

RIVERVIEW PLANNING ADVISORY COMMITTEE

STAFF REPORT

Subject : Conditional Use application to allow a home occupation with an employee

File number: 26-0221

Meeting Date: Wednesday, April 8, 2026

From :



Sam Gerrand
Planner

Reviewed by :



Lori Bickford
Planning Manager/Planner

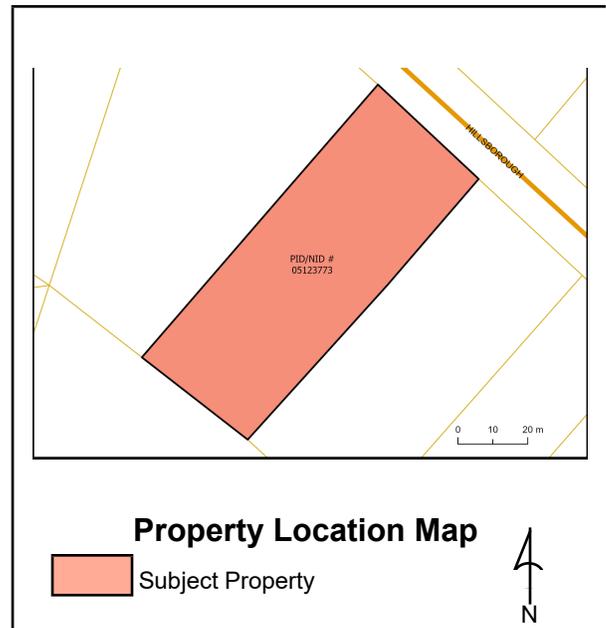
GENERAL INFORMATION

Applicant/: Cindy Loeppky

Landowner : Cindy Loeppky

Proposal:

The applicant proposes a home occupation use (counselor office) in an existing accessory building with one additional employee.



SITE INFORMATION

Location: 762 Hillsborough Road, Town of Riverview

PID: 05123773

Lot Size: 3,985 m²

Current Use: Residential

Zoning: R-LR

Future Land

Use:

Surrounding

Use & Zoning: The property is surrounded primarily by Low Rise Residential properties with existing residential uses.

Municipal

Servicing: The property has access to municipal services

Access/Egress: The property has access to Hillsborough Road.

Municipal Plan Policies

5.1 Developing Beautiful and Complete Neighborhoods

Policy 5.1.1 It shall be the intention of Council to ensure that Residential areas designated on the Generalized Future Land Use map are predominantly used for residential purposes. Furthermore, it shall be the intention of Council to permit the following compatible uses within the Residential designation, subject to the relevant provisions of this Plan and Zoning By-law:

- (a) parks, open space and recreation areas, including integrated golf course communities;
- (b) public and private schools;
- (c) religious facilities;
- (d) small scale commercial and convenience retail store;
- (e) home occupations;
- (f) utilities;
- (g) special care and residential care homes;
- (h) accessory apartments; and
- (i) daycares.

5.4 Low Rise Residential Development

A changing global economy has created more opportunity for people to establish businesses in their homes, creating the need to provide home occupations as secondary uses in residential neighbourhoods.

Policy 5.4.4 It shall be the intention of Council to permit home occupation uses as secondary to a residential main use through provisions in the zoning by-law

Zoning Bylaw and or Subdivision By-law Regulation

Definitions

“Home occupation” means an accessory use in a portion of a dwelling unit or in an accessory building where a business is conducted by the occupant of the dwelling unit

2.18.3 Home Occupation

Home occupations are intended to be small scale businesses operating secondary to a residential use and have minimal impact on the surrounding neighborhood. The intent is that the scale of use is compatible with low rise residential uses and any additional traffic generated by the home occupation could generally be accommodated by the provision of one additional parking stall.

