



100 John West Way  
Aurora, Ontario  
L4G 6J1  
(905) 727-3123  
aurora.ca

Town of Aurora  
**Committee of Adjustment Report**  
No. MV-2024-24

---

**Subject:** **Minor Variance Application**  
Vata Holding Limited  
5 Vata Court  
PLAN 10328 LOT 31  
File: MV-2024-24

**Prepared by:** **Felix Chau, Planner**

**Department:** Planning and Development Services

**Date:** October 10, 2024

---

## Application

The owner is requesting relief from the requirements of the Town's Comprehensive Zoning By-law 6000-17, as amended, to facilitate overnight accommodation within the "Pet Services" permitted use. The following relief is being requested:

- a) Section 3 of Zoning By-law 6000-17 under the definition of "Pet Services" does not allow for overnight accommodation for animals. The applicant is proposing overnight accommodations for animals.

## Background

### Subject Property and Area Context

The subject property is located east of Edward Street and south of Engelhard Drive, on the east end of the Vata Court cul-de-sac. The subject property has an area of approximately 4,046.9 m<sup>2</sup> (43,560 ft<sup>2</sup>) and a frontage of roughly 24 m (79 ft) on Vata Court. The subject property contains an industrial building.

### Proposal

The applicant is requesting a minor variance application to permit overnight accommodation within the "Pet Services" permitted use, specifically for unit nine (9) of the industrial building. The existing tenant, "C & D Pet Hotel Inc.", currently provides

services including pet grooming and daycare and is looking to add overnight pet boarding services to their operation. No physical exterior changes to the existing industrial building or subject property are proposed in this application.

### **Official Plan**

The subject property is designated “General Industrial” by the Town of Aurora Official Plan. This designation is intended to ensure long-term protection and continued evolution of existing industrial areas in the Town. A broad range of employment opportunities as well as ancillary service and small-scale retail uses are permissible.

### **Zoning**

The subject property is zoned “E2 – General Employment Zone” under Zoning By-law 6000-17, as amended. This zoning permits pet services and various employment-related uses.

### **Preliminary Zoning Review**

A Preliminary Zoning Review (PZR) has been completed by the Town of Aurora’s Building Division. The PZR identified the required variance, and no other non-compliance was identified.

### **Applicant’s stated reason(s) for not complying with the Zoning By-law**

As stated on the application form, the applicant is looking to add overnight pet boarding services to their existing business. The applicant indicates that without overnight pet boarding services, the business has suffered substantial losses since leasing the unit in October 2022, as the original business plan and proforma included revenues from overnight pet boarding.

### **Planning Comments**

Planning Staff have evaluated Minor Variance Application MV-2024-24 pursuant to the prescribed tests as set out in Section 45 (1) of the *Planning Act*, as follows:

#### **a) The proposed variance meets the general intent of the Official Plan**

The subject property is designated “General Industrial” by the Town of Aurora Official Plan. This designation is intended to ensure the long-term protection and continued evolution of existing, older industrial areas. Within this designation, a broad range of

employment opportunities as well as ancillary service and small-scale retail uses are permissible.

The proposed variance which requests to add overnight accommodations to a “Pet Services” use conforms to the Official Plan and provides for a service commercial use that is permitted under the General Industrial designation. Additionally, the proposed variance will contribute to the Town’s economic growth and generate local job opportunities. Planning staff are of the opinion that the requested minor variance maintains the general intent and purpose of the Official Plan.

**b) The proposed variance meets the general intent of the Zoning By-law**

The subject lands are zoned “E2 – General Employment” by Zoning By-law 6000-17, as amended, which permits a wide variety of uses such as pet services, industrial uses, offices, food processing establishments, fitness centres, and repair shops. The “Pet Services” use, as defined by Zoning By-law 6000-17, means premises used for the aesthetic care, animal daycare or training facility of animals or birds intended for the use as domestic household pets and shall be placed within a wholly enclosed building. Animal daycare will not include overnight accommodation.

