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## Public Meeting

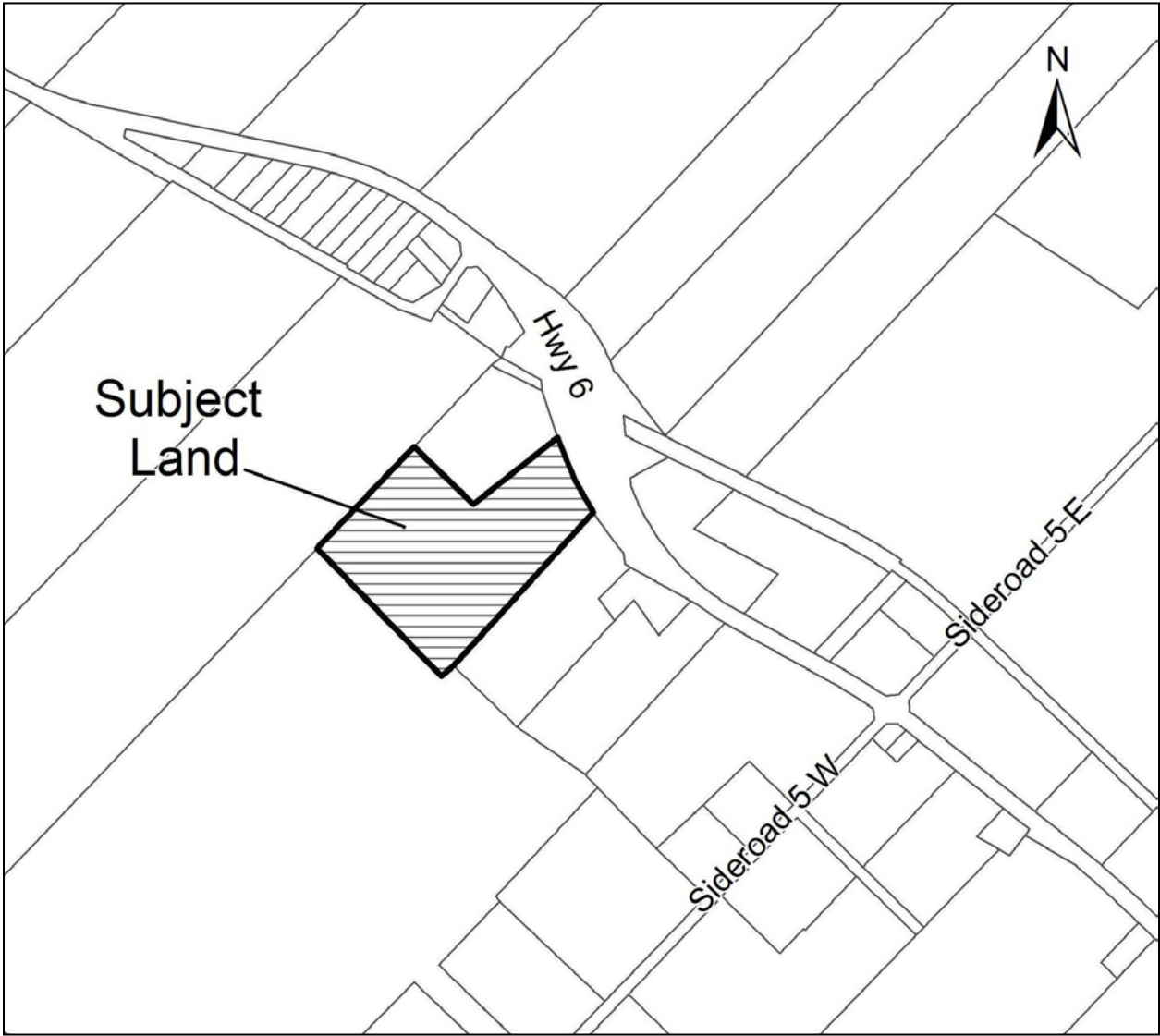
Monday, May 23, 2017 at 7:00 PM

Plume Room, Mount Forest Sports Complex

### AGENDA

AGENDA ITEM	PAGE NO.
<p><b><u>CALLING TO ORDER</u></b></p> <ul style="list-style-type: none"><li>- Mayor Lennox</li></ul> <p><b><u>DISCLOSURE OF PECUNIARY INTEREST(S) AND THE GENERAL NATURE THEREOF</u></b></p> <p><b><u>OWNERS/APPLICANT</u></b></p> <ul style="list-style-type: none"><li>- Lorne and Mary Horst</li></ul> <p><b><u>LOCATION OF THE SUBJECT LAND</u></b></p> <p>Location of the subject land is described as WOSR Part Lot 12, DIV 3 &amp; 4, Subject to ROW RP 61R-8688 Part 2, Municipally known as 9446 Hwy 6, Geographic Township of Arthur. The property is 10.34 ha (25.56 acres) in size and is occupied by a residence, shed and barn. The location is shown on the map attached.</p> <p><b><u>PURPOSE AND EFFECT OF THE APPLICATION</u></b></p> <p>The Purpose and effect of the application is to allow the operation of a kennel on the subject property. Other zoning relief may be considered where appropriate.</p>	<p>1</p>

<b>AGENDA ITEM</b>	<b>PAGE NO.</b>
<p><b><u>NOTICE</u></b></p> <p>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 April 26, 2017.</p> <p><b><u>PRESENTATIONS</u></b></p> <p>Linda Redmond, Manager of Planning and Environment</p> <ul style="list-style-type: none"><li>- See attached report and draft by-law prepared by Jameson Pickard, Planner.</li></ul> <p><b><u>CORRESPONDENCE FOR COUNCIL'S REVIEW</u></b></p> <ul style="list-style-type: none"><li>- None.</li></ul> <p><b><u>REQUEST FOR NOTICE OF DECISION</u></b></p> <p>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.</p> <p><b><u>MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS</u></b></p> <p><b><u>COMMENTS/QUESTIONS FROM COUNCIL</u></b></p> <p><b><u>ADJOURNMENT</u></b></p>	<p>2</p>



Lorne and Mary Horst



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

Prepared by the County of Wellington Planning and Development Department

**DATE:** May 16, 2017  
**TO:** Mike Givens, C.A.O.  
Township of Wellington North  
**FROM:** Jameson Pickard, Planner  
County of Wellington  
