

# Comparison of General Regulations – “Home Occupations”

Zoning Bylaw No. 1085, 1998 – Section 4.6	Draft Zoning Bylaw No. 1395 – Section 7.5
<p><b>Home Occupations</b></p> <p>.1 A home occupation business is allowed subject to meeting the following general conditions to minimize nuisances for residential neighbours:</p> <ol style="list-style-type: none"> <li>.1 The business is conducted entirely within the dwelling, and / or in its accessory building where allowed;</li> <li>.2 Only permanent residents of the dwelling are engaged in the business;</li> <li>.3 The business does not create a nuisance at any time which is detectable from outside the premises from dust, electrical or radio disturbance, glare, heat, smoke, noise, odour or vibration, or present a safety risk from hazardous materials or equipment;</li> <li>.4 Any products shown for sale or display in the premises have all been processed or made on the premises, with the exception of products associated with hosted events such as kitchenware or beauty products, or hair care products ancillary to a hairdresser;</li> <li>.5 The business does not result in any change to the outside appearance of the dwelling that is inconsistent with its residential character, other than a sign which conforms with the Town’s Sign Bylaw;</li> <li>.6 The business does not entail any outdoor storage or display of materials, containers, finished products or equipment;</li> <li>.7 The business does not entail any parking on or about the residential property of more than two (2) commercial vehicles no larger than 5,500 kg gross weight, or one such vehicle and a commercial trailer;</li> <li>.8 The business does not involve receipt or delivery of materials or products more frequently than once per week; and</li> <li>.9 The business has a valid and subsisting business licence pursuant to the Town’s Business Licence Bylaw.</li> </ol>	<p><b>Home Occupation</b></p> <p>The following regulations apply to <i>home occupation</i> uses where permitted as a use in this Bylaw:</p> <ol style="list-style-type: none"> <li>1. A <i>home occupation</i> shall not occupy more than 40% of the floor area of a <i>principal dwelling unit</i> to a maximum of 50.0 m<sup>2</sup>.</li> <li>2. A <i>home occupation</i> shall be carried out within the <i>principal dwelling unit</i>, or in an <i>accessory building or structure</i> where permitted in the particular zone, with no external storage of materials, containers or finished products.</li> <li>3. No <i>retail</i> sales shall be permitted in a <i>home occupation</i>, except for:             <ol style="list-style-type: none"> <li>a) goods produced or made on the premises;</li> <li>b) telephone or internet sales or sales where the customer does not enter the premises;</li> <li>c) mail order sales;</li> <li>d) direct distributors where customers do not enter the premises; and</li> <li>e) sale of products directly related to the <i>home occupation</i>.</li> </ol> </li> <li>4. No vehicle exceeding 4,600 kg in vehicle weight and associated with or used in the conduct of a <i>home occupation</i> shall be parked or otherwise located outside of an unenclosed <i>building</i>.</li> <li>5. Only persons residing in the <i>principal dwelling unit</i> may carry on the <i>home occupation</i> located on the <i>parcel</i> occupied by the <i>principal dwelling unit</i>.</li> <li>6. One (1) vehicle parking space is required in addition to those required for the principal <i>single detached dwelling</i>.</li> <li>7. A <i>home occupation</i> shall not involve:             <ol style="list-style-type: none"> <li>a) material or products that produce inflammable or explosive vapours or gases under ordinary temperatures;</li> <li>b) the <i>outdoor storage</i> of materials, vehicles and equipment associated with a contractor, trade or mobile service;</li> </ol> </li> </ol>

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<p>.2 The following types of home occupations are allowable subject to meeting all other provisions of Section 4.6:</p> <p><u>Level I</u></p> <ul style="list-style-type: none"> <li>consulting services delivered primarily through telecommunications or off the property.</li> <li>chartered accountant.</li> <li>computer repairs (but not sales).</li> </ul> <p><u>Level II</u></p> <ul style="list-style-type: none"> <li>alternative health practitioner providing acupuncturist, esthetics, herbalist, holistic healing, naturopath or yoga services.</li> <li>animal grooming.</li> <li>arts and crafts production and sales.</li> <li>barber, hairdresser or beauty salon.</li> <li>bed and breakfast utilizing one or two bedrooms.</li> <li>bus or taxi service home base.</li> <li>carpet cleaning or janitorial services delivered off the property.</li> <li>caterer without any sales on the property.</li> <li>construction company home office.</li> <li>day care for up to five (5) pre-school children as regulated under the Community Care and Assisted Living Act.</li> <li>hosted events for kitchenware or beauty products.</li> <li>landscaping services.</li> <li>sales representative for delivering products or services off the property.</li> </ul> <p><u>Levels I or II</u></p>	<ul style="list-style-type: none"> <li>c) the boarding, breeding and keeping of animals;</li> <li>d) <i>cannabis production, indoor and cannabis production, outdoor</i>;</li> <li>e) the salvage or repair of motor vehicles, boats, or other machinery; and</li> <li>f) the assembly of more than four (4) persons for any artistic, educational, religious, therapeutic or similar activity.</li> </ul>

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<ul style="list-style-type: none"> <li>• Any other home occupation use approved by the Director of Planning and Development Services as meeting the general conditions of subsection 4.6.1.</li> </ul> <p>.3 The levels and numbers of allowable home occupation businesses shall suit the type of dwelling on the lot in which they are located as follows:</p> <ul style="list-style-type: none"> <li>.1 One (1) <u>Level II</u> home business is permitted within a single-family dwelling unit and / or its accessory building.</li> <li>.2 Two (2) home businesses are only permitted within a single-family dwelling unit and / or its accessory building if at least one of them is a <u>Level I</u> home business.</li> <li>.3 One (1) <u>Level I</u> home business is permitted within a two-family or multiple-family dwelling unit, carriage house, or secondary suite, but not in any accessory building.</li> </ul> <p>.4 The total size of one or two home occupation business as allowed on the property shall be clearly incidental and subordinate to its primary residential use as follows:</p> <ul style="list-style-type: none"> <li>.1 If located within a single-family dwelling unit shall not exceed 30% of its gross floor area or 80 m<sup>2</sup>, whichever is less; and</li> <li>.2 If located within an accessory building shall not exceed 50m<sup>2</sup>; and</li> <li>.3 If located within a two-family or multiple-family dwelling unit, carriage house, or secondary suite shall not exceed 40% of the gross floor area or 40 m<sup>2</sup>, whichever is less.</li> </ul> <p>.5 Home occupation business shall require sufficient on-site parking spaces on their lot in addition to that required for dwellings under Schedule 1. <u>Off-Street Parking</u> as follows:</p> <ul style="list-style-type: none"> <li>.1 One additional parking space for each commercial vehicle or trailer required for the business;</li> <li>.2 One additional parking space per bedroom used for a bed and breakfast; and</li> </ul>	<p style="text-align: center; color: red; font-size: 48pt; opacity: 0.3; transform: rotate(-45deg);">DRAFT</p>

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.3 All additional parking spaces shall accord with the applicable provisions of Section 6.9. <u>Standards for Parking Spaces.</u>	

### Notes:

The information provided in this table is a summary of current and proposed zoning regulations. Please refer to the current Zoning Bylaw No. 1085 as well as the most recent version of Draft Zoning Bylaw No. 1395 for actual and proposed regulations on the Zoning Bylaw Update webpage: <https://www.osoyoos.ca/council/zoning-bylaw-update>

See also the definition of “home occupation” in Draft Zoning Bylaw No. 1395.