



# The Corporation of the Town of Milton

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Report To:	Committee of Adjustment and Consent
From:	Olivia Hayes
Date:	August 28, 2025
File No:	A25-048M
Subject:	396 Williams Avenue
Recommendation:	<b>THAT the application for minor variance BE APPROVED SUBJECT TO THE FOLLOWING CONDITION:</b>

1. That Site Plan Approval be granted within two years of the date of decision.

## General Description of Application

Under Section 45(1) of the Planning Act, the following minor variance to Zoning By-law 016-2014, as amended, has been requested to:

- Reduce the minimum interior side yard setback from 12 metres to 9 metres, representing a decrease of 3 metres
- Permit an accessory structure to be located within the front yard
- Not require additional loading spaces to be provided for the proposed additions to the Secondary School.

The Subject Property, known municipally as 396 Williams Avenue, is located generally north of Derry Road and west of Ontario Street within Milton's established urban area. Currently, the Subject Property is occupied by Milton District High School, with associated surface parking, a track field, and several portables. This minor variance application seeks to facilitate a 3-storey addition to the school for additional classroom space, as well as a 1-storey addition to accommodate a new daycare facility. The application is also seeking minor variances related to the placement of portables and an accessory storage structure. Zoning deficiencies addressed in this application were identified through the Site Plan Application process (file SP-06-25).

**Official Plan Designation (including any applicable Secondary Plan designations)**

*Halton Region Official Plan*

**Official Plan Designation (including any applicable Secondary Plan designations)**

The Subject Property is designated Urban Area and Regional Natural Heritage System per Map 1 - Regional Structure. The Urban Area designation applies to lands with current or planned servicing; these lands are intended to accommodate the Region's residential and employment growth. The Regional Natural Heritage System designation is intended to preserve and enhance the biological diversity and ecological functions of these lands and features within Halton Region. Note that none of the proposed works are within the Natural Heritage System.

*Town of Milton Official Plan*

The Subject Property is designated Residential Area and Natural Heritage System per Schedule B - Urban Area Land Use Plan. While the Residential Area designation is primarily intended to accommodate residential uses, policy 3.2.2(h) also permits local institutional uses such as schools and day care facilities, subject to the policies of sections 3.2.3.6 and 3.2.3.7. The former policy provides general criteria for the establishment of local institutional or local commercial uses (excluding schools), while the latter establishes more detailed criteria for evaluating appropriate sites and locations.

With respect to the Natural Heritage System, policy 4.9.3.2 states that the proponent of any development or site alteration that meets the criteria set out in Section 4.9.3.3 is required to carry out an Environmental Impact Assessment (EIA), unless:

- a) it is a use conforming to this Plan and permitted by the zoning by-law;
- b) it is a use requiring only an amendment to the Zoning By-law and is exempt from this requirement by specific policies of this Plan; or
- c) exempt or modified by specific policies of the Regional Plan; or
- d) the proponent can demonstrate to the satisfaction of the Town and Region that the proposal is minor in scale and/or nature and does not warrant an EIA.

Planning staff have not requested an EIA, as the application entails an addition to an already-developed site, and both the school and daycare uses are permitted by the Official Plan and Zoning By-law. In addition, the proposed development is located at the closest approximately 90 metres from the Natural Heritage System.

It is Staff's opinion that the proposal is in conformity with the Halton Region Official Plan and the Town of Milton Official Plan.

## Zoning

The Subject Property is zoned Major Institutional (I-B) and Natural Heritage Zone (NHS) per Zoning By-law 016-2014. The Major Institutional zone permits a full range of institutional uses, including schools and day care centres, along with accessory buildings and structures. Meanwhile, the Natural Heritage System zone permits existing uses, conservation use, forestry use, and home occupation use.

Variance One: Table 9B, Footnote 2 of the Zoning By-law directs that the minimum interior side yard setback is 12 metres where a Major Institutional Zone abuts a residential Zone. The applicant is seeking a minimum interior side yard setback of 9 metres for the additional portables, representing a decrease of 3 metres.

Variance Two: Table 4B of the Zoning By-law requires that within non-residential zones, accessory structures may only be located within the interior side yard or rear yard. The applicant is seeking permission to locate an accessory structure (specifically, a seacan container) within the front yard of the Subject Property.

Variance Three: Section 5.4(ii) of the Zoning By-law directs that if an addition is made to a building increasing its gross floor area, additional parking and loading spaces shall be provided for the additional gross floor area as required by the regulations of this By-law. Table 5J of the Zoning By-law directs that for an addition between 2326 square metres and 7440 square metres in Institutional Zones, an additional 2 loading spaces are required. The applicant is requesting an exemption from requiring these additional loading spaces.

## Consultation

### *Public Consultation*

Notice for the hearing was provided pursuant to the Planning Act on August 11, 2025. As of the writing of this report on August 19, 2025, staff have not received any comments from members of the public.

### *Agency Consultation*

No objections were filed with respect to the variance application from Town staff or external agencies. Conservation Halton has confirmed that a Development Clearance letter was previously issued for the proposed development, and that there are no objections to the approval of the application.

## Consultation

### Development Services Comments

Planning staff have no concerns with the application, and do not anticipate adverse impacts on adjacent properties. Staff are of the opinion that the application is minor in nature, maintains the intent of the Zoning By-law and Official Plan, and is desirable for the appropriate use of the land. The applicant has collaborated with Town staff to reduce the number of variances required and bring the site plan into greater conformity with the Zoning By-law.

With respect to Variance One, the intent of this zoning provision is to ensure that institutional buildings have adequate separation from abutting uses, particularly residential uses. As the proposed interior side yard setback maintains a generous distance of 9 metres, Planning staff are satisfied that sufficient separation is still provided, and the intent of the Zoning By-law is maintained. Further, the proposed portables are only necessary to accommodate students while the school addition is being constructed, and would be removed once occupancy is granted for the addition. The proposed portables also cannot be shifted farther from the interior lot line due to the space required for the temporary Fire Route.

Considering Variance Two, the intent of this zoning provision is to maintain a high quality of streetscape design and prevent negative visual impacts of accessory structures as viewed from the public realm. The proposed accessory structure is a seacan meant to provide storage for the existing track field, replacing a previous storage shed. While the accessory structure would technically be located in the front yard, it would have a setback of 94.87 metres from the front lot line (Commercial Street) and a setback of 18.78 metres from the exterior lot line (Williams Avenue). As such, the location of the accessory structure maintains the intent of the Zoning By-law by minimizing its visual prominence from the public realm. In addition, the proposed location of the seacan adjacent to the track field is desirable and appropriate for its intended use.

Lastly, respecting Variance Three, the intent of this zoning provision is to ensure that sufficient loading spaces are provided to support the use of a property. The Zoning By-law requires minimum dimensions of 3.5 metres by 12 metres for a loading space, intended to accommodate a larger truck (such as a box truck or a 40-foot truck). The Subject Property has one existing loading space that meets these minimum dimensions. The applicant has confirmed that the school does not receive shipments from large trucks, but rather from smaller delivery vehicles (such as sprinter vans and step vans), and that multiple areas in the parking lot can accommodate these vans and trucks. As



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## Consultation

such, Planning staff are satisfied that the intent of the Zoning By-law is maintained, and adequate space is provided in the parking area to support the use and functionality of the Subject Property. Moreover, the provision of only one loading space is consistent with similar precedents, such as the recently approved site-specific zoning for St. Kateri Tekakwitha Catholic Secondary School.

Respectfully submitted,

Olivia Hayes, B.E.S.  
Planner, Development Review

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## Attachments

Figure 1 - Site Plan