



## Memorandum to Committee of Adjustment Members

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### Minor Variance Application: A23-086M - 54 Steeles Avenue

#### General Description of Application:

Under Section 45(1) of the *Planning Act*, the following minor variance to Zoning By-law 016-2014, as amended, has been requested to:

- Allow 197 parking spaces, whereas the total number of spaces required is 255 (a total reduction of 58 spaces).

NOTE: Only 4 additional spaces are required as a result of this application - previous variances already reduced the site's parking requirements to 197. The requirement of 255 spaces includes previous variances (A18-045M and A23-018M) to review the cumulative impact of all parking reductions on the site.

The subject property is known municipally as 54 Steeles Avenue and is legally described as HSCP 740. The lands currently contain four one-storey industrial condominium buildings.

Through this application, the owner of units 24 and 25 is proposing to construct a mezzanine for additional storage area. As a result of the added gross floor area being proposed, the required parking for the site increases. Given that the lands are condominiumized and parking is a common element, the Zoning By-law evaluates parking needs based on the entire site - including all gross floor area. Therefore, while the added gross floor area is only being proposed within two units, the parking is calculated for the entire site.

Through Minor Variance A18-045M, gross floor area was added (to construct buildings three and four) to the lands and therefore, triggered a re-evaluation the site's parking demand. Based on the parking rate within the Zoning By-law, the entire site required 239 spaces. Given the site could only physically accommodate 197 spaces, the applicant requested a technical reduction of 42 spaces to accommodate the proposed 197 spaces on site. The reduction in parking spaces was approved, but did not result in an updated parking rate; therefore, any time when gross floor area is proposed to be added, the demand is based on the rate within the Zoning By-law and the total gross floor area of the site.

Subsequently, an individual unit owner sought a Minor Variance (A23-018M) to add a mezzanine within their unit; this added gross floor area resulted in an additional 12 spaces being required for the site from a Zoning By-law perspective. As such, the applicant

sought a further parking reduction from the technical calculation of 251 spaces to accommodate the 197 spaces physically existing on site.

Through this application, the added gross floor area results in 4 additional spaces being required from a parking rate perspective. Therefore, the total parking demand for the site - as calculated by the Zoning By-law - is 255 spaces, whereas the site only physically has 197 spaces. The reduction of 58 spaces is a result of three variances; therefore, only 4 spaces are being 'added' to the overall parking calculation based on the proposed gross floor area associated with this application.

The figure below shows how the parking demand for the site is calculated and the impact of each variance on the calculation:

Minor Variance Application	# of Spaces Required by Proposed Added GFA	# of Spaces Required based on Total GFA of Site	Reduction Request
A18-045/M	42	239 $197 + 42 = 239$	197 Spaces (Reduction of 42)
A23-010/M	12	251 $197 + 42 + 12 = 251$	197 Spaces (Reduction of 54)
A23-086/M	4	255 $197 + 42 + 12 + 4 = 255$	197 Spaces (Reduction of 58)

#### Official Plan Designation (including any applicable Secondary Plan designations):

The subject property is designated as Business Park Area on Schedule B - Urban Land Use Plan within the Town of Milton Official Plan.

It is Staff's opinion that the proposal is in conformity with the Town of Milton Official Plan, as amended.

#### Zoning:

The subject lands are zoned Business Park (M1) within the Town of Milton's Urban Zoning By-law 016-2014, as amended. The M1 Zone permits uses such as wholesale and light industrial.

Section 5.8.2 (ii) Table 5G establishes parking rates for various uses; a rate of '1 space per 30 square meters of gross floor area' is applied to this site. By virtue of adding gross floor area to construct a mezzanine within units 24 and 25, the site is deficient in respect to the required parking.

Foregoing the deficiency noted above, the proposal maintains all other provisions of the Zoning By-law.

#### Consultation

##### *Public Consultation*

Notice for the hearing was provided pursuant to the *Planning Act* on, October 12, 2023. As of the writing of this report on, October 18, 2023, staff have not received any comments from members of the public.

It is noted that the units contained in this development form part of an industrial condominium. As part of the application, the applicant has provided letters of support from Board Members from the condominium corporation.

#### *Agency Consultation*

No objections were filed with respect to the variance application from Town staff or external agencies.

#### **Planning and Development Department Comments:**

The applicant has requested a minor variance to facilitate the construction of a mezzanine within units 24 and 25 located at 54 Steeles Avenue. The intended use of the mezzanine is for office and storage space.

The subject lands currently contain 197 parking spaces. The proposed mezzanine results in an increase in gross floor area and therefore results in an increase to the number of parking spaces required in accordance with the Zoning By-law. The proposed gross floor area requires 4 parking spaces. There are no proposed changes to the site itself, only internal alterations to two units. As a result, the applicant seeks to provide the number of parking spaces as it exists today on site.

Town Transportation Staff have reviewed the Parking Justification Report (PJR) that was submitted and is satisfied with its findings. Based on the aggregate gross floor area of the site (including the area proposed through this application), the PJR demonstrated that the site can meet the parking demand with the existing parking inventory of 197 spaces. Traffic Demand Management (TDM) measures were identified, and if approved, will be included as a condition of this minor variance. Based on this, Planning Staff are satisfied with the conclusions set forward by the Town's Transportation Staff and offer no objections to the approval of this application.

The applicant is advised that any future proposed gross floor area will require a Minor Variance application for parking relief. The site will eventually reach a point, from a parking perspective, for which no further gross floor area will be supported based on the actual parking provided.

Based on the aforementioned, Planning Staff offer not objections to the approval of this application as its minor in nature, desirable for the development of the subject lands, maintains the intent of the Zoning By-law and conforms to the Official Plan.

#### **Recommendation:**

**THAT the application for minor variance BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. That the gross floor area of the proposed mezzanine shall be a maximum of 146 square metres, in accordance with the site plan and floor plans, prepared by Green Propeller Design Architecture & Building Services, date stamped by Town Zoning on May 17, 2023.

2. That the Owner demonstrate to the satisfaction of the Town of Milton that they will be able to achieve all proposed TDM measures outlined in the Parking Justification Study dated August 2023 by LEA Consulting Ltd. including any ongoing programming or management that may be required for program success. All costs associated with the implementation of the TDM measures are the responsibility of the Owner.
3. That a building permit application be obtained within two (2) years from the date of this decision.
4. That the approval be subject to an expiry of two (2) years from the date of decision if the conditions are not met, if the proposed development does not proceed and/or a building permit is not secured.

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