

City of Maple Ridge

TO: Her Worship Mayor Nicole Read
and Members of Council
FROM: Chief Administrative Officer
MEETING DATE: December 5, 2017
FILE NO: 2017-242-RZ
ATTN: Council
SUBJECT: Home Occupation Regulations
Second Reading: Maple Ridge Zone Amending Bylaw No. 7394-2017, as amended

EXECUTIVE SUMMARY:

Council directed that the City's home occupation regulations be reviewed as an outcome of the Commercial & Industrial Strategy. The intent of the review was to look at ways to update, modernize, and improve regulations to better facilitate our existing licenced home based businesses and provide greater opportunities for enabling home based businesses in the City while balancing the needs of the neighbourhoods in which these businesses exist.

Taking into account Council's comments at the October 24, 2017 Council Meeting, this report provides a revised set of regulatory changes for the home occupation regulations for Council to consider. While the intent of the new directions remain the same, the proposed home based business program now creates a four-pronged set of regulations: one for multi-unit dwellings, one for one-family and two-family residential zoned lots less than 1,200m² (0.3 ac); another for one-family and two-family residential zoned lots greater than 1,200m² (0.3 ac); and one for larger properties (1+ acres). The separate multi-unit classification allows for home occupations operating within such dwelling units to be regulated differently than those occurring within detached single-family homes. The new classification retains some of the earlier proposed new home occupation directions, but does now propose to reduce the number of allowed client visitations, reverting the limits to those found in the City's existing home occupation regulations.

Along with the above noted revision, minor other clarifications are proposed for Bylaw No. 7394-2017 from when it was presented for first reading. With such changes, the second reading of Bylaw No. 7394-2017 is recommended and that the Bylaw be forwarded to the next public hearing.

RECOMMENDATION:

- 1. That Maple Ridge Zone Amending Bylaw No. 7394-2017, as amended, be given second reading and be forwarded to the next public hearing.**

BACKGROUND:

In 2015, following the Council resolution that the regulations for home based businesses be reviewed, staff undertook a background review, held internal meetings with Economic Development and Bylaw & Licencing Services Departments, and drafted a discussion paper on home based business as a means of identifying the potential areas where regulatory revisions might occur.

In 2016, the Economic Development Committee established three task forces to reflect key directions for the Economic Development Department: Tourism, Technology, and Home Based Business. The Home Based Business Task Force (HBB Task Force) began meeting in the summer of 2016. Task Force meetings were attended by staff from Economic Development, Planning and Bylaw & Licencing Services. Since that time, the HBB Task Force has identified three components to address for home based business: regulations, communication, and process.

In January 2017, staff reviewed current and possible new zoning regulations with the HBB Task Force for feedback. Following that meeting, staff from Economic Development, Planning, and Bylaw & Licencing Services prepared a draft set of possible new regulations for home based businesses.

On March 6, 2017, a number of possible home based business regulatory requirements were presented for Council consideration. In the Council discussion that ensued, Council raised the issue of whether the proposed revisions went far enough, given the economic opportunities home based businesses are perceived to present to Maple Ridge residents. In addition, Council raised questions, sought clarity on the possible new home based business zoning bylaw requirements and then directed staff to bring the item back for further Council consideration.

From March through June 2017, building on the work undertaken to-date, Staff continued to collaborate with the HBB Task Force to further explore opportunities to improve home based business regulation in the City. These revised directions and the parameters that influenced their further evolution were presented to Council on July 18, 2017. Council also endorsed the proposed consultation program at this meeting.

Throughout September 2017, the community expressed broad levels of support for the Home Based Business Update process and the proposed changes to the home occupation regulations. Several outreach initiatives took place, including a public open house, presentations at local business groups, a networking event hosted by the Home Based Business Task Force, and a community survey (with over 115 received responses). Throughout the process, many residents indicated that it was an appropriate time for this level of change to the home occupation regulations in Maple Ridge, citing the changing nature of business and household needs. Members of local business groups also expressed enthusiasm for the proposed changes to the home occupation regulations and were pleased to see the City emphasizing the importance of local business development. Overall, clear community support for the proposed new regulations was identified.

On October 17, 2017, staff presented the results of the community consultation and Council passed a resolution that the bylaw to amend the home occupation regulations of the Zoning Bylaw be forwarded to the next Council meeting for consideration of first reading.

