

Official Plan Amendment Application of Maura Reilly and Stephan Olschewski

This Document is made in support of the Official Plan Amendment Application Form as attached as,

1. Overview - Background

The Owners, Maura Reilly and Stephan Olschewski have owned the property since 2013 when they purchased the newly severed parcel property from the Westcotts. **See Schedule 1 - By-Law Number 018- 2013 of the corporation of the Municipality of Meaford.**

Property Particulars

- Roll Number 421051000206150
- Primary Address: 397531 10th Concession
- Legal Description: Sydenham CON 10 PT LOT6RP;16R10319 Part 1
- Property use: Rural/Residential - Managed forest property
- Acres: 84.1796
- Zoning – RU, EP – See schedule 3

Mrs Reilly has owned and operated Gatehouse Permanent Reg'd which breeds purebred Canadian Kennel Club approved dogs for over 20 years and continues to be in good standing. Gatehouse Permanent Reg'd has never been the subject of complaint or penalty by the CKC. The Canadian Kennel Club receives its authorization from Agriculture Canada

Mr. Olschewski and Ms Reilly are active members of the Grey Bruce Kennel & Obedience Club, The Doberman Pincher Club of Canada, The Doberman Pincher Club of America, The Canadian purebred dog registry body which is the Canadian Kennel Club and participants on many disciplinary bodies regarding dog husbandry and breeding.

Gatehouse Permanent Reg'd has held a municipal Kennel License Since 2013. Gatehouse Permanent Reg'd has always passed enforcement inspections and not been in receipt of any corrective orders or been the subject of complaint or penalty by the Municipality and always complied in accordance with regulations and by-laws. **Schedule 2 - approved license 04-2021.**

In late 2021, the owners opened Howlers Dog Sports and began providing the community with dog training and daycare services. The obedience and sport dog training focused on much needed social, behavioral modification and training for dogs the area is desperate to receive. There is a significant amount of "COVID" dogs who require assistance and support with socialization, aggression and behavioral modification. The community has embraced the services offered and the company has grown to have three fulltime employees hired from the local area, two from the municipality of Meaford. The community demand is strong for daycare and boarding

Official Plan Amendment Application of Maura Reilly and Stephan Olschewski

services, local competitors book to capacity quickly and recommend us to service their clients. Daycare needs in the community have increased along with the needs of DayTrain services to assist the public in having well adjusted companion dogs. Additional pressures result as clients and their families return to workplaces, schools and other activities.

There is a significant boarding facility void in Grey and Bruce counties which can provide expertise and breed knowledge for the estimated 30375.8 dogs in residency and the 135 available single use kennels in six facilities, primarily in Bruce county.

2. Scope

To increase the current building envelope (By-Law Number 018- 2013), to allow for small addition to the existing home. Continue to permit the existing use of Gatehouse Permanent Reg'd kennel license and add Howlers commercial kennel license to allow for a commercial kennel in a new design built kennel attached to the existing training hall as depicted in **Schedules 6**.

The plan is to remain status quo with the current approved kennel building which has been in operation for over 9 years under the existing breeders kennel license. The addition of the commercial boarding kennel would permit the combined facilities to have a daily combination of 20 dogs.

3. Applicable By-laws and Official Plan

The municipality has identified that the development would be subject to;

- Schedule 1 - By-Law Number 018- 2013 (Building Envelope) see attached schedule 1&5
- Municipal By-law ZBL60-2009-as-amended-July-2019-Office-Consolidation
 - Farm Wineries, Agri-Tourism & small scale Rural Commercial and Industrial uses
 - Home Industry
 - Home Occupations and Custom Workshops in Conjunction with a residential use
 - Multiple uses or zones on one lot
- Adopted Official Plan: OP-Consolidation-Post-OPA-16-Nov-2014
- B2.3.3 Permitted Uses of applicable sections
 - d) home occupations, and custom workshops subject to the provisions of Section B2.1.4.6 of this Plan
 - g) commercial dog kennels subject to Section B2.3.4.3 of this Plan.
- and or B2.1.4.7 Small Scale Commercial and Industrial
- and or B2.1.4.7.4 Home Industries

