



Home Based Businesses in Foothills County

Land Use Bylaw Regulations & Applications

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The purpose of a Home Based Business is to accommodate small, non-intrusive, low risk, low intensity developments to support business activities that can be integrated into and are compatible with adjacent non-commercial or non-industrial properties. Uses that exceed the business classifications and/or standards of a home based business may be considered a commercial or industrial use and should be appropriately located in a land use district where the type of use is provided for.

What constitutes as a Home Office or Home Based Business?

An office, business, or occupation conducted within a dwelling and/or an accessory building on a parcel on which a dwelling is located and where one or more residents of the parcel is the primary owner of the business in compliance with the provisions under Section 10.12 of the Land Use Bylaw.

What are the different Classifications?

Home Office

- The Home Office is situated in the dwelling and/or accessory building on the property;
- No non-resident employees working on the property;
- No traffic generated to the property by the business; And
- No outdoor storage of business materials and/or goods on the property.

No Development Permit is required for a *Home Office* where it is listed as a *PERMITTED USE* under the applicable land use district in accordance with Section 4.2.1 of the Land Use Bylaw.

There is no limit to the number of employees for a *Home Office* where a portion of the dwelling and/or accessory building is the office for a business that operates off site (construction, landscaping, etc.), provided all interaction with the employees is off the property and employee vehicles are not on the premises and all other provisions of the *Home Office* are met.

Home Based Business Type I

- Maximum one (1) non-resident employees working on the property;
- Maximum three (3) business visits to the property per day;
- Maximum one (1) business vehicle situated on the property per day;
- Large commercial vehicles used in conjunction with the business are NOT permitted;
- No outdoor storage of business-related material or goods on the property; And
- No nuisance generated by the business, outside of the principal dwelling or accessory building.

In accordance with Section 4.2.1 of the Land Use Bylaw, a Development Permit shall not be required for a Home Based Business Type I where the use is listed as a *PERMITTED USE* under the land use district. Where listed as a *DISCRETIONARY USE*, a Development Permit is required.

Home Based Business Type II

- Maximum three (3) non-resident employees working on the property;
- Maximum six (6) business visits to the property per day;
- Maximum number of business vehicles or related equipment stored outdoors on the property per day:
 - Maximum three (3) on parcels under 10 acres;
 - Maximum six (6) on parcels 10 acres or larger;
- Large commercial vehicles, used in conjunction with the business, may be located on the property at the discretion of the Approving Authority based on factors such as, but not limited to, parcel size, proximity of adjacent residences, and adequate screening;
- No outdoor storage of business-related materials or goods on the property; And

- No generation of noise, smoke, odor, dust fumes, exhaust, vibration, heat, glare, refuse matter or other nuisances considered offensive or excessive by the Development Authority.

All Home Based Business Type II are a *DISCRETIONARY USE* and require an approved Development Permit.

Home Based Business Type III

- Maximum six (6) non-resident employees working on the property;
- Maximum twelve (12) business visits to the property per day;
- Maximum twelve (12) business vehicles are situated on the property per day;
- Outdoor storage of business-related goods and materials, large commercial vehicles, trailers, and/or equipment may be allowed if adequately screened from adjacent lands to the satisfaction of the Development Authority;
- Large commercial vehicles, used in conjunction with the business, may be located on the property at the discretion of the Approving Authority based on factors such as, but not limited to, parcel size, proximity of adjacent residences, and adequate screening;
- Council, as the Approving Authority, may determine the number of employees, business visits per day, business vehicles on site, and on-site storage to their discretion on properties located in a Direct Control District;
- Shall not generate noise, smoke, odour, dust fumes, exhaust, vibration, heat, glare, refuse matter or other nuisances considered offensive or excessive by the Approving Authority;

All Home Based Business Type III require an approved Development Permit. Where Home Based Business Type III is not listed as a Permitted or Discretionary Use under your current land use district, you may be required to redesignate your land prior to making application for a Development Permit approval.