As previously mentioned, the existing tenant, “C & D Pet Hotel Inc.”, currently provides services including dog grooming and daycare in Unit 9 of the industrial building. The tenant is proposing to add overnight boarding services to their business operation. Currently, there is a total of 12 partition for dogs which will remain at the business. Furthermore, the maximum number of dogs that can be accommodated overnight is 12. There are no physical exterior changes to the existing industrial building or subject property. The proposed overnight accommodation use will be accessory to the existing primary Pet Services use. The proposed use relates to caring for domestic animals, which is consistent with other uses currently permitted in the General Employment (E2) Zone.

A variance to permit overnight accommodation at the subject property is in keeping within the range of permitted uses in the E2 Zone, and it is an essential element of subject business which has been foregone due the zoning requirements. Staff are of the opinion that the subject variance maintains the general intent and purpose of the Zoning By-law.

**c) The proposed variance is considered desirable for the appropriate development of the land**

The subject property is located in an industrial area within the Town that predominantly contains employment, industrial, and manufacturing uses. The industrial building currently contains four (4) tenants: a dance studio, a meat packing facility, a sign manufacture, and the subject pet services shop. No other business within the building operates overnight. Furthermore, the subject business is located within an end unit of the industrial building, which mitigates potential noise impacts.

The proposed variance also demonstrates the vision and fundamental principles outlined in the Official Plan through the “Advancing the Economy” principle. This speaks to encouraging a competitive business environment and ultimately advancing and sustaining Aurora’s long-term economic prosperity. The business currently employs three employees and with the addition of the overnight accommodation function, the applicant has indicated that an additional one to two night shift staff will be hired. The proposed minor variance application allows for the enhancement of a local business and the ability to live, work, and play within the Town of Aurora. Staff believe that the variance is considered desirable for the appropriate development of the land.

**d) The proposed variance is considered minor in nature**

The request to permit overnight accommodation for the “Pet Services” permitted use is minor in nature and will not negatively impact the industrial building or surrounding area. The subject variance to permit overnight accommodation use inside the premises is considered to maintain the integrity of the Official Plan and Zoning Bylaw. It is not considered to impact the surrounding neighbourhood. Furthermore, no physical changes to the building or parking are proposed or required.

Given the types of uses immediately surrounding the proposed location of the business, their hours of operation, and the fact that no forms of residential development exist within a 200 m radius of the subject property, the proposed use of the subject property will not detract from the overall site and surrounding area’s employment/industrial character. Overall, staff considers the proposed variances minor in nature

## Additional Comments

The minor variance application was circulated to Town Department/Divisions and to external agencies for review and comment. The following comments were provided:

Department or Agency	Comments
Building Division	Preliminary Zoning Review completed. No objection.
Engineering Division	No objection.
Operational Services (Parks)	No objection.
Operations (Public Works)	No objection.
Central York Fire Services	No objection.
York Region	No objection.
LSRCA	No objection.

## Public Correspondence

Written submissions were not received at the time of writing of this report. Should written submissions be received after the writing of this report, the Secretary Treasurer will provide the submission(s) to Committee members at the meeting.

## Conclusion

Planning Staff have reviewed the application with respect to Section 45 (1) of the Planning Act, R.S.O., 1990, c.P.13, as amended, and believe that the requested variance meets the four tests of the Planning Act for granting minor variances. Staff recommend approval of the requested variance subject to the condition outlined in Appendix 'A'.

## Attachments

Appendix 'A' – Recommended Conditions of Approval

Appendix 'B' – Site Plan

Appendix 'C' – Floor Plan

### **Appendix 'A' – Conditions of Approval**

#### Planning and Development Services:

1. That the variance only applies to the subject property in conformity with the plans attached as 'Appendix B' to this Staff Report, to the satisfaction of the Director of Planning and Development Services or designate.