


**PUBLIC HEARINGS AND MEETINGS  
 PLANNING AND DEVELOPMENT REPORT TO COUNCIL  
 REDESIGNATION  
 June 5, 2024  
 To be heard at: 10:00 AM**

<b>APPLICATION INFORMATION</b>		<b>File No. 24R014</b>
	<b>LEGAL DESCRIPTION:</b> NW 01-19-28 W4M; Plan 0813086, Block 1, Lot 1	
	<b>LANDOWNERS:</b> Steven & Marissa Weir	
	<b>CURRENT LAND USE:</b> Country Residential District	
	<b>PROPOSED LAND USES:</b> Direct Control District #26 - Dog Kennels & Facilities	
	<b>AREA OF SUBJECT LANDS:</b> 6.89 acres	
<b>PROPOSAL:</b> Application for the redesignation of subject parcel being NW 01-19-28 W4M; Plan 0813086, Block 1, Lot 1 from Country Residential District to Direct Control District #26 (DC#26) - Dog Kennels and Facilities.		
<b>DIVISION NO:</b> 1	<b>COUNCILLOR:</b> Rob Siewert	
<b>FILE MANAGER:</b> Brittany Smith		

**EXECUTIVE SUMMARY:**

**Summary of Proposal:**

Redesignation of the 6.89-acre subject parcel to Direct Control District #26 (DC#26) to allow for the operation of a Commercial Dog Boarding Kennel.

**Location:**

- Directly east of 160 ST E
- 1.5km north of Highway 23
- Approximately 5 km Northwest of Frank Lake
- 1.6 km south of 498 Ave E

**Policy Evaluation:**

The subject parcel does not fall within any Intermunicipal Plan, Development Plan, or Area Structure Plan and has therefore been reviewed within the terms of the MDP2010 and the Land Use Bylaw 60/2014.

**Referral Considerations:**

- Referred to required Provincial and Municipal bodies, as well as Utilities.

**PROPOSAL:**

The applicants are proposing to redesignate the 6.89-acre Country Residential District parcel to Direct Control District #26 (DC#26) to allow for a commercial dog kennel business on the subject parcel. The application identifies:

- Use of a proposed +/- 308 sq. ft. accessory building as a boarding area for the dogs.
- An outdoor exercise area in the northeast corner of the subject property outlined by a proposed minimum 4 ft. high wire fenced area.
- Installation of ten (10) outdoor fenced dog runs 4' x 6' each on the north and south sides of the proposed accessory building.

- Trees are proposed to be added around the property to provide screening as necessary.
- The application is anticipating no more than 16 dogs at the property at any given time. The dogs would vary in breed and in size from 40-70 lbs.
- Dogs will be contained within the proposed accessory building and would have access to the outdoor dog runs through doggy doors that will be closed by 9pm, with gates from each run to the outdoor exercise area.
- The attached garage will store kennel supplies such as leashes, bowls, food while the other existing structures will not be used for the operation of the kennel.
- Business visits are anticipated between 1-2 on a daily basis.
- No employees besides the landowners are noted within the application.
- The hours of operation will be 7am -7pm, Monday to Sunday - with dog kenneling occurring 24 hours; 7 days a week.
- Breeding of 1-2 litters per year is proposed.
- Dog waste would be cleaned minimum three (3) times per week and disposed of in a sealed garbage container and will be emptied on a weekly basis and disposed of accordingly.
- Water: estimated water use is 10 gallons per week using the existing well on site.
- Parking will be provided within the subject parcel in an existing area located south of the existing dwelling.

See Appendix A – Site Plan for clarification.

#### **BACKGROUND INFORMATION:**

The applicants received previous discretionary approval on June 23, 2021, through Development Permit 21D 126 for a private kennel which would allow for a total of 8 adult dogs owned by the landowner. This approval has been included within Appendix B of this staff report. This development was not completed by the landowner and the file was deemed null and void in November 2023.

The lands directly surrounding the subject parcel are Agricultural District parcels with one Direct Control #27 – Agri-Major Home Occupation within a 13.95-acre portion of the adjacent parcel. This DC#27 district received final reading on June 8, 2022 with subsequent Development Permit 22D 109 approval by Council on July 6, 2022, allowing for a Construction, Excavation and Trucking Business operating as a Home-Based Business Type III [Shawne Excavating] with onsite activities including equipment storage, maintenance, repair, storage of material and supplies, and recycling of excavated materials.

#### **SITE CONSIDERATIONS:**

##### **Access:**

The subject parcel has an existing standard approach, which is located off of 160 St E. This approach is proposed to be utilized for both the landowners of the parcel and clients.

Public Works has advised that the current approach meets standards, and no upgrades were recommended.

##### **Physiography:**

The lands are flat with a dugout located along the south boundary.

**Existing Development:**

The 6.89-acre subject parcel contains an existing residence with attached garage, a small chicken coop, a garden shed and play structure. **POLICY EVALUATION:**

**Municipal Development Plan 2010 (MDP2010):**

This application generally aligns with the objectives and policy contained in the Economy section of the MDP2010, which supports commercial uses on lands where development is compatible with the surrounding area and where it provides minimal impact. Further, considerations shall be given to size, design, noise, odor, traffic and visual impact of the proposal on adjacent lands.

