C2 PLANNING 138 – 157 Adelaide St. West M5H 4E7 Toronto ON



June 25, 2021

To: Councillor Ana Bailão, Chair
Council Members of the Planning and Housing Committee
10th floor, West Tower, City Hall
100 Queen Street West
Toronto, ON
M5H 2N2

Attention: John D. Elvidge, City Clerk

Nancy Martins, Administrator Planning and Housing Committee

# Re: Item PH25.5 - Zoning Conformity for Official Plan Employment Areas - Phase 1 Final Report and Phase 2 Update

Dear Chair Bailão and Council Members of the Planning and Housing Committee ("PHC"),

We are the land use planning consultants for the operators of <u>Soulmutts Toronto Limited</u>, a dog walking, dog daycare and overnight dog boarder occupying the premises municipally-known as Unit 2, 818 Eastern Avenue. *Kennels* are only a permitted use in one zoning category in the entire Zoning By-law, in the "E" Employment Industrial Zone in By-law 569-2013. It is also not recognized, defined or permitted as a use in Former City of Toronto Zoning By-law 438-86, thereby effectively prohibiting the use in all of the areas where the Former City of Toronto Zoning By-law is still in force and effect.

My client is seeking a <u>motion from the Committee and Council to include "Kennel" as a permitted use in certain compatible Chapter 60 Employment-Industrial zone sub-categories</u>, those not currently permitting *kennels* as a land use in the employment zoning classifications being the "EO" Employment Industrial Office Zone, and "EL" Employment Light Industrial Zone in By-law 569-2013, <u>as well as in all compatible industrial and reinvestment districts in the Former City of Toronto Zoning By-law 438-86.</u>

The zoning conformity exercise provides the City the opportunity to amend the employment zones to remove incompatible sensitive land uses, as proposed by Staff, to bring the By-law into conformity with the uses contemplated in the General and Core Employment Land Use Designations in the Official Plan. It also provides the City the opportunity to amend the By-law to include compatible employment uses, such as *kennels*, to other employment zone categories, now that other sensitive land uses are proposed to be removed, that would be incompatible with *kennels*.

A "Kennel" is defined in By-law 569-2013 as "premises used for boarding, training or breeding of dogs, cats or other domestic animals." Kennels, in our opinion, conform to the uses contemplated in the General and Core Employment Areas in the Official Plan, however are only currently permitted in one specific employment zone category ("E" Employment-Industrial Zone) in By-law 569-2013.

Currently, *kennels* are not included in the "EO" Office-Employment and "EL" Employment Light Industrial Zones, that have in our opinion, compatible uses in those other employment zones and with the proposed amendments to remove incompatible sensitive land uses, provides that *kennels* are a use that are compatible with the remaining permitted uses in the "E", "EL" and "EO" zones.

On the attached chart (as Schedule 1), "Kennel" is highlighted and identified as a "retail and service use". No other zoning classification in the entire zoning by-law permits "kennel". There is no permission at all in the Former City of Toronto Zoning By-law 438-86 for kennels or pet boarding. The use is an unrecognized and prohibited use both in the Former City of Toronto Zoning By-law and in all other areas of the City that are not zoned as "E" Employment-Industrial in By-law 569-2013.

The existing *kennels* in the City are in mixed-use zones, employment, regeneration and commercial areas, and co-exist with surrounding commercial, industrial and employment land uses without land use conflict or incompatibilities. It would be a logical to extend the land use permission for *kennels* in the EL and EO zones, as well as all of the compatible Industrial Districts zoning (I1, I2, I3, and IC) and Reinvestment Area Districts (RA) in By-law 438-86, where most of the City's currently-operating *kennels* are located and are not recognized as a land use in the Former By-law.

Similar and complementary uses to *kennels* are currently permitted in the other employment zones, such as veterinary hospitals, pet services and animal shelters. A kennel is a logical addition to the existing permission in the other employment zones that already permit similar animal-care uses.

