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File No: Z-7686
Planner: Barb Debbert
Mark Hefferton

TO:	CHAIR AND MEMBERS BUILT AND NATURAL ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING DIRECTOR OF LAND USE PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: MONTESSORI HOUSE OF CHILDREN 719 WATERLOO STREET AND RELATED LANDS MEETING ON AUGUST 15, 2011

RECOMMENDATION

That the Director of Land Use Planning and City Planner **BE REQUESTED** to initiate an application to amend the Official Plan to help establish the limits of private school uses within a defined area generally bounded on the north by Oxford Street (not including properties fronting on Oxford Street), Maitland Street to the east, Kenneth Avenue and the railway tracks to the south and Wellington Street to the west.

IT BEING NOTED that based on the public participation process and feedback received through this consultation process, a Planning report and recommendation addressing the Official Plan Amendment and associated zoning by-law amendment will be brought to a public meeting of the Built and Natural Environmental Committee in late 2011 for consideration and deliberation.

PURPOSE OF THE REPORT

The purpose of the report is to seek Council direction for Planning staff to initiate an amendment to the Official Plan and associated Zoning By-law in order to address the "expansions of the (Montessori) School" in the Piccadilly Area (as paraphrased from the Council Resolution dated February 8, 2011).

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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January 2002 - Piccadilly Area Neighbourhood Community Facilities Study - Day Care Centres & Private schools

February 11, 2002 – Report to Planning Committee – 2 Kenneth Avenue – This report recommended refusal of a Zoning amendment from a Residential R2 (R2-2) Zone to a Residential Special Provision R2 (R2-2(_)) Zone to permit uses accessory to the private school use at 707 and 709 Waterloo Street such as a staff room, sick room and file storage area, in addition to the existing permitted uses.

May 13, 2002 - Report to Planning Committee – This report recommended an Official Plan amendment to change the policies of Section 3.6.4 (Community Facilities) to address the concentration of community facilities in established residential areas and to require adequate on-site parking and drop-off and pick up facilities for such uses.

January 31, 2011 – Report to the Built and Natural Environment Committee – 719 Waterloo Street – This report recommended refusal of a Zoning amendment from a Residential R2 (R2-2) Zone to a Residential R2 Special Provision/Neighbourhood Facility Special Provision (R2-2(2)/NF1(_)) Zone to permit, in addition to the already permitted uses, elementary schools, churches, community centres, day care centres, libraries, private schools, fire stations, private clubs, police stations, and offices, limiting the aggregate number of student and day care places at 719 Waterloo Street combined with student and day care places at 711 Waterloo Street (the current Montessori site) to a maximum of 180, and permitting only existing buildings to be used but allowing an expansion of up to a maximum of 10% of their gross floor area.

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BACKGROUND

The history of the establishment of Montessori School uses in the Piccadilly residential area spans a period of 26 years.

711 Waterloo Street

The Montessori House of Children established a private school at 709 -717 Waterloo Street in 1984 and expanded a year later to include the first floor of 718 Waterloo Street. In 1992, Montessori further expanded the private school operation to include the adjacent property at 707 Waterloo Street. The group of converted dwellings which have been physically linked through the construction of several additions, are collectively known as 711 Waterloo Street.

311 Oxford Street East

In 1993, Montessori established a day care facility on Oxford Street East, west of Waterloo Street.

742 Waterloo Street

In March, 2001, the Montessori School applied to change the zoning of 742 Waterloo Street, from a Day Care (DC) Zone to a Neighbourhood Facility (NF1) Zone (File Z-6086) to permit a private school and to amend the definition of a "private school" to include for-profit schools that teach primary and/or secondary education. Although the neighbourhood was generally supportive of day care and private school uses, they were concerned with the traffic and parking problems generated by these uses, particularly in the peak hours. The application was approved by Council in June, 2001 with the condition that staff undertake a study for the Piccadilly Area Neighbourhood to investigate the anticipated impacts (ie. Drop-off/pick-up facilities, parking, traffic, etc.) of new day care and private school uses and the expansion of existing day care and private school uses, and to make recommendations for future land use guidelines for the area pertaining to these uses. A more complete history leading up to these events, and including the establishment of other institutional uses not owned by Montessori, is contained in the January 2002 Piccadilly Area Neighbourhood Community Facilities Study: Day Cares and Private Schools.