On October 24, 2017, Bylaw No. 7394-2017 received first reading. In the Council discussion, Council raised questions and sought clarity on the proposed changes to the amendments to the home occupation regulations.

ZONE AMENDING BYLAW CONSIDERATIONS:

Maple Ridge Zone Amending Bylaw No. 7394-2017 is being presented for Council consideration for second reading. If read a second time, it is requested that the bylaw be forwarded to the next available Public Hearing. The full text of the revised Zone Amending Bylaw No. 7394-2017 is available in Appendix A.

At the time of first reading, Council debated the proposed regulations in light of possible implications stemming from the proposed level of customer and employees visitation should a home occupation be operated from a multi-unit dwelling. As well, discussion was also held on the overall impacts of home occupations upon on-street parking.

In response, staff has revisited the proposed regulations as well as existing zoning requirements, and is now proposing a four-pronged approach: with a new Home Occupation category being proposed specifically for multi-unit dwellings. That is, a new Type 1 Home Occupation category permits home occupations in multi-unit dwellings, while Type 2 is for home occupations occurring on one-family and two-family residential zoned lots less than 1,200m² (0.3 ac). Type 3 Home Occupations occur on one-family and two-family residential zoned lots greater than 1,200m² (0.3 ac), and a Type 4 Home Occupation is for operations on larger properties (1+ acres).

Details regarding the new Type 1 classification are provided below, while staff note, that aside from the name change, the regulations proposed for Types 2, 3 and 4 Home Occupations remain unchanged from the October 2017 reports.

a) Home Occupations in a Multi-Family Unit

Given the discussion that took place at the October 24, 2017 Council Meeting, it is now proposed to largely maintain the current regulation regime for home occupations occurring in a multi-family unit, as they relate to the number of employees and visitors permitted; namely:

- to only permit 1 non-resident employee (subject to accommodating employee parking on-site); and
- to only permit visitation of clients for a Tutoring & Lesson use, limited to 2 classes per day and no more than 6 client visits per day.

It is still proposed to expand the permitted size of a home occupation occurring in a multi-family unit from the current 20% (up to 50m²) to 30% (up to 50m²) of the gross floor area. It is also still proposed to expand the types of activities permitted as a home occupation occurring in a multi-family unit, recognizing that many of these activities (e.g. health and personal services) would now be restricted to off-site or mobile-based services only.

b) Number of Visitations per Home Occupation

Following up on a Council question regarding the number of home occupations that may be permitted per dwelling under the proposed Zone Amending Bylaw, and the ensuing number of potentially combined employees and client visits that may occur, Bylaw & Licencing Services staff identify that there is not currently (or proposed) a limit to the number of business licences that may be issued to a particular dwelling unit. This is consistent with the practice for commercial spaces.

Acknowledging that, Planning staff also proposes a further refinement to Zone Amending Bylaw No. 7394-2017 to include wording that the number of client visits permitted, regardless of classification, should be tied to the lot on which the home occupation activities take place. Said differently, as per our Business Licencing and Regulation Bylaw, should someone be granted more than one business licence to operate different home occupations from a property, the number of visitations to that lot would now be fixed (e.g. at 10 for a Type 2 Home Occupation) and not be cumulative.

c) Parking Considerations

Under the proposed new Home Occupation regulations, parking related to non-resident employees under all types of home occupations are envisioned to be dealt with on-site, similar to the existing zoning requirements. However, it was noted during the recent Council dialogue that there may be an interest in seeing all parking generated by a home occupation (i.e. visitors and employees) accommodated on the subject property. As such, staff re-visited the work undertaken early in the review process and specifically, re-examined the approaches undertaken by neighbouring municipalities with regards to home occupation parking.

From the research staff observed that some communities do include off-street parking requirements for home occupations; with many such requirements focused on accommodating the associated employee parking. However, the majority of home occupation regulations for those communities reviewed were found to be silent on the issue of accommodating visitor parking. Table 1 in Appendix B summarizes the various parking requirements associated with home occupations from several surrounding communities.

