

Filing Date: December 17, 2020

Hearing Date: January 26, 2021

File: A-2020-0161

**Owner/
Applicant:** **MOUNT PLEASANT ISLAMIC CENTER**

Address: **160 Salvation Road**

Ward: 6

Contact: Shelby Swinfield, Planner I

Recommendations:

That application A-2020-0161 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 Public Notice;
2. That the owner finalize site plan approval under City File SP18-061.000, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services; and
3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.

Background:

Existing Zoning:

The property is zoned "Institutional One – Special Section 2343 (I1-2343)" according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a rear yard setback of 1.6m (5.25 ft.) whereas the by-law requires a minimum rear yard setback of 3.0m (9.84 ft.);
2. To permit a 1.6m (5.25 ft.) wide open space landscape strip along a portion of the

rear lot line whereas the by-law requires a minimum open space landscape strip of 3.0m (9.84 ft.) to all property lines, except at approved access locations.

Current Situation:

1. Conforms to the Intent of the Official Plan

The property is designated “Residential” in the Official Plan and “Mixed Use Node” in the Fletcher’s Meadow Secondary Plan (Area 44). The requested variances are not considered to have significant impacts within the context of the Official Plan policies. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned “Institutional One – Special Section 2343 (I1-2343)” according to By-law 270-2004, as amended. The requested variance is intended to facilitate the addition of a small office for the faith leader at the place of worship.

Variance 1 is to permit a rear yard setback of 1.6m (5.25 ft.) whereas the by-law requires a minimum rear yard setback of 3.0m (9.84 ft.) and Variance 2 is to permit a 1.6m (5.25 ft.) wide open space landscape strip along a portion of the rear lot line whereas the by-law requires a minimum open space landscape strip of 3.0m (9.84 ft.) to all property lines, except at approved access locations.

The intent of the by-law in requiring a minimum rear yard setback in an Institutional zone is to ensure that a certain character is maintained for the building.

The intent of the by-law in requiring a minimum open space landscape strip along all property lines, except at approved access locations, is to aid in creating a positive visual impact for the property, and avoiding creating a sea of concrete.

In the case of the subject proposal, the proposed setback is not anticipated to significantly alter the character of the building, and will provide needed floor area. The reduced landscape strip in this limited area of the property is not anticipated to negatively impact the visual appeal of the property, or contribute to the creation of a sea of concrete. Subject to the recommended conditions of approval, the requested variances are considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variances are intended to facilitate the addition of an office area to the place of worship. The proposed addition will be consistent in design quality with the rest of the building, and will add floor space to suit the needs of the place of worship. The reduction in setback and landscape strip are not anticipated to have any significant

impacts on the visual quality of the property. Subject to the recommended conditions of approval, the requested variances are considered to be desirable for the appropriate development of the land.

4. Minor in Nature

Variance 1 is to permit a reduction in rear yard setback and Variance 2 is to permit an associated reduction in width to the required landscape strip in the same area of the property. The proposed reductions are not anticipated to have significant impacts on either the visual character or function of the site. Subject to the recommended conditions of approval, the requested variances are considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I