



## HOME BASED BUSINESS – TYPE II

**HOME BASED BUSINESS:** an accessory use of a dwelling unit by a resident of the dwelling for a business which is secondary and incidental to the primary use of the dwelling as a residence, and does not change the residential character of the buildings or site.

**Home Based Business – Type 2:** a home based business owned and operated by a resident(s) of the dwelling unit, but where no more than one non-resident person may be employed on the site.

### GUIDELINES

The application must comply with the following attached Zoning Bylaw Regulations: Section 3.9 Discretionary Use Applications, Section 4.10 Signs and Section 4.11.8 Home Based Businesses; the Business License Bylaw and Building Bylaw. A Home Based Business Type II application is a **discretionary use** in the R1, R2, R3, R4, R4A, RMH, CS, C1, FUD and RD2 Districts. **Council approval is required for all discretionary uses.**

A floor layout indicating the area to be used for the home based business is required. The applicant must indicate the gross floor area of the space used for the home based business and the total gross floor area of the dwelling including basement and attached garage. No more than 20% of the gross floor area of the dwelling, including the basement and attached garage, up to a maximum of 40m<sup>2</sup>, may be occupied by a home based business. Home based businesses are approved for the **location** of the applicant and not the business name. Should the home based business be relocated, a new application is required.

If the applicant is not the owner of the subject property, a signed consent letter from the owner of the property is needed. Where a home based business is located in a condominium, the owner shall provide a consent letter to the Town from the condominium board.

All business licenses are valid for the calendar year of January 1<sup>st</sup> to December 31<sup>st</sup> and must be renewed annually. If not renewed, your business is considered terminated. Any home based business offering esthetics services (hair salons, massage therapy, gel nails, body sugaring, etc.) must contact Public Health for regulations.

### DISCRETIONARY USE

**Discretionary Use:** a use or form of development that may be allowed in a zoning district following application to, and approval of the Council; and which complies with the development standards, as required by Council, contained in the Zoning Bylaw.

A minimum of two council meetings is required before final approval is obtained.

### APPLICATION REQUIREMENTS

The application is submitted to Administration for approval. The application package must include:

- Home Based Business Discretionary Use Application
- Development Permit Application
- Floor layout of area used for home based business
- Business License Application
- All applicable fees
- Building Permit Application (if any structural renovations are being done)

Any changes from the original application must be submitted to Administration in writing.

**This is a quick reference guide only. Contact Town Hall at (306) 937-6200 for more information.**

## **TOWN OF BATTLEFORD ZONING BYLAW**

### **3.9 DISCRETIONARY USE APPLICATIONS**

#### *3.9.1 Discretionary Use Application Process*

- (1) The following procedures shall apply to discretionary use applications:
  - (a) Applicants must file with the Development Officer a development permit application, a site plan, any other plans and information as required by the Development Officer and pay the required fees as laid out in Section 3.14.
  - (b) The application will be examined by the Development Officer for conformance with the *Official Community Plan*, this Bylaw, and any other applicable policies and regulations.
  - (c) The Development Officer may request comments from other government agencies where applicable.
  - (d) The Development Officer will prepare a report concerning the application including recommended conditions that may be applied to an approval.
  - (e) The Development Officer will set a date for the meeting at which the application will be considered by Council and will give notice by ordinary mail to assessed owners of abutting property.
  - (f) Council shall consider the application together with the report of the Development Officer, and any written or verbal submissions received by Council.
  - (g) Council may reject the application or approve the application with or without conditions, including a condition limiting the length of time that the use may be conducted on the site.
  - (h) The Development Officer shall notify the applicant of Council's decision by ordinary mail addressed to the applicant at the address shown on the application form.
  - (i) Where an application for a discretionary use is approved by resolution of Council, the Development Officer shall issue a development permit subject to any conditions prescribed by Council. Council shall consider applications in terms of the requirements contained in Section 3.9.2 and 3.9.3.
  - (j) The Development Officer shall maintain a registry of the location and all the relevant details respecting the granting of the discretionary use approval.

