximum of three students at one time;
- e. Home craft business;

	<div><div>f. Caterer; g. Children's home care; h. Adult home care; and i. Home appliance service.</div><div>5.6.4 The following uses are not permitted to be conducted as a home occupation: a. Retail sales, with the exception of home craft products; b. Light equipment service; c. Motor vehicle repair garage; d. Motor vehicle body shop; e. Furniture stripping f. Any use that could create a public nuisance due to the levels of traffic, noise, glare, dust, odours, or vibration associated with the use, or due to the interruption of communication signals.</div><div>5.6.5 In the case of an apartment dwelling or a townhouse dwelling, a home occupation shall be restricted to a business or administrative office which does not require the delivery or pick-up of goods, does not have clients coming to the dwelling, and does not have employees who reside on a different lot.</div><div>5.6.6 An adult home care may accommodate a maximum of five adults that do not reside in the dwelling at one time. The rear yard of the dwelling may be used as accessory to the adult home care establishment.</div><div>5.6.7 A children's home care may accommodate a maximum of five children, not including the owner’s children. The rear yard of the dwelling may be used as accessory to the children's home care.</div><div>5.6.8</div><div><table><tr><th colspan="2">TABLE 5 - 5 REGULATIONS - HOME OCCUPATIONS</th></tr><tr><th colspan="2">Legend</th></tr><tr><th colspan="2">(#) Notation</th></tr><tr><td>Floor area (max)</td><td>30% of <i>dwelling</i>, to a maximum of 100 m<sup>2</sup> <sup>(1)</sup></td></tr><tr><td>Number of employees (max)</td><td>3 people, which may include 1 person who does not reside in the <i>dwelling</i> <sup>(1)</sup></td></tr><tr><td>Parking<sup>(2)</sup></td><td>1 space for an employee that resides on a different <i>lot</i>, plus the number of spaces required by Section 6</td></tr><tr><td>Location on <i>lot</i></td><td>Not permitted in <i>accessory building</i> or <i>attached garage</i></td></tr><tr><td>Outdoor Storage</td><td>No exterior display or storage of goods</td></tr></table></div></div>	TABLE 5 - 5 REGULATIONS - HOME OCCUPATIONS		Legend		(#) Notation		Floor area (max)	30% of <i>dwelling</i> , to a maximum of 100 m <sup>2</sup> <sup>(1)</sup>	Number of employees (max)	3 people, which may include 1 person who does not reside in the <i>dwelling</i> <sup>(1)</sup>	Parking <sup>(2)</sup>	1 space for an employee that resides on a different <i>lot</i> , plus the number of spaces required by Section 6	Location on <i>lot</i>	Not permitted in <i>accessory building</i> or <i>attached garage</i>	Outdoor Storage	No exterior display or storage of goods
TABLE 5 - 5 REGULATIONS - HOME OCCUPATIONS																	
Legend																	
(#) Notation																	
Floor area (max)	30% of <i>dwelling</i> , to a maximum of 100 m <sup>2</sup> <sup>(1)</sup>																
Number of employees (max)	3 people, which may include 1 person who does not reside in the <i>dwelling</i> <sup>(1)</sup>																
Parking <sup>(2)</sup>	1 space for an employee that resides on a different <i>lot</i> , plus the number of spaces required by Section 6																
Location on <i>lot</i>	Not permitted in <i>accessory building</i> or <i>attached garage</i>																
Outdoor Storage	No exterior display or storage of goods																