2.18.3.1 Home Occupation General Provisions

Where permitted, a home occupation is subject to the following:

- a) A home occupation may be permitted within a single, semi detached, manufactured, townhouse or rowhouse dwelling unit or an accessory building or a combination of both.
- b) A home occupation must be clearly secondary to the residential use.
- c) The maximum area of a home occupation located within a dwelling unit shall not exceed 25 percent of the gross floor area of the dwelling unit.
- d) Notwithstanding (c), in the Rural zone, the maximum area of a home occupation located within a dwelling unit shall not exceed 50% of the gross floor area.
- e) No additional employees beyond those reside within the main dwelling.
- f) A home occupation contained with an accessory building shall meet the requirements of section 3.1.1.
- g) The residential character of the main dwelling unit or the accessory building on a lot containing a home occupation shall be maintained.
- h) No outdoor storage is permitted.
- i) Shall only supply or sell goods or services directly related to the home occupation
- j) Parking shall be provided in accordance with section 4.
- k) The home occupation shall not produce excessive noise, fumes, dust, vibration, glare, electronic interference or odour detrimental to the general welfare of the surrounding neighbourhood.
- l) Subject to the provisions of Section 7, shall be permitted to erect a non-illuminated sign not exceeding 0.75 square metres.
- m) Not more than one Home Occupation shall be permitted on a lot.
- n) A Home Daycare shall not be permitted on the same lot as a Home Occupation.

2.18.3.2 Home Occupations Permitted by Development Permit

Where permitted, the following home occupations shall be permitted by Development Permit:

- a) Artist Studio
- b) Catering Establishment
- c) Home Daycare
- d) Instructional Service
- e) Office
- f) Personal Service Shop

- g) Pet Grooming
- h) Tailor

2.18.3.3 Home Occupations Subject to Planning Advisory Committee Approval

Where permitted, the following home occupations shall be subject to the terms and conditions of the Planning Advisory Committee:

- a) In the Rural Zone, Automobile Repair Shop
- b) Notwithstanding section 2.18.3.1(d), Office use with 1 additional staff
- c) Any other use the Planning Advisory Committee deems appropriate and suitably non- impactful to the character of the area

Internal Consultation & External Consultation

The application was discussed with the internal Riverview Development Review Committee (CAO office, Clerk, Planning, Engineering and Public Works, Economic Development, Fire Department, Parks and Recreation). No concerns were raised with regards to the application.

Additionally, staff consulted with Plan360 Building Inspections Department and confirmed that home occupations proposed in accessory buildings are not required to meet commercial building code standards including items such as public washrooms and barrier free access.

Discussion

The applicants have proposed a home occupation use in an existing accessory building in the rear yard of their property at 762 Hillsborough Road. The proposed home occupation is a counseling office, where the owners of the property are both counselors and would use the accessory building to meet with clients. The owners have also proposed that the accessory building could be used by another counselor who does not reside on the property to take meetings when the building is empty and not being used by the applicants. Home occupations are permitted in accessory buildings under the 2025 Municipal Plan and Zoning By-law; however, when the home occupation involves an additional employee, a conditional use approval is required from the Planning Advisory Committee (PAC).

The Municipal Plan recognizes that “a changing global economy has created more opportunity for people to establish businesses in their homes” and that some small scale businesses can operate

compatibly within residential neighborhoods. When managed appropriately, home occupations can help diversify land use, improve local economic development, and provide services within neighborhoods, helping to create more complete communities.

However, in order to avoid land use conflicts between home occupations and residential uses, the Zoning By-law provides a set of regulations intended to ensure home occupations remain small in scale and have a minimal impact on the surrounding neighborhood. The intent is that the scale of home occupations should be able to be accommodated by the provision of one additional parking stall, meaning that, in general, only a small number of clients visits the business at a time.

Despite the request for an additional employee, planning staff are of the opinion that the current application is consistent with the intention of the by-laws as only one counselor will use the office space for client meetings at a time. Traffic generated by an additional employee should not be different from the traffic generated by the owners using the office space for their own client meetings and should still be able to be accommodated by the parking stalls shown on the site plan.

