



# Staff Report to Sustainable Development Advisory Committee

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**DATE: Monday, January 11, 2021**

**DEPARTMENT: Planning**

**APPLICATION NO.: TUP25-0005**

**SUBJECT: Application for a Temporary Use Permit to Allow a Personal Service Home Occupation at 933 Tayberry Terrace.**

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## **EXECUTIVE SUMMARY:**

The applicant is requesting a Temporary Use Permit (TUP) to operate a personal service home occupation at 933 Tayberry Terrace, offering eyelash extension services by appointment to one client at a time. The business will be located on the ground floor of the residence, with a separate entrance. No external employees are involved, and no structural changes to the home are proposed.

The applicant is also requesting to reduce the required on-site residential parking from two stalls to one in order to use the second stall for client parking.

Each request for a TUP is evaluated on its own merits. Given the low impact on the surrounding residents and the applicant's willingness to accommodate only one client at a time by appointment and provide client parking on the site, staff believe that the business can operate in a feasible manner.

## **BACKGROUND:**

### Previous Applications

There have been several previous applications in relation to the parent parcel of the subject property:

- Z10-0006 – To amend the text of the CD10 zone to include one-family dwellings as a permitted use in Areas 2, 3 and 5 and to rezone the amenity lands from R2A to RM3A.
- SUB 12-0021 – To subdivide the parent parcel into 60 single family lots.
- DP13-0049 – To regulate the form & character of development within the Intensive Residential and Multi-Family Residential Development Permit Area.
- DVP13-0012 – To vary the rear, front and side yard setbacks for all single-family dwelling lots in the CD10 Zone.

This application is the first one on the subject property since land development has completed.

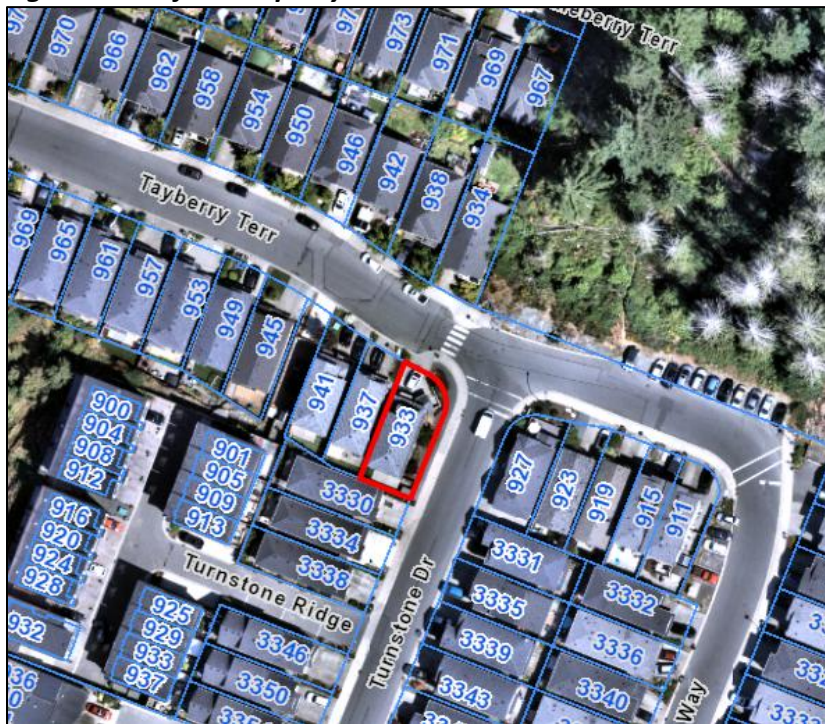
**Table 1: Site Data**

<i>Applicant</i>	Hayan Lee
<i>Owner</i>	Hayan Lee
<i>Civic Address</i>	933 Tayberry Terrace
<i>Legal Description</i>	Lot 4, Section 86, Metchosin District, Plan EPP28579 PID 028-726-260
<i>Size of Property</i>	225m <sup>2</sup>
<i>DP Areas</i>	Habitat and Biodiversity
<i>Zoning</i>	Existing: Comprehensive Development – Boulder Ridge (CD10) – Area 4
<i>OCP Designation</i>	Existing: Complete Community

Site and Surrounding Area

The existing property, shown in Figure 1, is a small corner lot located in an intensive residential infill development in South Langford. The site contains an existing single-family dwelling with a single car driveway and a single car garage. There is on-street parking on the opposite side of Tayberry Terrace. The surrounding properties are mostly single-family homes on small lots with townhome developments to the south and west of the subject property.