		<p>Notations for Table 5 - 5</p> <p>(1) Where a home industry is located on the same lot as a home occupation, the regulations in Table 5 – 4 regarding maximum floor area and number of employee shall apply in total, to both the home occupation and home industry.</p> <p>(2) Parking spaces are not required for a business or administrative office that does not require the delivery or pick-up of goods, does not have clients coming to the dwelling, and does not have employees who reside on a different lot.</p> <p><u>6.0 Off-Street Parking and Loading</u></p> <p>6.1.6 The parking spaces required for a permitted residential use and/or a home occupation may be provided in tandem.</p> <p><u>TABLE 6 - 2 REGULATIONS - NUMBER OF PARKING SPACES</u></p> <p>Medical Office, Veterinary Clinic: 1/18 m2 of gross floor area; Where a medical office is a home occupation - 1 space for every 30 m2 of the dwelling used for the home occupation</p> <p><u>8.0 Rural Settlement Zone Category</u></p> <p><u>TABLE 8-1 PERMITTED USES – RURAL SETTLEMENT ZONES</u></p> <p>A Home Occupation is permitted in the (RS1) Rural Settlement One Zone*</p> <p>*With the exception of catering</p> <p><u>12.0 Open Space Zone Category</u></p> <p><u>TABLE 12-1 PERMITTED USES – ENVIRONMENTAL PROTECTION, NATURAL CORE, NATURAL LINKAGE, AND PARK ZONES:</u></p> <p>A Home Occupation is permitted in the (EP) Environmental Protection Zone*, (NC) Natural Core Zone* and (NL) Natural Linkage Zone*</p> <p>*Only permitted in dwellings existing as of November 15, 2001 or if permission to construct a single detached dwelling existed on November 15, 2001.</p> <p><u>13.0 Agricultural Zone Category</u></p> <p><u>TABLE 13-1 PERMITTED USES – AGRICULTURAL ZONE</u></p> <p>A Home Occupation is permitted in the (A) Prime Agricultural Zone</p>
<b>Port Hope</b>	<p><b>Home Industry:</b></p> <p>A small-scale industrial use on a commercial farm which is an accessory use to an agricultural use.</p>	<p><b>Home Industry:</b></p> <p><u>PART 9 - COUNTRYSIDE ZONES</u></p> <p>Table 9.1: Permitted Uses in the Countryside Zones: Agricultural (A) and Rural (RU) Zones</p>

<p>Consolidated Zoning By-law 20/2020 (2019)</p>	<p>For the purpose of this By-law, a contractor's yard, the repairing of motor vehicles or paint shop, mobile homes and trailers are not considered to be home industries.</p> <p><b>Home Occupation:</b> The use of part of a dwelling unit for the conduct of a profession, trade or occupation that results in a product or service and which is clearly accessory to the principal residential use of the dwelling unit.</p>	<p><u>4.12 HOME INDUSTRY</u></p> <p>Where a home industry is a permitted use:</p> <p>a) The maximum number of employees permitted to be engaged in the business and working in the home industry, in addition to the residents of the dwelling unit, shall be as follows:</p> <ul style="list-style-type: none"> <li>i) On lots less than or equal to 0.6 hectares in area – 1 employee;</li> <li>ii) On lots having an area of greater than 0.6 hectares and less than or equal to 1.7 hectares – 2 employees;</li> <li>iii) On lots greater than 1.7 hectares in area – 3 employees; or,</li> <li>iv) In all other Zones – 0 employees;</li> </ul> <p>b) Any lot upon which a home industry is located shall also be occupied as a residence by the operator of the business;</p> <p>c) A home industry shall be permitted within an accessory building. Any accessory building used for the home industry shall be located no further than 30.0 metres from the detached dwelling on the same lot and no closer than 30.0 metres from any lot line;</p> <p>d) A home industry shall only be located on a lot with a minimum lot area of least 4.0 hectares;</p> <p>e) The maximum gross floor area dedicated to the home industry shall not exceed 200.0 square metres;</p> <p>f) The driveway accessing the home industry shall be shared with the driveway that is utilized for the main use on the lot;</p> <p>g) The use shall be clearly secondary and accessory to the main use on the same lot;</p> <p>h) Only the sale of goods that are primarily manufactured, processed, fabricated or produced on the premises is permitted;</p> <p>i) Outdoor storage of goods or materials is permitted subject to Section 4.23 of this By-law, provided that the area occupied by such outdoor storage does not exceed 50% of the gross floor area of the home industry;</p> <p>j) Only currently licensed motor vehicles, associated with the home industry, are parked or stored on the lot and within an interior side or rear yard;</p> <p>k) There is no external advertising other than a sign erected in accordance with the Municipality's Sign By-law;</p> <p>l) The following uses shall not be permitted as a home industry:</p> <ul style="list-style-type: none"> <li>i) Construction/landscaping contractors' yards; and,</li> <li>ii) Any use involving the storage, repair, maintenance, painting and/or towing of motor vehicles or recreational vehicles; and,</li> </ul> <p>m) Home industry uses shall not include the generation of or storage of hazardous waste, liquid industrial waste, or any severely toxic contaminant listed in Schedule 3 contaminants of Ontario Regulation 347 of the Environmental Protection Act, R.S.O. 1990, c.E.19, as amended, and shall not generate sewage effluent in excess of 4,500 litres per day.</p> <p>No more than one home industry, home occupation or custom workshop shall be permitted on a lot, and in no case shall there be a home industry, home occupation and custom workshop in the same dwelling unit.</p>
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		<p><b>Home Occupation:</b></p> <p><u>PART 9 - COUNTRYSIDE ZONES</u></p> <p>Table 9.1: Permitted Uses in the Countryside Zones: Agricultural (A), Rural (RU)</p> <p><u>PART 6 - RESIDENTIAL ZONES</u></p> <p>Table 6.1: Permitted Uses in the Residential Zones: Low Density Residential One (RES1), Low Density Residential Two (RES2), Medium Density Residential (RES3), High Density Residential (RES4), Hamlet Residential One (RESV1), Hamlet Residential Two (RESV2), Rural Residential (RESR), and Estate Residential (RESE) Zones</p> <p><u>4.13 HOME OCCUPATION AND CUSTOM WORKSHOP</u></p> <p>Where a home occupation or custom workshop is a permitted use:</p> <ul style="list-style-type: none"><li>a) A home occupation or custom workshop shall be conducted as an indoor accessory use within a permitted dwelling unit or an accessory building or structure without changing the primary residential character thereof;</li><li>b) The maximum number of employees that may be engaged in the business and working in the dwelling unit or an accessory building or structure, in addition to the residents of the dwelling unit, shall be as follows:<ul style="list-style-type: none"><li>i) In the Low Density Residential One (RES1), Low Density Residential Two (RES2), Hamlet Residential One (RESV1), Hamlet Residential Two (RESV2), or Rural Residential (RESR) Zone, as well as any Countryside Zone or the Estate Residential (RESE) Zones on lots less than or equal to 0.6 hectares in area – 1 employee;</li><li>ii) In any Countryside Zone or the Estate Residential (RESE) Zones on lots having an area of greater than 0.6 hectares and less than or equal to 1.7 hectares – 2 employees;</li><li>iii) In any Countryside Zone or the Estate Residential (RESE) Zones on lots greater than 1.7 hectares in area – 3 employees; or,</li><li>iv) In all other Zones – 0 employees.</li></ul></li><li>c) Any dwelling unit containing a home occupation or custom workshop shall be occupied as a residence by the operator of the business;</li><li>d) The home occupation or custom workshop is not conducted in whole or in part in any yard, driveway or required parking space;</li><li>e) The maximum gross floor area dedicated to the home occupation or a custom workshop shall be in accordance with the maximums identified in Table 4.3 below:</li></ul>
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**Table 4.3: Maximum Floor Area for a Home Occupation or Custom Workshop**

