



Public Meeting

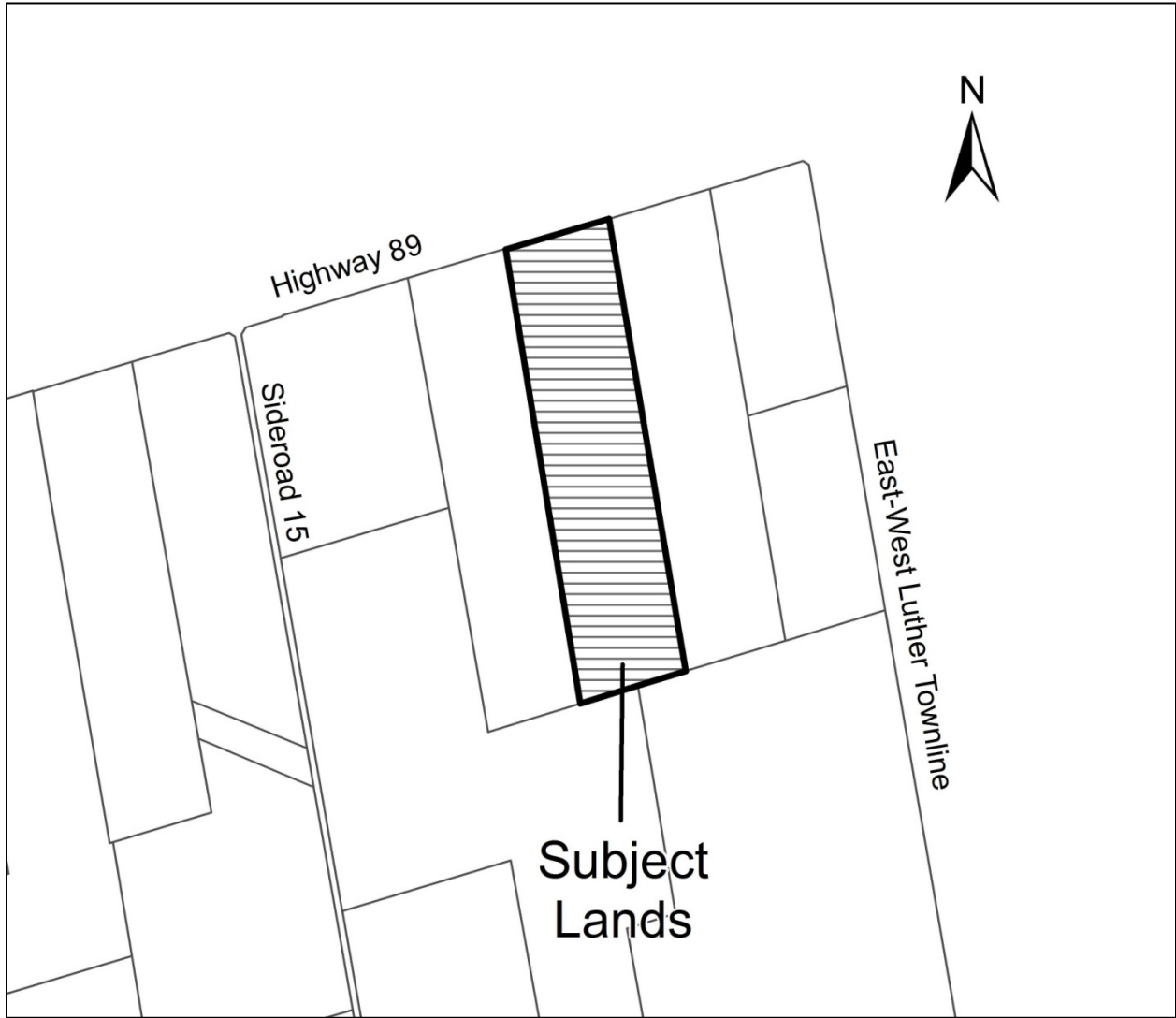
Monday, March 13, 2017 at 2:00 PM

Municipal Office Council Chambers, Kenilworth

AGENDA

AGENDA ITEM	PAGE NO.
<p><u>CALLING TO ORDER</u></p> <ul style="list-style-type: none">- Mayor Lennox <p><u>DISCLOSURE OF PECUNIARY INTEREST(S) AND THE GENERAL NATURE THEREOF</u></p> <p><u>OWNERS/APPLICANT</u></p> <ul style="list-style-type: none">- 2164913 Ontario Inc. <p><u>LOCATION OF THE SUBJECT LAND</u></p> <p>The land subject to the proposed amendment is described as Part Lot 17, Concession 14 E, Municipally known as 8711 Highway 89, Geographic Township of West Luther. The property is 41.1 ha (101.7 acres) in size and is occupied by a residence, shed and barn. The location is shown on the map attached.</p> <p><u>PURPOSE AND EFFECT OF THE APPLICATION</u></p> <p>The purpose and effect of the proposed amendment is to allow the operation of a kennel on the subject property. Other zoning relief may be considered where appropriate.</p>	1

AGENDA ITEM	PAGE NO.
<u>NOTICE</u> Notices were mailed to property owners within 120 m of the subject property as well as the applicable agencies and posted on the subject property on February 17, 2017.	
<u>PRESENTATIONS</u> Linda Redmond, Senior Planner <ul style="list-style-type: none">- See attached report and draft by-law prepared by Jameson Pickard, B. URPL, Planner.	2
<u>CORRESPONDENCE FOR COUNCIL'S REVIEW</u> Nathan Garland, Resource Planner, Grand River Conservation Authority <ul style="list-style-type: none">- No comments	8
<u>REQUEST FOR NOTICE OF DECISION</u> The by-law will be considered at the regular council meeting following the public meeting. Persons wishing notice of the passing of the by-law must submit a written request.	
<u>MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u>	
<u>COMMENTS/QUESTIONS FROM COUNCIL</u>	
<u>ADJOURNMENT</u>	



2164913 Ontario Inc.



**PLANNING REPORT
for the TOWNSHIP OF WELLINGTON NORTH**

Prepared by the County of Wellington Planning and Development Department

DATE: March 6, 2016
TO: Mike Givens, C.A.O.
Township of Wellington North
FROM: Jameson Pickard, Planner
County of Wellington
SUBJECT: **2164913 Ontario Inc.**
8711 Wellington Road 89
Zoning By-law Amendment

