



Corporation of the Municipality of Temagami

Memorandum to Council

Memo No.
2018-M-015

Staff

Committee

Subject:	PAC recommendation regarding Mr. Simpson correspondence date March 5, 2018
Agenda Date:	March 22, 2018
Attachments:	

RECOMMENDATION



To recommend that:

WHEREAS at the Planning Advisory Committee meeting held on March 13, 2018 the Committee reviewed the correspondence from Mr. Simpson;

NOW THEREFORE BE IT RESOLVED THAT that Council receive Memo-2018-M-015 regarding the recommendation from PAC to amend the zoning by-law to include a broader definition of home occupation/home industry;

AND FURTHER THAT Council if they deem it desirable adopt the recommendation from PAC;

AND FURTHER THAT Council direct staff to proceed with a municipal initiated zoning by-law amendment.

INFORMATION

At the March 13, 2018 PAC meeting the Committee revised the agenda to include correspondence from Mr. Simpson regarding his diving business. The committee discussed the importance of bringing in new business and promoting economic prosperity and passed the following motion:

18-22

MOVED BY: J. Kenrick

SECONDED BY: B. Leudke

BE IT RESOLVED THAT *the Committee recommends to Council to proceed with a Zoning By-law Amendment in response to the correspondence from Mr. Simpson's inquiry dated march 5, 2018 and encourages a broader range of the definition in the zoning by-law of home occupation/home industry;*

AND FURTHER THAT *the definition of home occupation/home industry include home teaching and small learning facility in section 6.23 (g).*

CARRIED

Council should keep in mind that s.6.23 (g) "Home Occupation" states:

"Such a home occupation may include a service or repair shop, a personal service shop, tradesperson, the office of a doctor, dentist, lawyer, or a real estate agent, insurance agent, planner, architect, or engineer, professional offices but a clinic, a hospital, a nursing home, a tea room and an animal hospital shall not be deemed to be home occupations."

The definition of a home occupation in the zoning by-law is as follows:

"Home occupation shall mean any gainful occupation which is conducted within the dwelling unti by the resident(s) of the dwelling, and such home occupation is clearly secondary to the main residential use, does not change the residential character of the dwelling and as further defined in this Zoning By-law."

If Council if deems it desirable to proceed with a municipally initiated zoning by-law amendment it will still require the following legislative process:

1. Preparation of a draft bylaw wording.

2. Notice of public meeting 20 days prior to Public Meeting;
3. Circulate to properties within a 120m (394 Feet) 20 days prior to Public Meeting;
4. Public meeting held to receive comments; and
5. Notice of decision within 15 days to all interested parties.

**** Note: after Council makes a decision on the by-law amendment it is subject to a 20 day appeal period.**

These recommendations have not been reviewed by staff. When reviewing a request and preparing a recommendation for Council consideration, staff would typically consider the following factors:

- Operating and capital budget,
- Staff resources,
- Material costs,
- Government grants,
- Municipal policies,
- Legislation and
- Risk assessment

Prepared by:

Reviewed by & Approved for Council consideration

**Tammy Lepage,
Planning Assistant**

**Elaine Gunnell,
Municipal Clerk**

Name & Position

Name & Position

Planning Advisory Committee