



The Corporation of the Town of Milton

Report To:	Council
From:	Jill Hogan, Acting Commissioner, Development Services
Date:	February 28, 2022
Report No:	DS-015-22
Subject:	Public Information Report: Temporary Use Zoning By-law for Milton Catholic Elementary School #10 at 675 Kennedy Circle West (File: Z-29/21).
Recommendation:	THAT Development Services Report DS-015-22, BE RECEIVED FOR INFORMATION.

EXECUTIVE SUMMARY

The Halton Catholic District School Board is requesting a Temporary-Use Zoning By-law Amendment for Milton #10 Catholic Elementary School. The purpose of the application is to temporarily allow for Milton #10 Catholic Elementary School to operate as a Secondary School for one (1) year with the possibility of an extension. Further, the Temporary-Use Zoning By-law would also permit the relief of the base parking requirement of 4 parking spaces per classroom to 2.43 spaces per classroom.

Milton #10 Catholic Elementary School was site plan approved (SP-19/20) April 28, 2021. At this time, the School is under construction and is expected to be complete by February 2022. No changes to the built form of the School or parking lot area are proposed as part of the Temporary-Use Zoning By-law Amendment.

The application has been deemed complete pursuant to the requirements of the Planning Act and are being processed accordingly. Staff recommends that upon completion of the consultation and review process, a Technical Report, including recommendations, be prepared and brought forward for consideration by Council. The Technical Report will address any issues raised through the consultation and review process.

REPORT

Background

Z-29/21: Milton Catholic Elementary School Temporary Use Zoning By-law

Owner: Halton Catholic District School Board, 802 Drury Lane, Burlington, Ontario L7R 2Y2



Applicant: Jeff Kenny, Strategy 4 Inc., 100-2620 Bristol Circle, Oakville, Ontario L6H 6Z7

Location/Description: Milton Catholic Elementary School #10 is known municipally as 675 Kennedy Circle West (See Figure 1 - Location Map). The property is located within Mattamy's Martin East Draft Plan of Subdivision (20M-1219) and located east of Sixteen Mile Creek, south of Louis St. Laurent and north of Britannia Road. At this time, Milton Catholic Elementary School #10 remains under construction.

Proposal: The applicant is requesting approval of a Temporary-Use Zoning By-law for Milton Catholic Elementary School #10. The purpose of the application is to allow for the Elementary School to operate as a Secondary School for a maximum of one (1) year (until 2023). The School is currently under-construction and plans to be completed by February 2022. The applicant is also proposing to permit relief of the base parking requirement of 4 parking spaces per classroom to 2.43 per classroom required for secondary schools.

The following documents have been submitted by the applicant in support of the Temporary-Use Zoning By-law Amendment application. These documents are available on the Town's website for review:

- Existing Conditions Plan, prepared by Statregy 4 Inc. and dated July 2019;
- Planning Justification Report, prepared by Strategy 4 Inc., and dated November 2021;
- Traffic Impact and Parking Justification Study, prepared by GHD Engineering and dated November 3, 2021; and
- Draft Temporary Use Zoning By-law, prepared by Strategy 4 Inc. and dated January 21, 2021.

Discussion

Planning Policy

Provincial Policy Statement (2020)

The current Provincial Policy Statement includes policies that support the creation of healthy, livable and safe communities by ensuring that necessary infrastructure and public service facilities (including educational facilities) will be available to meet current and projected needs. The document also contains policies that encourage municipalities to optimize the use of existing infrastructure and public facilities wherever feasible.

The proposed development is consistent with provincial policy as it ensures that secondary school facilities will be available within the Town of Milton for Town of Milton residents. The proposal also relies on and supports existing public infrastructure.

Halton Region Official Plan



With respect to Regional policies, the subject lands are designated Urban Area in the Region's Official Plan. The proposal to operate Milton Catholic Elementary School #10 as a secondary school for one-year conforms to the permitted uses within the Urban Area.