<b>Zones</b>	<b>Maximum Gross Floor Area (GFA)</b>	
	<b>Conducted within the dwelling unit</b>	<b>Conducted within an accessory building</b>
<ul style="list-style-type: none"><li>• RES1</li><li>• RES2</li></ul>	25% GFA	10% of the lot area
<ul style="list-style-type: none"><li>• RESV1</li><li>• RESV2</li><li>• RESR</li><li>• Any Countryside Zone and RESE on lots less than or equal to 0.6 hectares in area</li></ul>	25% GFA	50.0 m <sup>2</sup>
<ul style="list-style-type: none"><li>• Any Countryside Zone and RESE on lots having an area of greater than 0.6 hectares and less than or equal to 1.7 hectares</li></ul>	25% GFA	100.0 m <sup>2</sup>
<ul style="list-style-type: none"><li>• Any Countryside Zone and RESE on lots greater than 1.7 hectares in area</li></ul>	25% GFA	140.0 m <sup>2</sup>
<ul style="list-style-type: none"><li>• All other Zones, where permitted</li></ul>	25% GFA	Not permitted

Note: Floor area in basement or cellar not to be included within calculation

- f) There are no goods, wares or merchandise offered or exposed for sale, or sold or kept for sale on the premises other than those produced on the premises;
- g) There is no outside storage of materials, goods or vehicles in conjunction with the home occupation use;
- h) There is no external advertising other than a sign erected in accordance with the Municipality's Sign By-law;
- i) There is no parking of commercial motor vehicles permitted, only one commercial motor vehicle trip shall be generated per day and no commercial motor vehicle shall visit the property between the hours of 8:00 pm and 8:00 am;
- j) A custom workshop shall not create noise, vibration, fumes, odour, dust, glare or radiation that is detectable outside of the dwelling unit or accessory building containing the custom workshop;
- k) The following uses shall not be permitted as a home occupation or custom workshop:
- i) Adult entertainment use;
  - ii) Animal clinic;
  - iii) Construction/landscaping contractor's yards;
  - iv) Dating/escort services;
  - v) Industrial use;
  - vi) Kennel;
  - vii) Medical office;
  - viii) Nursing home;
  - ix) Place of amusement;

