

Home Based Businesses

Hanwell Rural Plan Working Group

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Home Based Businesses (HBB's)

- HBB's are small commercial operations conducted as a **secondary** use in residential areas. They are becoming an increasingly common and important part of the New Brunswick economy, particularly in rural areas. Ideally, HBB's are of a size and nature that is compatible with the primarily residential use of the areas in which they are located.

Home Based Businesses (HBB's)

- On a quick drive-around, RPDC staff found approx. 10 HBB's. The number is suspected to be a conservative estimate given that many home occupations have outward appearances that are no different than residential uses.
- A higher percentage of HBB's are found in rural areas. There are currently over 1,400 cottage industry operators in the province. A *cottage industry is defined as* “producers located in rural areas, with less than \$100,000 in yearly sales and employing three or fewer people (full time equivalents). The product may be seasonal or part-time in nature and may only supply a secondary income to the operator.”

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- Recommendations from the Background Report
 - Particular zones and locations should be developed to ensure that cottage industries could locate in the Hanwell LSD, as this provides opportunities for local employment and home occupations.
 - Considerations as to the locations of these types of businesses should include operational activities and compatibility with nearby uses. A cottage industry can be permitted to be located in a subdivision and rural residential locations based on the activity of the cottage industry.
 - The Rural Plan should encourage entrepreneurship by establishing provisions to allow cottage industries and home-based businesses and minimize conflicts with neighbouring uses.

Home Based Businesses (HBB's)

The objectives of the Hanwell Planning Area Rural Plan are:

- To protect the environment
 - To facilitate the provision of community infrastructure, services and facilities to meet the current and future needs of the population
 - To promote orderly development that fosters the local economy while ensuring a healthy balance of land uses and safe and efficient transportation
 - To foster a sense of community and good quality of life
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- Our objectives would indicate that we would be open to commercial activity, but not the detriment of the environment and quality of life or transportation network.

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■ Relevant Policies and Proposals

- It is a policy to control the location and density of residential development.
- It is a policy to enhance and maintain attractive and safe neighbourhoods and discourage the intrusion of incompatible uses into established residential areas and areas adjacent to established residential areas.
- It is a policy to protect the natural environment and the residential character of the community through the control of the type and location of commercial and industrial development.
- It is proposed that the health and safety of residents, transportation requirements, and impacts on the environment and surrounding land uses be considered when locating commercial and industrial development.

Home Based Businesses (HBB's)

Examples from other RP's

Rusagonis – Class 1

- 3.1(1) Where permitted, a class 1 home-based business may be conducted in a residential dwelling subject to the following conditions:
 - (a) The home-based business shall be clearly secondary to the main residential use and there shall be no change to the outside appearance of the dwelling or premises or any visible evidence of conduct of a home-based business, except for a sign permitted under subsection 3.12;
 - (b) No more than thirty percent (30%) of the floor area of a dwelling unit, shall be devoted to the home-based business;
 - (c) The home-based business shall not consist of a convenience store, restaurant or retail operation except where retail is accessory to a business use which involves the production of goods or crafts or the provision of a service; and
 - (d) No smoke, fumes, obnoxious odors, noise, vibration, heat, humidity, glare, or electronic interference produced as a result of the home occupation which would exceed that normally produced by a single-family dwelling is allowed

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Examples from other RP's

Class 2 Home-Based Business

- 3.1(2) Where permitted, a class 2 home-based business may be conducted within another building or structure on the same lot as a single-family dwelling subject to the following conditions:
- (a) No industrial occupancy, secondary or accessory building or structure used for the home-based business shall have a floor area which exceeds the lesser of 10% of the area of the lot or 120 square metres;
- (b) The home-based business shall not consist of a salvage yard or used-car lot and there shall be only incidental and minimal use or storage of toxic or flammable materials;
- (c) The home-based business shall not consist of a convenience store, restaurant or retail operation except where retail is accessory to a business use which involves the production of goods or crafts or the provision of a service;
- (d) Any outdoor storage of supplies or products shall be screened from view from the street and neighboring properties and the area of the lot used for outdoor storage shall not exceed 250 square metres;
- (e) Accessory buildings or structures shall be similar in facade to a single-family dwelling, private garage, shed, barn, or other structure normally expected in a rural or residential area, located in the side or rear portion of the lot, and shall be compatible in design and scale with other development in the area;
- (f) Any woodworking or manufacturing shop shall be located at least 30 metres away from the street line and 45 metres away from any other property line; and
- (g) No smoke, fumes, obnoxious odors, noise, vibration, heat, humidity, glare, or electronic interference produced as a result of the home occupation which would exceed that normally produced by a single-family dwelling is allowed.

Home Based Businesses (HBB's)

Examples from other RP's

- Kingsclear

- “class 1 home-based business” means the use of a dwelling unit by a resident of the dwelling unit to conduct an activity for financial gain or reward or in the hope or expectation of financial gain or reward, and which is secondary to the main residential use;

- “class 2 home-based business” means the use of another building or structure on the same lot as a dwelling unit by a resident of the dwelling unit to conduct an activity for financial gain or reward or in the hope or expectation of financial gain or reward, and which is secondary to the main residential use on a lot;

Home Based Businesses (HBB's)

Examples from other RP's

Kingsclear Class 1 Home-Based Business

- 4.1(1) Where permitted, a class 1 home-based business may be conducted in a residential dwelling subject to the following conditions:
 - (a) the home-based business shall be clearly secondary to the main residential use and there shall be no change to the outside appearance of the dwelling or premises or any visible evidence of conduct of a home-based business, except for a sign permitted under subsection 4.14(2);
 - (b) the home-based business shall not consist of a convenience store, restaurant or retail operation except where retail is accessory to a business use which involves the production of goods or crafts or the provision of a service; and
 - (c) no smoke, fumes, obnoxious odours, noise, vibration, heat, humidity, glare or electronic interference shall be produced as a result of the home-based business, so as to be easily observed beyond the limits of the property in which the home-based business is conducted.

