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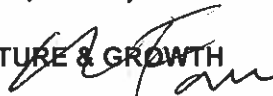
TO: GENERAL COMMITTEE


SUBJECT: OFFICIAL PLAN AMENDMENT TO PERMIT DUAL ZONING ON SCHOOL SITES

WARD: ALL

PREPARED BY AND KEY CONTACT: A. SHAIKH, PLANNER, M.PI, M.C.I.P., R.P.P. EXT #4434

SUBMITTED BY: S. NAYLOR, MES, M.C.I.P., R.P.P. DIRECTOR OF PLANNING SERVICES 

GENERAL MANAGER APPROVAL: R. FORWARD, P.ENG., MBA GENERAL MANAGER OF INFRASTRUCTURE & GROWTH MANAGEMENT 

CHIEF ADMINISTRATIVE OFFICER APPROVAL: C. LADD, CHIEF ADMINISTRATIVE OFFICER 

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**RECOMMENDED MOTION**

1. That the proposed amendment included as Appendix 'A' attached to Staff Report PLN027-14 to add wording to the Official Plan requiring future proposed school sites to be dual zoned both Education Institution (I-E) and a compatible alternative use, be approved.
2. That in all future circumstances where dual zoning is utilized on a school site in a new subdivision, Staff include as a Condition of Draft Plan Approval a requirement that the developer/landowner advise prospective purchasers as part of the Agreement of Purchase and Sale or Lease that the school site may be developed for residential uses.

**PURPOSE & BACKGROUND**

Report Overview

3. The purpose of this Staff Report is to recommend an Official Plan Amendment for the inclusion of policies to permit dual zoning on school sites zoned Educational Institution (I-E) in the City of Barrie.
4. In situations where a school board determines that it no longer intends to operate a school on a property zoned for an Educational Institution (I-E) use, the land owner has the option of applying for a rezoning to permit an alternate use.
5. In recent years, the City of Barrie has received applications from land developers seeking approval to rezone Educational Institution (I-E) properties to permit infill residential development. The development of these former school sites has been controversial due to the expectation from adjacent homeowners that these vacant lands would develop into schools as originally planned.
6. The concept of dual zoning is explained as a single property consisting of two distinct zoning designations concurrently, with each of these two zones having their own set of land use permissions and associated building standards. The intention of implementing dual zoning involves clearly articulating to surrounding land owners and future homebuyers that these

properties have been planned for the development of either a future school site, or alternatively as another compatible use such as a residential land use.

7. Similar policies for the use of dual zoning on school sites are found in the approved (but currently under appeal) Secondary Plans for the Salem and Hewitt's Planning Areas within the Annexed Lands (Official Plan Amendments 38 and 39). Both plans contain policies pertaining to the location and use of elementary and secondary school sites, including the use of dual zoning on these sites. Section 8.5.10.3c of the Salem Secondary Plan and Section 9.5.9.3c of the Hewitt's Secondary Plan each state that "school blocks will be zoned to allow alternative uses permitted by the underlying land use designation including other institutional and residential uses".
8. A public meeting to consider the proposed Official Plan policies on the implementation of dual zoning for school sites was held during General Committee on March 29, 2014. No comments were received from the general public. Members of Council asked staff questions on the ability for the City to better communicate the school dual zoning policy to residents within a new plan of subdivision. More information on this is found later in this report.
9. Planning Services staff have consulted with the councillors presiding over the wards containing the remaining vacant school sites to discuss the possibility of holding a community information session to inform residents of the potential for these properties to be rezoned into non-Educational Institution (I-E) uses. On July 15, a meeting was held at the Painswick Library organized and attended by the councillors for wards 8 and 9 to discuss the proposed amendment with local residents. The councillor for ward 7 expressed interest in holding a meeting to be scheduled at a date following the 2014 City Council election.

## **ANALYSIS**

10. The policies proposed in the attached draft Official Plan Amendment will provide a policy basis for implementing dual zoning on new school sites, allowing compatible alternate uses to be permitted on Educational Institution (I-E) properties in the event that the school board determines they no longer require the land to construct a school. Compatible uses will be limited to residential zones, or other uses already permitted in the Educational Institution zone including *Training and Rehabilitation Centre* or *Day Nursery*.
11. If approved, the amended policies will be applicable to any new school site located within the City of Barrie as it existed prior to the 2010 boundary expansion that may be proposed by the school boards at some time in the future. The policies are not proposed to be applicable to any existing school sites, or any sites within the Salem or Hewitt's Planning Areas which will be subject to the policies referenced above.

## **Communicating with Residents in New Subdivisions**

12. In order to better ensure that buyers purchasing a residential unit in a new subdivision are made aware of the potential for future school sites designated Educational Institution to alternatively be developed as residential or other Educational Institutional uses, staff recommend that draft plan approval conditions for new plans of subdivision require a document explaining this policy be included as part of the Agreement of Purchase and Sale or Lease Agreement. In addition to explaining the alternative development scenario, this document would also include a lot layout plan demonstrating that the property is configured in a manner which would permit future development for residential uses.
13. Staff also recommends that developers be required to make a copy of the policy and lot plan available in any sales and information trailer/office for any new subdivisions containing a school site.

14. Staff note that the above described practice would apply across the entire City of Barrie, including the expanded boundaries that came into effect on January 1, 2010 in accordance with the Barrie-Innisfil Boundary Adjustment Act.

Existing School Sites in the City of Barrie (Pre-2010 Annexation Boundaries)

15. Currently, there are three undeveloped sites zoned Institutional Educational (I-E) within the City of Barrie's pre-2010 municipal boundaries. A summary of each of these sites is provided in the table below. A map showing the location of each of these properties can be found in Appendix 'B'.

