



## Report Committee of Adjustment

**Filing Date:** May 14, 2023  
**Hearing Date:** June 20, 2023

**File:** A-2023-0154

**Owner/  
Applicant:** SHARMA RISHI RAM

**Address:** 11575 Dixie Road

**Ward:** WARD 9

**Contact:** Simran Sandhu, Planner I

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### **Recommendations:**

That application A-2023-0154 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 and in accordance with the revised site plan drawing (Appendix A);
2. That the Place of Worship use be allowed for a temporary period of three (3) years from the date of the decision of the Committee;
3. That the applicant confirms to the Secretary Treasurer of the Committee of Adjustment that the owner has submitted a Site Plan application within 90 days of the Committee's decision, and a site plan has been approved with any associated site plan agreement executed within 180 days of the Committee's decision; or an extended period at the discretion of the Director of Development Services and Design, for which the owner will need to submit a written request;
4. That the Place of Worship use shall not operate until Site Plan Approval has been obtained and related site improvements implemented to the satisfaction of the Director of Development Services;
5. That the applicant confirms to the Secretary of the Committee of Adjustment that all physical improvements to the site, as per an approved site plan are implemented to the satisfaction of the Director of Development Services and Design.

6. 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 'Agricultural (A)', according to By-law 270-2004, as amended.

Requested Variance:

The applicant is requesting the following variance:

1. To permit a place of worship use whereas the by-law does not permit a place of worship in an Agricultural zone.

**Current Situation:**

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

The property is designated 'Residential' in the Official Plan and 'Low Density Residential' in the Countryside Villages Secondary Plan (Area 48b). Within the general polices for the residential section of the Official Plan, it states that complementary uses are to be permitted and may include uses permitted under the Institutional and Public Uses designations. The Official Plan also states that "Places of Worship sits shall be compatible with and complement existing and abutting land uses". The Official Plan also states that a Place of Worship shall be located on a site of sufficient size to accommodate the required performance standards including parking, landscaping, pedestrian connection and setbacks that will result on land use compatibility. The nature and extent of the proposed 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 variance is requested to permit a place of worship use whereas the by-law does not permit a place of worship in an Agricultural zone. The intent of the by-law in prescribing the permitted uses on an Agricultural property is to ensure that the uses are consistent with the agricultural character of the property.

The applicant is requesting to permit a change in use to allow for the existing place of worship to continue to operate from the existing dwelling on the subject site. The place of worship use is not expected to have any adverse impacts on the adjacent properties. The place of worship is currently operating on a lot that provides an adequate amount of parking for the proposed use. The revised sketch (Appendix A) shows the 3 metre landscape strip provided along north, east and south side of the property ensuring adequate permeable landscaping buffer. This ensures that the place of worship use meets the performance standards for both parking and landscaping. A condition of approval is recommended that the applicant submit a Site Plan following the Committee's decision. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The requested variance is intended to permit a place of worship to operate on the subject property whereas the by-law does not permit the proposed use. The place of worship currently operates from the existing dwelling on the property and is not expected to adversely impact the surrounding area subject to the conditions of approval. Staff recommend that a Site Plan be submitted and approved with an associated Site Plan Agreement proceeding the Committee's decision and that the use shall not be in operation until Site Plan Approval has been issued and all related site improvements have been implemented to the satisfaction of the Director of Development Services. These conditions of approval will ensure that the abutting blocks can be development in the future as contemplated within the Countryside Villages Block Plan. Furthermore, to accommodate future development, staff are recommending the place of worship use only be granted for a temporary of three (3) years. Subject to the recommended conditions of approval, the requested variances are desirable for the appropriate development of the land.

4. Minor in Nature

The requested variance to allow for a place of worship is not anticipated to create any negative impact on the use of either the subject property or the surrounding properties. Subject to the recommended conditions, the variance is deemed minor in nature.

Respectfully Submitted,



Simran Sandhu, Planner I

# Appendix A: Revised Site Plan