#### *3.9.2 Terms and Conditions for Discretionary Use Approvals*

- (1) Discretionary uses, discretionary forms of development, and associated accessory uses are subject to the development standards and applicable provisions of the zoning district in which they are located. In approving any discretionary use, to minimize land use conflict, Council may prescribe specific development standards related to:
  - (a) site drainage of storm water;
  - (b) the location of buildings with respect to buildings on adjacent property;
  - (c) access to, number and location of parking and loading facilities including adequate access and circulation for pedestrian and vehicle traffic;
  - (d) appropriate space for vehicle line ups for drive through commercial facilities in order to reduce disruption of traffic flows on adjacent roadways;
  - (e) control of noise, glare, dust and odour;

- (f) landscaping, screening and fencing and preservation of existing vegetation to buffer adjacent properties;
  - (g) the size, shape and arrangement of buildings, and the placement and arrangement of lighting and signs;
  - (h) prescribed specified time limits for a use that is intended to be temporary or to allow Council to monitor the impact of a use on surrounding development; and,
  - (i) intensity of use.
- (2) Council may approve discretionary use applications for a limited period of time where it is considered important to monitor and re-evaluate the proposal and its conformance with the objectives of this Bylaw.
  - (3) Council's approval of a discretionary use application is valid for a period of 12 months from the date of approval. Council may direct that a discretionary use permit extension be granted for an additional 12 month period by the Development Officer, upon request of the applicant.
  - (4) A discretionary use approval shall be deemed to be invalid for the following reasons:
    - (a) if the proposed use or proposed form of development has not commenced within the 12 month period;
    - (b) the proposed development is not proceeding in accordance with the terms and conditions of its approval;
    - (c) If an approved discretionary use or form of development ceases to operate for a period of twelve (12) months or more.

The Development Officer shall advise the owner and Council when a prior approval is no longer valid.

### 3.9.3 *General Discretionary Use Evaluation Criteria*

Council will apply the following general criteria, and, where applicable, the use specific criteria in Section 3.9.4, in the assessment of the suitability of an application for a discretionary use or discretionary form of development:

- (1) The proposal must be in conformance with all relevant sections of the *Official Community Plan* and must demonstrate that it will maintain the character, density and purpose of the zoning district, where necessary through the provision of buffer areas, separation and screening.
- (2) The proposal must be capable of being economically serviced by community infrastructure including roadways, water and sewer services, solid waste disposal, parks, schools, and other utilities and community facilities.
- (3) The proposal must demonstrate that it is not detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity or injurious to property, improvements or potential development in the vicinity.
- (4) The proposal must provide sufficient landscaping and screening, and, wherever possible, shall preserve existing vegetation.
- (5) The proposal must demonstrate that any additional traffic generated by the use, can be adequately provided for in the existing parking and access arrangements. Where this is not possible further appropriate provisions shall be made so as to ensure no adverse parking or access effects occur.
- (6) Consideration will be given to the presence of activities already located in the area and on the site, and their effect on the surrounding residential environment, such as the cumulative effect of locating an activity on a site adjacent to or already accommodating an activity that may currently generate traffic, noise or other impacts not in keeping with the character of the adjacent area.

- (7) Consideration will be given to addressing pedestrian safety and convenience both within the site, and in terms of the relationship to the road network in and around the adjoining area.
- (8) All operations shall comply with all applicable provincial or federal requirements which govern their operation and development.
- (9) Proposals for discretionary uses which may result in heavy truck traffic, particularly in commercial and industrial districts, should be located to ensure that such traffic takes access to or from major streets or designated truck routes.

#### 4.10 SIGNS

All signs shall be subject to the following regulations:

##### 4.10.1 *General*

- (5) Permitted home based businesses may display one (1) fascia sign, not exceeding 0.4 m<sup>2</sup> in area, identifying the name of the home based business. Such sign shall not be illuminated and shall be affixed to the principal building. (**Note:** on multiple unit residential buildings, other permissions may be required to display a home based business sign and no right to place such a sign in such situations is conveyed in this Bylaw.)

##### 4.10.2 *Application for Permits*

- (1) Applications for sign permits must be made in writing to the Development Officer by the owner, lessee or authorized agent of the building or premises on which the sign is to be erected. The written application shall be accompanied by plans, specifications, construction details and other information sufficient to inform the Development Officer of the exact nature and location of the intended sign.

##### 4.10.4 *Permit and Licence Fees*

- (1) Permanent signs – a permit fee of \$10.00 for each \$1,000 of retail value of the sign with a minimum fee of \$75.00.

