

## CITY OF FORT SASKATCHEWAN

### **Bylaw C13-17 – Amend Land Use Bylaw C10-13 – Include Kennel as a Discretionary Use in the C5 - Fort Mall Redevelopment District**

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#### **Motion:**

That Council give first reading to Bylaw C13-17 to amend Land Use Bylaw C10-13 to include kennel as a Discretionary Use in the C5 - Fort Mall Redevelopment District.

#### **Purpose:**

To present Council with information on including kennel as a Discretionary Use in the C5 – Fort Mall Redevelopment District, and to request consideration of first reading.

#### **Background:**

An application to amend Land Use Bylaw C10-13 was submitted by the owner of K9 Play Doggy Daycare Hotel & Spa. The proposed amendments include adding fascia sign as a Permitted Use, and kennel as a Discretionary Use in the C5 – Fort Mall Redevelopment District. The C5 - Fort Mall Redevelopment District regulations are for the Fort Station Site in the downtown (see Appendix A). The C5 – Fort Mall Redevelopment District is part of the commercial development regulations in the Land Use Bylaw.

The C5 – Fort Mall Redevelopment District currently does not allow kennels. Kennels are developments for boarding pets generally for periods of greater than 24 hours, and typically includes outside enclosures, pens, runs or exercise areas.

Kennels are permitted uses in the IL - Light Industrial District and the IM - Medium Industrial District. Kennels are a discretionary use in the C2 - Vehicle Oriented Retail and Service District, and the C3 - Commercial Shopping Centre District. This means that kennels can only be approved at the discretion of the Development Authority depending on compliance with planning regulations and compatibility with surrounding land uses. Adjacent property owners receive a letter notification that a kennel is being applied for near their property.

#### **Regulations for Outside Enclosures**

The applicant and owner of K9 Play Doggy Daycare Hotel & Spa would like kennels to include outside enclosures, and has provided the following regulation:

*Outdoor enclosures for kennels shall be located to minimize impact on surrounding developments, and shall be enclosed on all sides by fencing or landscaping, or a combination of both. (see Appendix B).*

Kennels within the C5 – Fort Mall Redevelopment District would be required to be enclosed by fence and landscaped. The fencing and landscaping may provide a visual buffer between pedestrians and the dogs, and may mitigate some of the barking and noise.

### Administration Recommendation

Administration supports amending the district regulations to include fascia signs as a Permitted Use, and kennel as a Discretionary Use. Administration does not support the C5 – Fort Mall Redevelopment District kennel use by having outside enclosures, pens, runs, or exercise areas. Administration supports first reading of Bylaw C13-17 as presented, but would recommend that Council deliberate outside enclosures, pens or runs, and any potential regulations at second and third reading.

It is the opinion of the Administration that outside enclosures with dogs will negatively impact neighboring commercial businesses and residents.

### **Plans/Standards/Legislation**

The site has been designated as “Downtown” in the City’s *Municipal Development Plan*. It has also been designated as “Mall Redevelopment Precinct” in the *Downtown Area Redevelopment Plan & Design Guidelines*.

Should Council give first reading to Bylaw C13-17, a Public Hearing will be scheduled. As per *Municipal Government Act* requirements, affected landowners will be notified by mail. In addition, an advertisement will be published in the local paper for 2 consecutive weeks prior to the hearing. The target date for the Public Hearing is Monday July 10, 2017 and will be held in Council Chambers at 6:00 p.m.

### **Financial Implications:**

Analysis on the financial considerations will be examined and outlined in the subsequent report to Council.

### **Attachments:**

1. Bylaw C13-17
2. Appendix A - Location Maps
3. Appendix B - C5 - Fort Mall Redevelopment District regulations with proposed amendments

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File No.: Bylaw C13-17

Prepared by:	Matthew Siddons Current Planner, Planning & Development	Date: June 19, 2017
Approved by:	Dean McCartney Acting Director, Planning & Development	Date: June 21, 2017
Reviewed by:	Troy Fleming Acting City Manager	Date: June 22, 2017
Submitted to:	City Council	Date: June 27, 2017