



AGENDA

Agenda for the Regular Meeting of the Tahsis Village Council
to be held on March 5th, 2019 in the Council Chambers
Municipal Hall, 977 South Maquinna Drive

A. Call to Order

**B. Introduction of
Late Items**

**C. Approval of the
Agenda**

**D. Petitions and
Delegations**

None.

E. Public Input # 1

**F. Adoption of the
Minutes**

- 1 Minutes of the Regular Council meeting held on February 19th, 2019
- 2 Minutes from the Public Hearing held on February 21st, 2019.
- 3 Minutes from the Committee of the Whole meeting held on February 25th, 2019
- 4 Minutes from the Committee of the Whole meeting held on February 26th, 2019

G. Rise and Report

None.

H. Business Arising

- 1 Report to Council Re: EBC Local Elections Campaign Financing - Notice of Failure to File

J. Council Reports

- 1 Mayor Davis
- 2 Councillor Elder



Minutes

<u>Meeting</u>	Regular Council
<u>Date</u>	19 February, 2019
<u>Time</u>	7:00 PM
<u>Place</u>	Municipal Hall - Council Chambers

Present

Mayor Martin Davis
 Councillor Bill Elder
 Councillor Sarah Fowler
 Councillor Lynda Llewellyn
 Councillor Josh Lambert

Staff

Mark Tatchell, Chief Administrative Officer
 Stéphane Dionne, Fire Chief, Tahsis Volunteer Fire Department
 Janet StDenis, Finance & Corporate Services Manager
 Graham Bosecker, EPC Coordinator & Deputy Fire Chief

Guests

Sgt. Joshua Wiese, NCO i/c, RCMP Nootka Sound Detachment

Public

8 members of the public

A. Call to Order

Mayor Davis called the meeting to order at 7:00 p.m.
 Mayor Davis acknowledged and respected that Council is meeting upon
 Mowachaht/ Muchalaht territory

B. Introduction of Late Items and Agenda Changes

None.

C. Approval of the Agenda

Llewellyn/Fowler: VOT 086/2019

THAT the Agenda for the February 19, 2019 Regular Council meeting be
 adopted as presented.

CARRIED

D. Petitions and Delegations

- 1 **Tahsis Police and Crime statistics – 2017 and 2018. Sgt. Joshua Wiese, NCO i/c, RCMP Nootka Sound Detachment**

Sgt. Joshua Wiese explained his role at the RCMP Nootka Sound Detachment. He also spoke about current and future staffing and infrastructure. The Tahsis crime statistics were explained in detail.

- 2 **Tahsis Volunteer Fire/ Rescue - Annual Statistical Report 2019 - Stéphane Dionne, Fire Chief, Tahsis Volunteer Fire Department**

Fire Chief Stéphane Dionne spoke to his report, explaining the statistics in detail along with fire departmental goals for the current year. Mayor Davis raised a question regarding responding to fire from hybrid vehicle fuel cells to which the Fire Chief responded.

E. Public Input # 1

None.

F. Adoption of the Minutes

- 1 **Minutes of the Regular Council meeting held on February 5th, 2019**

Llewellyn/Fowler: VOT 087/2019

THAT the Regular Council Meeting minutes from February 5th, 2019 be adopted as presented.

CARRIED

- 2 **Minutes from the Committee of the Whole meeting held on February 5th, 2019.**

Llewellyn/Fowler: VOT 088/2019

THAT the Committee of the Whole meeting minutes of February 5th, 2019 be adopted as presented.

CARRIED

G. Rise and Report

None.

H. Business Arising

- 1 **2019 Budget Meeting Dates**

Fowler/Elder: VOT 089/2019

THAT these budget meeting dates be received.

CARRIED

Llewellyn/Elder: VOT 090/2019

THAT these budget meeting dates be approved.

CARRIED

J. Council Reports

Mayor Davis

Report to Council- Feb 19, 2019

Last week, three councillors and myself attended the Local Government Leadership Academy in Parksville. This is an important session for new councilors and myself as new mayor to learn more about issues regarding governance, such as how to run effective meetings and interact with the constituents and media in effective and productive ways. We also learned about new initiatives, programs and grants that are out there. Thirdly, it is important to build networks with other municipal representatives to learn from each other's experiences and not to spend too much time reinventing the wheel, so to speak. It is surprising to see how fast environmental considerations are gaining importance for municipalities, whether it is moving toward electric vehicles, initiating composting programs, banning plastic bags or starting community forests in order to better control our own destinies.

