

# TOWN OF VICTORIA

## HOME-BASED BUSINESS BYLAW

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### DEFINITIONS:

1. **Home Occupations** - means development consisting of the use of an approved dwelling by a resident of that dwelling for one business. The resident of the dwelling shall be the principle operator of the business. This business shall not cause a level of vehicular traffic to the area which would cause a disturbance to the neighborhood. The business must be secondary to the residential use of the building and no aspects of the business operation shall be detectable from outside of the property. The dwelling shall be used as a work place for one only nonresident employee of the business, in addition to the resident owner or lessee of the property.
2. Home Occupations are discretionary uses in all residential districts except “Low Density Areas.” Notification required to be sent by mail to all owners of property wholly or partially located within a distance of 50 meters of the boundary of the site. Notice of occupation to be advertised at the developers expense in the local newspaper (one insertion). All objections are noted and referred to Council for consideration.
3. Development permit fee \$ \_\_\_\_\_; annual tax rates as designated by Council.
4. A Home Occupation shall comply with the following regulations:
  1. There shall be no exterior signboards display or advertisement.
  2. There shall be no mechanical or electrical equipment used which creates external noise or visible and audible interference with home electronics equipment in an adjacent dwelling.
  3. The home occupation shall employ no more than one person on site in addition to a resident of the dwelling. The resident shall be the principle operator of the business.
  4. There shall be no outdoor business activity or storage of materials or equipment associated with the business allowed on the site. Indoor storage, related to the business activity, shall only be allowed either in the dwelling or accessory building.
  5. A home occupation shall not change the principal character or external appearance of the dwelling involved.
6. In addition to the information requirements of this by-law, each application for a development permit for the use class Home Occupation shall include a description of the business to be undertaken at the dwelling, an indication of the anticipated number of business visits per week and details for the provision of parking, and where any materials or equipment associated with the business are to be stored.
7. A home occupation shall not generate vehicular traffic or parking in excess of that which is characteristic of the district on which it is located.
8. Home based businesses are subject to an annual taxation rate. This rate may be altered on an annual basis by the Town of Victoria.
9. No repairs to vehicles or heavy equipment are carried out.

10. Activities associated with the use are not hazardous and do not cause noticeable noise, odor, dust or fumes, or inconvenience and are not a nuisance to the occupants of adjoining residences.
11. Not more than twenty-five (25) per cent of the total floor area of the dwelling, up to a maximum of forty-five square meters, is devoted to the use.
12. No regular parking of commercial vehicles except for one vehicle with a pay load capacity of no greater than two tons will be permitted on the lot or on the road reservation adjacent to the lot.
13. No change shall be made in the type, class or extent of service provided without a permit.
14. Product display is not allowed and any sales from the residence must be incidental and subsidiary to the proposed use. Incidental means a maximum of two sales per week.

## DEVELOPMENT APPLICATION INFORMATION

A complete description is required for the following reasons:

1. The Town of Victoria relies on your information to either **approve or refuse** your application. It is in best interest to provide enough information so that the Town of Victoria can make the best decision.
2. Your neighbors will have the opportunity to appeal any approval. They often contact the Town office and require more detail on the Home Occupation and the information should be available in order to provide the answers to possibly avoid any appeal.
3. It is to your advantage to provide enough detail should your proposal be appealed to the Town of Victoria.
4. Any proposal involving food preparation or food products is subject to inspection and approval by the Dept. of Government Services.

If your application meets the Town's regulations and approves your Home Occupation, the Town Clerk is required to send notices to adjoining property owners within 50 meters, in addition to placing an advertisement in the local newspaper. If no appeal has been served to the Town within the specified number of days \_\_\_\_\_ from the date the notices were received, the application is referred to the Home Based Business By-Laws of Council for final approval. Once approval by Council has been given, a permit will be issued.

### **Typical Conditional of approval:**

The Town of Victoria has the right to **refuse** a development application for a Home Occupation if the proposal would be more appropriately located in a Commercial or Industrial District having regard for, among other matters, potential traffic generation and potential interference with the residential character of the District. If you are **refused**, you have the right to **appeal** the decision to the Development Appeal Board.

All applications must be submitted **in person** to:

Town of Victoria  
271 Main Highway  
PO Box 130  
Victoria, NL  
A0A 4G0

between 9:00 a.m. to 5:00 p.m. Monday to Friday.

If you have any questions regarding this form please call 596-3783.

## BUSINESS OPERATING OUT OF RESIDENCE

1. Occupancy Permit of \$10.00 at the commencement of the business, paid upon approval of application.
2. An annual tax shall be applied by Council of the Town of Victoria.

An invoice will be forwarded to existing businesses for the annual tax of \$\_\_\_\_\_.

Upon verification by financial statements or by sworn affidavit, a reduction may be approved if the gross revenue for the previous year was less than \$\_\_\_\_\_.

An invoice will be forwarded to new businesses for an amount based upon a projection of annual gross sales and will be verified after the first period of operation.

All registered operating businesses will be advertised prior to \_\_\_\_\_ (date) of each year as being legitimate businesses with approval to operate within Victoria. These advertisements will also state that these are the only approved businesses to be operated out of residences in Victoria and all other business known to be operating should be reported to the Town.

**SWORN STATEMENT AS TO REVENUE**

I, \_\_\_\_\_, make Oath and say that the gross amount  
(Name of Business Owner/Manager)

of business transacted by \_\_\_\_\_ during the calendar year  
( Name of Business)

\_\_\_\_\_ was \$ \_\_\_\_\_.

\_\_\_\_\_  
Signature of Business Owner/Manager

\_\_\_\_\_  
Address

Taken and sworn at Victoria  
in the Province of Newfoundland and Labrador  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Justice of the Peace: Notary Public, or  
Commissioner of Oaths.