719 Waterloo Street

On February 8, 2001, the Montessori School applied to change the zoning of 719 Waterloo Street, from a Residential R2 (R2-2) Zone to a Residential R2 Special Provision/Neighbourhood Facility Special Provision (R2-2(2)/NF1()) Zone to permit, in addition to the already permitted uses, elementary schools, churches, community centres, day care centres, libraries, private schools, fire stations, private clubs, police stations, and offices, limiting the aggregate number of student and day care places at 719 Waterloo Street combined with student and day care places at 711 Waterloo (the current Montessori site) to a maximum of 180, and permitting only existing buildings to be used but allowing an expansion of up to a maximum of 10% of their gross floor area. This application was refused because the proposed expansion did not conform with the Community Facilities policies of the Official Plan with respect to the neighbourhood's residential amenity and character and function. Staff recommended refusal of this application and on February 8, 2011, Council recommended that staff "further review and consider, with the applicant, whether the subject site could be potentially zoned as Office Conversion rather than Neighbourhood Facility".

NEXT STEPS

The Planning Division has met with the proponent on numerous occasions to discuss the incremental nature of the expansions of the Montessori facilities in the Piccadilly neighbourhood since the School's inception in 1984. As the School continues to increase its floor space requirements, staff is seeking to establish an approach to allow these expansions and increased presence of the School within the area and yet respect the neighbourhood's residential amenity,

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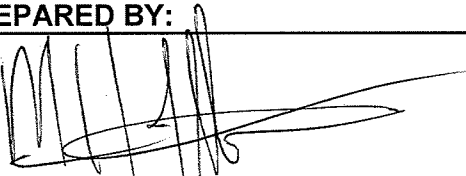

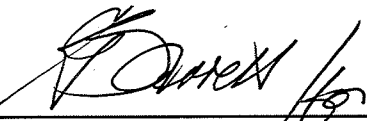
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character and function. Since the Council resolution on February 8, 2011, staff have had extensive discussions with Montessori School representatives about the available options to respond to Council's request to assist the School with their expanding needs. Based on a policy review of the implications of allowing an Office Conversion (OC) Zone, staff are of the opinion that the solution instead lies in the application of some form of Neighbourhood Facility Zone which may or may not include some controls on the uses to which the building can be used. The greatest degree of certainty regarding future expansions can, in staff's opinion, be achieved through specific Official Plan policies that set parameters for future expansions of the School within a defined geographical area.

OBJECTIVES OF THE PROPOSED OFFICIAL PLAN AMENDMENT

Planning policies and regulations are intended to direct future Montessori School structures to an area where they can best fit within communities for the benefit of the students, School operations and the neighbourhood in which they are to be situated. Consequently, City Planning staff request Council direction to undertake an Official Plan amendment application to evaluate a potential amendment to permit and regulate Montessori School structures within a defined area. Below are the objectives for the proposed changes.

1. Formally define certain geographical boundaries within which private school uses may be permitted to expand without further Official Plan Amendment(s);
2. Provide policy with regard to the intensity of private school uses within a defined geographical area;
3. Provide criteria for the review of Site Plan Control applications for private school uses within a defined geographical area.

PREPARED BY:	SUBMITTED BY:
	
M. HEFFERTON PLANNER II – COMMUNITY PLANNING & URBAN DESIGN	JAMES YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING AND URBAN DESIGN
RECOMMENDED BY:	
	
JOHN FLEMING, MCIP, RPP DIRECTOR, LAND USE PLANNING AND CITY PLANNER	