Official Plan Amendment Application of Maura Reilly and Stephan Olschewski

4. Municipal Commentary

- See attached Email dated February 10 2023 and February 17 2023 – Schedule 12.
- See Zoning amendment inquiry – Commercial Kennel – Schedule 4

5. Relief Sought

The applicant seeks relief from all applicable sections of the official plan and municipal bylaws which may apply. The applicant acknowledges discrepancies in the official plan and the municipal bylaws which causes some confusion, specifically the By-law permits Farm Wineries, Agri-tourism & small scale rural commercial and industrial uses and/or Home Occupation or Custom Workshop and the official plan permits home occupations, and custom workshops, commercial dog kennels, Small Scale Commercial and Industrial and home Industries and more.

Regardless all permitted uses have similar themes which will need to be satisfied. The applicant seeks to satisfy those requirements under the official plan and the municipal bylaws in that order starting with the relief sought and concluding with addressing those applicable sections.

Specific relief sought to the official plan and by-laws as depicted in Item 3 of this application, including but not limited to;

- Permitting the creation of a small service business to support the training, care and kenneling of a maximum of 20 dogs as is the current status quo
- Permit the establishment of a home industry, home occupation, custom workshop and or Small-Scale Commercial and or Industrial Use or any other combination thereof as provided for in Municipal By-law ZBL60-2009-as-amended-July-2019-Office-Consolidation, 4.12 Multiple uses or zones on one lot
- Permit the employment of no more than five employees in addition to the owner(s)
- Seeking relief from
 - B2.3.4.3 “ Commercial Dog Kennels - the building housing the dog kennel and the associated dog runs is set back at least 100 metres (328 feet) from lot lines”
 - Permit the establishment of a building housing the dog kennel and the associated dog runs to be minimum 14.5m of the southern property line. See Schedule 6.
 - *Note: the closest residence is Southeast approximately 131 metres away*

Official Plan Amendment Application of Maura Reilly and Stephan Olschewski

- Acoustic Assessment Report does not report any concerns as long as the Dog Kennel and associated runs are to the north of the existing training hall
- Permit the new dog kennel portion to be 151m². The existing training hall is 223 m². Total facility will be 374m². The current obedience training hall is a permitted use.
- Accept the Acoustic Assessment Report (noise Study)
- Seeking relief from the 25% ratio business to home
 - 4.10 FARM WINERIES, AGRI-TOURISM & SMALL SCALE RURAL COMMERCIAL AND INDUSTRIAL USES
 - and/or
 - 4.11 HOME OCCUPATIONS AND CUSTOM WORKSHOPS IN CONJUNCTION WITH A RESIDENTIAL USE *specifically*,
 - 3) Notwithstanding item 1 b) above, in the case of a home occupation or custom workshop accessory to a dwelling unit on a lot in the A, SA, RU, RR, SR, RLS, CR or R5 zones, a home occupation or custom workshop may be located in a detached accessory building meeting the provisions of 4.1.1 of the By-law. The home occupation or custom workshop use shall not exceed a total area equivalent to 25% of the gross floor area of the dwelling unit.
 - Permitting the new training/kennel facility to be 374m² where the existing residential dwelling is 300m² including the 57m² new addition. The training hall is used to train dogs for short periods of time and not to be used to hold/kennel dogs.
- Allow the existing building envelope (By-Law Number 018- 2013) to be expanded by 10 metres north and east to accommodate the 57m² addition to the existing residential dwelling
- The applicant seeks relief from all applicable sections of the official plan and the municipal bylaws.

