

**STAFF REPORT****818 Eastern Avenue  
Committee of Adjustment Application**

**Date:** November 24, 2021

**To:** Chair and Committee Members of the Committee of Adjustment, North York District

**From:** Director, Community Planning, Toronto and East York District

**Ward:** 14, Toronto-Danforth

**File No:** A0706/21TEY

**Application to be heard:** December 1, 2021 (Virtual Hearing)

**RECOMMENDATIONS**

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Community Planning staff respectfully recommend that the application be **refused**.

**APPLICATION**

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The applicant is seeking a variance to the provisions of Zoning By-law 438-86 to permit a dog daycare and boarding use.

**CONTEXT**

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The subject property is located north of Eastern Avenue and east of Leslie Street. Existing on site is a one-storey building and a rear driveway that has been converted into a dog daycare and boarding use, with an outdoor dog play area fronting onto Sears Street. The site is bookended by commercial uses, to the west is the Black Labs Brewery and to the east is a car wash. The site is through lot that fronts onto Eastern Avenue in the south and Sears Street to the north with lands designated and zoned as residential north of Sears Street.

The property is designated *Mixed Use Areas* in the Official Plan. Chapter two of the Official Plan develops a strategy for directing growth throughout the City, including development in *Mixed-Use Areas* in proximity to *Neighbourhoods*. Policy 2.3.1 specifies that development in *Mixed-Use Areas* that are adjacent or close to *Neighbourhoods* will be compatible with those *Neighbourhoods*. Chapter four of the Official Plan indicates that land use designations are key tools for achieving the Toronto's growth strategy. Policy 4.5.2 outlines the development criteria for *Mixed-Use Areas*, highlighting that *Mixed-Use Areas* will create a balance of high quality commercial, residential, institutional, and open space uses that meet the needs of the community.

The Zoning By-law is intended to implement the Official Plan, and to prescribe the precise numerical figures and land use permissions further to Official Plan land use designations. The

property is zoned I1 D2 in the former Zoning By-law 438-86 of the City of Toronto. This is an employment industrial zone that permits light industrial uses, and which does not permit the requested uses.

The I1 D2 zoning category is historic and has not yet been revised to conform with the new Official Plan, which designates the site as *Mixed Use Areas*. An appropriate commercial-residential zone category of City of Toronto Zoning By-law 569-2013 will be introduced in the future to conform with the Official Plan. Overnight kennel uses are also not permitted in commercial-residential zone categories under By-law 569-2013.

## COMMENTS

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The applicant is seeking a land use variance to operate a dog daycare and overnight kennel in a zone which does not permit these uses.

The proposed land use variance fails to maintain the intent of the Zoning By-law and the Official Plan. The use variance is not minor in nature, and is not desirable for the appropriate development or use of the land. Planning staff recommend refusal. Planning staff have advised the applicants of their position.

## CONTACT

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## SIGNATURE

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Signed by Carly Bowman, Manager, Community Planning  
On behalf of Lynda H. Macdonald, MCIP, RPP, OALA, FCCLA  
Director, Community Planning  
Toronto and East York District