



Memorandum to Committee of Adjustment Members

Minor Variance Application: A23-113M 6670-6790 Fifth Line

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 permit:

- A minimum of 1 parking space per 100 square metres of gross floor area for the first 5000 square metres of each individual industrial and warehouse/distribution premises including an accessory office, whereas the Zoning By-law currently requires that 1 parking space per 30 square metres for the first 1000 square metres and 1 parking space per 100 square metres for to 5000 square metres be provided.

The subject property is known municipally as 6670-6790 Fifth Line and is legally described as Concession 5, Part Lot 10, Trafalgar Survey. The property is located at the southwest corner of Derry Road and Fifth Line in the Derry Green Business Park Area.

The applicant is in the process of constructing an employment subdivision on the lands consisting of 4 light industrial/warehouse buildings and a stormwater management pond. The variance is proposed to provide the applicant with additional flexibility in the number of tenants that can occupy each building.

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

The subject property is designated Business Park Area in the Town of Milton Official Plan. The lands are also located within the Derry Green Corporate Business Park Secondary Plan. The Business Park designation permits a range of employment uses including offices and light industrial uses.

It is Staff's opinion that the proposal meets the intent of the Town of Milton Official Plan, as amended.

Zoning:

The subject lands are zoned Business Park with site specific provisions (M1*306) in Zoning By-law 016-2014 as amended. This zone permits a variety of office and light industrial uses on the lands.

Section 5.8.2 ii) Table 5G states that Parking is calculated for each individual industrial and warehouse/distribution premises, including accessory office space, as follows:

- For the first 1000 square metres of gross floor area, 1 parking space per 30 square metres of gross floor area shall be provided.
- For gross floor areas between 1001 to 5000 square metres, 1 parking space per 100 square metres of gross floor area shall be provided.

- For gross floor areas greater than 5000 square metres, 1 parking space per 200 square metres of gross floor area shall be provided.

The applicant has applied for a minor variance to reduce the minimum required parking spaces for each individual industrial and warehouse/distribution premises, including accessory office space, as follows:

- For the first 5000 square metres of gross floor area, 1 parking space per 100 square metres of gross floor area shall be provided.
- For gross floor areas greater than 5000 square metres, 1 parking space per 200 square metres of gross floor area shall be provided.

Staff note that the minimum required parking spaces are calculated on a per unit basis. Therefore, a greater number of individual tenants would require a greater number of parking spaces.

Consultation

Public Consultation

Notice for the hearing was provided pursuant to the *Planning Act* on December 6, 2023. As of the writing of this report on, December 29, 2023, staff have not received any comments from members of the public.

Agency Consultation

No objections were filed with respect to the variance application from Town staff or external agencies. Transportation Planning staff have confirmed that they have no concerns with the proposed parking reduction.

Milton Fire noted that they have no objections provided that there are no parking spaces blocking the Fire Department Connections or Siamese Connections. Planning staff note that the reconfiguration of any proposed parking spaces would require site plan approval. Milton Fire would be consulted on the location of the parking spaces through the site plan review.

Development Review Comments:

The requested variance is seeking relief to the parking requirements for the first 5,000 square metres of gross floor area of an industrial premise/unit by permitting an alternate rate of 1 parking space per 100 square metres for the first 5,000 square metres of GFA. For any gross floor area greater than 5,000 square metre per premise/unit, the proposed development will comply with the Town's By-law.

The applicant has provided planning and zoning staff with an approximate interior layout for each building, which identifies the size of each individual unit proposed. Based on the existing Town's Zoning By-law requirements, 847 parking spaces would be required, whereas 690 parking spaces are provided on the site to serve all four industrial buildings. Should the proposed alternate parking rate be approved, the proposed development would result in a surplus of approximately 20 parking spaces. The variance would result in a total parking reduction of 211 parking spaces for the site.

A parking study was undertaken as part of the application to reduce the number of parking spaces. The parking study concluded that the proposed parking rate is sufficient to

accommodate the future parking demands for the proposed multi-tenant buildings. Transportation engineering staff had no concerns with the parking rate proposed and the parking study provided. Additionally, the proposed parking rate is consistent with the current parking rate for other similar developments within the Derry Green Secondary Plan area.

The intent of the minimum parking space regulation in the Zoning By-law is to ensure that the supply of parking spaces meets the demand for a specific land use. Both the parking study and Town of Milton transportation engineering staff agree that sufficient parking will exist to serve the proposed development.

Based on the foregoing, staff is of the opinion that the requested variance is minor in nature, conforms to the general policies and intent of both the Official Plan and Zoning By-law and is desirable for the development and use of the land.

Recommendation:

THAT the application for minor variance **BE APPROVED**.

Natalie Stopar

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December 6, 2023