



# REPORT TO THE MUNICIPAL PLANNING COMMISSION

June 13, 2019

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<b>Agenda Item</b>	
<b>Application No.</b>	DPA 51/19
<b>Proposed Development</b>	Renewal and Expansion of Kennel Known as <i>Opp Giants &amp; K-9 Training</i>
<b>Legal Description</b>	Lot 2 Block 1 Plan 094 1196 (Pt. NW 21-38-25-W4M)
<b>Titled Area</b>	9.21 ha (22.76 acres)
<b>Zoning</b>	Agricultural 'A' District
<b>Applicants</b>	Jennifer & Stephen Opp
<b>Landowners</b>	Jennifer & Stephen Opp

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## BACKGROUND

Jennifer and Stephen Opp have applied to renew and expand their kennel business known as *Opp Giants & K-9 Training*. The business is located south of Joffre, near the intersection of Highways 11 and 815. The business offers dog training classes in the evenings, breeds litters of Giant Schnauzers each year, and cares for rescue/foster dogs. The expansion to the business includes increasing the number of litters breed to three (3) per year, increasing the number of training classes to five (5) per week, and increasing the operating hours of the classes by one (1) hour.

The application also includes building a shop to provide space for the training classes and a breeding kennel. This is the same shop that was approved under the kennel's original application (DPA 20/16). A pad has been cleared for the shop, but construction of the shop has not started.

## **POLICY CONSIDERATIONS**

A *Kennel* is considered a discretionary use in the Agricultural 'A' District under the County's Land Use Bylaw, and therefore requires the approval of the Municipal Planning Commission.

In the County's Land Use Bylaw, a *Kennel* is defined as:

*The breeding, keeping or boarding of dogs, excluding unweaned pups, in return for remuneration or kept for the purposes of sale.*

## **CIRCULATION RESPONSE**

The application was pre-circulated to adjacent land owners, the County's Operations Department and Alberta Transportation. Alberta Transportation had no objections, but advised that a Roadside Development Permit would be required.

No responses from adjacent land owners or the Operations Department were received during the pre-circulation period.

## **ANALYSIS**

A kennel is considered a discretionary use in the Agricultural 'A' District under the County's Land Use Bylaw

The expansions to the kennel business include increasing the number of Giant Schnauzer litters breed to three (3) per year, increasing the number of training classes to five (5) per week, and changing the dog training classes' operating times to 6 – 9 PM. Compared to the original application (DPA 20/16) the kennel business was approved to breed two (2) litters per year, two (2) classes were offered per week and operated from 6 – 8 PM.

No structural expansions are proposed, and other aspects of the business will remain the same. These aspects include having two (2) resident on-site employees, caring for two (2) rescue/foster dogs at a time, and accommodating up to ten (10) clients per class.

Staff believe that the proposed expansions and renewing the business with a five

(5) year term is acceptable considering that no issues or objections were raised during the pre-circulation period, and that the County has received no complaints regarding the subject kennel in the past.

During a site visit, staff found that a sea-can was placed near the front property line and parking area. As per section 7.1.3(4)(a)(v) of the County's Land Use Bylaw, sea-cans are prohibited in the front or side yard of an Agricultural property, unless suitably screened to the satisfaction of a Development Officer. The sea-can will have to be either removed from the property or relocated and properly screened.

## **STAFF RECOMMENDATION**

APPROVE the application, subject to the following conditions:

1. term of development permit to be for five (5) years
2. this approval shall be subject to an annual review by the Development Officer. Failure to comply with the conditions of the development permit may result in the permit being suspended or revoked
3. the proposed shop shall be located in accordance with the site plan submitted with the development permit application
4. a maximum of three (3) litters of dogs per year are permitted for the breeding business
5. no more than five (5) dog training classes per week for a maximum of ten (10) dogs per class. Classes are to run no later than 9:00 PM
6. a maximum of two (2) rescue/foster dogs are permitted at a time
7. all animals shall be kept indoors between 10:00 PM and 6:00 AM
8. the sea-can along the front property line must either be removed from the property or relocated and suitably screened to the satisfaction of the Development Officer. This must be done by September 30, 2019
9. the owner/operator shall ensure that the business does not cause any nuisance to surrounding property owners due to noise, dust, excessive traffic, or anything else of a dangerous or objectionable nature, as determined by the County at its sole discretion
10. business activities at the site shall adhere to the description of the business provided with the development application and site plan. A further development application is required for any changes to the business, including any new buildings, additions to existing structures, or increase in employees

11. no signage permitted without prior approval from the County

*It is the responsibility of the applicants to ensure that the proposed development meets the requirements of the provincial Safety Codes Act and the associated Regulations. For more information on what permits may be required, contact one of the safety service agencies listed on the attached sheet.*

*Please note that because the proposed development is within ½ mile of provincial highways 11 and 815, a permit will be required from Alberta Transportation. For more information, contact the Department at (403) 340-5166.*

## **MPC DECISION**

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**PREPARED BY: Florian Goetz, Junior Planner/Development Officer**



**REVIEWED BY: Dale Freitag, Manager of Planning Services**



**REVIEWED BY: Tim Timmons, County Manager**