Planning Opinion This zone amendment will rezone the property to permit a Kennel to operate on a site specific basis on the subject lands. This amendment is required in order to comply with the Kennel Licencing process outlined in Townships Dog Licencing By-law.

We are generally supportive of the kennel operation on the property; however Council may wish to consider additional buffering to ensure neighbouring properties to the west and north are not negatively impacted. This additional buffering may be provided by relocating the kennel, providing planting or solid fencing around the kennel operation.

INTRODUCTION

The property subject to the proposed amendment is described as Part Lot 17, Concession 14 E, Geographic Township of West Luther, with a civic address of 8711 Highway 89 and is approximately 41.1 ha (101.7 ac).

PROPOSAL

The purpose of the application is to rezone the subject lands to permit the construction and operation of a dog kennel. The property is occupied by a dwelling, drive shed and Barn. The kennel will consist of a 100 ft. x 225 ft. (30 m x 68 m) fenced area with 10-15 (16 ft²) portable dog houses.

PROVINCIAL POLICY STATEMENT (PPS)

The subject property is considered to be within a PRIME AGRICULTURAL area. Section 2.3.3.1 states "In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses."

"Proposed agriculture-related and on-farm diversified uses shall be compatible with, and shall not hinder surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objective."

WELLINGTON COUNTY OFFICIAL PLAN

The subject lands are designated PRIME AGRICULTURE and CORE GREENLANDS according to schedule "A6" of the County Official Plan. Kennels are considered a permitted use within the Prime Agricultural as per Section 6.4.3 of the Plan.

ZONING BY-LAW

The subject lands are zoned Agricultural (A) and Natural Environment (NE). Section 6.5 of the by-law states:

“a kennel is a restricted use in all zones within the Township of Wellington North. Kennels are prohibited uses unless specifically permitted by an amendment to this By-law. Where specifically permitted by an amendment to this By-law, no land, building or structure shall be used for a kennel, unless the land, building and structure is in compliance with the approved By-Law to regulate and provide for the keeping, control and licensing of dogs within the Township of Wellington North.”

