

# Home Based Business, Rural



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*This factsheet is for informational purposes only. Please be sure to consult the relevant City of Kelowna bylaw.*

## PURPOSE

To inform the general public and staff of zoning and business bylaw regulations that apply to a Home Based Business, Rural category within the City of Kelowna.

## BACKGROUND

The City of Kelowna embraces the opportunity for economic growth and diversity within the business sector of the community and home based businesses are an important part of the City's economy. Whether you are a new business owner, transferring ownership, or relocating to Kelowna, it is important to be aware of the restrictions that may apply to your business. The city needs to ensure that neighbourhood character and livability is maintained where home based businesses are conducted. As a result, there are restrictions on the operation of a home based business, rural.

## LICENSE REQUIRED

The City of Kelowna Business License and Regulation Bylaw No. 7878 states:

- 4.1 Every person who owns or operates a business within the City shall apply for, obtain and hold a License for each business.
- 4.4 No person shall carry on a business for which a license is required by this bylaw within the City without holding a valid and subsisting license for the carrying on of such business.
- 9.1 A license authorizes only the person named in the license to carry on only the business described in the license, within any assigned license conditions or restrictions, and only at the premises or locations described in the license.

## DEFINITIONS

**Business** – means carrying on a commercial or industrial undertaking of any kind or nature, or the providing of professional, personal or other services for the purpose of gain or profit, but does not include any activity carried on by the government, its agencies or government owned corporations.

**Home Based Business, Rural** – means development consisting of the use of a dwelling unit or accessory building for a business by a resident who resides for more than 240 days of a year at that dwelling unit. The business must be secondary to the residential use of the building and shall not change the residential character of the dwelling or accessory building. This use does not include care centres.

## ZONING

The City of Kelowna allows home based business, rural in the following zones: A1, RR1, RR2.

## RESTRICTIONS

The City of Kelowna Zoning Bylaw No. 8000 Section 9 states:

- 9.4.1 All rural home based businesses shall be secondary uses and must comply with the following:

**Business Licenses**  
1435 Water Street  
Kelowna, BC V1Y 1J4  
TEL 250-469-8617  
FAX 250-862-3340

- (a) A rural home based business shall only be conducted within a principal building or one accessory building or structure and no exterior storage or operation of the rural home based business shall be permitted;
- (b) No variation from the residential character and appearance of land or buildings shall be permitted and no external structural change to any principal building or accessory building or structure for the purpose of accommodating a rural home based business shall be permitted;
- (a) No nuisance from noise, vibration, smoke, dust, odours, heat, glare, electrical or radio disturbance shall be produced by the rural home based business and, at all times, the privacy and enjoyment of adjacent dwellings shall be preserved and the rural home based business shall not adversely affect the amenities of the neighbourhood; and
- (c) The rural home based business shall not generate any pedestrian or vehicular traffic or parking in excess of that which is generally characteristic of the neighbourhood within which it is located; and shall not generate more than two clients to the site from which the occupation is being operated at any given time."

9.4.2 No more than two persons other than residents of the principal residence shall be engaged in the rural home based business.

9.4.3 A rural home based business shall not occupy more than 100 m<sup>2</sup> of floor area.

9.4.4 A rural home based business shall not occupy a required parking space.

9.4.5 General retail sales of products not produced on the premises except for products incidental to the service or agricultural products, mail order sales, telephone sales, or goods where the customer does not enter the premises to inspect or pick up the goods, or products incidental to the service provided shall not be permitted in a rural home based business.

9.4.6 Not more than one commercial vehicle with a gross vehicle weight rating of no more than 3500 kg used in conjunction with the rural home based business shall be parked or maintained on the site of a rural home based business.

9.4.7 A rural home based business shall not involve the sale or display of any goods on the site other than those goods constituting the finished principal product of the home based business.

9.4.8 A rural home based business sign is permitted according to the provisions of Sign Bylaw No. 11530.

9.4.9 The minimum lot area required for a rural home based business is 4000 m<sup>2</sup>.

9.4.10 When a rural home based business involves the cutting and wrapping of wild game or any meat, it shall satisfy all requirements of the *Health Act*.

9.4.11 A food catering business operating lawfully within a dwelling may establish one additional kitchen provided that its installation is required by the Health Authority and that the kitchen must be removed should that home based business, rural use cease. The additional kitchen is not permitted to be utilized to establish an additional dwelling.

## CONCLUSION

It is the business owner's responsibility to ensure zoning, use, building, health and any other requirements are satisfied prior to the issuance of a business License. Failure to do so may result in a denial of your business License application and/or bylaw enforcement action which may include fines and/or suspensions.

Starting a business is a major undertaking and there are a number of resources available to assist you with that process. Should you require any further information, please visit [www.kelowna.ca](http://www.kelowna.ca) and click Business Services or attend City Hall at 1435 Water St., Kelowna, B.C. V1Y 1J4. Monday – Friday, 8 a.m. – 4 p.m. Phone: (250) 469-8617.