



The Corporation of the Town of Milton

Report To:	Council
From:	Barbara Koopmans, Commissioner, Development Services
Date:	May 31, 2021
Report No:	DS-036-21
Subject:	Public Meeting and Initial Report: Proposed Plan of Subdivision and Zoning By-law Amendment by the Halton District School Board to permit a three-storey elementary school (Town File: 24T-21003/M & Z-06/21)

Recommendation: THAT Report DS-036-21, BE RECEIVED FOR INFORMATION.

EXECUTIVE SUMMARY

The Halton District School Board has submitted planning applications to facilitate the development of a three-storey elementary school on the subject lands. A plan of subdivision is required to create the appropriate sized blocks for the school use as well as the extension of the public roadway (Kennedy Circle West) that is needed to provide access to the school. A zoning by-law amendment is also required to change the existing Future Development (FD) and Minor Institutional (I-A) Zones on the school block to a site-specific Minor Institutional (I-A*XX) Zone in order to permit the proposed development.

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 issues raised through the consultation and review process.

REPORT

Background

Owner: Halton District School Board, 2050 Guelph Line, Burlington, Ontario

Applicant: Strategy 4 Inc., 100-2620 Bristol Circle, Oakville, Ontario

Location/Description: The subject lands, currently vacant, are located on the west side of Kennedy Circle West, north of Whitlock Avenue, as shown on Figure 1 to this report. The lands are approximately 2.97 hectares (7.34 acres) in size and are legally described as Part of Lot 8, Concession 3 (Trafalgar), Block 244 on Plan 20M-1219, and Parts 1, 3, 7 & 8 on Plan 20R-21876. The municipal address assigned to the subject lands is 815 Kennedy Circle West.

Background

A portion of the subject lands, was registered as public elementary school within the first phase of the Mattamy Martin East subdivision (i.e. Block 244 on Plan 20M-1219) and zoned Minor Institutional (I-A) through the implementing zoning by-law for the overall subdivision. The remainder of the proposed school block lands to the north of Block 244, is owned by Mistburn Estates, a participating landowner in the Boyne Survey Secondary Plan area. Recently, the lands needed to complete the school block, the road extension, as well as temporary easements for access and off-site grading were obtained by the School Board by right of expropriation. The proposed school will be the twelfth HDSB school within the HUSP Urban Expansion Area of the Town.

Surrounding land uses include medium density residential development (i.e. townhouse and single detached dwellings) to the south and the southwest, future secondary mixed use node blocks (which could potentially contain office, retail and/or high density uses) to the east and north east, and while the lands to the north and northwest are currently vacant, they have been designated for future residential development within the Boyne Survey Secondary Plan.

Proposal:

The application seeks to rezone the subject lands from the current Future Development (FD) and Minor Institutional (I-A) Zones to a site-specific Minor Institutional (I-A*XX) Zone that will permit the development of a three-storey elementary school. Site-specific provisions relating to building height, loading space criteria, and surface treatment in the front yard, have been proposed.

Figure 2 illustrates the conceptual site plan. The proposed development consists of a three-storey elementary school building, including a proposed child care facility, associated play areas, two separate parking lots, and an on-street lay-by for pick ups and drop offs. The primary access to the proposed development will be from Kennedy Circle West. A temporary secondary access, primarily for emergency and fire fighting purposes, is also being provided from the existing limit of Hazel Way. The concept plan also shows potential locations for up to 18 portables, should they be required.

As illustrated in Figure 3, the applicant has also submitted a plan of subdivision, which is required to create:

- a full school block (as only a portion of the school block has been created through the Mattamy Martin East subdivision);
- a block for the proposed Kennedy Circle West extension that will allow full access to the site; and,
- a block for a proposed functional widening of Kennedy Circle West in order to support the construction of an on-street lay-by for pickups and drop offs.

Also shown on the plan are temporary easements that will be needed for secondary access (pedestrian and emergency services), and off-site grading.



Background

The following reports and plans have been submitted in support of this application and are currently under review:

- Plan of Survey (Topo & Boundary), prepared by Cunningham McConnell Limited, dated December 18, 2020.
- Expropriation Plan for Part of Lot 8, Concession 3, N.S., Plan HR-1779388, prepared by Cunningham McConnell Limited., registered April 6, 2021.
- Reference Plan 20R-21876, prepared by Cunningham McConnell Limited, deposited on February 3, 2021.
- Proposed Draft Plan of Subdivision, prepared by Strategy 4 Inc., Revision 2, dated April 2, 2021.
- Proposed Concept Site & Grading Plan, prepared by Strategy 4 Inc., Revision 3, dated April 6, 2021.
- Waste Management Plan, prepared by Strategy 4 Inc., dated April 2021.
- Site Plan Details & Vehicular Turning Movement Plan, prepared by Strategy 4 Inc., Revision 3, dated April 6, 2021.
- Planning Justification Report, prepared by Strategy 4 Inc., dated April 2021.
- Draft Zoning By-law Amendment, prepared by Strategy 4 Inc., dated December 2020.
- Stage 1, 2 and 3 Archaeological Studies (Mistburn) - prepared by Archaeological Services Inc., dated December 8, 2015, September 14, 2016 and October 23, 2017, respectively.
- Stage 3 Archaeological Study (Mattamy), prepared by Golder Associates, dated May 28, 2013.
- Phase 1 Environmental Site Assessment (ESA), prepared by RJ Burnside & Associates, dated December 10, 2020.
- Functional Servicing & Stormwater Management Report, prepared by MTE Consultants, dated December 22, 2020 and revised March 24, 2021.
- Transportation Impact Study, prepared by GHD Consultants, dated March 15, 2021.

Discussion

Planning Policy

The subject lands are located within the Urban Area and are designated “Residential Area” on Schedule B- Urban Land Use Plan of the Town’s Official Plan and on Schedule C.10.C

Discussion

-Boyne Survey Secondary Plan Land Use Plan. The “Residential Area” designation in both the parent plan and the secondary plan, permits a full range of residential uses and densities, as well as complementary non-residential uses that are necessary to create a residential neighbourhood environment. As stated in Sections 3.2.2. h) of the parent plan and C.10.5.1.1. d) of the secondary plan, this includes 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

Currently, the southern portion of the subject lands is zoned Minor Institutional (I-A), while the northern portion acquired from the landowner to the north, is zoned Future Development (FD) under Comprehensive Zoning By-law 016-2014, as amended. The southern portion was zoned as part of the Martin East subdivision through By-law 061-2019. While the southern portion of the lands permits the elementary school use, the FD Zone applicable to the northern portion, only permits uses that legally existed on the date the zoning by-law came into effect. In order to facilitate the proposed development, a zoning by-law amendment is required.

In addition to the proposed change in zoning to allow the elementary school use, the applicant is also seeking permission for site-specific provisions relating to building height, loading space criteria, and surface treatment within the front yard. As a result, a site-specific Minor institutional (I-A*XX) Zone has been proposed through this application.

A draft Zoning By-law Amendment prepared by the applicant is included as Appendix 1 to this report.

Site Plan Control

Should the application be approved, site plan approval will be required for the school block prior to the commencement of any development.

Public Consultation:

Notice for the statutory public meeting has been provided pursuant to the requirements of the Planning Act on May 6, 2021 through written notice to all properties within 200 metres of the subject lands, as well as an ad in the Milton Canadian Champion Newspaper on May 6, 2021.

Agency Consultation



Discussion

The application was circulated to internal departments and external agencies on April 29, 2021. Staff have identified the following items to be reviewed and addressed:

- Site Design and Urban design
- Servicing and stormwater management
- Traffic Impacts, Pedestrian and Vehicle Access / Circulation
- Parking
- On-street lay-by design and maintenance
- Site-specific zone provisions

A technical report with recommendations will be brought forward for Council consideration upon completion of the evaluation of the application at a future meeting.

Financial Impact

None arising from this report.

