

Home-Based Businesses (HBB)

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Planning & Development Services



What is a Home-Based Business (HBB)?



A business that provides the sale of goods and/or services to the public, while being accessory to a residential dwelling that is the principal residence of the business operator.

Nova Scotia Building Code:

- Business is secondary to residential use
- At least one full-time occupant lives and operates the business on-site
- Not a high- or medium-hazard industrial operation
- Uses either $< 50 \text{ m}^2$ or $< 25\%$ of the home's floor area

Relevant Legislation

Nova Scotia Building Code Flexibility

In 2016, the Building Code was updated to exempt smaller scale HBBs (<25% of the total floor area of the residence or 50m²) from certain commercial building requirements:

- Wider doors
- Barrier-free entrances
- Additional washrooms
- Fire separations/Fire-rated doors

Municipal Government Act (MGA)

- Section 214: The Municipal Planning Strategy must include goals and policies on topics including economic development
- Section 235: A Development Officers can approve exceptions for HBBs, such as parking, building size, business space, and signage

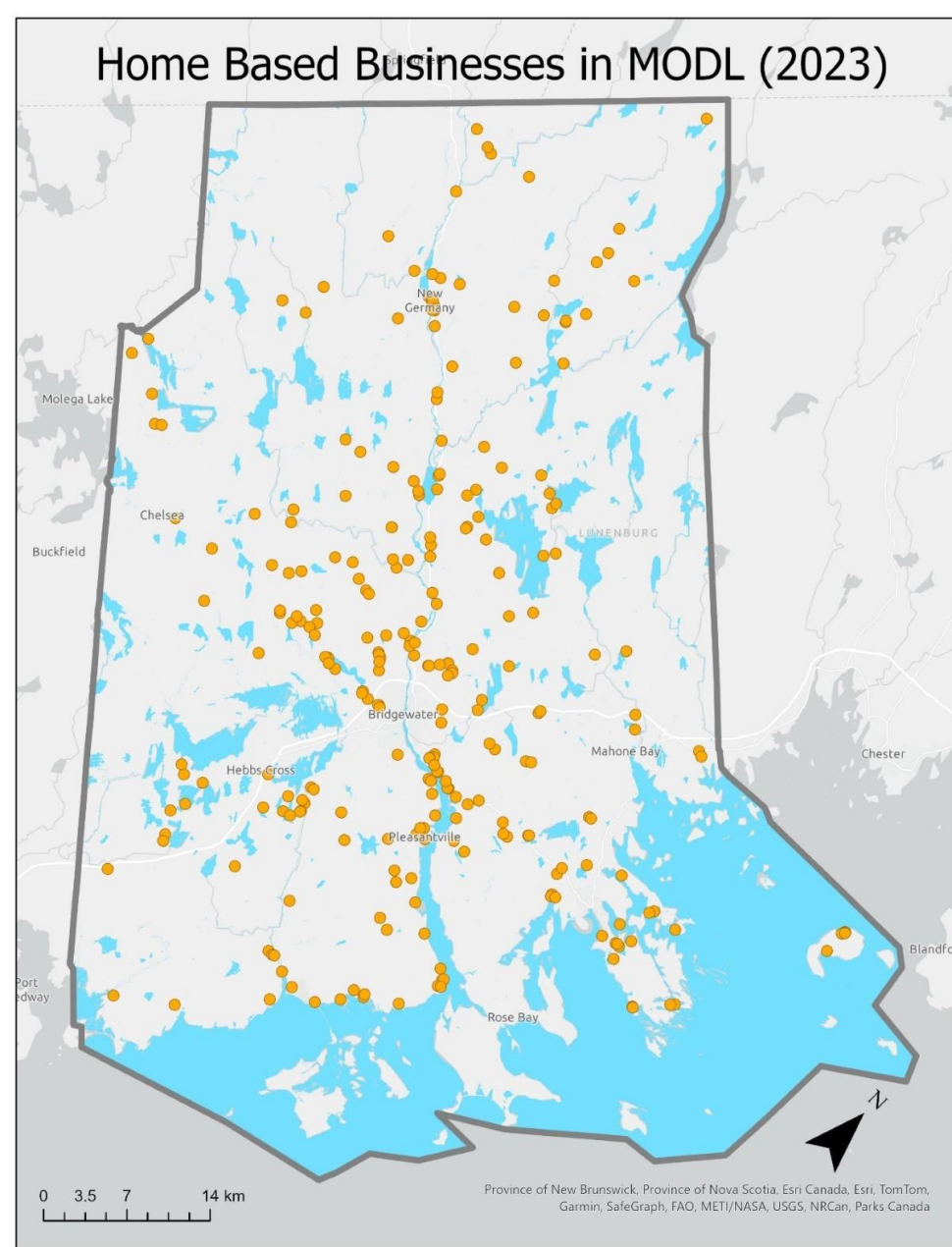
Provincial Minimum Planning Requirements Regulations

