



INNOVATIVE PLANNING SOLUTIONS

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Authorization as Agent Letter:

I/We, Usman Aziz, as the registered owner(s) of lands, hereby authorize, Innovative Planning Solutions (IPS Consulting Inc.), to act as our agent for the purposes of all Planning related applications, with respect to the following lands:

200 Fox Street, Township of Puslinch, County of Wellington

PT LT 9 CON GORE PUSLINCH – PTS 2 (Except PT 1 61R10665) & 3 61R7925 – PUSLINCH;
S/T EASEMENT OVER PT 3 61R7925 AS IN LT20295

Usman Aziz

Name (Printed)

[Redacted Signature]
Signature

08/10/23

Date

Amber Usman

Name (Printed)

[Redacted Signature]
Signature

08/13/23

Date

Comment Response Matrix

6706 Gore Road

Zoning By-law Amendment* (D14-AZI)

IPS File No. 23-1225

Comment Matrix Date: August 28, 2023

Township of Puslinch

Legend – Consulting Abbreviations:

IPS – Innovative Planning Solutions

JD – J.D. Barnes consultant

SLR – Environmental Noise Study consultant

#	Comment	Responsibility	Comment Response
Township of Puslinch Building Department			
1	Building permits will be required for any: o New or modified buildings -The Township does not appear to have any records of building permits for the kennels and septic systems shown. o Additional or modified plumbing o New or modified septic	IPS	<ul style="list-style-type: none"> - All buildings are existing structures with connections, where necessary, to private well and septic systems. All private services are existing. Permit(s) will be required if necessary. - Permit(s) will be obtained for any new structures, plumbing, or modifications if necessary.
2	Shed #5 doesn't appear to be showing on the site plan provided. Where is the shed located?	JD	<ul style="list-style-type: none"> - Revised drawing provided by J.D. Barnes dated July 2023 indicates all structures and fenced dog run areas. Previous drawing provided error and noted shed 5 which does not exist.
3	Provide distances from septic system to existing buildings	JD	<ul style="list-style-type: none"> - Please see revised drawings from J.D. Barnes Dated July 2023
4	Provide details, assessment, and estimated flows for all existing septic systems on-site.	IPS	<ul style="list-style-type: none"> - Existing private septic system is provided to serve the existing single dwelling unit only and should inspection of the existing septic system be required, applicable permits will be obtained by the owner
Blue Pan Engineering			
5	Please confirm the Site Plan author/drafter. As per Township of Puslinch Site Plan and Drawing Requirements, the Site Plan must show the author and it must be prepared by a qualified professional.	JD	<ul style="list-style-type: none"> - Please see revised drawings from J.D. Barnes dated July 2023
6	Please see the complete Site Plan and Drawing Requirements for a list of items required for a Site Plan: Site Plan and Drawing Requirements (puslinch.ca) (https://puslinch.ca/wp-content/uploads/2020/09/Site-Planand-Drawing_Guidelines.pdf) Please confirm the general information such as the owner, consultant, legal description, property lines referenced to a current plan of survey, north arrow, revision dates (if applicable) on the Site Plan. Please also confirm garbage disposal areas, lighting information, accessibility routes, and signage for the fire access route on the Site Plan.	JD	<ul style="list-style-type: none"> - Please see revised drawings from J.D. Barnes dated July 2023

County of Wellington Planning Department			
7	The applicant is to clarify the portion of the business related to the boarding of dogs. What services are provided for the boarding of dogs? Is the applicant proposing to have additional dogs boarded from the public above the 25 dogs on-site noted within the Planning Justification Report? Do the 25 dogs identified in the Planning Justification Report live on the property permanently? The maximum number of dogs permitted within the Kennel By-law on a property at any given time is 25 dogs.	IPS	- Please see addendum to the Planning Justification Report
8	Can the applicant please provide greater detail on the boarding services related to the boarding kennel (i.e. pick up and drop off times, other times of services, services provided etc.)	IPS	- Please see addendum to the Planning Justification Report
9	The applicant has identified that the property contains an existing single detached dwelling, a large rectangular metal-clad building, and two larger sheds. However, from the submitted site plan and shed drawings, it appears there are other sheds associated with the use (sheds 1-5). Shed 5 is not identified within the submitted site plan. Please confirm all of the buildings proposed to be associated with the use and show them on an updated site plan drawing. It appears the following buildings are used as part of the proposal: a. Barns: 1-4 b. Sheds: 1-5	JD	- Revised drawing provided by J.D. Barnes dated July 2023 indicates all structures and fenced dog run areas. Previous drawing provided error and noted shed 5 which does not exist.
10	Five full time employees and three part-time employees are proposed associated with the use and guests are proposed to be permitted on the site during the hours of 10:00 am to 6:00 pm. Please provide an explanation as to the reasons guests are accessing the property (i.e. pick up and drop off times of dogs boarded on-site, other services etc.).	IPS	- Please see addendum to the Planning Justification Report
11	The subject property is designated as Secondary Agricultural, Core Greenlands and Greenlands within the County of Wellington Official Plan. The subject lands are also located within the Paris Galt Moraine Policy Area. The Secondary Agricultural Designation permits all uses allowed in the Prime Agricultural Area. Kennels may be permitted on an existing lot of record within the Prime Agricultural Area and the Official Plan provides that local zoning by-laws may establish criteria for these uses.	IPS	- Proposed Zoning Bylaw Amendment will address use with site specific provisions to permit Kennel on the subject lands.
12	The subject property is zoned Agricultural (A) and is within the Natural Environment (NE) Zone and contains the Environmental Protection Zone Overlay. The proposed boarding and breeding kennel use appears to be fully within the Agricultural Zone, however an additional key map of the site showing the overall full property layout and the portion of the property within the proposed site specific zone is required to get a full understanding of the function of the site.	JD	- Please see revised drawings from J. D. Barnes dated July 2023
13	The applicant is to confirm the septic and water servicing requirements for the proposed use. The site plan shows three septic systems and one well. Please confirm which are existing and proposed. The application form indicates there are existing and proposed wells and septic systems. The preconsultation included a question for the applicant to confirm the servicing requirements for the use.	JD	- All existing private septic and well services are existing. Please refer to revised drawings from J.D. Barnes dated July 2023. No new private services (well or septic) are proposed.
14	Section 4.13 of the Township Zoning By-law requires that a kennel shall be no closer than 125 m from any existing residential dwelling, commercial or institutional building on any other lot. Planning staff are concerned that the dog runs appear to not be located outside of the 125 m from existing residential dwellings and how this may impact compatibility of the proposed use. The	JD	- Please see revised drawings from J.D. Barnes providing the closest distance from the Kennel use (Barn No.1) to an existing residential use. The reduced distance of 97m is proposed as a zoning site specific provision. Please see addendum to the Planning Justification Report.

	125m setback is measured from all components of the kennel use, not just where dogs are primarily housed. The submitted noise study appears to have not reviewed the 125 m setback as part of the evaluation, and it appears there are additional dog runs not reviewed by noise consultant. The noise study identified two (2) outdoor run areas (area to the rear of the barns and to the east of the barn), however the site plan and the submitted shed drawings show additional dog runs (shed 3 and shed 2, shed 5). All aspects of the kennel must be reviewed for noise impacts.		
Planning Justification Report			
15	The Provincial Policy Statement in section 1.1.5.4 requires that development is compatible with the rural landscape and can be sustained by rural service levels should be promoted. The applicant is to provide clarifications of servicing requirements on the property. The total floor area of all combined buildings (identified as 530 square metres) as well as the size of all associated outdoor runs will be reviewed for compatibility. Please provide the areas of all the outdoor runs.	JD	- Please see revised drawings from J.D. Barnes providing outdoor run areas.
16	The Growth Plan (2020) contains requirements for Lands Adjacent to Key Hydrologic Features and Key Natural Heritage Features. Please provide a key plan that shows the 30 m vegetation protection zone from all wetland features can be met.	JD	- Please see revised drawings from J.D. Barnes providing outdoor run areas.
17	The subject lands are located within the Paris Galt Moraine Policy Area. The planning justification report should consider Section 4.9.7 of the Official Plan. Please confirm if any new buildings are proposed for the use (i.e. Shed #5).	JD	- Please see addendum to the Planning Justification Report
18	The subject lands contain Greenlands Systems including wetlands and Provincially Significant Wetlands. The planning justification report should consider section 5 of the Official Plan.	JD	- Please see addendum to the Planning Justification Report
19	The submitted Planning Justification Report did not evaluate the general provision section regarding kennels within section 4.13 of the By-law. This section includes a minimum setback from kennels to existing residential dwellings. The dwelling located at 6700 Gore Road appears to be within the required 125 m setback. It is also noted Shed #1 appears to be included within the kennel use which may be within 125 m from the two-storey home to the south on the opposite side of Gore Rd. Shed #5 is not detailed on the site plan. This section also includes fencing requirements for outdoor runs, as well as restrictions for dog activity in outdoor runs. The Planning Justification Report should be updated to consider these provisions and confirm no additional relief is required. Planning staff will consider the size of the proposed kennel and outdoor run area for compatibility and may need to consider the applicability of section 4.4 regarding the buildings on-site.	JD	- Please see addendum to the Planning Justification Report
20	Section 3 of the Planning Justification Report includes information on dogs and the locations they are housed. This description leaves out a number of sheds including sheds #1, #3, #5, and #4. Please update to include all buildings associated with the kennel and their use associated with the kennel. It would be helpful for a summary of the area of each building as well. Please also include a summary of the proposed dog runs including the area associated with each run.	JD	- Please see addendum to the Planning Justification Report
21	Planning staff have concerns regarding setback of the kennel to the surrounding residential uses. It is recognized that the intent is to utilize existing structures and space, however this property is of a sufficient size to potentially	JD	- Please see addendum to the Planning Justification Report

	accommodate a kennel elsewhere that meet the By-law Provisions. Please include a review of alternative locations in the Planning Justification Report.		
Overall Site Map			
22	In addition to the documents submitted, please include a site map that shows the entirety site and proposed specific portion of the site that would be subject to the proposed site specific zoning amendment. i. The site plan map should also clearly indicate fencing proposed surrounding outdoor runs, outdoor run size, and label all outdoor runs. ii. The site plan map should clearly identify the distance of the kennel operation to the properties located at 6700 Gore Rd and the two-storey home to the south on the opposite side of Gore Rd identified as POR3 within the Environmental Noise Study.	JD	- Please see revised drawings from J. D. Barnes dated July 2023
23	Show locations of waste bins as described within the Waste Management Plan on the site plan.	JD	- Please see revised drawings from J. D. Barnes dated July 2023
Shed Drawings			
24	The submitted drawing details the total number of enclosures for dogs within shed buildings. A number of the sheds are not shown on the submitted site plan. Please clarify if the sheds within the submitted drawings are sheds or barns and clearly differentiate between sheds and the metal clad building on the site plan for clarity. The capacity with the sheds appears to include 44 enclosures. Please provide further clarification regarding the number of enclosures when the maximum permitted number of dogs within the kennel bylaw is 25 dogs.	JD	- Please see revised drawings from J. D. Barnes dated July 2023
25	In addition to the sheds, please include floor plans of all existing buildings. It is noted floor plans were received for the existing dwelling.	JD	- Please see floor plan drawing provide from J.D. Barnes dated July 2023
Environmental Noise Study			
26	The noise study included an evaluation based on two outdoor runs, however, there appear to be additional outdoor runs on the site plan and attached to the shed buildings that must be considered. The submitted shed drawings include outdoor runs attached to Shed #2, Shed #5, and Shed #3. It is understood that this study is being reviewed by a qualified professional, planning staff recommend that Township staff share these comments with the Township's noise consultant: (i) the noise study should consider all sources of noise (indoor and out); (ii) clarification on the number if dogs used to calculate noise requirements should be identified, and (iii) if it is appropriate to consider the noise of puppies as well; (iv) that confirmation that the applicable local Noise By-law is met. (v) Review of the zoning by-law special provisions in relation to setback (vi) consideration of the County of Wellington Noise By-law: 5001-05-Noise-By-law.pdf (wellington.ca)	SLR	- Please see revised noise study from SLR Consulting Ltd. Dated August 2023 - (i) All applicable indoor and outdoor noise sources have been considered in the Revised Environmental Noise Study dated August 25, 2023. - (ii) Guideline limits are based on 'frequent' barking, or more than 9 impulses in a worst-case daytime hour, in a Class 3 area as defined by the Ministry of Environment, Conservation and Parks (MECP). - (iii) Barks from full grown dogs, not noise from puppies, represent the predictable worst-case scenario for assessment of noise impacts, in accordance with guidelines in MECP Publication NPC-300. - (iv) As the Noise By-Laws do not include specific sound level limits, it is not possible to confirm whether the applicable Noise By-Law is met. In the absence of sound level limits in the Noise By-Law, MECP Publication NPC-300 guideline limits were reasonable used to assess compliance. This aligns with The Corporation of the Township of Puslinch By-Law Number 024-2021 for Dogs and Kennels, which references environmental noise guidelines for stationary sources as published by the MECP. - (v) Review of zoning by-law special provisions in relation to setback distances to be reviewed and commented on by the appropriate planning professional. - (vi) The County of Wellington Noise By-Law 5001-05 is equivalent to the already-reviewed Township of Puslinch Noise By-Law Number 5001-05. The Revised Environmental Noise Study dated August 25, 2023 includes a section dedicated to the County of Wellington Noise By-law Number 5001-08 as well.
27	The noise study indicated that noise was only reviewed as outdoor noise between the hours of 7 am – 7pm. The Township Zoning By-law restricts outdoor run or outdoor common play area hours between the hours of 8 pm – 7 am. Please confirm if the kennel will be operating outdoor runs after 7 pm.	SLR	- Please see revised noise study from SLR Consulting Ltd. Dated August 2023 - As outlined in Section 1.1 of both the original and Revised Environmental Noise Study, access to the outdoor dog runs is limited to the hours of 7 am to 7 pm.

Other			
28	<p>It is noted that all of the requested studies have been submitted by the applicant; however, planning staff have identified a number of updates/clarifications required that may delay the detailed review process and ultimately meeting the Planning Act's requirements for a decision to be made in 90 days. The Township may wish to consider requiring the following items to be addressed prior to deeming this application complete:</p> <ul style="list-style-type: none"> - An addendum to the Environmental Noise Study to reflect the comments provided above - An addendum to the submitted Planning Justification Report to reflect the above comments - An updated key map that shows the entirety of the site including the portion related to the site specific amendment, all buildings associated with the use clearly labeled, area of dog runs provided; distances of buildings and dog runs to surrounding sensitive land uses clearly identified, fencing and fence materials identified in compliance with the Township Zoning By-law and Kennel By-law. - Floor plans for barns 1 – 4 	IPS	- Please see 2 nd submission package including all addendums/revisions to address all comments.
About & Associates Inc.			
29	All proposed facilities are existing on the property, and only the addition of board on board fencing for a proposed dog run/play area is proposed as new build.	IPS	- No action required
30	Review of Google aerial and street view photography images has not identified any additional/unmapped natural heritage features are present in the vicinity of the proposal.	IPS	- No action required
31	GRCA regulated habitat (a small area of Wetland identified to the north of the proposed development) is present within the property limits, but the proposed use is approximately 60m from the regulation limit.	IPS	- No action required
32	The MNRF Natural Heritage System mapping and the Wellington County Draft Natural Heritage System mapping does not identify any further natural heritage features within the property limits.	IPS	- No action required
33	The provincial Natural Heritage System limits are present on the property and include the area of a 30m buffer around the northern wetland feature. It appears that the proposed board on board fencing is outside of the NHS.	JD	- Please see revised drawings from J.D. Barnes dated July 2023
34	Our Species at Risk review of the NHIC, Ontario Reptile & Amphibian Atlas, Breeding Bird Atlas and Mammal Atlas, has determined that habitat for any Species at Risk is unlikely to be impacted, based on the limits of the development, and that the structures are existing and will remain.	IPS	- No action required
35	The proposed development is within the boundaries of the Growth Plan for the Greater Golden Horseshoe but does not appear to include the lands within the Natural Heritage System.	IPS	- No action required
Grand River Conservation Authority			
36	GRCA has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 150/06. GRCA has also provided comments as a public body under the Planning Act as per our CA Board approved policies. Information currently available at this office indicates that the subject property includes unevaluated wetlands and the regulated allowance to these features. Due to the presence these features, a portion of the property is regulated by the GRCA under Ontario Regulation 150/06 - Development, Interference with	Owner	- Applicant to provide payment to GRCA

	Wetlands and Alterations to Shorelines and Watercourses Regulation. Future development or other alteration within GRCA regulated area will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 150/06. From our review, we believe that the proposed zoning amendment would not impact on the natural hazards and would not provide opportunity for additional built development in or adjacent to the hazards. As such, we have no objection to the proposal. Consistent with GRCA's 2023 approved fee schedule, this application is considered a minor Zoning By-law Amendment and the applicant will be invoiced in the amount of \$465.00 for the GRCA's review of this application.		
Valcoustics Canada Ltd.			
37	The noise assessment indicates that the noise by-laws of Puslinch and North Dumfries do not apply to the proposed breeding kennel. It is agreed that the Puslinch By-Law 5001-05 does not appear to apply. However, the North Dumfries By-Law 2609-14 does have a general prohibition on noise. Part 3.1 states "no person shall make, cause or permit Noise or vibration, at any time, which is likely to disturb any inhabitant of the Township, which may include disturbing the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitant". This would apply to the noise from barking dogs. However, no sound level limits are provided in the by-law.	SLR	– Refer to Peer Review Response Letter and Revised Environmental Noise Study, both dated August 25, 2023.
38	The noise assessment has applied the Ministry of Environment, Conservation and Parks (MECP) noise guideline requirements of NPC-300 for a frequent impulsive noise source to complete the assessment. The Class 3 exclusion limits have been applied. This is considered appropriate. Section 2.3.1 of the SLR report indicates the outdoor sound level limits apply at the outdoor living area (yards). The sound level limits are applicable at any point within 30 m of a residential dwelling provided it is on the same property as the dwelling itself.	SLR	– Refer to Peer Review Response Letter and Revised Environmental Noise Study, both dated August 25, 2023.
39	The noise study has identified the closest existing residences to complete assessment. NPC-300 also requires the assessment include vacant lots that have the zoning to permit a noise sensitive land use to also be included in the assessment. In this area, the lands likely have agricultural zoning where a residential dwelling is permitted. Thus, a discussion (and assessment if applicable) on vacant lots should be included as part of the assessment.	SLR	– Refer to Peer Review Response Letter and Revised Environmental Noise Study, both dated August 25, 2023.
40	The NPC-300 noise guideline requires a predictable worst-case noise impact assessment. Our understanding of the assessment is that barking dogs are modelled in both outdoor run areas simultaneously. It may be possible that the dogs will be in one outdoor run or the other and not always in both. Thus, the predictable worst-case assessment should consider this scenario.	SLR	– Refer to Peer Review Response Letter and Revised Environmental Noise Study, both dated August 25, 2023.
41	The assessment has excluded the noise impact from the outdoor air conditioning equipment. It is agreed that it will likely not be significant. However, maximum (AHRI) sound ratings for the equipment should be provided in the assessment to assist with its future selection when the facility is being designed and constructed.	SLR	– Refer to Peer Review Response Letter and Revised Environmental Noise Study, both dated August 25, 2023.
42	Since the noise study does not consider the impact of barking dogs indoors and the indoor spaces will be climate controlled, a recommendation of the noise study should be that all exterior windows and doors remain closed.	SLR	– Refer to Peer Review Response Letter and Revised Environmental Noise Study, both dated August 25, 2023.
43	The noise study concludes that the proposed facility complies with the requirements of the Puslinch and North Dumfries noise by-laws. It is not clear how this conclusion can be drawn since SLR's position is that the by-laws are silent on dog barking noise and they have not been considered further.	SLR	– Refer to Peer Review Response Letter and Revised Environmental Noise Study, both dated August 25, 2023.

	However, as per item a) above, at least the general prohibition in the North Dumfries noise by-law is applicable.		
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INNOVATIVE PLANNING SOLUTIONS

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August 28, 2023

Township of Puslinch, County of Wellington
Planning & Development
7404 Wellington Road 34
Puslinch, ON N0B 2J0

Attention: Lynne Banks
Development and Legislative Coordinator

Re: Planning Justification Report Addendum
File No. D14-AZI
6706 Gore Road

On behalf of Usman Aziz & Amber Usman, Innovative Planning Solutions (IPS) is pleased to submit the following addendum to the Planning Justification Report, dated March 2023 as part of a revised submission package for a proposed Zoning Bylaw Amendment - Township of Puslinch, File No. D14-AZI. This application, 1st submission, was originally submitted by GSP Group Inc. in March 2023 and the Township provided response comments in April 2023.

This addendum, 2nd submission package, to the Planning Justification Report (PJR) describes the revisions to the application, site plan drawings and updated submission materials to address all comments received. This addendum is to be read in conjunction with the March 2023 Planning Justification Report created and submitted by GSP Group Inc., in support of the proposed development.

REVISED SITE PLAN DRAWINGS

A revised site plan drawings has been prepared by J.D. Barnes Limited and provided information to address comments received in April 2023. The revisions mainly provide clarity to the dog breeding operation as a Kennel use and site layout. Updated regulation limits are shown along with information to address all comments provided. A Comment Response Matrix is provided within the 2nd submission package, detailing how each

comment has been addressed. The general layout of the proposed development and configuration has not changed as existing structures are being utilized for the dog breeding operation. In addition to the site plan drawings, a floor plan drawing has been provided to illustrate internal layouts of the existing barn & shed structures for the dog breeding operation. All revised drawings provide to accurately address and resolve any discrepancies within the application.

Please see the revised drawings attached within the 2nd submission package.

