



WHEATLAND COUNTY

Where There's Room to Grow



DEVELOPMENT PERMIT REPORT

Municipal Planning Commission

December 10, 2019

DEVELOPMENT PERMIT NUMBER: DP 2019-123

PROPOSAL: Kennel

LEGAL DESCRIPTION: Plan 741 1110, Block 4, SE-6-24-25-4

LOCATION: Approx. 4.02 km (2.5 miles) east of Cheadle

PARCEL SIZE: 40.53-acre parcel

ZONING: Agricultural General (AG)

DETAILS OF PROPOSAL:

A kennel permit had been approved for this parcel in 1977 and had been operating intermittently since that time by different owners. There is a letter on file dated from 2006 indicating the County was aware a kennel was operating at that time. The County recently received a complaint regarding barking dogs and the owner confirmed that a kennel had ceased operating at some point but had begun operating again.

The Land Use Bylaw States:

4.9.3 If a use that is the result of a Development Permit ceases to operate for a period of twelve (12) consecutive months, it shall be considered void. A new application would be required by the Applicant for the use.

This application has been submitted to obtain the proper permits which would allow the kennel to operate legally.

The proposal is to operate a kennel for the purpose of occasionally boarding client dogs with the main focus being the breeding of dogs. A total of 10 adult dogs and their puppies to be residing on the property at any given time. The couple who own/reside on the property will be the primary care givers for the dogs with one offsite employee who will be assisting in business operations.

The business will be operating out of the home, the fenced yard areas, as well as one additional building to be added for dog sleeping accommodations, no outdoor storage will be required. Anticipated client visits are 2-3 clients per week coming to view dogs and puppies with visits scheduled Monday to Sunday from 7:00 AM to 8:00 PM. Client parking will be in the existing driveway of the property.

The addition of a new kennel building will allow the dogs another sleeping accommodation and shelter.

Since there have been recent complaints related to the kennel, staff are recommending a 1-year term to see if issues related to the concerns have been rectified.

RELEVANT POLICY/LEGISLATION

CALGARY METROPOLITAN REGIONAL BOARD (CMRB):

The application is located within the Calgary Metropolitan Regional Board Plan Area, but is not amending a statutory plan, therefore no review is required by the Board.

MUNICIPAL DEVELOPMENT PLAN (MDP):

The proposal aligns with Section 3.7.1 of the MDP as it encourages the expansion and diversification of the County's commercial and industrial base and facilitates employment for residents within close proximity to their places of residence.

AREA STRUCTURE PLAN (ASP)

The application falls outside of any area structure plans.

LAND USE BYLAW (LUB):

- 4.7.6 The Development Authority may approve a time-limited Development Permit for a specified limited time period where it is the opinion of the Development Authority that the use is of a temporary nature, or should only be approved on a temporary basis.

Definition:

Kennel means a development where dogs over the age of 90 days are cared for, maintained, boarded, bred, or trained and the landowner receives compensation for such activities. This definition excludes all livestock. Dog shows for entertainment purposes are also included in this use.

The subject property has a land use designation of Agricultural General (AG).

9.1 Agricultural General District (AG)

A Kennel is a Discretionary Use in the AG District.

9.1 Agricultural General District (AG)



Purpose and Intent

The purpose and intent of this district is to promote and accommodate agricultural land uses that support the goals and objectives of the Municipal Development Plan and preserve the agrarian character of the County.