Given all of the above, we respectfully recommend that the Committee moves that:

- 1. Zoning By-law 569-2013, as amended, is further amended as follows:
  (A) In Clause 60.10.20.10, Regulation (1), add "Kennel"
- 2. Zoning By-law 569-2013, as amended, is further amended as follows:
  (A) In Clause 60.40.20.10, Regulation (1)(A), add "Kennel"
- 3. Zoning By-law 569-2013, as amended, is further amended as follows:
  (A) In Clause 60.40.20.10, Regulation (1)(B), add "Kennel"
- 4. Section 9(1)(f)(b) of the former City of Toronto Zoning By-law 438-86, as amended, is further amended as follows:
  - (A) Under the category "RETAIL AND SERVICE SHOPS" add "kennel" as a permitted use and accessory use in the 11, 12, 13 and IC districts.
- Section 7(1)(f)(b)(iv) of the former City of Toronto Zoning By-law 438-86, as amended, is further amended as follows:
  - (A) Under the category "RETAIL AND SERVICE SHOPS" add "kennel" as a permitted use and accessory use.

Thank you and Regards,

Christian Chan MCIP/OPPI (Provisional/Candidate) 416-858-2254 <a href="mailto:christian@c2planning.com">christian@c2planning.com</a>

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Page 3 of 3

## **ZONE CATEGORY**

## **ZONE SYMBOL**

## **ZONE NAME**

#### **BY-LAW 569-2013 SECTION REFERENCE**

P - Permitted Use	
K PC - Permitted Use with Condition (s)	
E EP - Existing Permitted Use	
Υ	