REVISED ZONING BY-LAW AMENDMENT APPLICATION

As part of the 2nd submission package, IPS has included a revised application to provide greater clarity on the requested Zoning By-law Amendment (ZBA). The revised application addresses operational functions of the proposed development and additional development details. Corrections include revised agent information along with an authorization letter signed by the owner, updated development details for the requested site-specific use as a dog breeding – kennel operation, and servicing. The application has been signed and commissioned and is included within the submission package. For clarity, the revision to the application is consistent with the original submission for a proposed dog breeding – Kennel use on the subject lands to rezone a portion of the lands from Agricultural (A) zone to and Agricultural Exception (A-XX) zone. The site-specific exception is to permit a Kennel use, as defined in the Zoning By-law, and to be within 125 metres of an existing residential dwelling on abutting lands. The proposed site-specific exception is outlined below:

Agricultural Site-Specific Exception XX (A-XX)

Section 14 – Table 14.1 of Zoning By-law 023-18 shall be modified in numerical sequence to include a Site-Specific Special Provision, on lands zoned A-XX, to the following:

- a) A Kennel as a permitted use; and

- b) A Kennel shall be located no closer than 97 metres from any existing residential dwelling, or commercial or institutional building on any other lot.

A copy of the Draft Zoning By-law Amendment Schedule is provided within the 2nd submission package.

OPERATION

To provide greater clarity of the operational functions of the development, amendments are necessary to the previously submitted material and to address comments received. The Comment Response Matrix categorizes comments received and responses to these comments are provided below as an addendum to the previous submission.

Comment #7 - The applicant is to clarify the portion of the business related to the boarding of dogs. What services are provided for the boarding of dogs? Is the applicant proposing to have additional dogs boarded from the public above the 25 dogs on-site noted within the Planning Justification Report? Do the 25 dogs identified in the Planning Justification Report live on the property permanently? The maximum number of dogs permitted within the Kennel By-law on a property at any given time is 25 dogs.

Response – The operational function of the business is solely a dog breeding operation, and no dogs or animals will be boarded on this property. The maximum number of adult dogs housed on site for dog breeding purposes is twenty-five (25) and will remain on the site permanently in-line with the Kennel By-law regulations. As shown on the floor plan drawing, included within the 2nd submission package, there are 44 dog pen areas. Permanent adult dogs will be housed in individual separate dog pen areas to ensure safe, spacious accommodations above industry standards. The remaining dog pen areas are utilized for infant/young dogs and for the ability to relocate adult dogs to clean dog pen areas while other pens are cleaned. This ensures that adult dog accommodations are continuously maintained for optimum treatment of animals.

Comment #8 - Can the applicant please provide greater detail on the boarding services related to the boarding kennel (i.e. pick up and drop off times, other times of services, services provided etc.)

Response – As noted above, the operation of this business does not include boarding services. The only option for members of the public to access the property is with respect to the purchasing of an infant/young dog through scheduled appointments. This will occur within the hours of 10 a.m. and 6 p.m. Similarly, dog breeding – Kennel operations will function between the hours of 7 a.m. and 7 p.m. The goal of the operation is to adhere to applicable legislation including the Township of Puslinch Zoning By-law and Kennel By-law.

Comment #10 - Five full time employees and three part-time employees are proposed associated with the use and guests are proposed to be permitted on the site during the hours of 10:00 am to 6:00 pm. Please provide an explanation as to the reasons guests are accessing the property (i.e. pick up and drop off times of dogs boarded on-site, other services etc.).

Response – The only option for members of the public to access the property is with respect to the purchasing of an infant/young dog through scheduled appointments. This will occur within legislative time frames outlined within the Kennel Licensing By-laws and between the hours of 10 a.m. and 6 p.m.

Comment #20 - Section 3 of the Planning Justification Report includes information on dogs and the locations they are housed. This description leaves out a number of sheds including sheds #1, #3, #5, and #4. Please update to include all buildings associated with the kennel and their use associated with the kennel. It would be helpful for a summary of the area of each building as well. Please also include a summary of the proposed dog runs including the area associated with each run.

Response – The revised site plan drawings included within the 2nd submission package provide clarity on the number of barn and shed structures along with dog run areas. Below is a summary of each building and their use associated with the dog breeding – Kennel operation.

Building	Use
Existing Dwelling	Single dwelling unit located on 1 st and 2 nd floors, office use associated with dog breeding operation located on 1 st floor
Barn #1	Contains 9 dog pens for the dog breeding operation
Barn #2	Contains 10 dog pens for the dog breeding operation and access to the dog run area #1
Barn #3	Contains 10 dog pens for the dog breeding operation and access to the dog run area #1
Barn #4	Contains 11 dog pens for the dog breeding operation, plus a dog grooming area and quarantine room for care of the animals housed on site
Shed #1	Storage shed related to the single dwelling unit
Shed #2	Contains 4 dog pens for the dog breeding operation and access to the dog run area #2
Shed #3	Storage of equipment and supplies related to the dog breeding operation
Shed #4	Used as a shelter for food and water storage in conjunction with the outdoor dog run area #4

The revised site plan/floor plan drawings included within the 2nd submission package completed by J. D. Barnes provides building areas, dog pen sizes, dog run areas and sizes, and fencing materials.

POLICY REVIEW

This policy review relates to comments received from the 1st submission and noted within the Comment Response Matrix as part of the 2nd submission package. This section includes an addendum to policy related sections to provide further clarity and are noted below with responses.

Comment #15 - The Provincial Policy Statement in section 1.1.5.4 requires that development is compatible with the rural landscape and can be sustained by rural service levels should be promoted. The applicant is to provide clarifications of servicing requirements on the property. The total floor area of all combined buildings (identified as 530 square metres) as well as the size of all associated outdoor runs will be reviewed for compatibility. Please provide the areas of all the outdoor runs.

Response – Revised site plan drawings and floor plan provided by J.D. Barnes, included within the 2nd submission package, provides all building dimensions, areas, along with outdoor dog run areas and their locations. As identified on the site plan drawings, the existing private septic system and private well used to service the existing single detached dwelling including the office component will not be altered and is functional for the dwelling/office use. The previously identified private septic systems located to the east of barn #2 & 3 were mistakenly labeled and are used as soak-away (LID) features for any cleaning operations of the dog pens. This is similar to the previously identified north private septic systems near barn #4. As there are no internal washrooms located within any barn or shed structure, the need for septic systems is not necessary and clarification is required to indicate that these facilities are Low Impact Development (LID) features. Any animal waste is handled through a daily private or client waste collection service to ensure there is no need for containment or treatment facilities. As noted within the 1st submission Planning Justification Report, the previous use of the lands was for equestrian operations and housing of animals with associated outdoor pen areas. The development of a dog breeding – Kennel operation is drastically reduced in scale from the previous operation as illustrated on the revised site plan drawings within this submission package. No new structures are proposed and the dog breeding – Kennel operation utilizes existing buildings with reduced outdoor pen areas to minimize any impacts to surround land uses. Furthermore, the dog breeding – Kennel main operation is within wholly enclosed structures allowing for minimal impacts to the existing property while ensuring compatibility to the surrounding rural landscape. The previous outdoor

pen areas used for the equestrian operation will remain vacant or utilized as a farm crop use aligning with legislative and regulatory permissions and not form part of the dog breeding – kennel use.

Comment #17 - The subject lands are located within the Paris Galt Moraine Policy Area. The planning justification report should consider Section 4.9.7 of the Official Plan. Please confirm if any new buildings are proposed for the use (i.e. Shed #5).

Response – As noted above, the dog breeding – Kennel operation is reduced in scale from the previous equestrian use and does not propose to alter any existing buildings, site alterations, or impeded the protection of the Paris Galt Moraine Policy Area. No new buildings are proposed. As noted in section 4.9.7.2.b. of the Official Plan, small scale developments shall ensure best practices for site alteration be reduced which does not form part of this development. Furthermore, section 4.9.7.2.c. speaks to agricultural uses are accepted and supported use which may occur on the un-used outdoor pen areas outside the dog breeding – Kennel operation that where previously used for equestrian operations. As the development is reduced in scale from the previous land use, compliance with section 4.9.7. of the Official Plan is justified.

Comment #18 - The subject lands contain Greenlands Systems including wetlands and Provincially Significant Wetlands. The planning justification report should consider section 5 of the Official Plan.

Response – A small portions of the subject land contains 'Core Greenlands' designation located near the north property line and the east property line. For illustrative purposes these areas are located on the revised site plan drawings included within the submission package. Core Greenland policies are found in section 5.4 of the Official Plan. These areas will remain fully protected under the proposed use due to the reduced scale of operations verse the previous equestrian use. Illustrated on the site plan drawings, submitted, the portion of the lands used for dog breeding – Kennel use and associated dog run areas are substantially further from the sensitive land areas creating a greater ability to protect these areas from development. This also allows for the ability to provide further protection and restoration of these areas in-line with Official Plan policies. No form of development will occur near or within these sensitive areas. This aligns with

section 5.4 of the Official Plan to limit development near or within these areas and provides for the possibility of additional protection/restoration.

REGULATION REVIEW

The regulation review section targets the Zoning By-law regulations and sections that relate to the proposed dog breeding – Kennel use. This section provided clarity to the Zoning By-law Amendment and addresses comments received as outlined in the Comment Response Matrix noted below.

Comment #14 - Section 4.13 of the Township Zoning By-law requires that a kennel shall be no closer than 125 m from any existing residential dwelling, commercial or institutional building on any other lot. Planning staff are concerned that the dog runs appear to not be located outside of the 125 m from existing residential dwellings and how this may impact compatibility of the proposed use. The 125m setback is measured from all components of the kennel use, not just where dogs are primarily housed. The submitted noise study appears to have not reviewed the 125 m setback as part of the evaluation, and it appears there are additional dog runs not reviewed by noise consultant. The noise study identified two (2) outdoor run areas (area to the rear of the barns and to the east of the barn), however the site plan and the submitted shed drawings show additional dog runs (shed 3 and shed 2, shed 5). All aspects of the kennel must be reviewed for noise impacts.

Response – For clarity purposes and as an addendum to the planning report previously submitted, the Zoning By-law definition of a Kennel is noted below. This is a correction from the previous report to ensure alignment with defined terms of the Township of Puslinch Zoning By-law.

Kennel: any premises where a minimum of three dogs or four cats/other domestic animals are housed, boarded, bred, trained, sold or kept, but does not include an animal clinic as defined herein.

A portion of the subject lands are requested to be re-zoned from Agricultural (A) to an Agricultural Site-Specific Exception XX (A-XX) zone to allow for a Kennel use and a site-specific exception to section 4.13.b.ii. of the Zoning By-law 023-18 through the Zoning By-law Amendment process. The ZBA will amend Section 14 – Table 14.1 of Zoning By-law to permit the following:

- a) A Kennel as a permitted use; and
- b) A Kennel shall be located no closer than 97 metres from any existing residential dwelling, or commercial or institutional building on any other lot.

A copy of the Draft Zoning By-law Amendment Schedule is provided within the 2nd submission package. As illustrated on the site plan drawings included within the 2nd submission package the closest structure used for the dog breeding – Kennel use is identified as barn #1 is 97 metres from the existing residential dwelling located on the abutting lands municipally known as 6700 Gore Road. All other structures and outdoor dog run areas are greater than 97 metres from the existing dwelling. The closest outdoor dog run area (dog run #3) is approximately 108.9 metres from the existing dwelling at 6700 Gore Road. As provided on the site plan drawings, an existing row of trees and a tight board fence are located along the proposed zoning boundary which provides visual and sound buffering from the outdoor dog run areas and structures. This assists with visual and noise impacts of the dog breeding – Kennel operation and is supported through the updated noise impact study included within the 2nd submission package. Further visual and noise buffering from the road is provided by the existing dwelling and mature vegetation to further screen the dog breeding – Kennel operation and outdoor dog runs. From a compatibility perspective there would be no visual or impactful noise to abutting lands or any neighbourhood character changes. As the use and operation of a dog breeding – Kennel use provides little to no impacts to the existing streetscape, rural landscape, or visual changes, compatibility can be justified based on this proposal and supported by the noise impact study.

Comment #19 - The submitted Planning Justification Report did not evaluate the general provision section regarding kennels within section 4.13 of the By-law. This section includes a minimum setback from kennels to existing residential dwellings. The dwelling located at 6700 Gore Road appears to be within the required 125 m setback. It is also

noted Shed #1 appears to be included within the kennel use which may be within 125 m from the two-storey home to the south on the opposite side of Gore Rd. Shed #5 is not detailed on the site plan. This section also includes fencing requirements for outdoor runs, as well as restrictions for dog activity in outdoor runs. The Planning Justification Report should be updated to consider these provisions and confirm no additional relief is required. Planning staff will consider the size of the proposed kennel and outdoor run area for compatibility and may need to consider the applicability of section 4.4 regarding the buildings on-site.

Response – The Township of Puslinch Zoning By-law contains a definition and provisions for Kennel uses. The dog breeding operation falls within the definition of a Kennel use within the By-law and is subject to provisions of section 4.13. Review of this section against the dog breeding – Kennel use reveals a deficiency with section 4.13.b.ii which states: ‘the kennel shall be located no closer than 125 m from any existing residential dwelling, or commercial or institutional building on any other lot.’ The existing residential dwelling located at 6700 Gore Road is within the 125 metre range from the closest Kennel operation (barn #1) at 97 metres. This provision along with the Kennel use to operate on the subject lands requires a Zoning By-law Amendment. These will be included within the site-specific by-law amendment for a portion of the lands identified on the draft zoning scheduled included within the 2nd submission package. Justification for the reduction in setback from an existing dwelling on abutting lands is considered reasonable due to utilizing of existing structures on the subject lands for the dog breeding – Kennel operation. This assists with reduced development impacts to the remaining portion of the lands and further protection of sensitive land areas identified within this addendum as construction of new structures is not favourable. Utilizing and repurposing existing structures for the intended dog breeding – Kennel operation negates impacts to the subject lands and retains neighbourhood character. Alternate locations for structures and outdoor dog runs are un-necessary as the existing features provide adequate buffering from abutting land uses and noise tolerances are not impactful. The portion of the lands identified to be re-zoned from Agricultural to Agricultural Site-Specific Exception zone to allow for the dog breeding – Kennel operation is approximately 100 metres by 108 metres (see site plan drawings included in submission package). The remaining portion of the lands will remain Agricultural (A) and Natural Environment (NE) zones. Shed #1 is used for the storage of materials for the dwelling use and is not related to the dog breeding –

Kennel use. It can be noted that the existing residential dwelling located at 6717 Gore Road is outside the 125 metre range as shown on the site plan drawings. Other than the Kennel use and section 4.13.b.ii. which are subject to the Zoning By-law Amendment, all other provisions of the Zoning By-law are met.

Comment #21 - Planning staff have concerns regarding setback of the kennel to the surrounding residential uses. It is recognized that the intent is to utilize existing structures and space, however this property is of a sufficient size to potentially accommodate a kennel elsewhere that meet the By-law Provisions. Please include a review of alternative locations in the Planning Justification Report.

Response – To note, the use of existing structures and areas that have been subject to previous use (equestrian operation) are prime locations to continue operations from. Not only are these areas buffered from abutting land uses by vegetation and structures, the dog breeding – Kennel use does not generate noise levels that are considered impactful to abutting properties. The housing of animals is contained within existing wholly enclosed structures and are 97 metres from the nearest dwelling on the abutting lands to the west. The revised noise impact study does not identify noise levels that exceed impactful levels that would affect the enjoyment of their property nor does the outdoor dog run area. The closest outdoor dog run area is approximately 108.9 metres from the abutting dwelling. This distance combined with a tight board fencing and vegetative buffering reduces visual concerns and noise to acceptable levels as noted within the noise impact study. Relocating the dog breeding – Kennel operation outside the 125 metre setback range would cause further impacts to undisturbed areas of the subject lands, create additional development on the subject lands, and create operational functions to be less efficient. Having the uses within existing structures and outdoor dog runs within close proximity to these structures allows for operational efficiencies while reducing costs. Having un-used vacant structures is not economical nor should it be encouraged to create additional structures altering the existing rural landscape character when the existing structures serve the purpose of the intended use without affecting the existing site or streetscape. Expansion of structures on the property ultimately reduces potential use of the remaining portion of the lands for agricultural purpose. Based on these reasons in conjunction with the noise impact study, the reduced setback from existing abutting residential dwellings is justified and supported.

SUMMARY

This addendum to the Planning Justification Report is part of a revised submission package for Township of Puslinch File No. D14-AZI. The addendum outlines and provides justification for the revised Zoning By-law Amendment application, site plan drawings and updated submission materials to address all comments received. It is our belief that the addendum addresses the concerns of County and Township Planning Staff regarding the proposed development.

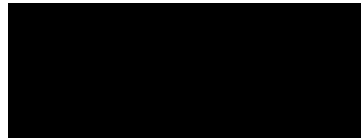
It is my professional opinion that the modifications to the application represent good planning and a suitable development for the site that has adequately addressed the concerns received on this application. The proposed Zoning By-law Amendment applications continue to be consistent with or conform to the applicable Provincial, County, and Municipal policies.

Respectfully Submitted,

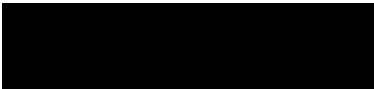
Innovative Planning Solutions



*Nick Skerratt,
Senior Planner*



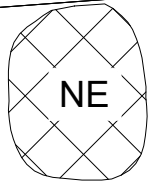
*Cameron Sellers, B.B.A.
Partner*



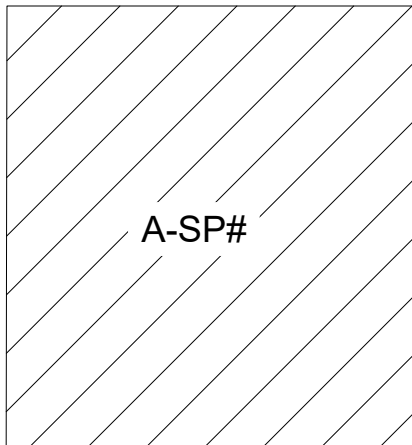
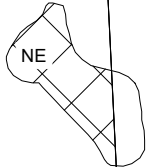
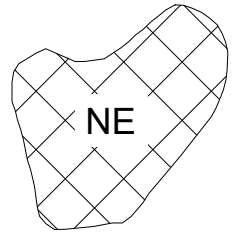
*Darren Vella, MCIP, RPP
President & Director of Planning*



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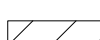
GORE ROAD

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LEGEND

 SUBJECT LANDS

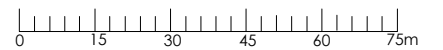
 LANDS TO BE REZONED FROM 'AGRICULTURAL (A)' TO 'AGRICULTURAL WITH SPECIAL PROVISIONS (A-SPXX)'

 'NATURAL ENVIRONMENT (NE)' ZONE

SCHEDULE "A" ZONING BY-LAW AMENDMENT

Part of Lot 9 Gore Concession
Township of Puslinch
County of Wellington

Scale

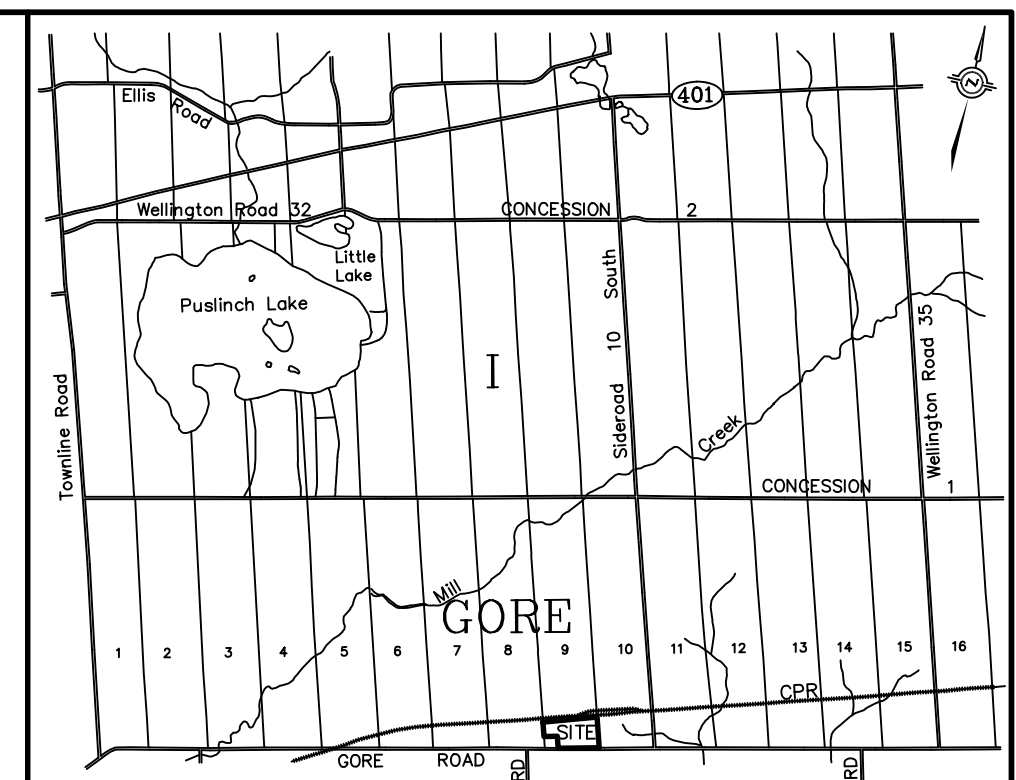
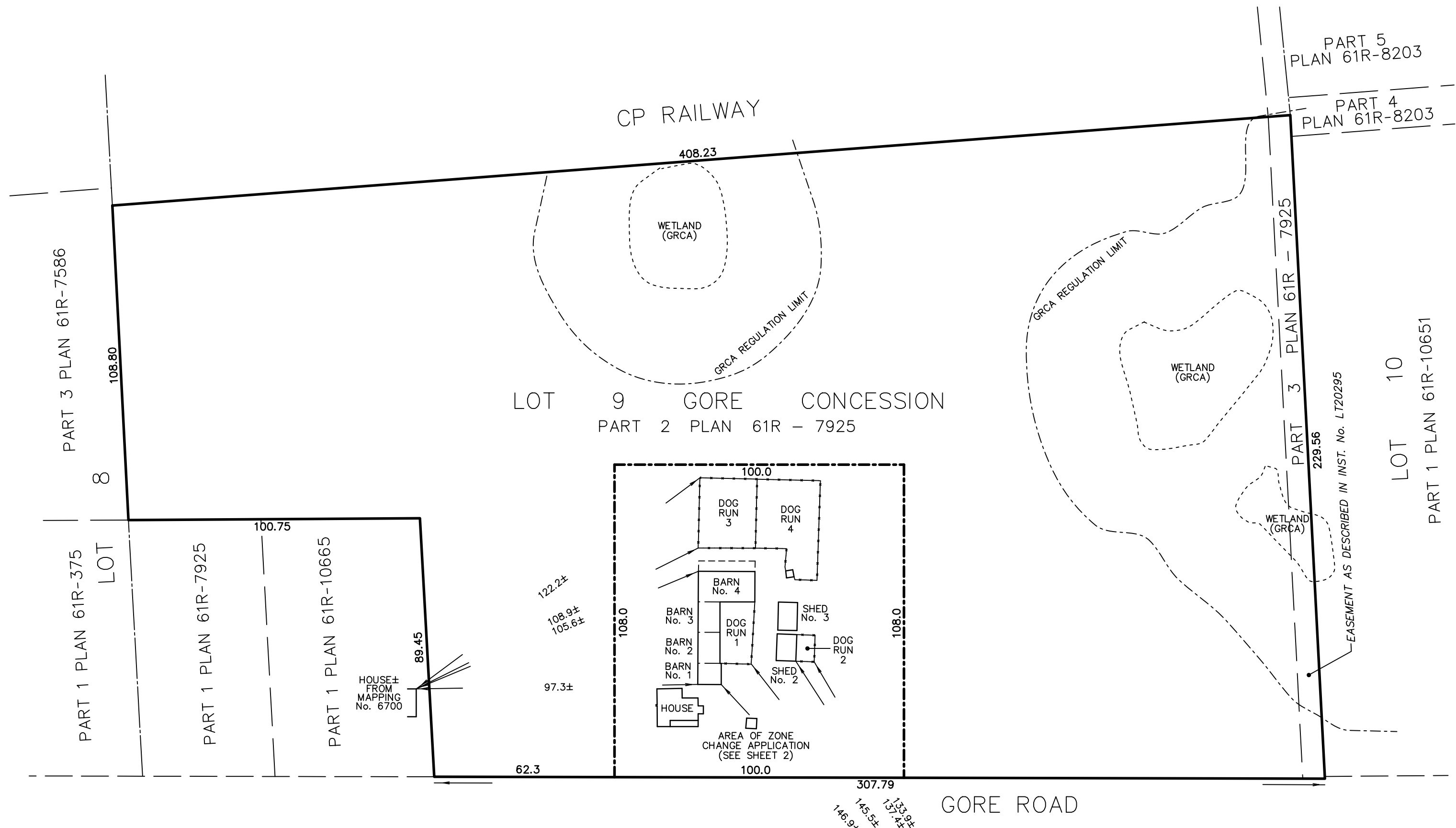
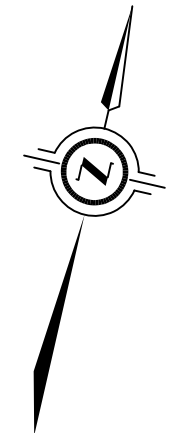