Town of Milton Official Plan

Milton Catholic Elementary School #10 is designated as Residential Area on Schedule B in the Town of Milton Official Plan. The Residential designation permits Local Institutional Uses. Additionally, the lands are located within the Boyne Survey Secondary Plan and are identified as Residential Area on Schedule C.10.C.

Section C.10.5.1.1 d) of the Boyne Survey Secondary Plan states that local institutional uses which by their activity, scale and design are compatible with residential uses and which serve adjacent residential areas including elementary schools (in addition to those located within the Neighbourhood Centre Areas), libraries, places of workshop, day care facilities, and community centres in accordance with specific criteria set out in Sections 3.2.3.6 and 3.2.3.7 of the Official Plan.

While a full review of the applicable planning policies will be undertaken as part of the review of the application, based on the information provided, staff is satisfied that an Official Plan Amendment is not required.

Zoning By-law 016-2014, as amended

Milton Catholic Elementary School #10 is currently zoned I-A*267. The I-A zone does not permit secondary schools. The current application is seeking permission to temporarily permit a secondary school to locate within the I-A*267 Zone for a period of a 1-year term.

It is also noted the Zoning By-law requires a minimum of 4 parking spaces per classroom for secondary schools. The current application is also seeking relief to permit parking for a secondary school be provided at a rate of 2.43 spaces per classroom.

A Draft Zoning By-law is attached as Appendix 1.

The *Planning Act* specifies that a Temporary Use By-law can only be approved for a maximum of three (3) years. Any extensions beyond three (3) years would require additional Council approval. At this time, the applicant is seeking to permit the use for one (1) year.

Site Plan Control

A Site Plan (SP-19/20) was approved in April 2021 for the subject property. No physical changes or development is proposed as part of the Temporary-Use Zoning By-law Amendment and a Site Plan revision is not warranted.



Public Consultation

Notice of a complete application was provided on December 8, 2021. Notice of a complete application was provided on December 15, 2021. The applications were circulated to the internal departments and external agencies on December 8, 2021. Town staff are currently in the process of completing a review of the first submission.

The HCDSB and the applicant held a Public Open House virtually, on February 22, 2022. This Open House consisted of a presentation on the proposed development and HCDSB representatives answered another of questions submitted by the residents. Town staff were in attendance to take note of questions and comments provided. Questions that were raised were focused on HCDSB activities, school-boundaries and accessing transportation to and from school.

A technical report with recommendations will be brought forward for Council consideration upon completion of the evaluation of the application. Planning staff have already started to receive written public comments. These comments will be addressed and include in the future technical report to Council.

