



## Report Committee of Adjustment

**Filing Date:** July 4, 2022  
**Hearing Date:** December 6, 2022  
**File:** A-2022-0205  
**Owner/  
Applicant:** 1630604 ONTARIO LTD.  
**Address:** 125 Chrysler Drive, Units 5-7  
**Ward:** WARD 8  
**Contact:** François Hémon-Morneau, Planner III

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### **Recommendation:**

That application A-2022-0205 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Notice of Decision;
  2. The owner shall obtain a building permit for the mezzanine within 90 days of the decision of approval or extended at the discretion of the Chief Building Official;
  3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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### **Background:**

The application was previously deferred at the August 2<sup>nd</sup> and October 25<sup>th</sup>, 2022 Committee of Adjustment hearings. The minor variance application is submitted to facilitate the construction of an existing mezzanine within the existing building which requires approximately 19% parking space reduction. Given that the proposed reduction is greater than 10% of the overall requirement, Staff requested that a parking justification brief be submitted in support of the variance. The applicant has now submitted a parking justification brief which has been reviewed and found to be supportable by Traffic Services staff.

### Existing Zoning:

The property is currently zoned 'Service Commercial (SC-1127)', according to By-law 270-2004, as amended.

### Requested Variance:

The applicant is requesting the following variance:

1. To provide 278 parking spaces whereas the by-law requires a minimum of 331 parking spaces.

**Current Situation:**

1. Maintains the General Intent and Purpose of the Official Plan

The property is designated 'Industrial' in the Official Plan and 'Service Commercial' in the Airport Intermodal Area Secondary Plan (Area 4). The minor variance application is submitted to facilitate the construction of a mezzanine within the existing building which requires approximately 19% parking space reduction. The requested variance is not considered to have significant impacts within the context of the Official Plan policies and will facilitate the proposed addition. Subject to the recommended conditions of approval, the requested variance are considered to maintain the general intent and purpose of the Official Plan.

2. Maintains the General Intent and Purpose of the Zoning By-law

The Variance is requested to provide 278 parking spaces whereas the by-law requires a minimum of 331 parking spaces. The intent of regulating minimum parking requirements for service commercial properties is to ensure that the site can accommodate the parking demand generated by the permitted uses on the property.

The proposed reduction represents approximately 19% of the overall parking requirement for the site and is not anticipated to negatively impact the function of the site given that the increase is directly tied to the addition of a mezzanine. A parking justification brief was submitted in support of the requested variance. Traffic Services staff have reviewed the request and have no objections to the parking variance. The variance is considered to maintain the general intent and purpose of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

The applicant is requesting a variance to permit a reduction in parking spaces on the property due to the addition of a mezzanine. The added gross floor area generated by the mezzanine increases the number of required parking spaces. The applicant has conducted and submitted a parking justification brief in support of the variance which has been found to be satisfactory by staff. Staff note that the mezzanine was constructed without building permits and a condition of approval is recommended that owner shall obtain a building permit for the mezzanine within 90 days of the decision of approval or extended at the discretion of the Chief Building Official. Subject to the recommended condition of approval, the variance is considered to be desirable for the appropriate development of the land.

4. Minor in Nature

A parking reduction is requested due to the additional gross floor space created by the mezzanine. The existing supply of parking spaces on site is considered sufficient to support the service commercial properties and the parking brief ensures that the site can accommodate the parking demand generated by the permitted uses on the property. The variance is considered to be minor in nature.

Respectfully Submitted,

*François Hémon-Morneau*

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