		<p>x) Restaurant;  xi) Retail store;  xii) Tattoo parlours;  xiii) Taxi service depot/dispatch establishments; and,  xiv) Any use involving the storage, repair, maintenance, painting and/or towing of motor vehicles or recreational vehicles.</p> <p>No more than one home industry, home occupation or custom workshop shall be permitted on a lot, and in no case shall there be a home industry, home occupation and custom workshop in the same dwelling unit.</p> <p><b>Home Industry:</b>  <u>PART 9 - COUNTRYSIDE ZONES</u>  <u>Table 9.1: Permitted Uses in the Countryside Zones:</u>  Agricultural (A), Rural (RU), Oak Ridges Moraine – Core (ORMC), Oak Ridges Moraine – Linkage (ORML), Oak Ridges Moraine – Rural (ORMRU), and Oak Ridges Moraine – Rural Settlement (ORMRS)</p> <p><u>Residential Parking Requirements for Home Occupations and Home Industries:</u>  <u>Table 5.5: Residential Parking Requirements</u>  Minimum Parking Requirement for Custom Workshop, Home Industry and Home Occupation: 1 space, but only if the use occupies a gross floor area of 15.0 m2 or greater.</p>
<p><b>East Gwillimbury</b></p> <p>Comprehensive Zoning By-law 2018-43 (2018)</p>	<p><b>Home Business:</b>  a) Involves providing personal or professional services or producing custom or artisanal products, and  b) Is carried on as a small-scale accessory use within a dwelling unit or, where permitted, a structure accessory to the dwelling unit</p>	<p><b>Home Business:</b>  <u>Section 4 – General Provisions</u>  4.14 Home Businesses where a home business is permitted in a zone, the following provisions shall apply:  a) Not more than one non-resident employee, shall be engaged in the home business;  b) The use is entirely restricted to the dwelling unit and/or an accessory building or structure or private garage where permitted;  c) An accessory building or structure may only be used for the purpose of a home business if the lot is a minimum of 2.5 hectares in size and the home business does not occupy more than 50 square metres of the accessory building or structure;  d) The maximum gross floor area dedicated to the home business shall be 25 percent of the gross floor area of the dwelling unit or 50 square metres whichever is the lesser;  e) The home business use shall be clearly secondary to the main use of the dwelling unit and there is no change in the external character of the dwelling unit or lot as a private residence, with the exception a legal sign erected in accordance with The Town of East Gwillimbury Sign By-law;  f) There shall be no outdoor storage or outdoor display and sales area of materials or goods in conjunction with the home business;</p>