Respectfully submitted,

Barbara Koopmans, MPA, MCIP, RPP, CMO
Commissioner, Development Services

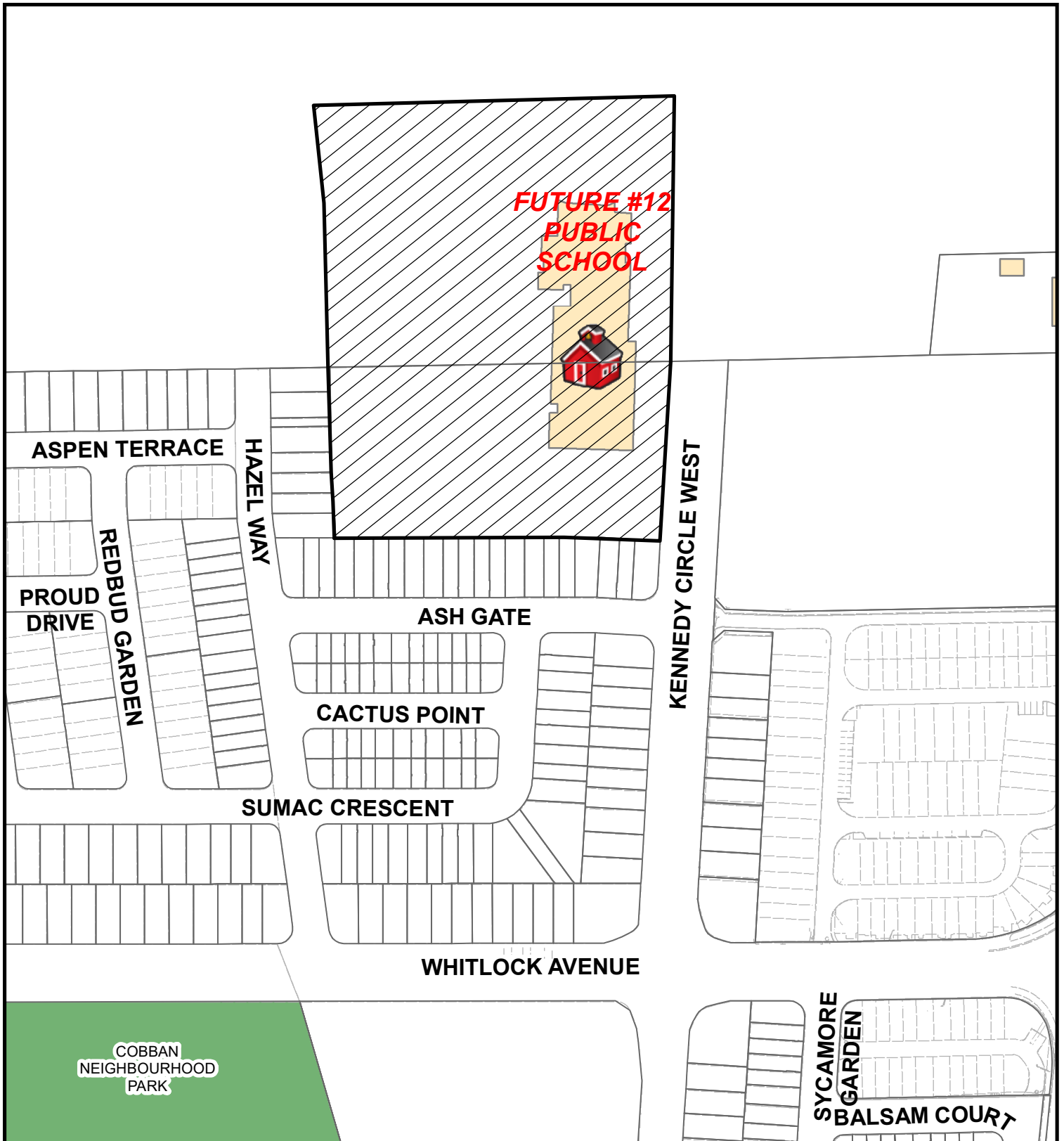
For questions, please contact: Angela Janzen, Planner Phone: Ext. 2310

Attachments

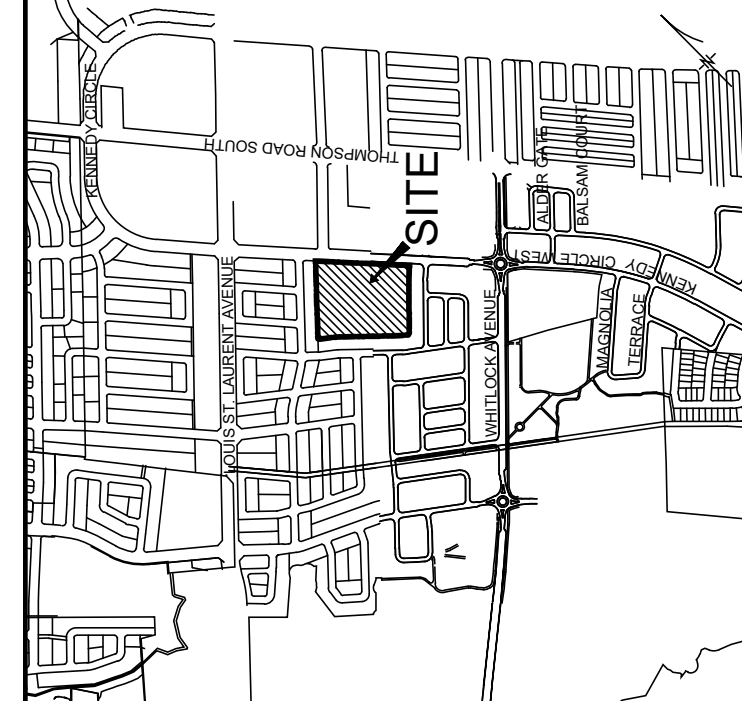
Figure 1- Location Map
Figure 2- Conceptual Site Plan
Figure 3- Proposed Draft Plan of Subdivision
Appendix 1 - Proposed Zoning By-law Amendment

