



Excerpts from City of By-law 050-2014 – adopted by Council on June 10, 2014

HOME OCCUPATIONS

2.0 Definitions

- 1.22 Home Occupation, means a business or professional activity conducted as a secondary use to the residential use within any dwelling unit which is the primary residence of the person or persons conducting the business or professional activity.

Explanatory Note: The definition explains what constitutes a Home Occupation, that is, the business must be secondary to the primary residential use and be carried on in a person's primary residence by those person(s) living in that residence.

3.21 – Home Occupations

a) General

A home occupation is permitted in any residential dwelling unit in any zones except the Rural (RU) Zone, where a home occupation shall not be permitted.

b) Provisions

Where a home occupation is permitted by this By-law, a home occupation shall not:

- i) Occupy more than 25.0 percent of the gross floor area of the dwelling unit or 28.0 square metres, whichever is lesser. Where more than one (1) home occupation operates from a dwelling unit, no more than 25.0 percent of the gross floor area shall be occupied for such purposes.

Explanatory Note: The maximum floor area which may be used in a home occupation is limited to the lesser of 25.0 percent of the gross floor area of the dwelling or 28.0 square metres. Once a home occupation becomes larger than this permitted maximum, it is expected that the home occupation would move to a commercial area.

- ii) Permit non-resident employees to be engaged in a home occupation;

Explanatory Note: Persons working for the home occupation must live in the home.

- iii) Alter the exterior of the dwelling unit by virtue of the operation of a home occupation;

Explanatory Note: The home occupation is expected to be unobtrusive and not change the character of the dwelling or neighbourhood.

- v) Include the open storage of goods, materials or equipment or display of goods visible from outside the dwelling unit;

Explanatory Note: Any and all storage and finished goods must be kept interior to a building.

- vi) Use an accessory building for the home occupation, except for the storage of goods, materials or equipment required for the home occupation, provided that, should a garage area be used for said storage, the required parking for the dwelling unit shall be maintained;

Explanatory Note: An accessory building such as a garage or storage building cannot be used by the home occupation except for storage. Use of the garage for storage does not relieve the owner from providing the required parking for the dwelling unit.

- vi) Become offensive or obnoxious or create a nuisance to adjoining properties by reason of increased vehicular traffic or parking, or delivery of goods, materials or equipment, or electrical interference, or emission of odour, dust, smoke, noise, gas, fumes, light, vibration, radiation, or refuse;

Explanatory Note: The home occupation is expected to be unobtrusive and not change the character of the dwelling or neighbourhood.

- vii) Include the sale of any goods on the site other than those goods constituting the finished product of the home occupation;

Explanatory Note: Home occupations can sell only those goods and services produced or provided on site. The retail sale of goods not produced on site is prohibited.

- viii) Include more than two (2) clients, students or customers of the home occupation to be on the premises at any one time;

Explanatory Note: No more than two persons (clients, students or customers) are to be at the home occupation at one time. The purpose is to ensure that parking and other concerns do not result by the existence of the home occupation. This limit on clients does not extend to a private home day care.

- ix) Use advertising media which draws attention to the fact that a dwelling unit is used for a home occupation;

*Explanatory Note: This does not prohibit advertising a telephone number, a post office box, or an email address on business cards and other forms of advertising. The use of a street address in advertising is **not** permitted.*

- x) Operate without first obtaining a Certificate of Zoning Compliance under Subsection 1.10; and

Explanatory Note: All changes in use require a Certificate of Zoning Compliance. There is no charge for obtaining said Certificate.

- xi) Provide or require additional parking spaces for a home occupation.

Explanatory Note: No additional parking is required for a home occupation.

c) Exception

A private home day care or babysitting service may be established as a home occupation, and shall not be restricted by subclauses 3.21 b) i) and vii).

d) Prohibited Uses

Without limiting the generality or applicability of the provisions for home occupations under clause 3.21 a), the following uses shall not be considered home occupations:

- i) kennel;
- ii) veterinary clinic or office;
- iii) automobile repairs or automotive trade use;
- iv) painting of vehicles, trailers or boats;
- v) medical clinic or office;
- vi) multiple chair hairdresser or barber;
- vii) welding shop;
- viii) service and repair shop for large appliances or commercial and industrial equipment; and
- ix) arcade.



BROCKVILLE
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APPLICATION FOR CERTIFICATE OF ZONING COMPLIANCE

[File No. 608- _____]

Part 1.0, Section 1.10 of Zoning By-law 050-2014 states: "No person shall change the use of any lot covered by this By-law, or of any building or structure on any such lot or of any part of such lot, building or structure without having applied for and received a Certificate of Occupancy under *The Planning Act*, issued by the Corporation or its appointed agent. Issuance of such Certificate of Occupancy by the Corporation will imply that the proposed use is in compliance with this By-law. Applications for Certificate of Occupancy shall be made on the prescribed forms and shall be known as Certificate of Zoning Compliance.

Please submit the completed application for Certificate of Zoning Compliance to the Planning Department for review. The issuance of a Certificate of Zoning Compliance by the City will advise that your proposed change in use complies with the provisions of the Zoning By-law.

Ownership Information:		
Name of Property Owner: _____		
Address (include postal code): _____		
Telephone No.: _____	Fax No.: _____	Email: _____
Applicant Information:		
Name of Applicant: _____		
Address (include postal code): _____		
Telephone No.: _____	Fax No.: _____	Email: _____
Location and Legal Description of Subject Property:		
Legal Description of lands: _____		
Municipal Address of lands/building to be occupied: _____		
Proposed Business Information:		
Proposed use in detail (include business name and continue overleaf if necessary): 		
List other uses in the building:		
1. _____	2. _____	
Parking Information:		
No. of existing parking spaces: _____	Number of existing loading space(s) – if any: _____	

Information respecting the area to be occupied:	
Floor Area: : _____ m ² or _____ ft ² Current use of area: _____ <i>(show location and size of windows on required sketch)</i>	Height of ceiling: _____ Number of Windows: _____ Size of window(s): _____
Alterations/Repairs/Renovations:	
Are any alterations/repairs proposed: <input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please specify:</i> 	
Signatures required:	
Signature of Owner:	Signature of Applicant:
Date Signed:	Date Submitted:

*** A floor plan and a site plan are required to complete this application. Please ensure that information with respect to floor area, location of the area to be occupied for the home occupation, and the size of the windows in the area to be occupied are included on your sketch.**

Please contact Andrew McGinnis, (613) 342-8772, ext. 421; email: amcginnis@brockville.com if you have any questions with respect to completing the application.