**SUBJECT:** **Lorne & Mary Horst**  
**9446 Highway 6**  
**Zoning By-law Amendment- Kennel**

**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.

The applicant has identified two potential locations for the proposed kennel operation as shown on Figure 1 of this report. We are generally supportive of the kennel operation at proposed location "A", as this location provides a suitable distance away from neighbouring dwellings to the North and South and benefits from existing buffering on the property (existing buildings and trees). The proposed kennel operation will be a enclosed building and will house a maximum of 10 dogs.

**INTRODUCTION**

The property subject to the proposed amendment is described as WOSR Pt Lot 12, DIV 3 & 4, subject to ROW RP 61R-8688 Part 2, in the Geographic Township of Arthur, with a civic address of 9446 Highway 6 and is approximately 10.34 ha (25.56 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 32 ft. x 64 ft. (9.7 m x 19.5 m) Kennel building designed to house 10 dogs.

**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 a max 10 dogs in the kennel, the subject property is zoned Agricultural (A) and has an acreage of 25.56 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 centrally in the Township and is surrounded by agricultural lands and rural residential uses to the North and East and lands associated with the Riverstown waste facility to the immediate West and South, and the hamlet of Riverstown further south. The property is currently accessed via Highway 6.

The applicant is proposing to construct an approximate 32 ft. x 64 ft. (2,048 ft<sup>2</sup>) kennel building designed to house 10 dogs. Figure 1. below shows two locations for the kennel (Proposal 'A' & Proposal 'B') as proposed by the applicant and their respective setbacks from neighboring dwellings.

Proposal 'A' is preferable to staff as it allows for the maximum distance (approx. 143 m) between the dwelling to the North while still maintaining a significant distance (approx. 198 m) from the dwelling to the south. Further with the kennel at this location, the dwelling to the north receives additional buffering from existing buildings and trees on the site.