6. Conformity to Official Plan

- B2.3 Rural – **Compliant - RU/EP Zoning see schedule 3**
- B2.3.3 Permitted Uses of applicable sections (Application falls under various sections)
 - d) home occupations and custom workshops subject to the provisions of Section B2.1.4.6 of this Plan
 - g) commercial dog kennels subject to Section B2.3.4.3 of this Plan;
- B2.1.4.6 Home Occupations and Custom Workshops – **Conditionally Compliant**
- B2.1.4.7 Small Scale Commercial and Industrial – **Conditionally Compliant**

Official Plan Amendment Application of Maura Reilly and Stephan Olschewski

➤ B2.1.4.7.4 Home Industries – Relief sought – Conditionally Compliant

Home industries are small-scale industrial uses that are accessory to agricultural uses and **/or a single detached dwelling** and **may be located in an accessory building** or in the main building. Such uses may also support the agricultural industry in the area. These uses should not detract from the primary use of the property for agricultural or **residential purposes**.

Home industries may include welding, carpentry or machine shops, or agriculturally related uses that involve the processing or transportation of regionally produced agricultural crops or other products. The accessory retail sales of products produced in the home industry is also permitted. The repair, storage or sale of motor vehicles is not considered to be a home industry.

Home industries will not be permitted on properties less than 20 hectares in size in the Agricultural Designation. **They will otherwise be permitted as-of-right in the implementing zoning by-law in the Rural, Agricultural and Specialty Agricultural Designations**, provided: the building housing the home industry **is located within the existing farm-building cluster**, if located on a farm property;

a) the home industry does not have a combined floor area in excess of 250 square metres (2,691 square feet); – **relief sought permitting the new training/kennel facility to be 374m² where the existing residential dwelling is 300m² including the 57m² new addition. Note that the largest area is for the indoor training facility and not for holding dogs.**

b) the home industry is located on a lot that has a minimum area of 4.0 hectares (9.88 acres) and is generally set back from all lot lines by at least 30 metres (98.5 square feet). A lesser lot line setback may be considered by zoning amendment where it can be demonstrated that the use will not negatively affect adjacent properties. Property is 84.18 acres. **Seeking relief from side lot line setback – see schedule 7, Acoustic Assessment Report and Site plan schedule 6**

c) any open storage associated with the home industry is screened from view, located within a fenced compound and does not occupy more than 750 square metres (8,073 square feet); **Compliant**

d) the home industry has no more than five employees in addition to the owner; and,

e) the retail component is clearly accessory to the use and does not detract from the primary use of the property. **Compliant**

➤ B2.3.4.3 Commercial Dog Kennels

Commercial dog kennels may be permitted in the Rural designation subject to an amendment to the implementing zoning by-law. Before considering such an amendment, Council shall be satisfied that:

Official Plan Amendment Application of Maura Reilly and Stephan Olschewski

1. the size of the proposed dog kennel is appropriate for the area – **Compliant , Property is in RU/EP zoning, see schedule 9 & 8**
2. the building housing the dog kennel and the associated dog runs is set back at least 100 metres (328 feet) from lot lines – **Non complaint, seeking relief on southern boundary/lot line. Closest residence is 131 meters to the south/east. See schedule 6**
3. the use is located at least 500 metres (1640 feet) from lands within the Rural Settlement Area, Shoreline Area, or a designation under Section B1 of this Plan – **Compliant, see schedule 6**
4. the noise emanating from the kennel will not have an adverse impact on the enjoyment of adjacent properties – **Compliant See schedule 7, Acoustic Assessment Report (noise Study).**
 - a. **GTA Environmental Proposal #22-08-11 C – Note: The assessment found that there was no adverse affect of noise when testing the existing kennel and associated runs.**
5. an appropriate animal waste management plan is put in place – **Compliant**
 - a. The applicants will undertake a septic review to address the increase in waste water from the addition and kennel by a competent licenced contractor
 - b. contract to Miller Waste Systems for the disposal of waste and other kennel waste in an appropriate sanitary manner.
6. an undue concentration of dog kennels does not already exist in the general vicinity of the proposed kennel – **Compliant, see Schedule 9.**
7. A new dog kennel shall also be subject to a Site Plan Agreement in accordance with Section E1.4 of this Plan – **Compliant – See Schedule 6.**
8. A noise assessment may be required to support the application – **Compliant – See Schedule 7.**