I initiated an online conversation regarding the fate of the fallen President's Tree and it seems that the general consensus is to use some of it to make tables or other mementos as a fundraisers for the Tahsis Volunteer Fire Department and other non-profits in town. Rusty Turner has offered to contribute his saw skills and labour to cutting the lumber needed. This won't affect the larger fallen butt end of the tree as it is too punky to utilize, so it will remain for visitors to check out. It is truly impressive and you don't realize the true size of it until you walk it!

One issue of note that we will be discussing is the modification of Western Forest Product's plans adjacent to town. A week ago, we received the new map which shows roads and a cutblock planned, directly over the Maquinna Trail. This will destroy the trail and open up a clearcut on the ridge top, opening up the area to blowdown and exposing steep slopes directly above town. They are already building road in the Leiner valley but it is unclear whether this is road leading to this block. In my view, the lack of consultation and the impacts on tourism make this particular block, labelled W-74, unacceptable as currently laid out. Phone calls and emails by myself to the District Manager of the forest ministry in Campbell River have not been returned to date so we will be evaluating our options. It is unfortunate that Western Forest Products is acting in bad faith in this regard.

Some good news is coming regarding business investments for town and there is a new Age-Friendly Grant of \$24,290 that will be used to identify needs and potentials for senior's funding grants in future. A land sale to the coast guard is imminent which will generate some much-needed revenue for the village. We will be determining how we want to apply this in ongoing financial planning.

Councillor Elder (verbal report)

I took the time to go up the Tahsis valley because of Western's planned logging to see what I could see. I was not impressed with the amount the river had moved and it had taken away massive amounts of the banks. What used to be land is now river bed; 12 to 16 to 20 feet down from where it use to be. So my fear is that we are worrying about the McKelvie watershed but I think we got to start encompassing other areas as well with our plans and logging.

Councillor Fowler (written report)

If it pleases the council of the Village of Tahsis, and his worship Mayor Davis I submit respectfully. Intent to pursue level 1 certificate with the LGLA; as I found the plenary lectures highly informative and networking helpful. Most notable; risks funds and long term strategy to address climate justice thus equity and refugees. Firstly, we must do no harm. This has been declared the year of the salmon. We must prepare for 1 m of sea level rise. Land use planning from Qualicum Beach, Saanich and the Islands Trust are distinct examples of leadership, survival and security.

C2C forum to foster more understanding among local government and first nations. PCIC Pacific Climate Impact Consortium. PCP. Partners for Climate Protection. CARIP; Bowen Island received BC Climate action funds to put solar panels on their Art Annex. Other potential opportunities were offered by AHOY BC, Clean BC and ICE-T for local community planning. As announced in the provincial budget we must prioritize future generations and put people first. To be vividly candid affordability shows up everywhere, in caregiver groups, housing, transport, forest action or human trafficking turned into a musical, dramatic theatre. I believe a culture shift to a zero waste, urban containment boundaries, and investments in natural, social and cultural capital. Since this week is heritage week. <https://heritagebc.ca/events-activities/heritage-week/>

As part of a poverty reduction coalition I am pleased by the provincial budgets highlighting increased support for foster, post adoption, child and youth mental health, care and kin providers. On a more local immediate front, this Friday is the deadline to submit to the call for interest to be involved with the Campbell River Airport Advisory Committee. Grass roots up and top down announcements about AGLG Audits and Parity policy made by the Federation of Canadian Municipalities. Both pragmatic and cautious, I volunteer to attempt to compile a nomination to the Order of B.C. of Anne Cameron for literary excellence. <https://forms.gov.bc.ca/governments/order-of-bc>

Councillor Llewellyn (verbal report)

I want to reiterate that I too was at the LGLA and I really found it very interesting. It opened my eyes to some of the things that I wasn't as clear on. It also confirmed a lot of things. It was great for networking. It was also very long and very tiring. We were in a lovely spot but whether we could actually enjoy being in that lovely spot was another thing cause we were kept busy from 8 in the morning until 10 at night. But it was really informative and I am certainly glad and thankful for the opportunity to go.