Source: Township of Puslinch Comprehensive Zoning By-Law 023-18
Note: Information shown is approximate and subject to change.

IPS INNOVATIVE PLANNING SOLUTIONS
PLANNERS • PROJECT MANAGERS • LAND DEVELOPERS
647 WELHAM ROAD, UNIT 9, BARRIE, ON, L4N 0B7
tel: 705 • 812 • 3281 fax: 705 • 812 • 3434 e: info@ipsconsultinginc.com www.ipsconsultinginc.com

Date: 2023-08-14 Drawn By: DS
File: 23-1325 Checked: NS

TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON



KEYPLAN (NOT TO SCALE)

GENERAL NOTES:

- THIS PLAN WAS PREPARED FOR USMAN AZIZ.
- LOT DIMENSIONS SHOWN ARE AS SHOWN ON PLAN BY J.D. BARNES LIMITED, PROJECT No. 22-14-851-00-A, DATED DECEMBER 20, 2022 AND HAVE NOT BEEN VERIFIED BY SURVEY.
- THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.
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PROPERTY DESCRIPTION - PART OF LOT 9, GORE CONCESSION (7.8 ha)
CURRENT ZONING - A (AGRICULTURAL)
CIVIC No. 6706

- BARN No. 1 - 9 PROPOSED DOG KENNELS (59.1 sq.m.)
- BARN No. 2 - 10 PROPOSED DOG KENNELS (80.3 sq.m.)
- BARN No. 3 - 10 PROPOSED DOG KENNELS (79.8 sq.m.)
- BARN No. 4 - 11 PROPOSED DOG KENNELS & QUARANTINE ROOM (204.8 sq.m.)
- SHED No. 1 - (13.0 sq.m.)
- SHED No. 2 - 4 PROPOSED DOG KENNELS (62.6 sq.m.)
- SHED No. 3 - STORAGE (64.0 sq.m.)
- SHED No. 4 - USED FOR SHELTER AND FOOD/WATER STATION (6.5 sq.m.)
- HOUSE - DWELLING (152.0 sq.m. TOTAL GROUND FLOOR) & PROPOSED OFFICE (OFFICE 4.32 x 9.60 - 41.5 sq.m.)

LEGEND

GRCA	DENOTES	GRAND RIVER CONSERVATION AUTHORITY
ST	DENOTES	SEPTIC TANK
HP	DENOTES	HYDRO POLE
UG	DENOTES	UNDERGROUND
PL	DENOTES	PROPERTY LINE
S	DENOTES	'NO PARKING - FIRE ROUTE' SIGN
OL	DENOTES	OUTDOOR LIGHTING
PS	DENOTES	PATIO SLIDER
D	DENOTES	MANDOOR
FD	DENOTES	FLOOR DRAIN
K	DENOTES	PROPOSED KENNEL NUMBER

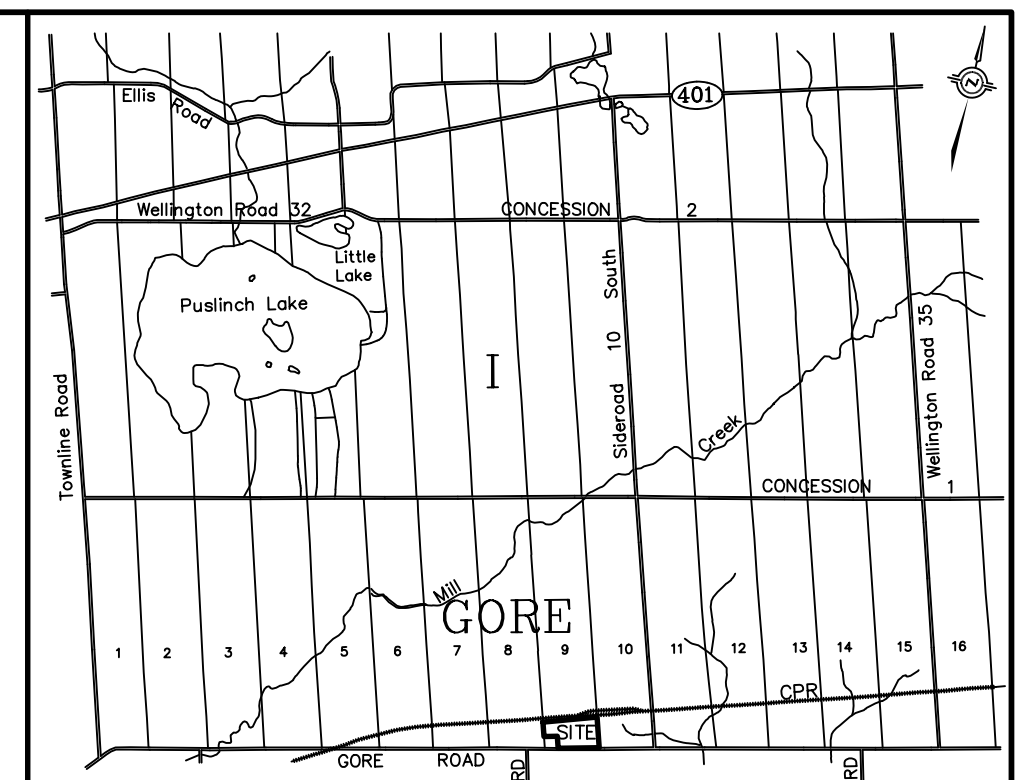
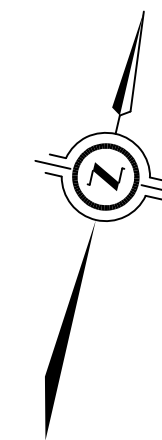
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	ISSUE FOR APPROVALS		
	ISSUE BLOCK		

COUNTY OF WELLINGTON TOWNSHIP OF PUSLINCH

SITE PLAN / ZONE CHANGE APPLICATION

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FILE No. 22-14-851-01	REVISION No. 1	SHEET 1 OF 3

TOWNSHIP OF PUSLINCH
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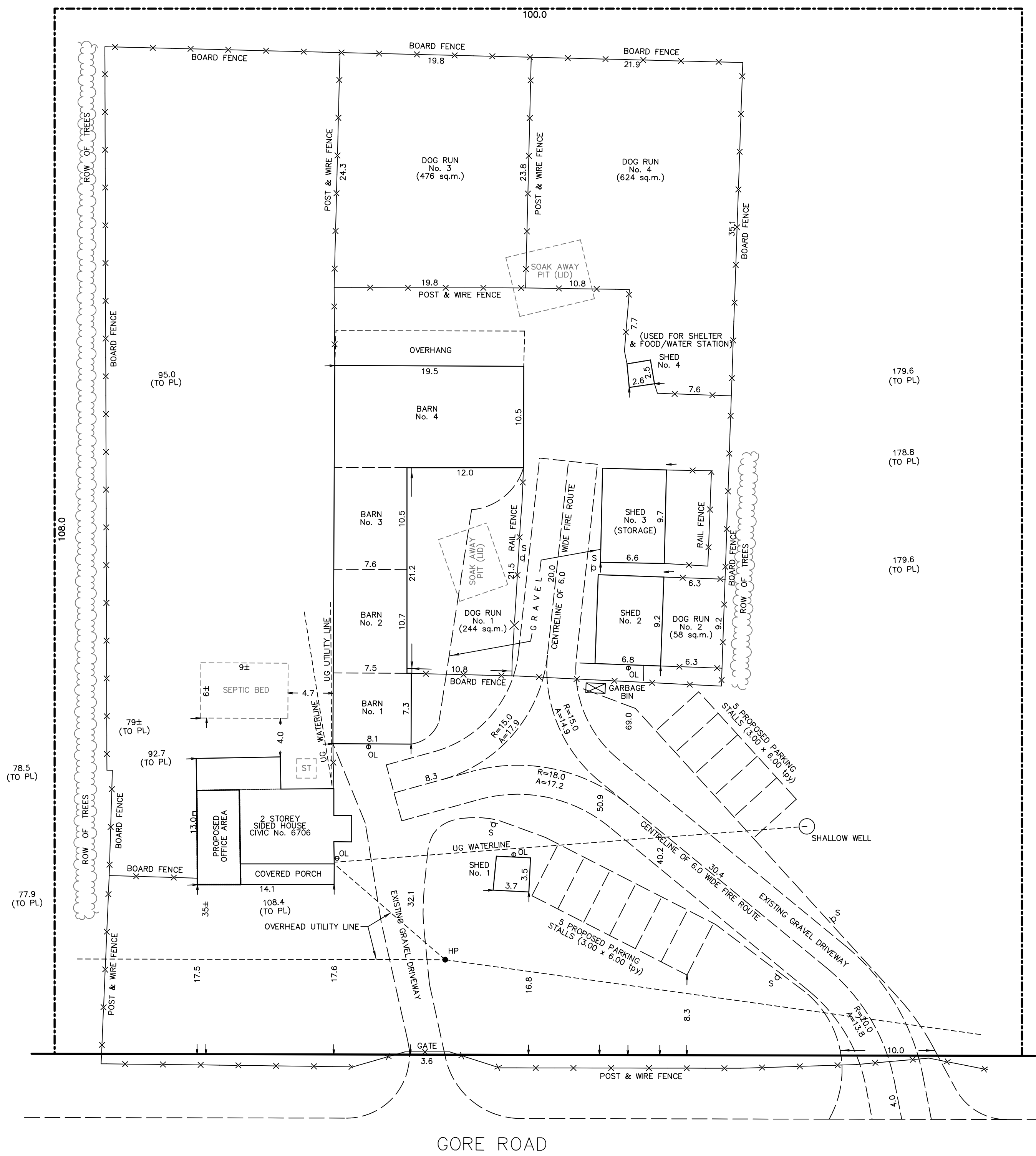
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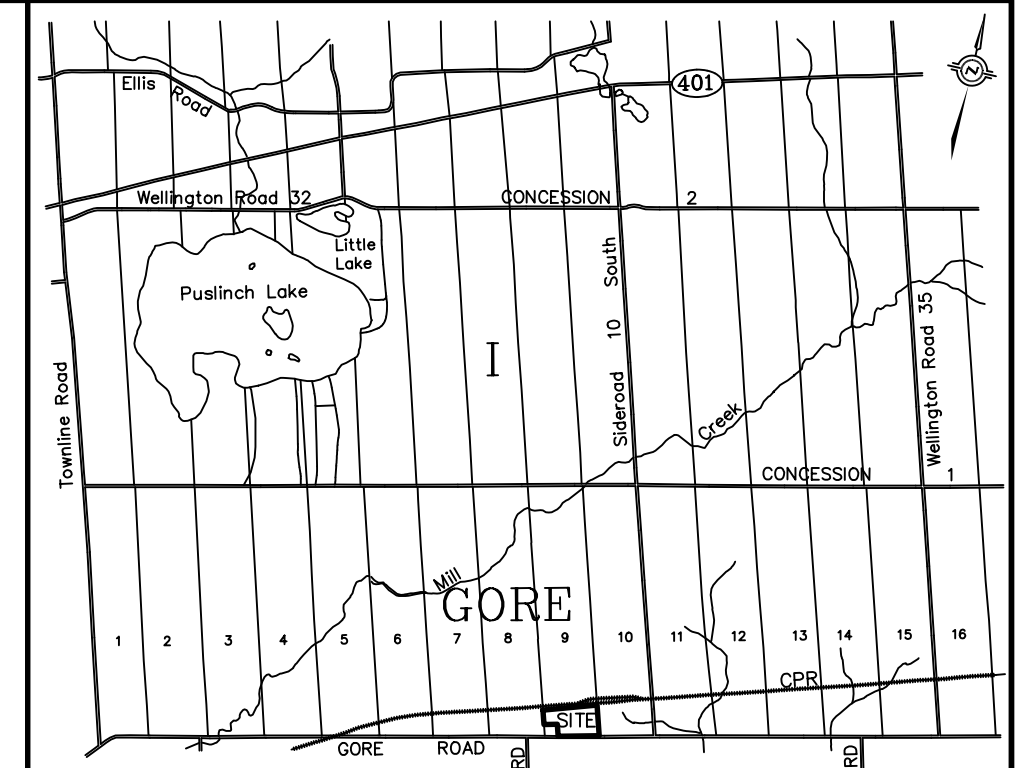
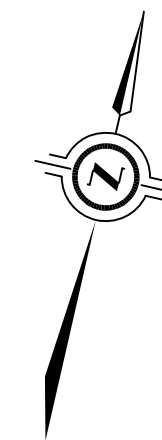
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J.D. BARNES
LIMITED
SURVEYING
MAPPING
GIS
LAND INFORMATION SPECIALISTS
257 WOODLAWN ROAD WEST, UNIT 101, GUELPH, ON N1H 8J1
T: (519) 822-4031 F: (519) 822-1220 www.jdbarnes.com

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FILE No. 22-14-851-01	REVISION No. 1	SHEET 2 OF 3



TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON



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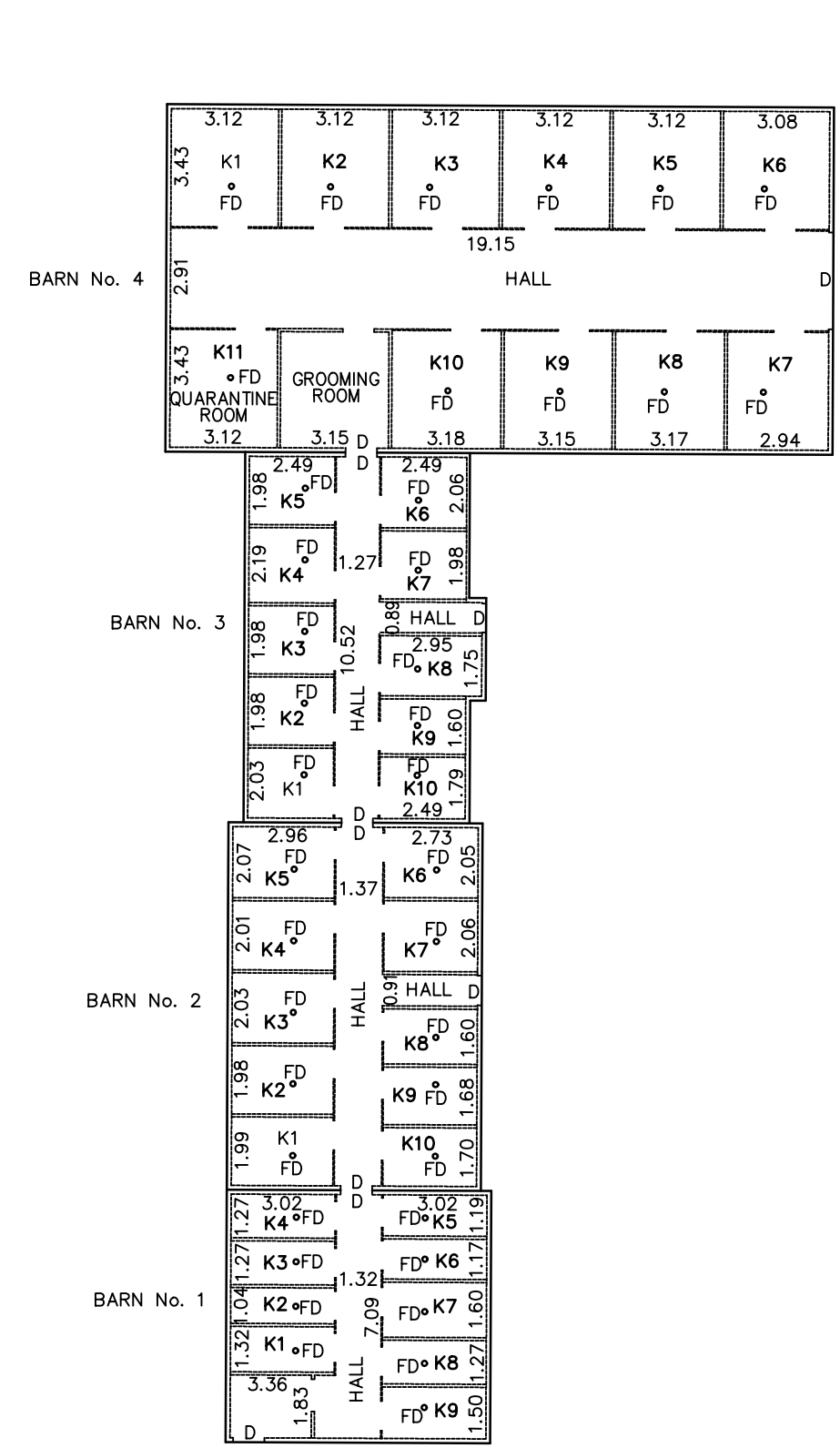
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COUNTY OF WELLINGTON TOWNSHIP OF PUSLINCH

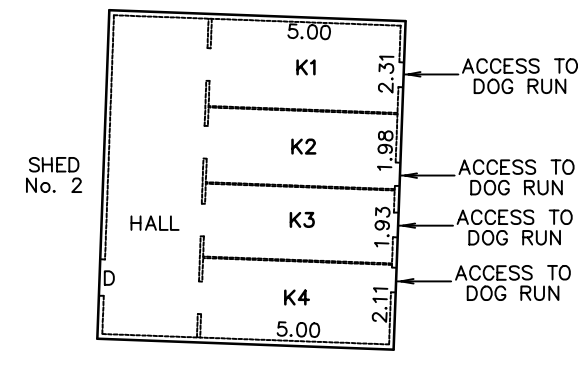
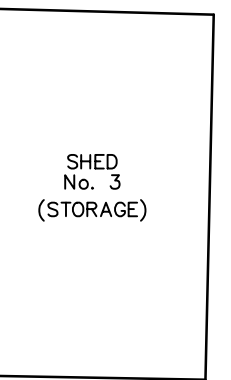
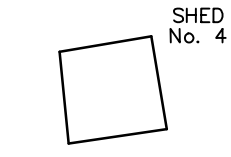
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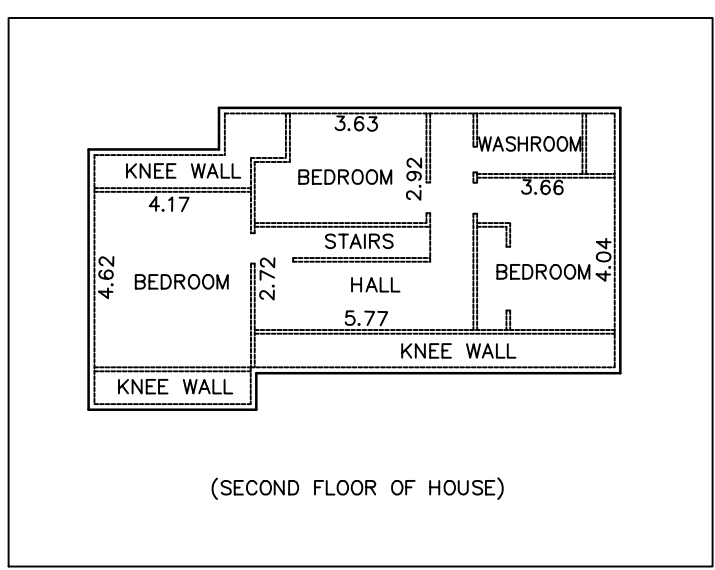
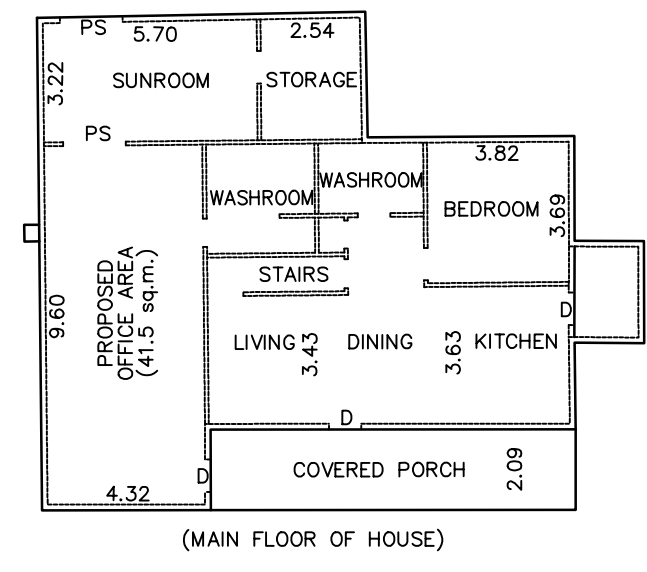
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CHECKED BY: KFH		
FILE No. 22-14-851-01	REVISION No. 1	SHEET 3 OF 3



(USED FOR SHELTER & FOOD/WATER STATION)
SHED No. 4



NOTE: INTERIOR MEASUREMENTS PROVIDED BY CLIENT



PLAN VIEW TO ILLUSTRATE POSITION OF BUILDINGS AND USE

Environmental Noise Study

Dog Breeding Kennel

Usman Aziz

6706 Gore Road
Puslinch ON, N0B 2J0

Prepared by:

SLR Consulting (Canada) Ltd.

