



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

Prepared by the County of Wellington Planning and Development Department

**DATE:** June 13, 2018  
**TO:** Bill White, C.A.O.  
Town of Minto  
**FROM:** Jessica Wilton, Junior Planner  
Curtis Marshall, Senior Planner  
County of Wellington  
**SUBJECT:** **Mervin Bearinger**  
**6280 Highway 89**  
**Lot 18 & 19, Concession 15**  
**Zoning By-law Amendment – Dog Kennel**

**Planning Opinion** This zone amendment will rezone the property to permit a dog kennel to operate on a site specific basis on the subject lands. This amendment is required as the Zoning By-law restricts the use in all zones unless specifically permitted by an amendment, and in order to comply with the Kennel Licencing process outlined in the Townships Kennel License By-law

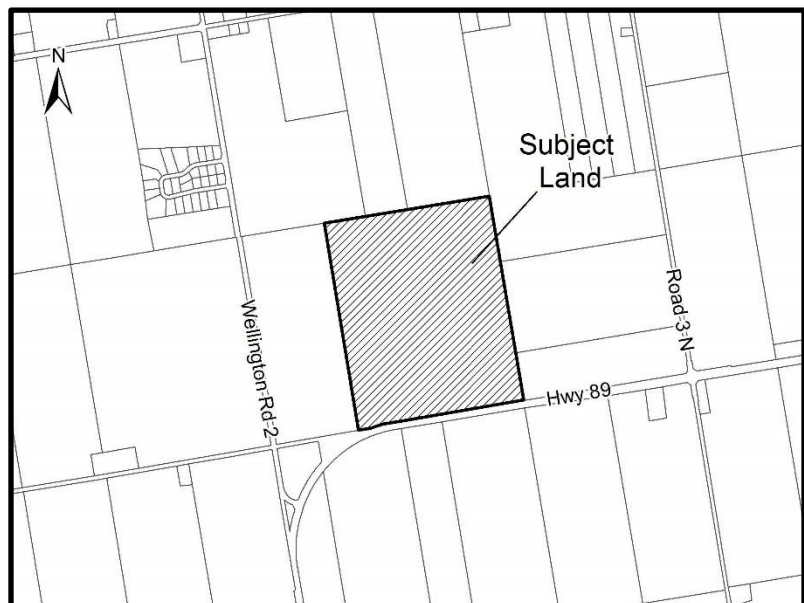
Planning Staff generally have no concerns with the rezoning application to permit a kennel on the property. The application conforms with the Official Plan and is consistent with applicable Provincial policies. Under the Towns By-law to regulate and license the keeping of dogs and dog kennels, the applicant will have to submit a detailed site plan to indicate how it meets all the requirements in the licensing by-law.

**INTRODUCTION**

The property subject to the proposed amendment is described as Part Lot 18 & 19, Concession 15, with a civic address of 6280 Highway 89 and is approximately 79.36 ha (196 ac). See Figure 1.

**PROPOSAL**

The purpose of the application is to rezone the subject lands to permit the operation of a dog kennel on the second level of the existing bank barn. The property is occupied by a dwelling, shed and a bank barn.



**Figure 1: Subject lands**

**PROVINCIAL POLICY STATEMENT (PPS)**

The subject property is categorized as “Rural Lands” by the PPS.

Section 1.1.5.4 of the PPS states: “Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted”. Section 1.1.5.6 states “Opportunities should be retained to locate new or expanding land uses that require separation from other uses”.

Section 1.1.5.8 states that agricultural uses, agricultural uses, on farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards.

**PROVINCIAL GROWTH PLAN (2017)**

The subject lands are identified as a “Candidate Area” within the Agricultural Land Base mapping. In these areas, current Official Plan policies remain in force until a Municipal Comprehensive Review has been completed to consider whether the lands will become “Prime Agricultural”.

The subject lands are also within the Natural Heritage System of the Growth Plan, however the proposed kennel (in the bank barn) is located outside any Key Natural Heritage Features or Key Hydrologic features.

**WELLINGTON COUNTY OFFICIAL PLAN**

The subject lands are designated SECONDARY AGRICULTURAL, CORE GREENLANDS, and GREENLANDS within the County Official Plan. Identified features include provincially significant wetlands, hazard lands, significant wooded area and life science ANSI. Permitted uses in Secondary Agricultural Areas include all uses allowed in the Prime Agricultural Area. Kennels are considered a permitted use within the Prime Agricultural area under Section 6.4.3 of the Plan. The location of the proposed kennel is well removed from the identified environmental features on the property.