Permitted and Discretionary Uses

- a) The following uses shall be permitted or discretionary with or without conditions provided the application complies with the regulations of this district and this Bylaw:

Permitted	Discretionary
Accessory Building / Structure	Abattoir
Agricultural Operation ¹	Agricultural Processing – Major
Agricultural Processing – Minor	Bed and Breakfast
Dwelling, Clustered Farm	Composting Facility
Dwelling, Manufactured	Day Home
Dwelling, Modular	Dwelling, Accessory
Dwelling, Moved On	Dwelling, Temporary
Dwelling, Secondary Suite	Equestrian Centre
Dwelling, Single Detached	Farm Gate Sales
Farm Building	Greenhouse, Public
Greenhouse, Private	Home-Based Business, Type 2
Shipping Container	Home-Based Business, Type 3
Signs not requiring a Development Permit ¹	Kennel
Solar Panel, Ground Mount ¹	Nursery
Solar Panel, Structure Mount ¹	Shooting Range, Minor
Stripping and Grading ¹	Signs requiring a Development Permit [*]
WECS (micro) ¹	Stockpile
WECS (Category 1) ¹	Tower

8.14 Kennels

8.14.1 General Regulation

- a) Kennels are not allowed in residential hamlet districts.

8.14.2 Dog facilities

- a) Any building or exterior exercise area(s) used for the canines need to be at least 76.2 m (250.0 ft) away from any neighboring homes.
- b) All kennel buildings or exterior exercise area(s) cannot be located in the front yard.

8.14.3 Manure Management

- a) A manure management plan may be required by the Development Authority.
- b) All kennels are to operate in a manner acceptable to Alberta Health Services

CIRCULATION COMMENTS:

AGENCY CIRCULATION	
Alberta Health Services	
INTERNAL CIRCULATION	
Internal File Review	No Concerns
NEIGHBOUR CIRCULATION	
To landowners within 1 mile	No Concerns

OPTIONS:

Staff proposes the following 3 possible options for Municipal Planning Commission to consider:

Option #1: That Municipal Planning Commission approve DP 2019-123, for a Kennel subject to conditions noted in Appendix A of the Development Permit Report and that:

with the stated conditions of approval, the Development Authority has determined that the proposed Kennel complies with the County's Land Use Bylaw rules and regulations.

Option #2: That Municipal Planning Commission refuse the application with reasons given.

Option #3: That Municipal Planning Commission provide an alternative recommendation of Municipal Planning Commission's choosing.

RECOMMENDATION:

That Municipal Planning Commission choose Option #1 to approve DP 2019-123, for a Kennel subject to conditions noted in Appendix A of the Development Permit Report based on the following;

- The proposal aligns with the Municipal Development Plan.
- The proposed application aligns with the prescribed uses of the Agricultural General (AG) District and all other mandatory provisions of the Land Use Bylaw.
- It provides an opportunity for Economic Development.

Appendix A:

1. This development permit is issued solely for the purpose of a dog breeding and occasional boarding facility with the addition of an additional building for dog sleeping accommodations – Defined as a Kennel.
2. No Variances have been granted.
3. Development shall proceed according to Agricultural General (AG) District requirements and the applicant must comply with all applicable provisions of the Wheatland County Land Use Bylaw.
4. No permanent development shall occur on or over any utility right of way or easement.
5. Applicant to ensure approach is developed to County standards. Please contact Wheatland County Transportation & Infrastructure assistance for details 403-934-3321.
6. Business to remain consistent with application details and Letter of Intent. Number of adult dogs allowed onsite for the breeding operation not to exceed 10 adult dogs.
7. Applicant to ensure fencing is adequate to ensure animals are contained within designated areas.
8. No parking is allowed on municipal roads.
9. Applicant to submit a dog waste management plan to the satisfaction of Wheatland County.
10. No waste from the business will be disposed of at the County Waste Transfer Sites.
11. Animals to be housed indoors during the hours of 8:00 PM to 8:00 AM.
12. Permit to be issued for a 1-year term expiring December 10, 2020 to ensure no further complaints are received.