**Land Use Bylaw 60/2014:**

The application meets the requirements as set out in Section 18.26 of Direct Control District #26 – Dog Kennels and Facilities (DC26).

**Section 10.13 Kennels:**

Commercial Kennel / Dog Services:

10.13.11 The keeping of 4 or more adult dogs not owned by the resident(s) of the dwelling located on the same property for any such purpose shall be considered a Commercial Kennel. Such uses may include but not be limited to the purposes of breeding, boarding, caring for, grooming, and/or training of dogs.

10.13.12 A Commercial Kennel is a discretionary use under Direct Control District #26. A redesignation to Direct Control District #26 is required for all commercial kennels in the County. If approved by Council, a Development Permit approval is also required.

10.13.13 Any building or exterior exercise area(s), to be used to accommodate the dogs as part of a Commercial Kennel shall be located:

- a. A minimum of 300 m to any dwelling located on adjacent parcels; or
- b. As determined by Council.

The purpose and intent of the DC26 is to allow for the development of Dog Kennels and Facilities on lots with a single family residence and to allow for the Direct Control by Council. Dog Kennel (Commercial) is listed as Discretionary uses under DC26. Attached as Appendix C.

<b>CIRCULATION REFERRALS</b>	
<b>REFEREE</b>	<b>COMMENTS</b>
<b>INTERNAL</b>	
Public Works	Public Works provided the following recommendations: <ul style="list-style-type: none"> <li>• The current approach meets standards</li> <li>• Given 1-2 visits to the site per day, no upgrades are recommended.</li> </ul>
Municipal Fire	Fire Inspection provided the following recommendations to be complied with at time of development permit: <ul style="list-style-type: none"> <li>• Address of property is to be posted.</li> <li>• Ensure access for Fire department apparatus as per the National Fire Code 2019 Div. B Sec 2.5.1</li> <li>• Fire extinguishers are to be installed as per the National Fire code 2019 Div. B Sec 2.1.5 and NFPA 10.</li> </ul>

<b>CIRCULATION REFERRALS</b>	
	<ul style="list-style-type: none"> <li>• Fire Safety Plan is to be posted as per the National Fire Code 2019 Div. B Sec 2.8.2</li> <li>• Fire Inspection of building required once completed.</li> </ul>
<b>EXTERNAL</b>	
Alberta Health Services	<p>AHS advised they did not have any concerns with the information as provided, and provided the following recommendations/reminders:</p> <ul style="list-style-type: none"> <li>• No soils, groundwater or surface water sources shall become polluted due to operations on the subject lands. Please ensure that potable water sources are adequately protected from any run-off, nuisance or contaminants.</li> <li>• Any stockpiles of solid wastes from the property should be handled, stored and disposed of properly, protected from excessive moisture and pests. We recommend that collected solid wastes should not be disposed of on the property, but offsite in an approved manner.</li> <li>• Implement odor mitigation strategies to ensure that odors from the proposed facility are controlled so as not to affect neighboring properties.</li> <li>• AHS-EPH notes that the source water for the site is an existing water well. AHS-EPH would like to remind the Applicant that any water wells on the subject lands should be completely contained within the proposed property boundaries. A drinking water source must conform to the most recent Canadian Drinking Water Quality Guidelines and the Alberta Public Health Act, Nuisance and General Sanitation Guideline (AR 243/2003), which states: <ul style="list-style-type: none"> <li>○ A person shall not locate a water well that supplies water that is intended or used for human consumption within <ul style="list-style-type: none"> <li>▪ a) 10 metres of any watertight septic tank, pump out tank or other watertight compartment of a sewage or wastewater system,</li> <li>▪ b) 15 metres of a weeping tile field, an evaporative treatment mound or an outdoor toilet facility with a pit,</li> <li>▪ c) 30 metres of a leaching cesspool,</li> <li>▪ d) 50 metres of sewage effluent on the ground surface,</li> <li>▪ e) 100 metres of a sewage lagoon, or</li> <li>▪ f) 450 metres of any area where waste is or may be disposed of at a landfill within the meaning of the Waste Control Regulation (AR 192/96)</li> </ul> </li> </ul> </li> <li>• Any existing or future private sewage disposal systems must be completely contained within the property boundaries and must comply with the most recent Alberta Private Sewage Systems Standard of Practice. Prior to installation of any sewage disposal system, a proper geotechnical assessment should be conducted by a qualified professional engineer.</li> </ul>
Sunshine Gas Co-Op	Expressed no concerns with the proposal.

CIRCULATION REFERRALS	
PUBLIC	
Western Wheel	May 22, 2024 & May 29, 2024
Landowners (half mile)	No submissions prior to public hearing

**SUMMARY:**

Bylaw XX/2024 – Application for the redesignation of the 6.89-acre subject parcel being NW 01-19-28 W4M; Plan 0813086, Block 1, Lot 1 from Country Residential District to Direct Control District #26 - Dog Kennels and Facilities to allow for the operation of a commercial dog kennel.