Section 11(e): “A municipal planning strategy may include statements of policy on home occupations and home-based businesses”.



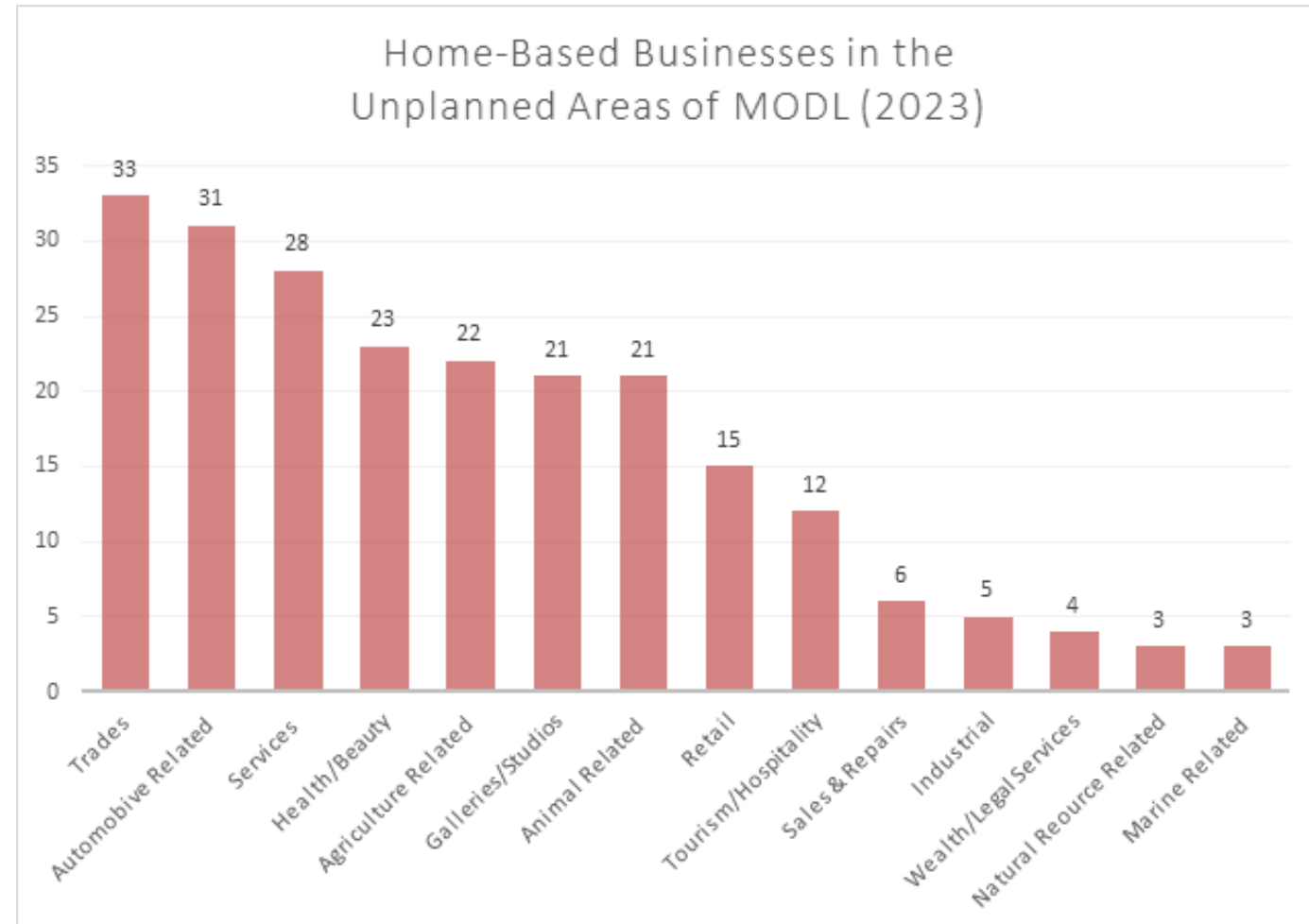
Home-Based Businesses (HBB) in MODL

Approximately **256** HBBs located within the unplanned areas of MODL (2023)



Home-Based Businesses (HBB) in MODL

- Largest category was trade-based businesses (e.g. construction, carpentry, heating, plumbing, electrical, masonry, and roofing)
- Second largest category was automotive-related businesses (e.g. auto mechanics, tires sales, small engine repair, auto salvage, and car detailing)
- Third largest category was general services (e.g. property management, consulting, graphic design/interior design, transportation, elderly homeware, and housekeeping)



Jurisdictional Review – Home-Based Businesses (HBB)

Municipality	Approach
Queens	<ul style="list-style-type: none"> - Tiered HBB rules based on business scale - Level 1 HBBs: Small-scale, limited use; allowed in most residential zones - Level 2 HBBs: Larger, broader use + outdoor storage/display; rural & mixed-use zones only - LUB sets limits on non-resident employees (2 for lvl 1 HBB, 3 for lvl 2 HBB), floor area (<25% of gfa for lvl 1, <40% for lvl 2), signage (0.75 m²), and outdoor storage (permitted for lvl 2, but not lvl 1) - Heritage properties may get HBB regulation relaxations, incl. 1 extra non-resident employee
Town of Lunenburg	<ul style="list-style-type: none"> - HBBs permitted in any zone where residential dwellings are allowed - LUB sets limits on business type, non-resident employees (Max 2), floor area (<25% of gfa or 47m²), and parking (Max 2 parking for commercial vehicles)
