

**Appeals of City of Toronto Zoning By-law 569-2013
Issues List of the Toronto District School Board (“TDSB”)**

1. Is it appropriate, as a matter of good planning and conformity with the City’s Official Plan, to exclude all school sites owned by TDSB from City of Toronto Zoning By-law 569-2013 (the “**By-law**”) by identifying them as “holes” in the By-law?
2. It is appropriate, as a matter of good planning and conformity with the City’s Official Plan, for the By-law to establish a new “Institutional School” (I(S)) zone category with the intent of placing all existing school sites within that zone, thereby effectively limiting the range of uses of these school sites to school and recreational facilities and prohibiting schools in all other zone categories (except for the lawful continuation of existing uses), particularly given the policy direction taken by the City in its Official Plan to acknowledge that it is appropriate to allow for schools as-of-right in virtually all land use designations across the City?
3. As a matter of good planning and conformity with the City’s Official Plan, should the By-law be amended by carrying forward the City’s historic practice of permitting schools in virtually all zones, subject to appropriate locational criteria and performance standards to determine the appropriate range and mix of accessory uses?
4. Is the By-law deficient in failing to recognize the essential “community hub” function served by TDSB sites and the need for flexibility to accommodate the establishment of additional uses to allow for “community hubs” at strategically appropriate locations across the City? Should the By-law be amended by identifying criteria to determine appropriate locations for “community hubs”, and an additional range of use permissions commensurate with their intended neighbourhood and broader community functions?

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5. Is the By-law deficient in failing to recognize the important distinction between the role and function of school sites that are publicly funded and operated by public bodies such as the TDSB and TCDSB, on the one hand, and privately funded and operated school facilities, on the other, given their different constitutional and statutory status?
6. Is it appropriate to consider certain TDSB school sites for appropriate “up-zoning” from previous limited Institutional or School zones on a case-by-case basis, having regard to the same locational criteria and capability of satisfying the applicable performance standards?
7. Should the definition of “School” in the By-law be amended to read as follows:

“Public School”

means premises used for elementary and secondary education regulated and funded under the *Education Act*, R.S.O. 1990, c. E.2, as amended and including uses ancillary thereto;
8. Should the By-law be amended by adding an exception for “lawful/lawfully existing” school sites within Employment Industrial zones, consistent with the corresponding exception in other zones?
9. Should additional site-specific exceptions be added under Chapter 900 of the By-law to identify new school sites which have been added or are in progress since the By-law was adopted in 2013?

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