**OPTIONS FOR COUNCIL CONSIDERATION:**

**OPTION #1 – APPROVAL**

Council may choose to grant 1<sup>st</sup> reading to the application for the redesignation of the subject parcel being NW 01-19-28 W4M; Plan 0813086, Block 1, Lot 1 from Country Residential District to Direct Control #26 - Dog Kennels and Facilities to allow the operation of a Commercial Dog Kennel on the subject parcel, for the following reasons:

*In consideration of the criteria noted within the Economy Section of the MDP2010 and the Direct Control District #26 Land Use District, Council is of the opinion that allowing the proposed Commercial Dog Kennel on the subject lands would not be detrimental to the intended use of the subject parcel and neighbouring parcels.*

Further, it is noted that a Development Permit will be required to be submitted and considered by Council in advance of the applicant undertaking any of the uses not currently permitted on the subject lands.

**Recommended Conditions for Option #1:**

1. Final redesignation application fees to be submitted;
2. Submission of a complete development permit application and the necessary fees.

**OPTION #2 REFUSAL**

Council may choose to refuse the application for the redesignation of the 6.89 acre subject parcel being NW 01-19-28 W4M; Plan 0813086, Block 1, Lot 1 from Country Residential District to Direct Control District #26 Dog - Kennels and Facilities for the following reasons:

*In consideration of the criteria noted within the Economy Section of the MDP2010 and the Direct Control District #26 Land Use District, Council is of the opinion that the application does not adequately address the intent of the Economy section with respect to the compatibility and impact of the proposed business activities on surrounding lands.*