The conditional use application before the PAC is not to debate whether or not the additional employee should be permitted on the property, but rather, to allow the PAC to evaluate the proposal on a case-by-case basis and impose any reasonable conditions that the Committees sees necessary to reduce conflicts between neighboring properties, or for the good of the public.

While the accessory building is existing, the applicants plan to build a private driveway and small parking area for separate access to the home occupation along the eastern property line, The Zoning By-law limits both the width of a driveway access onto the public road right of way (7.6m) and the number of driveways per lot for residential properties. As such, the driveway access could be extended from the existing driveway, but should not result in widening the driveway where it intersects with the road right of way, nor should a new driveway access be created onto Hillsborough Road.

The applicants have shown on the site plan, and a site visit has confirmed, that treed landscape buffers are provided along the side and rear property lines. These buffers effectively screen the accessory building from neighboring properties. A landscape buffer along the eastern property line is also present between the proposed driveway access to the accessory building and the neighboring property. The Committee could consider securing the future maintenance and upkeep of these existing landscape buffers on the property to maintain screening of the home occupation use from neighboring properties and the public realm.

Overall planning staff are of the opinion that the proposed home occupation use with an additional employee is within the intent of the home occupation regulations, and have confirmed that all other zoning provisions related to home occupations are met by the proposal. Staff are supportive of the application.

Public Notice

Public notice was mailed to landowners within 60m of the subject property on March 25th, 2026

Legal Authority

Conditional uses

53(3) In prescribing the purposes for which land, buildings and structures in a zone may be used, a zoning by-law may: ...

(c) prescribe particular purposes ...

(i) in respect of which the advisory committee or regional service commission, subject to subsection (5), may impose terms and conditions, and

(ii) that may be prohibited by the advisory committee or regional service commission if compliance with the terms and conditions imposed under subparagraph (i) cannot reasonably be expected.

The Act also provides parameters for the PAC when imposing conditions:

53(4) Terms and conditions imposed under paragraph (3)(c) shall be limited to those considered necessary by the advisory committee or regional service commission to protect:

(a) properties within the zone or in abutting zones, or

(b) the health, safety and welfare of the general public.

Recommendation

Staff recommend that the Riverview Planning Advisory Committee APPROVE the proposed conditional use for a home occupation with an additional employee at 762 Hillsborough Road (PID 05123773) subject to the following conditions:

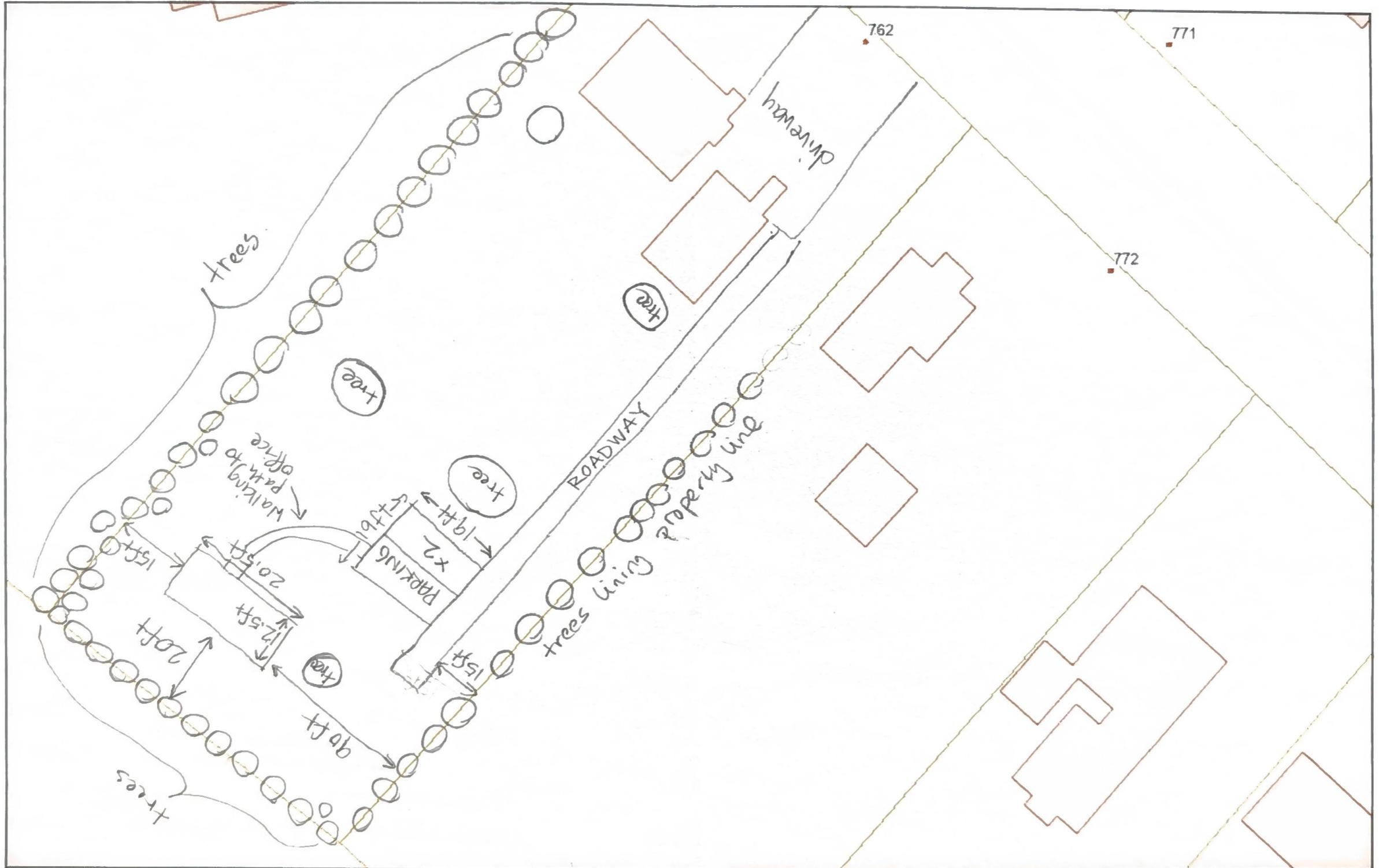
(1) That development related to the home occupation be in substantial conformity with the attached site plan.

(2) That the existing landscape buffers along the east, west and north property lines, as marked on the attached site plan, are maintained as a condition of operating the home occupation.

(3) That the width of the existing driveway access onto Hillsborough Road not be widened at the road right of way for the purposes of this home occupation.

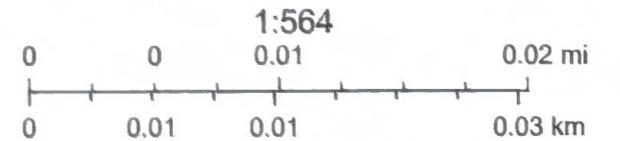
(4) That no additional driveway access, beyond the one existing driveway, be granted onto Hillsborough Road for the purpose of this home occupation.