Councillor Lambert (verbal report)

I didn't prepare a report mainly because we were all at the same event. I want to add that it was totally jammed packed. There was no filler and it was a really solid conference. We learned a lot of things and one sort of a take home from the course was Councillor Fowler, Mayor Davis and I stayed for an extra session at the end of multiple days of 7am until 10 pm. There was a session that was not on the agenda put on by the Community Energy Association which is a group that is sort of grassroots engagement with local governments and provincial funding essentially helping to get communities to be more energy efficient. Basically one really cool take home there was the 63 million dollar fund through Clean BC is coming up, there is going to be 73% funding for grants, for things specifically such as energy efficient upgrades for rec centres and public facilities. That could be a really cool way to save some money in town and get some funding to make the rec centre more energy efficient.

Fowler/Elder : VOT 091/2019

THAT the Council Reports be received.

CARRIED

K. Bylaws

1 Zoning Amendment Bylaw No.610, 2019

Adoption

Llewellyn/Elder: VOT 092/2019

THAT Bylaw No. 610, 2019 be received for consideration.

CARRIED

Llewellyn/Elder: VOT 093/2019

THAT Bylaw No.610, 2019 be reconsidered, finally passed and adopted as presented on this 19th Day of February, 2019.

CARRIED

L. Correspondence

1 Lisa Hendra Letter to Mayor and Council Re: Missing Dollars of Tahsis

2 Tahsis Salmon Enhancement Society Re: Request of support in the form of a letter of support for the application to the PSF.

3 Ministry of Health Island Health News Release Re: Better supports for seniors on Vancouver Island with age-friendly grants.

4 Local Government Program Services Re: 2017 CEPF- Emergency Social Services- Equipment and Storage.

Fowler/Elder: VOT 094/2019

THAT these correspondence items be received.

CARRIED

Llewellyn/Fowler: VOT 095/2019

THAT correspondence item 2 be pulled for discussion.

CARRIED

Llewellyn/Elder: VOT 096/2019

THAT Staff be directed to write a letter of support for the Tahsis Salmon Enhancement Society in support of their application to the Pacific Salmon Foundation for funding.

CARRIED

M. New Business

1 Emergency Preparedness Coordinator's (EPC) Report on WFP Logging and Public Safety

Llewellyn/ Elder: VOT 097/2019

THAT this Report to Council be received.

CARRIED

Fowler/Elder: VOT 098/2019

THAT Council receive the EPC's report and share it with the McKelvie Creek Watershed Assessment project team.

CARRIED

2 WFP Road Building and Logging Plans (W74)

Mayor Davis explained the two maps. A brief discussion followed.

Llewellyn/ Elder: VOT 099/2019

THAT the maps marked N2a) and N2b) be received.

CARRIED

N. Public Input #2

A member of the public commented on the EPC's report.

A member of the public requested clarification on the topic of an upcoming COW to which staff responded.

There was a question regarding "park areas" on the map marked N2b) to which the Mayor and Council responded.

Public Exclusion

Llewellyn/ Elder: VOT 100/2019

THAT the meeting is closed to the public in accordance with section 90 (1)(e) of the Community Charter- the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.

CARRIED

Recess

Fowler/ Elder: VOT 101/2019

THAT the Regular Council meeting recess to go into the in camera meeting.

CARRIED

Reconvene

Llewellyn/ Elder: VOT 110/2019

THAT the Regular Council Meeting reconvene at 8:12 p.m.

CARRIED

Rise and Report

Council approved the sale of Lot 2, District Lot 443, Nootka Land District, VIP 69180 to Her Majesty the Queen in right of Canada subject to the Village completing the public notice requirements in the Community Charter and that the Mayor and one Councillor be authorized to sign all documents to complete the sale.

Adjournment

Llewellyn/Lambert: VOT 111/2019

THAT the meeting be adjourned at 8:13 p.m.

CARRIED

Certified Correct this

5th Day of March 2019.

Chief Administrative Officer



Minutes

<u>Meeting</u>	Public Hearing
<u>Date</u>	21 February, 2019
<u>Time</u>	7:00 PM
<u>Place</u>	Municipal Hall - Council Chambers

Present Councillor Bill Elder
 Councillor Sarah Fowler
 Councillor Lynda Llewellyn
 Councillor Josh Lambert

(Mayor Martin Davis declared a conflict of interest and did not attend)

Staff Mark Tatchell, Chief Administrative Officer (by phone)
 Janet StDenis, Finance & Corporate Services Manager

Public 1 member of the public.