Town of Bridgewater	<ul style="list-style-type: none"> - HBBs permitted in any zone where residential dwellings are allowed - LUB sets limits on business type, non-resident employees (Max 2), floor area (<25% of gfa or 32.5m²), signage (Max 1 sign), and parking (Max 2 parking for commercial vehicles) - Outdoor storage prohibited

Jurisdictional Review – Home-Based Businesses (HBB)

Municipality	Approach
Chester	<ul style="list-style-type: none"> - HBBs permitted in Single Unit Residential Zone, Coastal Island One Zone, Coastal Island Two Zone, & Lakeside Zone - LUB sets limits on business type, floor area, signage, and parking - Outdoor storage required to be in the rear of the property with a screened fence
East Hants	<ul style="list-style-type: none"> - HBBs permitted under different requirements based on if it is in a rural zone, residential zone, or mixed-use zone - Based on the zone, LUB sets limits on business type, floor area (<50% of gfa), signage (Max 1 m²), non-resident employees (Max 2), parking (Min 1 site that is not for the dwelling), and outdoor storage (Not permitted in residential zones)
Kings	<ul style="list-style-type: none"> - Tiered HBB rules based on whether it is location within or outside of the growth center - Level 1 HBBs: Small-scale, limited use; allowed in the growth center - Level 2 HBBs: Larger, broader uses; allowed in growth center if it can be accessed from a collector road - Level 3 HBBs: Largest scale; allowed outside of the growth center - LUB sets limits on business type, non-resident employees (0 in lvl 1 HBB, 2 in lvl 2, and 4 in lvl 3), floor area (<25% of gfa in lvl 1, <40% in lvl 2&3), signage (Permitted in lvl 3, but not in lvl 1&2), and parking (Min 1 site that is not for the dwelling for lvl 1, lvl 2&3 depend on HBB type) - <u>All levels of HBBs require public road frontage</u>