DEPRECATED - GeoNB Map Viewer



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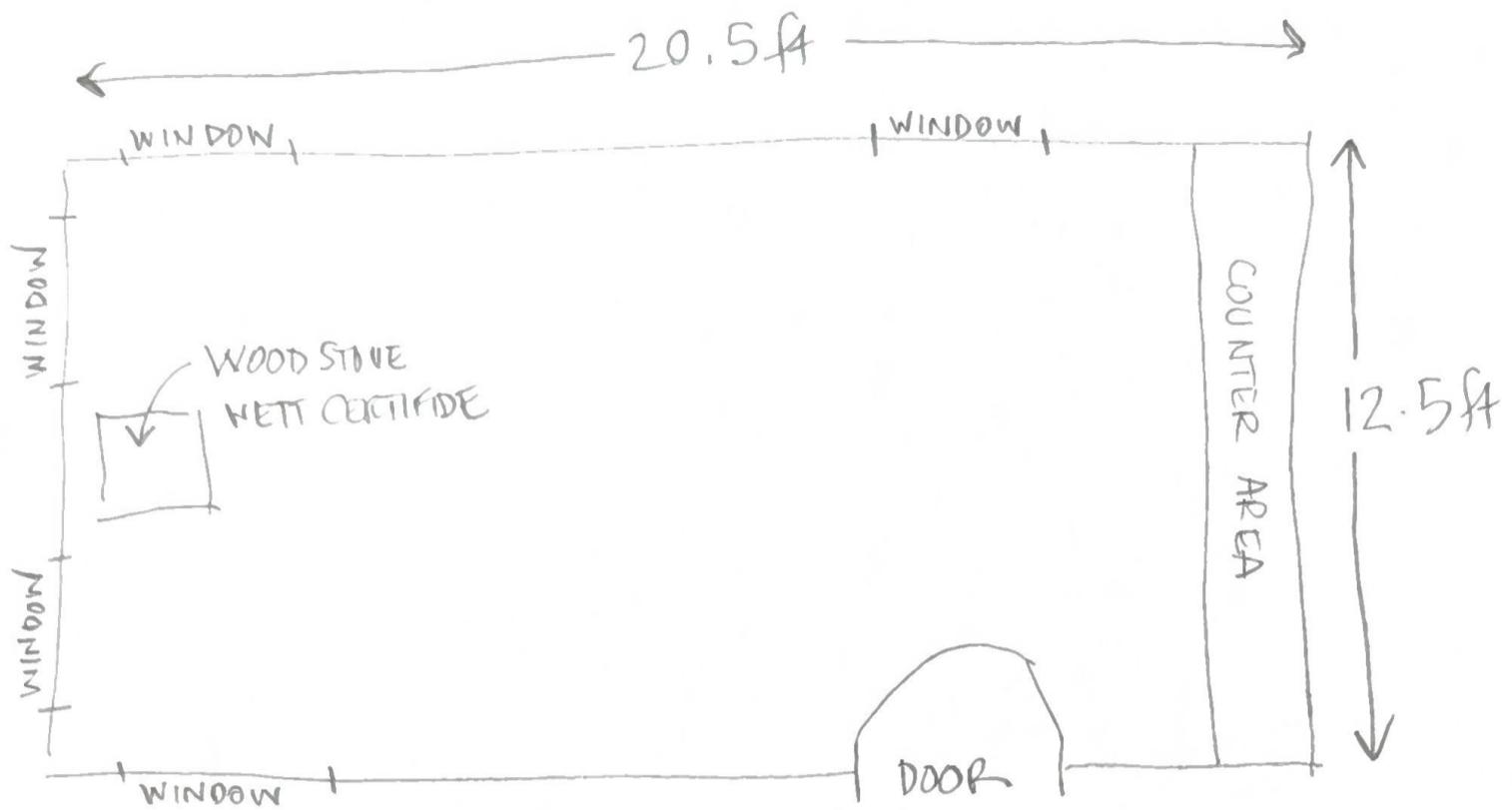
- Civic Addresses
- Buildings
- Large Scale
- parcels
- Year of Photography



Department of Environment and Local Government / Ministère de l'Environnement et des Gouvernements locaux

GeoNB

This map is a graphical representation which approximates the size, configuration and location of features. This map is not intended to be used for legal descriptions or to calculate exact dimensions or area.



The intended space will be used as a counseling office. Both my partner and myself will be NB registered counsellors in the fall of 2026 and would like to open a practise using the bunkie as an office to meet clients.

We have retired from teaching and only want to work part-time - mostly having appointments during the day during the week.



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