



## Report Committee of Adjustment

**Filing Date:** June 6, 2024  
**Hearing Date:** July 16, 2024

**File:** A-2024-0206

**Owner/  
Applicant:** GURBHEJ SINGH TURNA, AMANDEEP SINGH TURNA  
PAVNEET KAUR

**Address:** 124 Botavia Downs Drive

**Ward:** WARD 6

**Contact:** Emily Mailling, Planning Technician

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### **Recommendations:**

That application A-2024-0216 be refused.

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### **Background:**

#### Existing Zoning:

The property is zoned 'Residential R1F' Special Section 2452 (R1F-2452), according to By-law 270-2004, as amended.

#### Requested Variances:

The applicant is requesting the following variances:

1. To permit a home occupation within a two-unit dwelling, whereas the by-law does not permit the use; and
2. To permit a total of 0 parking spaces for a home occupation, whereas the by-law requires that parking be calculated at a rate of 1 space for each 20 square metres of gross floor area for a home occupation.

### **Current Situation:**

1. Maintains the General Intent and Purpose of the Official Plan

The property is designated 'Residential' in the Official Plan and "Low Density Residential" in the Mount Pleasant Secondary Plan (Area 51). The requested variances are not considered to have significant impacts within the context of the Official Plan policies. The requested variance is considered to maintain the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The property is zoned 'Residential Semi Detached - Special Section 2402 (R1E-2402), according to By-law 270-2004, as amended. Variance 1 is requested to permit a home occupation within a two-unit dwelling, whereas the by-law does not permit the use, and Variance 2 is requested to permit a total of 0 parking spaces for a home occupation, whereas the by-law requires that parking be calculated at a rate of 1 space for each 20 square metres of gross floor area for a home occupation.

The intent of the by-law in regulating home occupations being limited to single detached dwellings is to ensure adequate parking can be provided for the principal use (single detached dwelling) and home occupation entirely on the subject property. The intent is also to ensure that the home occupation does not negatively impact additional residential units within the building, thereby maintaining the primary residential purpose of the dwelling. A site visit of the subject property reveals there is not adequate parking that can be provided for the combination of the principal dwelling, existing second unit and proposed home occupation. The variances are not considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variance 1 is requested to permit a home occupation within a two-unit dwelling, whereas the by-law does not permit the use, and Variance 2 is requested to permit a total of 0 parking spaces for a home occupation, whereas the by-law requires that parking be calculated at a rate of 1 space for each 20 square metres of gross floor area for a home occupation. The requested variances to permit a proposed home occupancy (salon) within a Semi Detached dwelling which is also currently occupied by a secondary unit is anticipated to negatively impact the overall residential function of the two-unit dwelling. City Building department staff have established concerns regarding fire rating advising that the shared exit would need to be constructed having a 45 minute fire-resistance rated assembly with fire rated doors and closures, as per OBC 9.10.9.14. It is staff's position, that the configuration of the Semi Detached two-unit dwelling and lack of required parking is not considered to be desirable for the appropriate development of the land and additional home occupation use.

4. Minor in Nature

The requested variance does not represent a minor relief from the Zoning By-law requirement. The request is considered to contribute to an overdevelopment of the property and thus the requested variance is not considered minor in nature.

Respectfully Submitted,

*EMailling*

Emily Mailling

**Site Visit Photos**