Tools and Approaches

Flexible Regulations in Rural and Mixed-Use Areas

- **Allow for a wide range of HBB types to improve commercial activity**
- **Flexibility of regulations for HBBs to not create barriers for businesses**
(e.g. Not requiring development permits for businesses that have little to no impact on neighbours such as private offices)

Regulate Based on Zone and Business Scale

- **Permit HBBs as an accessory use to all zones that permit residential uses**
- **But limit HBB type/scale in predominantly residential zones**
- **Use a tiered approach:**
 - Level 1 HBBs: More restrictive, smaller in size, limited types of permitted business
 - Level 2 HBBs: Larger in size and a wider range of business types are permitted



Tools and Approaches

Standards in Residential Areas

- **Limit HBB types in residential zones to level 1 HBBs**
- **Maintain residential character and to minimize impacts on neighbouring residential properties through:**
 - Commercial floor area limits
 - Number of non-resident employees
 - Number of commercial vehicles
 - Signage, outdoor storage, or displays
- **Require public road frontage, with exceptions for low-impact uses such as home offices, studios, or one-on-one instruction classes**



Regulation Options – Draft #1

- Permit HBBs as an accessory use to all zones that permit residential uses
- Apply requirements for HBB **specifically only for residential zones** (Hamlet Residential Zone, Rural Residential Zone, and the Lakeshore Residential Zone)

Home-based Businesses in Residential Zones		
Permitted Uses	Animal Care Art Gallery/Studio Business or Professional Office Commercial School – 6 or fewer students Craft Product Workshop Craft Shop	Day Care Centre – 6 or fewer clients Medical Clinic Personal Service Shop Residential Care Facility Service and Repair Shop - excluding small engine repair
Max number of non-resident, on-site employees	2	
Max Floor Area	<25 % or 50 m ² of the gross floor area of the main dwelling unit, whichever is less. Day care centres and residential care facilities exempt from this requirement.	
Outdoor Storage and Display	Total outdoor storage and outdoor display area cannot exceed 10 m ² . Outdoor storage and outdoor display not permitted in the front or flankage yard or in minimum required side and rear setbacks.	
Retail Sales	Limited to the sale of products made, assembled, refinished, or repaired on the premises.	
Signage	1 non-illuminated wall or ground sign, not exceeding 1 m ² permitted, and must be located within the property boundaries.	
Parking	A minimum of 1 off-street parking spaces must be provided on the lot in addition to any parking spaces required for the residence. No more than 2 commercial vehicles stored on or operated from the lot.	
Road Frontage	Public road frontage required.	