PARK AND RECREATION RELATED USES		O USES  ed Uses/ Not Defined Uses	Section 150 Use				
PARK AND RECREATION RELATED USES		ou cood, Not Boilliou cood	130 030	1			
Market Garden   Park		PARK AND RECREATION RELATED USES					
BOUSD (530)   Park	800.50 (10)	Agricultural Use					
S00.50 (120)   Cemetery   Cemetery   S00.50 (120)   Cemetery   S00.50 (135)   S00.50 (145)   S	800.50 (465)	Market Garden					
800.50 (160) Columbarium 800.50 (1470) Mausoleum 800.50 (3015) Funeral Visitation Centre 800.50 (3015) Funeral Visitation Centre 800.50 (300) Stable 800.50 (300) Stable Marina  RESIDENTIAL USES 800.50 (270) Pec   PC   PC   PC   PC   PC   PC   PC   P	800.50 (530)	Park		Р	Р		Р
800.50 (135) 800.50 (136) 800.50 (260) 800.50 (665) Recreation Uses Firing Range Golf Course 800.50 (800) 800	800.50 (120)	Cemetery					
800.50 (470)	800.50 (160)	Crematorium		PC	PC	PC	
B00.50 (300)   Funeral Visitation Centre   PC   PC   PC   PC   PC   PC   PC   P							
PC   PC   PC   PC   PC   PC   PC   PC							
Firing Range							
Residential Uses	800.50 (665)			PC	PC		PC
RESIDENTIAL USES			150.130				
Marina   RESIDENTIAL USES   Divelling Unit (if located in a permitted residential building type)   Secondary Suile   150.10   Secondary Suile   150.5   Secondary Suile   150.5   Secondary Suile   Secondary Su	000 50 (000)						
RESIDENTIAL USES   200.50 (220)   Dwelling Unit (if located in a permitted residential building type)   200.50 (735)   Secondary Suite   150.10	800.50 (800)						ļ
800.50 (220)		Marina					<u> </u>
150,10   150,5   150,10   150,5   15		RESIDENTIAL USES					
150,10   150,5   150,10   150,5   15	800.50 (220)						
RESIDENTIAL BUILDING TYPES	800.50 (735)	Secondary Suite	150.10				
RESIDENTIAL BUILDING TYPES	800.50 (345)		150.5				
Soc. 50 (180)   Detached House   Semi-Detached House   Semi-Deta	800.50 (605)	Private Home Daycare					
Soc. 50 (180)   Detached House   Semi-Detached House   Semi-Deta		PESIDENTIAL BUILDING TYPES					
800.50 (745)   Semi-Detached House	800 50 (180)						
800.50 (865)   Townhouse	, ,						
800.50 (215)   Duplex	` '						
800.50 (875)	' '						
800.50 (265)	' '						
SHARED HOUSING/ RESIDENCES   SHARED HOUSING/ RESIDENCES   STARED HOUSING/ RESIDENCES   SU0.50 (325)   Group Home   150.15   Su0.50 (480)   Municipal Shelter   Su0.50 (505)   Nursing Home   Su0.50 (700)   Residential Care Home   Su0.50 (700)   Residential Care Home   Su0.50 (725)   Retirement Home   Rooming House   Seniors Community House   Su0.50 (885)   Religious Residence   Su0.50 (886)   Religious Residence   Su0.50 (350)   Hospice Care Home   Su0.50 (350)   Hospice Care Home   Su0.50 (710)   Respite Care Facility   Su0.50 (350)   Hospice Care Home   Su0.50 (710)   Respite Care Facility   Su0.50 (350)   Hospice Care Home   Su0.50 (710)   Respite Care Facility   Su0.50 (350)   Hospice Care Home   Su0.50 (710)   Respite Care Facility   Su0.50 (350)   Hospice Care Home   Su0.50 (710)   Respite Care Facility   Su0.50 (350)   Hospice Care Home   Su0.50 (710)   Respite Care Facility   Su0.50 (350)   Hospice Care Home   Su0.50 (710)   Respite Care Facility   Su0.50 (350)   Hospice Care Home   Su0.50 (710)   Respite Care Facility   Su0.50 (710)   Su0.50 (710)   Respite Care Facility   Su0.50 (710)   Respite Care Facility   Su0.50 (710)   Respite Care Home   Su0.50 (710)   Respite Care Facility   Su0.50 (710)	` ,	·					
SHARED HOUSING/ RESIDENCES   Stroup Home   150.15	' '	·					
Substitute	800.50 (475)	Mixed Use Building					
Substitute		SHAPED HOUSING/ DESIDENCES					
Sou	800 50 (325)		150 15				
800.50 (505)         Nursing Home           800.50 (700)         Residential Care Home           800.50 (725)         Retirement Home           Rooming House         150.25           800.50 (750)         Seniors Community House           800.50 (685)         Religious Residence           800.50 (840)         Student Residence           800.50 (710)         Respite Care Facility           800.50 (350)         Hospice Care Home           OFFICES           800.50 (785)         Software Development and Processing Office (medical clinic)           P         P         P           P         P         P           800.50 (20)         Amusement Arcade         RETAIL AND SERVICE USES           800.50 (225)         Eating Establishment         150.100           PC         PC         PC           800.50 (845)         Take-out Eating Establishment         150.100		•					PC
Residential Care Home	` '	·	100.22				
Retirement Home							
Rooming House	` ,						
Seniors Community House	,		150.25				
800.50 (840)       Student Residence         800.50 (710)       Respite Care Facility         800.50 (350)       Hospice Care Home         OFFICES         800.50 (785)       Software Development and Processing Office Medical Office (medical clinic)         Medical Office (medical clinic)       P         RETAIL AND SERVICE USES         800.50 (20)       Amusement Arcade         800.50 (225)       Eating Establishment         150.100       PC       PC       PC         PC       PC       PC       PC         PC       PC       PC       PC	800.50 (750)	•	150.30				
800.50 (710)       Respite Care Facility         800.50 (350)       Hospice Care Home         OFFICES         800.50 (785)       Software Development and Processing Office (medical clinic)         Medical Office (medical clinic)       P         RETAIL AND SERVICE USES         800.50 (20)       Amusement Arcade         800.50 (225)       Eating Establishment         150.100       PC       PC         PC       PC         PC       PC	800.50 (685)	Religious Residence					
800.50 (350)	800.50 (840)	Student Residence					
OFFICES   Software Development and Processing   PC   P   P   P   P   P   P   P   P	800.50 (710)	·					
800.50 (785) Software Development and Processing Office Medical Office (medical clinic)  RETAIL AND SERVICE USES  800.50 (20) Amusement Arcade 800.50 (225) Eating Establishment 800.50 (845) Take-out Eating Establishment  150.100  PC P P P P P P P P P P P P P P P P P P	800.50 (350)	Hospice Care Home					
800.50 (785) Software Development and Processing Office Medical Office (medical clinic)  RETAIL AND SERVICE USES  800.50 (20) Amusement Arcade 800.50 (225) Eating Establishment 800.50 (845) Take-out Eating Establishment  150.100  PC P P P P P P P P P P P P P P P P P P		OFFICES					
Office Medical Office (medical clinic)  RETAIL AND SERVICE USES  800.50 (20)	800.50 (785)			PC	P		Р
Medical Office (medical clinic)   P	000.00 (1.00)	·					
800.50 (20)       Amusement Arcade         800.50 (225)       Eating Establishment         800.50 (845)       Take-out Eating Establishment             150.100         PC       PC         PC       PC							
800.50 (20)       Amusement Arcade         800.50 (225)       Eating Establishment         800.50 (845)       Take-out Eating Establishment             150.100         PC       PC         PC       PC		DETAIL AND CERVICE LICES					
800.50 (225)       Eating Establishment       150.100       PC       PC       PC         800.50 (845)       Take-out Eating Establishment       PC       PC       PC	800 50 (20)						<u> </u>
800.50 (845) Take-out Eating Establishment PC PC PC	, ,		150 100	PC	PC -		PC
	, ,		155.166				
	, ,						