Financial Impact

None arising from this Report

Respectfully submitted,

Jill Hogan, MCIP, RPP
Acting-Commissioner, Development Services

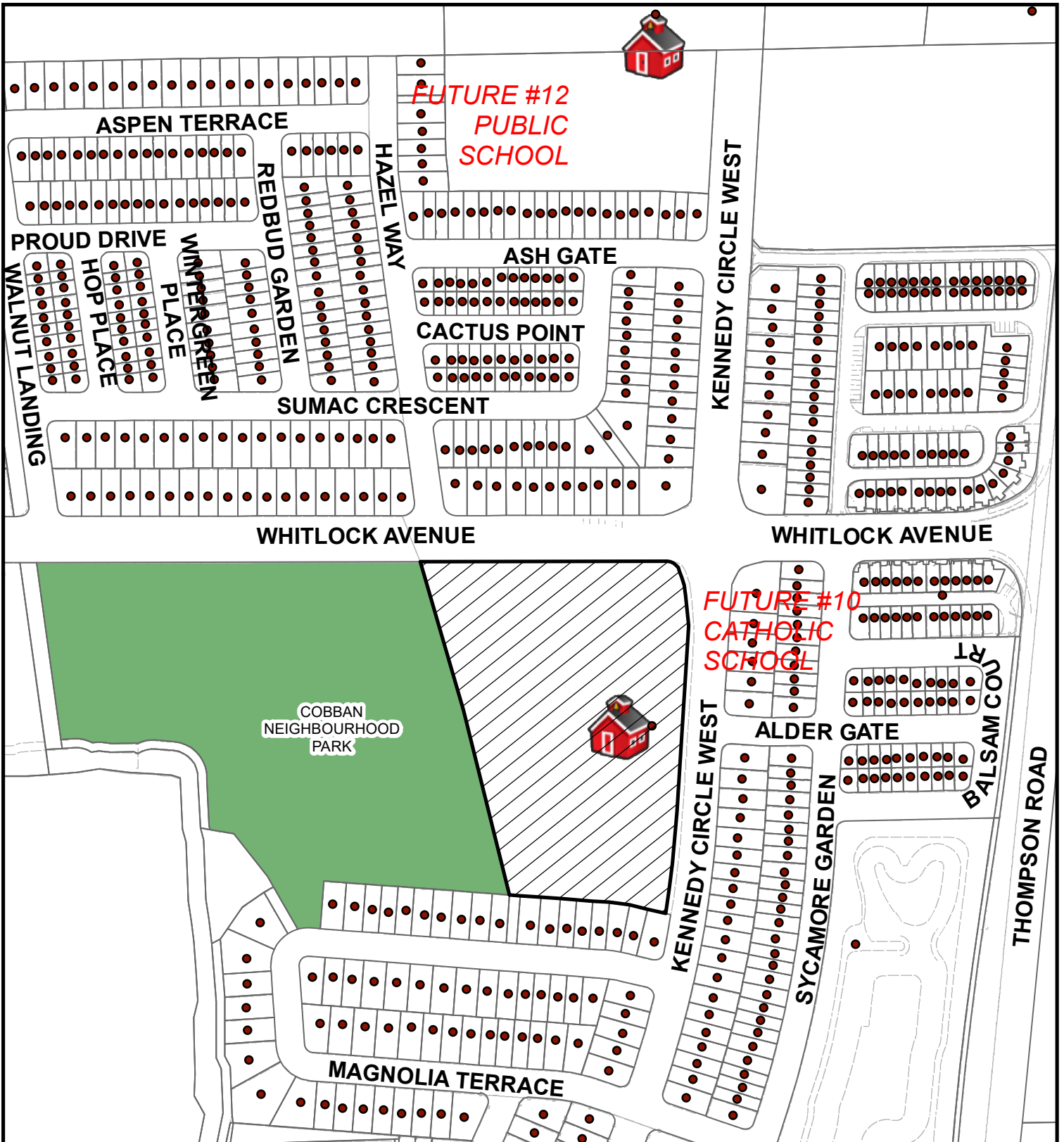
For questions, please contact: Taylor Wellings, Planner, Phone: Ext. 2311
Development Review

Attachments

Figure 1 - Location Map
Figure 2 - Site Plan
Appendix 1 - Draft Temporary Use By-law