It is our understanding that the applicant is in the process of obtaining the appropriate licensing from the Township for the new kennel operation. This zone amendment is required in order to comply with licensing requirements set out in section 7.15 of the Dog licensing By-law No. 004-17 and to be permitted on a site specific basis in the Agricultural zone.

KENNEL LICENSING

The Township has passed Dog Licensing By-law 004-17, being a By-law to regulate and provide for the keeping, control and licensing of dogs within the Township of Wellington North. This by-law sets out a number of requirements and standards which the applicant must meet in order to successfully carry on the kennel operation over the licensing term.

The definition of a kennel in the Dog Licensing By-law indicates that in order for a kennel to be established the property must house more than 3 dogs, be located within an Agricultural zone and have a minimum acreage of 25 ac. The applicant is proposing to have between 10-15 dogs in the kennel, the subject property is zoned Agricultural (A) and has an acreage of 101 ac. It appears the minimum eligibility requirements set out in the Dog Licensing by-law appear to be met.

The Dog licencing By-law provides no specific setbacks for a kennel operation to maintain however, section 7.11 of the by-law does require the owners of a kennel to undertake measures to ensure residences on adjacent properties are not impacted.

PLANNING CONSIDERATIONS

Compatibility

The subject property is located in the north eastern corner of the Township, which is characterized by agricultural uses and naturalized areas. The subject lands are surrounded by vacant conservation lands to the East, vacant agricultural lands to the South, agricultural lands to the West



Figure. 1

occupied by a dwelling and barn, and agricultural lands to the north with a residential dwelling and barn.

The applicant is proposing an approximate 100 ft. x 225 ft. (30 m x 68 m) fenced area with 10-15 portable dog houses. Figure 1. shows the approximate location of the Kennel on the subject lands and setbacks from existing neighbouring dwellings. The Dog Licensing By-law does not appear to provide any minimum setback requirements for a kennel from property lines or residential building for staff to consider. Staff reviewed other municipal Kennel by-laws and found the following setback requirements:

Table 1 –Surrounding Municipalities Kennel Requirements		
Municipality	By-law #	Kennel Setback requirements
Township of Mapleton	BY-LAW NO. 2002-14	150 m setback from habitable buildings and livestock facilities.
Town of Minto	BY-LAW NO. 2016-31	150 m setback from habitable buildings and livestock facilities.
Township of South Gate	BY-LAW NO. 15-2011	35 m setback from any boundary line of the owner/operator’s property.

It appears that the applicants proposed location would exceed other jurisdictions minimum setback requirements. However, besides the fence surrounding the kennel, there is no other noise or visual mitigations provided on the site to protect neighbouring properties. Council may wish to consider requiring additional buffering around the operation. This additional buffering may be provided by either relocating the kennel or providing planting or solid fencing around the kennel operation.

Respectfully submitted
County of Wellington Planning and Development Department



Jameson Pickard, B.URPL
Planner

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
BY-LAW NUMBER _____.**

**BEING A BY-LAW TO AMEND ZONING BY-LAW NUMBER 66-01
BEING THE ZONING BY-LAW FOR THE TOWNSHIP OF WELLINGTON NORTH**

WHEREAS, the Council of the Corporation of the Township of Wellington North deems it necessary to amend By-law Number 66-01; as amended pursuant to Section 34 of The Planning Act, R.S.O. 1990, as amended.

NOW THEREFORE the Council of the Corporation of the Township of Wellington North enacts as follows:

1. THAT Schedule "A" Map 1 to By-law 66-01 is amended by changing the zoning on lands described as Part Lot 17, Concession 14 E in the Geographic Township of West Luther as shown on Schedule "A" attached to and forming part of this By-law from:
 - **Agricultural (A) to "Agricultural Exception (A-191)**

2. THAT Section 33, Exception Zone 3 – Rural Areas, is amended by the inclusion of the following new exception:

33.191 Part Lot 17, Con 14 E	A-191	Notwithstanding any other section of this by-law to the contrary, a Kennel may be permitted on the lands in addition to the uses permitted under the Agriculture (A) zone, and shall operate in accordance with the regulations set out in the Townships Dog Licencing By-law, as amended;
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4. THAT except as amended by this By-law, the land as shown on the attached Schedule 'A' shall be subject to all applicable regulations of Zoning By-law 66-01, as amended.
5. THAT this By-law shall come into effect upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34 (30) and (31) of the Planning Act, R.S.O., 1990, as amended.