Based on the background research and the inputs received through the recent community engagement process, staff continues to recommend that additional on-site parking for visiting clients not be required. Staff also notes for Council the inherent challenges associated with accommodating

such parking on-site, especially in light of competing interests on such properties stemming from the accommodation of parking for secondary suites and detached garden suites. In addition, as proposed above, the number of permitted visits has been reduced for home occupations occurring in multi-family and single family units with an accessory dwelling unit resulting in reduced potential impacts. Further, the inclusion of provision 402(10)(j)(viii) regarding parking shortages in the amending bylaw provides additional enforcement oversight. Staff also notes that not all home occupation uses will require visits by clients to be viable.

Should the proposed amendments be adopted, Bylaw & Licencing Services have agreed to monitor and report back on any resulting neighbourhood impacts from increasing the number of visiting clients. That said, should Council remain concerned about parking spill-over resulting from the proposed home occupation regulations, Planning and Bylaw & Licencing Services staff offer as an alternative approach that, rather than a focus on parking, that staff be instructed to re-assess the proposed number of potential visitations permitted under each home occupation type.

d) Summary of Home Occupation Classifications:

In summary, subject to further discussion, the proposed home based business program now creates a four-pronged set of regulations:

- Creates a new **Type 1 Home Occupations** for home occupations occurring in multi-unit dwellings;
- Renamed **Type 2 Home Occupations**, this category covers home occupations occurring on one-family and two-family residential zoned lots less than 1,200m² (0.3 ac);
- Renamed **Type 3 Home Occupations**, this category covers one-family and two-family residential zoned lots greater than 1,200m² (0.3 ac); and
- Maintains a category for larger properties (1+ acres), now called **Type 4 Home Occupations**.

OTHER CONSIDERATIONS: STRATA COUNCILS & LANDLORD NOTIFICATION

Having confirmed with the Residential Tenancy Branch that the *Residential Tenancy Act* does not prohibit home occupation uses, it is therefore at the discretion of strata councils or landlord to make known any limitations on home occupations as conditions to a tenancy. That is, strata councils and landlords (property owners) can opt not to permit home occupations or decide the extent to which a home occupation use can occur so long as home occupations are permitted under the City's zoning. Zone Amending Bylaw No. 7394-2017 is premised on the expectation that each strata council and/or landlord would implement the bylaw relative to their own interests.

Noting the above, in response to Council's interests that local strata councils be effectively informed of the proposed amendments to the Zoning bylaw, and afforded sufficient time to alter their bylaws or tenancy agreements as appropriate, Staff intend to notify local strata associations (including the Condominium Home Owners Association of BC) as part of the Public Hearing notification, should the Zone Amending Bylaw be referred. Further, should the Bylaw receive third reading, staff will again notify local strata councils of the proposed changes in order to provide strata councils an opportunity to make any necessary changes to their own bylaws.

HOME BASED BUSINESS TASK FORCE:

Staff provided an update to the Home Based Business Task Force at the November 28, 2017 meeting, and outlined the suggested changes related to home occupations in multi-unit dwellings. Task Force members acknowledge Council's considerations and re-affirmed their support for the proposed changes to the Home Occupation regulations. They continue to express interest in a broader approach for home based businesses provided neighbourhood needs can be balanced.

INTERGOVERNMENTAL IMPLICATIONS:

a) Agricultural Land Commission

As the Agricultural Land Commission (ALC) allows home occupation on parcels in the Agricultural Land Reserve (ALR) and this Bylaw regulates land use within the ALR, Zone Amending Bylaw No. 7394-2017, was referred to the ALC for comment.

The ALC raised no comments with the Zone Amending Bylaw and specifically identified its full support for the City's inclusion of provision 402(4)(i) which ensures that applicants are aware that any home occupation use within the ALR must comply with the *Agriculture Land Commission Act (ALCA)* and Regulation.

The ALC does request that they be consulted when any Type 4 Home Occupation uses are proposed for ALR properties, particularly if new site-specific zoning is proposed, so that they can assist with ensuring that any bylaw changes fully align with the *ALCA* and Regulation.