100 Stone Road West, Suite 201
Guelph ON N1G 5L3

SLR Project No:

241.030733.00001

August 25, 2023



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1.0 Introduction

SLR Consulting (Canada) Ltd. (SLR) was retained by property owner Usman Aziz to conduct an environmental noise study for the conversion of a former equestrian facility to a dog breeding kennel facility, to be located at 6706 Gore Road, Puslinch, Ontario.

An initial study was completed (dated December 6, 2022) to satisfy the requests of the Township of Puslinch and Wellington County as part of the zoning by-law amendment application to allow for a kennel on the lands. This revised study has been completed to consider an updated site plan, and to address peer review comments provided by Valcoustics Canada Ltd. dated April 26, 2023.

1.1 Kennel Description

The 6706 Gore Road property was formerly an equestrian facility. The proposal to convert the facility to a dog breeding kennel includes the renovation of the existing buildings to be thermally insulated and climate controlled, and the addition of new storage shed buildings. The interior box areas for dogs are designed with drains and hose facilities for easy clean up. Four (4) outdoor run areas are included throughout the kennel layout.

Small dog breeds are currently planned for the kennel, which includes Pembroke Welsh Corgis, Bichon Frisé and Miniature Poodles.

As the interior box areas are designed with drains and hose facilities for easy clean up, dogs are not let out for potty-breaks during the evening or night-time periods and can be kept indoors. Access to the outdoor dog runs is limited to the hours of 7 am to 7 pm.

A site plan excerpt showing the dog kennel layout is shown in **Figure 1**, with detailed development drawings provided in **Appendix A**.

1.2 Description of Surrounding Lands

The 6706 Gore Road property is bounded by the CP Galt Rail line to the north and Gore Road to the south. The surrounding lands are zoned Agricultural in all directions.

Lands north of Gore Road are part of the Township of Puslinch. South of Gore Road, the lands are part of the Township of North Dumfries.

Single family residential homes are located on the north and south sides of Gore Road, with no residential homes within 600 m of the 6706 Gore Road property to the north.

The surrounding topography is variable, where the surrounding residential homes are generally located at higher elevations from the 6706 Gore Road property.

An area plan is shown in **Figure 2**.

2.0 Review of Applicable Guideline Limits

A review of the following was completed to determine the applicable guidelines for dog barking related to the proposed dog kennel facility:

- The Corporation of the Township of Puslinch By-law No. 5001-05, “Being a by-law to provide for the regulation and prohibition of unusual noises or noises likely to disturb the public and/or the prevention of public nuisances”;
- The Towns of Erin and Minto, and the Townships of Centre Wellington, Guelph/Eramosa, Mapleton, Puslinch and Wellington North By-law Number 5001-05, “Being a by-law to provide for the regulation and prohibition of unusual noises or noises likely to disturb the public and/or the prevention of public nuisances”;
- The Corporation of the Township of North Dumfries By-law No. 2609-14-05, “Being a By-law to prohibit and regulate noise within the Township of North Dumfries and to repeal By-law No. 2249-07”; and
- Ontario Ministry of the Environment, Conservation and Parks (MECP) NPC-300 Environmental Noise Guideline.

2.1 The Corporation of the Township of Puslinch Noise By-Law

The 6706 Gore Road property is located in the Township of Puslinch. The applicable noise by-law for this location is The Corporation of the Township of Puslinch By-Law No. 5001-05. The applicable sections of the by-law are as follows:

Section 3 of By-law No. 5001-05 stipulates ‘General Prohibitions’ based on the nature of noise-generating activities as follows:

General Prohibitions

No Person shall emit or cause or permit the emission of sound resulting from any act listed in Schedule 1 – General Prohibitions and which sound is clearly audible at a point of reception at anywhere within the municipality, at any time.

Section 4 of By-law No. 5001-05 stipulates ‘Prohibitions by Time and Place’ based on the nature of noise-generating activities as follows:

Prohibitions by Time and Place

No Person shall emit or cause or permit the emission of sound resulting from any act listed in Schedule 2 – Prohibitions by Time and Place if clearly audible at a point of reception located in an area of the municipality within a prohibited time shown for such an area.

The Township of Puslinch By-law 5001-05 does not include any references to dog barking.

2.2 The Towns of Erin and Minto, and the Townships of Centre Wellington, Guelph/Eramosa, Mapleton, Puslinch and Wellington North Noise By-Law

The Towns of Erin and Minto, and the Townships of Centre Wellington, Guelph/Eramosa, Mapleton, Puslinch and Wellington North By-Law Number 5001-05 was reviewed, and was found to be the same as

Township of Puslinch By-Law Number 5001-05 discussed in **Section 2.1** with respect to General Prohibitions and Prohibitions by Time and Place. The applicable sections of the by-law are as follows:

Section 3 of By-law No. 5001-05 stipulates ‘General Prohibitions’ based on the nature of noise-generating activities as follows:

General Prohibitions

No Person shall emit or cause or permit the emission of sound resulting from any act listed in Schedule 1 – General Prohibitions and which sound is clearly audible at a point of reception at anywhere within the municipality, at any time.

Section 4 of By-law No. 5001-05 stipulates ‘Prohibitions by Time and Place’ based on the nature of noise-generating activities as follows:

Prohibitions by Time and Place

No Person shall emit or cause or permit the emission of sound resulting from any act listed in Schedule 2 – Prohibitions by Time and Place if clearly audible at a point of reception located in an area of the municipality within a prohibited time shown for such an area.

The Towns of Erin and Minto, and the Townships of Centre Wellington, Guelph/Eramosa, Mapleton, Puslinch and Wellington North By-Law Number 5001-05 does not include any references to dog barking.

2.3 The Corporation of the Township of North Dumfries Noise By-Law

The lands south of Gore Road are located in the Township of North Dumfries. The applicable noise by-law for this location is The Corporation of the Township of North Dumfries By-Law No. 2609-14. The applicable section of the by-law is the following:

Section 3 of By-law No. 2609-14 stipulates ‘General Prohibitions’ based on the nature of noise-generating activities as follows:

General Prohibitions

No Person shall make, cause or permit Noise or Vibration, at any time, which is likely to disturb an inhabitant of the Township, which may include disturbing the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitant.

The Township of North Dumfries By-law 2609-14 does not include any specific references to dog barking and does not provide sound level limits to define what may disturb inhabitants in accordance with the General Prohibition definitions. Therefore, provincial guidelines were also investigated.

2.4 Ministry of Environment, Conservation and Parks Publication NPC-300

The Ministry of Environment, Conservation and Parks (MECP) Publication NPC-300 guidelines were developed based on extensive research conducted by the MECP itself and the U.S. Environmental Protection Agency in the 1970s and 1980s. The research evaluated a number of different types of noise sources, ambient noise conditions, and community responses to the sources/conditions. The guidelines provide a robust approach and framework for evaluation noise impacts. Experience has shown that complaints are generally unlikely for noise sources meeting the guideline limits in NPC-300.

2.4.1 Applicable Sound Level Limits

Under NPC-300, Part A, Section A5 – Definitions, dog barking not considered to be a stationary source and normally addressed in a qualitative manner in the municipal by-laws. Therefore, the NPC-300 Guidelines are not directly applicable to the assessment of dog barking noise impacts. However, the NPC-300 guideline limits have been reviewed as part of this study.

Dog barking is considered an impulsive noise source and would be evaluated by comparing the logarithmic mean impulsive sound level (L_{LM} , dBAI) of several distinct impulses against limits defined by the actual number of impulses per hour.

The Publication NPC-300 sound level limits are provided in the **Table 1** and **Table 2** for impulsive noise at the plane-of-the-window and within outdoor living areas (yards).

On November 23, 2022, a site visit was completed by SLR staff to determine the applicable area classification for the surrounding receptors. As the ambient environment is dominated by the sounds of nature during the daytime period with infrequent vehicle pass-by observed, all surrounding receptors are considered to be located in a Class 3 Rural area.

Table 1: NPC-300 Impulsive Noise Guideline Limits – Plane-of-the-Window

No. of Impulses per Hour	Time Period	Class 1 & 2 Areas ^{[1][2][3]} (dBAI)	Class 3 Area ^{[1][2][3]} (dBAI)
9 or more	0700h to 2300h	50	45
	2300h to 0700h	45	40
7 or 8	0700h to 2300h	55	50
	2300h to 0700h	50	45
5 or 6	0700h to 2300h	60	55
	2300h to 0700h	55	50
4	0700h to 2300h	65	60
	2300h to 0700h	60	55
3	0700h to 2300h	70	65
	2300h to 0700h	65	60
2	0700h to 2300h	75	70
	2300h to 0700h	70	65
1	0700h to 2300h	80	75
	2300h to 0700h	75	70

Notes: [1] Expressed in terms of the Logarithmic Mean Impulsive Sound Level (L_{LM}).
[2] Or minimum hourly L_{eq} of background noise, whichever is higher.
[3] Applied at the plane-of-the-window.

Table 2: NPC-300 Impulsive Noise Guideline Limits – Outdoor Points of Reception

No. of Impulses per Hour	Time Period	Class 1 & 2 Areas ^{[1][2]} (dBAI)	Class 3 Area ^{[1][2]} (dBAI)
9 or more	0700h to 2300h	50	45
7 or 8		55	50
5 or 6		60	55
4		65	60
3		70	65
2		75	70
1		80	75
Notes: [1] Expressed in terms of the Logarithmic Mean Impulsive Sound Level (L_{LM}) [2] Or minimum hourly Leq of background noise, whichever is higher			

2.5 Guidelines Adopted in Assessment

The reviewed Township noise by-laws do not include any references to dog barking.

Although the NPC-300 guidelines are not directly applicable to dog barking noise, these guidelines are intended to minimize the potential conflict between noise sensitive land uses and sources of noise emissions. As the NPC-300 guidelines can be used as way to assess whether or not a noise is considered to be at an acceptable level, the NPC-300 guidelines have therefore been applied in this assessment.

Furthermore, this approach aligns with The Corporation of the Township of Puslinch By-Law Number 024-2021 for Dogs and Kennels, which references environmental noise guidelines for stationary sources as published by the MECP.

As mentioned above, the surrounding area is considered to be a Class 3 Rural environment, in which the default Class 3 limits were applied in the assessment. Limits are based on the most stringent Class 3 guideline of 9 or more impulses in an hour (i.e., more than 9 barks in an hour).

It should be noted the NPC-300 guidelines do not require that sound be inaudible. Sound levels meeting the limits in **Table 1** may still be audible and recognizable. Logarithmic Mean Impulsive Sound Levels “ L_{LM} ” are used in the guidelines, as opposed to maximum sound levels, as research has shown that the L_{LM} levels correspond well to potential human annoyance resulting from noise.

3.0 Points of Reception

3.1 Existing Points of Reception

The existing points of reception (POR) included in the noise modelling assessment were selected based on the predicted worst-case impacts from the dog kennel and include the closest residences within a 500 m radius. The worst-case existing PORs are described as follows and are summarized in **Table 3**.

- POR1 – single storey home to the west;
- POR2 – 2-storey home to the east; and

- POR3 – single storey home to the south on the opposite side of Gore Road.

Table 3: Worst-Case Existing Point of Reception Summary

POR ID	POR Address	Description
POR1	6700 Gore Road	1-Storey Residential House to west – plane of window and yard
POR2	6720 Gore Road	2-Storey Residential House to east – plane of window and yard
POR3	6717 Gore Road	1-Storey Residential House to south – plane of window and yard

The above PORs are shown in **Figure 2**.

No PORs were identified within 500 m to the north of the 6706 Gore Road property.

The existing residential dwelling on the 6706 Gore Road property is not considered a noise-sensitive POR based on definitions outlined in NPC-300, as this dwelling is located within the property boundaries of the stationary noise source.

3.2 Vacant Lot Points of Reception

NPC-300 also indicates that certain vacant lots are to be considered as noise sensitive points of reception, depending on permitted uses for the land under the applicable zoning by-law designation.

A vacant lot zoned as Agricultural is located south/southwest of the proposed facility, south of Gore Road in the Township of North Dumfries (west of POR3). As this land use zoning designation permits a residential (noise sensitive) dwelling, it has been considered in this assessment.

4.0 Noise Impact Assessment

4.1 Noise Sources

4.1.1 Dog Barking

Based on historical noise measurements by SLR staff, a single dog bark was modelled with a sound power level (PWL) of 110 dBAI and a height of 0.5 m above grade. This is considered to be an average PWL, representative of small to large dog breeds. As the kennel is planning to include small breeds at this time, this is considered to be a conservatively high assessment of noise impacts.

Four (4) outdoor dog runs are located within the 6706 Gore Road property. The dog runs are shown in **Figure 1**.

As the kennel buildings are to be thermally insulated and climate controlled, the shell structures are sufficient to address dog barking break-out noise. Therefore, an assessment of break-out noise is not considered necessary and was not completed. It is recommended that exterior windows and doors to climate-controlled spaces where dogs will be located indoors remain closed for noise control purposes.

4.1.2 Mechanical Equipment

Heating and cooling for the buildings includes three (3) residential home furnace and air conditioning (AC) units.

The residential furnaces are considered to be insignificant for noise. As the closest residential home is located approximately 90 m from the kennel buildings, the residential AC unit noise is not a concern and was not assessed in detail.

The AC unit selections should meet the sound level recommendations of MECP document NPC-216 (“Residential Air Conditioning Devices”), including following the sound emission standards and Maximum ARI Standard Sound Rating noted in Table 216-4 (i.e., 7.6 bels).

4.2 Sound Level Modelling

Dog barking noise impact modelling was performed using Cadna/A, a computerized implementation of the ISO 9613 noise propagation algorithms. The model took into consideration the surrounding terrain, the existing buildings, and the absorptive ground characteristics surrounding the proposed dog kennel.

As the surrounding lands are primarily grass/vegetation covered, absorptive ground was applied in the noise modelling. Ground elevation contours for the 6706 Gore Road property and surrounding areas were taken from the Ontario GeoHub and were included in 1 m increments.

Two (2) orders of reflections were applied in the noise modelling to account for the effect of the existing 6706 Gore Road property buildings.

Dog barking was modelled as area sources within the four (4) outdoor dog runs to account for a distribution of barking over the open areas. This is considered representative of sound levels experienced as the Logarithmic Mean Impulsive Sound Level (L_{LM}) for dogs barking.

Predictable worst-case noise impacts were considered in four modelling scenarios. In each modelling scenario, all dogs and associated barking were assumed to be in a single dog run (i.e., Dog Runs 1 through 4, inclusive). This was determined to result in greater off-site noise impacts compared to considering the L_{LM} from barking in multiple dog runs simultaneously.

4.3 Predicted Sound Levels – Existing PORs

Dog barking noise levels were assessed for daytime hours considering use of the four (4) dog runs. The range of predicted noise levels are summarized in **Figure 3a** through **Figure 3d** for the worst-case plane-of-window (assessment height of 4.5 m) and, and **Figure 4a** through **Figure 4d** for outdoor yards (assessment height of 1.5 m), respectively. A sample modelling output file for POR1 is included in **Appendix B**

4.3.1 Plane of Window Sound Levels

As the outdoor runs are used between the hours of 7am and 7 pm, an assessment against the evening (7 pm to 11 pm) and night-time (11 pm to 7 am) guideline limits was not completed. The predicted dog barking sound levels as shown in **Figure 3a** through **Figure 3d** and compared to the guideline limits in **Table 4**.

Table 4: Predicted Sound Levels from Dog Barking at Worst-Case PORs

POR ID	Assessment Location	Predicted Sound Levels (L_{LM} dBA)				Applicable Sound Level Limits ^[1]	Meets Applicable Limits (Y/N)?
		Dog Run 1	Dog Run 2	Dog Run 3	Dog Run 4	Daytime (L_{LM} dBA)	
POR1	1st Floor Window – East Façade	43	41	41	39	45	Y
POR2	2nd Floor Window – West Façade	40	39	38	39	45	Y
POR3	1st Floor Window – North Façade	39	39	35	36	45	Y

Notes: [1] Dog barking impacts were assessed against the “frequent” impulsive sound level limits for a Class 3 area.

Based on the results in **Table 4**, sound levels due to dog barking are predicted to be below applicable sound level limits at the worst-case plane of window POR locations. No additional noise controls are required to address plane of window sound levels from dog barking for existing PORs.

4.3.2 Outdoor POR Sound Levels

Based on the calculated sound level contours at a height of 1.5 m above grade, as shown in **Figure 4a** through **Figure 4d**, the 45 dBA outdoor POR sound level limit is predicted to be met within all yards of the existing surrounding residential homes. No additional noise control measures are required to address outdoor POR sound levels from dog barking for existing PORs.

4.4 Predicted Sound Levels – Vacant Lots

4.4.1 Plane of Window & Outdoor POR Sound Levels

As the vacant lot to the south is zoned Agricultural, construction of a noise sensitive dwelling would be permitted under the current zoning designation.

Although the lot is not currently noise sensitive, sound level contours at a height of 4.5 m (representing a 2nd-storey window height) and 1.5 m (representing outdoor PORs) were modelled for each of the four predictable worst-case scenarios (**Figure 3a** through **Figure 3d** and **Figure 4a** through **Figure 4d**).

Based on the sound level contours shown in the above-noted figures, sound level excesses are predicted within areas at the northeast portion of the vacant lot area. The area encompassing predicted excesses from the four modelling scenarios is shown in **Figure 5**. Potential recommended noise control measures are discussed in the following section.

4.4.2 Potential Recommended Noise Control Measures

As the vacant lot is not currently noise sensitive, no additional noise control measures are recommended at this time. Should a residential dwelling (with associated OPOR) be planned anywhere within the area shown on **Figure 5**, this noise study should be revised, as excesses are predicted without additional noise control measures.

The revised study should consider the actual location of the proposed residential dwelling (including the number of storeys and the potential POR locations). Furthermore, it should consider the proposed actual

grading of the vacant lot to accommodate the proposed dwelling (as topography currently increases sharply in grade moving to the south).

It is further recommended that to design appropriate noise controls (if required), off-site sound levels from dog barking at that time be measured.

Potential noise control measures to meet applicable limits could include:

- Administrative controls (e.g., limiting access to Dog Runs 1 and 2 at the south end of the property where impacts to the south are greatest); and/or
- Physical controls (upgrading board fences along the south and east extents of Dog Runs 1 and 2 to sound barriers without gaps/cracks, and meeting minimum surface density recommendations in MECP Publication NPC-300).

It is feasible to meet applicable Class 3 limits at the vacant lot using administrative and/or physical noise control measures, should a permitted dwelling be constructed within the area shown in **Figure 5**. If a future residential dwelling and associated OPOR on the vacant lot is constructed outside of this area, applicable limits are predicted to be met without the need for additional noise control measures.

5.0 Conclusions and Recommendations

The potential for noise impacts from a dog breeding kennel on the 6706 Gore Road property have been considered. Noise concerns from the kennel are primarily related to barking noise. Based on the results of our study, the following conclusions have been reached.

- The local noise bylaws do not include any references to dog barking specifically;
 - The Township of North Dumfries noise by-law includes reference to General Prohibitions, but no sound level limits are provided.
- Dog barking within the dog runs is predicted to meet the MECP NPC-300 criteria for frequent impulsive noise at all existing points of reception.
 - No additional noise controls are required for dog barking to meet the MECP NPC-300 guideline limits at existing points of receptions.
- Air conditioning units should be selected such that they comply with the recommendations of MECP Publication NPC-216 – Residential Air Conditioning Devices
 - The units should meet the Maximum ARI Standard Sound Rating noted in Table 216-4 (i.e., 7.6 bels).
- Should a residential dwelling be proposed/constructed within the area shown in **Figure 5** within the vacant lot to the south, this study should be reviewed and revised.
 - Administrative and physical mitigation measures are available to meet applicable limits, but should be designed based on actual dwelling location, grading, and measurements of dog barking at the dog kennel facility.