CAO Approval
Andrew M. Siltala
Chief Administrative Officer

FIGURE 1 LOCATION MAP



Council Meeting Date: May 31, 2021	Scale: 1: 8,000	Files: 24T-21003/M & Z-06/21	Development Services Department
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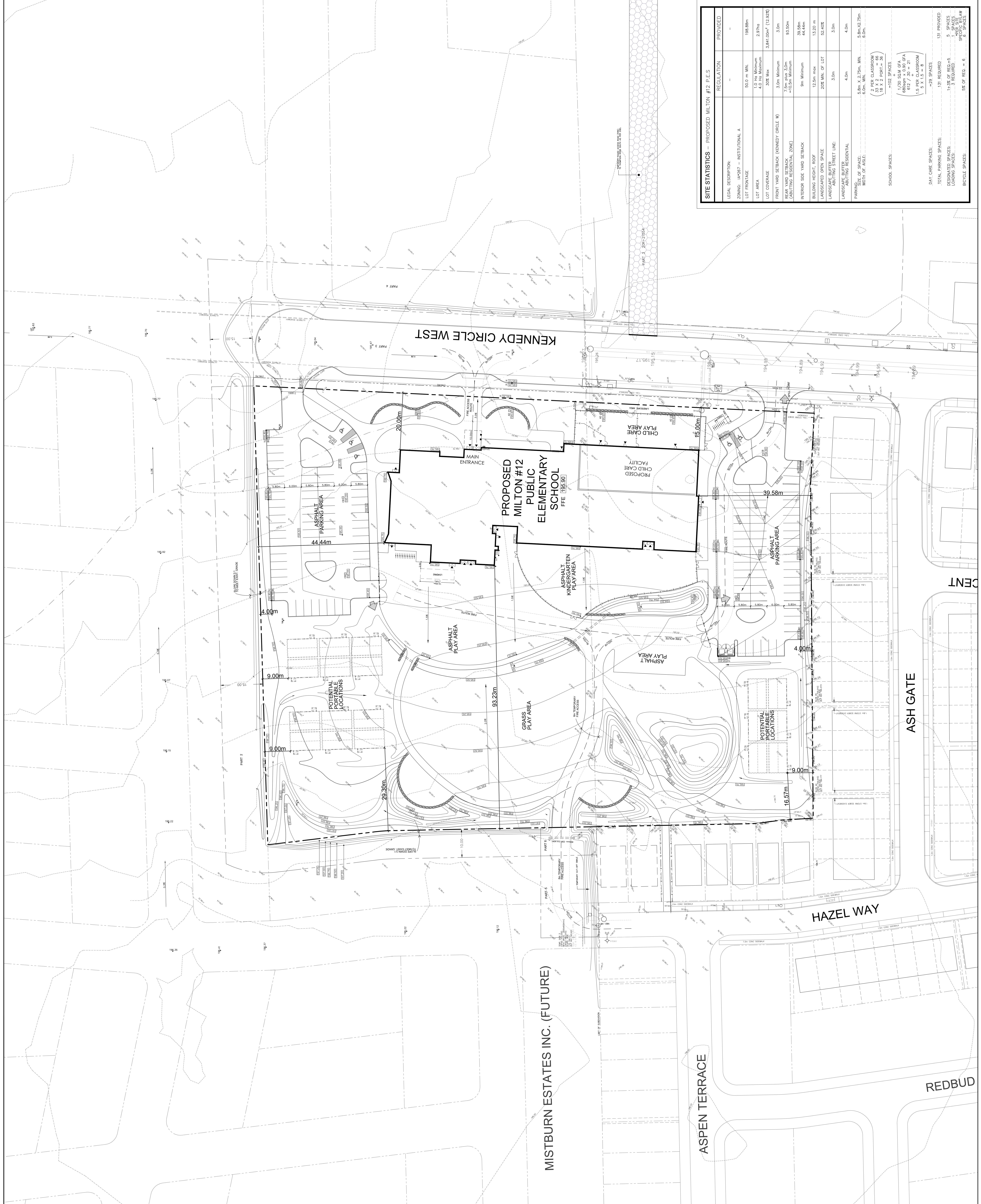


KEY PLAN

N.I.S.
NOT TO SCALE

THESE CHANGES AND REMOVED INFORMATION FOR THE PROPOSED MILTON #12 PUBLIC ELEMENTARY SCHOOL AND GRADE 12 COMMUNITY CENTRE WERE APPROVED BY THE BOARD OF ZONING ADJUSTMENTS ON 10/12/2020. THE BOARD OF ZONING ADJUSTMENTS IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF THE PROPOSED PROJECT. THE BOARD OF ZONING ADJUSTMENTS APPROVED THE CONCEPT SITE AND GRADE PLAN BY RESOLUTION 2020-09-033 ON 10/12/2020.