A. Call to Order

Deputy Mayor Sarah Fowler called the meeting to order at 7:00 p.m.

Deputy Mayor Sarah Fowler acknowledged and respected that Council is meeting upon Mowachaht/ Muchalaht territory

B. Opening by Deputy Mayor

This public hearing is being held in accordance with Division 3 of the Local Government Act regarding the amendment to Zoning Bylaw No, 176, 1981. Staff will introduce and describe the purpose of the Bylaw. After that, there will be an opportunity for public comment. Council members may then ask any questions. And we will end the meeting by considering a resolution. The procedures for public comment have been distributed and more copies are available from staff.

C. Introduction of Bylaw by Staff

Village of Tahsis Zoning Amendment Bylaw, No. 612, 2019

Purpose of Bylaw:

Zoning Amendment Bylaw No. 612, 2019 proposes to amend the Village's Zoning Bylaw No. 176, 1981 by deleting the definition of "home occupation" and replacing it with a definition of "home based business" which is consistent with "home businesses -cottage industries" in the Official Community Plan. Regulations regarding the operation of home based businesses are proposed to be added to the bylaw. The proposed bylaw also amends the definition of "professional occupation" and adds regulations to this use. Copies of the Bylaw are available should anyone want a copy.

E. Public Comment:

There was one written submission by a member of the public.

F. Questions from Council

Councillor Elder inquired about the water utility rates for Bed and Breakfast and guest houses to which staff responded.

G. Council Resolution

Llewellyn/Lambert: VOT 112/2019

THAT the February 21, 2019 Public Hearing be adjourned at 7:13 p.m.;

AND THAT Village of Tahsis Zoning Amendment bylaw No. 612, 2019 be returned to Council for Third Reading

CARRIED

Certified Correct this

5th Day of March 2019

Chief Administrative Officer

COMMENTS REGARDING ZONING BYLAW AMENDMENT BYLAW NO. 612, 2019

AN OBSERVATION

Zoning Amendment Bylaw No. 597, 2018 added “Bed and Breakfast” and “Short Term Rental Accommodation” to the definition of “Home Occupation”; the proposed changes to the Bylaw omit these types of business from the definition of “Home Based Business” which will replace the definition of “Home Occupation”.

Other than ‘permitted’ on any and all residential properties, where does the Bylaw change leave these businesses?

MY OPINIONS

1. Omitting “Bed and Breakfast” (B&Bs) and “Short Term Rental Accommodation” (STRAs) from the definition of “Home Based Business” leaves them unencumbered by the restrictions listed in section 6.1(1).
2. Assuming B&Bs and STRAs are added to the new definition there are still some inconsistencies between what is in the bylaw and what I see around the Village. For example; currently there are STRAs that:
 - a. have more than one sign
 - b. have a sign larger than 0.36 meters squared
 - c. use off-site parking beyond that which would normally be used by a resident
 - d. ‘emit’ smoke with late night campfires and noise (in excess of what would be expected from a residential property) at times that are contrary to the Noise Bylaw
 - e. are operated by a person who does not permanently reside in the dwelling
 - f. use up to 100% of the premises and
 - g. employ more than one off-site person in the care and maintenance of the property
3. Under the proposed Bylaw changes it appears that:
 - a. only permanent residents can have a “Home Based Business” and be in compliance with the Bylaw

- b. B&Bs and STRAs are excluded from the new definition of "Home Based Business"
 - c. STRAs have no restriction on how much of a dwelling's floor space is rented out
 - d. STRAs have no requirement for an in-residence manager and
 - e. a part-time resident cannot have any kind of "Home Based Business" at their residential dwelling
4. To me, the items listed in Opinion #3 show inconsistent treatment of residential property owners who want to use their properties for a "Home Based Business" with STRAs being given preferential treatment.

UNANSWERED QUESTIONS

1. Given that there is no business licensing in the Village, how is it determined whether the activities on a particular property are, or are not, a business?
2. When does 'creation of a product' (ie: baked goods, pottery, jewelry, carving, hand-crafted item, etc.) cease to be a hobby and become a business?
3. Are all residential properties taxed and billed for services entirely at residential rates without regard for their actual usage or can business rates be applied?
4. If business tax and services rates can be applied to a residential property because it has a "Home Based Business":
 - a. what percentage of the property needs to be used for business purposes before business rates are applied?
 - b. who determines how much of a property is to be billed at business rates?
 - c. how is it determined whether or not there is a "Home Based Business" on the property and whether or not it is a going concern?
 - d. are all residential properties assessed for whether or a portion of their taxes should be levied at business rates and are objective criteria used?