CAO Approval
Andrew M. Siltala
Chief Administrative Officer

FIGURE 1 LOCATION MAP



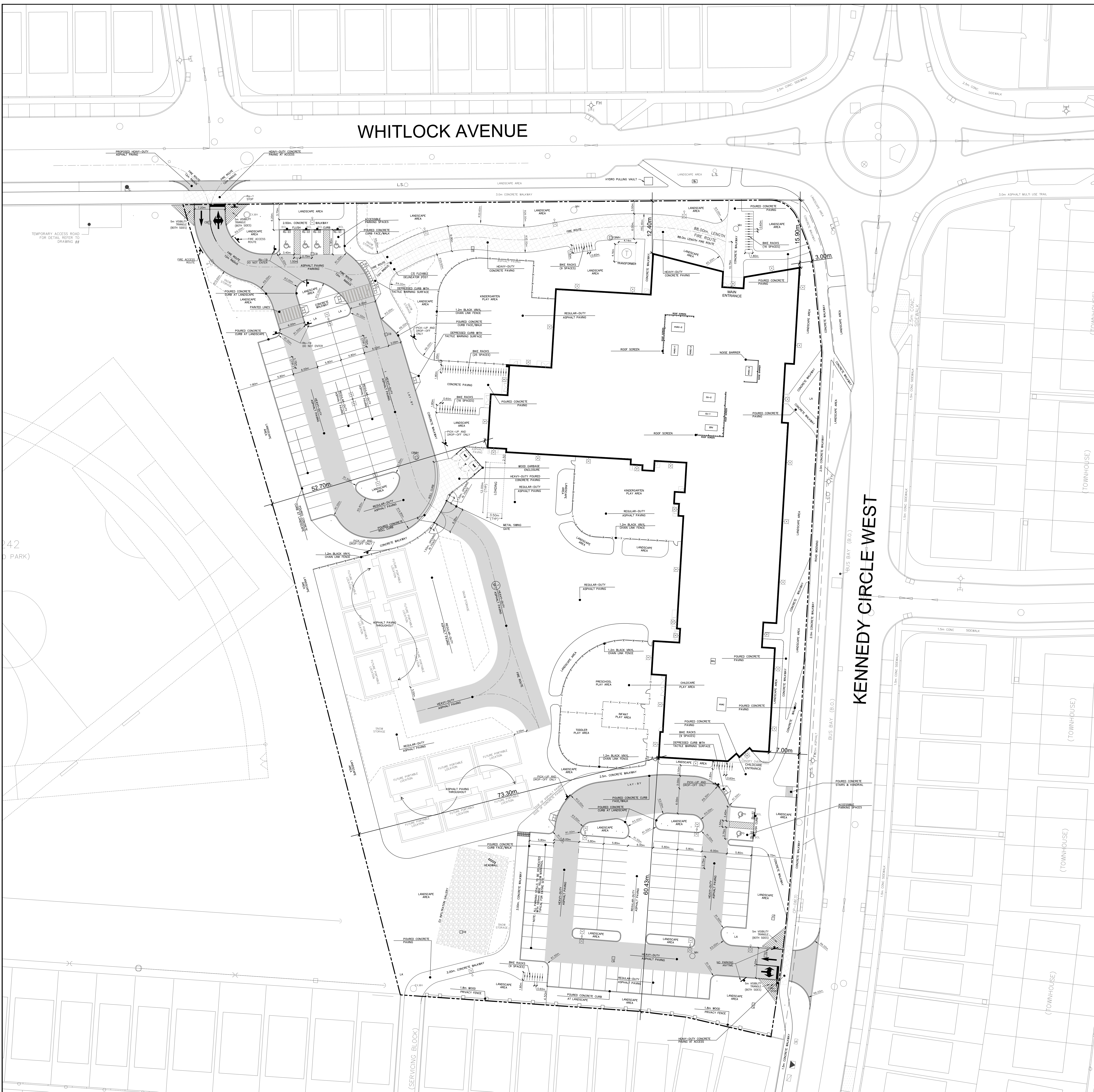
Council Meeting Date:
February 28, 2022

Scale: 1: 3,000

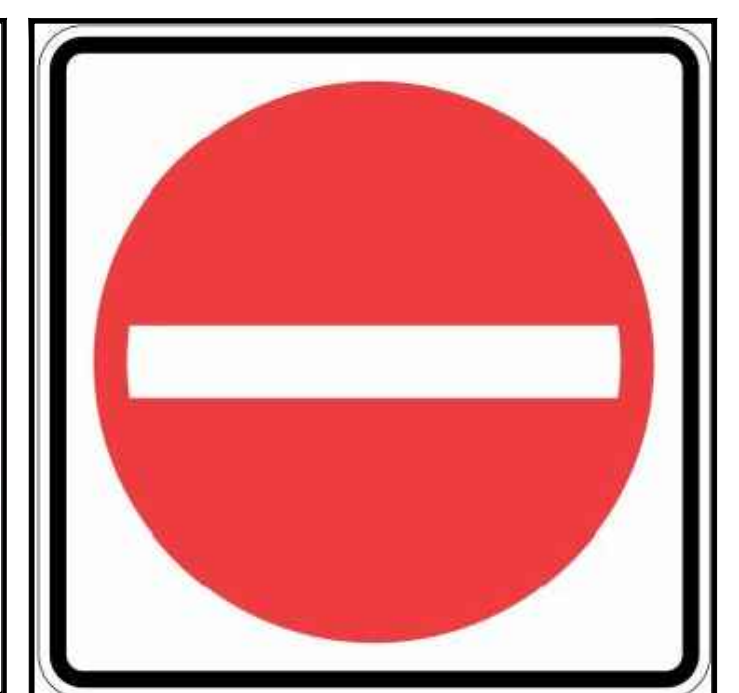
Development Services Department



Subject Property



Ra-1



Rb-19



Rb-51



FIRE ACCESS ROUTE



Rb-93



PICK-UP DROP-OFF



KEY PLAN N.T.S.

BASE INFORMATION TAKEN FROM CHANGED BY OTHERS. SA DOES NOT ASSUME ANY RESPONSIBILITY FOR ERRORS, OMISSIONS, OR ACCURACY OF THE INFORMATION. DRAWINGS SHALL ONLY BE USED FOR GUIDELINE PURPOSES ONLY.

BASE INFORMATION TAKEN FROM OSEL DETAILED ENGINEERING DRAWINGS FROM 2000.

- LEGEND:**
- PROPERTY LINE
 - EXISTING CHAINLINK FENCE
 - EXISTING WOOD PRIVACY FENCE
 - EXISTING FIRE ROUTE
 - EX. HEAVY-DUTY ASPHALT
 - PROPOSED OUTLINE PORTABLE CLASSROOM
 - PAINTED CROSSWALK
 - VISIBILITY TRIANGLES
 - EX. WALL MOUNTED LIGHT
 - EX. POLE MOUNTED LIGHT
 - EXISTING CATCH BASIN
 - EX. CATCH BASIN-MANHOLE
 - EX. DEPRESSED CURB WITH TACTILE WARNING
 - EX. SIGNAGE

SITE STATISTICS - EXISTING MILTON #10 C.E.S. - PROP. TEMP USE

	REGULATION	PROVIDED