**Figure 1: Subject Property**



**Table 2: Surrounding Land Uses**

	<b>Zoning</b>	<b>Use</b>
<i>North</i>	RS1	Single Family Dwellings
<i>East</i>	Comprehensive Development – Boulder Ridge (CD10)	Single Family Dwellings
<i>South</i>	Comprehensive Development – Boulder Ridge (CD10)	Single Family Dwellings and Townhomes
<i>West</i>	Comprehensive Development – Boulder Ridge (CD10)	Single Family Dwellings and Townhomes

Council Policy

OFFICIAL COMMUNITY PLAN

Official Community Plan (OCP) Bylaw No. 2200 designates the subject property as ‘Complete Communities’, which is described in the OCP with the following:

<b>Complete Communities</b>	<p><b>Throughout the designation</b></p> <ul style="list-style-type: none"> <li>• Walk-up residential buildings are permitted, including a range of housing types to a maximum height of three storeys.</li> </ul> <p><b>Neighbourhood Villages</b></p> <ul style="list-style-type: none"> <li>• Multi-family residential, commercial, and institutional uses are permitted.</li> <li>• Maximum height of six storeys, including mandatory ground floor retail, restaurants/cafes and street-activating services.</li> <li>• Located at key intersections.</li> </ul> <p><b>Corner Convenience</b></p> <ul style="list-style-type: none"> <li>• Multi-family residential, commercial, and institutional uses are permitted.</li> <li>• Maximum height of four storeys, including mandatory ground floor retail, restaurant/ cafe, or neighbourhood services.</li> <li>• Located at intersections.</li> </ul>
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The following policy relating to Complete Communities also applies:

Desired Outcome #2: Shops, services, and amenities will be easily accessible within a short walk, roll, or bike ride from homes and supported by a well-connected network of streets, pathways, and public spaces.

**COMMENTARY:**

The applicant is requesting a Temporary Use Permit (TUP) to operate a personal service business at 933 Tayberry Terrace, which is located within Area 4 of the Comprehensive Development – Boulder Ridge (CD10) Zone. The proposed business involves providing eyelash extension services to one client at a time, by appointment only, from a room located on the ground floor of the residence that has its own entrance and a layout conducive to the operation of a home occupation. The business will have no external employees, and no changes are proposed to the interior or exterior of the dwelling.

Under Zoning Bylaw No. 300, this type of business is classified as a home business. However, the CD10 Zone restricts the use of home occupations in Area 4 to home offices only, where clients are not permitted to attend the residence. Although Area 4 allows a range of residential uses – including single-family homes, two-family dwellings, townhouses, and apartments – this more restrictive approach to home occupations was taken since the original intent was to utilize the multi-family uses. Ultimately, this portion of the site was developed with single-family homes and town homes. As a result, residents of the single-family homes don't have access to the wider range of home occupations that are typically permitted in association with that housing form.

Under Section 4.01.01 – Off-Street Parking Requirements in the Zoning Bylaw, two parking stalls are required for the home and one stall is required for clients of the business. The applicant wishes to reduce the residential requirement to one stall, which will be located in the garage. The driveway would then be used for client parking. This arrangement will help mitigate impacts on neighboring properties and available street parking. The request must be considered through a Development Variance Permit application and would be valid only for the duration of the Temporary Use Permit.

Temporary Use Permits are regulated under Section 3.27 of Zoning Bylaw No. 300, which designates all of Langford as eligible for Temporary Commercial or Industrial Use Permits, in accordance with Section 921 of the *Local Government Act*, subject to Council's discretion. Each application is evaluated on its own merits. Given the low-intensity nature of the proposed business, the appointment-only model, and the availability of on-site parking, staff consider the proposed use to be feasible within the existing residential context.

**FINANCIAL IMPLICATIONS:**

There are no known financial implications associated with the TUP application.

**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 the 6-year period, they are required to make a new application to Council for a TUP or apply for rezoning.

Section 3.27.01 of Zoning Bylaw No. 300 designates all of Langford as an area where Temporary Commercial or Industrial Use Permits may be issued. Temporary Use Permits are then considered on their individual merit. Sections 3.27.03 and 3.27.04 of Zoning Bylaw No. 300 gives Council the right to require that the form & character for the building meets guidelines for commercial properties and allows Council to ask for specific information or reports.

**OPTIONS:**

**Option 1**

THAT the Sustainable Development Advisory Committee recommend that Council direct staff to provide notice that Council will consider issuing a Temporary Use Permit to Hayan Lee to operate a personal service home business from the applicant's home located at 933 Tayberry Terr. (Lot 4, Section 86, Metchosin District, Plan EPP28579, PID 028-726-260), subject to the following terms and conditions:

- a. That the Temporary Use Permit is issued for a period of three years from time of issuance;
- b. That the operator of the business obtains a Business Licence from the City of Langford;
- c. That the home remains the primary residence of the applicant for the duration of the TUP; and
- d. That the garage must be used for the primary residence parking stall and the driveway left available for the client during the hours the business is in operation.