6.0 Statement of Limitations

This report has been prepared and the work referred to in this report has been undertaken by SLR Consulting (Canada) Ltd. (SLR) for Usman Aziz, hereafter referred to as the “Client.” It is intended for the sole and exclusive use of the Client. The report has been prepared in accordance with the Scope of Work and agreement between SLR and the Client. Other than by the Client, the Township of Puslinch, Township of North Dumfries and Wellington County in their role as land use planning approval authorities, copying or distribution of this report or use of or reliance on the information contained herein, in whole or in part, is not permitted unless payment for the work has been made in full and express written permission has been obtained from SLR.

This report has been prepared in a manner generally accepted by professional consulting principles and practices for the same locality and under similar conditions. No other representations or warranties, expressed or implied, are made.

Opinions and recommendations contained in this report are based on conditions that existed at the time the services were performed and are intended only for the client, purposes, locations, time frames and project parameters as outlined in the Scope of Work and agreement between SLR and the Client. The data reported, findings, observations and conclusions expressed are limited by the Scope of Work. SLR is not responsible for the impacts of any changes in environmental standards, practices, or regulations subsequent to performance of services. SLR does not warranty the accuracy of information provided by third party sources.

7.0 Closure

Based on the results of this environmental noise study, SLR concludes that the proposed dog breeding kennel operation on the 6706 Gore Road property will meet MECP NPC-300 guideline limits at existing PORs. Therefore, adverse impacts from the proposed dog kennel are not expected on the surroundings, and noise control measures are not required at this time.

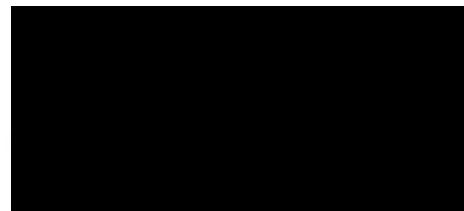
Should you have any questions on the above study, feel free to contact the undersigned.

Sincerely,

SLR Consulting (Canada) Ltd.



Keni Mallinen, M.A.Sc., P.Eng
Senior Acoustics Engineer



Arthur Küpper, P.Eng
Principal Acoustics Engineer

Distribution: 1 electronic copy – Usman Aziz
 1 electronic copy – SLR Consulting (Canada) Ltd.

8.0 References

International Organization for Standardization, ISO 9613-2: Acoustics – Attenuation of Sound During Propagation Outdoors Part 2: General Method of Calculation, Geneva, Switzerland, 1996.

Ontario Ministry of the Environment, Conservation and Parks, Publication NPC-300: Environmental Noise Guideline: Stationary and Transportation Sources – Approval and Planning, 2013.

The Corporation of the Township of North Dumfries, By-Law No. 2609-14.

The Corporation of the Township of Puslinch, By-Law No. 5001-05.

The Corporation of the Township of Puslinch, By-Law No. 024-2021.

The Towns of Erin and Minto, and the Townships of Centre Wellington, Guelph/Eramosa, Mapleton, Puslinch and Wellington North, By-Law No. 5001-05.

Figures

Environmental Noise Study

Dog Breeding Kennel

Usman Aziz

SLR Project No. 241.030733.00001

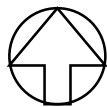
August 25, 2023





Legend	
	Proposed Development - Building



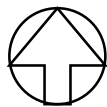
DOG BREEDING KENNEL
6706 GORE ROAD, PUSLINCH
SITE PLAN










	True North	Scale:	1:2,000
		Date: Aug. 25, 2023	Rev 0.0
		Project No. 241.030733.00001	

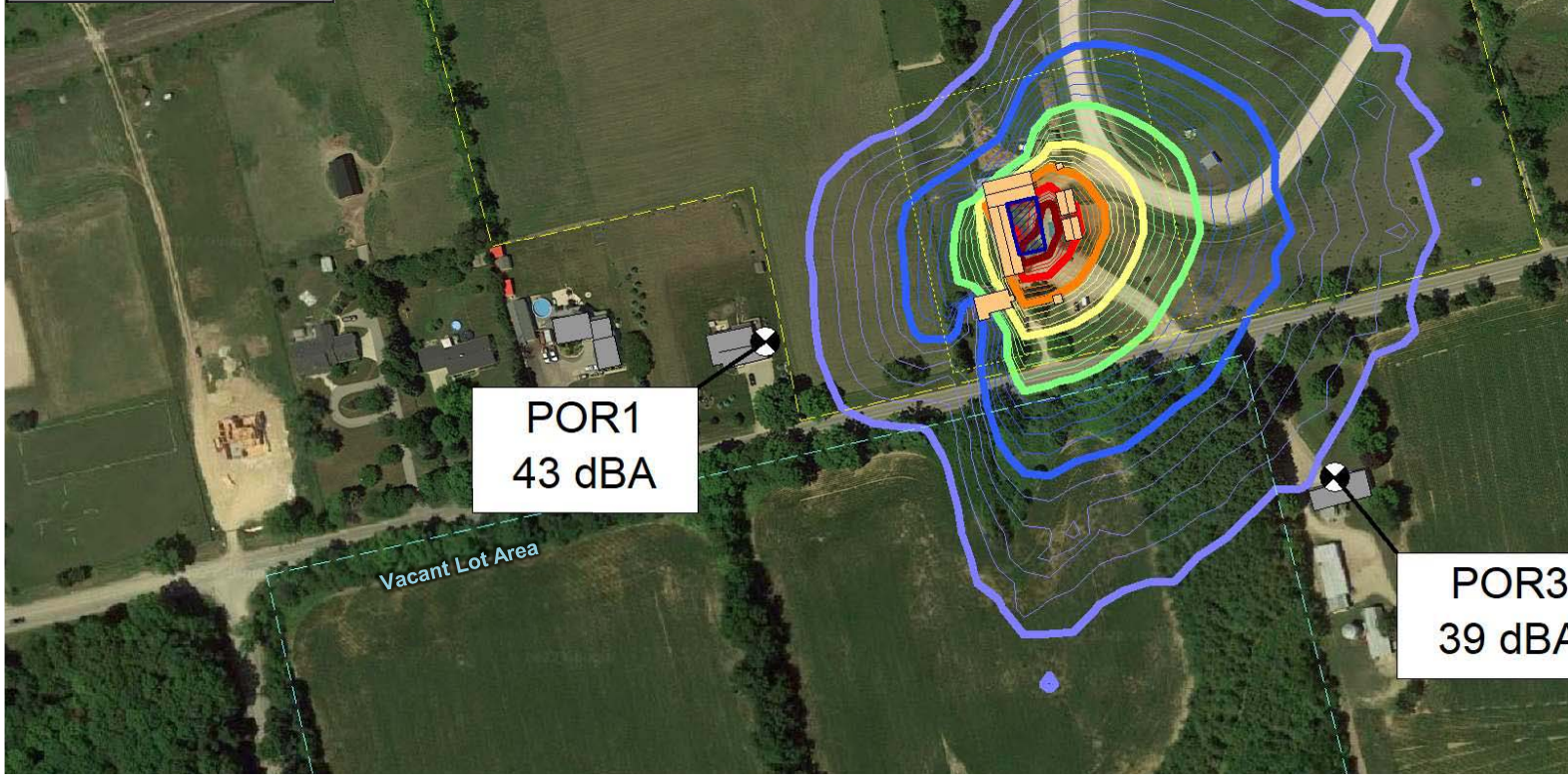
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	Proposed Development - Building
	Point of Reception



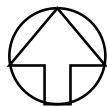
DOG BREEDING KENNEL
6706 GORE ROAD, PUSLINCH
CONTEXT PLAN










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	Date:	Aug. 25, 2023
	Rev:	0.0
Project No.		241.030733.00001

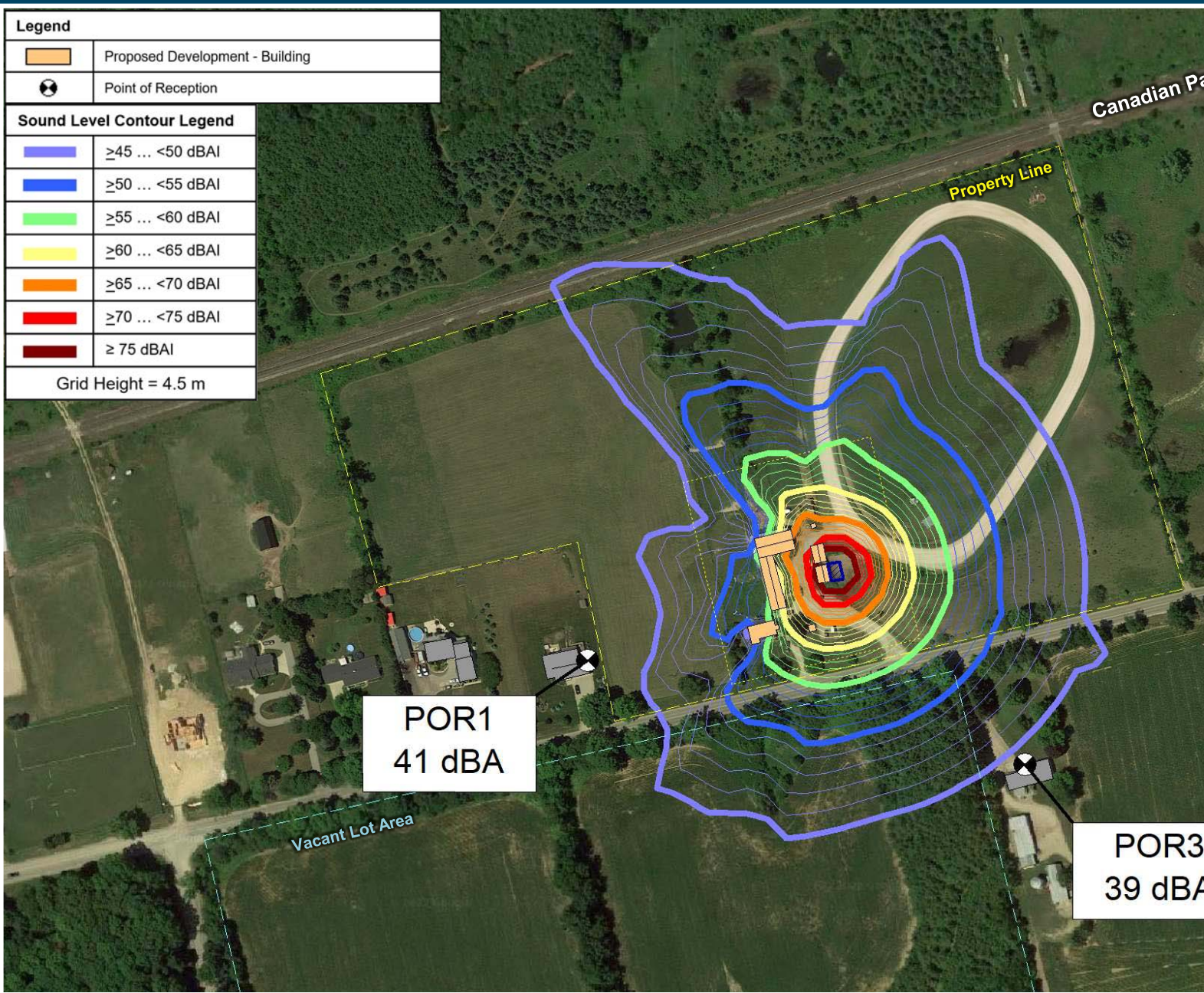
Legend	
	Proposed Development - Building
	Point of Reception
Sound Level Contour Legend	
	≥45 ... <50 dBAI
	≥50 ... <55 dBAI
	≥55 ... <60 dBAI
	≥60 ... <65 dBAI
	≥65 ... <70 dBAI
	≥70 ... <75 dBAI
	≥ 75 dBAI
Grid Height = 4.5 m	



DOG BREEDING KENNEL
6706 GORE ROAD, PUSLINCH
PREDICTED DAYTIME DOG BARKING SOUND LEVELS AND CONTOURS – PLANE OF WINDOW – DOG RUN 1

True North 	Scale:	1:3,000
	Date: Aug. 25, 2023	Rev 0.0
	Project No. 241.030733.00001	

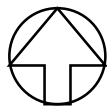
Legend	
	Proposed Development - Building
	Point of Reception
Sound Level Contour Legend	
	≥45 ... <50 dBAI
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	≥ 75 dBAI
Grid Height = 4.5 m	












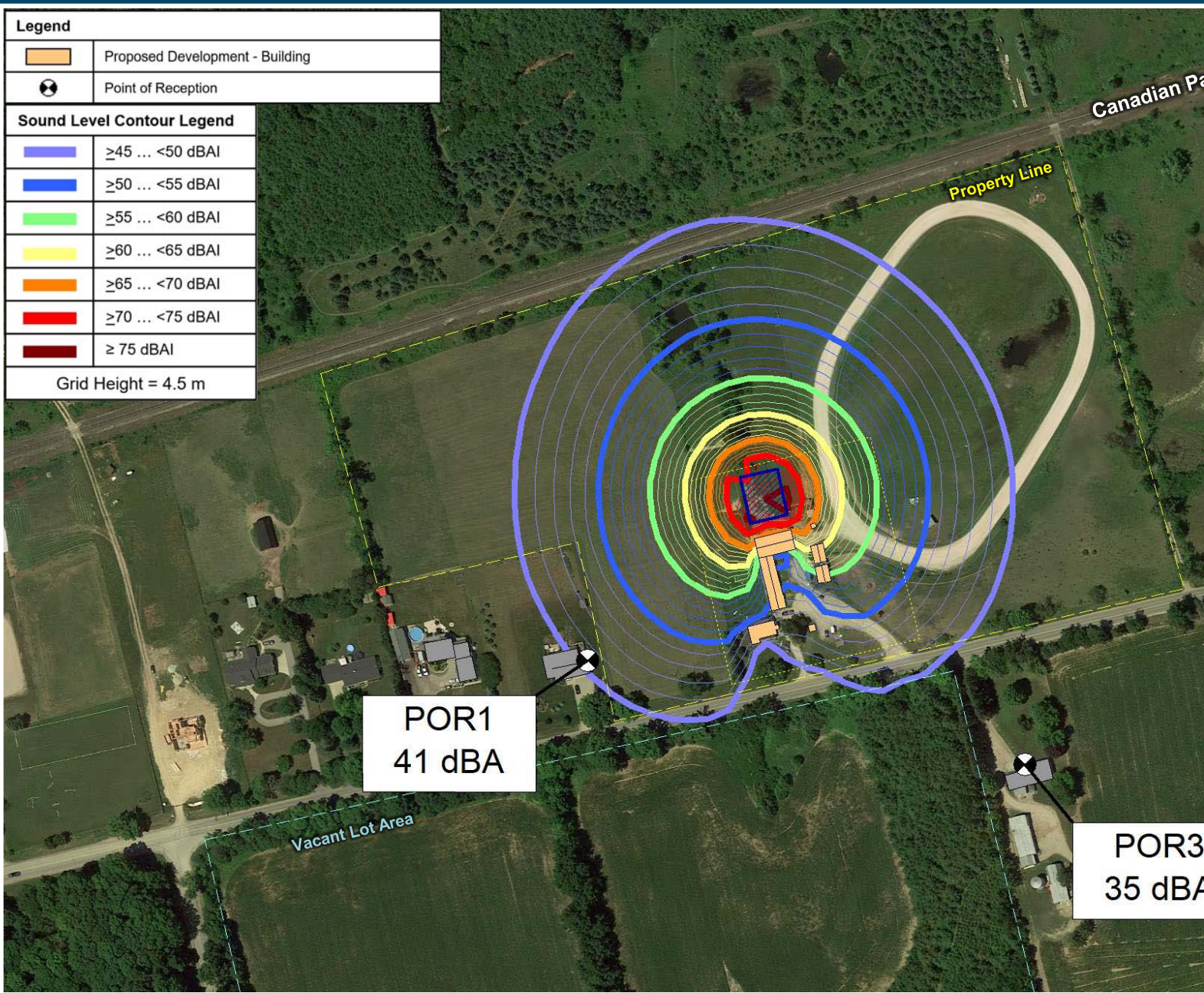
POR1
41 dBA

POR3
39 dBA

DOG BREEDING KENNEL
6706 GORE ROAD, PUSLINCH
PREDICTED DAYTIME DOG BARKING SOUND LEVELS AND CONTOURS – PLANE OF WINDOW – DOG RUN 2

	True North	Scale:	1:3,000
		Date: Aug. 25, 2023	Rev 0.0
		Project No. 241.030733.00001	

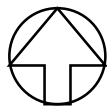
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	Point of Reception
Sound Level Contour Legend	
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Grid Height = 4.5 m	












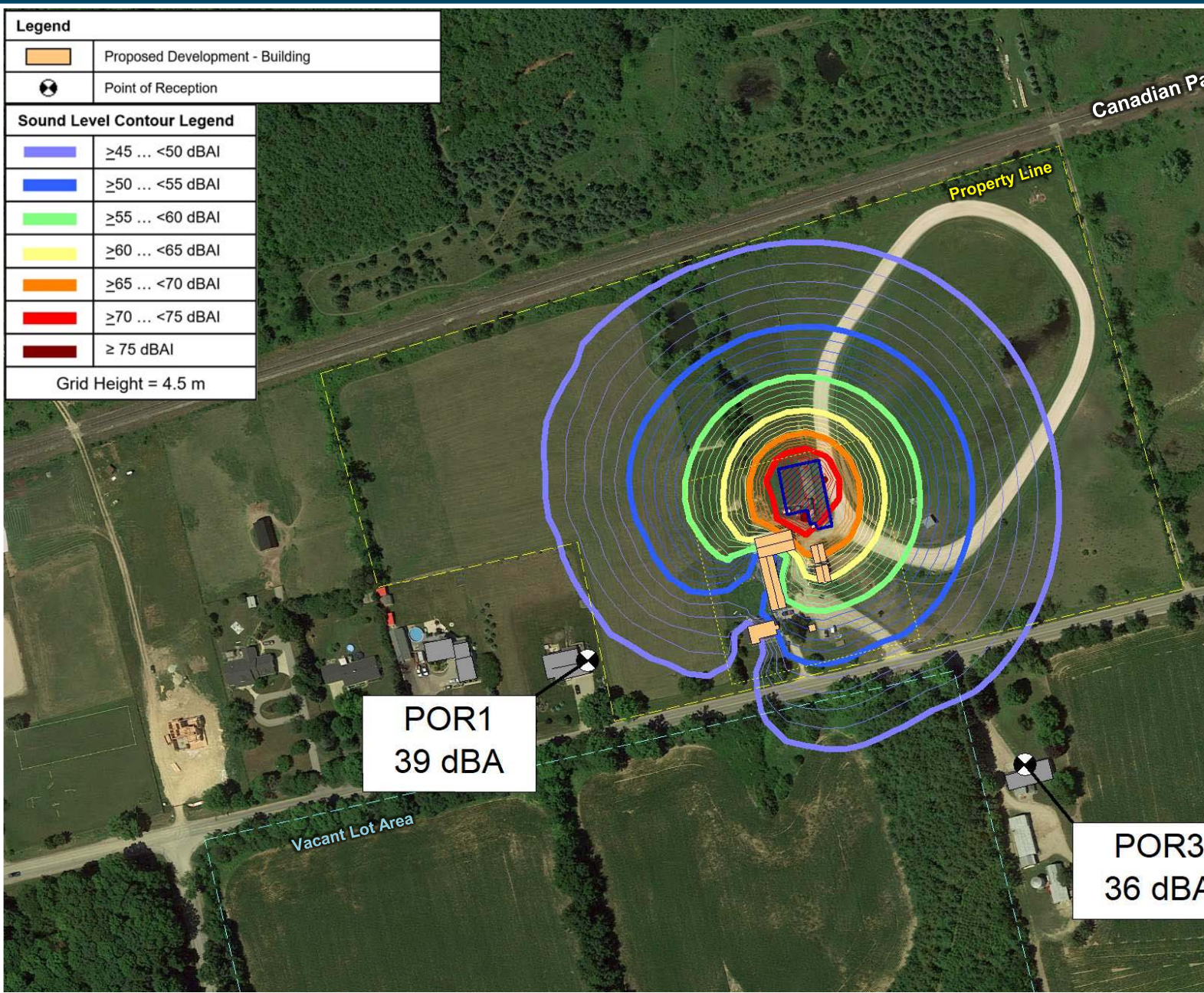
POR1
41 dBA

POR3
35 dBA

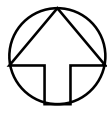
DOG BREEDING KENNEL
6706 GORE ROAD, PUSLINCH
PREDICTED DAYTIME DOG BARKING SOUND LEVELS AND CONTOURS – PLANE OF WINDOW – DOG RUN 3










True North 	Scale:	1:3,000
	Date:	Aug. 25, 2023
	Rev:	0.0
Project No.		241.030733.00001

