

HOME-BASED BUSINESS APPLICATION FORM

FOR DEVELOPMENT PERMIT AND BUSINESS LICENSE

A. Applicant Information

Name: _____

Address: _____ Postal Code: _____

Phone No: (Primary) _____ (Secondary) _____

E-mail Address: _____

As the applicant, I confirm and verify to the City of Brandon that

- I am the registered owner of the above noted property and it is my place of residence.
- I have attached written authorization from the registered owner(s) of the above noted property to make this application and it is my place of residence.

B. Application Type

- New business
- Changes to an existing business license

C. Completeness of Application

As the applicant, I confirm and verify to the City that the information provided on this application form is true and complete, and that any misinformation may result in the denial or immediate revocation of the development permit and/or home-based business license.

Signature of Applicant

Date

D. General Operation

1. What is the name of the business? _____

2. Please provide a detailed description of what business activities are performed at your residence.

3. Where will your business be conducted, and how much floor area will be used?

Location	Floor Area Used (m ²)
Inside your dwelling unit	
Inside a garage or accessory building	

E. Storage of Materials

4. Are materials or equipment related to the operation of your business stored at your residence?

Yes No

5. If "Yes" to Question 4,

a) Please indicate

i) Kind of materials or equipment stored:

ii) How much is stored:

iii) Where they are stored: _____

iv) Total floor area used for storage (m²): _____

b) Is there any outdoor storage related to the operation of your business at your residence?

Yes No

F. Business Vehicle and Parking

6. a) Do you have a vehicle associated with your business?

Yes No

b) If "Yes" to Question 6a, what is the make and model of the vehicle?

7. How many parking spaces are available at your residence? _____

G. Clients

8. Do you have clients coming to your residence? Yes No

9. If "Yes" to Question 8,

a) On what days and during which hours do they come to your residence?

b) How many clients come to your residence during an average day? _____

c) How many clients would be on your residence at any one time? _____

H. Delivery of Goods or Materials

10. a) Are there goods or materials related to the operation of your business delivered to or from your residence? Yes No

b) If "Yes" to Question 10a, how often and during what hours are the goods or materials delivered?

I. Employees

11. Do you have any employees or business partners who do not live at your residence?

Yes No

12. If "Yes" to Question 11,

a) How many other employees or business partners are there? _____

b) Of those employees or business partners, how many of them will work at your residence?

J. Renovations/Modifications to Residence

13. Will you be doing any renovations or modifications to your residence (including installation of new appliances), or adding any new buildings or structures at your residence, to facilitate your business?

Yes No

14. If "Yes" to Question 13,

a) Please provide a summary explanation of the work that will be done to your residence.

b) Have you applied for a building/development permit for these renovations or modifications, or did the Planning, Property & Buildings Department advise you that a permit is not required?

I have applied for a building/development permit.

The Planning, Property & Buildings Department advised that a building/development permit is not required.

I have not yet applied for a building/development permit or sought advice from the Planning, Property & Buildings Department.

Home-Based Business Application

Application Process for Two Approvals

There are two types of approvals required before operating a home-based business.

1. The first is for a development permit. A development permit allows business activities to be conducted from a residential property under the Zoning By-law.
2. The second is for a business license. A business license legally allows you to operate a business.

This single application form is intended for both types of approvals.

Documentation and Fee Requirements

- Application Fee: See fee schedule
- Other plans and documentation may be required, depending on the nature of the request

Timelines

The process generally can take ten (10) business days at best; complicated applications may take a longer period of time.

Decision Making Authority

Development permits are approved by the Planning, Property & Buildings Department. Business licenses are approved by the Finance Department.

Do I need to complete this application form?

You must complete this application form if

- You are establishing a new business in your residence, or
- You are changing the parameters of your existing business, such as a change of address, or changing the number of clients on your residential property.

You do not need to complete this application form if you are simply renewing your business license and are not changing the parameters of your existing business.

Where do I apply?

You must submit your application to the Planning, Property & Buildings Department in the A.R. McDiarmid Civic Complex, 638 Princess Avenue.

I already have a home-based business license at my residence. Do I still have to apply to establish another home-based business there?

Yes. Though there is no limit to the number of home-based businesses you can have at your residence, a license is required for each business, and all home-based business activities must still comply with the Zoning By-law.

My home-based business application was refused. Why?

Reasons that a home-based business application is refused include but are not limited to the following:

- The proposed business is better located on a commercial or industrial site instead of a residential site;
- The proposed business will not comply with the Zoning By-law or any other applicable law or by-law; and
- An existing business at your residence does not comply with the Zoning By-law or any other applicable law or by-law, and the non-compliance remains outstanding.

I wish to renew my annual business license. How do I do that?

You should receive a license renewal notice from the Finance Department, with instructions, in the mail, typically sent out on February of each year. You do not need to complete this application form if you are not changing the parameters of your existing business.

I wish to cancel my business license. How do I do that, and what happens?

