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**To:** See Distribution List **Date:** October 20, 2005  
**From:** Holger Burke **File:** DV 05-306191  
Acting Director of Development  
Ivy Wong  
Manager, Property Taxes  
**Re: India Cultural Centre of Canada**  
**Development Variance Permit at 8600 No. 5 Road**

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The purpose of this memorandum is to respond to the tabling (and referral) motion from the October 11, 2005 regular Council meeting regarding the above-noted Development Variance Permit.

1. Farming the Backlands

The India Cultural Centre of Canada has provided staff with receipts from 2002 to 2005 totalling \$93,000 for the site preparation, underground irrigation and maintenance of the turf farm.

They have also given staff a copy of the three year lease, dated June 1, 2005, between India Cultural Centre and Herb's Landscaping Ltd. for the lessee to grow turf on the backlands. Staff will be contacting Herb's Landscaping for proof of farming before determining eligibility of 2007 permissive exemptions.

A turf farm is considered a farm use under the Agricultural Land Reserve (ALR) and the Agricultural District (AG1) zone.

2. Encroachment Onto The Backlands

The India Cultural Centre of Canada has made both an ALR and Rezoning application to endeavour to legalize the existing encroachment of the parking and playground onto the backlands.

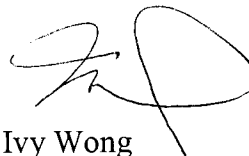
As part of the review process of these applications (not the Development Variance Permit), the applicant will be required to undertake a legal survey to clearly indicate the extent of the encroachment and to submit a farm plan of how the backlands will be farmed.

These applications will be reviewed by the Agricultural Advisory Committee and the Provincial Agricultural Land Commission.

Based on the above, staff are recommending that the Development Variance Permit to vary the rear yard setback from 7.5 m (24.6 ft) to 0.80 m (2.62 ft) from the existing eastern edge of the Assembly District (ASY) zone be issued in order to permit a 385 m<sup>2</sup> (4,144 ft<sup>2</sup>) addition to the India Cultural Centre of Canada building at 8600 No. 5 Road.



Holger Burke  
Acting Director of Development



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Manager, Property Taxes

HB:hb

Mayor Malcolm Brodie	Councillor Rob Howard
Councillor Linda Barnes	Councillor Kiichi Kumagai
Councillor Derek Dang	Councillor Bill McNulty
Councillor Evelina Halsey-Brandt	Councillor Harold Steves
Councillor Sue Halsey-Brandt	TAG Members