**Figure 1.**

The proximity of the of the proposed kennel at location ‘A’ to the southern lot line is approximately 6 m. The lands immediately to the south are vacant and zoned for a sanitary waste landfill and do not permit any sensitive land uses (i.e. Dwellings) to be constructed. In addition, there is a significant tree line separating the subject lands from the properties to the south providing visual and noise attenuation. We do not anticipate any negative impacts to result on adjacent properties at location ‘A’

Respectfully submitted  
 County of Wellington Planning and Development Department

*Jameson Pickard*

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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 WOSR Part Lot 12, Div 3 & 4, subject to ROW RP 61R-8688 Part 2 in the Geographic Township of Arthur as shown on Schedule "A" attached to and forming part of this By-law from:

- **Agricultural (A) to "Agricultural Exception (A-193)**

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

<p><b>33.193</b> WOSR Part Lot 12, Div 3 &amp; 4, subject to ROW RP 61R-8688 Part 2</p>	<p><b>A-193</b></p>	<p><b>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 Licensing By-law, as amended and the following:</b></p> <ul style="list-style-type: none"> <li>• <b>That no more than 10 dogs are permitted on the property at any time. Dogs shall mean any member of the species canis familiaris which is over twelve (12) weeks of age as defined in the canine By-law 004-17, as amended.</b></li> </ul>
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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

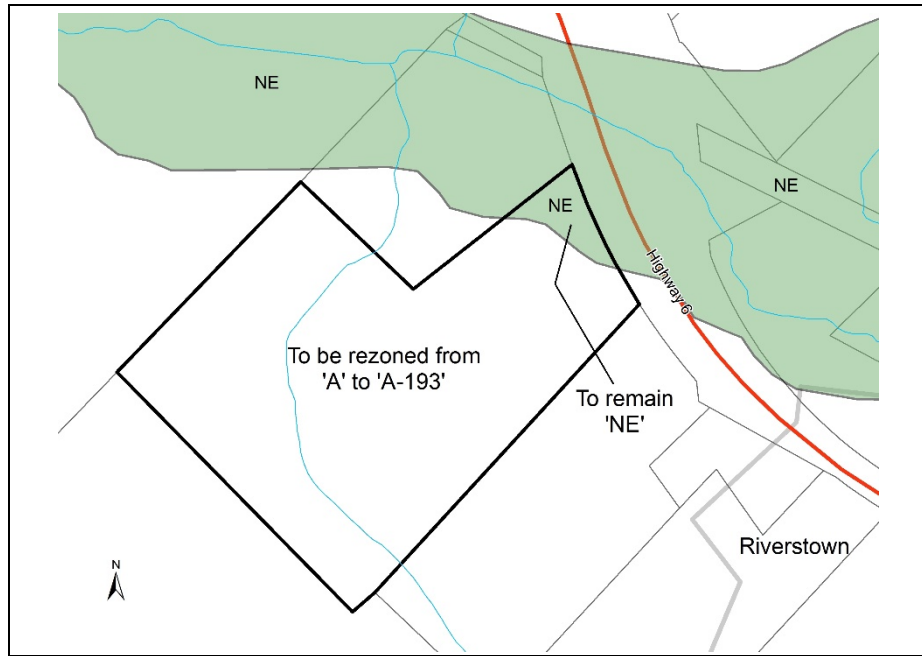
\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK

**THE TOWNSHIP OF WELLINGTON NORTH**

**BY-LAW NO \_\_\_\_\_.**

**Schedule "A"**



**Rezone from Agricultural (A) to Agricultural Exceptions (A-193)**

Passed this \_\_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK



## EXPLANATORY NOTE

**BY-LAW NUMBER \_\_\_\_\_.**

**THE LOCATION** being rezoned is WOSR Part Lot 12, Div 3 & 4, subject to ROW RP 61R-8688 Part 2, Geographic Township of Arthur, with a civic address of 9446 Highway 6. The lands subject to the amendment are 10.34 ha (25.56 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 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.