EXISTING ZONING:	IA*267 - INSTITUTIONAL A	-
LOT FRONTAGE	50.0 m MIN.	142.57m
LOT AREA	1.0 Ha Minimum 6.0 Ha Maximum	2.37Ha
LOT COVERAGE	30% Max	4,483.5m ² (19,44%)
FRONT YARD SETBACK (WHITLOCK AVE.)	3.0m Minimum	12.40m
REAR YARD SETBACK (CABLING RESIDENTIAL ZONE)	7.5m plus 3.0m =10.5m Minimum	60.43m
FLANKAGE SIDE YARD SETBACK (KENNEDY CIRCLE W)	3m Minimum	3.0m
INTERIOR SIDE YARD SETBACK (PARK)	3m Minimum	3.0m
BUILDING HEIGHT, ROOF (PER BY-LAW 035-2014)	16.5 m	9.0 m
LANDSCAPED OPEN SPACE	20% MIN. OF LOT	29.2%
LANDSCAPED BUFFER ABUTTING STREET LINE:	2.5m (I-A*267)	3.0m
ABUTTING RESIDENTIAL	4.0m	4.5m
PARKING:		
SIZE OF SPACE:	5.8m X 2.75m MIN.	5.8m X 2.75m
WIDTH OF AISLE:	6.0m MIN.	6.0m
SCHOOL SPACES PROP. SEC SCHOOL:	2.43 PER CLASSROOM* 30 X 2.43 = 73 5 X 2.43 PORT. = 12 = 85 SPACES (1/30 50 GFA 7350sqm = 0.80 GFA 661.50 / 30 = 22 1.5 PER CLASSROOM 5 X 1.5 = 8 = 30 SPACES)	
DAY CARE SPACES:	= 30 SPACES	
TOTAL PARKING SPACES:	115 REQUIRED SPACES	116 PROVIDED
DESIGNATED SPACES:	1+3% OF REQ.=5	6 SPACES
LOADING SPACES:	1 REQ'D (I-A*267)	1 SPACES
BIICYCLE SPACES:	8% OF REQ. = 9	84 SPACES