Minutes

Village of Tahsis

Meeting	Committee of the Whole
Date	Monday February 25th, 2019
Time	10:30 a.m.
Place	Municipal Hall - Council Chambers

Present

Mayor Martin Davis
 Councillor Bill Elder
 Councillor Sarah Fowler
 Councillor Josh Lambert
 Councillor Lynda Llewellyn

Staff

Mark Tatchell, Chief Administrative Officer
 Deb Bodnar, CPA, CMA, Director of Finance

Guest

Mark DeGagné, Branch Manager, McElhanney Consulting Services Ltd.

Public

2 members of the public

Call to Order

Mayor Davis called the meeting to order at 10:31 a.m.
 Mayor Davis acknowledged and respected that Council is meeting upon Mowachaht/ Muchalaht territory

Approval of the Agenda

Fowler : COW 025/19

THAT the Agenda for the February 25th, 2019 Committee of the Whole meeting be adopted as presented.

CARRIED

Business Arising

1 2019-2023 Financial Plan - Presentation and Discussion

Fowler: COW 026/19

THAT this presentation be received.

CARRIED

Follow up to Council's February 5th questions and information requests was done by staff. Council agreed that it would not make adjustments to Council remuneration. Staff explained the reserve balances and agreed to provide a follow up briefing at the March 19th meeting showing the relationship between the reserve funds and the Village's investment accounts. Staff summarized the three tax rate scenarios provided. Council discussed potential revenue options and related issues. Based on Council feedback, staff to develop options for reducing the 2019 operating expenditure budget for presentation at the March 19th meeting.

New Business **1** **Mark DeGagné, Branch Manager, McElhanney Consulting Services Ltd.
Re: Well Protection Plan**

Fowler: COW 027/19

THAT this presentations be received.

CARRIED

DeGagné briefed Council on the history and operation of the well and the requirements of a well protection plan. Particular attention was paid to the historical industrial dump site located in the well capture zone. He described the behaviour of the water flow through the aquifer and the proposed measures to safeguard the well from contamination using monitoring wells. DeGagne also described the other elements which will be included in the plan, namely, an augmented testing regime, recommendations for zoning and land use policies and future planning.

Adjournment

Llewellyn: COW 028/19

THAT the meeting adjourn at 3:25 p.m.

CARRIED

Certified correct this
5 Day of March, 2019

Corporate Officer



Minutes

Village of Tahsis

Meeting	Committee of the Whole
Date	Tuesday February 26th, 2019
Time	7:00 p.m.
Place	Municipal Hall - Council Chambers

Present

Mayor Martin Davis
 Councillor Bill Elder
 Councillor Sarah Fowler
 Councillor Lynda Llewellyn
 Councillor Josh Lambert

Staff

Mark Tatchell, Chief Administrative Officer
 Deb Bodnar, CPA, CMA, Director of Finance
 Janet StDenis, Finance & Corporate Services Manager

Public

3 members of the public.

Call to Order

Mayor Davis called the meeting to order at 7:00 p.m.
 Mayor Davis acknowledged and respected that Council is meeting upon Mowachaht/ Muchalaht territory

Approval of the Agenda

Fowler : COW 029/19

THAT the Agenda for the February 26th, 2019 Committee of the Whole meeting be adopted as presented.

CARRIED

Business Arising

- 1 **2019-2023 Financial Plan & Capital Plan - Presentation and Discussion**

Mark Tatchell thanked the public for attending and took the opportunity to explain the Community Charter requirements to have a public participation process in developing the financial plan. He reviewed Council's strategic priorities and budget considerations that were taken into account.

Deb Bodnar described the operating revenue and expenditure budget for 2019 by program area and source of revenue. Presentation of the 2019-2023 Capital plan followed highlighting the capital projects. A brief question and answer period followed.