**APPENDICES:**

**APPENDIX A: MAP SET**

LOCATION MAP

LAND USE MAP

SITE PLAN

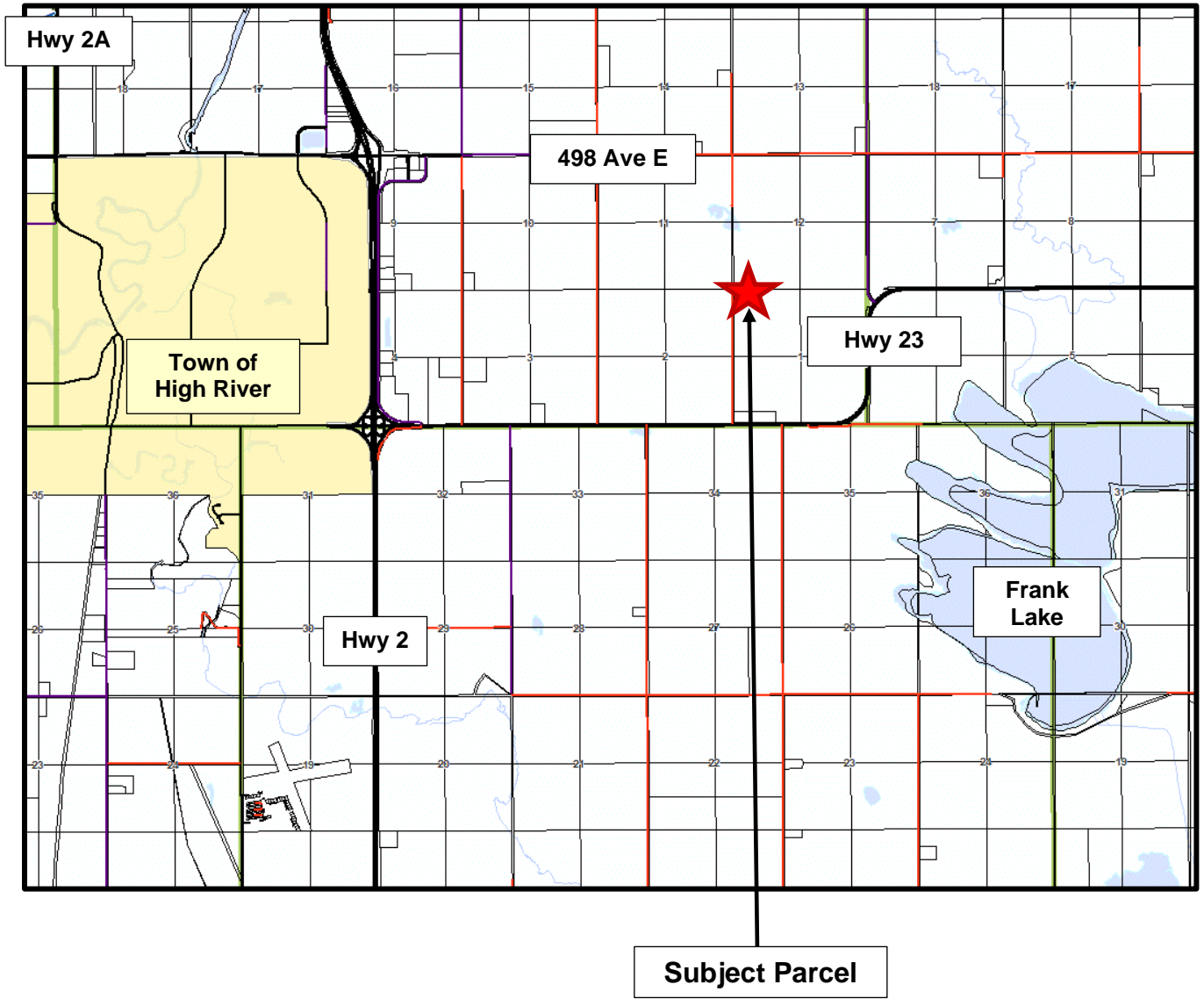
ORTHO PHOTO

**APPENDIX B: DEVELOPMENT APPROVAL 21D 126 – PRIVATE KENNEL**

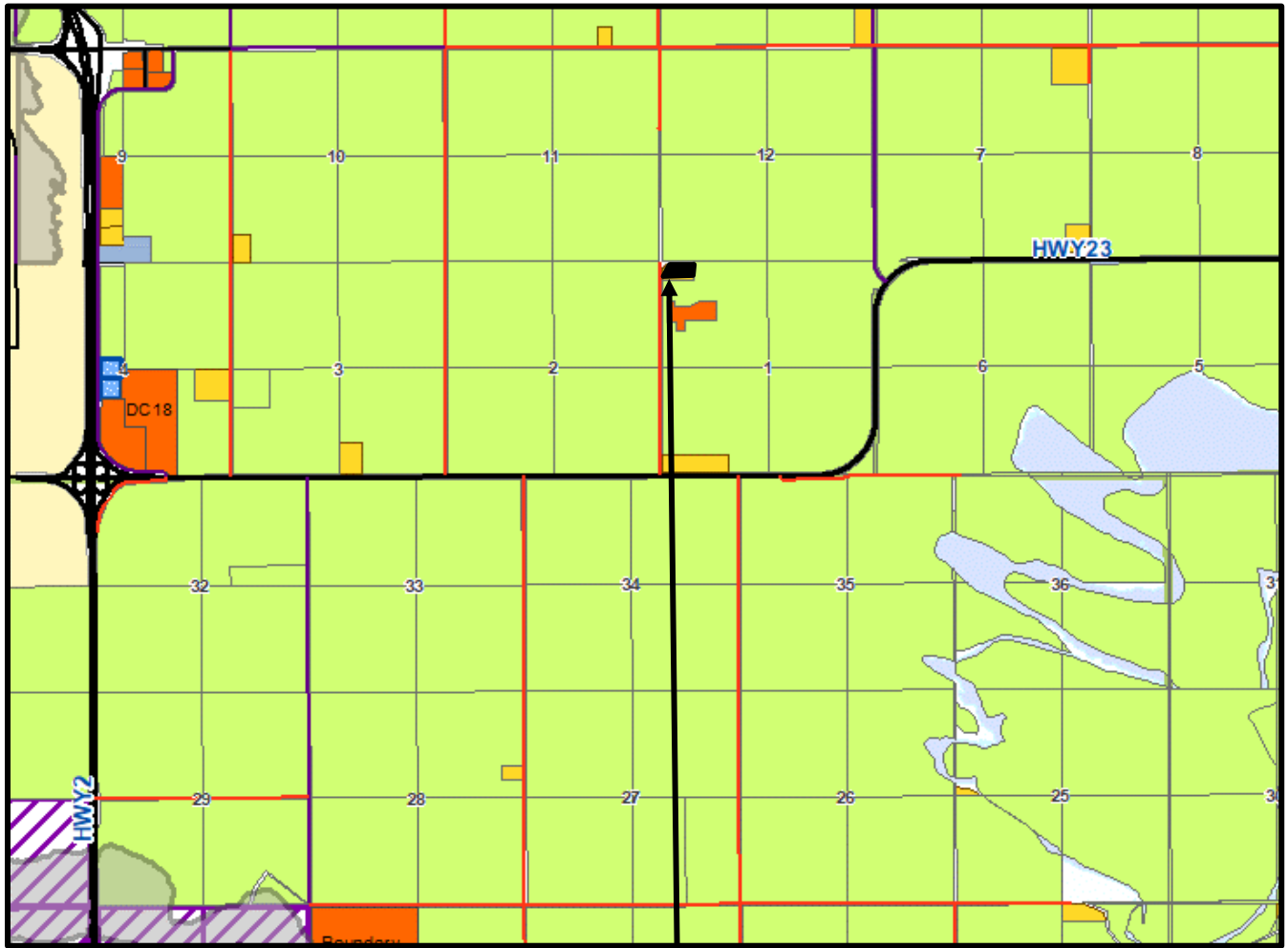
**APPENDIX C: PROPOSED BYLAW**

**APPENDIX D: LAND USE BYLAW SECTION 18.26 – DC26 – DOG KENNELS & FACILITIES**

**APPENDIX A: LOCATION MAP**



**APPENDIX A: LAND USE MAP**

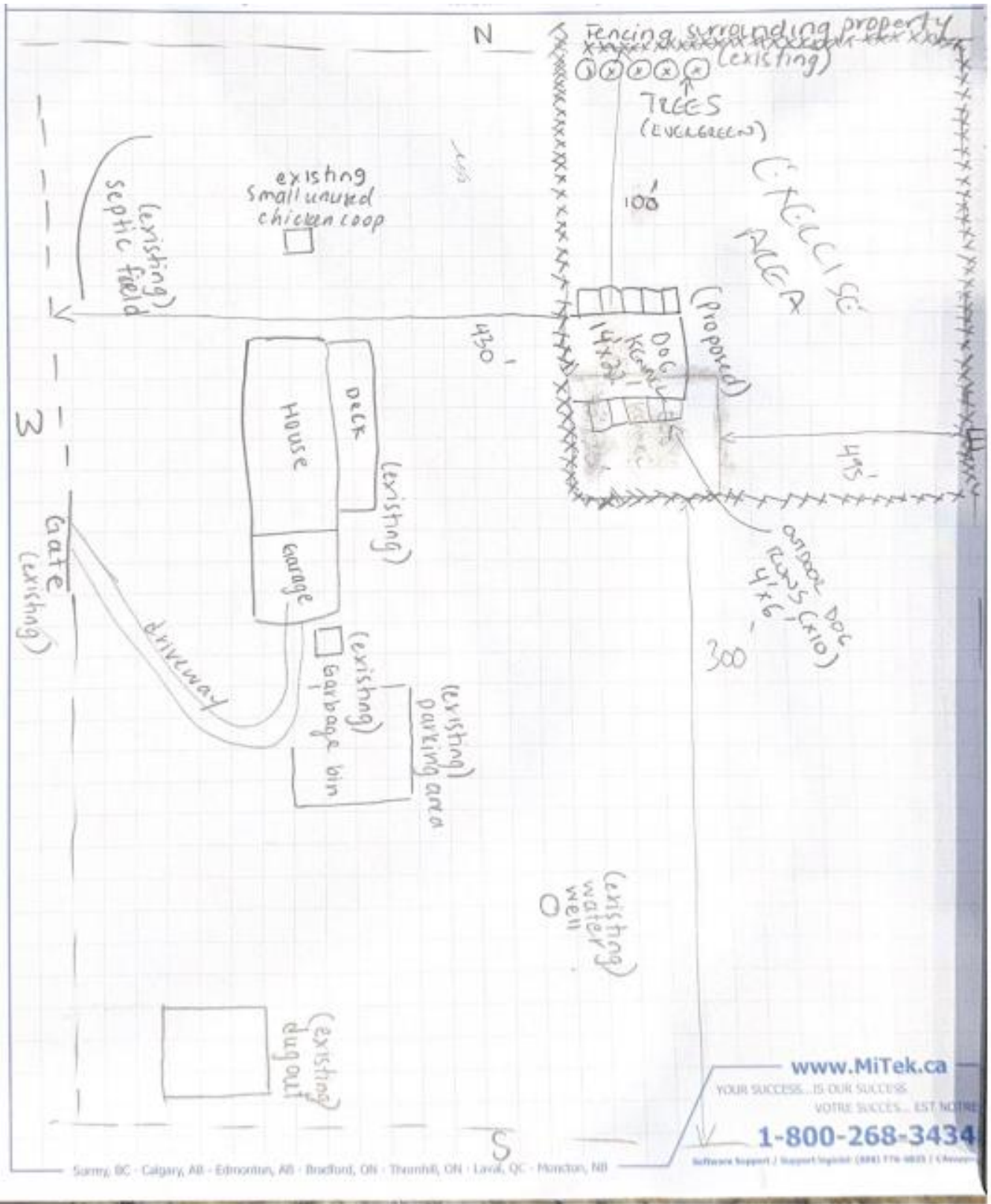


**Subject Parcel**

**Legend**

- Hard Surface (Chip/oil)
- Gravel
- Developer Pavement
- Pavement
- Flood Hazard Protection District
- In Transition
- A- Agricultural
- AA- Agricultural Sub A
- CR- Country Residential
- CRA- Country Residential Sub A
- DC - Direct Control
- BP- Bussiness Park
- RB- Rural Business
- INR- Natural Resource Extraction
- EP- Environmental Protection
- ER- Environmental Reserve
- MR- Municipal Reserve
- MLR- Municipal Land/Reserve District