	<p>g) A home business shall not create noise and dust that is detectable outside of the dwelling unit, or any odorous, toxic or noxious matters or vapours;</p> <p>h) An animal daycare centre with 5 or less household pets may be permitted as a home business;</p> <p>i) Uses that shall not be permitted as a home business, include, but are not limited to, the following:</p> <ul style="list-style-type: none"><li>i) Adult entertainment use;</li><li>ii) Animal clinic;</li><li>iii) Dating/escort services;</li><li>iv) Contractor yard;</li><li>v) Kennel;</li><li>vi) Taxi service depot and limousine businesses;</li><li>vii) Paint shop or furniture stripping; and,</li><li>viii) The on-site storage, repair, maintenance sale, and/or towing of motor vehicles, recreational vehicles or engines.</li></ul> <p><u>Part 4.0 - General Provisions</u></p> <p><u>4.2.2 Accessory Buildings and Structures</u></p> <p>No accessory building or structure can be used for human habitation or as a home business, unless expressly permitted by this By-law.</p> <p><u>Table 5A - Residential Parking Requirements</u></p> <p>No requirement beyond required parking for dwelling type.</p> <p><u>Part 6.0 - Mixed Use Zones</u></p> <p>Table 6A – Permitted Residential Uses in Mixed Use Zones</p> <p>Home Businesses are permitted in the Residential Uses in Mixed Use Zones</p> <p><u>Part 7.0 - Residential Zones</u></p> <p><u>Table 7A – Permitted Uses in Residential Zones</u></p> <p>Home Businesses are permitted in all Residential Zones including the Estate Residential (ER) and the Hamlet Residential (HR) Zone</p> <p><u>Part 11.0 - Rural and Aggregate Resource Zones</u></p> <p><u>Table 11A – Permitted Uses in Rural and Aggregate Resource Zones</u></p> <p>Home Businesses are permitted in the Rural (RU) Zone</p> <p><u>Part 13.0 - Oak Ridges Moraine Zones</u></p>
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		<p><u>Table 13A – Permitted Uses in Oak Ridges Moraine Zones</u></p> <p>Home Businesses are permitted in the Oak Ridges Moraine Core (ORMC) Zone, The Oak Ridges Moraine Countryside (ORMCS), and The Oak Ridges Moraine Industrial Extractive (ORMIE) Zone</p>
<p><b>Aurora</b> Comprehensive Zoning By-law 6000-17 (consolidated 2019)</p>	<p><b>Home Occupation:</b> Means an occupation which is carried on by and includes the persons residing in a dwelling or dwelling unit and such Home Occupation uses include but are not limited to a studio; tailor; office; office of one (1) medical practitioner; (teaching) and dance or musical instruction when limited to three (3) students at a time; hair stylist; catering services; pet grooming; and a private home day-care.</p>	<p><b>Home Occupation:</b> <u>Section 4 – General Provisions</u> <u>4.6 Home Occupation</u> Where a Home Occupation is permitted in this By-law, it shall comply with the following regulations: 4.6.1 It shall be conducted entirely within the dwelling or permitted accessory buildings. 4.6.2 There shall be no mechanical equipment used or stored except where ordinarily used for domestic purposes. 4.6.3 No more than one person not resident in the dwelling shall be employed in the Home Occupation. 4.6.4 Such a Home Occupation shall be clearly secondary to the main residential use of a building and shall not change the residential character of a dwelling house or unit. 4.6.5 Not more than twenty-five (25) percent of the gross floor area of the dwelling shall be used for the purpose of Home Occupation uses, and in no case shall the home occupation exceed 45 square metres. 4.6.6 Where a single detached dwelling unit, semi-detached dwelling unit, or link house dwelling unit contains a second suite dwelling unit and is permitted to have a Home Occupation, the Home Occupation shall be permitted in only one unit.</p> <p><u>7.1.1 Residential Permitted Uses</u> Home Occupations are permitted under the following Residential Zones: Estate Residential (ER), Detached First Density Residential (R1), Detached Second Density Residential (R2), Detached Third Density Residential (R3), Detached Fourth Density Residential (R4), Detached Fifth Density Residential (R5), Semi-Detached and Duplex Dwelling Residential (R6), Special Mixed Density Residential (R7), Townhouse Dwelling Residential (R8)</p> <p><u>12.1 Rural Permitted Uses</u> Home Occupations are permitted under the Rural (RU) Zone</p> <p><u>17.2 Oak Ridges Moraine Permitted Uses</u> Home Occupations are permitted under the Natural Linkage Core Area (NL-ORM-1) Zone</p> <p><u>5.4 Parking Standards</u> The following Parking Standards apply to the total Gross Floor Area (GFA) related to the use, unless otherwise specified in this By-law. For Home Occupations: 1.0 space per 25 m2 of GFA for Home Occupation purposes in addition to the residential requirement</p>