**OR Option 2**

THAT the Sustainable Development Advisory Committee recommend that Council take no action with respect to this Temporary Use Permit application for 933 Tayberry Terr. (Lot 4, Section 86, Metchosin District, Plan EPP28579, PID 028-726-260), until such time as the following items are addressed and reviewed by the Sustainable Development Advisory Committee:

- a. \_\_\_\_\_;
- b. \_\_\_\_\_;
- c. \_\_\_\_\_.

**SUBMITTED BY: Kory Elliott, Planning and Land Development Technician**

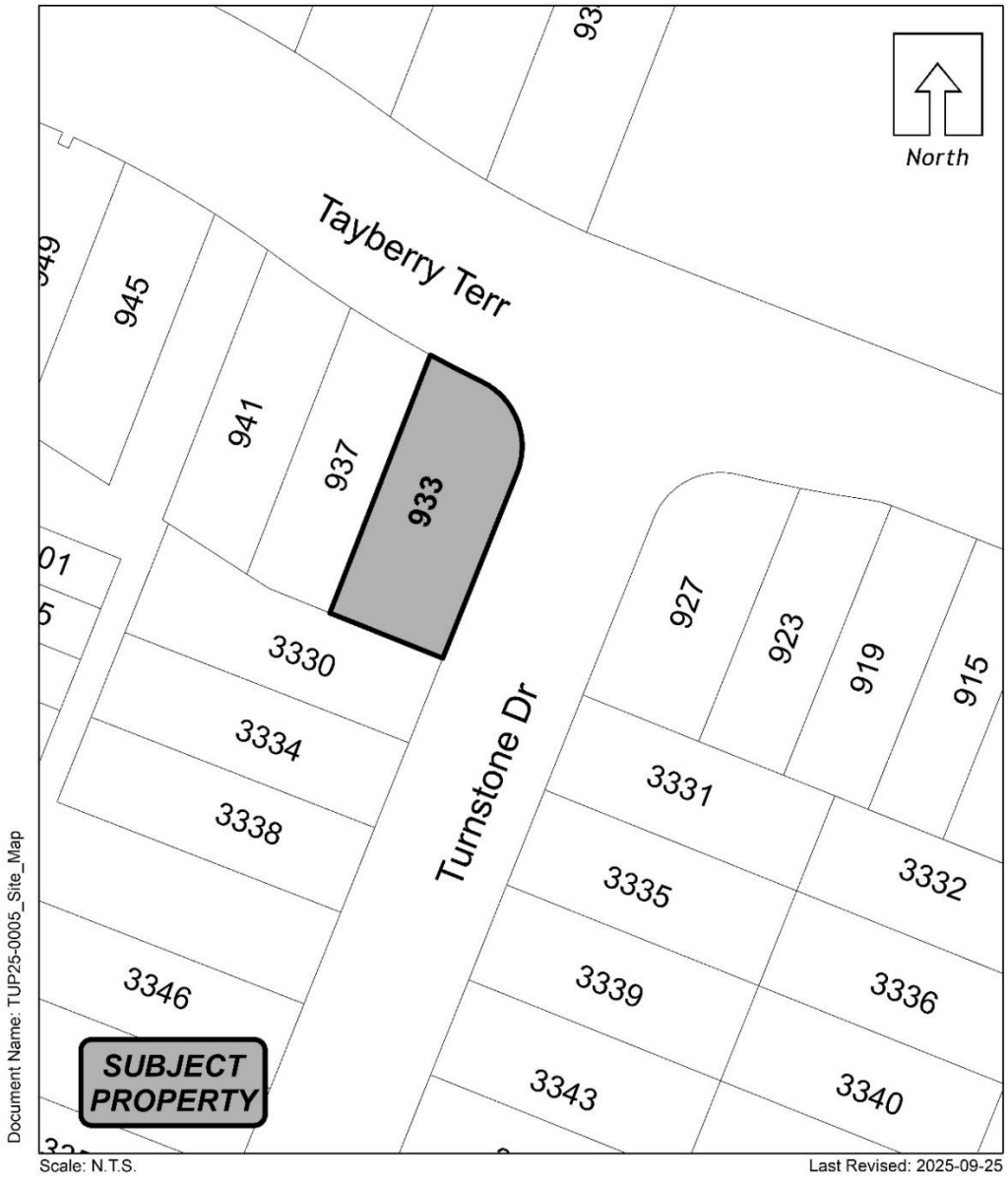
**Concurrence:** Leah Stohmann, RPP, MCIP, Director of Community Planning and Climate Change