**ZONING BY-LAW**

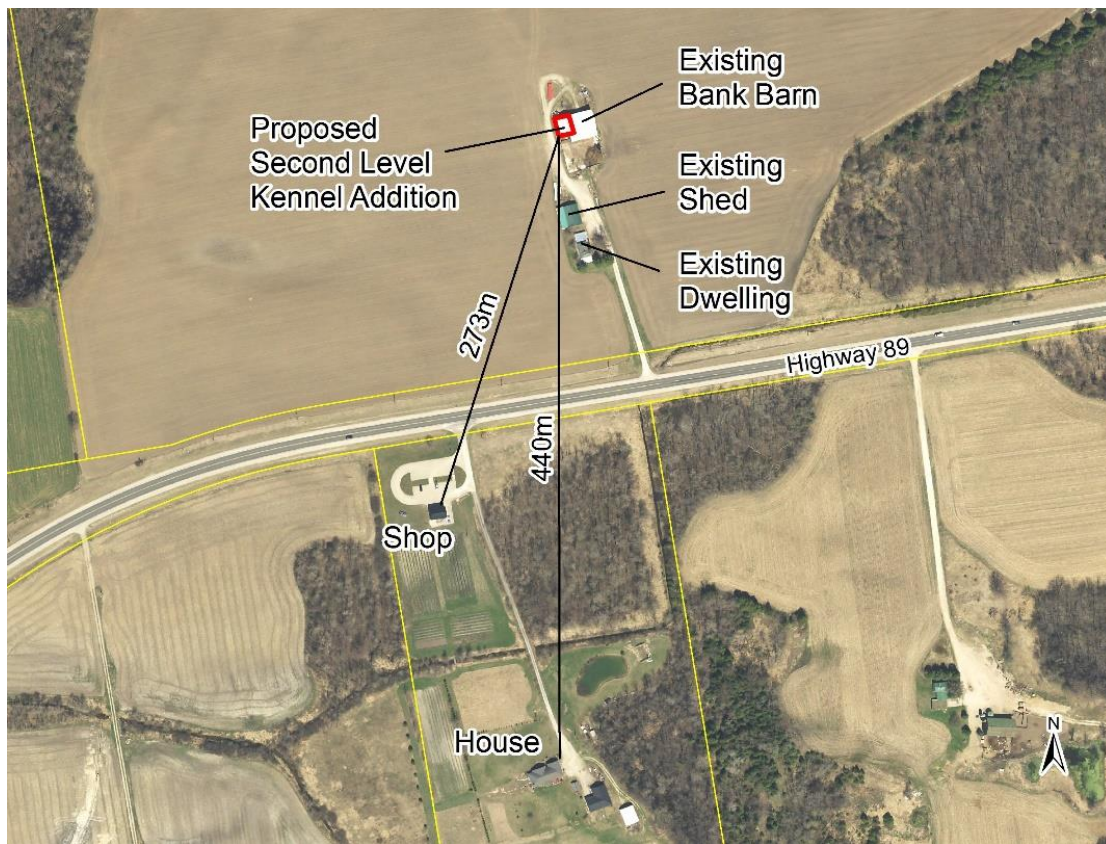
The subject lands are zoned Agricultural (A) and Natural Environment (NE). Section 6.5 of the by-law states:

“Kennels are prohibited uses unless specifically permitted by an amendment to this By-law. Where specifically permitted by an amendment to this Bylaw, no land, building or structure shall be used for a kennel, unless the land, building and structure is in compliance with the approved Keeping of Dogs and Dog Kennels Bylaw”.

This zoning amendment is required in order to permit a kennel on the property.

Under the Town’s Kennel License By-law an inspection of the proposed kennel be required by the Town’s By-law Enforcement Officer and “No kennel license shall be granted unless all terms and provisions of the Towns by-law to license and regulate dogs and dog kennels have been complied with.

**Figure 2: Air Photo Showing Approximate Distances to Closest Neighbouring Dwelling and Barn**



## **PLANNING CONSIDERATIONS**

### **Compatibility**

The subject property is located on a farm and is surrounded by forest area to the north and east, and agricultural uses to the south and west. The forest area provides for a buffer to the neighboring properties. The closest neighbours' dwelling and livestock barn exceed the 150 m (492 ft) setback requirements outlined in the kennel licensing by-law. The property directly across the street (6275 Highway 89) is zoned to permit a lavender farm operation in addition to the uses permitted in an Agricultural zone. The kennel license by-law does not take into consideration setbacks to home industries, home occupations or other on farm diversified uses in rural areas. The lavender farm shop/store is set back approximately 273 m (895.5 ft) from the proposed kennel location which exceeds the 150 m setback if the building was a dwelling or livestock barn. A map showing the approximate setback distances to the closest neighbouring dwelling and livestock barn is shown above in Figure 2.

### **Kennel Licensing By-law**

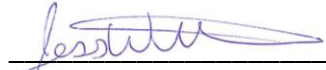
The applicant is proposing that the kennel be located on the second level of the existing bank barn housing a maximum of 25 dogs. The applicant will be required to obtain a license from the Town to operate a kennel in accordance with the Town's Kennel Licensing By-law (2016-31 as amended) if the zoning amendment application is approved. The applicant is required to provide a detailed site plan as part of the kennel license application. Acoustical barriers are to be shown on the site plan and provided to the Township Inspector's satisfaction.

## **Draft Zoning By-law**

A draft zoning by-law amendment has been attached to this report for public review and Council's consideration which introduces a site specific exception permitting a kennel on the subject lands.

Respectfully submitted

County of Wellington Planning and Development Department



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