- LEGEND:
- PROPERTY LINE
 - PROPOSED CONTOUR AND ELEV.
 - PROPOSED PARKING SPACES
 - PROPOSED PLAY AREA
 - INTERPOLATED GRADE
 - EXISTING TOPO & CONTOURS
 - PROPOSED GRADE
 - CURBLAND FLOW
 - PROPOSED CATCH BASIN



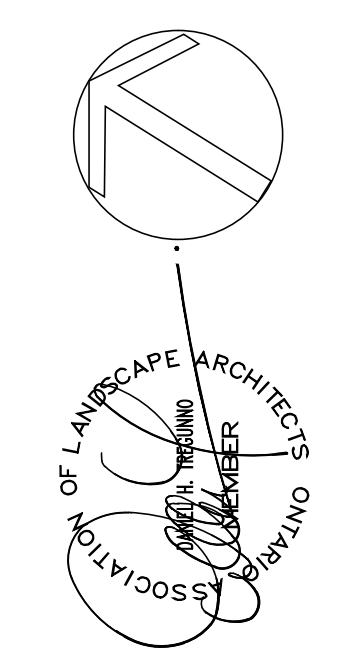
DATE	REVISIONS	CHECKED BY
2021	REVISED PER PART 1, 2 & 3	A.K.
2021	REVISED PER PART 1, 2 & 3	A.K.
2021	REVISED PER PART 1, 2 & 3	A.K.
2021	REVISED PER PART 1, 2 & 3	A.K.

SITE STATISTICS - PROPOSED MILTON #12 P.E.S.

LEGAL DESCRIPTION	REGULATION	PROVIDED
ZONING: IN-257 - INSTITUTIONAL A	50.0 m MIN.	198.58m
LOT FRONTAGE	1.0 Ha Minimum	2.97ha
LOT AREA	50% Max	3,841.00m ² (12,923)
LOT COVERAGE	3.0m Minimum	3.0m
FRONT YARD SETBACK (KENNEDY CIRCLE W)	9.0m Minimum	93.50m
REAR YARD SETBACK (RESIDENTIAL ZONE)	7.0m Min. 3.0m Min. 4.0m Minimum	39.84m 44.44m
INTERIOR SIDE YARD SETBACK	9m Minimum	44.44m
BUILDING HEIGHT	13.5m max	13.20 m
LANDSCAPED OPEN SPACE	20% MIN. OF LOT	52.40%
LANDSCAPED STREET LINE	3.0m	3.0m
LANDSCAPE BUFFER ADJACENT RESIDENTIAL	4.0m	4.0m
PARKING: OF SPACE	5.8m X 2.75m MIN.	5.8m X 2.75m
WIDTH OF AISLE	6.0m MIN.	6.0m

SCHOOL SPACES:

- DAY CARE SPACES: 131 PROVIDED
- TOTAL PARKING SPACES: 5 SPACES
- DESIGNED SPACES: 1+3% REQ=5
- EXISTING SPACES: 5 PROVIDED
- BICYCLE SPACES: 5% OF REQ. = 6



HALTON DISTRICT SCHOOL BOARD

Strategy 4

2020 Budget Cycle, 2021-2024
1. Vision
2. Mission
3. Values
4. Objectives

MILTON #12 PUBLIC ELEMENTARY SCHOOL
CONCEPT SITE AND GRADE PLAN
CSP.1

Project Name: MILTON #12 PUBLIC ELEMENTARY SCHOOL
Sheet Description: CONCEPT SITE AND GRADE PLAN

DATE: SEPT 2020
JOB No: SA 9051
DRAWN BY: [Name]
DATE: APRIL 2021
SCALE: 1:400
SHEET No: 1
JOB No: SA 9051
DATE: APRIL 2021
JOB No: SA 9051
DATE: APRIL 2021

MISTBURN ESTATES INC. (FUTURE)