##### 4.10.5 *Denying or Revoking Permits*

- (1) The Development Officer may deny or revoke a sign permit for any of the following reasons:
  - (a) erection of the sign has not commenced within three months from the date of issue of the permit;
  - (b) the sign does not conform to all relevant provisions of this Bylaw;
  - (c) the sign being constructed or erected does not conform to the approved drawings; and/or,
  - (d) the sign is not in a proper state of repair.

##### 4.11.8 *Home Based Businesses*

- (1) All applications for home based businesses must be considered as Type I or Type II. The development standards for Type I and Type II home based businesses are contained in sub-sections (4) and (5), respectively.
- (2) Without limiting the authority of the Development Officer to approve other types of home based business applications, the following uses are specifically permitted as home based businesses, subject to the applicable development standards within sub-sections (4) and (5):
  - (a) art restoration;
  - (b) beauty parlours, barber shops;

- (c) the creation of crafts for sale off-site, such as novelties and souvenirs, corsage and flower arrangements, gift baskets, and other handicrafts including but not limited to ceramics, pottery, leather goods and jewellery;
  - (d) dressmaker, seamstress, or tailor;
  - (e) electrology, acupuncture, reflexology, and massage therapy;
  - (f) the instruction of art, dancing, or music, limited to no more than three students at a time;
  - (g) office of a professional, or one who offers skilled services to clients and is not engaged in the sale of goods or products to clients;
  - (h) photography studios;
  - (i) typing, word processing, and computer programming services.
- (3) Without limiting the authority of the Development Officer to deny applications for other types of home based businesses which do not meet the requirements of this Bylaw, the following uses are prohibited as home based businesses, whether or not applications for such uses would otherwise comply with the applicable standards of this Bylaw:
- (a) businesses utilizing large power tools and machinery, or businesses involved in the mass production of similar items or products;
  - (b) restaurants, drinking establishments or tea rooms;
  - (c) health or fitness clubs;
  - (d) headquarters or base of operations of a taxi, trucking, delivery, or towing operation;
  - (e) hotels, motels and hospitals;
  - (f) laundry services;
  - (g) motion picture or recording studios;
  - (h) the painting, repairing, refitting, cleaning, refurbishing, or selling of motor vehicles or machinery;
  - (i) repair, rental or sharpening services;
  - (j) sign manufacturing and sign painting;
  - (k) upholstery services;
  - (l)
    - (i) veterinary services;
    - (ii) boarding, grooming or care of animals, except for dwellings located in the RD2 – Restricted Development 2 District, subject to Section 3.9.4(16), where the number of animals being boarded, groomed or cared for does not exceed 6”;
  - (m) welding or metal works;
  - (n) any use that creates noise, vibration, smoke, dust, odour, air pollution, heat, glare, bright light, hazardous or unacceptable waste, or electrical, television, or radio interference detectable by sensory perception or by scientific instruments at or beyond the boundaries of the building or beyond the unit walls within a multiple unit dwelling.

Bylaw 7/2017

- (5) The following development standards shall apply to all Type II home based businesses:
- (a) In accordance with the definition of a Type II home based business, no more than one non-resident person shall be employed in relation to home based businesses on any one site.
  - (b) Home based businesses shall be conducted entirely indoors, and no more than 20% of the gross floor area of the dwelling, including the area of the basement and any attached garage, up to a maximum of 40 m<sup>2</sup>, may be occupied by home based businesses.
  - (c) An attached garage or detached accessory building may be occupied by home based businesses, provided that the total area devoted to home based businesses does not exceed 40 m<sup>2</sup> on the site, and that no required parking spaces associated with the principal use are occupied by home based businesses.
  - (d) There shall be no exterior storage on the site in relation to the home based business, and no exterior alterations shall be permitted that are not consistent with the residential character of the building and property.