Fowler : COW 030/19

THAT the presentation of the 2019-2023 Financial Plan and Capital plan be received. **CARRIED**

Adjournment

Llewellyn : COW 031/19

THAT the meeting be adjourned at 7:43 p.m. **CARRIED**

Certified correct this
5th Day of March, 2019

Corporate Officer

VILLAGE OF TAHSIS

Report to Council

To: Mayor and Council

From: Janet StDenis Chief Election Officer

Date: February 25, 2019

Re: Elections BC Local Elections Campaign Financing – Notice of Failure to File

PURPOSE OF REPORT:

Pursuant to Local Elections Campaign Financing Act (“LECFA”) Section 61(2) to report receipt of notice of a candidate’s failure to file their 2018 General Elections campaign financing disclosure statements.

OPTIONS/ALTERNATIVES

1. That this information be received for information.

BACKGROUND:

Section 61(2) of the LECFA requires that as soon as practicable after being notified under subsection (1), the designated local authority officer must prepare a report respecting the notice, and the report must be presented at an open meeting of the local authority. Such notice was received under subsection 61(1)(b) February 22, 2019 (email attached). Candidate Jeff Lancaster has failed to file his 2018 General Local Elections campaign financing disclosure statement and \$500 late filing fee by 4:30 p.m. on February 19, 2019.

POLICY/LEGISLATIVE REQUIREMENTS:

Reports to local authority respecting non-compliance

61 (1) The BC chief electoral officer must, as soon as practicable, notify the designated local authority officer of a jurisdiction respecting the following in relation to an election or assent voting for the jurisdiction:

- (a) any notices given under section 48 [*notice of failure to file within no-penalty fee period*] in relation to a disclosure statement for a candidate or elector organization;

(b) any individuals or organizations that become subject to disqualification penalties referred to in section 60 (1) (a) or (b) [*disqualification lists — candidate or elector organization disqualification*].

(2) As soon as practicable after being notified under subsection (1), the designated local authority officer must prepare a report respecting the notice, and the report must be presented at an open meeting of the local authority.

FINANCIAL IMPLICATIONS:

None.

RECOMMENDATION:

That Council receives the report.

Respectfully submitted:

Janet StDenis

Janet St. Denis

From: EBC Local Elections Campaign Financing EBC:EX <lecf@elections.bc.ca>
Sent: February 22, 2019 2:01 PM
To: Mark Tatchell
Cc: Janet St. Denis
Subject: Notice of Failure to File

Hello,

As required by section 61 of the *Local Elections Campaign Financing Act* (LECFA), this is notice to the local authority that the following candidate failed to file a disclosure statement and \$500 late filing fee by 4:30 p.m. on February 19, 2019.

- **Jeff Lancaster**

They are therefore disqualified until after the next general local elections from being nominated for, elected to or holding office on a local authority.

All disqualification lists are available on the Elections BC website at <https://elections.bc.ca/political-participants/local-elections-campaign-financing/disqualification-lists/>

If you have any questions, please do not hesitate to contact our office toll free at 1-855-952-0280 or by email at lecf@elections.bc.ca.

Kindest regards,

Local Elections Campaign Financing

Elections BC

Toll-free: 1-855-952-0280 / TTY 1-888-456-5448

Fax: 250-387-3578

Location: Suite 100 – 1112 Fort Street, Victoria

Email: lecf@elections.bc.ca

Website: elections.bc.ca/lecf

ZONING BYLAW AMENDMENT BYLAW NO. 612
A BYLAW OF THE VILLAGE OF TAHSIS

A BYLAW TO AMEND THE VILLAGE OF TAHSIS ZONING BYLAW NO. 176, 1981.

Contents

- 1. Title
- 2. Amendments to the *Zoning Bylaw*
- 3. Effective Date

Under its statutory powers, including section 479 of the *Local Government Act* [RSBC 2015] c. 1, the Council of the Village of Tahsis, in an open meeting assembled, enacts the amendments to the *Zoning Bylaw No. 176, 1981* ("the *Zoning Bylaw*") as follows:

Title

- 1. This Bylaw may be cited as the "Zoning Amendment Bylaw No. 612"

Amendments to the *Zoning Bylaw*

- 2. The *Zoning Bylaw No. 176, 1981* is amended:

- 1) In Part 2, section 2.2 Definitions by deleting the definition of "home occupation" and replacing it with the following:

"HOME BASED BUSINESS" means an occupation, profession service or other business which is clearly accessory and incidental to the use of a dwelling unit for residential purposes, or to the residential use of a lot occupied by a dwelling, and which conforms to the regulations under section 6.1(1) of this Bylaw. Activities that qualify as home based businesses include but are not limited to the following:

- a) retail establishments;
- b) service establishments;
- c) small engine repair;
- d) assembly, processing, and repair of finished products; and
- e) artist's studio and gallery;
- f) bakery; and
- g) hair salon, barbershop, or other personal services.

but exclude professional occupations.

