



Staff Report to the Planning, Zoning and Affordable Housing Committee

DATE: Monday, April 25, 2022

DEPARTMENT: Planning

APPLICATION NO.: TUP22-0001

SUBJECT: Application for a temporary use permit at 2874 Peatt Road to allow for a commercial office space

PURPOSE:

Gary Brown of Paradise Homes Ltd has applied for a temporary use permit to convert the existing residential home at 2874 Peatt Road to a temporary commercial office space.

BACKGROUND:

Concurrently with the temporary use permit application, the applicant has applied to rezone the subject property and the neighbouring property at 2870 Peatt Road (Z22-0005) from R2 (One- and Two-Family Residential) to CCP (City Centre Pedestrian) to permit a six-storey mixed use building.

Table 1: Site Data

<i>Applicant</i>	Gary Brown
<i>Owner</i>	Paradise Homes Ltd
<i>Civic Address</i>	2874 Peatt Road
<i>Legal Description</i>	Lot 15, Section 5, Esquimalt District, Plan 12186, PID 004-981-634
<i>Size of Property</i>	779 m ²
<i>DP Areas</i>	City Centre Development Permit Area
<i>Zoning Designation</i>	R2 (One- and Two-Family Residential)
<i>OCP Designation</i>	City Centre

SITE AND SURROUNDING AREA:

The subject property is located on the corner of Peatt Road and Orono Avenue and contains a single-family dwelling facing Orono Avenue. The property is flat in nature, with some sparse mature vegetation west of the parcel and privacy vegetation along its front and exterior lot lines.

Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	R2 (One- and Two-Family Residential)	Single family dwellings
<i>East</i>	RM2 (Attached Housing) MU1A (Mixed-Use Residential Commercial A)	Townhomes Mixed-use apartment
<i>South</i>	R2 (One- and Two-Family Residential)	Single family dwellings
<i>West</i>	MU2 (Mixed-Use Residential Commercial 2)	Apartment building (currently under construction)

OFFICIAL COMMUNITY PLAN:

The Official Community Plan (OCP) Bylaw No. 1200 designates the subject property as “City Centre”, which is defined by the following text:

- A major regional growth centre that supports a wide range of high-density housing, including affordable and rental housing
- A major employment area for institutional, office, commercial, light industrial uses
- Major civic uses and public buildings are key landmarks
- A major place of community gathering and celebration
- A wide range of public squares, parks and open spaces are integrated throughout
- The City’s major entertainment and/or cultural precinct
- Inter-city and/or inter-regional transit hub connect residents

DEVELOPMENT PROPOSAL:

As noted, the applicant wishes to temporarily convert the existing residential dwelling at 2874 Peatt Road into an office for their construction company, whilst their new office space is being built. The applicant has indicated that the current location of their office building is being demolished for redevelopment, and therefore a temporary location for their office is necessary.

The intention is to have 3-4 employees Monday to Friday between office hours of 8:30am- 5:00pm working out of the location. There will be no clients on site associated with the business activity. The

three bedrooms as well as the living room of the residential home will be converted into offices for the employees, with kitchen and dining areas being used as staff room. A building permit will be required for the change of occupancy and to ensure that all accessibility and fire safety issues are addressed prior to occupying the building as an office space. There is no intention to alter the exterior of the property or install new signage, therefore no Development Permit or Sign Permit will be required. A business licence will have to be obtained to operate from the location.

Figure 3: Proposed Floor Plan



Part 4 of the Zoning Bylaw 300 indicates that a commercial office is required to provide 1 parking spot for every 35m² of gross floor area. The gross floor area of the dwelling is approximately 80m², therefore two parking stalls are required as per Zoning Bylaw 300. The garage and the driveway will be used for parking of the employees of the office, therefore parking requirement for a commercial office will be satisfied.

LEGAL IMPLICATIONS:

Pursuant to S. 497 of the *Local Government Act*, the City may issue a Temporary Use Permit (TUP) for a period of up to three years. The *Local Government Act* also allows a temporary use permit to be extended for a maximum of an additional three years. If the holder of a TUP wishes to conduct the temporary use beyond 6 years period, they are required to make a new application to Council for a TUP or apply for rezoning.

Council has no specific policies with respect to TUPs. Applications for Temporary Commercial Use Permits are considered on their individual merit. However, Council does regulate TUPs through Part 3 of Zoning Bylaw No. 300. Sections 3.27.03 and 3.27.04 of Zoning Bylaw 300 give Council the right to require that the form and character of the building meet guidelines for commercial properties and allow Council to ask for specific information or reports. As stated above, there are no plans to alter the exterior of the property or install a new signage, therefore no Development Permit or Sign Permit will be required.

