

**THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH
PUBLIC MEETING - MINUTES
TUESDAY, MAY 23 2017 AT 7:00 P.M**

The Public Meeting was held in the Plume Room at the Mount Forest & District Sports Complex to consider an Official Plan Amendment application and a Zoning Amendment application.

Present:

**Mayor: Andy Lennox
Councillors: Sherry Burke
Lisa Hern
Steve McCabe
Dan Yake**

Staff Present:

**CAO: Michael Givens
Clerk: Karren Wallace
Executive Assistant: Cathy Conrad
Treasurer: Kimberly Henderson
Chief Building Official: Darren Jones
Economic Development Officer: Dale Small
Interim Director of Public Works: Derek McCaughan
Fire Chief: David Guilbault
Manager of Planning and Environment: Linda Redmond**

Mayor Lennox called the meeting to order.

Declaration of Pecuniary Interest:

No pecuniary interest declared.

OWNER/APPLICANT: Lorne and Mary Horst

LOCATION OF THE SUBJECT LAND

The land subject to the proposed amendment is described as WOSR Part Lot 12, DIV 3 & 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.

PURPOSE AND EFFECT OF THE APPLICATION

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.

NOTICE

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 pursuant to the provisions of the *Planning Act*.

PRESENTATIONS

Linda Redmond, Senior Planner reviewed comments provided by Jameson Pickard, Planner, dated May 16, 2017.

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 ft²) 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.

The proximity 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'.

CORRESPONDENCE FOR COUNCIL'S REVIEW

Michael Oberle, Environmental Planning Technician, Saugeen Valley Conservation Authority

- Correspondence dated May 17, 2017, acceptable

Wendy Fairfield, 9448 Highway 6

- Correspondence dated May 23, 2017. Concerns regarding increase in traffic and noise

REQUEST FOR NOTICE OF DECISION

The by-law will be considered at a future regular council. Persons wishing notice of the passing of the by-law must submit a written request.

MAYOR OPENS FLOOR FOR ANY COMMENTS/QUESTIONS

The applicant did not identify themselves as being present to answer any questions regarding the application.

Norma Peterson. 9478 Maas Park Drive, objected to the application with concerns about noise and traffic and safety. On many days they can hear the noise of the equipment at the landfill site on Sideroad 5 West. Noise can carry a long distance, depending on wind direction. The noise from the landfill site tends to be a distant rumble that resembles “white noise”, unlike the irritating, jangle of several unhappy canines barking and whining. Their daughter shares a driveway with the applicant and already experiences unsafe traffic with impatient drivers. The driveway is frequently blocked with cars parked on the shared driveway while drivers buy items at the applicant’s flower stand, making entry off the highway difficult. Increase traffic would only add to the problem.

Chris Kiers, 9484 Maas Park Drive expressed concerned with noise. The amount of noise could vary depending on how many dogs and the type of dogs.

COMMENTS/QUESTIONS FROM COUNCIL

Councillor McCabe inquired if the maximum of 10 dogs was just adult dogs or included puppies. Darren Jones, CBO, confirmed that the 10 dogs would not include puppies up to twelve weeks old.

Councillor Burke commented that in light of comments received regarding the last kennel zoning amendment approved she would like this deferred.

Mayor Lennox inquired is further buffering had been suggested. Ms. Redmond commented that further buffering was not recommended as there is already buffering between the proposed location and the closest residence.

ADJOURNMENT

RESOLUTION 008-2017

Moved by: Councillor Burke

Seconded by: Councillor McCabe

THAT the Public Meeting of May 23, 2017 be adjourned at 7:15 p.m.

CARRIED

CLERK

MAYOR