Please note: *If more than one (1) Home Based Business is operating on a property, the cumulative numbers of employees, business visit and vehicles stored on site shall be utilized to determine the Type of Home Based Business that is applicable.*

General Home Based Business Regulations

- All Home Office and Home Based Businesses must comply with the provisions under Section 10.12 of the Land Use Bylaw;
- All Home Based Businesses Type II and Type III require an approved Development Permit;
- Upon issuance of a Development Permit for any Home Based Business, the applicant must obtain a Business Licence from the County. Failure to obtain, or a suspension or revocation of the Business Licence, will result in the automatic suspension of the Development Permit. The permit will remain suspended until the Business Licence is obtained or reinstated.
- Large commercial vehicles, used in conjunction with the business, may be located on the property at the discretion of the Approving Authority based on factors such as, but not limited to, parcel size, proximity of adjacent residences, and adequate screening;
- A Home Based Business Type I, II, or III shall not be situated in a *Dwelling, Temporary* on a parcel;
- A Home-Based Business Type I or II shall be deemed a Discretionary Use when located within a Secondary Suite on a parcel, even where listed as a Permitted Use.
- All Home Based Businesses must provide parking in accordance with Section 9.19 of the Land Use Bylaw; And
- Home Based Businesses do not include Cannabis Production.

There are currently limited land use districts within the Land Use Bylaw that allow for a Home Based Business Type III:

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| • Agricultural Business District | • DC#22 |
| • Rural Business District | • DC#27 |
| • Agricultural District | • DC#29 |
| • Country Residential District | • DC#36 |

Please consult with the Planning Department to confirm the steps required to apply for the appropriate Land Use for Council's consideration of this type of business on your parcel. If Council approves the Land Use application, a Development Permit application will then need to be submitted.

APPLICATION REQUIREMENTS:

Applications for both Land Use and Development Permits must be accompanied by the following information; however, the Development Officer may request additional details as needed:

1. A site plan (can be hand drawn) showing:
 - a. the entire parcel;
 - b. north arrow at the top of the page;
 - c. identify and show all existing structures and any proposed buildings with measurements from the same, in feet or metres, to all parcel lines;
 - d. show all existing wells, septic tanks, disposal fields, dugouts on the parcel and storage areas;
2. Full detailed description of the business;
3. Please indicate if the business is primarily operate on or off-site;
4. What buildings will be used on the parcel for this business, include storage areas;
5. Are there any buildings proposed and if so, for what purposes will they be used for? Please also include the building size and why it is necessary;
6. Number of people to be employed;
7. If producing a product or goods, please indicate the method of distribution or sales;
8. Provisions for loading and parking;
9. Vehicle generation, break down between employees and customers on a daily basis, also please list the types of vehicles to be expected;
10. Will there be deliveries to the site? If so, how many and how often?
11. Hours and days of operation;
12. Amount of water required for this business;
13. Garbage and storage areas, proposed fencing and screening for those areas, and methods of garbage disposal;
14. Methods of controlling noise, dust, and/or drainage from the lot;
15. Descriptions of any noxious, toxic, radioactive, flammable, or explosive materials proposed (i.e., gas, oil, paint, etc.). Please also include how it is being stored and how much is being stored and why it is necessary to have in relation to this business;
16. Will there be any lot grading done on site to accommodate this business?
17. If this parcel is not owned by the applicant, then they must receive written consent from the landowner to file an application.

APPLICATION FEES

Application fees vary depending on the Type of Home-Based Business in accordance with the current *Fee Schedule Bylaw 21/2025*.

- The fee to upgrade an existing and compliant Minor Home Based Business Development Permit to a Home-Based Business Type II Permit, where the use is listed as a Permitted Use within the applicable Land Use District, is \$100 (\$25 filing fee and \$75 application fee).
- Business licenses will be upgraded in accordance with approved Development Permits. No fee is required for upgrades to existing Home Based Business licenses prior to their annual renewal at which time they must pay in accordance with the current *Business License Fee Schedule Bylaw*.

WHERE CAN I OPERATE A HOME BASED BUSINESS

The following page outlines where the different categories of Home-Based Businesses are listed as either permitted or discretionary uses for your information (See page 4).