OPTIONS:

Option 1

THAT the Planning, Zoning and Affordable Housing Committee recommend that Council:

1. Proceed with the consideration of the temporary use permit for a commercial office at 2874 Peatt Road, subject to the following terms and conditions:
 - i. That the temporary use permit be issued for a period of three years from time of issuance;
 - ii. That there are no clients on site;
 - iii. That a business licence and building permit be obtained from the City of Langford;

OR Option 2

THAT the Planning, Zoning and Affordable Housing Committee recommend that Council:

1. Reject this application for a temporary use permit.

SUBMITTED BY: Anastasiya Mysak, Planning and Land Development Technician

Concurrence: Leah Stohmann, MCIP, RPP, Deputy Director of Planning and Subdivision

Concurrence: Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

Concurrence: Donna Petrie, Manager of Business Development and Events

Concurrence: Will Ying-udomrat, Manager of Legislative Services

Concurrence: Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering and Public Works

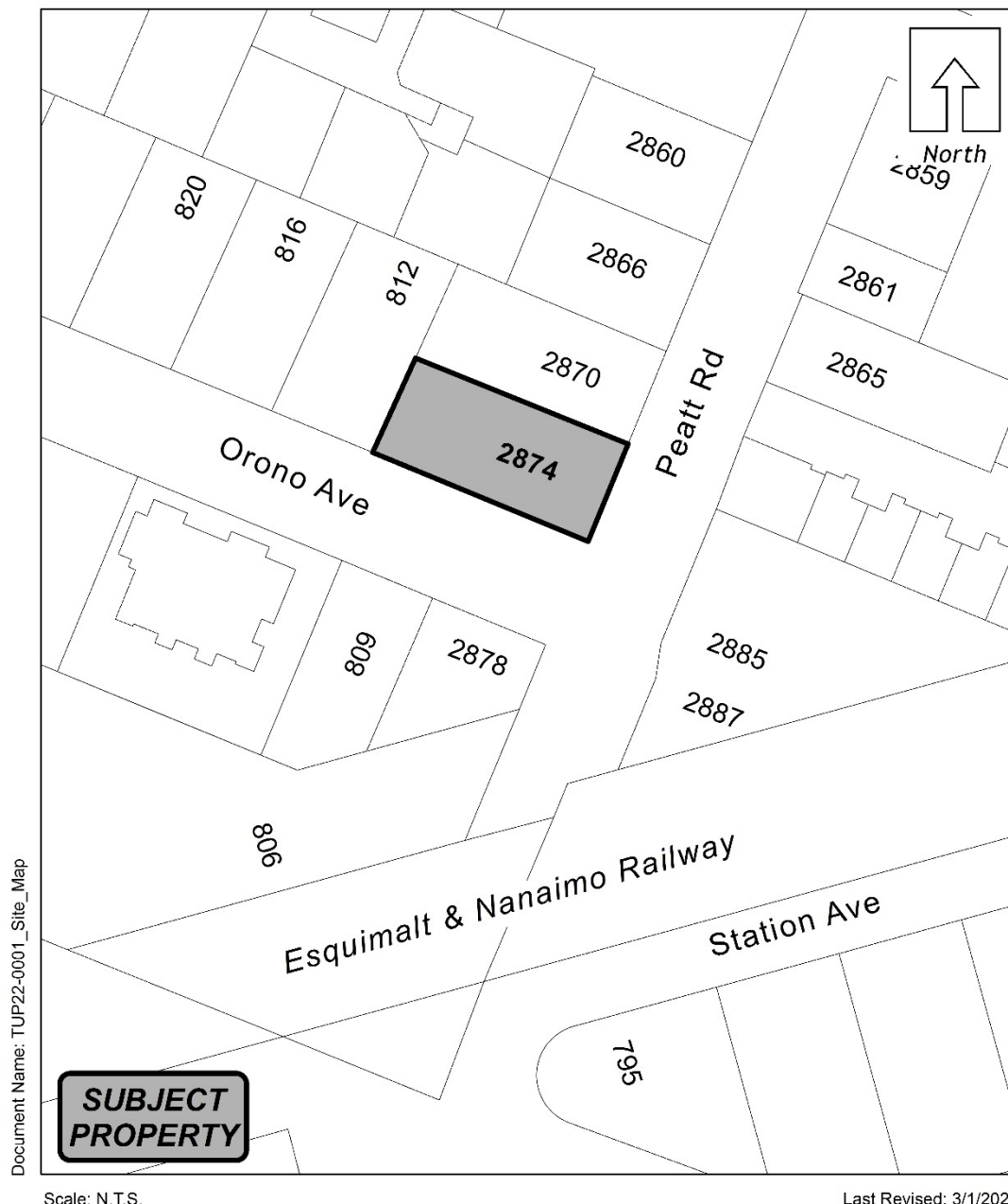
Concurrence: Michael Dillabaugh, CPA, CA, Director of Finance

