



**TOWN OF BLACK DIAMOND**  
**Land Use By-law No. 98-14**  
**HOME OCCUPATION PERMIT**

I/We hereby make application for a Home Occupation permit under the provisions of the Land Use By-law in accordance with supporting information and any plans submitted herewith which form part of this application.

HO # \_\_\_\_\_ Roll # \_\_\_\_\_ Date Received: \_\_\_\_\_

HO Fee: (Minor \$50; Major \$100) \$ \_\_\_\_\_ Zoning: \_\_\_\_\_

**Applicant Name:** \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/ Town, Prov \_\_\_\_\_ Postal Code \_\_\_\_\_

Tel. No. \_\_\_\_\_ Fax. No. \_\_\_\_\_ e-mail: \_\_\_\_\_

Name of **Registered Owner** of Land \_\_\_\_\_

Mailing Address \_\_\_\_\_ Tel. No. \_\_\_\_\_

**Civic/Street Address of Property:** \_\_\_\_\_

Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Plan (Quarter Section) \_\_\_\_\_

Describe Nature of Business or Activity: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Hours of Operation: \_\_\_\_\_

Location of Business or Activity: Main Floor Dwelling , Basement , Accessory Building

Building Alterations required? *Yes* *No* (please circle one)

If yes, provide details and sketch, also note that you may be required to obtain a building permit: \_\_\_\_\_

\_\_\_\_\_

Describe Equipment to be used in Business or Activity: \_\_\_\_\_

Number of Employees: \_\_\_\_\_ Full Time: \_\_\_\_\_ Part Time: \_\_\_\_\_ Type of Vehicles to Used: \_\_\_\_\_

Number of Vehicles: \_\_\_\_\_ Vehicle Trips per Day: \_\_\_\_\_ Parking Stalls Provided on Site: \_\_\_\_\_

**Upon receipt of this completed application, fee and any required background or accompanying material, the Development Authority has up to 40 days to process the application, during which time the Development Authority may refer to other agencies and may exercise their discretion to either approve or refuse the application.**

**Note: This is NOT a building permit; any/all applicable building, gas, electrical, and plumbing permits must be obtained prior to commencing any renovation or new construction.**



The Applicant represents and warrants to the Town of Black Diamond that the information contained in this application and the dimensions shown on the plans submitted with this application are true and correct.

\_\_\_\_\_ Applicant Signature \_\_\_\_\_ Date

I, (print name) \_\_\_\_\_ do hereby certify that I am the Registered Owner of the property in question and that I give my approval for the development as outlined in this application.

Registered Owner \_\_\_\_\_ Date \_\_\_\_\_  
(Signature)

**Right of Entry Signature**

In accordance with the Municipal Government Act, I hereby authorize the Designated Officers of the Town of Black Diamond to enter upon the land for the purpose of conducting a site inspection in connection with my development permit application.

\_\_\_\_\_  
Registered Owner's Signature Applicant's Signature

**Freedom of Information**

I understand that this application and accompanying information is public record that is accessible by the public. Upon request to the Town this application and file documentation will be made available for viewing.

\_\_\_\_\_  
Registered Owner's Signature Applicant's Signature

**DECISION**

Date of Decision \_\_\_\_\_ Notice Date (If Applicable) \_\_\_\_\_

Approved Subject to attached condition(s).  Refused for the attached reason(s).

Date of Issuance of Home Occupation Development Permit \_\_\_\_\_

**Designated Officer** \_\_\_\_\_



## EXTRACT OF DEFINITION AND SECTION 9.2

### DEFINITION

“**home occupation, major**” means a home based business which may generate client visits but shall not change the residential character of the dwelling and accessory building. Non – resident employees may be allowed. Typical uses may include, but not be limited to, hobby crafts, hairdressing, consultants, professionals, music instruction, and tutoring. *02-04*

“**home occupation, minor**” means a home based business with no aspects of the business detectable from outside the property. The business shall generate no client contact at the residence and shall employ only individuals who reside within the dwelling. Minor uses typically only involve a “desk and telephone-type” operation and may include contractors, professionals, consultants, and catalogue sales.

### RULES

#### 9.2 HOME OCCUPATIONS

Home occupations shall be limited to those uses that do not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood. These activities shall be an incidental and subordinate use to the principal residential building and accessory building. Home occupations are divided into categories: major and minor, and are guided by the following provisions:

##### 9.2.1 Minor Home Occupations

- a) The home occupation shall be operated as a secondary use only, and shall not change the principal character or external appearance of the dwelling or accessory building in which it is located. *02-04*
- b) The home occupation shall not employ any person who lives outside of the home.
- c) Home occupations shall not generate traffic uncharacteristic to the residential area.
- d) The home occupation may not extend beyond the confines of the primary residential dwelling nor utilize accessory buildings. There shall be no outside storage of materials, goods or equipment on the site.
- c) There shall be no form of advertising relating to the occupation discernible from outside the building.
- d) One on site parking stall shall be provided for each vehicle used by the occupation, plus the requirements of the dwelling.

##### 9.2.2 Major Home Occupations

- a) A major home occupation shall be operated as a secondary use only, and shall not change the principal character or external appearance of the dwelling or accessory building in which it is located. *02-04*



- b) The home occupation may employ up to two persons who do not live on the site or within the primary residence.
- c) The home occupation should not generate traffic more than five (5) vehicle trips per day. *02-04*
- d) One on site parking stall shall be provided for each employee and each vehicle used by the occupation, plus those required for the residential use.
- e) There shall be no visible outside storage of materials, goods or equipment on the site, but the utilization of accessory buildings may be acceptable.
- f) Advertising relating to the home occupation and discernible from the outside of the building shall be limited to one non-illuminated sign which does not exceed 1,000 cm<sup>2</sup> (155 sq. in.).

### **9.2.3 General Regulations Governing Home Occupations**

- a) There shall be no mechanical or electrical equipment used which creates visual, audible or electrical interference with radio or television reception.
- b) Any vehicles parking on-street or off-street as a result of the home occupation shall, in the opinion of the Approving Authority, not be a source of inconvenience to adjacent land owners or tenants, or exceed 6000 kg (13,227.5 lbs).
- c) The home occupation shall not, in the opinion of the Approving Authority, be a source of inconvenience, materially interfere with or affect the use, enjoyment or value of neighbouring properties, by way of excessive noise, smoke, steam, odour, dust, vibration or refuse matter which would not commonly be found in the neighbourhood.
- d) If at any time any of the requirements for a home occupation have not, in the opinion of the Approving Authority, been complied with, or the use is not in keeping with the terms of the approved application, the Approving Authority may suspend or cancel the development permit for the home occupation, pursuant to the provisions under the Municipal Government Act or request the applicant to submit a new application to the approving authority for consideration. *02-04*
- e) The occupation shall be operated only as a secondary use to the residential use of the site for which the permit is issued. The permit shall only be valid for the period of time the site is occupied by the applicant. *02-04*
- f) A permit for an occupation in a Residential Site does not exempt compliance with health regulations or any other permit requirements. *02-04*
- g) Any changes to the originally approved application must be provided in writing to the Approving Authority. *02-04*