900 F0 (F)	Adult Entertainment	450 440				
800.50 (5)	Adult Entertainment Cabaret	150.110				
800.50 (115) 800.50 (490)	Nightclub					
800.50 (490)	Financial Institution		Р	Р		Р
800.50 (243)	Automated Banking Machine		P	P		P
800.50 (295)	Funeral Home	150,120	•	•		
800.50 (305)	Gaming Establishment	130.120				
800.50 (360)	Hotel					PC
800.50 (380)	Kennel			P		10
800.50 (555)	Personal Service Shop					PC
800.50 (937)	Wellness Centre					Р
800.50 (467)	Massage Therapy					P
800.50 (565)	Pet Services			Р		·
800.50 (235)	Entertainment Place of Assembly			-		
800.50 (795)	Sports Place of Assembly					
800.50 (715)	Retail Service			PC		PC
800.50 (720)	Retail Store		PC	PC		PC
800.50 (860)	Tourist Home					
800.50 (755)	Service Shop		Р	Р	Р	Р
800.50 (940)	Wholesaling Use		Р	Р		Р
800.50 (92)	Body Rub Service			PC		
, ,	•					
	AUTOMOBILE RELATED USES					
800.50 (620)	Public Parking					PC
	Municipally Owned Public Parking		Р	P	Р	Р
800.50 (200)	Drive-Through Facility	150.80		PC		PC
800.50 (885)	Vehicle Dealership	150.90				
800.50 (895)	Vehicle Fuel Station	150.92		PC		PC
800.50 (910)	Vehicle Service Shop	150.94		PC	PC	
800.50 (915)	Vehicle Washing Establishment	150.96		PC	_	
800.50 (890)	Vehicle Depot			PC	Р	
800.50 (900)	Vehicle Repair Shop			PC	Р	
	COMMUNITY SERVICES, CULTURAL FACILITIES					
800.50 (60)	Art Gallery					Р
800.50 (125)	Club					P
800.50 (125)	Day Nursery	150.45				
800.50 (485)	Museum	130.43				Р
800.50 (580)	Place of Worship	150.50	EP	EP	EP	PC
800.50 (165)	Crisis Care Shelter	150.20				
800.50 (610)	Private School	150.48				
800.50 (625)	Public School	150.48				
(==)	Adult Education School	150.48				
800.50 (575)	Place of Assembly					PC
800.50 (955)	Zoo					
800.50 (550)	Performing Arts Studio		Р	Р		Р
	GENERAL INSTITUTIONS					
800.50 (140)	Community Centre					Р
	Library					Р
800.50 (230)	Education Use		PC			Р
800.50 (675)	Religious Education Use					
800.50 (355)	Hospital					
800.50 (585)	Post Secondary School					
800.50 (920)	Veterinary Hospital				,	P
800.50 (390)	Laboratory Courts of Law		Р	Р	Р	Р
	Courts of Law					
	EMERGENCY SERVICES					
	Facilities for Public or Emergency Services		Р	Р	Р	Р
	Ambulance Depot		P	P	P	P
	Fire Hall		Р	Р	Р	Р
	Police Station		Р	Р	Р	Р
	UTILITY USES					
800.50 (130)	Cogeneration Energy		PC	PC	PC	PC
800.50 (630)	Public Utility		PC	PC	Р	PC
800.50 (590)	Power Generation Use			- DO	DO.	DC -
800.50 (690)	Renewable Energy		PC	PC	PC	PC
800.50 (190)	District Heating and Cooling Plant		I	i İ		I

