

Attachment 3: Draft Zoning By-law Amendment: Specific Use Regulations, Home Occupations

Authority: **Planning and Housing Committee** Item [-], as adopted by City of Toronto Council on [-]

Explanatory Comment: This by-law adds permissions for home occupations that would allow a limited number of clients and employees to attend a home occupation, and allow home occupations to occur in an ancillary building, including music or dance instruction. The majority of the current Use Specific Regulations for Home Occupations remain unchanged.

CITY OF TORONTO

BY-LAW **[Clerks to insert By-law number]**

To amend Zoning By-law 569-2013, as amended, with respect to home occupation permissions.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act, as amended;

The Council of the City of Toronto enacts:

1. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, as amended, Chapter 800 Definitions.

Explanatory Comment: Provision 2 would clarify that there are situations in which a **home occupation** can be a **personal service shop** or medical office by making reference to the applicable regulations for these **home occupation** uses.

2. Zoning By-law 569-2013, as amended, is further amended by replacing Regulations 150.5.20.1(1)(B), (C) and (D), so that they read:
 - (B) be a **personal service shop**, except as permitted in regulation 150.5.20.1(7);
 - (C) be an office or medical office for a professional regulated under the College of Physicians and Surgeons of Ontario, except as permitted in regulation 150.5.20.1(8);
 - (D) be an office or medical office for a professional regulated under the Regulated Health Professions Act, 1991, S.O. 1991, c. 18, as amended, except as permitted in regulation 150.5.20.1(8);

Explanatory Comment: Provision 3 would remove the prohibition against allowing clients or customers to attend a home occupation for certain specified use types. Currently, only an education use is excluded from this prohibition.

3. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 150.5.20.1 (2), so that it reads:

(2) Home Occupation – Limitations on Customer or Client Attending the Premises for Specified Reasons

- (A) A home occupation, other than one for an **education use**, **artist studio**, office, **service shop** or **custom workshop**, may not have clients or customers attending the **premises** for:
- (i) consultations; or
 - (ii) receiving services
 - (iii) obtaining physical goods.

Explanatory Comment: Provisions 4 and 6 would remove the prohibition against a home occupation in an ancillary building.

4. Zoning By-law 569-2013, as amended, is further amended by amending Regulation 150.5.20.1 (4) by adding the words “or an **ancillary building**” after the words “**detached house**”, so that it reads:

“(4) Home Occupation – Music or Dance Instruction Permitted in a Detached House Only

A **home occupation** for music or dance instruction and training may only be in a **detached house** or a detached **ancillary building**.”

Explanatory Comment: Provision 5 would allow a home occupation to have up to three employees, at least one of which must be the business operator. The dwelling unit must still be the principal residence of the business operator.

5. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 150.5.20.1 (6), so that it reads:

“(6) Home Occupation – Employees

A **home occupation** may have two employees working in the **dwelling unit** in addition to the business operator.”

Explanatory Comment: Provisions 4 and 6 would remove the prohibition against a home occupation in an ancillary building.

6. Zoning By-law 569-2013, as amended, is further amended by replacing

Regulation 150.5.60.1 (1) so that it reads:

“(1) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)”

Explanatory Comment: Provision 7 would allow for a parking space to be removed in order to facilitate the establishment of a home occupation in an ancillary garage.

7. Zoning By-law 569-2013, as amended, is further amended by adding to Section 150.5 Home Occupation, a new Article 150.5.80 Parking and Bicycle Parking, Clause 150.5.80.1 General, and Regulation 150.5.80.1(1) so that it reads:

“150.5.80 Parking and Bicycle Parking

150.5.80.1 General

(1) Parking Space Requirement for a Lot with a Home Occupation

Despite the parking space requirements in regulations 200.5.10.1(1) and 200.5.10.11(1)(C):

(A) A **lawful parking space** located inside an **ancillary building** may be used as **interior floor area** for a **home occupation**, and no further **parking space** is required for the associated **dwelling unit** that is the principal residence of the business operator.”

Explanatory Comment: Provision 8 clarifies that a home occupation does not permit the premise to operate as a warehouse.

8. Zoning By-law 569-2013, as amended, is further amended by adding to Clause 150.5.20.1 a new Regulation (9) so that it reads:

“(9) Home Occupation – No Warehouse

The **premises** used as a **home occupation** must not operate as a **warehouse** for the distribution of goods or commodities;”

Explanatory Comment: Provision 9 provides additional maximum interior floor area requirements to include ancillary buildings as a home occupation is now permitted in an ancillary building.

9. Zoning By-law 569-2013, as amended, is further amended by replacing Clause 150.5.40.40 so that it reads:

150.5.40.40 Floor Area

(1) Home Occupation - Maximum Interior Floor Area

The floor area for a **home occupation** may not exceed the lesser of:

(A) 25% of total **interior floor area** of the **dwelling unit** or living accommodation the **home occupation** is located in; or

(B) 100 square metres.

(2) Home Occupation - Interior Floor Area Calculation

For the calculation of **interior floor area** for a **home occupation** referred to in regulation 150.5.40.40(1)(A), the **interior floor area** includes all areas that the **dwelling unit** or living accommodation exclusively and separately occupies, including **ancillary buildings** or **structures**.

Explanatory Comment: Provision 10 provides an update to the definition of home occupation to account for the permission of allowing a home occupation in an ancillary building.

10. Zoning By-law 569-2013, as amended, is further amended by replacing Regulation 800.50(345) so that it reads:

(345) Home Occupation

means a business use within a **dwelling unit**, living accommodation or **ancillary building** or **structure**, where the **dwelling unit** or living accommodation is the principal residence of the business operator.

Enacted and passed on [Clerks to insert date].

[full name],
Speaker

[full name],
City Clerk

(Seal of the City)