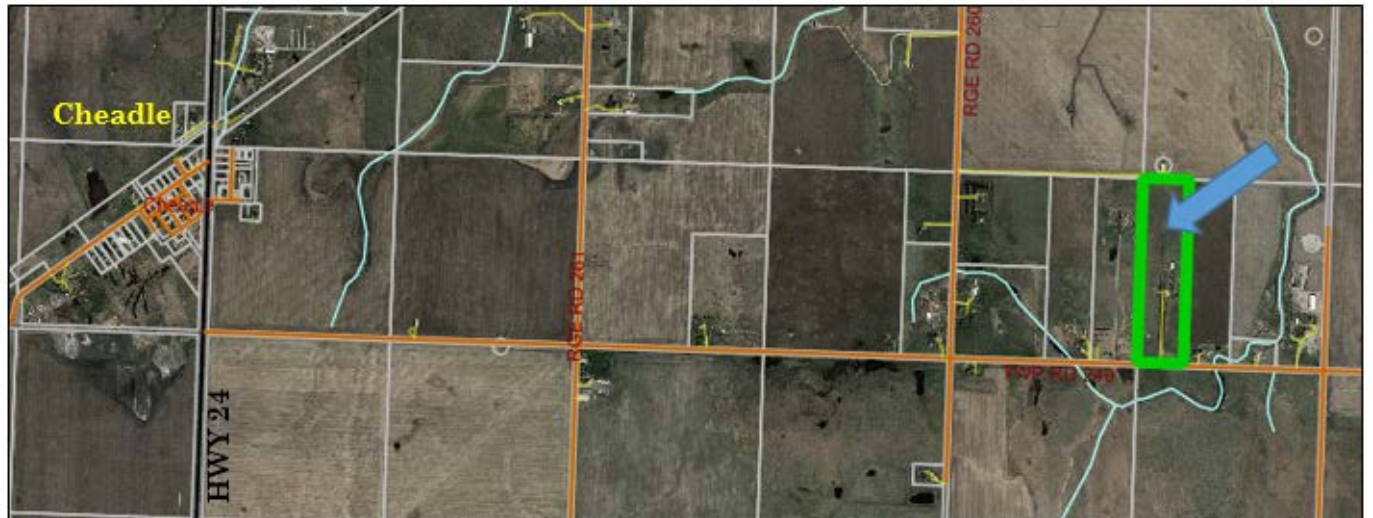
NOTES:

- ALL CONSTRUCTION SHALL CONFORM TO ALBERTA SAFETY CODE REGULATIONS.
- DEVELOPMENT SHALL MEET ALL PROVINCIAL AND FEDERAL LEGISLATION.
- APPLICANT TO CONSULT WITH ALBERTA HEALTH SERVICES REGARDING POTENTIAL RECOMMENDATIONS.