READ A FIRST AND SECOND TIME THIS _____ DAY OF _____, 2017

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2017

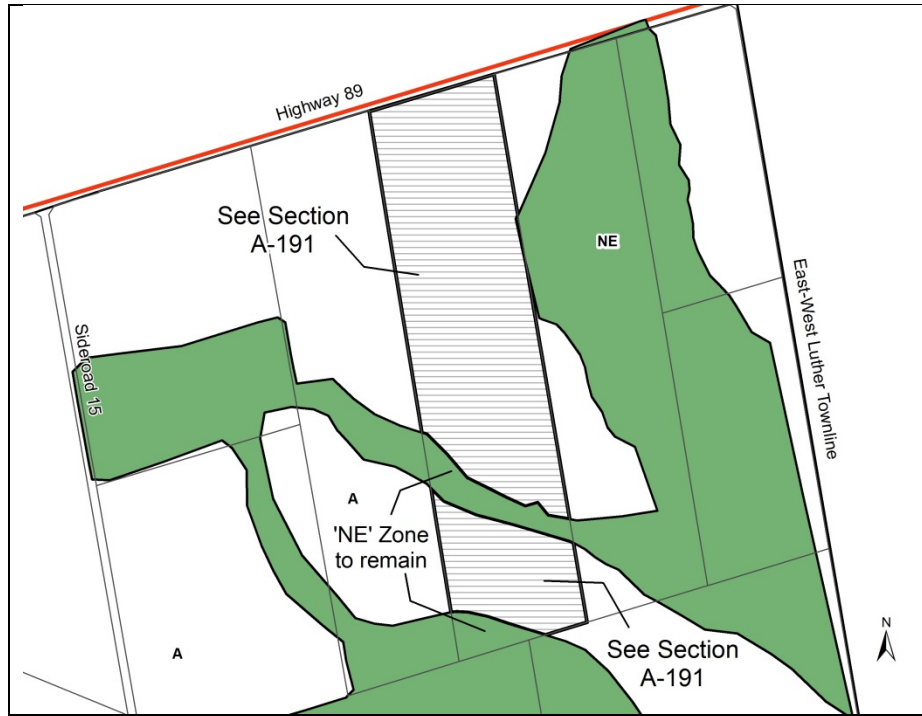
MAYOR

CLERK

THE TOWNSHIP OF WELLINGTON NORTH

BY-LAW NO _____.

Schedule "A"



Rezone from Agricultural (A) to Agricultural Exceptions (A-191)

Passed this ___ day of _____ 2017.

_____.

MAYOR

_____.

CLERK

EXPLANATORY NOTE

BY-LAW NUMBER _____.

THE LOCATION being rezoned is Part Lot 17, Concession 14 E, Geographic Township of West Luther, with a civic address of 8711 Highway 89. The lands subject to the amendment are 41.1 ha (101.1 ac) in size and are currently zoned Agriculture (A) and Natural Environment (NE).

THE PURPOSE AND EFFECT of the amendment is to rezone the subject lands to permit a Kennel to operate on the subject lands in accordance with the Townships Dog Licensing By-law 004-17, being a By-law to regulate and provide for the keeping, control and licensing of dogs within the Township of Wellington North.

Darren Jones

From: Nathan Garland [ngarland@grandriver.ca]
Sent: Monday, March 06, 2017 10:57 AM
To: Darren Jones
Subject: ZBA - 8711 Hwy 89 (Kennel)

Hi Darren,

GRCA has no comments on the proposed zoning bylaw amendment for 8711 Hwy 89 for a kennel.

Regards,

Nathan Garland
Resource Planner
Grand River Conservation Authority

ngarland@grandriver.ca
Direct Line: 519.621.2763 x 2236
Office: 1.866.900.4722
Fax: 519.621.4945