7. Conformity to Municipal By-laws and Comments

- Schedule 10 - Zoning By-law Amendment Application 2022
- Schedule 11 - 2022 – Amendment Plan
- Applicant will undertake to remove the south facing fenced area from the existing training centre as indicated in Schedule 12.
- Seek relief to by-law 4.1.1, Specifically;
 - 4.1.1.1 **Seeking relief to permit the use of occupation usage of existing and proposed building**
 - 4.1.1.2 **Compliant**
 - 4.1.1.3 **Seeking relief to permit the side yard requirement to allow for kennel to be located, as shown in site plan 6, within 100 metres of interior side lot line.**
 - 4.1.1.4 **Compliant**

Official Plan Amendment Application of Maura Reilly and Stephan Olschewski

4.1.1.5 Compliant

4.1.6 Animal Enclosures, Seeking relief to permit the side yard requirement to allow for kennel to be located as shown in site plan 6, within 100 metres of interior side lot line. Remainder of sections compliant

4.10.1 Home Industry

Where a home industry is permitted in a *Zone*, the *use* is permitted provided:

- a) A maximum of five people, in addition to any occupant of the *dwelling unit*, may be engaged in the business and working on the *lot* at any time – **Compliant**
- b) The *gross floor area* utilized by the *home industry* does not exceed a maximum of 250.0 square metres – **Seeking relief to allow the new training/kennel facility to be 374m² where the existing residential dwelling is 300m² including the 57m² new addition**
- c) The *use* is located on a *lot* that has a minimum *lot area* of 4.0 hectares where in an RU, RR or SA zone, or 20 ha in an A zone - **compliant**
- d) The *use* is set back from all *lot lines* by a minimum of 30.0 metres – **non-compliant see b above**
- e) The *use* is clearly secondary to the residential *use* and does not change the residential character of the *dwelling unit* and *lot* - **compliant**
- f) Any *accessory* outdoor storage area is located in the rear *yard* and occupies no more than 750.0 square metres of *lot area* - **compliant**
- g) Only currently licensed *motor vehicles*, associated with the home industry, are parked or stored on the *lot* and within an interior side or rear *yard*; and – **Not Applicable**
- h) Not more than one *home industry* is permitted on a *lot* - **compliant**
- i) Retail sale of goods produced by the *home industry* shall be permitted, however, *premises* associated with display and sales shall not exceed 15% of the *gross floor area* of the *home industry* on the *lot*, and such *floor area* shall be included in calculation of the *home industry's gross floor area* in determining compliance with 4.10.1 (b). **compliant**

4.11 HOME OCCUPATIONS AND CUSTOM WORKSHOPS IN CONJUNCTION WITH A RESIDENTIAL USE

Official Plan Amendment Application of Maura Reilly and Stephan Olschewski

A home occupation or custom workshop is permitted secondary to a residential dwelling unit in all zones, subject to the following provisions:

1.
 - a) A maximum of one employee, in addition to any occupant of the dwelling unit, may be engaged in the business and working on the lot at any time; **Currently compliant, relief sought or compliant see 4.10.1**
 - b) The use is restricted to the dwelling unit or a private garage that is attached to the dwelling unit and is not conducted in whole or in part in any accessory building unless expressly permitted by this by-law; **non-compliant, relief sought or compliant see 4.10.1**
 - a) No more than 25% of the gross floor area of the dwelling unit is used for the purpose of the home occupation or custom workshop; **non-compliant, relief sought or compliant see 4.10.1**
 - b) There is no outdoor storage or display of material or equipment; **compliant.**
 - c) There is no direct retail sale of retail goods from the premises, save and except limited ancillary sales directly associated with a service-oriented home occupation, for example, sale of shampoo/conditioner by a hairstylist from their home salon; **Compliant see 4.10.1**
 - d) The use is clearly secondary to the residential use and does not change the residential character of the dwelling unit and lot; **compliant.**
 - e) The use does not create nor become a fire or building hazard, nor a health and safety hazard and does not include mechanical or industrial equipment except that which is customarily employed in a dwelling for household purposes or for a purpose normal to or reasonably consistent with the use of a dwelling as such; and, **compliant.**
 - f) g) Not more than one home occupation or custom workshop is permitted in conjunction with a dwelling unit. **Compliant.**
2. Notwithstanding item 1 a) above, in the case of a home occupation or custom workshop accessory to an apartment, multiple unit or accessory apartment dwelling unit, only occupants of the dwelling unit may be engaged in the business and working on the lot at any time. No additional parking space, as otherwise required for such a use under Table 5.2, will be required. **Non-compliant, relief sought and compliant see 4.10.1**
 - 2) Notwithstanding item 1 b) above, in the case of a home occupation or custom workshop accessory to a dwelling unit on a lot in the A, SA, RU, RR, SR, RLS, CR or R5 zones, a home occupation or custom