ASPEN TERRACE

REDBUD

HAZEL WAY

ASH GATE

KENNEDY CIRCLE WEST

PROPOSED MILTON #12 PUBLIC ELEMENTARY SCHOOL
FFE 195-90

CHILD CARE FACILITY PROPOSED

CHILD CARE PLAY AREA

KINDERGARTEN PLAY AREA

ASPHALT PLAY AREA

POTENTIAL POTABLE LOCATIONS

GRASS PLAY AREA

POTENTIAL POTABLE LOCATIONS

ASPHALT PLAY AREA

ASPHALT PLAY AREA

ASPHALT PLAY AREA

ASPHALT PLAY AREA

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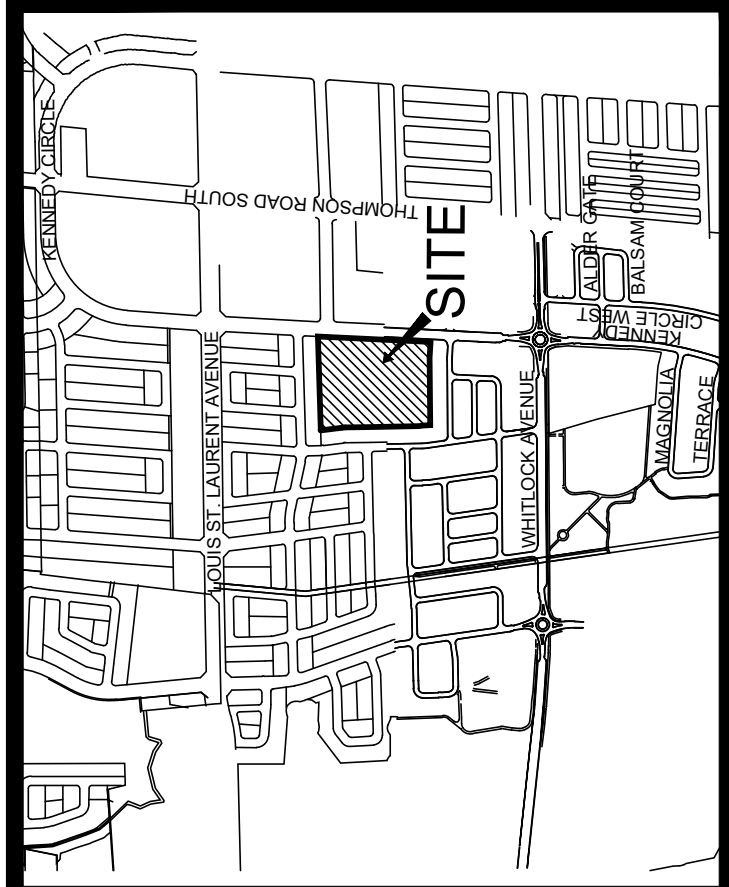
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KEY PLAN
N.T.S.

**DRAFT PLAN OF SUBDIVISION
24T-XXXXXX**

PART OF LOT 8, CONCESSION 3
NEW SURVEY
GEOGRAPHIC TOWNSHIP OF TRAFALGAR
REGIONAL MUNICIPALITY OF HALTON

SCALE: 1:500
METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METERS AND
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

**ADDITIONAL INFORMATION
REQUIRED BY CLAUSES:
SECTION 51(17) OF THE PLANNING ACT.**

A - SHOWN ON PLAN
B - SHOWN ON PLAN
C - SHOWN ON PLAN
D - SHOWN ON PLAN
E - SHOWN ON PLAN
F - SHOWN ON PLAN
G - SHOWN ON PLAN
H - MUNICIPAL PIPED WATER
I - SANDY CLAY LOAM
J - SHOWN ON PLAN
K - MUNICIPAL SANITARY & STORM SEWERS
L - NONE

OWNER'S CERTIFICATE:

I HEREBY AUTHORIZE THE FIRM OF STRATEGY 4 INC. TO PREPARE FOR APPROVAL THIS DRAFT PLAN TO THE TOWN OF MILTON

HALTON DISTRICT SCHOOL BOARD
2050 QUELPH LINE - BURLINGTON, ON L7P 5A9
SIGNATORY (ROWANA NEGOTI) ADDRESS: WRITTEN CONSENT OF SIGNATORY
SIGNATURE VALID FOR THIS PLAN ONLY

Rowana Negot
ROWANA NEGOT
DATE: 2021-04-06

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE DIMENSIONS OF THE LANDS SHOWN ON THIS PLAN TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

