12) **Home Based Business**

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 $1/3^{rd}$ 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 3.3.12 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 outlets, neighbourhood pubs and restaurants, but not including breakfast.

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1 Bylaw No. 500.270, adopted November 13, 2001
served by a bed and breakfast to the traveling public who have been provided with overnight accommodation;¹

xxvi) taxidermy;
xxvii) dispensing of automotive fuel, oil, or fluids;
xxviii) automotive repairs, vehicle restoration or maintenance except on parcels zoned 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);
xxix) medical marihuana production.²

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 Rural 1 to 4 (RU1-RU4), Rural 6 to 9 (RU6-RU9) zones, Resource Management 1 to 5 (RM1-5) and Resource Management 7 to 9 (RM7-RM9) zones.

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 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

¹ Bylaw No. 500.286, adopted August 13, 2002
² Bylaw No. 500.387, adopted February 11, 2014
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 $m^2$, 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 $m^2$.
   ii) On Residential 1 (RS1) parcels greater than or equal to 2000 $m^2$ 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 $m^2$, or a maximum of 100 $m^2$ combined total for dwelling unit, attached garage, and/or accessory building(s).
   iii) On 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 $m^2$ or a maximum of 150 $m^2$ combined total floor area for the dwelling unit, attached garage, and/or accessory building(s).

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 $m^2$ 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.¹

13) For Electoral Area ‘G’ only, the minimum required setback for all buildings and structures adjacent to the Vancouver Island Highway No. 19 shall be the minimum setbacks prescribed in each zone or 15.0 metres, whichever is greater.²

14) **Farm Use Regulations**³

On lands located within the Agricultural Land Reserve the following activities are permitted farm uses in accordance with the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation* and are subject to the following regulations:

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¹ Bylaw No. 500.389, adopted May 27, 2014
² Bylaw No. 500.360, adopted January 25, 2011
³ Bylaw No. 500.383, adopted June 25, 2013