Official Plan Amendment Application of Maura Reilly and Stephan Olschewski

workshop may be located in a detached accessory building meeting the provisions of 4.1.1 of the By-law. The home occupation or custom workshop use shall not exceed a total area equivalent to 25% of the gross floor area of the dwelling unit. **Non-compliant, relief sought or compliant see 4.10.1**

4.12 MULTIPLE USES OR ZONES ON ONE LOT

Where any *building, structure* or *lot* is used for more than one purpose as provided in Sections 6.0, 7.0 and 8.0 of this By-law, the said *building, structure* or *lot* shall comply with the provisions of this By-law relating to each *use*. In the case of a conflict, the more stringent provision shall apply.

Where a *lot* is divided into more than one *Zone*, each portion of the *lot* shall be used in accordance with the provisions of this By-law for the applicable *Zone*.

4.16.1 Outdoor Display and Sales – Compliant (Signage)

8. Grey Sauble Conservation

The applicants will seek to collaborate on the increase in size of the building envelope for the home addition. The area is approximately 28ft x 24ft to the north of the existing residence and does not impede on any significant forest or fauna as the area is currently reserved for lawns.

9. Summary

The applicants note that the sections in the official plan and by-laws do not appear to align perfectly. The applicant submits there is overall compliance, save and except below which the applicant requests relief from and;

- 1) Permit the development under B2.1.4.7.4 Home Industries of the Official Plan, B2.3.4.3 Commercial Dog Kennels and By-law 4.10.1 Home Industry and any other section or by-law as may be applicable.
- 2) Permit the erection of a new kennel 150m² in addition to the existing training hall 217m²
- 3) Permit the addition to the existing residential dwelling of 57m² footprint
- 4) Increase the existing building envelope 15m in the north and east directions
- 5) Allow for maximum of 5 employees plus the owners
- 6) Exempt the development from the 25% dwelling to home occupation, industry, business or other ratios as found in various sections of the official plan and by-laws
- 7) Exempt and provide relief for the development to occur within the 100m setback rule, of the properties interior southern boundary;
 - a) The new development is approximately 131 metres from the closest residence
 - b) Development will remain in the existing building cluster
 - c) Separated by a 200' long, 50' wide and 12' high berm

Official Plan Amendment Application of Maura Reilly and Stephan Olschewski

d) Berm to be treed

- 8) Allow for the creation of a 20 dog kennel, (10 personal breeding and 10 private contract), runs and exercise areas, per the noise study, to the north of the existing training hall with all associated runs to remain north

Finally, The applicant contends the development supports the vision and land use concepts by supporting the municipalities character, diversity and lifestyle. The applicants by possessing the 84.18 acre corner lot create a natural buffer in all directions supporting the natural environment, maintain the rural character and heritage of the community.

Additionally, the applicants and the southern neighbour collaborated on building the berm to the south to create a natural treed buffer.

The development will support the natural growth and settlement in Meaford by providing local services to future and existing residents. The development already employs 3 fulltime local people and looks to hire more staff in the near future. It also meets the future demands of retired residences looking for options in training and boarding their k9 companions.

The development will also see a focus on sustainable development to reduce the ecological footprint through such initiatives as rainwater storage and filtering for washing waters, solar assist and tree plantings. Reducing our carbon footprint and reliance on the fresh well water. All electrical lighting systems will be LED. Buildings will be design/built to exceed in energy efficiency.