



Town of Wainwright

# APPLICATION FOR HOME OCCUPATION DEVELOPMENT PERMIT

Land Use Bylaw #2009-02  
Business License Bylaw #92-11

Applicant (must live in the residence being used for the business): \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Address of Home Occupation: \_\_\_\_\_ Phone: \_\_\_\_\_

Legal Description: Lot \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_ Land Use District: \_\_\_\_\_

Registered Owner of Property: \_\_\_\_\_  
(attach written permission from registered owner if different than applicant)

Business Name: \_\_\_\_\_

Describe what the businesses function will be \_\_\_\_\_

## PLEASE COMPLETE FORM ON REVERSE

Any approval that may be granted is conditional upon the information provided in this application being correct. Every Home Occupation is subject to review annually and if at any time, it is determined that the Home Occupation is not being conducted in accordance with the provisions of the Land Use Bylaw, or as described in this application, the license may be revoked.

I hereby certify that the information in this application is true and correct and that I will abide by the provisions of the Land Use Bylaw and any conditions imposed in the operation of the Home Occupation if approved.

The personal information contained in this application is being collected under the authority of the Town of Wainwright Land Use Bylaw #2009-02 and will be used for the purpose of determining eligibility for a Home Occupation permit and for the enforcement of applicable laws. This information may be circulated to persons or authorities as necessary for the review process. If you have any questions regarding the collection of this information, contact the FOIP Coordinator at the Town of Wainwright.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### OFFICE USE ONLY

Application to Municiple Planning Commission Date: \_\_\_\_\_ Fee: \_\_\_\_\_

Permit Number: \_\_\_\_\_ Date of Issue: \_\_\_\_\_ Issued By: \_\_\_\_\_ Fee: \_\_\_\_\_

- This permit is issued with the following conditions attached:
- This permit does not come into effect until 15 days after the date that the notice of issuance:
    - is posted in the town office or  appears in a local newspaper
  - Any person claiming to be affected by the issuance of this permit may file an appeal within 14 days after the notice of issuance is given and should such an appeal be received, this permit shall become null and void.
  - This permit is valid for a period of 6 months from the date of issue after which it shall expire and become null and void if the home occupation has not commenced operation.

What type of work will be done on the premises? \_\_\_\_\_  
\_\_\_\_\_

Where will it be done? \_\_\_\_\_

Are there any employees other than the immediate family members who will be working in the residence?

\_\_\_\_\_ Yes \_\_\_\_\_ No If Yes, how many? \_\_\_\_\_

What will be the hours of operation for the business? \_\_\_\_\_

Will the business operate on weekends? \_\_\_\_\_ Yes \_\_\_\_\_ No

Will there be clients coming to the residence? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, how many? \_\_\_\_\_ How often? \_\_\_\_\_

Will a business sign be displayed on the premises? \_\_\_\_\_ Yes \_\_\_\_\_ No

If Yes, what is the sign size and where will it be located? \_\_\_\_\_

How many off street parking stalls do you have? \_\_\_\_\_

List all types and size of vehicles, trailers etc. that will be used for the business: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Where will these vehicles be stored or parked? \_\_\_\_\_

Will there be any storage of materials, goods and equipment outside the residence? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, what will be stored? \_\_\_\_\_

Where will it be stored? \_\_\_\_\_

Will there be any fixed display of goods upon the premises? \_\_\_\_\_ Yes \_\_\_\_\_ No

Will the business require that deliveries be made to the residence? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, what type (i.e. courier, transport truck) and how often? \_\_\_\_\_

Will there be any flammable or hazardous materials on the premises as a result of the type of business you propose to operate (solvents, paint thinners, special cleaners etc.)? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, what is/are the material(s), how much will be kept on the premises and how will it be stored?  
\_\_\_\_\_  
\_\_\_\_\_

Will there be any external indication to the surrounding residents that the business is operating out of the residence (noise, vibration, smoke, dust, odours, heat, glare, electrical or radio disturbance)?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please provide details: \_\_\_\_\_  
\_\_\_\_\_

Will there be any variation to the external appearance of the building? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, describe the variance \_\_\_\_\_

## TOWN OF WAINWRIGHT

### REQUIRED PROCEDURE FOR ESTABLISHING HOME OCCUPATION (INCLUDING HOME OFFICE)

#### Introduction

As a home occupation (including home offices) is a business, certain business-like activities such as additional traffic, parking problems, additional noise, etc. may be generated by operating a home occupation. These activities can have a negative effect on the residential character of the neighborhoods in which the home occupations are located. It is the intent of this procedure to identify and eliminate any potential conflicts between home occupations and their surrounding neighborhoods while still allowing home occupations to exist.

