



Report Committee of Adjustment

Filing Date: August 17th, 2024
Hearing Date: September 17th, 2024

File: A-2024-0272
**Owner/
Applicant:** RAHUL ARORA

Address: 7 COURTLEIGH SQUARE

Ward: WARD 1

Contact: Paul Brioux, Assistant Development Planner

Recommendations:

That application A-2024-0272 is supportable subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
 2. That the home occupation (barber shop) remain as a home occupation use and accessory to the residential dwelling; and
 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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Background:

Existing Zoning:

The property is zoned 'Residential Semi Detached (R2A)' according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a home occupation (barber shop) having a gross floor area of 19.98 square metres within a semi-detached dwelling whereas the by-law permits only an office as a home occupation within a semi-detached dwelling.

Current Situation:

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

The subject lands are designated as 'Residential' within the Official Plan and 'Medium Density Residential' in the Snelgrove - Heart Lake Secondary Plan (Area 1). In relation to the 'Residential' designation, section 4.2.1.1 of the Official Plan states Complementary uses, other than Places of Worship, shall be permitted subject to specific Secondary Plan policies or designations, and may include uses permitted in the Commercial and Institutional and Public Uses designations of this plan, such as schools, libraries, parks, community and recreation centres, health centres, day care centres, local retail centre, neighbourhood retail, convenience retail, or highway and service commercial uses. The proposal to permit a home occupation barber shop is consistent with the official plan and its further appropriate given the site context.

Conditions have been included to ensure that the use is accessory to the residential dwelling and continues to be consistent with the intent of the official plan. Subject to the recommended conditions of approval, the variance maintain the general intent of the Official Plan.

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

The variance is requested to permit a home occupation (barber shop) having a gross floor area of 19.98 square metres within a semi-detached dwelling whereas the by-law permits only an office as a home occupation within a semi-detached dwelling. The intent of the by-law in regulating home occupations is to ensure that the primary function of the dwelling remains residential in nature and that the home occupation is compatible with the adjacent community. In the case of the subject property, being a semi-detached dwelling, the barber shop would occupy approximately 19.98 square metres at ground floor level and is not anticipated to negatively impact the ability of the dwelling to function for residential purposes. A condition of approval has been included which recommends that the barber shop remain as a home occupation use and accessory to the residential dwelling. Subject to the recommended conditions of approval, the variance maintains the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The size, location, and character of the property is residential in nature and it is the opinion of staff that proposed variance to permit a barber shop home occupation will not alter the character of the neighbourhood nor would it have negative impact on adjacent properties. Subject to the recommended conditions, the proposed variance is desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance to permit a home occupation is limited in size and conditions have been included to ensure the use continues to operate accessory to the primary residential use. Subject to the recommended conditions of approval, the variances are minor in nature

Respectfully Submitted,

Paul Brioux

Paul Brioux, Assistant Development Planner

Appendix A

