

Home Based Business, Major



Created: January 2017
Updated: Oct. 26, 2022

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

Starting a business is a major undertaking and there are a number of resources available to assist you with that process. Should you require further information, please visit kelowna.ca/business

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PURPOSE

To inform the general public and staff of zoning and business licence bylaw regulations that apply to a Home-Based Business, Major 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, major.

BUSINESS LICENCE

The City of Kelowna Business Licence 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 licence for each business.
- 4.4 No person shall carry on a business for which a licence is required by this bylaw within the City without holding a valid and subsisting licence for the carrying on of such business.
- 9.1 A licence authorizes only the person named in the licence to carry on only the business described in the licence, 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 - means development consisting of the use of a dwelling unit or accessory building for a business by a resident. 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 automotive & equipment. This use also does not include the retail sales of products not produced on site, with the exception of mail order sales, website 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.

Home-Based Businesses are divided into three categories: Minor, Major, and Rural:

- b) Major home-based businesses are intended to operate within a dwelling unit (or within an accessory building).

ZONING

The City of Kelowna allows home-based business, major in the following zones:

A1, A2, RR1, RR2, RU1, RU2, RU4, RU5, MF1, MF2, MF3, CA1, VC1, UC1, UC2, UC3, UC4, UC5, HD2,

RESTRICTIONS

The City of Kelowna Zoning Bylaw No. 12375, Section 8.3 states:

One off-street parking space is required for a home-based business major, plus the parking requirement for the principal dwelling unit.

The City of Kelowna Zoning Bylaw No. 12375, Section 9.2 states:

The home-based business must be operated by a resident who resides for more than 240 days of the year.

The home-based business shall be conducted within in a principal dwelling unit or one accessory building or structure.

No exterior storage or exterior operation shall be permitted.

No nuisance from noise, vibration, smoke, dust, odours, heat, glare, electrical or radio disturbance shall be produced by the home-based business and, at all times, the privacy and enjoyment of adjacent dwellings shall be preserved and the home-based business shall not adversely affect the amenities of the neighbourhood.

Limit of two clients to the site from which the business is being operated at any given time.

One person maximum other than the principal residents of the dwelling unit can be engaged in the home-based business onsite.

Sale and/or display of any goods exclusively produced onsite or those goods which constituting the finished product of the home-based business is permitted.

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 the home-based business use cease. The additional kitchen is not permitted to be utilized to establish an additional dwelling.

Parking on-site of commercial vehicles larger than 4,100 kilograms gross vehicle weight is not permitted.

Maximum Gross Floor Area (GFA) is 50 metres² (including any accessory structure GFA) and no more than 25% of the GFA of the 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 licence. Failure to do so may result in a denial of your business licence application and/or bylaw enforcement action which may include fines and/or suspensions. Should you require any further information, please visit www.kelowna.ca/business email businesslicences@kelowna.ca or call 250-469-8617.