**APPENDIX A: SITE PLAN**



APPENDIX A: ORTHO PHOTO



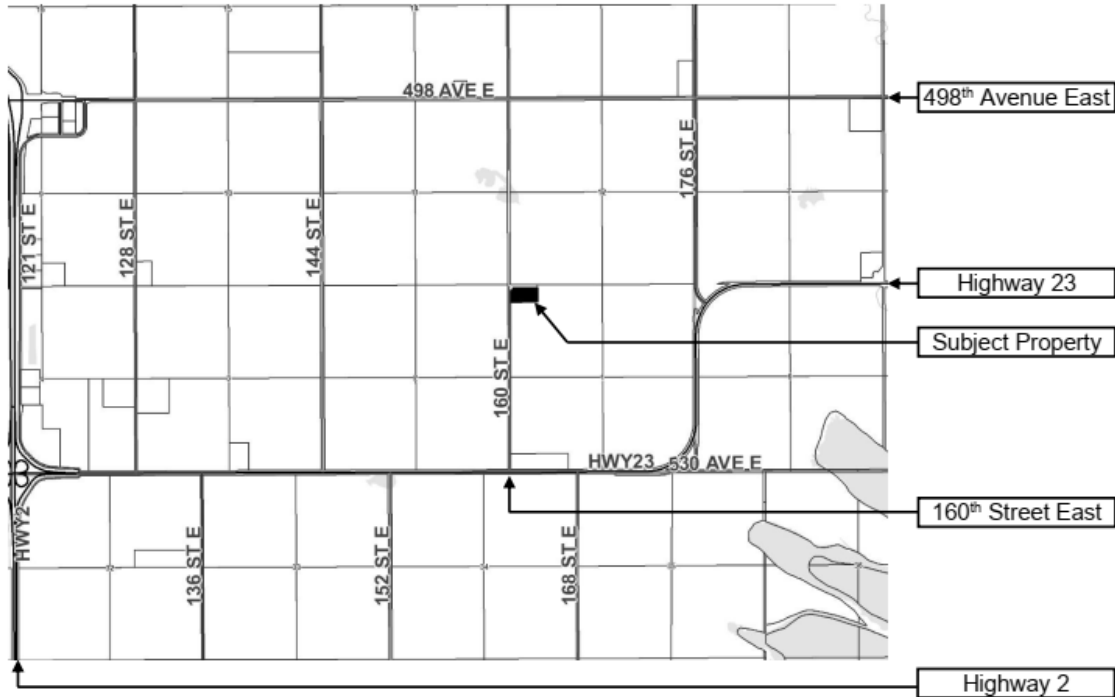


**DEVELOPMENT AUTHORITY DECISION**

DATE OF DECISION: June 23, 2021

**DEVELOPMENT PERMIT APPLICATION FILE NUMBER:** 21D 126  
**LANDOWNER / APPLICANT:** STEVEN WEIR  
**PROPOSAL DESCRIPTION:** PRIVATE DOG KENNEL (OWNED SOLELY BY LANDOWNERS)  
**LEGAL DESCRIPTION:** PTN. NW 01-19-28 W4M; PLAN 0813086, BLOCK 1, LOT 1

**LOCATION:** The subject property is a 6.89 acre Country Residential District parcel located on the east side of 160<sup>th</sup> Street East and approximately 1.5 kilometers north of Highway 23. This is approximately 4 kilometers east of the Town of High River and Highway 2.



**INTENT OF APPLICATION:**

The landowner has submitted application for a Private Dog Kennel, to allow for a total of eight adult dogs, personally owned by the landowner, to reside on the subject property. Under the current Land Use Bylaw, the keeping on a lot for any purpose of 4 or more dogs which are owned by the occupant(s) of the subject property, is a Discretionary Use within the Country Residential Land Use District; therefore, request to allow for additional adult dogs must be considered through issuance of a Development Permit.

The landowner is proposing to construct a permitted 400+/- sq.ft. accessory building to house the dogs, including attached outdoor fenced kennels and a fenced exercise area.

The application for a Development Permit in accordance with the provisions of Land Use Bylaw 60/2014 of Foothills County in respect of a Private Dog Kennel, on the subject property, being Portion of NW 01-19-28 W4M; Plan 0813086, Block 1, Lot 1 has been considered by the Development Officer and is **APPROVED** subject to the following:

**APPROVAL DESCRIPTION:**

This approval is for a Private Dog Kennel to allow for a maximum of eight (8) adult dogs, personally owned by the landowner and/or residents of the subject property, as per the submitted application for Development Permit.

**CONDITIONS OF APPROVAL:**

Please note that the following requirements must be completed within the twenty-four (24) month completion period for this Development Permit, unless a time extension is issued under agreement between the Development Authority and the Applicant(s). Failure to complete and/or comply with the conditions of approval will see the Development Permit deemed null and void.

1. The Applicant(s) shall maintain the development in accordance with all conditions of approval and plans that have been acknowledged by the municipality to be appropriate. Any revisions and/or additions to the use of this land may only occur upon obtaining appropriate municipal approvals;
2. The Applicant(s) shall obtain all necessary Building & Safety Code Permits for the proposed Kennel structure, to the satisfaction of the Safety Codes Officer;
3. This permit allows for a Private Kennel, as defined within the Land Use Bylaw; therefore, absolutely no boarding, babysitting, or training of dogs other than those personally owned by the landowner shall occur on the subject property;
4. All dogs must be located inside during the hours of darkness; at no time of the year shall the dogs be outside between the hours of 9:00pm and 7:00am, unless absolutely necessary for the purpose of allowing dogs to relieve themselves and are entirely under the control of the landowner, or authorized representative, at all times;

#### **ADVISORY COMMENTS:**

The following advisory comments are provided by Foothills County as a courtesy to the applicant(s) and property owner(s). They are provided for information purposes, and to advise the applicant(s) and landowner(s) of their responsibility and liability.