Suzanne Hayes, Development Officer

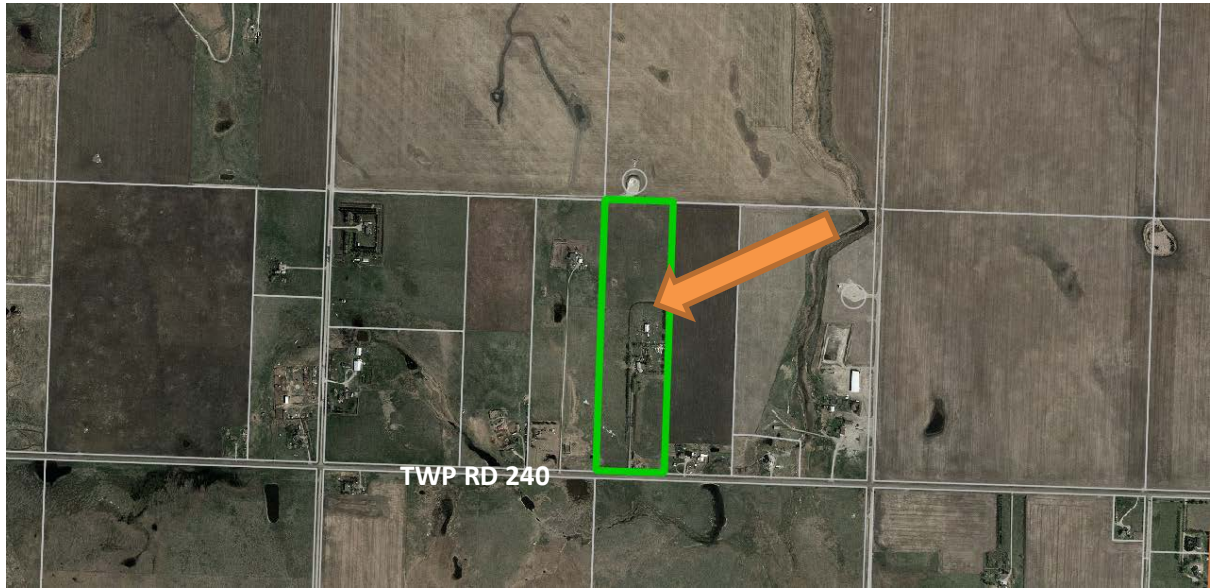
Appendix B: Location Plan



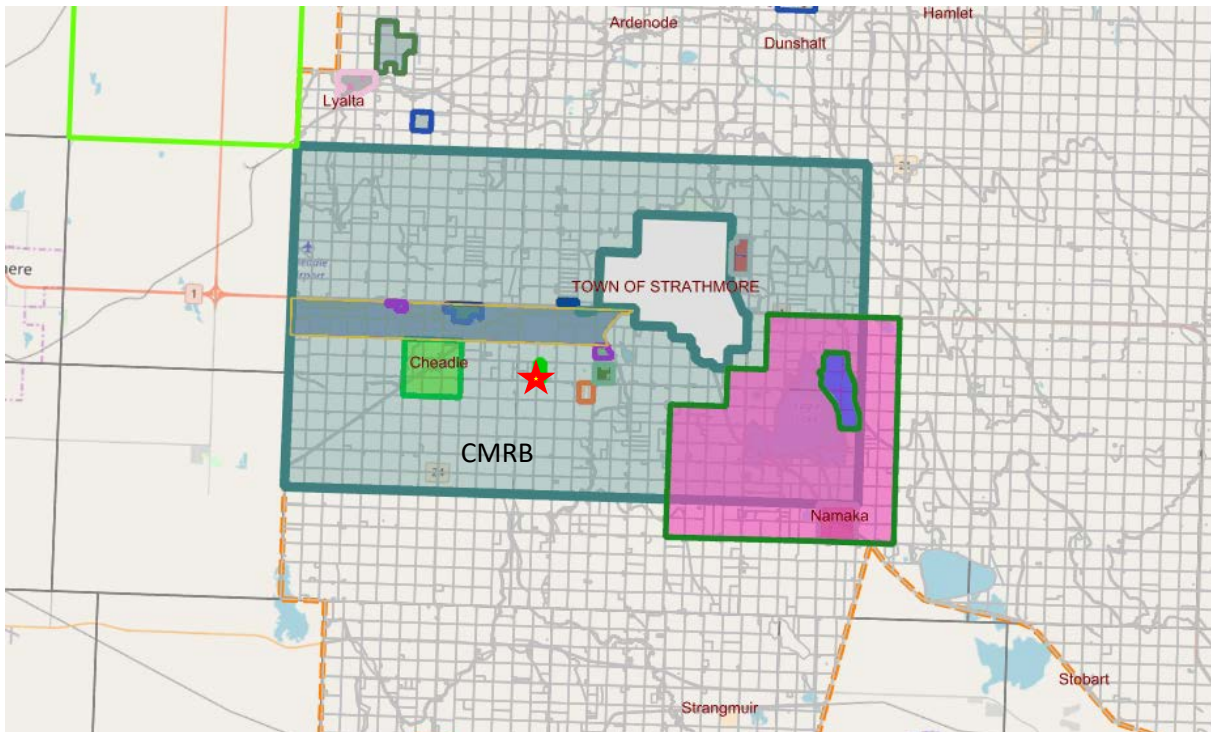
Appendix C: Site Plan



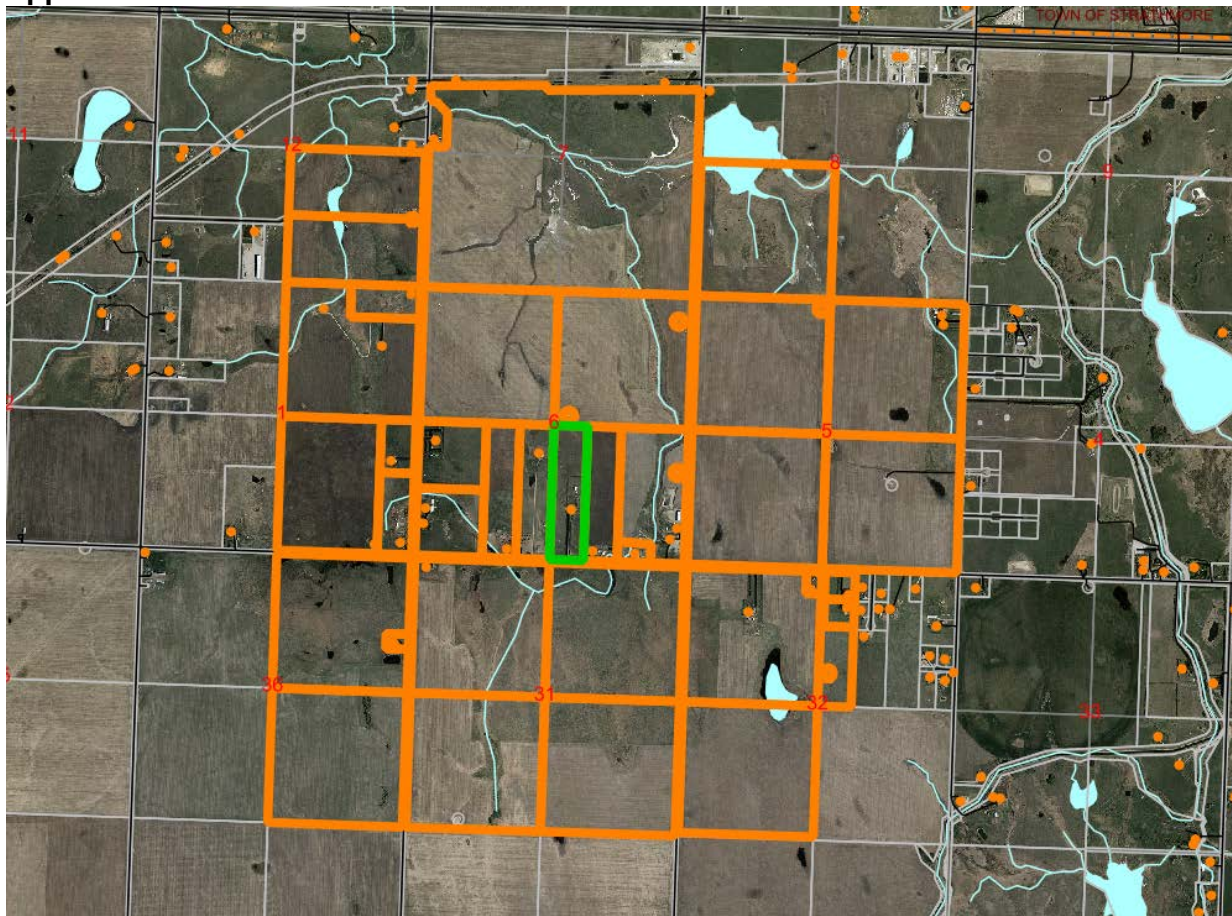
Appendix D: Aerial Photos



Appendix E: CMRB and ASP (subject parcel indicated by red star)



Appendix G: Circulation Area



Appendix H: Photos

Fenced dog run area adjacent to dwelling