Robert D. McConnell
ROBERT D. MCCONNELL
FOR CONINGHAM MCCONNELL LTD
DATE: MARCH 26, 2021

SCHEDULE OF LAND USE

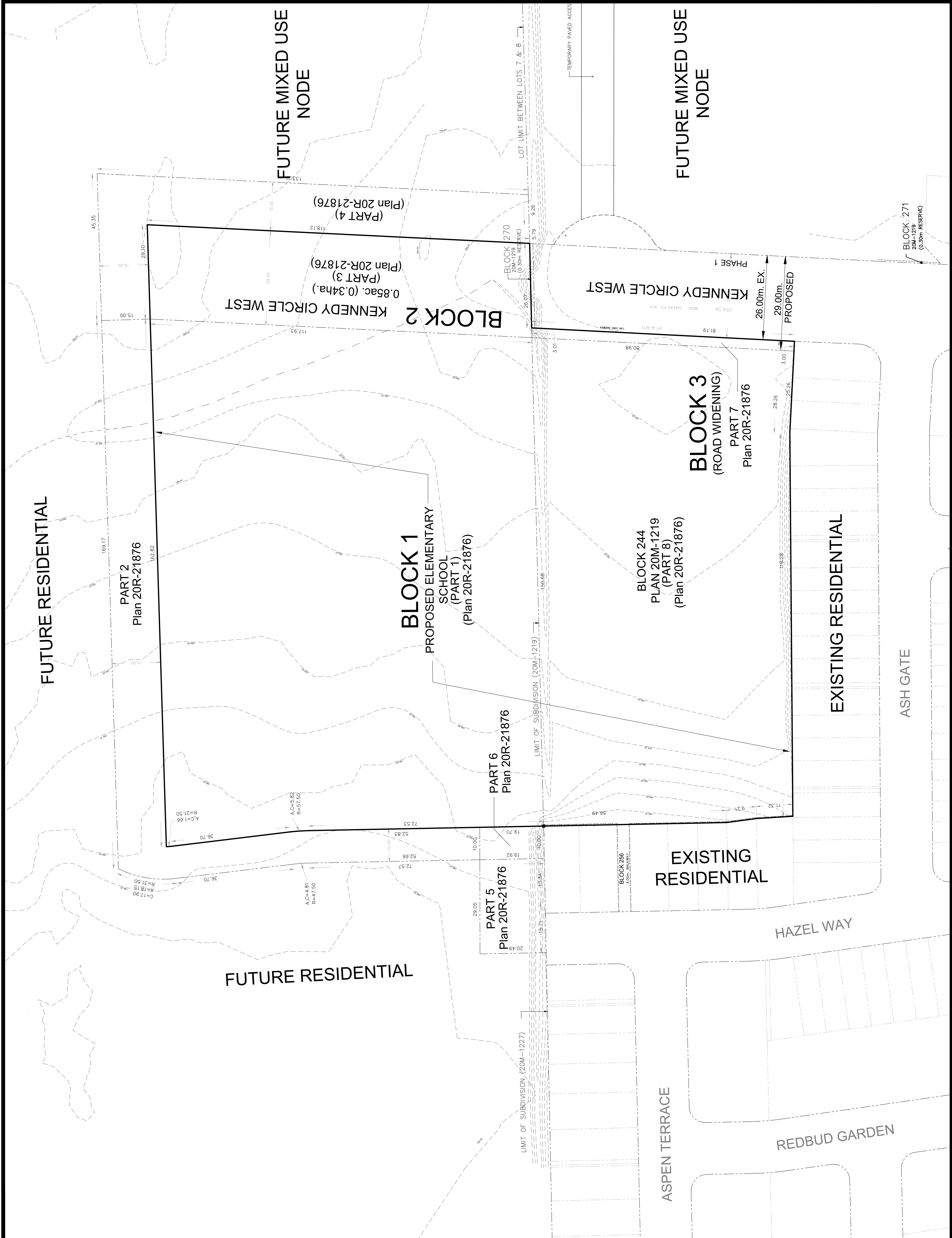
PROPOSED LAND USE	REFERENCE	(Ac.±)
SECONDARY SCHOOL	BLOCK 1	29,719.00
KC WEST EXTENSION	BLOCK 2	3,443.00
EA KC WEST WIDENING	BLOCK 3	1,000.90
		0.25

DATE	DESCRIPTION
APR 2/21	ISSUED FOR DRAFT PLAN & ZONING AMENDMENT APPROVAL
DEC 22/20	SUBMISSION TO MISTIBURN FOR REVIEW

Strategy 4

- Development Consulting
- Urban Transformation
- Urban Design
- Green Engineering

2020 Brabro Circle, Suite 100
Windsor, ON L9A 4Z7
T: (519) 885-5444



CORPORATION OF THE TOWN OF MILTON

BY-LAW NUMBER XXX-2021

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW NO. 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE PLANNING ACT IN RESPECT OF LANDS DESCRIBED AS _____, (TRAFALGAR), TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (HALTON DISTRICT SCHOOL BOARD) FILE Z-XX-21.

WHEREAS the Council of the Town of Milton deems it appropriate to amend the Comprehensive Zoning By-law 016-2014,

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

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

1. **THAT** schedule A to By-law 016-2014 is further amended by re-designating the existing Future Development (FD) zone symbol to the Minor Institutional Special Section XXX (I-A*XXX) as shown on schedule A hereto.
2. **THAT** schedule A to By-law 016-2014 is further amended by re-designating the existing Minor Institutional (I-A) zone symbol to the Minor Institutional Special Section XXX (I-A*XXX) as shown on schedule A hereto.
3. **NOTWITHSTANDING** the provisions in section 9, no person shall use the land described in section 1 of this by-law and designated I-A and numbered XXX on the plan Schedule A attached hereto, or erect or use any buildings or structure thereon, except in compliance with the following regulations:
 - a. Building Height 13.5 m
4. **THAT** Section 13.1 of By-law 016-2014 is hereby further amended by adding subsection 13.1.1.XXX as follows:
 - a. Notwithstanding Section 5.11 to the contrary, no more than one (1) loading spaces will be required.
5. **NOTWITHSTANDING** Section 4.19.1(ii)(b) only a portion of the school frontage will be required to have base course of asphalt

6. **THAT** the owner be permitted to apply for a Minor Variance Application (s) to the Town and/or the Town of Milton Committee of Adjustment, if required, before the second anniversary of the day on which the implementing Zoning By-Law for the subject lands comes into effect, to permit minor adjustments to the implementing Zoning By-Law

7. **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 to the and the Local Planning Appeals Tribunal dismisses the appeal, this by-law shall come into force on the day of it's 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 and effect the day the Board's order is issued directing the amendment or amendments.