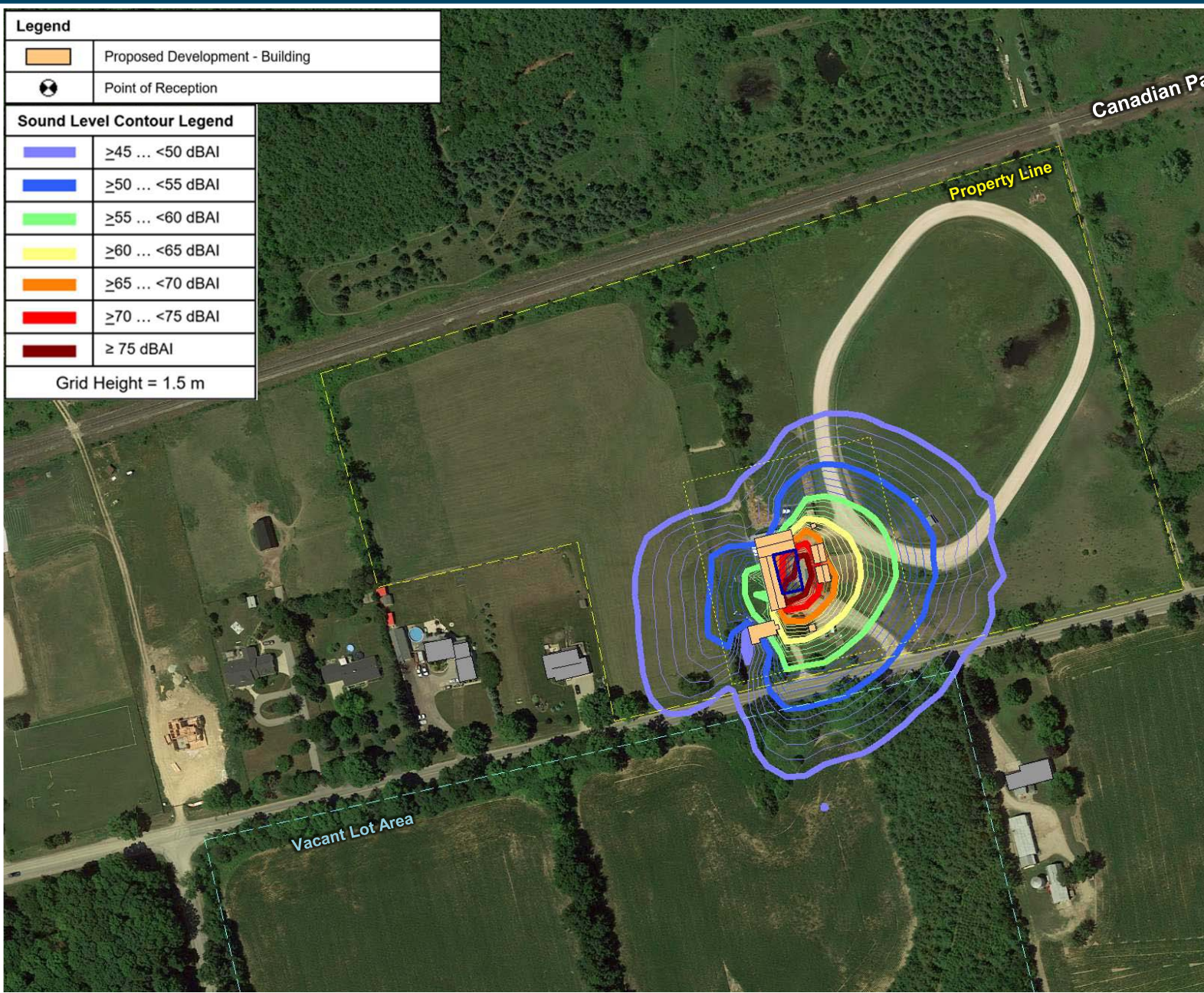
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	Proposed Development - Building
	Point of Reception
Sound Level Contour Legend	
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	≥50 ... <55 dBAI
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	≥65 ... <70 dBAI
	≥70 ... <75 dBAI
	≥ 75 dBAI
Grid Height = 4.5 m	




DOG BREEDING KENNEL
 6706 GORE ROAD, PUSLINCH
 PREDICTED DAYTIME DOG BARKING SOUND LEVELS AND CONTOURS –
 PLANE OF WINDOW – DOG RUN 4










	Scale:	1:3,000
	Date:	Aug. 25, 2023
	Rev:	0.0
Project No.		241.030733.00001

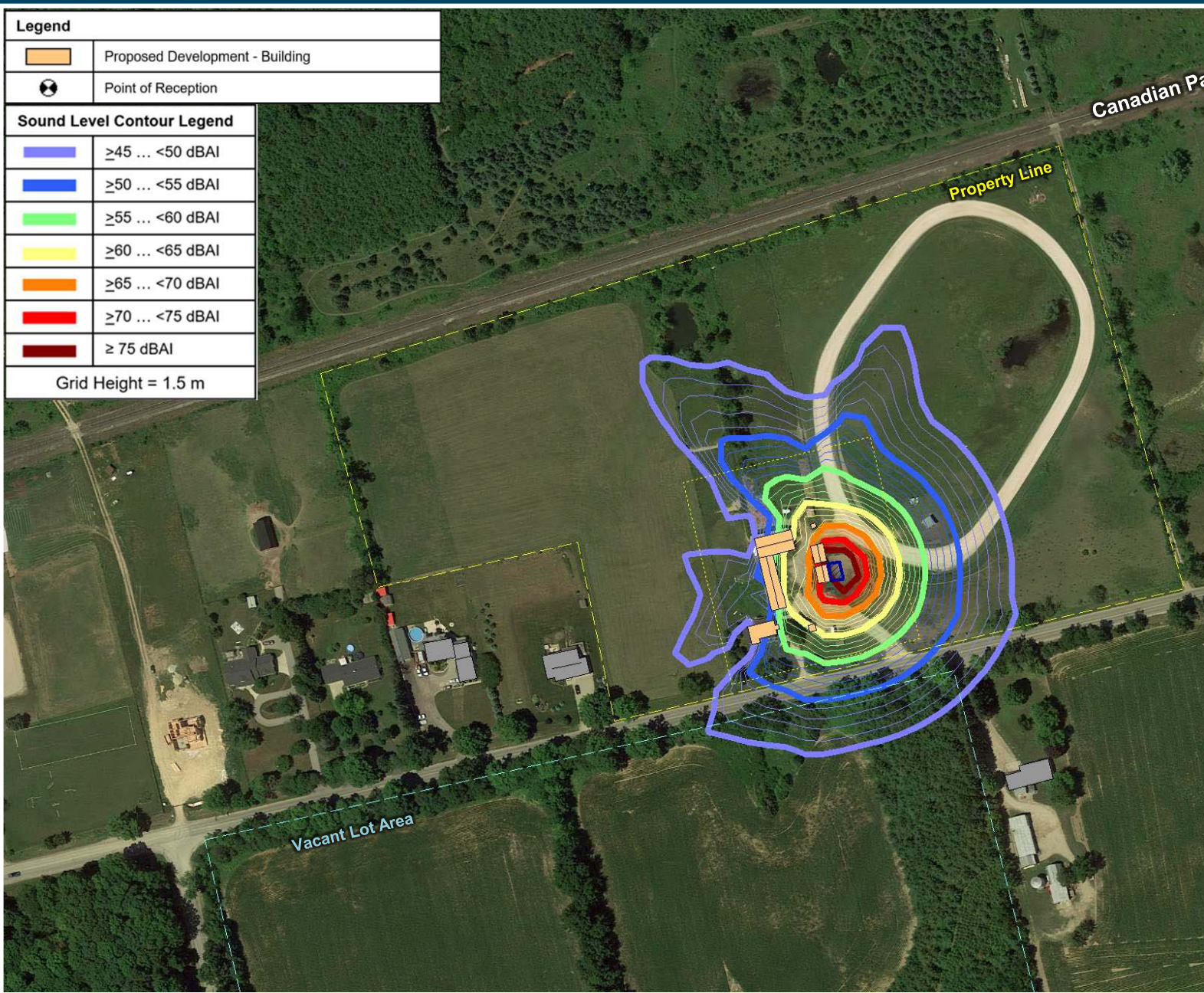
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	Point of Reception
Sound Level Contour Legend	
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	≥ 75 dBAI
Grid Height = 1.5 m	



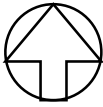
DOG BREEDING KENNEL
6706 GORE ROAD, PUSLINCH
PREDICTED DAYTIME DOG BARKING SOUND LEVELS AND CONTOURS – OUTDOOR PORS – DOG RUN 1










True North 	Scale:	1:3,000
	Date:	Aug. 25, 2023
	Rev:	0.0
Project No.		241.030733.00001

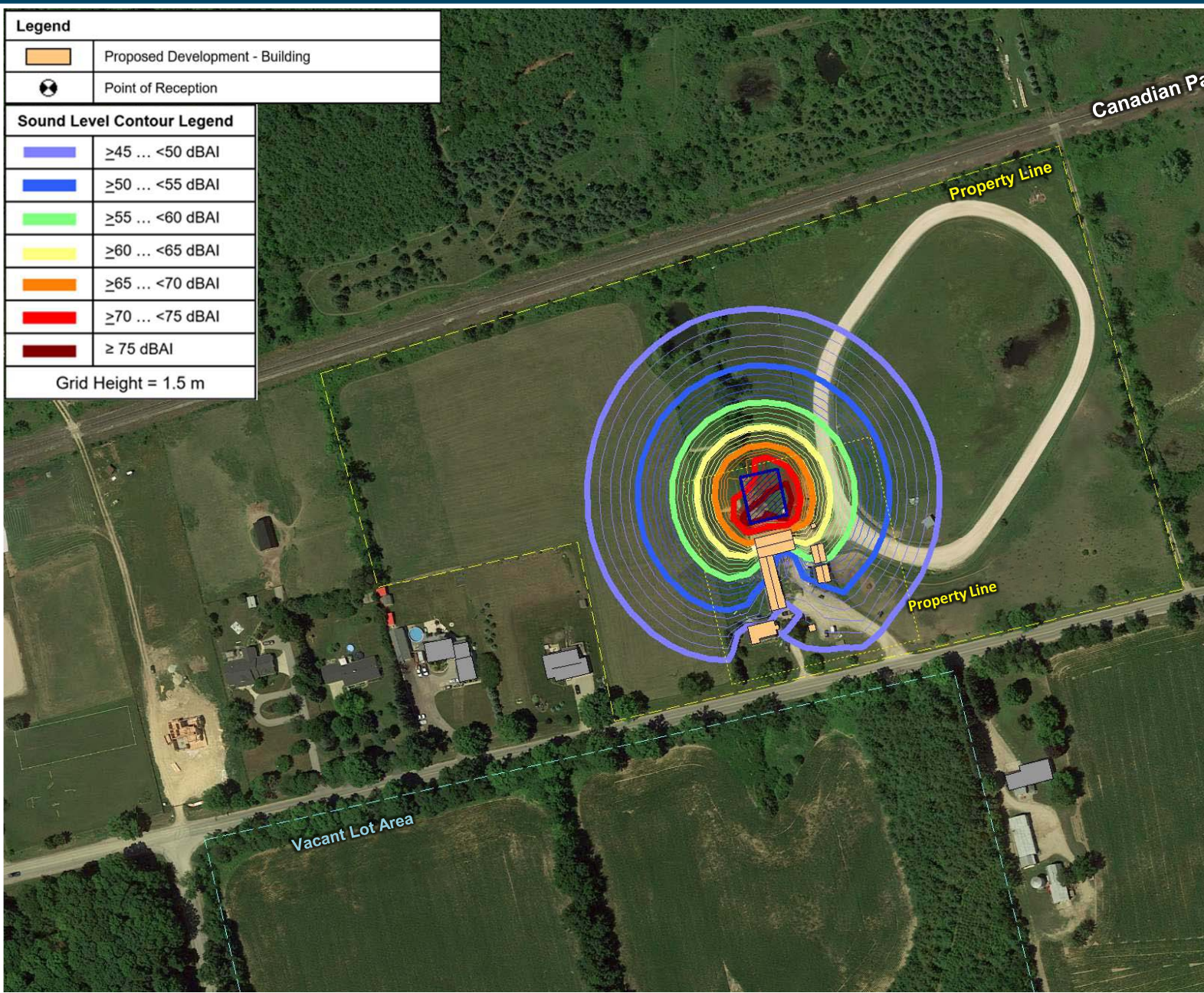
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	Point of Reception
Sound Level Contour Legend	
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	≥70 ... <75 dBAI
	≥ 75 dBAI
Grid Height = 1.5 m	



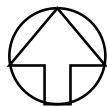
DOG BREEDING KENNEL
6706 GORE ROAD, PUSLINCH
PREDICTED DAYTIME DOG BARKING SOUND LEVELS AND CONTOURS – OUTDOOR PORS – DOG RUN 2










True North 	Scale:	1:3,000
	Date:	Aug. 25, 2023
	Rev:	0.0
Project No.		241.030733.00001

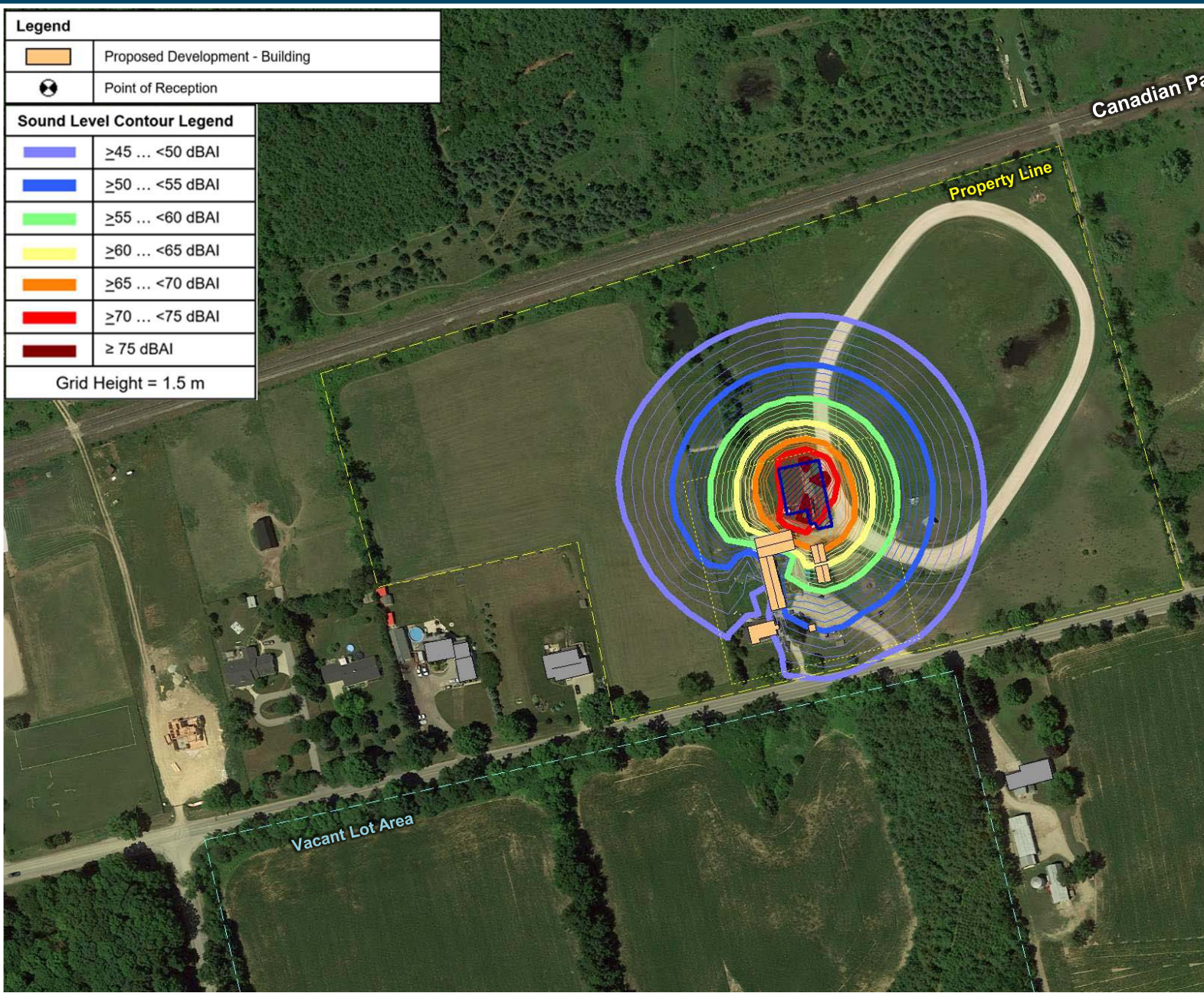
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	Proposed Development - Building
	Point of Reception
Sound Level Contour Legend	
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	≥50 ... <55 dBAI
	≥55 ... <60 dBAI
	≥60 ... <65 dBAI
	≥65 ... <70 dBAI
	≥70 ... <75 dBAI
	≥ 75 dBAI
Grid Height = 1.5 m	




DOG BREEDING KENNEL
6706 GORE ROAD, PUSLINCH
PREDICTED DAYTIME DOG BARKING SOUND LEVELS AND CONTOURS – OUTDOOR PORS – DOG RUN 3

True North 	Scale:	1:3,000
	Date:	Aug. 25, 2023
	Rev:	0.0
Project No.		241.030733.00001

Legend	
	Proposed Development - Building
	Point of Reception
Sound Level Contour Legend	
	≥45 ... <50 dBAI
	≥50 ... <55 dBAI
	≥55 ... <60 dBAI
	≥60 ... <65 dBAI
	≥65 ... <70 dBAI
	≥70 ... <75 dBAI
	≥ 75 dBAI
Grid Height = 1.5 m	



DOG BREEDING KENNEL
 6706 GORE ROAD, PUSLINCH
 PREDICTED DAYTIME DOG BARKING SOUND LEVELS AND CONTOURS –
 OUTDOOR PORS – DOG RUN 4

True North 	Scale:	1:3,000
	Date:	Aug. 25, 2023
	Rev:	0.0
Project No.		241.030733.00001

Legend



Proposed Development - Building



DOG BREEDING KENNEL
6706 GORE ROAD, PUSLINCH
VACANT LOT – ZONE OF PREDICTED SOUND LEVEL EXCESSES FROM DOG BARKING

True North	Scale:	1:2,500
	Date: Aug. 25, 2023	Rev 0.0
	Project No. 241.030733.00001	

Appendix A Development Drawings

Environmental Noise Study

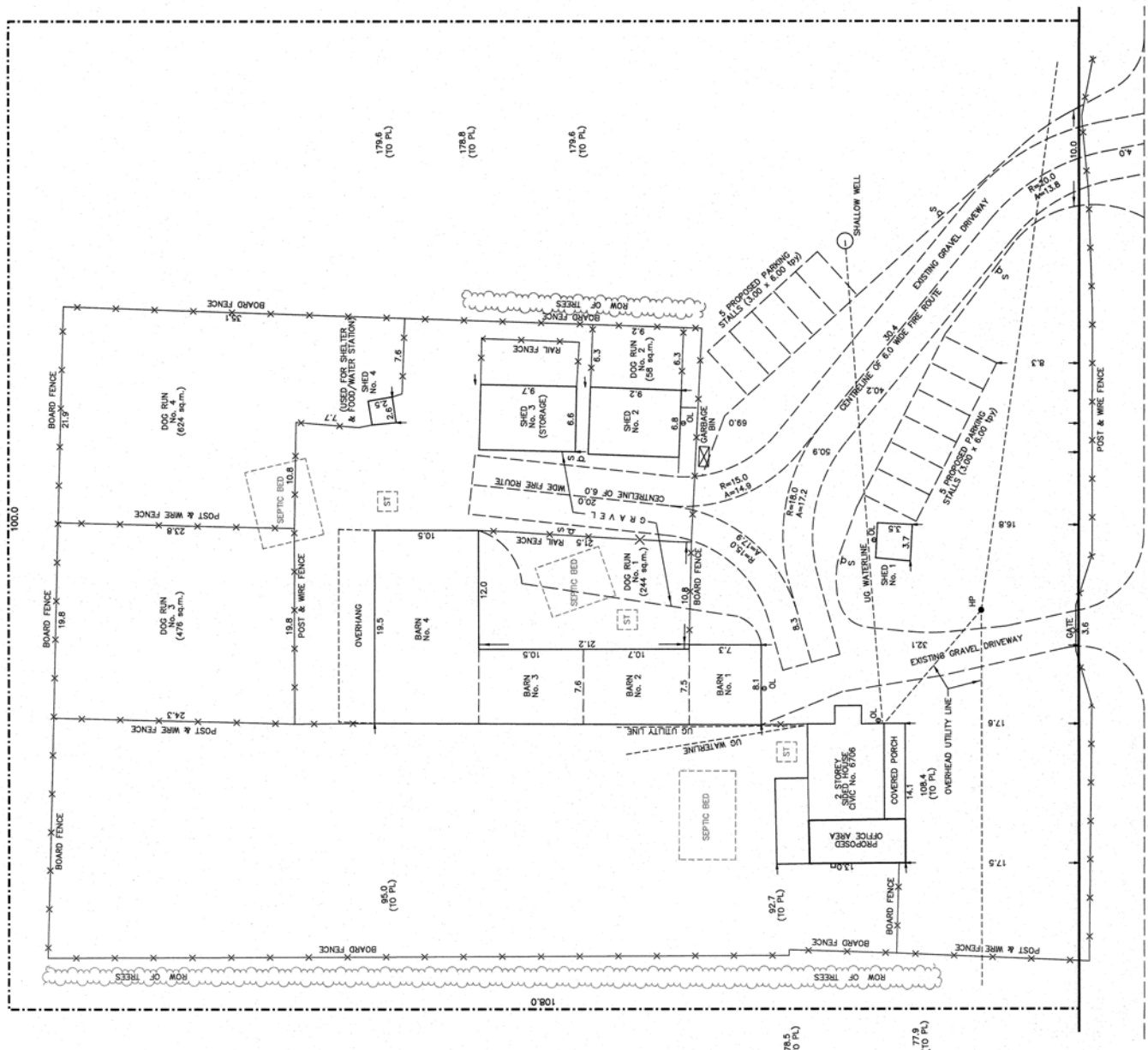
Dog Breeding Kennel

Usman Aziz

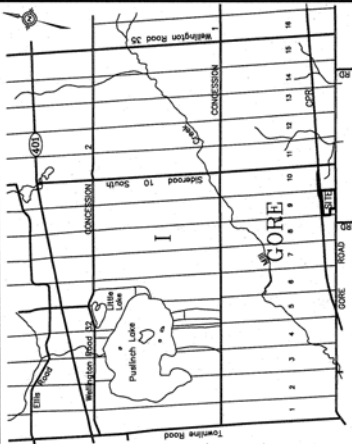
SLR Project No. 241.030733.00001

August 25, 2023





GORE ROAD



KEYPLAN (NOT TO SCALE)

GENERAL NOTES:

1. THIS PLAN WAS PREPARED FOR USMAN AZZ.
 2. LOT DIMENSIONS SHOWN ARE AS SHOWN ON PLAN BY J.D. BARNES LIMITED, REGISTRATION NO. 00-4, DATED DECEMBER 20, 2022 AND HAVE NOT BEEN VERIFIED BY SURVEY.
 3. THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OF REAL PROPERTY.
 4. THE LOCATION OF UTILITY POLE LINES, CONDUITS, WATER MAINS, SEWERS AND OTHER UNDERGROUND AND OVERHEAD UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THIS PLAN, AND WHERE SHOWN, THE ACCURACY OF THE LOCATION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED BEFORE STARTING WORK. THE CONTRACTOR SHALL INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES, AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.
- PROPERTY DESCRIPTION - PART OF LOT 9, CORE CONCESSION (7.8 ha)
CURRENT ZONING - A (AGRICULTURAL)
CIVIC No. 6706

- BARN No. 1 - 9 PROPOSED DOG KENNELS (69.1 sq.m.)
BARN No. 2 - 10 PROPOSED DOG KENNELS (60.3 sq.m.)
BARN No. 3 - 10 PROPOSED DOG KENNELS (79.8 sq.m.)
BARN No. 4 - 11 PROPOSED DOG KENNELS & QUARANTINE ROOM (204.8 sq.m.)
SHED No. 1 - 1 PROPOSED STORAGE (62.6 sq.m.)
SHED No. 2 - 4 PROPOSED DOG KENNELS (62.6 sq.m.)
SHED No. 3 - STORAGE (64.0 sq.m.)
SHED No. 4 - USED FOR SHELTER AND FOOD/WATER STATION (6.5 sq.m.)
HOUSE - (OFFICE USE) 41.8 sq.m. - 41.5 sq.m.