Contact the Licensing Section of the Finance Department at 204-729-2230 to cancel your license. Both the license and the development permit will no longer be valid. Should you wish to re-establish the home-based business, or establish a new one, you must complete this application form to obtain a new development permit and business license.

What if I want to do renovations to my residence or add a shed at my residence for my home-based business?

A building permit is required for the placement of a shed over 10.0m² in floor area, for building additions, and for many types of renovations to a residence. Where a building permit is determined to be required, your home-based business application cannot be approved until the building permit can be issued; additional fees for the building permit will apply. Building permit applications are to be submitted to the Planning, Property & Buildings Department in the A.R. McDiarmid Civic Complex, 638 Princess Avenue. Please contact the Planning, Property & Buildings Department for more information on the building permit application process.

Summary of Regulations, Terms and Conditions for Home-Based Businesses

The Zoning By-law on Home-Based Businesses

1. A development permit is required prior to establishing a home-based business on a site. The business must demonstrate compliance with the Zoning By-law and all other applicable laws and by-laws before the permit is issued. A new development permit is required where there is a change in parameters to the home-based business, such as relocation to a new dwelling unit, or an increase in the number of customers visiting your dwelling unit. A development permit may be revoked if the business is found to be contravening the development permit, the Zoning By-law or any other applicable law or by-law.
2. A home-based business is a business accessory to and operating fully within a dwelling unit, its garage or its accessory building and operated by a permanent resident of the dwelling unit. The business may occur in any dwelling unit, secondary suite, or mobile/modular home, but not in a boarding house. The business cannot take up more than the following:
 - (a) 30.5m² or 25% of a dwelling unit's floor area, including its secondary suite if there is one, but not including an attached garage, whichever is less; and
 - (b) 46.5m² of a garage or accessory building, except for required parking in a garage.
3. The only external indications of a home-based business on the site allowed are as follows:
 - (a) One (1) motor vehicle used for the business, where the motor vehicle used shall be consistent with the general nature of a residential area, such as cars, sport utility vehicles and minivans; and
 - (b) Where the business is in a detached, semi-detached or duplex dwelling, or in a mobile/modular home, the business may also have one (1) non-illuminated fascia sign, up to 0.2m² in sign surface area, indicating the name of the business.
4. The home-based business must not generate any environmental impacts or public safety concerns that negatively affect the surrounding area.
5. Under the Zoning By-law, daycares, secondary suites and boarding houses are not considered to be home-based businesses. These uses still require building permits from the Planning & Building Safety Department.
6. A site with a home-based business may have no more than the following:
 - (a) One (1) non-resident employee or non-resident business partner;
 - (b) Two (2) clients at a time; or
 - (c) For an instructional service, five (5) clients at a time.
7. A site with a home-based business must meet the following parking requirements on top of the requirements for existing dwelling units on site:
 - (a) Minimum one (1) parking space for every guest room for a bed & breakfast;

- (b) Maximum two (2) parking spaces for other clients (where visitor parking spaces exist on a site, they may be counted as parking spaces for clients); and
- (c) Maximum one (1) parking space for a motor vehicle used for the business, or for a non-resident employee.

The Licensing By-law on Home-Based Businesses

1. Dating or escort services, and full retail services, shall not be permitted as home-based businesses. Limited retail may still be allowed, but articles sold or offered for sale must be limited to those produced by the home-based business, or those that are produced elsewhere but are prepackaged and held only on a temporary basis for distribution to customers outside the residence. The business must not be of a scale or type that requires delivery of merchandise, goods, or equipment by other than a passenger motor vehicle, bicycle, or parcel or letter carrier mail service using vehicles typically involved in residential deliveries.
2. There may be more than one (1) home-based business in a residence, but all permitted limits are granted to a residence in which these businesses are located, not to each individual business.
3. A home-based business must not become offensive or obnoxious, or create a nuisance on the site or to the surrounding area. The business must also not use a home address in any advertising.
4. A home-based business must comply with the Licensing By-law as well as all other by-laws, such as the Zoning By-law and the Building By-law. An application that does not comply shall be denied a business license. Where an existing business holding a valid license is now prohibited, the business may continue to operate and seek license renewal provided the business complies with all other provisions of the Licensing By-law, the Zoning By-law and any other applicable law or by-law.
5. Anyone operating a home-based business must notify the Supervisor of Municipal Licensing if there is any addition, change or alteration to the business. Subject to the business still complying with all applicable regulations, the license may be upgraded and confirmed.
6. If a contravention to the Licensing By-law has been found, your home-based business license may be suspended. A written notice will be provided if your license is suspended. If the contravention is not addressed satisfactorily within ten (10) days of the license suspension, the license may be revoked. You have a right to appeal the license suspension to the Director of Administrative Services within ten (10) days of the suspension. The Director of Administrative Services will investigate further and either confirm the suspension, lift the suspension, or stay the proceedings if an amendment to the Licensing By-law is deemed necessary.