



## Report Committee of Adjustment

**Filing Date:** May 3, 2023  
**Hearing Date:** May 30, 2023

**File:** A-2023-0143

**Owner/  
Applicant:** Islamic Society of Peel / Nadim Paul

**Address:** 8450 Torbram Road

**Ward:** 7

**Contact:** Megan Fernandes, Planning Technician

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### **Recommendations:**

That application A-2023-0143 is supportable, subject to the following conditions being imposed:

1. That the extent of the variance be limited to that shown on the sketch attached to the Notice of Decision;
  2. 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 'Institutional 1 – Special Section 653 (I1-653) and Open Space (OS)', according to By-law 270-2004, as amended.

#### Requested Variance:

The applicant is requesting the following variance:

1. To permit a gross floor area of 1504 square metres whereas the by-law permits a maximum gross floor area of 1052 square metres.

### **Current Situation:**

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

The property is designated as 'Residential' in the Official Plan and is further designated as 'Place of Worship' in the Bramalea Secondary Plan (Area 3). The objectives of the Official Plan as per section 4.2.1.1 (Residential – General Policies) permit Places of Worship on lands designated as Residential on Schedule A. Places of Worship shall generally be located on arterial and collector roads, and not on local residential roads. A Place of Worship shall be located on a site of sufficient size to accommodate the required performance standards such as parking, landscaping, pedestrian connections and setbacks that will result in land use compatibility with the host area.

In this instance, the increased gross floor area is located within the existing place of worship. The proposed increase does not alter the site characteristics, and maintains compatibility with the area. 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 subject property is zoned 'Institutional 1 – Special Section 653 (I1-653) and Open Space (OS)', according to By-law 270-2004, as amended.

The variance is requested to permit a gross floor area of 1504 square metres whereas the by-law permits a maximum gross floor area of 1052 square metres. The intent of the by-law in restricting the maximum gross floor area is to ensure that the built form of the building will not dominate the property.

The intent of the requested variance is to facilitate the construction of a mezzanine for a library purpose which will be closed off from the place of worship area below. Furthermore, the mezzanine will be limited to one side of the worship area and not to be designed around the entire perimeter of the room. There are no additional variances required, and the increased GFA will not impact any parking requirements. The request is not anticipated to have adverse impacts on the surrounding lands. A condition of approval is recommended that the extent of the variances be limited to that shown on the sketch attached to the notice of decision. 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 variance is to permit a gross floor area of 1504 square metres. The surrounding land uses include low density residential, open space, and industrial uses. The intent of the requested variance is to facilitate the construction of a mezzanine above a portion of a place of worship to be used as a library. The proposed use is complementary to the existing place of worship and surrounding land uses, and is not anticipated to negatively impact the 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 is intended to facilitate the construction of a mezzanine above a portion of an existing area to be used as a library. Given the location and function of the existing structure on the

property, the proposed increase in GFA is not anticipated to have a negative impact on the place of worship as a whole and is considered to be complementary to the existing use and community. The proposed variance does not negatively impact the lands or adjacent properties. Furthermore, the proposed variance will not impact the aesthetic quality of the property as the proposed increase in gross floor area will be contained within the existing place of worship. Subject to the recommended conditions of approval, the variance is minor in nature.

Respectfully Submitted,

*Megan Fernandes*

Megan Fernandes, Planning Technican