**Concurrence:** Melisa Miles, Manager of Legislative Services

**Concurrence:** Donna Petrie, Senior Manager of Communications & Economic Development  
**Concurrence:** Yari Nielsen, Director of Parks, Recreation and Facilities  
**Concurrence:** Katelyn Balzer, P.Eng., Director of Engineering and Public Works  
**Concurrence:** Michael Dillabaugh, CPA, CA, Director of Finance  
**Concurrence:** Marie Watmough, Director of Legislative & Protective Services  
**Concurrence:** Braden Hutchins, Deputy Chief Administrative Officer  
**Concurrence:** Darren Kiedyk, Chief Administrative Officer

Appendix A – Site Map

**TEMPORARY USE PERMIT  
( TUP25-0005 )  
Tayberry Terr**



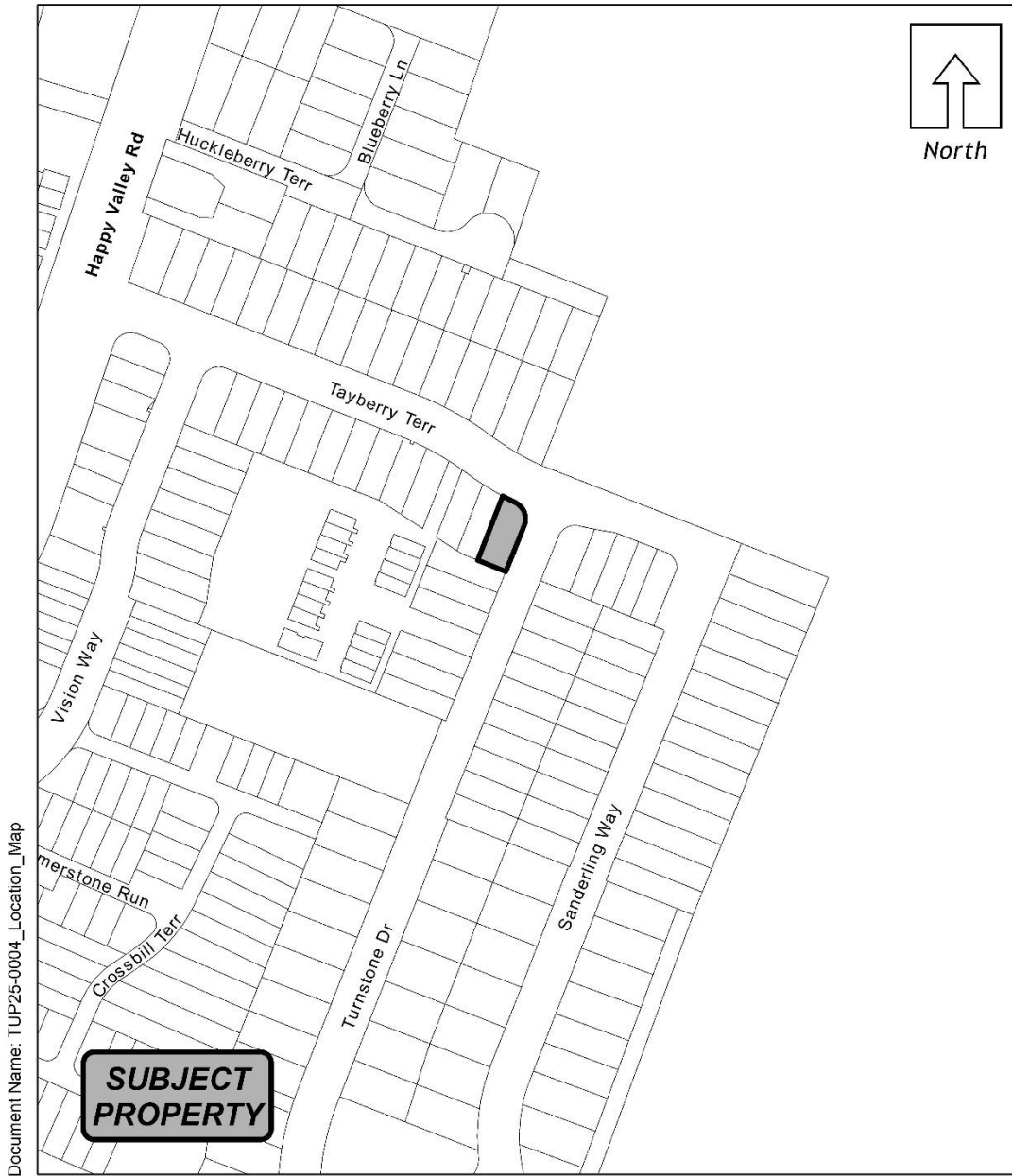
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Last Revised: 2025-09-25

**Appendix B – Location Map**

**TEMPORARY USE PERMIT  
( TUP25-0005 )  
Tayberry Terr**



Document Name: TUP25-0004\_Location\_Map

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Last Revised: 2025-09-25