Map #	Location	Current Owner	Current Zoning
1	600 Mapleview Dr E	Simcoe County District School Board	I-E
2	740 Essa Rd	Simcoe Muskoka Catholic School Board	I-E (SP 208)
3	100 Red Oak Dr	Simcoe County District School Board	I-E (SP 181)

**Table 1: List of currently vacant, undeveloped school sites within the City of Barrie**

16. Each of the above mentioned properties are existing undeveloped school sites that have already been zoned Institutional Educational (I-E) by Zoning By-law 2009-141. Due to this fact, the process of implementing dual zoning on these properties would require the City of Barrie to file a Zoning By-law Amendment application to rezone these lands to permit the dual zones. This is the same procedure required by any land owner seeking to change the zoning on a property, including those intending to develop vacant school sites into residential uses.
17. Similar to any rezoning sought by a land owner, a City of Barrie initiated rezoning would also require the filing of a Zoning By-law Amendment application with the requisite background information, a Staff Report to be prepared by Planning Services providing a recommendation on the application, the scheduling of a public meeting during General Committee to consider the rezoning, and a decision to be rendered by City Council. The final decision would be open to third-party appeal, as is the case with any decision made by Council on a Zoning By-law Amendment. Thus, a City initiated rezoning to implement dual zoning on the three remaining unsold vacant school sites is not recommended as it provides no benefit to surrounding land owners over the standard rezoning process that would be required by private land owners seeking to redevelop these lands for alternative uses.
18. Based on the foregoing, staff does not recommend that the City of Barrie file a Zoning By-law Amendment application to permit dual zoning on the remaining unsold vacant school sites identified in Table 1. Instead, in the future potential scenario that the school boards decide to sell any of the remaining vacant sites, the standard rezoning process will take effect including the preparation of a recommendation by Planning Services, the scheduling and holding of a public meeting, and a decision to be made by City Council. Furthermore, any new properties zoned Educational Institution (I-E) in the future would be subject to the proposed Official Plan policies to permit dual zoning on school sites.
19. The process of rezoning existing vacant school sites to permit dual zoning differs from the process being proposed by the Secondary Plans for the Annexed Lands, due to the fact that the Annexed Lands predominantly consist of vacant, undeveloped lots. None of the properties within the Annexed Lands area have been zoned at this point. The policies of the Secondary Plan with respect to the use of dual zoning will be followed and communicated as per paragraphs 12 to 14 of this Staff Report. As a result, future homebuyers will benefit by being able to identify the dual

zoning on these sites prior to their decision to purchase a property, and would be aware of the possibility for their development into either a school or into another compatible land use such as for residential lots. This same benefit will not be available to homeowners surrounding the vacant undeveloped school sites listed in Table 1, as these sites are located in already developed and occupied residential subdivisions.

#### **ENVIRONMENTAL MATTERS**

20. There are no environmental matters related to the recommendation.

#### **ALTERNATIVES**

21. The following alternative is available for consideration by General Committee:

##### **Alternative #1**

General Committee could direct staff to file a Zoning By-law Amendment to implement dual zoning on the existing vacant school sites zoned Institutional Educational (I-E) located throughout the City of Barrie.

This alternative is not recommended as there has been no benefit to local residents identified as a result of the rezoning.

#### **FINANCIAL**

22. There are no financial implications for the Corporation resulting from the proposed recommendation.

#### **LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN**

23. The recommendation included in this Staff Report is not specifically related to the goals identified in the 2010-2014 City Council Strategic Plan.

Attachments – Appendix "A" – Draft Official Plan Amendment  
Appendix "B" – Map of Undeveloped Educational Institution Properties

**Appendix A: Official Plan Amendment**

**PART A - THE PREAMBLE**

**Purpose**

The purpose of this amendment is to amend Section 4.5.2.5 Education Facilities policies in the Official Plan to permit the use of dual zoning on elementary and secondary school sites in the City of Barrie.

**Location**

This is a text amendment to Section 4.5.2.5 of the Official Plan and will apply to lands designated Educational Institution located across the entire City of Barrie.

**Basis**

On June 25, 2012, City Council adopted motion 12-G-191 regarding "Future Development of Proposed School Sites" as follows:

*"That the Growth Management Coordinator and staff in the Planning Services Department investigate opportunities to provide reasonable assurances to area residents regarding the future development of proposed school sites in circumstances where a school board may determine that it no longer intends to proceed with the construction of a school, and report back to General Committee on mechanisms to provide such assurances, including but not limited to implementing dual zoning of proposed school sites and requiring developers to identify potential lot configurations for school blocks."*

The policies contained in this amendment will implement dual zoning on proposed school sites in the City of Barrie, and will require land developers to identify potential lot configuration plans for alternative uses as part of a submission for a plan of subdivision.

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**PART B - THE AMENDMENT**

**Details of the Amendment**

That Section 4.5.2.5 of the Official Plan be amended by adding subsection 'e' and 'f'.

**4.5.2.5 EDUCATION FACILITIES**

- (e) All new lands to be designated 'Educational Institutional' will be correspondingly zoned such that residential uses will also be permitted if a secondary school or elementary school is not developed on all or a portion of a particular site.
- (f) As part of the approval of a plan of subdivision, a lotting plan shall be submitted to demonstrate that these blocks are configured in a manner which will permit future development for residential uses, and shall be provided as part of the Agreement of Purchase and Sale for properties within the subdivision.

APPENDIX "B"

Locations of vacant Institutional Education (I-E) properties throughout the City of Barrie