- (e) No noise, vibration, smoke, dust, odours, heat, glare, electrical, television or radio interference detectable beyond the boundaries of the building containing the home based business shall be produced.
- (f) One off-street parking space shall be required for a non-resident employee, and, if otherwise permitted, this space may be located in a required front yard. Additional off-street parking spaces may be required, where in the opinion of the Development Officer, due to the nature of the business or the site, the provision of parking is necessary to maintain the residential character of the area. The siting and screening of all required parking spaces shall be undertaken to the satisfaction of the Development Officer.
- (g) No more than one business related vehicle and one business related trailer, each with a gross vehicle weight of no more than 5,000 kg and a total length of no more than 6.0 metres, may be stored on or in the vicinity of the site.
- (h) Regardless of the number of home based businesses that may be located on any one site, a total of no more than fourteen (14) client or business related visits per day shall be made to home based businesses on any one site, and no deliveries of merchandise, goods or equipment shall be made to the businesses by a vehicle with a gross vehicle weight of more than 5,000 kg, or by a vehicle with a total length of more than 6.0 metres.
- (i) A total of no more than 2.0 cubic metres of storage may be permitted within a dwelling on any one site, and a total of no more than 4.0 cubic metres of storage may be permitted within an attached or detached accessory building in relation to home based businesses. No storage of hazardous, explosive or flammable materials shall be permitted in relation to a home based business.
- (j) Where the operator of a home based business is not the owner of the subject property, the operator shall provide to the Town a letter of consent from the owner of the subject property. Where a home based business is proposed for a dwelling which is part of a condominium, the owner shall provide to the Town a letter of consent from the condominium board.



# TOWN OF BATTLEFORD

Revised July 2018

## HOME BASED BUSINESS – TYPE II DISCRETIONARY USE APPLICATION

### 1 Applicant Information

Full Name \_\_\_\_\_  
 Mailing \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Email \_\_\_\_\_

### 2 Registered Owner Information (if different from applicant)

Full Name \_\_\_\_\_  
 Mailing \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Email \_\_\_\_\_

### 3 Home Based Business Information

Business Name \_\_\_\_\_  
 Civic Address \_\_\_\_\_ Zoning District \_\_\_\_\_

#### Description of Home Based Business

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

#### Days and Hours of Operation

Client or business-related visits per day \_\_\_\_\_  
 Number of Non-resident Employees \_\_\_\_\_  
 Number of Business-related vehicles \_\_\_\_\_  
 Number of off-street parking spaces \_\_\_\_\_  
 Indoor storage (m<sup>3</sup>) \_\_\_\_\_  
 Storage in Accessory Buildings (m<sup>3</sup>) \_\_\_\_\_  
 Proposed Start Date \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

### 4 For Office Use Only

Business License Fee \$ \_\_\_\_\_  
 Development Permit Fee \$ \_\_\_\_\_  
 Building Permit Fee \$ \_\_\_\_\_  
 Total \$ \_\_\_\_\_

Receipt No. \_\_\_\_\_  
 Approval Date \_\_\_\_\_  
 Development Officer \_\_\_\_\_



# TOWN OF BATTLEFORD

Application #: \_\_\_\_\_

## APPLICATION FOR DEVELOPMENT PERMIT

**THIS IS NOT A BUILDING PERMIT**

You are advised to check the regulations in the Town of Battleford Zoning Bylaw that govern the type of development being proposed prior to completing this application. Fill out only those sections of the application which are relevant to your proposal. Attach additional sheets if necessary.

### 1 Applicant Information

Full Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Fax \_\_\_\_\_  
 Email \_\_\_\_\_

### 2 Registered Owner Information (if different from applicant)

Full Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Fax \_\_\_\_\_  
 Email \_\_\_\_\_

### 3 Property Information (include any applicable)

Civic Address \_\_\_\_\_  
 Lot \_\_\_\_\_ Block \_\_\_\_\_ Registered Plan No. \_\_\_\_\_ Parcel No. \_\_\_\_\_  
 LSD \_\_\_\_\_ ¼ \_\_\_\_\_ Sec. \_\_\_\_\_ Twp. \_\_\_\_\_ Rge. \_\_\_\_\_ Mer. W3M

### 4 Proposed Development Information

a) Existing use of land and/or buildings: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ **EXISTING SIZE:** \_\_\_\_\_

b) Proposed use of land and/or buildings: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ **PROPOSED SIZE:** \_\_\_\_\_

c) Proposed construction and alteration of buildings: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

d) List any adjacent or nearby land uses: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e) Any additional information which may be relevant: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

f) Proposed date of start: \_\_\_\_\_ g) Proposed date of completion: \_\_\_\_\_

**CONTINUE →**



## 5 Development Context

Consult the Town of Battleford Official Community Plan Bylaw, Map 1 – Future Land Use Concept, and indicate with  whether the proposed development site is located within any of the following areas:

<b>Existing</b> Residential.....	<input type="checkbox"/>	<b>Future</b> Industrial.....	<input type="checkbox"/>
<b>Existing</b> Mixed-Use.....	<input type="checkbox"/>	<b>Future</b> Community Service.....	<input type="checkbox"/>
<b>Existing</b> Commercial.....	<input type="checkbox"/>	<b>Future</b> Parks & Recreation.....	<input type="checkbox"/>
<b>Existing</b> Industrial.....	<input type="checkbox"/>	<b>Future</b> Utilities & Infrastructure.....	<input type="checkbox"/>
<b>Existing</b> Community Service.....	<input type="checkbox"/>	-----	
<b>Existing</b> Parks & Recreation.....	<input type="checkbox"/>	<b>Potential</b> Residential.....	<input type="checkbox"/>
<b>Existing</b> Utilities & Infrastructure.....	<input type="checkbox"/>	<b>Potential</b> Mixed-Use.....	<input type="checkbox"/>
Vacant & Agricultural Land.....	<input type="checkbox"/>	<b>Potential</b> Commercial.....	<input type="checkbox"/>
-----		<b>Potential</b> Industrial.....	<input type="checkbox"/>
<b>Future</b> Residential.....	<input type="checkbox"/>	<b>Potential</b> Community Service.....	<input type="checkbox"/>
<b>Future</b> Mixed-Use.....	<input type="checkbox"/>	<b>Potential</b> Parks & Recreation.....	<input type="checkbox"/>
<b>Future</b> Commercial.....	<input type="checkbox"/>	<b>Potential</b> Utilities & Infrastructure.....	<input type="checkbox"/>

## 6 Site Plan / Vicinity Map

On the last page of this application, or on an additional attached page, include a Site Plan of the proposed development that clearly shows:

- |  |   |
|--|---|
| a) boundaries and dimensions of the site and adjacent lots                 | d) treed areas, water courses or bodies, landscaping and proposed lot grade information |
| b) location and size of all existing and proposed buildings and structures | e) location of existing and proposed access points to streets and lanes                 |
| c) utility lines, easements, or topographic features                       |   |

## 7 Application Fees

As per the Town of Battleford Zoning Bylaw, Section 3.14 – Fees, the applicable fees for a development permit are as follows:

- |                                 |          |                                 |   |
|---------------------------------|----------|---------------------------------|---|
| a) Permitted principal use:     | \$100.00 | e) Discretionary accessory use: | \$200.00  |
| b) Permitted accessory use:     | \$100.00 | f) Discretionary ancillary use: | \$200.00  |
| c) Permitted ancillary use:     | \$100.00 | g) Development appeal fee:      | up to \$50.00                                   |
| d) Discretionary principal use: | \$200.00 |                                 | (as specified by the Development Appeals Board) |

**These fees do not include building permit fees. Building permit fees will be in addition to any Development Permit Fees.**