INTERDEPARTMENTAL IMPLICATIONS:

a) Bylaw & Licencing Services Department

The Bylaw & Licencing Services Department has been working in collaboration with both the Planning and Economic Development Departments. Recognizable challenges have been raised over a number of the proposed amendments. Bylaw & Licencing Services staff are interested in using the home based business regulatory review process as an opportunity to align several bylaws, including the Business Licencing and Regulation Bylaw. It would also be an opportunity to refine and potentially address some of the previously identified issues with the home based business licencing process. Should the proposed changes be adopted, changes to the Business Licencing and Regulation Bylaw would be required and would follow in a separate report. This may include requirements that applicants for a licence to undertake a Type 1 Home Occupation (multi-unit dwellings) provide evidence that the associated strata bylaws permit home occupations, as well as outline possible implementation steps for business licence conditions and for mobile business licences.

b) Economic Development Department

As the organizers of the HBB Task Force, the Economic Development Department has been involved with the home based businesses review. The Economic Development Department supports and encourages the expansion of home occupations within the City as they are considered an essential step in creating businesses within the community. Additional reports to Council regarding the work of the HBB Task Force in regards to the communication and process components will be forthcoming through the Economic Development Department.

CONCLUSION:

The intent of the home based business review was to look at ways to update, modernize and improve regulations to better facilitate existing home occupations and to provide greater opportunities for expanding home occupations in the City while balancing the needs of the residential communities in which these operations exist. Taking into account Council’s comments at the October 24, 2017 Council Meeting, this report provides a revised set of regulatory changes for the home occupation regulations for Council to consider. With the new changes, it is requested that Zone Amending Bylaw No. 7394-2017, as amended, be read by Council for a second time and then be forwarded to the next available public hearing.

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Approved by: Paul Gill, CPA, CGA
Chief Administrative Officer

The following appendix is attached hereto:

Appendix A – Zoning Bylaw Amendment Bylaw No. 7394 – 2017

Appendix B – Municipal Comparison of Home Occupation Parking Requirements

CITY OF MAPLE RIDGE BYLAW NO. 7394-2017

A Bylaw to amend the text of Maple Ridge Zoning Bylaw No. 3510-1985 as amended

WHEREAS, it is deemed expedient to amend the Maple Ridge Zoning Bylaw No. 3510-1985 as amended:

NOW THEREFORE, the Municipal Council of the City of Maple Ridge, enacts as follows:

1. This bylaw may be cited as “Maple Ridge Zone Amending Bylaw No. No Bylaw 7394-2017”.
2. That PART 2 INTERPRETATION is amended by inserting the following between “Animal Shelter” and “Apartment”:
ANIMAL SERVICES means a use providing individualized services to an animal recipient. Typical services include walking, grooming, dog day care, aqua or physical therapy, and training. Does not include commercial kennels, breeding, and dog boarding.
3. That PART 2 INTERPRETATION is amended by inserting the following between “Boarding” and “Body Rub Studio”:
BODY MODIFICATION means altering a person’s body for nonmedical purposes, and includes but is not limited to piercing, tattooing and micro-pigmentation services.
4. That Part 2 INTERPRETATION definition of “Business Services” is deleted and replaced with:
BUSINESS SERVICES means a use providing services to a business including, but not limited to, information technology and support, desktop publishing, data processing, bookkeeping, internet access, copying and printing services, mailing services, telephone reception and consulting services.
5. That PART 2 INTERPRETATION is amended by inserting the following between “Habitable Room” and “Height”:
HEALTH SERVICES means a use providing medical services to the general public where the practitioner is subject to a College or Association that has been delegated the authority, under provincial legislation, to govern the practice of their members in the public interest, and includes, but is not limited to, audiologists, chiropractors, dentists, nurses, massage therapists, optometrists, physicians and traditional Chinese medicine practitioners.
6. That PART 2 INTERPRETATION is amended by inserting the following between “Home Occupation” and “Housing Agreement”:
HOMECRAFT means a use providing for the small scale production of goods intended for sale, consumption or use by another. Typical uses include, but not limited to, art, photography, jewelry, food, bath and beauty products, clothing and toys.
7. That PART 2 INTERPRETATION is amended by inserting the following between “Net Density” and “Office Use”:
NON-RESIDENT EMPLOYEE means a person receiving or entitled to receive wages or other compensation for work performed for an employer operating a home occupation but is not a resident on the lot. It also includes a person being trained by an employer for an employer’s home occupation.

