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Town of Aurora
Committee of Adjustment Report
No. MV-2023-32

Subject: **Minor Variance Application**
Matheson Asset Management Ltd.
245 Industrial Parkway North
PLAN 65M2718 BLK 9
File: MV-2023-32

Prepared by: **Kenny Ng, Planner**

Department: Planning and Development Services

Date: September 14, 2023

Application

The applicant is requesting relief from the minimum parking space requirements of the Town's Comprehensive Zoning By-law 6000-17, as amended, to facilitate a 2-storey addition to an existing 2-storey office building. The first floor of the addition is proposed to be used as general storage space, while the upper level is proposed to be used for a conference room and employee gym. A conceptual site plan is attached as Appendix 'B' to this report for further reference.

The following relief is being requested:

- a) Section 5.4 of the Zoning By-law 6000-17 requires a minimum of 84 parking spaces for the existing building and proposed addition. The applicant is proposing 59 parking spaces plus 3 barrier free parking spaces.

Background

Subject Property and Area Context

The subject lands are municipally known as 245 Industrial Parkway North and are located on the east side of Industrial Parkway North, between Wellington Street East and St. John's Sideroad. The subject lands have an approximate lot area of 6,072.88 square metres (65,367.94 square feet), and an approximate lot frontage of 79.81 metres (261.84

feet) onto Industrial Parkway North. The subject lands currently contain a two-storey office building, with landscape strips along all sides of the site.

Proposal

The property owner is seeking to construct a two-storey, 617.06 square metre (6,641.98 square feet) addition to the existing office building on the subject property, which requires relief from the minimum parking space requirement. The addition is intended for storage, conference room and gym purposes for existing employees. No new employees are being considered by the owner, with no resulting expansion of the business operation/parking demand.

Official Plan

The subject property is designated "Existing Employment – General Industrial" by the Town of Aurora's Official Plan. Businesses and professional offices and accessory uses are permitted within the "Existing Employment – General Industrial" designation.

Zoning

The subject property is zoned "General Employment E2 Zone" in the Town of Aurora's Zoning By-law. Offices are permitted under this zoning category.

Preliminary Zoning Review

A Preliminary Zoning Review (PZR) has been completed by the Town of Aurora's Building Division. The PZR identified the required variance and no other non-compliance was identified.

Applicant's stated reason(s) for not complying with the Zoning By-law

As stated on the application form, *"The current site configuration does not accommodate additional parking spaces. Furthermore, since there's no increase in the occupant load, the existing parking capacity meets our requirements."*

Planning Comments

Planning Staff have evaluated Minor Variance Application MV-2023-32 pursuant to the prescribed tests as set out in Section 45 (1) of the Planning Act, as follows:

a) The proposed variance meets the general intent of the Official Plan

The 'Existing Employment – General Industrial' designation is intended to ensure the long-term protection and continued evolution of existing, older industrial areas. Businesses and professional offices are permitted under the land use designation as uses that provide job opportunities and help contribute to the local economic development of the Town.

The proposed variance will support the enlargement of an existing business office building through a two-storey addition. The purpose of the addition is to provide further service and amenity area for existing employees, while also adding conference space to support the business function of the office. The owner has indicated no plans of increasing the number of employees, which means that the maximum occupancy of the business is not anticipated to increase in the future as a result of the proposed addition, and there will be no impacts to the parking/occupant demand. Overall, the proposed variance supports the evolution and enhancement of the business operation and functionality of the building and site.

Staff are of the opinion that the requested variance meets the general intent of the Official Plan.

b) The proposed variance meets the general intent of the Zoning By-law

The general intent of the minimum parking space requirement is to ensure that sufficient parking spaces are provided to meet the needs of the proposed facilities and that vehicle spillover will not occur for overcrowding of the subject site.

