

14) **Home Based Business**¹

On parcels where a home based business is a permitted use, the following provisions apply:

- a) The following activities shall be permitted as a home based business:
 - i) processing of goods;
 - ii) sales of related or unrelated goods combined with home based business product sales to a maximum of 1/3rd of home based business floor area;
 - iii) bed and breakfast provided the activity is contained wholly within the dwelling unit to a maximum of 2 bedrooms in Residential 1 and 3 zones and to a maximum of 4 bedrooms in all other zones where permitted by this Bylaw;
 - iv) rental of non-motorized outdoor recreation equipment;
 - v) personal service use;
 - vi) professional practice; and
 - vii) office.

- b) Despite Section 3.3.14 a), the following activities are prohibited as a home based business:
 - i) animal breeding in excess of two litters per calendar year;
 - ii) dog boarding;
 - iii) public assembly use;
 - iv) school pursuant to the **Schools Act**;
 - v) chemical processing;
 - vi) dry cleaning;
 - vii) slaughtering;
 - viii) butchering;
 - ix) smoking of food;
 - x) seafood processing;
 - xi) canning of foods with a pH level equal to or greater than 4.5;
 - xii) laundries;
 - xiii) manufacturing of fiberglass, pyroxlin or similar products;
 - xiv) paint, varnish, or lacquer manufacturing;
 - xv) primary processing including the processing of fence posts, shakes, and firewood;
 - xvi) rubber manufacturing;
 - xvii) tanneries;
 - xviii) funeral parlour;
 - xix) warehousing, specifically including mini-storage;
 - xx) marshalling of vehicles, equipment, and machinery;
 - xxi) vehicle wrecking or dismantling of vehicles;
 - xxii) spray painting shop;
 - xxiii) recycling facility;
 - xxiv) recreation facility;
 - xxv) sale of food and/or beverages for immediate consumption on or off the premises by and individual or household, and specifically including fast food

¹ Bylaw No. 500.270, adopted November 13, 2001

- outlets, neighbourhood pubs and restaurants, but not including breakfast served by a bed and breakfast to the traveling public who have been provided with overnight accommodation;²
- xxvi) taxidermy;
 - xxvii) dispensing of automotive fuel, oil, or fluids;
 - xxviii) automotive repairs, vehicle restoration or maintenance except on parcels zoned Agriculture 1 and 2 (AG1-AG2) and Rural 1 to 4 (RU1-RU4) and Rural 6 to 9 (RU6-RU9) and Resource Management 1 to 5 (RM1-RM5) and Resource Management 7 to 9 (RM7-RM9)³;
 - xxix) cannabis production.^{4 5}
- c) A home based business must:
- i) be conducted by the permanent residents of the parcel on which the home based business activity is located;
 - ii) be accessory to the residential use of the parcel;
 - iii) not change the outside appearance of the premises or create other visible evidence of its existence, other than one sign;
 - iv) be registered with the Regional District of Nanaimo Business Registry;
 - v) create no noise, vibration, glare, fumes, odours, dust, or smoke detectable off the parcel to the normal senses;
 - vi) be wholly contained within the dwelling unit, garage, and/or accessory building(s), except for outdoor play areas for child care facilities; and
 - vii) provide off street parking on the parcel for all non-resident employees.
- d) A maximum of one (1) non-illuminated home based business sign per parcel is permitted, provided that the sign:
- i) does not exceed .75m² in sign face area;
 - ii) is displayed on the exterior wall face of a dwelling unit, accessory building or fence, or as a free standing sign;
 - iii) if freestanding, does not exceed 1.5 metres in height;
 - iv) if freestanding, is sited within required setbacks of the applicable zone.
- e) A maximum of one non-resident home based business employee is permitted per parcel or the part time equivalent thereof.
- f) Despite subsection e), a maximum of two non-resident home based business employees are permitted per parcel in all Residential 2 (RS2) zones, in Agriculture 1 and 2 (AG1– AG2) zones, Rural 1 to 4 (RU1-RU4), Rural 6 to 9 (RU6-RU9) zones, Resource Management 1 to 5 (RM1-RM5) and Resource Management 7 to 9 (RM7-RM9) zones.⁶
- g) The location of a home based business is as follows:
- i) For Residential 1 (RS1) parcels less than 2000 m² in area, all Residential 3 (RS3) parcels, and all Rural 5 (RU5) parcels, a home based business must be

² Bylaw No. 500.286, adopted August 13, 2002

³ Bylaw No. 500.402, adopted June 28, 2016

⁴ Bylaw No. 500.415, adopted March 27, 2018

⁵ Bylaw No. 500.387, adopted February 11, 2014

⁶ Bylaw No. 500.402, adopted June 28, 2016

- contained within the dwelling unit or attached garage, with the exception of outdoor play areas for child care facilities.
- ii) In all other zones where a home based business is a permitted use, the home based business must be contained within the dwelling unit, attached garage or accessory buildings(s), with the exception of outdoor play areas for child care facilities.
- h) The maximum allowed home based business floor area is as follows:
- i) On Residential 1 (RS1) parcels less than 2000 m², all Residential 3 (RS3) parcels, and Rural 5 (RU5) parcels, the home based business floor area must not exceed 49% of the combined total floor area of the dwelling unit and attached garage to a maximum of 100 m².
 - ii) On Residential 1 (RS1) parcels greater than or equal to 2000 m² and all Residential 2 (RS2) parcels, the home based business floor area must not exceed 49% of the combined total floor area of the dwelling unit and attached garage to a maximum of 100 m², or a maximum of 100 m² combined total for dwelling unit, attached garage, and/or accessory building(s).
 - iii) On Agriculture 1 and 2 (AG1 – AG2), Rural 1 to 4 (RU1-RU4) and Rural 6 to 9 (RU6-RU9) parcels and Resource Management 1 to 5 (RM1-RM5) and Resource Management 6 to 9 (RM6-RM9) parcels, the home based business floor area must not exceed 49% of the combined total floor area of the dwelling unit and attached garage to a maximum of 150 m² or a maximum of 150 m² combined total floor area for the dwelling unit, attached garage, and/or accessory building(s).⁷
- i) Home Based Business shall not be permitted within a secondary suite nor by the occupants of a secondary suite elsewhere on the subject property.
- j) Bed and Breakfast shall not be permitted on a parcel that contains a suite.
- k) Where a secondary suite is located on a parcel less than 4,000 m² in area, the Home Based Business must:
- i) be limited to one (1) business; and,
 - ii) not include any non-resident home based business employees.⁸

⁷ Bylaw No. 500.402, adopted June 28, 2016

⁸ Bylaw No. 500.389, adopted May 27, 2014