8. That Part 2 INTERPRETATION definition of “Personal Service” is deleted and replaced with:
PERSONAL SERVICES means a use providing individualized services to a recipient. Including, but not limited to, animal services, barbering, beauty salons, hairdressing, personal wellness, tailoring, shoemaking, dry-cleaning, personal trainers, nutritionists, and weight loss clinics, but excluding overnight boarding of dogs, kennels, adult entertainment and pawnshop use.
9. That Part 2 INTERPRETATION definition of “Professional Services” is deleted and replaced with:
PROFESSIONAL SERVICES means a use providing services to the general public in which the provider of the service is required to be licensed or certified by a self-regulating professional association or by Federal, Provincial, or Municipal authorities and may include, but not be limited to, accountants, architects, engineers, health service providers, insurance and employment agencies, lawyers, planners, real estate agents, and veterinarians.
10. That Part 4, GENERAL REGULATIONS, 402 REGULATIONS FOR PERMITTED USES OF LAND, BUILDINGS & STRUCTURES (4) Home Occupation Use be amended by deleting the existing regulation under Section 402 (4) in their entirety, and inserting the following:

Where permitted, a Home Occupation shall:

- (a) Be entirely enclosed within:
 - (i) A dwelling unit; or
 - (ii) An accessory building.
- (b) Be considered for Agricultural, Residential and CD (Comprehensive Development) zones:
 - (i) A Type 1 Home Occupation where the operation occurs in a multi-family dwelling unit, unless otherwise prohibited by this Bylaw; or
 - (ii) A Type 2 Home Occupation where the operation occurs on a lot less than 1,200.0 m²; or
 - (iii) A Type 3 Home Occupation where the operation occurs on a lot equal to or greater than 1,200.0 m²; or
 - (iv) A Type 4 Home Occupation where the operation occurs on a lot equal to or greater than 0.4 ha, as expressly permitted by this Bylaw.
- (c) Occupy not more than:
 - (i) 30% of the gross floor area of the dwelling unit in which the home occupation is located, up to maximum of 50.0 m² in total for Type 1 Home Occupations; or
 - (ii) 30% of the gross floor area of the dwelling unit and accessory building in which the home occupation is located, up to maximum of 50.0 m² in total for Type 2 Home Occupations; or
 - (iii) 45% of the gross floor area of the dwelling unit and accessory building in which the home occupation is located, up to a maximum of 100.0m² in total for Type 3 Home Occupations;

- (d) Be conducted by the resident of the dwelling unit and, provided that non-resident employee parking is accommodated on-site, be permitted up to a maximum of:
 - (i) 1 non-resident employee per dwelling unit for Type 1 Home Occupations; or
 - (ii) 2 non-resident employees per dwelling unit for Type 2 Home Occupations; or
 - (iii) 3 non-resident employees per dwelling unit for Type 3 Home Occupations.

- (e) Be permitted on-site client visits, only by appointment scheduled in advance, up to a maximum of:
 - (i) 6 clients per day per dwelling unit for Type 1 Home Occupations, limited to Tutoring & Lesson uses only;
 - (ii) 10 clients per day per lot for Type 2 Home Occupations; or
 - (iii) 16 clients per day per lot for Type 3 Home Occupations.

- (f) Be permitted, subject to Section 402.4 (e), group sessions up to a maximum of:
 - (i) 2 group sessions per day for Type 1 Home Occupations, limited to Tutoring & Lessons use only; and
 - (ii) 6 clients at any one time for Type 2 Home Occupations; and
 - (iii) 8 clients at any one time for Type 3 Home Occupations.

- (g) Be permitted for the following uses:
 - (i) Animal Services, excluding dog day care and for Type 1 and Type 2 Home Occupations, restricted to off-site or mobile-based services only;
 - (ii) Business Services;
 - (iii) Office uses;
 - (iv) Health Services, for Type 1 Home Occupations, restricted to off-site or mobile-based services only;
 - (v) Homecraft;
 - (vi) Personal Services, excluding dry cleaning and for Type 1 Home Occupations, restricted to off-site or mobile-based services only;
 - (vii) Professional Services;
 - (viii) Tutoring & Lessons;
 - (ix) Family Day Care, unless otherwise expressly prohibited by this Bylaw. For Neighbourhood Day Care requirements refer to Section 402.10 of this Bylaw; and
 - (x) Off-site, online and mobile-based sales.

- (h) Be permitted the storage on the lot of not more than one vehicle provided that it is used in connection with the home occupation and that such vehicle not be in excess of 3,630.0 kilograms licenced gross vehicle weight and be subject to Section 402.6 of this Bylaw.