WHERE CAN I OPERATE A HOME BASED BUSINESS

<u>Home Office</u> A Home Office may exist on lands where listed as a use in the land use district. Home Office is a <i>PERMITTED USE</i> in the following land use districts: • Agricultural District; • Agricultural Business District; • Country Residential District; • Cluster Residential District; • Country Estate Residential District; • Residential Community District; • Residential Multi-Family District; • Residential Manufactured Home District ; • Rural Business District; • Recreation District; • DC#1 – Spruce Meadows; • DC#3 – Retreat, Meeting Conference, and Treatment Facilities; • DC#22 – Priddis Meadows; • DC#26 – Dog Kennel and Facilities; • DC#27- Home Based Business Type III; • DC#29 – Limited Public or Commercial Riding Arena; • DC#32 – Agricultural Societies; • DC#35 - Event Venue; And • DC#36 – Equine Veterinary & Rehabilitation Centre. Home Office is a <i>Discretionary Use</i> in the following land use districts: • Service District; And • Natural Resource Extraction District. <i>No Development Permit Required where listed as a <u>Permitted Use</u>. Where listed as a <u>Discretionary use</u>, a Development Permit is required.</i>	<u>Home Based Business Type I</u> A Home Based Business Type I may be operated where listed as a use in the land use district. <i>No Development Permit Required where a Permitted Use</i> Home Based Business Type I is a <i>PERMITTED USE</i> in the following land use districts: • Agricultural District; • Agricultural Business District; • Country Residential District; • Cluster Residential District; • Country Estate Residential District; • Rural Business District; • DC#27 - Home Based Business Type III; • DC#36 – Equine Veterinary & Rehabilitation Centre; Home Based Business Type I is a <i>DISCRETIONARY USE</i> on the following land use districts: • Residential Community District; • Residential Manufactured Home District; • Residential Multi-Family District; • Service District; • Recreation District; • Natural Resource Extraction District; • DC#1 – Spruce Meadows; • DC#3 – Retreat, Meeting Conference, and Treatment Facilities; • DC#22 – Priddis Meadows; • DC#26 – Dog Kennels & Facilities; • DC#29 - Limited Public/Commercial Riding Arena; • DC#32 – Agricultural Societies; And • DC#35 – Event Venue. <i>A Development Permit is required as a Discretionary Use under these land uses where special provisions may be required for parking due to size and nature of parcels.</i>	<u>Home Based Business Type II</u> A Home Based Business Type II may be operated where listed as a use in the land use district. <i>Development Permit Required in all cases.</i> Home Based Business Type II is a <i>PERMITTED USE</i> in the following land use districts: • Agricultural District; • Agricultural Business District; • Rural Business District; • DC#27 - Home Based Business Type III; • DC#36 - Equine Veterinary & Rehabilitation Centre; Home Based Business Type II is a <i>DISCRETIONARY USE</i> on the following land use districts: • Country Residential District; • Cluster Residential District; • Country Estate Residential District; • Residential Community District; • Residential Manufactured Home District; • Residential Multi-Family District; • Recreation District; • DC#22 – Priddis Meadows; • DC#29 - Limited Public or Commercial Riding Arena; • DC#32 – Agricultural Societies;	<u>Home Based Business Type III</u> A Home Based Business Type III can <i>only</i> be applied for as a <i>DISCRETIONARY USE</i> in the following land use districts: <i>Development Permit Required in all cases.</i> • Agricultural District; • Agricultural Business District; • Country Residential District; • Rural Business District; • DC#22 – Priddis Meadows; • DC#27 – Home Based Business Type III; • DC#29 – Limited Public or Commercial Riding Arena; • DC#36 – Equine Veterinary & Rehabilitation Centre;
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DISCRETIONARY USE is a use of land or a building provided for in the Land Use Bylaw for which the Development Authority may issue a Development Permit with or without conditions. These decisions and conditions of the decision may be appealed by the applicant and/or area landowners.

PERMITTED USE is a use of land, a building, or buildings provided for in the Land Use Bylaw for which the Development Authority must issue a Development Permit with or without conditions (if all other provisions of the Land Use Bylaw are met and no variances are required). These decisions are not appealable by the area landowners.

DIRECT CONTROL is a land use designation where Council exercise particular control over the use and development of land or buildings within an area of the County. Council acts as the Development Authority in Direct Control District. There is no right of appeal by the applicant and/or an area landowner on a Development Permit within a Direct Control District.