



## Memorandum to Committee of Adjustment Members

### Minor Variance Application: A-24/009/M 2100 Labrador Avenue, 7095 Fifth Line, and 11319 Derry Road

#### 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 comprises of 3 buildings which are known municipally as 2100 Labrador Avenue, 7095 Fifth Line, and 11319 Derry Road. The property is legally described as Block 6 on Registered Plan 20M-1259.

The applicant is in the process of constructing an employment subdivision on the lands consisting of 3 light industrial/warehouse buildings. The 3 buildings are under various stages of construction. 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\*296 & M1\*297) 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, March 14, 2024. As of the writing of this report on March 21, 2024, 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.

## **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.

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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March 21, 2024