

**DATE:** February 11, 2022

**TO:** Mayor and Members of Council

**FROM:** Haiqing Xu, Deputy City Manager, Planning and Growth Management

**RE:** COMMUNICATION – Council, February 15, 2022

Item #1, Report #6  
TORONTO DISTRICT CHRISTIAN HIGH SCHOOL  
ZONING BY-LAW AMENDMENT FILE Z.21.007  
325 WOODBRIDGE AVENUE  
VICINITY OF KIPLING AVENUE AND WOODBRIDGE AVENUE

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### **Recommendation**

1. That the recommendations contained in the report by the Deputy City Manager, Planning and Growth Management, for Item 1, Report No. 8 of the February 8, 2022, Committee of the Whole (2), be approved,
2. THAT the Owner's request to change the zone on the Subject Lands under Zoning By-law 001-2021 from "U Utility Zone" to "Exception I1-1087", to bring the Subject Lands under one common zone, with the school lands to the west, under the "Exception I1-1087" to By-law 001-2021 be addressed through a technical amendment to Zoning By-law 001-2021.

### **Background**

Vaughan Council, on September 14, 2021, approved Zoning By-law Amendment Application Z.21.007 (enacted as Zoning By-law 123-2021) for the subject lands ('Subject Lands') located at 325 Woodbridge Avenue. By-law 123-2021 permits a retail store as an accessory use with a maximum gross floor area ('GFA') of 330 m<sup>2</sup> within the existing firehall building located on the Subject Lands.

The Owner submitted a building permit application after October 20, 2021. Building Permits filed after this date are reviewed under both Zoning By-law 1-88 and Zoning By-law 001-2021 in accordance with the Ontario Building Code. The Owner is seeking a variance to increase the GFA of the retail use to 550 m<sup>2</sup> to address Building Code requirements regarding the occupancy areas within the building, as discussed in the Committee of the Whole (2) Report dated February 8, 2022.

That Report contained two recommendations, as follows:

- Recommendation 1 would permit the Owner to file a Minor Variance Application(s) to the Vaughan Committee of Adjustment, before the second anniversary of the day on which the implementing Zoning By-law for the Subject

Lands came into effect, to permit minor adjustments to the implementing Zoning By-law (123-2021) under By-law 1-88

- Recommendation 2 would zone the Subject Lands into “Exception I1-1087” through a future City-initiated technical amendment to Zoning By-law 001-2021. The “I1-1087” exception would bring the subject lands into a common zone with the Toronto District Christian High School (‘TDCHS’) Campus located at 377 Woodbridge Avenue

The Comprehensive Zoning By-law 001-2021 approved a “U Utility Zone” category on the Subject Lands which does not permit the retail use. The Owner requested that Council change the zoning on the subject lands to “Exception I1-1087” to bring the Subject Lands under the same zone category as the remainder of the TDCHS school lands.

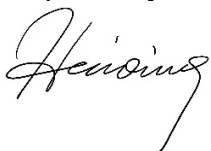
Development Planning Staff discussed this with the Owner and advised that their request to change the zone on the Subject Lands from “U Utility Zone” to “I1-1087”, which is a site-specific exception to the General Institutional Zone applicable to the TDCHS lands at 377 Woodbridge Avenue, represents a rezoning of the Subject Lands. The City will review and address this request through a future City-initiated technical amendment to Zoning By-law 001-2021 in order to apply the correct zone category to the Subject Lands. A report on the overall Comprehensive Zoning By-law 001-2021 addressing all exceptions to be carried forward from Zoning By-law 1-88 to Zoning By-law 001-2021 is intended to be brought forward in the Spring of 2022.

A resolution at the February 8, 2022, Committee of the Whole (2) Meeting with the intended to revise Staff’s recommendations to permit this technical amendment to Zoning By-law 001-2021 at the February 15, 2022 Council Meeting. However, Recommendation 2 involves a rezoning of the Subject Lands through a City-initiated amendment, and it is not possible for Council to approve a Zoning By-law amendment to By-law 001-2021 at the February 15, 2022 Council Meeting without addressing the requirements of Section 34 of the *Planning Act* to implement a change in zoning. This includes a statutory public meeting and notification requirements.

On this basis, the Recommendations in the February 8, 2022 Committee of the Whole Report (2) should remain as noted.

For more information, contact Nancy Tuckett, Director of Development Planning ext. 8259

Respectfully submitted by



Haiqing Xu  
Deputy City Manager, Planning and Growth Management