



Home Based Business By-Law

Adopted at a Regular Council Meeting, Monday, September 17, 2012.

Definitions:

1. **Home Occupation** - means development consisting of the use of an approved dwelling by a resident of that dwelling for one business where that business meets the conditions for the residential zone where the development is to take place, outlined in Schedule "C" of the Carbonear Municipal Plan. The resident of the dwelling shall be the principle operator of the business. This business shall not cause a level of vehicular traffic to the area which would cause a disturbance to the neighbourhood. The business must be secondary to the residential use of the building and no aspects of the business operation shall be detectable from the outside of the property. The dwelling shall be used as a work place for two only non-resident employees of the business, in addition to the resident owner of or leasee of the property.
2. Home Occupations are discretionary uses in all residential districts. Notification is required by a notice of the occupation being advertised at the developers expense in the local newspaper (one insertion). All objections are noted and referred to council for consideration.
3. Development permit fee \$50.00; annual tax rate as per tax structure adopted annually.
4. A Home Occupation shall comply with the following regulations:
 - (A) Exterior signage or display or advertisement shall be at the discretion of council.
 - (B) There shall be no mechanical or electrical equipment used which creates external noise or visible and audible interference with home electronics equipment in an adjacent dwelling.
 - (C) The home occupation shall employ no more than two persons on site in addition to a resident of the dwelling. The resident shall be the principle operator of the business.
 - (D) There shall be no outdoor business activity or storage of materials or equipment associated with the business allowed on site. Indoor storage, related to the business activity, shall only be allowed either in the dwelling or accessory building.
 - (E) A home occupation shall be clearly a subsidiary use to the residential use and does not detract from the residential character of the neighbourhood or does not change the principle character or external appearance of the dwelling involved.
 - (F) In addition to the information requirements of this by-law, each application for a development permit for the use class Home Occupation shall include a description of the business to be undertaken at the dwelling, an indication of the anticipated number of business visits per week and details for the provision of parking, and where any materials or equipment associated with the business are to be stored.
 - (G) A home occupation shall not generate vehicular traffic or parking in excess of that which is characteristic of the district on which it is located.

- (H) Home based businesses are subject to an annual taxation rate. This rate may be altered on an annual basis by the Town of Carbonear.
- (I) No wholesale sales or storage of goods is carried out, any retail sales are incidental and subsidiary to the approved use and that no repairs to vehicles or heavy equipment are carried out.
- (J) Activities associated with the use are not hazardous and do not cause noticeable noise, dust or fumes, or inconvenience and are not a nuisance to the occupants of adjoining residences.
- (K) Not more than twenty-five (25) percent of the total floor area of the dwelling, up to a maximum of forty-five metres, is devoted to the use.
- (L) **Parking of Commercial Vehicles will be as per the Parking of Commercial Vehicle Regulations.**
- (M) No change shall be made in the type, class or extent of service provided without a permit.

Development Application Information

A complete description is required for the following reasons:

1. The Town of Carbonear relies on your information to either approve or refuse your application. It is in your best interest to provide enough information so that the Town of Carbonear can make the best decision.
2. Your neighbours will have the opportunity to make any objections to the application and all objections will be considered by Council.
3. It is to your advantage to provide enough detail should your proposal be objected to by your neighbours.
4. Any proposal involving food preparation of food products is subject to inspection and approval of the Government Service Centre.

If your application meets the Town's regulations the Town will place an advertisement in the local newspaper at the expense of the applicant. If no objection has been received within 14 days from when the notice appears in the newspaper, the application is referred to Council for final approval. Once approval by Council has been given, a permit will be issued.

Typical Conditions of Approval

The Town of Carbonear has the right to refuse a development application for Home Occupation if the proposal would be more appropriately located in a Commercial or Industrial District having regard for among other matters, potential traffic generation and potential interference with the residential character of the District.

All Applications must be submitted to:

Town Administrator
P.O. Box 999
Carbonear, NL A1Y 1C5
between 8:30 a.m. and 4:30 p.m., Monday to Friday.

If you have any questions regarding this form, please contact the Town Office at 596-3831.



Home Based Business Development Application

Property Address: _____

Description of Proposed Development:

To operate a home based business occupation from a:

- single detached house
- duplex
- row house dwelling
- apartment dwelling

Applicant:	Owner of Land:
Phone: _____	Fax: _____

Contact: _____

Date: _____	Signature: _____
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Describe your business: _____

What equipment/material do you use in your business? _____

Where do you perform your business or sell your product? _____

How often are people coming to your home regarding your business?

_____ Never _____ Visits per day

How many employees/people are involved in your business? _____

What type/size of vehicle may be involved in your business? _____

What part of your dwelling do you use for your business? _____

Do you use your garage for your business? _____

Are you planning on display or signage? _____ Yes _____ No

If yes, please provide a sketch of proposed sign, including dimensions and location on property.

Please feel free to provide any additional information which you feel may be relevant to the approval of this application below:

Note: If you do not own the dwelling, you must obtain a letter of permission from the property owner.