* = SUBJECT OF TEMPORARY USE AMENDMENT

NOV 4 2021	ISSUED FOR TEMPORARY USE ZONING AMENDMENT	1 JK
DATE	DESCRIPTION	CHECKED BY
REVISIONS		
NOTE: Contractor is to check and verify all dimensions and conditions on the project, and is immediately report any discrepancies to the architect/owner before proceeding with the work.		

SEAL OF LANDSCAPE ARCHITECT'S ASSOCIATION OF ONTARIO

HALTON DISTRICT SCHOOL BOARD

Strategy 4
 Development Consulting
 Urban Transformation
 Urban Design
 Urban Engineering

2630 Brimley Circle, Suite 100
 Oakville, ON L6H 6Z7
 Tel: (905) 829-2544

Project Name:
MILTON #10 CATHOLIC ELEMENTARY SCHOOL
 WHITLOCK AVENUE, MILTON, ONTARIO

Sheet Description:
EXISTING CONDITIONS SITE PLAN FILE: TBD

Date	Issued
JULY 2019	NOV 2021
Job No:	Drawn By:
S4 2870	ROMLJAK
Scale:	Checked By:
1:300	JK
SHEET No:	File No:
SP.1 (EX)	2870SP-211026.DWG

CORPORATION OF THE TOWN OF MILTON

BY-LAW NUMBER XXX-2022

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW NO. 016-2014, AS AMENDED, PURSUANT TO SECTION 34 AND 39 OF *THE PLANNING ACT*, IN RESPECT OF THE LANDS DESCRIBED AS BLOCK 243 PLAN 20M-1219 IN THE TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON {(HALTON CATHOLIC DISTRICT SCHOOL BOARD) FILE: Z-29-21

WHEREAS Section 39 of the Planning Act, as amended, authorizes Municipal councils to pass by-laws to permit temporary uses of land, buildings and structures for a specific period of time;

AND WHEREAS The Town of Milton Official Plan provides for the lands affected by this by-law to be zoned as set forth in this by-law;

AND WHEREAS The Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 016-2014, as amended, to allow the proposed use for period beginning August 2022 and ending August 2023.

NOW THEREFORE the Council of the Corporation of the Town of Milton hereby enacts as follows:

- 1.0 THAT** Schedule A to Comprehensive Zoning By-Law 016-2014 is hereby further amended by changing the existing Minor Institutional Zone with site specific provision 267 (I-A*267) to Temporary Use Zone XX-Special Minor Institutional Zone with site specific provision XXX (T14-I-A*XXX) as shown on Schedule A of this by-law which may also permit a secondary school to locate on the subject lands.
- 2.0 THAT** Notwithstanding the provisions of Section 5.8.2.ii, TABLE 5G (38-2019), parking for a Secondary School shall be provided at a rate of 2.43 spaces per classroom.
- 3.0 THAT** notwithstanding Section 1.0, 2.0, 3.0 and 4.0 of this By-Law, this By-Law shall expire on June 30th, 2023, unless the Council of the Corporation of the Town of Milton has provided an extension by amendment to this by-law prior to expiry.

4.0 THAT if no appeal is filed pursuant to Section 34(19) of *The Planning Act R.S.O. 1990, c. P. 13*, as amended, or if an appeal is filed and the Local Planning Appeals Tribunal dismisses the appeal, this by-law shall come into force on the day of passing. If the Local Planning Appeal Tribunal amends the by-law pursuant to Section 34(26) of the *Planning Act*, as amended, the part of parts so amended come into force upon the day the Tribunal's Order is issued directing the amendment or amendments.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this XX day of 2022.

_____ Mayor

Gordon A. Krantz

_____ Clerk

Troy McHarg