

**TOWN OF MINTO**

DATE: December 02 2016
REPORT TO: Mayor and Council
FROM: Cam Forbes, By-law Enforcement Officer
SUBJECT: Dog Licensing By-Law Exemption

STRATEGIC PLAN:

Ensure growth and development in Clifford, Palmerston and Harriston makes cost effective and efficient use of municipal services, and development in rural and urban areas is well planned, reflects community interests, is attractive in design and layout, and is consistent with applicable County and Provincial Policies.

BACKGROUND:

At the November 15, 2016 Council Meeting, Council heard a delegation from Mr. Earl Savage, who requested that Council amend the Dog Licensing By-law to allow for an exemption process in the By-law for minor By-law non-compliances. Mr. Savage is interested in purchasing a 7.0 ac property in Minto on Blind Line which does not comply with the By-law minimum 10 ac lot size. Council directed staff to report back at December 6th Council Meeting with a proposal to amend the By-law to allow for limited exemptions specific to the exemption applicant.

During the development of the 2005 Dog Licensing By-law (which the 2016 by-law is an amendment to), Council's direction to staff was to develop a By-law to include Kennel provisions, but not to provide a variance process to the by-law, due to the number and scale of the Kennels which were starting up at that time.

COMMENTS:

The exemption amendment proposed by staff, will allow a person to apply to Council for an exemption to the minimum lot size requirement of 10 ac and the minimum distance to adjacent receptors (neighbour's house and barns, etc) of 492'. The exemption proposal requires the applicant to submit a letter in writing to Council indicating what their exemption request is, why they require the exemption and any steps they have taken to meet the intent of the provision of the by-law (i.e. have significant noise buffers proposed to allow for a reduction in the distance to a receptor).

Upon receipt of the request, staff will notify adjacent property owners within 200' of the proposed kennel property, indicating what the nature of the exemption request is and the date the exemption is to be heard by Council, allowing the neighbours to attend or submit written comments.

At the Council meeting, Council will hear from the applicant as a delegation, persons speaking for/against the application, from staff, as well as any submitted comments. Council then can make a decision on the application, whether to approve, refuse or limit the

exemption. Any granted exemption is specific to the applicant, the nature of their proposed operation and is non-transferable.

Upon approval or limited approval of the exemption application, the applicant is required to obtain zoning relief for the use of a Kennel and obtain a Kennel License. Failure to comply with the exemption or any conditions imposed onto the exemption, will cause the exemption to be void and their Kennel License will be revoked.

FINANCIAL CONSIDERATIONS:

Any costs to the Town of Minto for the delegation and mailings will be offset by the fees paid for zoning relief and the kennel license fee.

RECOMMENDATION:

THAT Council receives the By-law Enforcement Officer's December 02, 2016 report for a proposed Dog Licensing By-Law Exemption, and to direct staff to bring the amending by-law forward at the next Council Meeting.

Cam Forbes
By-law Enforcement Officer