1. No additional dogs are permitted on the subject property at any given time, with the exception of personal guests of the landowner provided any visiting dogs are under the control of their owner for the entire duration of the personal visit. This does not include for any business, training, or kennel related purposes;
2. In determining the number of dogs, pups less than six months of age shall not be included;
3. The landowner is advised that on a property of this size, a maximum of four (4) personal use buildings with a total cumulative size not to exceed 325.2 sq.m. (3,500 sq.ft.), accessory to the residence, are permitted without the benefit of further development permit approval, provided the building(s) adhere to all other applicable policy within the Land Use Bylaw;
4. Development is required to comply with all requirements of the Building, Safety, and Fire Codes at all times;
5. All installation(s) of exterior lighting must adhere to the guidelines and technical specifications as outlined within the Dark Sky Bylaw;
6. It is the landowner's responsibility ensure that the dogs are either within the dwelling, permitted accessory building, proposed kennel or fenced areas and/or are to be under control of the landowner, or an authorized representative, at all times;
7. It is the landowner's responsibility to ensure that all dogs and domestic animals are contained within the subject property;
8. Any waste materials shall be disposed of at an approved site disposal site. There shall be no long term storage of waste materials, nor burning of waste materials on the subject property;
9. No offensive noise, vibration, smoke, dust, odor, heat, glare, electrical or radio disturbance is to be detectable beyond the boundary of the lot. It is the responsibility of the landowner to control barking so that it does not become a nuisance, as no exemptions to our Community Standards Bylaw for noise is granted under this approval;
10. The issuance of a development permit by the County does not relieve the landowners of the responsibility of complying with all other relevant County bylaws and requirements, nor excuse violation of any Provincial or Federal regulation or act which may affect use of the land.
11. The applicant shall be responsible for payment of any professional costs including legal fees that may be incurred by the County with respect to the development approved on this permit;

**Note:** Notification of this decision will be advertised in two issues of the Western Wheel and circulated to area landowners (according to County Records at this time) within the subject quarter section and for one-half mile surrounding. Development Permit Notices can also be viewed at: [www.foothillscountyab.ca](http://www.foothillscountyab.ca).

**Note:** This Development Permit shall thereafter be null and void if the development or use is abandoned for a period of six months.

**Note:** The conditions and advisory requirements of this Development Permit must be met and adhered to at all times. Fines and/or Enforcement action may occur if operating outside of the Development Permit.



**Foothills County Land Use Bylaw |**

**18.26 DIRECT CONTROL DISTRICT #26 (DC 26)  
DOG KENNELS AND FACILITIES**

**DC#26**

**18.26.1 PURPOSE AND INTENT**

To allow for the development of Dog Kennels and Dog Facilities on lots with a single family residence and to allow for the Direct Control by Council over development on the following lots:

NW 16-19-26-W4M, PLAN 0810315, BLOCK 1, LOT 2  
NW 30-19-26-W4  
NW 31-20-28-W4  
NE 03-22-01-W5, PLAN 1410872, BLOCK 1, LOT 6  
SE 02-20-01-W5, PLAN 0711052, BLOCK 1, LOT 1  
NW 01-20-02-W5, PLAN 0412085, BLOCK 1, LOT 1  
SW 34-21-29-W4, PLAN 0112318, BLOCK 1, LOT 9  
SE 33-19-28-W4, PLAN 9910436, LOT 1  
PTN. PLAN 9310765, BLOCK 4, LOT 1, SW. 06-22-28-W4

**18.26.2 PERMITTED USES**

Accessory Buildings not requiring a development permit (accessory to the Dwelling)  
Agricultural, General  
Accessory Uses to the Dwelling  
Dwelling, Single Family  
• No more than 1 such dwelling is permitted on a single lot less than 32.4 ha (80 ac) in size  
• No more than 2 such dwellings are permitted on a single lot 32.4 (80 ac) or greater in size  
Dwelling, Mobile Home  
• Permitted use only on lots 32.4 (80 acres) or greater in size  
Home Office  
Signs not requiring a development permit  
Solar Power System, Private (Not requiring a Development Permit)  
Temporary storage of up to 5 unoccupied recreation vehicles  
Utility services, minor

**18.26.3 DISCRETIONARY USES**

Accessory Uses to the Dog Kennel or Dog Facility  
Animal Shelter  
Animal Care Services  
Dog Daycare  
Dog Park  
Dog Training Facility  
Dog Grooming  
Dwelling, manufactured home - one only  
• discretionary use only on lots less than 80 acres in size  
Dwelling, moved on,  
Kennel (Private)  
Kennel (Commercial)  
Lot Grading  
Manmade water features requiring a permit  
Public Quasi Public Installations and Facilities

Secondary Suite, Detached  
Secondary Suite, Principal  
Signs requiring a Development Permit  
Solar Power System, Private (Requiring a Development Permit)  
Special Event (accessory to the Dog Kennel or Dog Facility use)  
• discretionary use only on parcels over 21 acres in size  
Temporary storage of between 6-10 unoccupied recreation vehicles

#### 18.26.4 LAND USE REQUIREMENTS

18.26.4.1 A person who wishes to subdivide land in this district into additional lots must first apply for and be granted approval of a land use bylaw amendment.