Regulation Options – Draft #1

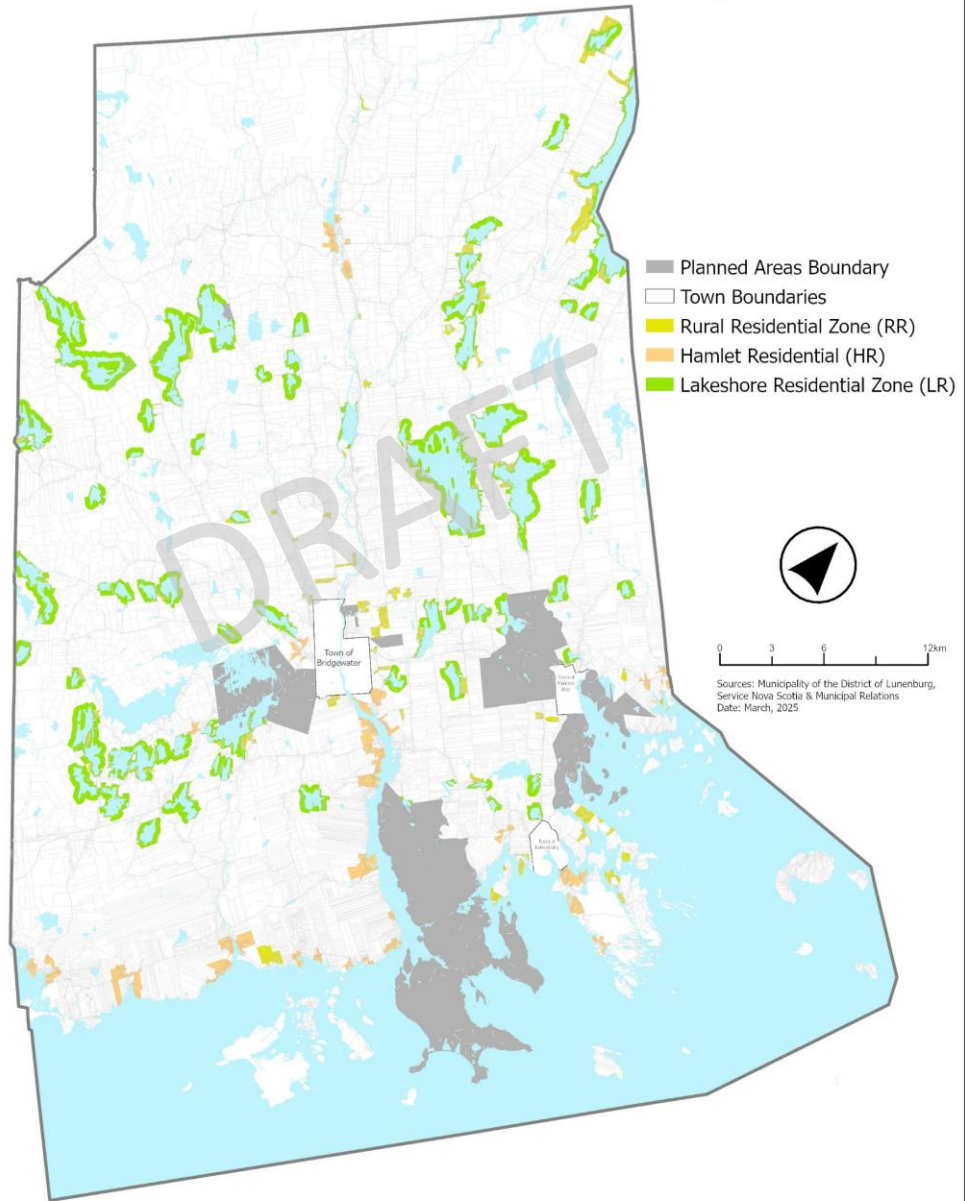
- Exemptions for certain types of HBBs from the residential zone requirements
 - Accessory buildings may be used for the HBB instead of the main residential building, if it does not exceed the max floor area (<25 % of the residential footprint or 50 m²)
 - No development permit required for personal offices, studios, or classes with instruction of one student at a time
- Registered heritage properties with a HBB in residential zones are eligible for bylaw relaxation:
 - Permitted on-site, non-resident employees increased by 1.
 - Max size of a sign for a home-based business increased from 1m² to 3m².
- A Development Officer may grant a variance to the floor area of a HBB, subject to Section 235 of the MGA



Regulation Options – Draft #1

- HBB requirements would only apply to **residential zones** (Hamlet Residential Zone, Rural Residential Zone, and the Lakeshore Residential Zone) shown on the right
- **Approximately 15.9%** of currently unplanned properties in MODL would fall under this requirement

Residential Zones with Home-Based Business Requirements



Thank you

Questions?