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Examples from other RP's

Class 2 Home-Based Business

- 4.2(1) Where permitted, a class 2 home-based business may be conducted within another building or structure on the same lot as a single-family dwelling subject to the following conditions:
 - (a) no industrial occupancy, secondary or accessory building or structure used for the home-based business shall have a floor area which exceeds the lesser of 10% of the area of the lot or 120 square metres;
 - (b) the home-based business shall not consist of a salvage yard or used-car lot and there shall be only incidental and minimal use or storage of toxic or flammable materials;
 - (c) the home-based business shall not consist of a convenience store, restaurant or retail operation except where retail is accessory to a business use which involves the production of goods or crafts or the provision of a service;
 - (d) any outdoor storage of supplies or products shall be screened from view from the street and neighbouring properties and the area of the lot used for outdoor storage shall not exceed 250 square metres; and
 - (e) accessory buildings or structures shall be similar in facade to a single-family dwelling, private garage, shed, barn, or other structure normally expected in a rural or residential area, located in the side or rear yard of the lot, and shall be compatible in design and scale with other development in the area

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Examples form other RP's

From New Maryland

- “home-based business use” means a secondary use of a dwelling unit, a use of another building or structure on the same lot as the dwelling unit, or a use of the lot on which the dwelling unit is situated, conducted by a resident of the dwelling unit, for or in the expectation of payment, remuneration, revenue or reward but does not include the sale of goods except where the sale is in the course of conducting(a) a retail operation, which involves the sale of crafts, antiques, flowers, plants, fruits, vegetables or other goods similar in nature, or where the goods being sold were produced on site, or where the retail operation is accessory to the provision of a service, or a specialty retail store as defined in this regulation not otherwise provided for in paragraph (a);

Home Based Businesses (HBB's)

Examples from other RP's

- 3.1(1) Where permitted, a home-based business may be conducted in a residential dwelling or accessory building subject to the following provisions:
- (a) the home-based business shall be clearly secondary to the main residential use;
 - (b) unless the home-based business is conducted completely within the residential dwelling, the lot shall not be less than 4,000 square metres in size;
 - (c) there shall be no change to the outside appearance of the dwelling or premises or any visible evidence of conduct of a home-based business, except a sign in accordance with section 3.11;
 - (d) accessory buildings or structures used for the home-based business are similar in facade, design and scale to a private residential garage, shed or barn; (e) with the exception of a day care home, the floor area used for all home-based businesses conducted in the dwelling unit shall not in total exceed 30% of the floor area of a dwelling unit;
 - (f) the floor area used for all home-based businesses conducted on the lot in all accessory buildings or structures does not in total exceed 80 square metres;
 - (g) with the exception of play equipment used by a day care home and vehicles designed and used primarily for travel on public highways, there shall be no outdoor storage of goods, equipment or materials associated with the home-based business unless the lot is 10,000 square metres or greater, in which case the area of the lot used for outside storage of goods, equipment or materials shall be screened from view from the street and neighbouring properties, and in no case shall the area used for outdoor storage exceed in total 300 square metres;
 - (h) no more than two persons or full time equivalent employees are engaged on the lot at any time in the home-based business, in addition to members of the family resident in the dwelling;
 - (i) the home-based business shall not consist of a use which would generate excessive traffic, parking, noise, solid wastes, effluents or water usage in excess of residential standards; and
 - (j) no equipment or process shall be used in a home-based business which creates smoke, fumes, obnoxious odours, noise, vibration, heat, humidity, glare, or electronic interference which can be detected beyond the property line of the lot on which the home-based business is located.

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Examples from other RP's

- “home-based industry use” means a secondary use of a dwelling unit, a use of another building or structure on the same lot as the dwelling unit, or a use of the lot on which the dwelling unit is situated, conducted by a resident of the dwelling unit, for or in the expectation of payment, remuneration, revenue or reward that does not meet the requirements contained in section 3.1 of this Plan respecting home-based businesses, but does not include the sale of goods except where the goods are produced on site;

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Examples from other RP's

- 4.3(2) A home-based industry may be conducted in a residential dwelling or accessory building subject to the following provisions:
- (a) the home-based industry is clearly incidental to the main residential use;
- (b) there is no change to the outside appearance of the dwelling or premises or any visible evidence of conduct of a home-based industry use except a sign which may be permitted in accordance with section 3.11;
- (c) accessory buildings or structures shall be similar in facade to a single family dwelling, private garage, shed or barn;
- (d) no more than 30% of the floor area of a dwelling unit shall be devoted to the home-based industry use;
- (e) the floor area used for all home-based industry uses conducted on the lot in all accessory buildings should not exceed in total the lesser of 5% of the total area of the lot or 300 square metres;
- (f) the area of the lot used for outdoor storage of supplies and products is screened from view from the street and neighbouring properties and does not exceed in total the lesser of 5% of the total area of the lot or 300 square metres;
- (g) no more than three persons or full time equivalents are engaged at any time on the lot in the home-based industry use, in addition to members of the family resident in the dwelling located on the lot;
- (h) there is only incidental and minimal use or storage of toxic or flammable materials; and
- (i) the home-based industry use shall not
 - (i) use inordinate amounts of water,
 - (ii) constitute a health or safety hazard to any occupant of adjacent or nearby properties, or
 - (iii) create excessive smoke, fumes, obnoxious odours, noise, heat, vibration, humidity, glare or electronic interference which unreasonably interferes with the use and enjoyment of residential property of the surrounding area.