		2.0 spaces per 25 m2 of GFA for the office of a medical practitioner in addition to the residential requirement
<b>Stouffville</b> Comprehensive Zoning By-law 2010-001-ZO (2011)	<p><b>Home Industry Use:</b>  A small-scale light industrial use, such as a carpentry shop, metal working shop, welding shop, electrical shop, small equipment repair shop, gardening establishment or blacksmithing establishment, primarily for the farming community, that:</p> <ul style="list-style-type: none"> <li>i) is carried on as a small-scale use that is accessory to a use in a single detached dwelling;</li> <li>ii) may be carried on in whole or in part in the dwelling or an accessory building;</li> <li>iii) has no external signage;</li> </ul> <p>Home Industry uses do not include uses such as an automotive sales and service uses or motor vehicle body repair shops or furniture stripping.</p> <p><b>Home Occupation:</b>  An occupation or business carried out by an occupant within a single detached dwelling unit as an accessory use, relating to the provision of personal services or professional services, or the production of custom or artisanal</p>	<p><b>Home Industry:</b>  <u>Section 3 - General Provisions</u>  <u>3.26 Home Industry Uses</u>  Home Industry uses may include production of custom or artisanal products and services such as carpentry, metalworking, welding, electrical work, gardening or blacksmithing, primarily for the farming community. Home industry uses are permitted in all zones set out in Section 4 that permit a single detached dwelling, provided that the lot containing any such home industry use is a minimum of 5 ha in lot area, that the use complies with all of the provisions of this By-law relating to the zone in which it is located, and that:</p> <ul style="list-style-type: none"> <li>i) In addition to persons living in the dwelling unit, a maximum of one person who is not resident in the dwelling unit may be engaged in the home industry use;</li> <li>ii) The home industry use may be located in part of a dwelling unit or in any accessory building or structure, provided that no more than 25% of the GFA of the dwelling unit or accessory building or structure shall be used for the home industry use to a maximum of 140 m2;</li> <li>iii) There is no outdoor storage or display or signage associated with the home industry use</li> <li>iv) A maximum of one home industry use is permitted on a lot;</li> <li>v) The home industry does not involve any changes to the outward appearance of the building except for any modifications required to accommodate barrier free access;</li> <li>vi) The single detached dwelling in which the home industry is located is the principal residence, as defined in the Income Tax Act, of the person or persons engaged in the home industry use;</li> <li>vii) No retail sales are permitted as part of a home industry use other than the sale of what is produced or repaired on site;</li> <li>viii) The home industry does not generate adverse effects such as that from electrical interference, excessive traffic, parking, noise, or odour</li> </ul> <p><b>Home Occupation:</b>  <u>3.27 Home Occupations</u>  Home occupations are permitted in single detached dwellings and/or accessory buildings in all Rural and Environmental Zones set out in Section 4, in single detached dwellings, and semi-detached dwellings, stacked townhouse dwellings, back to back townhouse dwellings and/or accessory buildings in all traditional Residential Zones set out in Section 5, and all New Residential Zones set out in Section 5A, provided that every home occupation complies with all of the provisions of this By-law relating to the zone in which it is located and provided that:</p> <ul style="list-style-type: none"> <li>i) In addition to persons living in the dwelling, a maximum of one person who is not resident in the single detached dwelling may be engaged in the home occupation use;</li> <li>ii) No more than 25% of the GFA of the dwelling or accessory building may be used for the home occupation use, to a maximum of 90 m<sup>2</sup>;</li> </ul>

	<p>products. Home occupations do not include kennels, animal services, automotive sales and service uses motor vehicle body repair shops, paint shops, medical offices, restaurants, food preparation services, taxi services, bed and breakfast establishments or distribution centres.</p>	<p>iii) There is no outdoor storage or display or signage associated with the home occupation use;</p> <p>iv) The home occupation is clearly secondary to the use of the dwelling;</p> <p>v) The home occupation does not involve any changes to the outward appearance of the building except for any modifications required to accommodate barrier free access; vi) The dwelling in which the home occupation is located is the principal residence, as defined in the Income Tax Act, of the person or persons engaged in the home occupation use; vii) No retail sales are permitted as part of a home occupation use other than the sale of what is produced or repaired on site;</p> <p>viii) The home occupation does not generate adverse effects such as that from electrical interference, excessive traffic, parking, noise, or odour; and</p> <p>ix) Home occupations do not include kennels, animal services, automotive sales and service uses, motor vehicle body repair shop, paint shops, medical offices, restaurants, food preparation services, taxi services, bed and breakfast establishment or distribution centres. 3.28 Second Suites</p> <p><u>3.28 Second Suites</u></p> <p>One second suite is permitted in a lawful single detached dwelling, provided that:</p> <p>vi) A home occupation or home industry is not present within the dwelling in which the second suite is located;</p> <p><u>Section 4 - Rural and Environmental Zones:</u></p> <p>Both Home Industry and Home Occupations are permitted in the following zones:</p> <ul style="list-style-type: none"><li>• Agriculture (AG)</li><li>• ENV Outside Oak Ridges Moraine Area</li><li>• ENV Oak Ridges Moraine Area</li><li>• ENV Stouffville/Ballantrae Musselman’s Lake</li><li>• ORM-C - Oak Ridges Moraine - Countryside</li><li>• ORM-L - Oak Ridges Moraine - Linkage</li><li>• ORM-NC - Oak Ridges Moraine - Natural Core</li></ul>
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## Appendix D: Survey Questions