- (i) Comply with Agricultural Land Reserve Use, Subdivision and Procedure Regulation (BC Reg. 171/2002), Section 3(1)(c) and ALC Policy L-07 Home Occupation Use in the ALR.

(j) Be prohibited for the following uses and/or activities:

- (i) Body modification;
- (ii) Assembly use;
- (iii) Orchestra and band training;
- (iv) A family daycare use within a dwelling unit in the RM-2 (Medium Density Apartment Residential), RM-3 (Medium/High Density Apartment Residential), an apartment use within RM-4 (Multiple Family Residential), RM-5 (Low Density Apartment Residential), RM-6 (High Density Apartment Residential), C and CS zones;
- (v) The unenclosed storage or display of raw materials, components, or stock-in-trade;
- (vi) The retail sale of goods or products where customers enter the premises to inspect purchase or take possession of goods without making an appointment in advance;
- (vii) The discharge or emit odorous, noxious or toxic matter or vapours, heat, glare, noise or radiation, or recurrently generated ground vibrations;
- (viii) The generation of parking shortages, traffic congestion, electrical interference, fire hazards or health hazards;
- (ix) The use of mechanical or electrical equipment except as is ordinarily employed in purely domestic and household use, or recreational hobbies, or office uses; and
- (x) The external structural alteration to the principal building, ensuring that there shall be no exterior indication that the building is used for a purpose other than a residential use, except for signage permitted in accordance with Maple Ridge Sign Bylaw No. 6830-2011.

11. Maple Ridge Zoning Bylaw No. 3510-1985 as amended is hereby amended accordingly.

READ a first time the day of , 2017.

READ a second time the day of , 2017.

READ a third time the day of , 2017.

ADOPTED the day of , 2017.

PRESIDING MEMBER

CORPORATE OFFICER

APPENDIX B

Table 1: Municipal Comparison of Home Occupation Parking Requirements

Municipality	Permitted Client Daily Visits	Permitted Employee(s)	Client + Employee Parking Requirements
Abbotsford	<p>Level 1: No Visits.</p> <p>Level 2: Shall not generate significant vehicular traffic impacts.</p> <p>Level 3: Same as Level 2.</p>	<p>Level 1: Resident only.</p> <p>Level 2: Resident & 1 non-resident employee.</p> <p>Level 3: Resident & 2 non-resident employees.</p>	<p>Level 1: 0.</p> <p>Level 2: 1 additional parking space for a non-resident employee.</p> <p>Level 3: 2 additional parking spaces for non-resident employees.</p>
Burnaby	Silent	No non-resident employees unless a home occupation child care facility.	Silent
Coquitlam	Silent	No more than 1 non-resident employee.	Silent
Delta	Silent	Resident/Family members no more than 2 persons/resident.	Silent
Langley Township	1 commercial vehicle visit per day & shall not create demand for client parking.	<p>Big Rural: max 3 non-residents.</p> <p>Small Rural: max 2 non-residents.</p> <p>Urban: max 1 non resident.</p> <p>CD: no non-resident.</p>	1 space per non-resident employee.
Langley City	Silent	One resident. One non-resident.	Silent
Mission	10 patrons/students at one time.	<p>Big Rural: max 5 employees; 4 non-resident.</p> <p>Rural: max 4 employees; 3 non-resident.</p> <p>Urban: max 3 employees; 2 non-resident.</p>	<p>1 for each non-resident employee.</p> <p>2 off-street parking spaces for uses involving patrons/students.</p>

Richmond	Max 3 clients on the premises at any one time.	Only by resident.	Silent
Pitt Meadows	Max of 2 clients on premise at any one time.	Not more than 2 employees and 1 must reside in DU.	Silent
Port Coquitlam	Tutoring: 3 at once; 10 per day. Animal: 4 pets per day. Other: 5 business visitors (including deliveries) per day.	A/RS/RD Zones: max 3 employees; 1 non-resident. If tutoring or animal, 1 employee. RTh/RRh/RA/CD/C Zones: no more than 2, both must be residents.	A/RS/RD: 2 off-street parking spaces. Silent for all other zones.
Port Moody	Silent	2 employees.	Silent
Surrey	Silent	Immediate family members only.	Silent
Vancouver	Not permitted.	Not permitted (unless both live at same address).	Silent