LEGEND

- GRCA DENOTES GRASS RIVER CONSERVATION AUTHORITY
ST DENOTES SEPTIC TANK
HP DENOTES HYDRO POLE
UC DENOTES UNDERGROUND
S L DENOTES UNDERGROUND
DL DENOTES NO PARKING - FIRE ROUTE SIGN
OL DENOTES OUTDOOR LIGHTING
D S DENOTES DRIVEWAY
D D DENOTES MANDOOK
F DENOTES FLOODPLAIN
K DENOTES PROPOSED KENNEL NUMBER

No.	REVISIONS	BY	DATE
1	ISSUE FOR APPROVALS		
2	TENDER		
3	PROVISION		

TOWNSHIP OF PUSLINCH

COUNTY OF WELLINGTON

J.D. BARNES
SURVEYING
MAPPING
GIS

LAND INFORMATION SERVICES
187 WOODBURN ROAD WEST UNIT 101, GERRARD ON N4H 8H1
TEL: (519) 822-4631 F: (519) 822-1220 www.jdbarnes.com

DATE: JULY 20, 2023
SCALE: 1" = 300'
10 metres

DESIGNED BY: K7H
CHECKED BY: K7H
DRAWN BY: DM

PROJECT: 22-14-851-01
REVISION No. 2 OF 3

Appendix B Sample Modelling Output File

Environmental Noise Study

Dog Breeding Kennel

Usman Aziz

SLR Project No. 241.030733.00001

August 25, 2023



Appendix B - Sample Modelling Output File

Receiver
 Name: bungalow to west
 ID: POR1
 X: 562467.11 m
 Y: 4804855.87 m
 Z: 304.50 m

Area Source, ISO 9613, Name: " ", ID: "DogRun1_area"																				
Nr.	X (m)	Y (m)	Z (m)	Refl.	DEN	Freq. (Hz)	Lw dB(A)	l/a dB	Optime dB	K0 (dB)	Di (dB)	Adiv (dB)	Aatm (dB)	Agr (dB)	Afol (dB)	Ahous (dB)	Abar (dB)	Cmet (dB)	RL (dB)	Lr dB(A)
2	562567.17	4804910.94	301.84	0	DEN	500	86.1	12.7	0.0	0.0	0.0	52.2	0.2	9.1	0.0	0.0	7.3	0.0	0.0	30.0
4	562569.35	4804910.95	301.85	0	DEN	500	86.1	-2.7	0.0	0.0	0.0	52.3	0.2	9.1	0.0	0.0	6.3	0.0	0.0	15.5
6	562568.91	4804904.08	302.04	0	DEN	500	86.1	20.4	0.0	0.0	0.0	52.0	0.2	9.1	0.0	0.0	7.1	0.0	0.0	38.1
11	562568.55	4804910.79	301.85	1	DEN	500	86.1	-4.4	0.0	0.0	0.0	52.3	0.2	9.1	0.0	0.0	6.7	0.0	2.0	11.4
12	562570.57	4804911.82	301.84	1	DEN	500	86.1	12.5	0.0	0.0	0.0	52.4	0.2	9.6	0.0	0.0	5.3	0.0	2.0	29.0
20	562573.84	4804899.00	302.23	0	DEN	500	86.1	20.6	0.0	0.0	0.0	52.2	0.2	9.5	0.0	0.0	4.9	0.0	0.0	39.9
27	562574.66	4804911.64	301.87	1	DEN	500	86.1	4.1	0.0	0.0	0.0	52.7	0.2	13.1	0.0	0.0	0.5	0.0	2.0	21.6

global **environmental** and **advisory** solutions
www.slrconsulting.com



August 25, 2023

Attention: Usman Aziz
6706 Gore Road
Township of Puslinch, ON N0B 2J0

SLR Project No.: 241.030733.00001

**RE: 6706 Gore Road, Township of Puslinch
Peer Review Response – Proposed Dog Breeding Kennel – Environmental Noise Study**

SLR Consulting (Canada) Ltd. was retained by Usman Aziz to conduct an environmental study for the proposed dog breeding kennel facility at 6706 Gore Road in the Township of Puslinch.

The environmental noise and vibration study was documented in the report entitled “Environmental Noise Study – Dog Breeding Kennel – 6706 Gore Road, Puslinch ON N0B 2J0” dated December 6, 2022.

The Township retained a peer reviewer, Valcoustics Canada Ltd., who documented their peer review comments in a letter report dated April 26, 2023, and provided them to SLR on July 4, 2023. Review comments are provided for reference in **Attachment A**

The purpose of this letter is to provide responses and supporting information to address the comments received. The comments are provided in italics in the following subsections, with responses immediately following the comments. A Revised Environmental Noise and Vibration Study dated August 25, 2023, has also been prepared and referenced in this response.

Peer Review Comment #1 (a)

The noise assessment indicates that the noise by-laws of Puslinch and North Dumfries do not apply to the proposed breeding kennel. It is agreed that the Puslinch By-Law 5001-05 does not appear to apply. However, the North Dumfries By-Law 2609-14 does have a general prohibition on noise. Part 3.1 states “no person shall make, cause or permit noise or vibration, at any time, which is likely to disturb any inhabitant of the Township, which may include disturbing the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitant”. This would apply to the noise from barking dogs. However, no sound level limits are provided in the by-law...

SLR acknowledges that the General Prohibition should apply to noise barking from dogs, but that no sound level limits are provided in the by-law.

Guideline limits in NPC-300 were considered in the assessment. NPC-300 provide a framework and limits for evaluating noise impacts, to reasonably assess whether dog barking may disturb the quiet, peace, rest, enjoyment, comfort or convenience of nearby inhabitants.

Peer Review Comment #2 (b)

The noise assessment has applied the Ministry of Environment, Conservation and Parks (MECP) noise guideline requirements of NPC-300 for a frequent impulsive noise source to complete the assessment. The Class 3 exclusion limits have been applied. This is considered appropriate. Section 2.3.1 of the SLR report indicates the outdoor sound level limits apply at the outdoor living area (yards). The sound level limits are applicable at any point within 30 m of a residential dwelling provided it is on the same property as the dwelling itself.

SLR acknowledges that sound level limits apply at any point within 30 m of a residential dwelling, provided it is on the same property as the dwelling itself. Outdoor points of reception (PORs) have been appropriately considered following this definition in the Revised Environmental Noise Study dated August 25, 2023.

Peer Review Comment #3 (c)

The noise study has identified the closest existing residences to complete assessment. NPC-300 also requires the assessment include vacant lots that have the zoning to permit a noise sensitive land use to also be included in the assessment. In this area, the lands likely have agricultural zoning where a residential dwelling is permitted. Thus, a discussion (and assessment if applicable) on vacant lots should be included as part of the Assessment.

SLR acknowledges that a vacant lot is located on the south side of Gore Road, south/southwest of the dog breeding kennel facility (no municipal address). The lot is zoned Agricultural. This zoning designation in the Township of North Dumfries permits a residential dwelling.

The Revised Environmental Noise Study has considered and assessed noise impacts at the vacant lot. **Figure 5** in the Revised Environmental Noise Study identifies a zone where, if a dwelling is proposed, excesses are predicted.

No additional noise control measures are recommended at this time. Should a residential dwelling be proposed such that a plane of window or outdoor POR are located within the zone shown on **Figure 5**, the study should be updated considering the actual location/height of the dwelling, and on-site grading. Feasible administrative and/or physical noise control measures can be recommended such that dog barking sound levels comply with applicable NPC-300 guideline limits for a Class 3 area.

Peer Review Comment #4 (d)

The NPC-300 noise guideline requires a predictable worst-case noise impact assessment. Our understanding of the assessment is that barking dogs are modelled in both outdoor run areas simultaneously. It may be possible that the dogs will be in one outdoor run or the other and not always in both. Thus, the predictable worst-case assessment should consider this scenario.

Based on the revised site plan, there are now four (4) proposed outdoor dog runs on the property.

The predictable worst-case noise impact assessment in the Revised Environmental Noise Study considers four (4) assessment scenarios. Each assessment scenario considers all dogs located in a single dog run (dog runs 1 through 4, inclusive). These scenarios were determined to represent predictable worst-case noise impacts at surrounding PORs, in accordance with NPC-300 guidelines.

Peer Review Comment #5 (e)

The assessment has excluded the noise impact from the outdoor air conditioning equipment. It is agreed that it will likely not be significant. However, maximum (AHRI) sound ratings for the equipment should be provided in the assessment to assist with its future selection when the facility is being designed and constructed.

The Revised Environmental Noise Study includes a recommendation that AC unit selections should meet the sound level recommendations of MECP publication NPC-216 (Residential Air Conditioning Devices), including following the sound emission standards and Maximum ARI Standard Sound Rating noted in Table 216-4 (i.e., 7.6 bels).

Refer to **Section 4.1.2** and **Section 5.0** of the Revised Environmental Noise Study dated August 25, 2023.

Peer Review Comment #6 (f)

Since the noise study does not consider the impact of barking dogs indoors and the indoor spaces will be climate controlled, a recommendation of the noise study should be that all exterior windows and doors remain closed.

The Revised Environmental Noise Study includes a recommendation that exterior windows and doors to climate-controlled spaces where dogs will be located indoors remain closed for noise control purposes.

Refer to **Section 4.1.1** of the Revised Environmental Noise Study dated August 25, 2023.

Peer Review Comment #7 (g)

The noise study concludes that the proposed facility complies with the requirements of the Puslinch and North Dumfries noise by-laws. It is not clear how this conclusion can be drawn since SLR's position is that the by-laws are silent on dog barking noise and they have not been considered further. However, as per item a) above, at least the general prohibition in the North Dumfries noise by-law is applicable.

The Revised Environmental Noise Study has removed the conclusion that the proposed facility complies with the requirements of the by-laws.

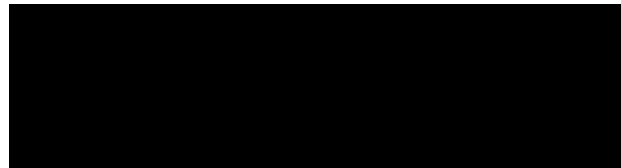
In the absence of sound level limits in the Township of North Dumfries noise by-law, guideline limits in NPC-300 have been used to assess noise impacts.

Conclusions

We trust that the responses included within the response letter and the corresponding Revised Environmental Noise Study address the peer review comments. Please do not hesitate to contact the undersigned if you have any further questions or comments.

Yours sincerely,

SLR Consulting (Canada) Ltd.



Keni Mallinen, M.A.Sc., P.Eng.
Senior Acoustics Engineer
kmallinen@slrconsulting.com

Arthur Küpper, P.Eng.
Principal Acoustics Engineer
akupper@slrconsulting.com

Attachments

Statement of Limitations

This report has been prepared and the work referred to in this report has been undertaken by SLR Consulting (Canada) Ltd. (SLR) for Usman Aziz hereafter referred to as the "Client." It is intended for the sole and exclusive use of the Client. The report has been prepared in accordance with the Scope of Work and agreement between SLR and the Client. Other than by the Client, the Township of Puslinch, the Township of North Dumfries and Wellington County in their role as land use planning authorities, distribution of this report or use of or reliance on the information contained herein, in whole or in part, is not permitted unless payment for the work has been made in full and express written permission has been obtained from SLR.

This report has been prepared in a manner generally accepted by professional consulting principles and practices for the same locality and under similar conditions. No other representations or warranties, expressed or implied, are made.

Opinions and recommendations contained in this report are based on conditions that existed at the time the services were performed and are intended only for the client, purposes, locations, time frames and project parameters as outlined in the Scope of Work and agreement between SLR and the Client. The data reported, findings, observations and conclusions expressed are limited by the Scope of Work. SLR is not responsible for the impacts of any changes in environmental standards, practices, or regulations

subsequent to performance of services. SLR does not warranty the accuracy of information provided by third party sources.

Attachment A – Peer Review Comments

Peer Review Response

6706 Gore Road, Puslinch

Usman Aziz

SLR Project No. 241.030733.00001

August 25, 2023



April 26, 2023

Township of Puslinch
7404 Wellington Road 34
Puslinch, Ontario
N0B 2J0

Attention: Lynne Banks
lbanks@puslinch.ca

VIA E-MAIL

**Re: Peer Review of Environmental Noise Study
Proposed Dog Breeding Kennel
6706 Gore Road
Puslinch, Ontario
VCL File: 123-0140**

Dear Ms. Banks:

We have completed our review of the “Environmental Noise Study, Dog Breeding Kennel, 6706 Gore Road, Puslinch, Ontario”, dated December 6, 2022, prepared by SLR Consulting (Canada) Ltd. (SLR).

Our comments are outlined herein.

1.0 COMMENTS

- a) The noise assessment indicates that the noise by-laws of Puslinch and North Dumfries do not apply to the proposed breeding kennel. It is agreed that the Puslinch By-Law 5001-05 does not appear to apply. However, the North Dumfries By-Law 2609-14 does have a general prohibition on noise. Part 3.1 states “*no person shall make, cause or permit Noise or vibration, at any time, which is likely to disturb any inhabitant of the Township, which may include disturbing the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitant*”. This would apply to the noise from barking dogs. However, no sound level limits are provided in the by-law.
- b) The noise assessment has applied the Ministry of Environment, Conservation and Parks (MECP) noise guideline requirements of NPC-300 for a frequent impulsive noise source to complete the assessment. The Class 3 exclusion limits have been applied. This is considered appropriate. Section 2.3.1 of the SLR report indicates the outdoor sound level limits apply at the outdoor living area (yards). The sound level limits are applicable at any point within 30 m of a residential dwelling provided it is on the same property as the dwelling itself.

- c) The noise study has identified the closest existing residences to complete assessment. NPC-300 also requires the assessment include vacant lots that have the zoning to permit a noise sensitive land use to also be included in the assessment. In this area, the lands likely have agricultural zoning where a residential dwelling is permitted. Thus, a discussion (and assessment if applicable) on vacant lots should be included as part of the assessment.
- d) The NPC-300 noise guideline requires a predictable worst-case noise impact assessment. Our understanding of the assessment is that barking dogs are modelled in both outdoor run areas simultaneously. It may be possible that the dogs will be in one outdoor run or the other and not always in both. Thus, the predictable worst-case assessment should consider this scenario.
- e) The assessment has excluded the noise impact from the outdoor air conditioning equipment. It is agreed that it will likely not be significant. However, maximum (AHRI) sound ratings for the equipment should be provided in the assessment to assist with its future selection when the facility is being designed and constructed.
- f) Since the noise study does not consider the impact of barking dogs indoors and the indoor spaces will be climate controlled, a recommendation of the noise study should be that all exterior windows and doors remain closed.
- g) The noise study concludes that the proposed facility complies with the requirements of the Puslinch and North Dumfries noise by-laws. It is not clear how this conclusion can be drawn since SLR's position is that the by-laws are silent on dog barking noise and they have not been considered further. However, as per item a) above, at least the general prohibition in the North Dumfries noise by-law is applicable.

2.0 CONCLUSIONS

Our review of the environmental noise study prepared in support of the dog breeding kennel indicates there are a few items, as outlined above, that require further clarification and assessment before we can concur with its findings and conclusions

If there are any questions, please do not hesitate to call.

Yours truly,

VALCOUSTICS CANADA LTD.

Per:



John Emeljanow, P.Eng.

6706 Gore Road, Puslinch, ON

Waste Management Plan

TYPE OF WASTE PRODUCED	PROCESS	REMOVAL SCHEDULE
Dog food Bags and other recyclable material (boxes, packaging, containers etc)	Recycle to external recycle bin for removal by kennel staff.	Daily/ every other day disposed of at Guelph transfer station at 80 Dunlop Drive, Guelph, Ontario N1L 1P4
Dog Faecal matter	Moved to Internal bins into composting bags, then removed and put in external composting bin on site by kennel staff	Daily/ every other day disposed of at dumping site. Daily/ every other day disposed of at Guelph transfer station at 80 Dunlop Drive, Guelph, Ontario N1L 1P4
General waste	Moved to Internal bins into garbage bags, then removed and put in garbage bins daily	Daily/ every other day disposed of at Guelph transfer station at 80 Dunlop Drive, Guelph, Ontario N1L 1P4
Waste water from washing internal areas/pens	Water drained from kennels in each internal space will drain into underground soaker pits as seen in "site plan"	Drained daily during cleaning processes.

Procedures:

Each Space will include internal waste bins which will be emptied by staff or cleaners into combined waste bins.

Each bin will clearly be labelled on internal and external bins to ensure that waste is placed in the correct bins.

There will be 3 bins set out in this external area for the following:

1. Composting
2. Recycle
3. General Waste

Kennel staff will dispose of waste daily or every other day at the Guelph transfer station at 80 Dunlop Drive, Guelph, Ontario N1L 1P4.

Management will be responsible for the maintenance of all bins.

August 22 2023



Comment Summary – Zoning By-law Amendment Application – 6706 Gore Rd.

2nd Submission

Consultant	Comments
GM BluePlan - Engineers	See letter attached
County of Wellington Planning	See letter attached
Ecologist	See letter attached
Hydrogeologist	See letter attached
Township of Puslinch Building Department – Andrew Hartholt	No comments received to date
Township of Puslinch By-law – Jacob Normore	<p>By-law would like to make the following comments/questions:</p> <ul style="list-style-type: none"> • If the applicant is successful in a Zoning By-law Amendment, a New Kennel Licence Application is required to be submitted immediately after the passing of the Zoning By-law Amendment. An application can be submitted at the following link: https://puslinch.ca/doing-business/kennel-licences/. • Once a New Kennel Licence Application is submitted, the Township will process the application and schedule an inspection in accordance with the provisions set out in the Township of Puslinch Kennel Licensing By-law 24-2021. The Kennel must pass the inspection and be in compliance with every section of the Kennel Licensing

By-law, in order to continue operation. I have attached a copy of the Township of Puslinch Kennel Licensing By-law 024-2021 for reference.

- A Kennel shall have a maximum of twenty-five (25) Dogs at any one time. Puppies under 4 months old shall not be included in this number.
- The Floor Plan included in the Zoning By-law Amendment would have to be revised to meet the requirements for a Floor Plan set out in Section 8.1.7. of the Kennel Licensing By-law. The Floor Plan must be drawn to scale (min. 1:64 (3/16" = 1'-0")) of any building, structure, dog run, or facility being used for the housing of Dogs. The floor plan must graphically indicate the area being used for a Kennel including pens, dog runs, walkways, exits, fire extinguishers, etc. The plans shall be fully dimensioned and labelled.
- **In the Waste Management Plan Report, it is mentioned that dog fecal matter will be disposed of at the dumping site. Could you please clarify what the 'dumping site' is?**
- Every Kennel shall be of sufficient space to allow the Dogs kept therein to stand erect and be comfortable and shall have no less than 2.3 square meters of floor area per dog. For bitches with nursing puppies, the required space in each Kennel is increased by 10% (0.23) to a total of 2.53 square meters of floor area per nursing puppy. Please see the below calculations based on 2.3 square meters per dog. **Please do your own calculations separately to include nursing puppies and provide them.**



PUSLINCH

	<ul style="list-style-type: none">○ Barn No.1 – Each Pen is permitted to keep a maximum of 1 dog, except for K7 which is permitted a maximum of 2 dogs.○ Barn No.2 – Each Pen is permitted to keep a maximum of 2 dogs, except for K8 and K9 which is permitted a maximum of 1 dog.○ Barn No. 3 – Each Pen I is permitted to keep a maximum of 2 dogs, except for K9 and K10 which is permitted a maximum of 1 dog.○ Barn No.4 – Each Pen is permitted to keep a maximum of 4 dogs.○ Shed No.2 – Each Pen is permitted to keep a maximum of 4 dogs, except K1 which is permitted a maximum of 5 dogs.○ No dogs are permitted to be kept in sheds 1,3, and 4.○ Please note that the By-law only permit a maximum of 25 dogs and the required 10% of nursing puppies is not calculated in these calculations. Please provide your own calculations for the pens with nursing puppies.● Floors in all pens, alleyways and outdoor runs shall be sloped to allow for sufficient drainage.● The Names and addresses of the purchasers of individual dogs must be recorded. There is no exception to this rule. <p>All dogs shall be confined indoors during the hours of 8:00 p.m. to 7:00 a.m.</p>
GRCA	The GRCA continues to have no objection to the proposed ZBA at 6706 Gore Road and have no further comments at this time.