The applicant submitted a Parking Justification Study prepared by n Engineering Inc., dated August 24, 2023, which concluded that the proposed parking spaces meet and actually exceed the expected demand. This review was performed based on a review of on-site parking utilization survey, and based on the findings of this study, the proposed vehicle parking supply for the development is expected to adequately accommodate peak parking demand at the site. The survey results indicated a maximum 70% parking utilization rate at peak hour, this being with a confirmed 92% building occupancy rate. This results in the parking accounting for an approximate 30% surplus even at peak hour. The current utilization rate was further evaluated and it was determined that a minimum 51 parking spaces are required for the combined gross floor areas of existing and proposed extension buildings, of which the proposed parking exceeds to ensure the efficient function of the site.

As indicated by the owner of the existing building, the business occupying the office space is a single tenant occupancy with maximum 48 employees. The building addition would serve as purely service area for the existing building and business and there will not be provision for future staff increment.

As determined by Town transportation staff, the study provides sufficient evidence that the reduction in parking spaces is not anticipated to result in negative impacts on the development and the operation of the existing office use, nor will there be any negative impacts to the surrounding areas. Town transportation staff are satisfied with the report and justifications made and have no concerns with the proposed.

Staff are of the opinion that the requested variance meets the general intent of the Zoning By-law.

c) The proposed variance is considered desirable for the appropriate development of the land

The proposed variance is considered desirable for the appropriate development of the land in the context of the site and the adjacent neighbourhood.

The parking study sufficiently demonstrates that the proposed spaces are satisfactory in accommodating the parking needs of the site and the existing office use. The study has been reviewed by the Town's Traffic/Transportation analyst and no traffic related concerns have been raised, with the peak parking loads still being well within the total number of spots provided. It is the opinion of staff that the reduced parking spaces are sufficient to accommodate the existing office use and that the proposed addition will be able to support the business function of the property as part of promoting local economic development. Further, the proposal will also be subject to site plan review to ensure the orderly development of the site, with the appropriate condition of minor variance approval also being added.

Staff are of the opinion that the requested variance is considered desirable for the appropriate development of the property.

d) The proposed variance is considered minor in nature

In considering the impact and scale of the requested variance, it is considered to be minor as the parking space shortfall is not anticipated to have considerable impact to the operation of the subject site, and staff are of the opinion that the proposed spaces are able to sufficiently meet the future site needs as demonstrated in the parking study. The functionality of the site will not be negatively affected by the proposed variance, while circulation, ease of access, safety and screening are upheld as the subject property is a relatively self-contained site/building which has sufficient landscaping features throughout. The proposed variance will result in no impacts to neighbouring properties.

Staff are of the opinion that the requested variance is minor in nature.

Additional Comments

The minor variance application was circulated to Town Department/Divisions and to external agencies for review and comment. The following comments were provided:

Department or Agency	Comments
Building Division	Preliminary Zoning Review was completed. No objections.
Engineering Division (Transportation)	No objections.
Operational Services (Parks)	No objections.
Operational Services (Public Works)	No objections.
Central York Fire Services	No objections.
York Region	No objections.
LSRCA	No objections.

Public Correspondence

Written submissions were not received at the time of writing of this report. Should written submissions be received after the writing of this report, the Secretary Treasurer will provide the submission(s) to Committee members at the meeting.

Conclusion

Planning staff have reviewed the application with respect to Section 45 (1) of the Planning Act, R.S.O, 1990, c.P.13, as amended, and are of the opinion that the requested variance meets the four tests of the Planning Act for the granting of minor variances. Staff recommend approval of the requested variances subject to the conditions outlined in Appendix 'A'.

Attachments

Appendix 'A' – Recommended Conditions of Approval

Appendix 'B' – Site Plan

Appendix 'A' – Recommended Conditions of Approval

The following conditions are required to be satisfied should application MV-2023-32 be approved by the Committee of Adjustment:

1. That the variance only applies to the subject property, in conformity with the plan(s) attached as 'Appendix B' to this Staff Report, to the satisfaction of the Director of Planning and Development Services or designate; and,
2. That the Owner shall obtain all necessary Site Plan approval from the Town Development Planning division to the satisfaction of the Director of Planning and Development Services or designate.