- 2) In Part 2, section 2.2 Definitions, by adding the following definition immediately after the definition of "principal building":

“PROFESSIONAL OCCUPATION” means the following professions:

- a) doctor;
- b) dentist;
- c) chiropractor;
- d) veterinary surgeon;
- e) lawyer; and
- f) accountant.

and which conforms to the regulations under section 6.1(2) of this Bylaw.

3) In Part 6, section 6.1 Occupations Permitted in a Residential Zone:

i. by deleting section 6.1(1) and replacing it with the following:

6.1(1) Home Based Business: A home based business is permitted in any zone subject to compliance with the following regulations:

- a) the home based business must not alter the essential residential character of the premises where the home based business is situated;
- b) there shall be no external indication that any building on the lot is utilized for any purpose other than normally associated with a residential use except for a single sign not exceeding 3600 cm squared (.36m squared);
- c) the home based business shall not generate any off-site parking or vehicular traffic beyond that which is normally associated with a residential use within the Village;
- d) the home based business shall not produce, discharge or emit any smoke, dust, litter, vibrations, odours, effluent, noise, fumes, or glare such as to create a nuisance to persons residing in the surrounding area;
- e) the home based business shall be conducted entirely within a building that conforms with the other regulations under this Bylaw with the exception that, subject to compliance with section 6.1(1)(d), activities associated with the home based business may be conducted on the lot exterior to the building between the hours of 9:00 a.m. and 5 p.m. daily;

- f) there shall be no external storage of materials, equipment, containers or finished products;
 - g) the home based business must be operated by a person who permanently resides within a dwelling unit on the lot where the home based business is situated;
 - h) the gross floor area of the home based business shall not exceed 50% of the gross floor area of the part of the dwelling unit that is used for a residential purpose;
 - i) for certainty, a home based business may be carried out in whole or in part in an accessory structure, provided that the accessory structure conforms with the other regulations under this Bylaw; and
 - j) a maximum of one person who does not reside within a dwelling unit located on the lot where the home based business is situated may be employed by the home based business.
- ii. By deleting section 6.1(2) and replacing it with the following:

6.1(2) Professional Occupations: a professional occupation is permitted in any zone, subject to compliance with the following regulations:

- a) the professional occupation must not alter the essential residential character of the premises where the professional occupation is situated;
- b) there shall be no external indication that any building on the lot is utilized for any purpose other than normally associated with a residential use except for a single sign not exceeding 3600 cm squared (.36m squared);
- c) the professional occupation shall not generate any off-site parking or vehicular traffic beyond that which is normally associated with a residential use within the Village;
- d) the professional occupation shall not produce, discharge or emit any smoke, dust, litter, vibrations, odours, effluent, noise, fumes, or glare such as to create a nuisance to persons residing in the surrounding area;

- e) the professional occupation shall be conducted entirely within a building that conforms with the other regulations under this Bylaw;
 - f) there shall be no external storage of materials, equipment, containers or finished products; and
 - g) there shall be no external storage of materials, equipment, containers or finished products.
- 4) By deleting section 7.1(d) General Provisions: Uses Permitted in all Zones, and replacing it with the following:
- d) home based businesses.

Effective Date

3. This Bylaw comes into force upon adoption.

READ A FIRST TIME the 5th day of February , 2019.

READ A SECOND TIME the 5th day of February , 2019.

PUBLIC HEARING held the 21st day of February , 2019.

READ A THIRD TIME the 5th day of March , 2019.

ADOPTED on the 19th day of March , 2019.

Reconsidered, Finally Passed and Adopted this 19th day of March, 2019

Mayor

Chief Administrative Officer

I hereby certify that the foregoing is a true and correct copy of the original Bylaw No. 612, 2019 duly passed by the Council of the Village of Tahsis on this 19th day of March, 2019.

CORPORATE OFFICER