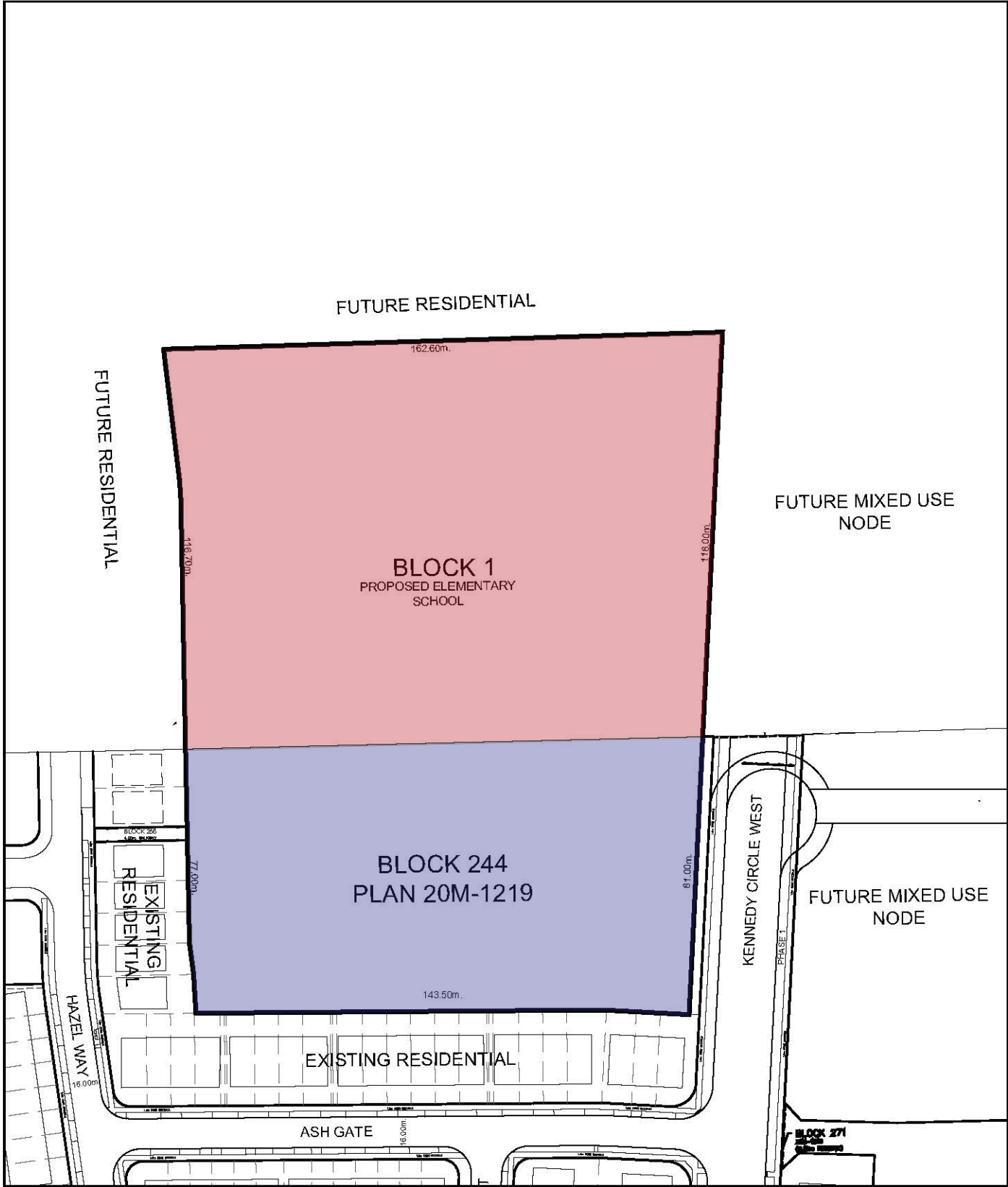
READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED this XX day of 2021.

_____ Mayor

Gordon A. Krantz

_____ Clerk

Troy McHarg



Strategy 4

- Development Consulting
- Urban Transformation
- Urban Design
- Urban Engineering

2820 Bristol Circle, Suite 100
Oakville, On L6H 6Z7
t: (905) 829-2544

MILTON #12 P.S. - SCHEDULE A TO DRAFT ZONING BY-LAW
ADDRESS TO BE ASSIGNED

LANDS TO BE RE-ZONED FROM "FD" TO "I-A" SPECIAL EXCEPTION
 LANDS TO BE RE-ZONED FROM "I-A" TO "I-A" SPECIAL EXCEPTION

1:1500

DEC. 2020