

COMMITTEE OF THE WHOLE NOVEMBER 15, 2004

**ZONING BY-LAW AMENDMENT FILE Z.04.026
ISLAMIC SHIA ITHNA-ASHERI JAMAAT OF TORONTO
REPORT #P.2004.81**

Recommendation

The Commissioner of Planning recommends:

THAT Zoning By-law Amendment Application Z.04.026 (Islamic Shia Ithna-Asheri Jamaat of Toronto) BE APPROVED, to rezone the subject lands from OS1 Open Space Conservation Zone (temporary private stormwater facility) to A Agricultural Zone, to permit a driveway and landscaped areas to complete the development of the institutional Islamic Centre complex, as shown on Attachment #2.

Purpose

The Owner has submitted a Zoning By-law Amendment Application to rezone a 0.4 ha portion of the entire 11.42 ha site (see Attachment #2) from OS1 Open Space Conservation Zone to A Agricultural Zone, to permit a private driveway and landscaped areas on lands that are no longer required for a temporary private stormwater management facility, as the site is now proceeding on full municipal services. The lands subject to the rezoning would be incorporated into the overall site development comprising the existing institutional Islamic Centre complex on the subject lands.

The Owner has also applied for a minor amendment to the approved site plan agreement (File DA.00.124) to facilitate the landscaping and the private driveway within the amendment area.

Background - Analysis and Options

The lands are located south of Rutherford Road, on the west side of Bathurst Street (9000 Bathurst Street), in Part of Lot 14, Concession 2, City of Vaughan. The entire landholding comprises 11.4 ha with 65.2 m frontage on Bathurst Street and a depth of 494.5 m, and is developed as an institutional campus (Islamic Centre) comprising a community centre, place of worship, school and a residential dwelling.

The lands are designated "Low Density Residential" by OPA #600, and zoned A Agricultural Zone and OS1 Open Space Conservation Zone by By-law 1-88. The surrounding land uses are:

- North – institutional (Toronto Waldorf School and Hesperus Fellowship) - (A Agricultural Zone); valleylands (OS1 Open Space Conservation Zone)
- South – vacant/future residential (RVM2 Residential Zone)
- East – valley lands (OS1 Zone); Bathurst Street
- West – vacant/future residential (RV4 Residential Zone)

On June 11, 2001, Council approved a site plan (File DA.00.124) for a 14,282 m² private multi-purpose institutional facility, including a community centre and place of worship for the Islamic community, on the 11.42 ha site, which is zoned A Agricultural Zone as shown on Attachment #2. A 0.4 ha parcel located along the south property line was zoned OS1 Open Space Conservation Zone to accommodate a temporary private stormwater management facility, which is no longer required, as the site will be proceeding on full municipal services. An amendment to the approved site plan agreement (File DA.00.124) would be required on the 0.4 ha portion of the property, to remove reference to the temporary private stormwater facility, and to show the driveway and landscaped areas, should Council approve the zoning amendment application.

On May 31, 2004, a Notice of Public Hearing was circulated to all property owners within 120m of the subject lands. To date, no comments have been received. The recommendation of the Committee of the Whole at the Public Hearing on June 21, 2004, to receive the public hearing and forward a comprehensive report to a future Committee meeting, was ratified by Council on June 28, 2004.

Official Plan

The subject lands are designated "Low Density Residential" by OPA No. 600, and further identified as an "Institutional Use Campus" on the Block 10 Plan. The proposed rezoning from OS1 Open Space Conservation Zone to A Agricultural Zone conforms to the Official Plan, as the Toronto and Region Conservation Authority has confirmed that the temporary private stormwater facility is no longer required to serve the site, as discussed later in the report.

Zoning

The 0.4 ha parcel is zoned OS1 Open Space Conservation Zone, and was originally intended for a temporary private stormwater management facility. The OS1 Zone does not permit structures, including roads and driveways. The site is presently in process of being connected to municipal services and no longer requires a stormwater management facility. Rezoning the 0.4 ha parcel to A Agricultural Zone, consistent with the zoning on the balance of the applicant's lands would allow for the driveway and provide for consistency in zoning on the site.

Engineering Department

The site has access to municipal services, and the Engineering Department is satisfied with the proposed zoning change, which would eliminate the temporary private stormwater management facility. The technical details of the connections to municipal services and the proposed driveway will be addressed through the minor amendment to the existing site plan agreement, and subject to the approval of the Engineering Department.

Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) conducted a site inspection of the OS1 lands along the southern boundary of the property in December of 2000. As a result of the review, the TRCA determined:

- the feature does not contain a defined watercourse;
- the area is not defined as one of concern in the TRCA's review of the Master Environmental Servicing Plan (MESP) for Block 10; and
- the OS1 Zone directly downstream of the subject property was being developed as a stormwater management facility, and the pond would have been appropriately sized to accommodate development in the northeasterly area of Block 10 (see Attachment #1), including the subject lands.

As a result of the review conducted in December of 2000, the TRCA had no objections to the rezoning of the 0.4 ha parcel from OS1 Zone to A Agricultural Zone. The applicant applied for the zoning change in 2004.

Planning Comments

The "Low Density Residential" designation in OPA No. 600 permits institutional uses as of right. OPA No. 600 states that the precise distribution of the permitted uses shall be determined in the Block Plans, which in turn identifies the Islamic Shia Ithna-Asheri Jamaat of Toronto site as an institutional campus.

The application proposes to rezone the subject lands from OS1 Open Space Conservation Zone to A Agricultural Zone. As indicated in comments provided by the Toronto and Region Conservation Authority, the 0.4 ha parcel is not a defined watercourse or of significant interest to the TRCA. The OS1 zoning on the subject lands, according to the TRCA, serves no real purpose, other than to provide a temporary private stormwater management facility on the applicant's lands, which is no longer required, as the site will be proceeding on full municipal services. The stormwater management facility located to the south of the subject lands, will serve the institutional complex.

Staff has no objections to the driveway connection and landscaping to be provided within the 0.4ha area, and will work with the applicant to finalize the details of the minor amendment to the site plan agreement, should Council approve the subject zoning amendment application.

Relationship to Vaughan Vision 2007

This staff report is consistent with Vaughan Vision 2007, which encourages managed growth through the implementation of OPA #600.

Conclusion

Staff is of the opinion that the proposed rezoning of the 0.4 ha parcel from OS1 Open Space Conservation Zone to A Agricultural Zone to permit the extension of a private driveway and landscaped areas is appropriate and will serve to complete the development of the institutional complex on the subject lands. Therefore, Staff can support the approval of the zoning amendment application. The implementing by-law to rezone the subject lands will proceed to Council once Staff is satisfied with the final details of the layout of the driveway, through the minor amendment to site plan process. Should the Committee concur, the recommendation in this report can be adopted.

Attachments

1. Location Map
2. Site Plan

Report prepared by:

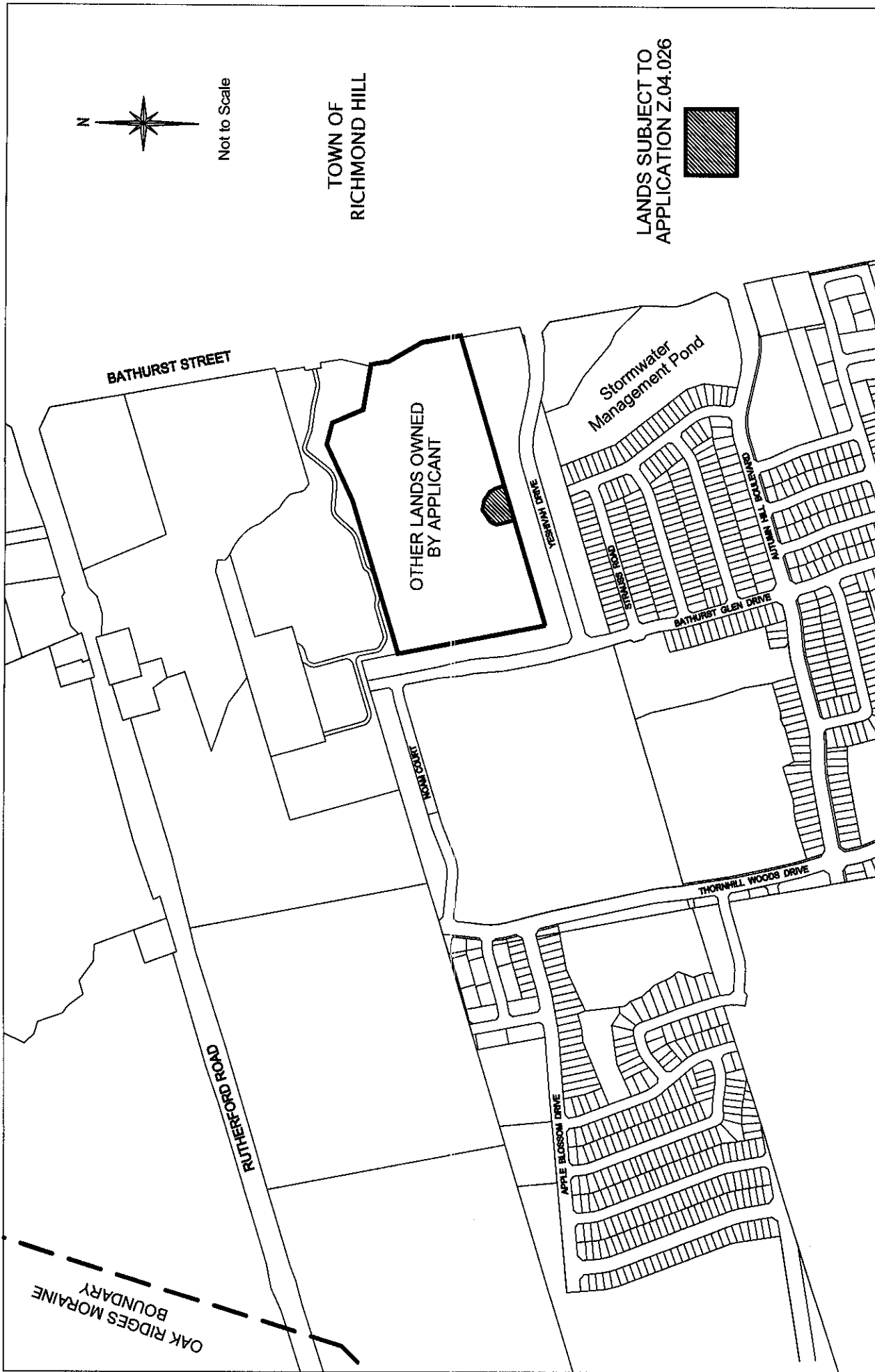
Arminé Hassakourians, Planner, ext.8368
Grant A. Uyeyama, Manager of Development Planning, ext.8635

Respectfully submitted,

JOHN ZIPAY
Commissioner of Planning

MARCO RAMUNNO
Director of Development Planning

/CM



Location Map

Part of Lot 14,
Concession 2

APPLICANT:
ISLAMIC SHIA ITHNA-ASHERI
JAMAAT OF TORONTO

City of Vaughan

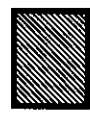
Development Planning Department

Attachment



FILE No.:
Z.04.026
RELATED FILE:
DA.00.124
November 3, 2004

LANDS SUBJECT TO
APPLICATION Z.04.026

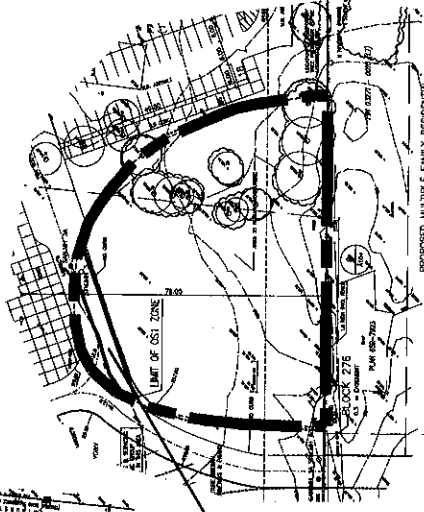




Not to Scale

ISLAMIC CENTRE BUILDING &
INSTITUTIONAL CAMPUS -
(BALANCE OF LANDS TO REMAIN
'A' AGRICULTURAL ZONE)

DETAIL 'A'
0.4 hectares



PROPOSED
DRIVEWAY

LANDS TO BE REZONED FROM
'OS1' OPEN SPACE CONSERVATION
ZONE TO 'A' AGRICULTURAL ZONE,
TO FACILITATE A PRIVATE DRIVEWAY
(SEE DETAIL 'A')

SEE DETAIL 'A'

SUBJECT LANDS



Site Plan

Part of Lot 14,
Concession 2

APPLICANT:
ISLAMIC SHIA ITHNA-ASHERI
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City of Vaughan

Development Planning Department

Attachment

2

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