

To: Christine Vigneault, Committee of Adjustment Secretary Treasurer
From: Nancy Tuckett, Director of Development Planning
Date: October 2, 2024
Name of Owner: Islamic Shia Ithna-Asheri Jamaat of Toronto
Location: 9000 Bathurst Street
File No.(s): A136/24

Proposed Variance(s) (By-law 1-88):

1. To permit a minimum interior side yard of 1.0 m abutting an OS1 Zone.
2. To permit a minimum interior side yard of 6.4 m.
3. To permit a maximum encroachment of 0.2 m for underground shoring.

By-Law Requirement(s) (By-law 1-88):

1. For buildings in excess of 11 metres in height, the interior side yard requirement shall be a minimum of 7.5 m or half the building height, whichever is greater. (Condo Building Height 25.8 m x ½ = 12.9 m interior side yard required)
2. For buildings in excess of 11 metres in height, the interior side yard requirement shall be a minimum of 7.5 m or half the building height, whichever is greater. (Seniors Building Height 19.75 m x ½ = 9.8 m interior side yard required.)
3. No building or structure other than for conservation or flood control project is permitted within the OS1 Open Space Conservation Zone.

Official Plan:

City of Vaughan Official Plan 2010 ('VOP 2010'): "Core Features" and "Unapproved" by Schedule 2 – Natural Heritage Network, "Low-Rise Residential", "Mid-Rise Residential" and "Natural Areas" by Schedule 13 – Land Use

Comments:

The Subject Lands are currently occupied by the Jaffari Community Centre/Place of Worship, a private elementary school, a two-storey heritage house, a one-storey house (both vacant), and a storage building. The Owner has submitted a related Site Development Application, File DA.22.037 and Draft Plan of Subdivision, File 19T-22V004, which are both concurrently under review with Development Planning Department. The Subject Lands are proposed to be subdivided and developed into a future school site with the existing community centre, 18 new condominium townhouses, a medium density residential building and seniors' residence, along with an open space block. Through this Application, the Owner is seeking relief to facilitate the construction of a proposed 6-storey seniors' building and an 8-storey mixed-use building, with the above noted variances on what will be Block 2 in the Plan of Subdivision.

The Development Planning Department has no objections to Variances 1 and 2. Portions of the Subject Lands are within the TRCA's Regulatory Area due to the presence of a tributary of the Don River on a portion of the property just north of proposed Block 2. The proposed variances for the reduced side yards are the result of shifting the northern lot lines closer to the previously approved building footprints as the adjacent valley buffer lands are now proposed to be dedicated into public ownership. The reduced side yard of the proposed 8-storey mixed-use building to the abutting OS1 Zone is only for a portion of the building's north wall. As the mixed-use building's wall facing the OS1 Zone has a curving design, only a portion of the wall would utilize the full extent of the relief. The proposed 6.4 m interior setback is measured from the north wall of the seniors' building. The proposed setback provides sufficient space for some buffer tree plantings and an open outdoor amenity area is also being proposed to activate the space. The requested variances are not anticipated to adversely affect the proposed future trail located within the vegetated buffer areas of the tributary of the Don River Valley, just north of proposed Block 2. The City's Environmental Planning Staff and TRCA Staff have reviewed the requested variances and have no objections to the proposal. The related Site Plan and Draft Plan of Subdivision will address any easements where necessary.

Staff have no concern with Variance 3. The encroachment for the underground shoring works were identified during the review of the related Site Development Application. The City's Environmental Planning Staff and TRCA Staff have reviewed the requested variance and have no objections to the proposal. The related Site Plan and Draft Plan of Subdivision will address any easements where necessary.

Accordingly, the Development Planning Department can support the requested variances and is of the opinion that the proposal is minor in nature, maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable for the appropriate development of the land.

Recommendation:

The Development Planning Department recommends approval of the application.

Condition of Approval:

If the Committee finds merit in the application, the following condition of approval is recommended:

1. That all comments on Site Development Application DA.22.037 be addressed to the satisfaction of the Development Planning Department.

Comments Prepared by:

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