As home occupations are considered to be specific land uses, they are regulated by the Town's Land Use Bylaw as well as the Business License Bylaw. The Land Use Bylaw defines a home occupation and home office as:

**HOME OCCUPATION** – means any occupation, trade, profession, or craft carried on by a family occupant of a dwelling unit as a use secondary to the residential use of the building.

**HOME OFFICE** – means any occupation, trade, profession, or craft carried on by a family occupant of a dwelling unit as a use secondary to the residential use of the building which does not involve any employees or customers coming to the dwelling unit, on-site storage or display of materials, or the creation of any nuisance whatsoever.

#### STEP 1 – DEVELOPMENT PERMIT

Persons wishing to establish home occupations must first apply for a development permit at the Town Office. It is this process that allows the Town to determine what is involved with each home occupation and ensure that the regulations of the Land Use Bylaw are met. (Regulations attached)

**NOTE:** Only Home Offices are allowed in R1 & R1A districts, not general Home Occupations.

#### What is Required

1. Application for Home Occupation Development Permit
2. If the property is not owned by the applicant, a letter signed by the owner stating he/she is aware that the applicant is applying to establish a home occupation and that he/she approves
3. The required fee (\$50.00).

#### What Happens Next

If approved, a development permit will be issued. The development permit will be subject to the conditions that the home occupation be operated within the regulations of the Land Use Bylaw and the context of the statements made by the applicant in his/her application for home occupation development permit form. If deemed necessary, further conditions may also be placed on the development permit.

**NOTE:**

The development permit is valid only for the location indicated in the application. If a person wishes to move his/her home occupation to another residential location in town, a new development permit must be applied for.

If the home occupation development permit application is deemed to potentially affect surrounding landowners, a notice regarding the development permit application will be mailed to the landowners, giving them opportunity to voice concerns. If no concerns are received, a development permit will be issued. If concerns are received, the application will be taken to the Municipal Planning Commission for a decision, at the applicant's expense of \$200.

Following the issue of a development permit, notice that it has been issued will be posted in the Town Office and mailed to potentially affected surrounding landowners. Anyone who claims to be affected by the issue of a permit can appeal to the Development Appeal Board (DAB) within a set time limit. The applicant can also appeal to DAB if his/her application is refused or he/she feels that any condition imposed upon the development permit is unsatisfactory.

**STEP 2 – BUSINESS LICENSE:**

When the appeal period has passed with no appeals being received, the applicant can apply for a business license by completing the standard form and submitting it to the Town Office with the required fee (currently \$150.00/year). Each license is good from January 1<sup>st</sup> to December 31<sup>st</sup> and must be renewed every year. A business license must be obtained before a person may conduct business in the Town.

## HOME OCCUPATIONS AND HOME OFFICES

**HOME OCCUPATION** – means any occupation, trade, profession, or craft carried on by a family occupant of a dwelling unit as a use secondary to the residential use of the building.

**HOME OFFICE** – means any occupation, trade, profession, or craft carried on by a family occupant of a dwelling unit as a use secondary to the residential use of the building which does not involve any employees or customers coming to the dwelling unit, on-site storage or display of materials, or the creation of any nuisance whatsoever.

### LAND USE BYLAW #2009-02

#### HOME OCCUPATION (INCLUDING HOME OFFICE)

The following regulations are applicable to all residential districts within the Town of Wainwright.

1. **Density:** No more than one paid assistant other than the occupant and the occupant's family shall be engaged in such occupations at the occupant's residence.
2. **Display and Storage of Goods:** The use shall not involve a fixed display of goods upon the premises, but goods may be stored subject to the approval of the development officer, provided the storage of such shall not be exposed to the public view, nor shall involve a change in the appearance of the residence or its accessory buildings.
3. **Appearance:** No variation from the external appearance and residential character of land or buildings shall be permitted.
4. **Advertising:** No advertising shall be permitted, other than a small nameplate not exceeding 0.19m<sup>2</sup> (2 ft<sup>2</sup>).
5. **Traffic:** The use shall not generate traffic or parking problems within the district.
6. **Nuisance:** No offensive noise, vibration, smoke, dust, odors, heat or glare shall be produced by the use, or cause interference with T.V. or radio reception within the area.
7. **Time Limit on Development Permit:** All permits shall be issued for no longer than a 12 month period, at which time the permit may be renewed at the discretion of the development officer.
8. **Occupancy Condition on Development Permit:** The permitted use shall only be applicable for the period of time that the property is occupied by the applicant.
9. **Stop Order:** All permits issued for home occupations shall be subject to the above conditions. If in the opinion of the development officer, the use is or has become detrimental to the amenities of the neighborhood; a stop order shall be issued.