Concurrence: Marie Watmough, Acting Director of Corporate Services

Concurrence: Darren Kiedyk, Chief Administrative Officer

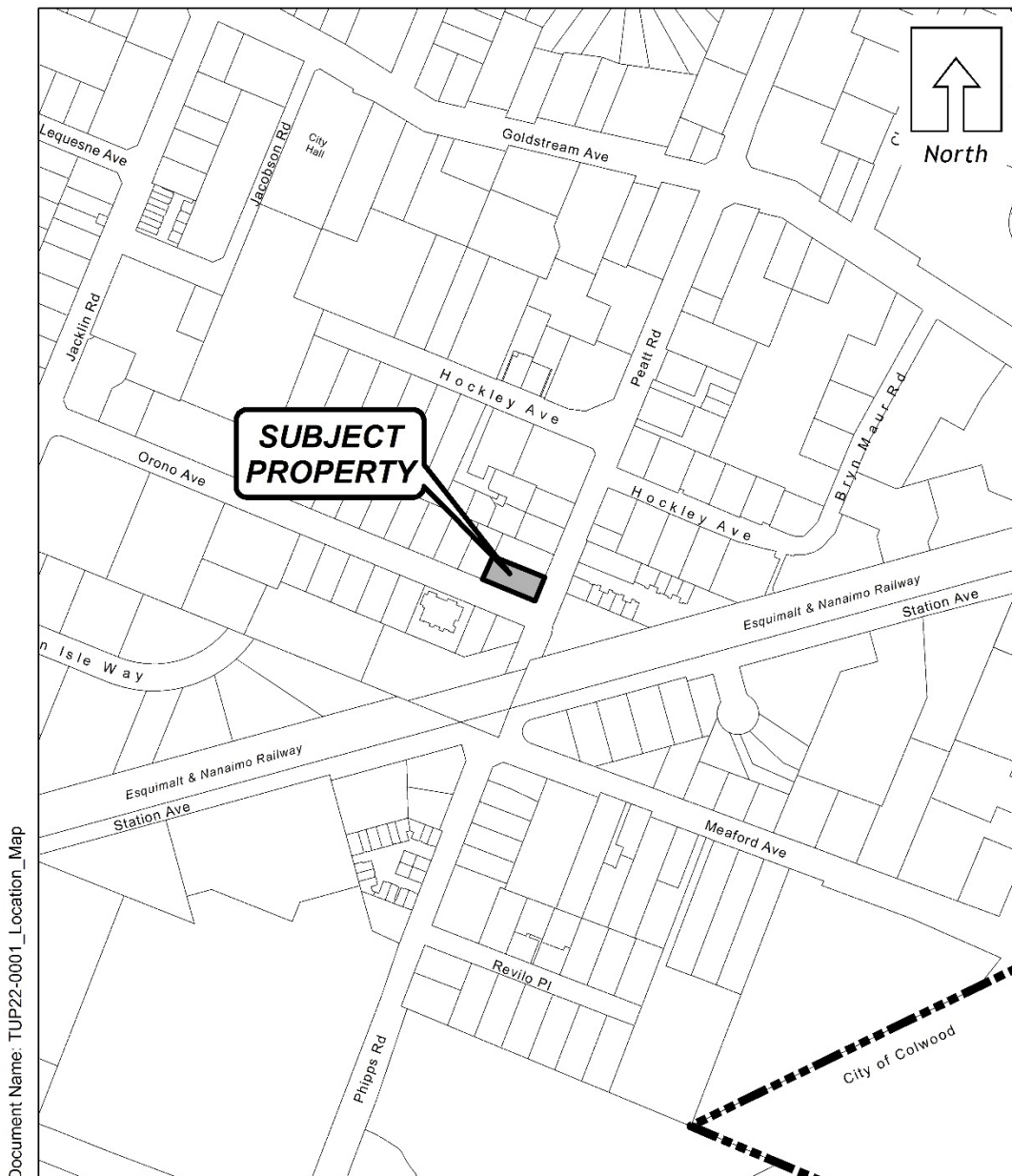
SUBJECT PROPERTY MAP

**TEMPORARY USE PERMIT
(TUP22-0001)
2874 Peatt Rd**



LOCATION MAP

**TEMPORARY USE PERMIT
(TUP22-0001)
2874 Peatt Rd**



Scale: N.T.S.

Last Revised: 3/1/2022