800.50 (930)	Waste Incinerator				
000.00 (000)	Tradio momento.				
	TRANSPORTATION AND PUBLIC SERVICES				
800.50 (870)	Transportation Use	PC	PC	PC	PC
800.50 (635)	Public Works Yard		Р	Р	
800.50 (50)	Animal Shelter		Р	Р	Р
800.50 (545)	Passenger Terminal				Р
800.50 (660)	Recovery Facility		PC	Р	-
800.50 (760)	Shipping Terminal		PC	Р	
800.50 (935)	Waste Transfer Station			Р	
( ) ,		<del></del>		•	
	WORKSHOPS AND STUDIOS				
800.50 (65)	Artist Studio	Р	Р		Р
800.50 (615)	Production Studio	Р	Р		Р
, ,					
	WAREHOUSING AND STORAGE				
	Chemical Materials Storage			Р	
	Fuel Storage			Р	
800.50 (520)	Open Storage	PC	PC	PC	PC
800.50 (730)	Salvage Yard				
800.50 (925)	Warehouse	Р	Р	Р	P
800.50 (740)	Self-Storage Warehouse	Р			P
	Cold Storage	Р	Р	Р	Р
	Propane Transfer, Handling and Storage Facility			PC	
	INDUSTRIAL WORKSHOPS				
	Bindery	Р	Р	Р	Р
800.50 (170)	Custom Workshop	Р	Р	Р	Р
	Carpenter's Shop	Р	Р	Р	Р
800.50 (370)	Industrial Sales and Service Use	Р	Р	Р	Р
	Building Supply Yards		Р	Р	
	INDUSTRIAL & MANUFACTURING USES				
222 =2 (4 4=)	Dry Cleaning or Laundry Plant	Р	P	P	Р
800.50 (145)	Contractor's Establishment	PC	P	P	PC
	Beverage Manufacturing	PC	P	Р	PC
	Printing Establishment	PC	P		P
	Metal Products Manufacturing	PC	P	P	PC
	Computer, Communications, Electronics, or Optical Media Manufacturing	PC	P P	P P	PC
	Furniture Manufacturing  Medical Equipment and Supplies Manufacturing	PC	P	P	PC PC
	Medical Equipment and Supplies Manufacturing Food Manufacturing	PC	P	P	PC
	Apparel and Textile Manufacturing	PC	P	P	PC
	Wood Product Manufacturing	PC	P	P	FC
	Glass Product Manufacturing		P	P	
	Clay Product Manufacturing		P	P	PC
	Pharmaceutical and Medicine Manufacturing		P	P	PC
	Plastic Product Manufacturing	PC	P	P	PC
	Transportation Product and Vehicle Manufacturing		P	P	PC
800.50 (460)	Manufacturing Use (all others not specifically identified)		P	P	
(111)	Metal Factory involving Forging and Stamping		PC	P	
	Abattoir, Slaughterhouse or Rendering of Animals Factory			P	
	Pulp Mill, using pulpwood or other vegetable fibres			Р	
800.50 (570)	Petrochemical Manufacturing			Р	
800.50 (365)	Industrial Gas Manufacturing			Р	
800.50 (705)	Resin, Natural or Synthetic Rubber Manufacturing			Р	
800.50 (560)	Pesticide or Fertilizer Manufacturing			Р	
	Primary Processing of Oil-based Paints, Oil-based Coatings or Adhesives			Р	
	Cement Plant, or Concrete Batching Plant			Р	
	Primary Processing of Limestone			Р	
	Primary Processing of Gypsum			Р	
	Large Scale Smelting or Foundry Operations for the Primary Pricessing of Metals			Р	
	Asphalt Plant			P	
	Tannery				
	Crude Petroleum Oil or Coal Refinery				
	Explosives Factory	<u>T</u>			
	Ammunition, Firmarms, Firearm Manufacturing or Fireworks Factory				
800.50 (640)	Quarry				

## PERMITTED USES- ZONING BY-LAW 569-2013 May 9, 2013 - EMPLOYMENT - INDUSTRIAL

## **MISCELLANEOUS USES**

800.50 (30) Ancillary 800.50 (525) Outdoor Patio Outside Operations

Outdoor Sales or Display

Outdoor Post-Secondary Education Uses

On-location Filming

Sorting of Recyclable Materials Obnoxious Use

800.50 (510) Obnoxious Use

Р	Р	Р	Р
			PC
		PC	
Р	Р	Р	Р
PC	PC	Р	PC