

## ADMINISTRATIVE REPORT

<b>TO:</b> Planning Committee
<b>FROM:</b> Administration
<b>DATE:</b> May 16, 2022
<b>RE:</b> Conditional Use Application – 44A Stope Way – For Information Only

### ISSUE

Application for conditional use approval to allow for a major home-based business at 44A Stope Way in Copper Ridge.

### REFERENCE

- [2010 Official Community Plan \(OCP\)](#)
- [Zoning Bylaw 2012-20](#)

### HISTORY

Michael and Sarah Russo own and live at 44A Stope Way and are the sole proprietors of Firebean Coffee Roasters. They wish to use their attached garage as part of their business operations. Businesses that are operated from within attached garage are permitted only as a 'major home-based business' under the provisions of the Zoning Bylaw.

The location is currently zoned RS–Residential Single Detached. Major home-based businesses are permitted as a conditional use in the RS zone, requiring a Council decision.

This item was discussed at the April 13<sup>th</sup> meeting of the Development Review Committee (DRC). The proposal originally also included a detached accessory building for roasting the beans, however the proponents withdrew this element from their application in response to concerns raised about potential smoke impacts generated by the roasting activity. The DRC had no other concerns. The attached garage space will be used for packaging beans for retail sales at shops around Whitehorse. Some additional traffic will be incurred for drop-off and pick up of the beans which will be kept as little as possible and only between 9 am and 5 pm. The garage will be modified to include two sinks.

The schedule for consideration of the conditional use application is:

Letter Notification	May 6, 2022	Public Input Session	May 24
Newspaper Ad	May 6	Report to Committee	June 20
Planning Committee	May 16	Council decision	June 27

### ANALYSIS

#### Property Description

The subject property comprises 556.9 m<sup>2</sup> of land within bare land unit A of condominium 147, zoned RS, Residential Single Detached and is surrounded on all sides by single residential properties.

## **Official Community Plan**

The land use designation in the OCP for Copper Ridge is Residential – Urban. The purpose of the Residential – Urban designation is to allow for a variety of serviced residential development in close proximity to services and amenities.

## **Zoning Bylaw**

Zoning Bylaw 2012-20 lists major home-based businesses as a conditional use in Residential Single Detached (RS) zones. If a home-based business is to be operating in an attached garage, it is defined as a 'major home-based business'. In contrast with a minor home-based business, major home-based businesses are also allowed to have two on-site clients at a time, rather than just one, and may employ one person who does not reside at the home.

Section 4.9.5 of the Zoning Bylaw provides criteria for Council to consider when evaluating a conditional use application. These criteria include:

**Design and character:** there are no exterior changes proposed to the existing building.

**Parking and traffic:** The additional traffic would consist in the delivery of coffee beans to be sorted and packaged and pick up of packaged beans.

**Capacity of infrastructure:** The planned interior changes to accommodate the desired business activity include the addition of two sinks which fit easily into the residential infrastructure in place.

**Impact of neighbouring properties:** There are no anticipated impacts to neighbouring properties beyond what would be typical for permitted uses in the zone.

**Demonstrated need for the use:** In its Community Economic Development Strategy, the City has committed to building a diverse economy that provides a wide range of quality opportunities to local residents. Allowing range of home-based businesses contributes toward economic diversification, allowing small, low-impact businesses to operate without incurring the costs of larger businesses associated with renting commercial properties.

## **PUBLIC INPUT SESSION SCHEDULED**

In accordance with section 4.8 of Zoning Bylaw 2012-20, a public input session has been scheduled for the Regular Council meeting on May 24, 2022. A total of 64 letters were sent to property owners within a 100 metre radius of the site. Government of Yukon, Kwanlin Dün First Nation and the Ta'an Kwäch'än Council were also notified by mail and email. A notice of the proposed development was placed in local newspapers on May 6<sup>th</sup>, 2022.