18.26.4.2 Standards of development shall be at the discretion of the Council.

#### 18.26.5 DEVELOPMENT REQUIREMENTS

##### 18.26.5.1 Maximum Height of Structures

- a. Principal buildings, first vehicle garage, and car ports:
  - i. 12m (39.37 ft.)
- b. Accessory Buildings and Arenas:
  - i. 10.67m (35 ft.)
- c. Radio antennas, internet towers and wind turbines:
  - i. 16m (52.49 ft.);

##### 18.26.5.2 Maximum Lot Coverage

- a. No building or group of buildings including their accessory buildings and impervious surfaces shall cover more than sixty (60) percent of the lot area;

##### 18.26.5.3 Maximum Dwelling Unit Density

- a. Maximum dwelling unit density for a parcel under 80 acres is one Dwelling, Single Family and either one Dwelling, Secondary Suite, or one Dwelling, Temporary, where the use is listed as a permitted or discretionary use in the specific district in accordance with Section 10.26 Secondary Suites and Section 10.10 on Dwellings.
- b. Maximum dwelling unit density for a parcel 80 acres or larger in size is two Dwellings, Single Family and either one Dwelling, Secondary Suite, or one Dwelling, Temporary, where the use is listed as a permitted or discretionary use in the specific district in accordance with Section 10.26 Secondary Suites and Section 10.10 Dwellings.

##### 18.26.5.4 Minimum Yard Setback Requirements

- a. Front Yard Setback:
  - i. 15m (49.21 ft.) from the right of way of an Internal Subdivision Road;
  - ii. 48m (157.48ft.) from the centreline of a Municipal Road;
  - iii. 40m (131.23 ft.) from the ultimate right of way or 70 meters from the centreline of a Provincial highway, whichever is greater.

- b. Side Yard Setback:
  - i. 15m (49.21 ft.) from property line.
- c. Rear Yard Setback
  - i. 15m (49.21 ft.) from property line.
- d. If the title to a lot is subject to a caveat in respect of a land dedication or an agreement for the acquisition of land for road widening purposes, the dedicated area or area of future road widening shall be considered the future property boundary for which setback distances set out shall apply.

18.26.5.5 Corner Parcel Restrictions:

- a. In accordance with Section 9.27.9 - 9.27.12.

18.26.5.6 Other Minimum Setback Requirements:

- a. See Section 9.27 "Special Setback Requirements" of Land Use Bylaw for additional setback requirements that may apply.
- b. The Approving Authority may require a greater building setback for any industrial use which, in the opinion of the Approving Authority, may interfere with the amenity of adjacent uses.

18.26.5.7 Minimum habitable area per dwelling

- a. 100 m<sup>2</sup> (1,077 sq. ft.)

**18.26.6 SPECIAL PROVISIONS**

18.26.6.1 The Approving Authority may, when issuing a development permit, determine the maximum number of dogs that may be kept on the premises at any one time by the operator of a Dog Kennel or Dog Facility.

18.26.6.2 The Approving Authority may, when issuing a development permit set a period of time for which the permit will remain valid and may include the option to apply for renewal at the end of the term. See Section 4.7 for information regarding temporary uses.

18.26.6.3 The Approving Authority may, as a condition of issuing a Development Permit, impose any condition that addresses a relevant planning and development matter, including but not limited to:

- a. Location and maximum size of facilities to be constructed;
- b. Hours of "operation" - that is hours during which clients may visit the facility;
- c. Number of non-resident employees;
- d. Number of vehicle visits per day;
- e. Hours during which animals must remain indoors;
- f. Noise;
- g. Buffering;
- h. Lighting;
- i. Manure management;
- j. Screening of facilities.

18.26.6.4 In determining the number of dogs, pups less than six months of age shall not be included.

- 18.26.6.5 Any building or exterior exercise area(s), to be used to accommodate the dogs as part of a Commercial Kennel shall be located:
- a. A minimum of 300m to any dwelling located on adjacent parcels; or
  - b. As determined by Council
- 18.26.6.6 All dogs, including pups shall be kept indoors between the hours of 9:00pm to 7:00am daily unless supervised by at least one person per four dogs.
- 18.26.6.7 All dog facilities, including buildings and exterior exercise areas shall be located to the rear of the principal building unless otherwise approved by the Approving Authority.
- 18.26.6.8 All dog facilities shall be visually screened by fences or landscaping from the existing dwellings on adjoining lots.
- 18.26.6.9 Design Guidelines:
- a. all development located within the Highway 2A Industrial Area structure plan (H2AI Area Structure Plan) area shall comply with the Highway 2A Corridor Design Guidelines (2021), as may be amended, or replaced by Council from time to time.
- 18.26.6.10 Lighting:
- a. All lighting must be in accordance with Section 9.15 of this Land use bylaw and with the Dark Sky Bylaw.
- 18.26.6.11 Lot Drainage:
- a. A Development agreement shall be entered into for lot grading to the satisfaction of the Director, Public Works and Engineering;
  - b. Lot grading and drainage shall be in accordance with Section 9.17 of the Land use bylaw.

#### **18.26.7 PROCEDURE**

- 18.26.7.1 Notwithstanding the procedure established for development permit applications in Section 4, an application for development permit in respect of lands referred to in Section 18.26.1 shall be referred by the Development Officer to the Council for its approval or refusal.
- 18.26.7.2 Notwithstanding the procedure established for the issuance of development permits in Section 5, the Council shall decide on all applications for development permits with respect to lands referred to in Section 18.26.1. The council may approve a development permit application with or without conditions or may refuse an application for development permit.
- 18.26.7.3 There is no appeal to the Development Appeal Board from a decision of the Council on an application for a development permit in respect of the lands referred to in Section 18.26.1.