1. What types of home occupations do you think the City should prohibit? Please check all that apply:
  - a. Automotive uses such as repair and sales
  - b. Retail/sale of merchandise
  - c. Office uses
  - d. Manufacturing of products
  - e. Distribution of products
  - f. Indoor or outdoor storage relating to a general contractor
  - g. Food services (e.g. restaurant, and catering/food preparation)
  - h. Pet grooming and related services
  - i. Kennels
  - j. Private lessons (e.g. music, dance, swimming, art etc.)
  - k. Medical offices (e.g. physician, dentist, drugless practitioner)
  - l. Personal services (e.g. hair stylist, pedicurist, manicurist and tailor)
  - m. Other (please specify)
2. Where should home occupations be permitted? Please select all that apply:
  - a. Single detached dwelling
  - b. Semi-detached dwelling
  - c. Townhouse dwelling
  - d. Apartment dwelling
  - e. None of the above
3. The City currently allows home occupations and home businesses to take up to 25 percent of a household's floor space. The City should (please check one):
  - a. Maintain the existing permission
  - b. Increase the floor area permission
  - c. Decrease the floor area permission
4. Should home occupations and home businesses be allowed to have employees who do not live in the household (i.e. non-household employees)?
  - a. Yes
  - b. No
5. How many non-household employees should be permitted at any given time? Please check one:
  - a. One
  - b. Two
  - c. No limit
  - d. Other (please specify)
6. How many clients should be allowed to visit a home occupation or a home business at any given time? Please check one:

## Appendix D: Survey Questions

- a. Zero
  - b. One to Three
  - c. Four to Six
  - d. No limit
  - e. It depends on the nature of the business
  - f. Other (please specify)
7. The City does not currently require extra parking be provided for a home occupation, home business or home industry. Do you think the City should (please select all that apply):
- a. Continue exempting parking
  - b. Require parking for non-resident employees
  - c. Require parking for customers
  - d. Monitor on-street parking and enforce restrictions
  - e. Encourage greater use of transit, walking and cycling, rather than motor vehicle travel
  - f. Other (please specify)
8. What are your concerns when it comes to the operation of a home occupation or home business near you? Please check all that apply:
- a. Traffic and pedestrian safety
  - b. Aesthetics
  - c. Odour and emissions
  - d. Noise and vibrations
  - e. Heat, glare
  - f. On-street parking
  - g. On-site storage (outdoor or indoor)
  - h. Other (please specify)
9. How do you think the City should consider regulating home industries? Please check all that apply:
- a. Limiting the floor area of the use within the dwelling
  - b. Limiting the floor area of the use within an accessory detached building
  - c. Limiting the number of non-resident employees
  - d. Limiting the number of customers at any given time
  - e. Requiring minimum setbacks from adjacent residential uses
  - f. Requiring parking
  - g. Other (please specify)
10. A live-work unit is a single residential unit (e.g. studio, loft, or apartment) consisting of both a commercial, retail, and/or office component and a residential component that is occupied by the same resident who operates the business and is primarily located within the centres (e.g. Richmond Hill Centre and the Downtown Local Centre) and corridor (e.g. Yonge Street and Highway 7) as identified in the City's Official Plan. How should the

## Appendix D: Survey Questions

City regulate live-work units in the centres (e.g. Richmond Hill Centre and the Downtown Local Centre) and corridors (e.g. Yonge Street and Highway 7). Please check all that apply:

- a. Limiting live-work units to the ground floor
- b. Allow live-work units on the upper floor(s)
- c. Limiting the number of non-resident employees
- d. Limiting the number of customers at any given time
- e. Requiring minimum setbacks from adjacent residential uses
- f. Requiring parking
- g. Other (please specify)

11. What type of residence do you currently live in?

- a. Single detached
- b. Semi-detached
- c. Townhouse
- d. Apartment

12. Do you operate a home occupation or home business from your place of residence in Richmond Hill?

- a. Yes
- b. No

13. What type of home occupation or home business do you operate?

14. Do you operate a home industry from your place of residence in Richmond Hill?

15. What type of home industry do you operate?

16. Do you live in a live-work unit in Richmond Hill and operate a business?

- a. Yes
- b. No

17. What type of business do you operate?