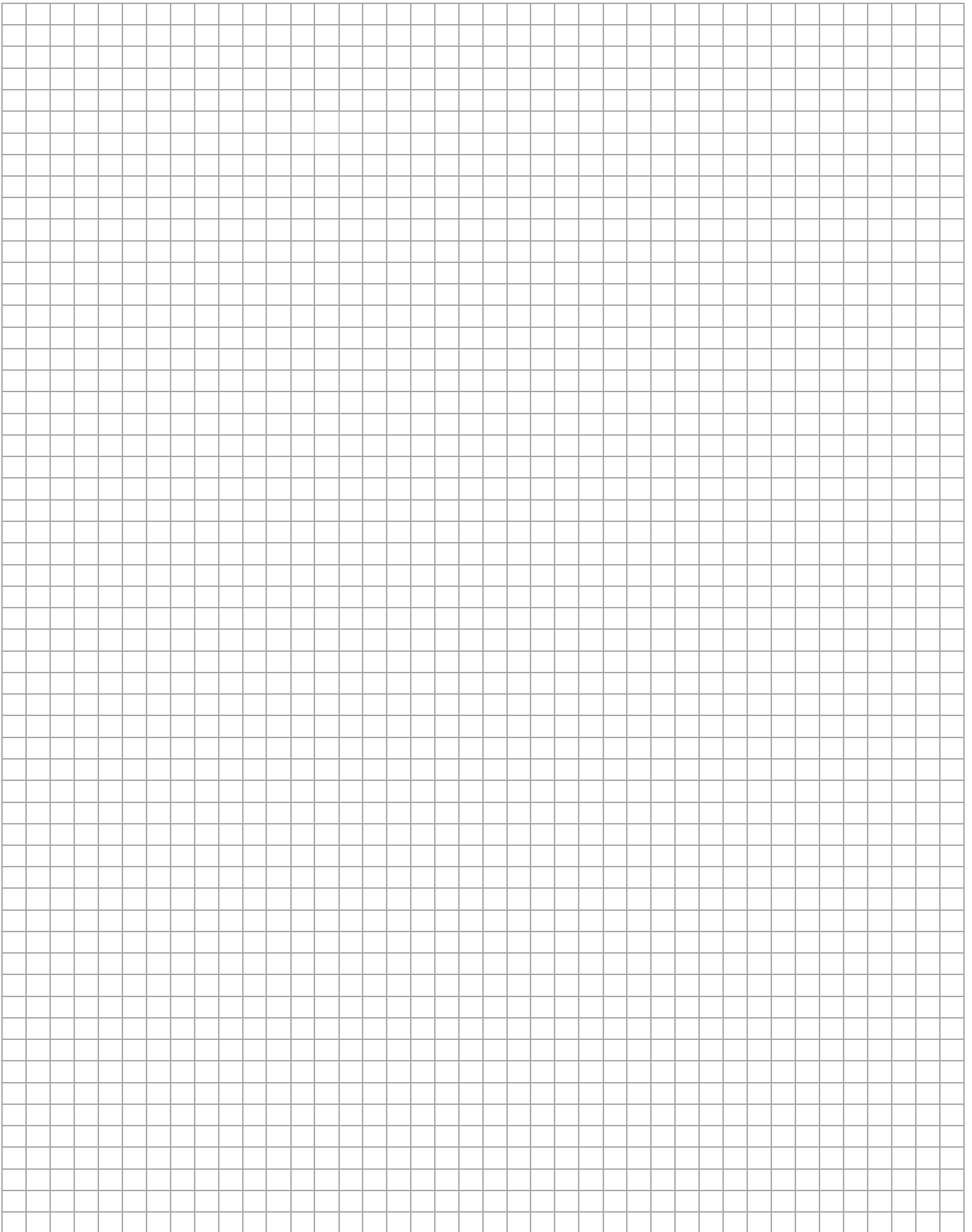
## 8 Declaration of Applicant

I, \_\_\_\_\_ of the \_\_\_\_\_ of \_\_\_\_\_ in the Province of Saskatchewan, solemnly declare that the above statements contained within this application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act. I have no objection to the entry upon the land described herein by the person(s) authorized by the Town of Battleford for the purpose of site inspections required for reviewing this application.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

SITE PLAN / VICINITY MAP





# TOWN OF BATTLEFORD

Revised July 2018

## BUSINESS LICENSE APPLICATION

### 1 Business Information

Business Name \_\_\_\_\_  
 Applicant's Name \_\_\_\_\_  
 Mailing \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
 Phone \_\_\_\_\_  
 Fax \_\_\_\_\_

### 2 Optional Webpage Information

Business Name \_\_\_\_\_  
 Civic Address \_\_\_\_\_  
 \_\_\_\_\_  
 Email \_\_\_\_\_  
 Website \_\_\_\_\_

### 3 Type of License

Please specify services, goods or merchandise offered for sale:

\_\_\_\_\_

### 4 Civic Address

- Commercial-Industrial \_\_\_\_\_
  - Home Based Business \_\_\_\_\_
  - Moving-In or Moving-Out Buildings \_\_\_\_\_
  - Transient Trader \_\_\_\_\_
- Transient Trader – Location approved by owner     yes     no
- Direct Seller – License Number (Provincial – copy attached) \_\_\_\_\_

I hereby certify the above information is true and correct.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant's Name (Print)

\_\_\_\_\_  
Applicant's Signature

### 5 For Office Use Only

License Fee \$ \_\_\_\_\_      Receipt No. \_\_\_\_\_      License No. \_\_\_\_\_  
 Expiry Date \_\_\_\_\_  
 Duration From \_\_\_\_\_ To \_\_\_\_\_  
 Type of License \_\_\_\_\_  
 Civic Location \_\_\_\_\_      Zoning District \_\_\_\_\_  
 Conditions or Remarks \_\_\_\_\_

\_\_\_\_\_  
Town Approval Date

\_\_\_\_\_  
Chief Administrative Officer