UNIVERSITY OF LINCOLN
UNIVERSITY OF LINCOLN

Noise Consultant	See letter attached



September 15, 2023
Our File: 121006-042

Township of Puslinch
7404 Wellington Road 34
Guelph, ON N0B 2J0

Attention: Ms. Lynne Banks

Re: Zoning By-law Amendment
Proposed Dog Kennel and Related Operation
6706 Gore Road, Township of Puslinch
Second Submission

Dear Ms. Banks,

Following our review of Zoning By-law Amendment 2nd submission documents received on August 29, 2023, we are providing comments for a proposal to convert an existing equestrian facility to a dog kennel facility, on the subject lands at 6706 Gore Road in the Township of Puslinch.

The following documents and drawings were received and reviewed:

- Zoning By-law Amendment 2nd Submission Cover Letter, prepared by Innovative Planning Solutions (IPS), dated August 28, 2023.
- Comment Response Matrix, prepared by IPS, dated August 28, 2023.
- Site Plan, prepared by J.D. Barnes Ltd., dated July 20, 2023 and revised August 11, 2023.

We defer the following documents and drawings to the Township Planning department.

- Zoning By-law Amendment Application (revised), prepared by IPS, dated August 21, 2023.
- Authorization as Agent Letter, prepared by IPS, dated August 13, 2023.
- Planning Justification Report Addendum, prepared by IPS, dated August 28, 2023.
- Zoning By-law Amendment Schedule "A", prepared by IPS, dated August 14, 2023.
- Waste Management Plan Report Revised, unknown author, dated August 22, 2023.

We defer the following documents and drawings to the Township noise consultant.

- Environmental Noise Study and Peer Review Response, prepared by SLR Consulting Ltd., dated August 25, 2023.

Based on our review of the site and provided documents, it appears that existing buildings, driveways, and parking areas are to be used for proposed dog kennel activities. It is assumed that existing water and wastewater servicing will be used, and that there will not be significant changes to site grading, drainage or the percent imperviousness of the property.

Therefore, as stated in GMBP's pre-consultation letter dated January 6, 2022 and zoning by-law amendment letter dated March 27, 2023, we will review the Site Plan for completeness as it pertains to the proposed activity.

As such, we provide the following comments based on our review of the Site Plan:

Deficiencies/Outstanding Matters

Item No.	Matter / Requirement	Drawing / Document Reference	Date Issue Identified	Comment
2.	Site Plan	Site Plan	March 22, 2023.	<p><u>GMBP Comment March 22, 2023:</u></p> <p>Please see the complete Site Plan and Drawing Requirements for a list of items required for a Site Plan:</p> <p>Site Plan and Drawing Requirements (puslinch.ca) (https://puslinch.ca/wp-content/uploads/2020/09/Site-Plan-and-Drawing_Guidelines.pdf)</p> <p>Please confirm the general information such as the owner, consultant, legal description, property lines referenced to a current plan of survey, north arrow, revision dates (if applicable) on the Site Plan.</p> <p>Please also confirm garbage disposal areas, lighting information, accessibility routes, and signage for the fire access route on the Site Plan.</p> <p><u>GMBP Comment September 14, 2023:</u></p> <p>Please confirm accessible route on the Site Plan, including accessible parking with maximum slopes per County of Wellington Facility Accessibility Design Manual. Please also provide parking calculation to justify number of parking spaces and accessible parking spaces.</p>

The following items have been identified as completed:

Item No.	Matter / Requirement	Drawing / Document Reference	Date Identified	Date Cleared	Comment
1.	Site Plan Qualified Professional	Site Plan	March 22, 2023	September 14, 2023	<p><u>GMBP Comment March 22, 2023:</u></p> <p>Please confirm the Site Plan author/drafter. As per Township of Puslinch Site Plan and Drawing Requirements, the Site Plan must show the author and it must be prepared by a qualified professional.</p> <p><u>Response:</u></p> <p>Please see revised drawings from J.D. Barnes dated July 2023.</p> <p><u>GMBP Comment September 14, 2023:</u></p> <p>No further comment.</p>

If you have any questions or require additional information, please do not hesitate to contact us.

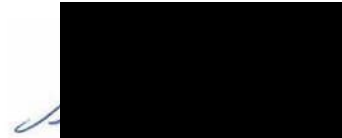


Yours truly,

GM BLUEPLAN ENGINEERING
Per:



Sergio Zaga, M.Eng.
Project Designer



Steve Conway, C.E.T., rcsi, PMP
Branch Manager, Senior Project Manager



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
ALDO SALIS, BES, M.Sc. MCIP, RPP, DIRECTOR OF PLANNING AND DEVELOPMENT
TEL: (519) 837-2600 EXT. 2064
FAX: (519) 823-1694
1-800-663-0750

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

September 22nd, 2023

Courtenay Hoytfox
CAO (Acting)
Township of Puslinch
7404 Wellington County Rd 34
Puslinch, On
N0B 2J0

Dear Courtenay:

**Re: ZONING BY-LAW AMMENDMENT – 2nd Submission Comments
Usman Aziz
6706 Gore Rd
Township of Puslinch**

Please find the Planning comments below in reference to the above noted Zoning By-law Amendment application (2nd Submission). These comments are provided based on a review of the following:

Reports Submitted:

- Cover Letter (August 28, 2023)
- Revised Zoning By-law Amendment Application Form (August 10, 2023)
- Comment Response Matrix (August 28, 2023)
- Planning Justification Report Addendum, prepared by IPS (August 28, 2023)
- Draft Zoning By-law, prepared by IPS (August 14, 2023)
- Overall Site Plan Drawing, prepared by J.D. Barnes Ltd. (July 20, 2023)
- Site Specific Site Plan Drawing (July 20, 2023)
- Floor Plan Drawings, prepared by J.D. Barnes Ltd. (July 20, 2023)
- Environmental Noise Study, prepared by SLR Consulting (Canada) Ltd. (August 15, 2023)
- Environmental Noise Study Response Comments, prepared by SLR Consulting (Canada) Ltd. (August 25, 2023)
- Waste Management Plan Report Revised (August 22, 2023)

Proposed Use

It is acknowledged that the application is proposing to establish a dog breeding operation and will include 25 dogs living permanently on-site. The application proposes a site-specific amendment to the zoning by-law for a portion of the property for the kennel use with reduced setback from existing residential dwelling.

A draft Site-specific Zoning By-law has been included in the planning justification letter to rezone a portion of the subject lands from Agricultural (A) zone to and Agricultural Exception (A-XX) zone. As the intent is to have a kennel specific to breeding and the Zoning By-law definition of a "Kennel" is more general, it may be appropriate for the draft amending by-law to identify the use being permitted is specifically a breeding kennel to reflect the development as proposed and to identify the existing building(s) being utilized as part of the kennel.

Planning Comments:

1. Based on a review of the additional information submitted, we acknowledge the following:
 - a. The applicant has confirmed that the business is solely a dog breeding operation, and no dogs or animals will be boarded on this property. The applicant has further confirmed that there will be a maximum of 25 dogs on-site permanently.
 - b. Further, the applicant has indicated that there are a total of 44 pens (within 4 barns and 3 sheds) that will be used for infant/young dogs and relocate adult dogs during cleaning of pens.
 - c. The applicant has confirmed that the business and property is accessible to the public between 10 a.m. and 6 p.m to purchase an infant/young dog by appointments. However, the dog breeding (Kennel operation) will function between 7 a.m. and 7 p.m.
 - d. It is acknowledged that the applicant has confirmed that the dog pens will be in barn 1-4 and shed #2. The sheds #3 and #4 are intended to be used to store equipment and supplies as well as dog food and water. Shed 1 will be used as storage for the residence.
 - e. Further the applicant has indicated that the barn 4 has a grooming area.
 - f. It is acknowledged that the proposed development is completely within the Secondary Agriculture designation and a portion of the subject property is proposed to be rezoned.
 - g. Within the 2nd submission the applicant has provided with the detailed site plan and over site plan of the subject property for the kennel operation.
 - h. It is acknowledged that the septic and required water servicing is existing and no new services are proposed and the septic to the east of barn 2 and 3 within the 1st submission drawings were labelled in error and are used as soak-away (LID) features for any cleaning operations of the dog pens and the same has been updated on the site plan provided within the 2nd submission.

Within the waste management plan submitted, the applicant has indicated that the animal waste will be hauled out of the property on a daily basis by a private waste collection agency. Therefore, there is no need for containment or treatment facilities.

The application form and the site plan has been updated to reflect the existing services.

- i. The site plan provided indicate the barns and the dog runs have a setback of 97.3m and 105m respectively from an existing dwelling at 6700 Gore Rd. The applicant has requested relief from the maximum required setback requirements from an existing dwelling on any other lot.

Within the Planning Justification report it is noted that the applicant has not explored alternative locations to accommodate the kennel to meet the By-law Provisions. The applicant is proposing to use the existing buildings on site and no new buildings are proposed.

- j. The noise study conducted by SLR Consulting (Canada) Ltd., has indicted that the reviewed for the dog runs between 7am and 7pm and assessment between 7pm and 7am was not completed.

Further, the study has concluded that there are no adverse impacts expended on the surroundings and noise control measures are not required at this time.

k. Within the Planning Justification Report:

- i. The applicant has provided with the total floor area of all combined buildings that is identified to be 2167.6 m² including areas for the associated 4 outdoor dog runs.
- ii. It is acknowledged that no new buildings are proposed for the kennel use. Therefore, the barns 1-4 and shed 2-4 will be used for kennel operation. Shed 1 will be used as storage for the single detached dwelling unit.
- iii. From the updated site plan provided it is acknowledged that that 30 m setback has been provided from all wetland features.
- iv. The applicant has further indicated that no new development is proposed or occur within the sensitive areas.

Additional Comments/Clarification Items:

Although it appears most of the comments previously made were responded to, we do ask that the following clarification be provided to assist in our reviewing and understanding of the development proposal, including overall compliance with other provisions of the Zoning By-law. Can you please provide additional details to ensure all the insufficiencies are covered within the proposed ZBA and avoid future applications and delays.

1. Can you please provide building sections to determine the building height.
2. Is outdoor storage required?
3. Is there any signage proposed. If yes, please ensure compliance with Sign By-law.
4. Will there be any other business on site other than the dog breeding operation.
5. Please confirm if there will be grooming services provided for the dogs other than those on site.

For the conceptual plan, can the following be clarified:

1. Can you confirm if a lighting is proposed on site. If yes, please ensure compliance with Section 4.15 of the Zoning By-law.
2. Please identify the parking for the existing dwelling and parking associated with the kennel separately. Please provide dimensions for the parking spaces within the detailed site plan.
3. It is understood garbage will not remain on site for long; however, we request that any garbage storage be screened from public view and located away from any residential uses.

Environmental Noise Study

It is acknowledged that the comments flagged in our previous comment letter have been clarified. It is further acknowledged that the revised Noise Assessment provides a recommended that the exterior doors and windows of all the structures where dogs are housed remain closed for noise control purposes. Noise control measures are not identified as being required.

It is further understood that Township’s peer reviewer (Valcoustics Canada Ltd.) has provided comments and that additional information is required prior to deeming the application complete.


Future Applications & Licenses:

It is acknowledged that if the subject Zoning By-law amendment is approved, a site plan application and associated approval will also be required. It is further acknowledged that a license from the Township will be required for the Kennel and the applicant will need to confirm that they meet the requirements of By-law 024-2021. If not done so thus far, it is recommended that a review of this licensing By-law be taken to ensure that the use of this site will comply.

It is further understood that dogs 4 months and older count towards the licensing By-law’s maximum number of dogs. The applicant should confirm that the proposed 25 adult dogs accounts for all dogs 4 months and older at any given time.

We trust that these comments are of assistance and request a response letter addressing all comments to be submitted prior to deeming this application complete.

Regards,



Asavari Jadhav
Planner



3-5 Edinburgh Road South
Guelph . Ontario
N1H 5N8

519.822.6839

info@aboutdng.com

www.aboutdng.com

URBAN FORESTRY

ARBORIST REPORTS
MANAGEMENT PLANS
TREE PRESERVATION PLANS
TREE RISK ASSESSMENT
GIS TREE INVENTORIES
TREE APPRAISALS
MONITORING

ECOLOGICAL RESTORATION

NATURAL SYSTEMS DESIGN
HABITAT RESTORATION
EDGE MANAGEMENT PLANS
RAVINE STEWARDSHIP PLANS
NATURALIZATION PLANS
INTERPRETIVE DESIGN
MONITORING
CONTRACT ADMINISTRATION

ENVIRONMENTAL STUDIES

SUBWATERSHED STUDIES
ENVIRONMENTAL IMPACT
STATEMENTS
ECOLOGICAL LAND
CLASSIFICATION
WETLAND EVALUATION
VEGETATION ASSESSMENT
BOTANICAL INVENTORIES
WILDLIFE SURVEYS
MONITORING

LANDSCAPE ARCHITECTURE

MASTER PLANNING
RESIDENTIAL COMMUNITIES
COMMERCIAL/INDUSTRIAL
HEALTHCARE AND EDUCATION
STREETSCAPES
PARKS AND OPEN SPACES
TRAIL SYSTEMS
GREEN ROOFS
CONTRACT ADMINISTRATION

EXPERT OPINION

LPAT TESTIMONY
LEGAL PROCEEDINGS
PEER REVIEW
RESEARCH
EDUCATION

September 7, 2023

Our Project #: AA21-049A-005C
Sent by email: lbanks@puslinch.ca

Lynne Banks
Development and Legislative Coordinator
Township of Puslinch
7404 Wellington Rd. 34
Puslinch, ON N0B 2J0

**Re: 6706 Gore Road, Township of Puslinch
Ecological Review, 2nd submission, Zoning By-law Amendment
application, Proposed Dog breeding Kennel**

Dear Ms. Banks:

About & Associates Inc. has been retained by the Township of Puslinch to review an updated submission of the zoning by-law amendment application, to determine if there are any new ecological constraints per the submitted materials, as they relate to a proposed Dog Breeding Kennel. Per the Township Zoning By-law, kennels are only permitted as a site-specific zoning amendment. We have reviewed the following documents as part of our assessment:

- 6706 Gore Road - Cover Letter, August 28, 2023
- 6706 Gore Road Zoning-By-law-Amendment Application (revised), March 2023
- 6706 Gore Road Authorization Letter, August 13, 2023
- 6706 Gore Road Comment Response Matrix, August 28, 2023
- 6706 Gore Road Planning Justification Report Addendum, August 28, 2023
- 6706 Gore Road Zoning By-law Draft Schedule, August 14, 2023
- 6706 Gore Road Overall Site Plan Drawing, July 20, 2023
- 6706 Gore Road Site Specific Site Plan Drawing, July 20, 2023
- 6706 Gore Road Floor Plan Drawing, July 20, 2023
- 6706 Gore Road Environmental Noise Study, August 25, 2023
- 6706 Gore Road Environmental Noise Study Response Comments, August 25, 2023
- 6706 Gore Road Waste Management Plan Report Revised, August 22, 2023.

Our review of the 2nd submission zoning application documents has confirmed that our comments submitted April 4, 2023 continue to apply, regarding the potential presence of ecological constraints or concerns, and any potential impacts to such features, as they relate to the proposed Dog Breeding Kennel. We've noted that the updated submission drawings further confirm that all work is located greater than 30m from the core natural features present on the property. No natural heritage features requiring additional study exist within the proposal area. The waste management plan has identified that any waste retained on site will be stored in appropriate receptacles that do not allow any leaching into the environment.

As such, we have no ecological concerns for the proposed zoning amendment, per the provided submission materials. Please contact the undersigned should you require additional information of the above.

Yours truly,

ABOUD & ASSOCIATES INC.



Cheryl-Anne Ross, B. Sc.
Ecology Lead & Wildlife Ecologist

S:\A+A Projects\2021\Approved\21-049A Puslinch Peer Review\AA File\21-049A-005C 6706 Gore Rd\Report\AA Ecological review 21-049A-005C 2nd submission draft.docx



Harden Environmental Services Ltd.
4622 Nassagaweya-Puslinch Townline
Moffat, Ontario, L0P 1J0
Phone: (519) 826-0099 Fax: (519) 826-9099

Hydrogeological Assessment

Geochemistry

Phase I / II ESA

Regional Flow Studies

Contaminant Investigations

OLT Hearings

Water Quality Sampling

Groundwater & Surface Water
Monitoring

Groundwater Protection
Studies

Groundwater Modelling

Groundwater Mapping

Permits to Take Water

Environmental Compliance
Approvals

Designated Substance Surveys

Our File: 2322

September 12, 2023

Township of Puslinch
7404 Wellington Road 34
Puslinch, Ontario N0B 2J0

Attention: Lynne Banks
Development and Legislative Coordinator

**Re: Zoning Amendment Application Comments
6706 Gore Road, Puslinch, Ontario**

Dear Lynne,

Harden Environmental Services Ltd. (Harden) is pleased to provide hydrogeological comments for the zoning amendment application for 6706 Gore Road in Puslinch, Ontario (the site).

Harden provides the following comments related to the applicant's submission:

1. The site plan included in the first submission showed three separate septic tanks and dispersal beds on the property. The site plan included in the second submission shows one septic tank and dispersal bed just north of the existing house, and the other two septic locations identified in the first submission as "Septic Tank #2" and "Septic Tank #3" have been replaced with "Soak Away Pit (LID)" locations. Both site plans are attached for reference.

The applicant should clarify the existing/proposed use of the soak away pits, the type(s) of liquid and quantity/flows discharged to these pits and classification (e.g., sewage, greywater, stormwater management, etc.), and any existing/proposed treatment systems.

Sewage flows that exceed 10,000 L/day (cumulative for the entire property) require an Environmental Compliance Approval (ECA) from the Ministry of the Environment, Conservation and Parks (MECP).

We appreciate the opportunity to provide these comments. Should you have any questions or concerns, please do not hesitate to contact the undersigned.

Harden Environmental Services Ltd.



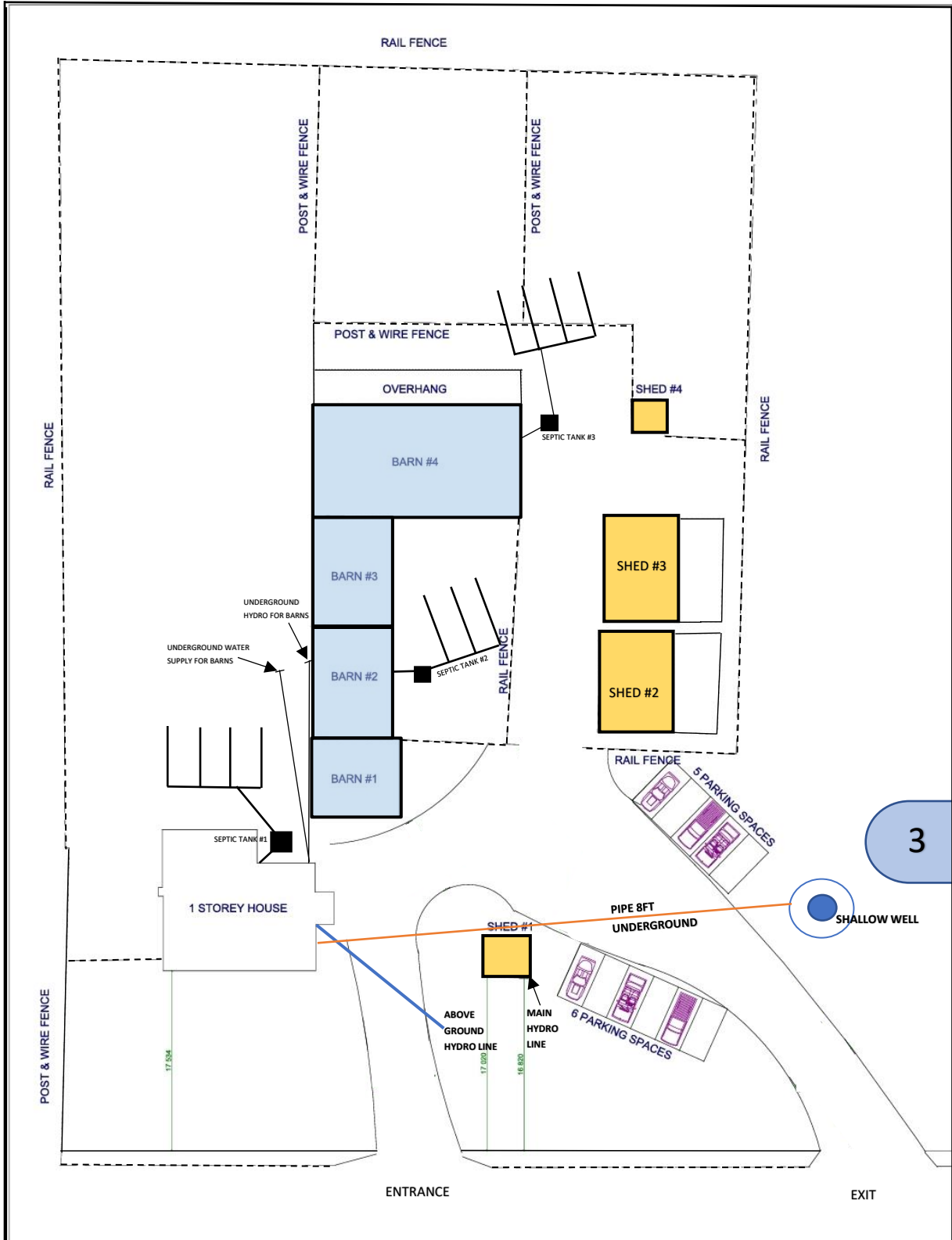
Angela M. Mason, M.Sc., P.Geo., QP_{ESA}
Senior Hydrogeologist



Stan Denhoed, P.Eng., M.Sc.
President and Senior Hydrogeologist

Attachments:

- 1 – Water Management and Hydro Plan (March 2023)
- 2 – Site Plan / Zone Change Application (JD Barnes, July 20, 2023)



3

Water Management and Hydro plan

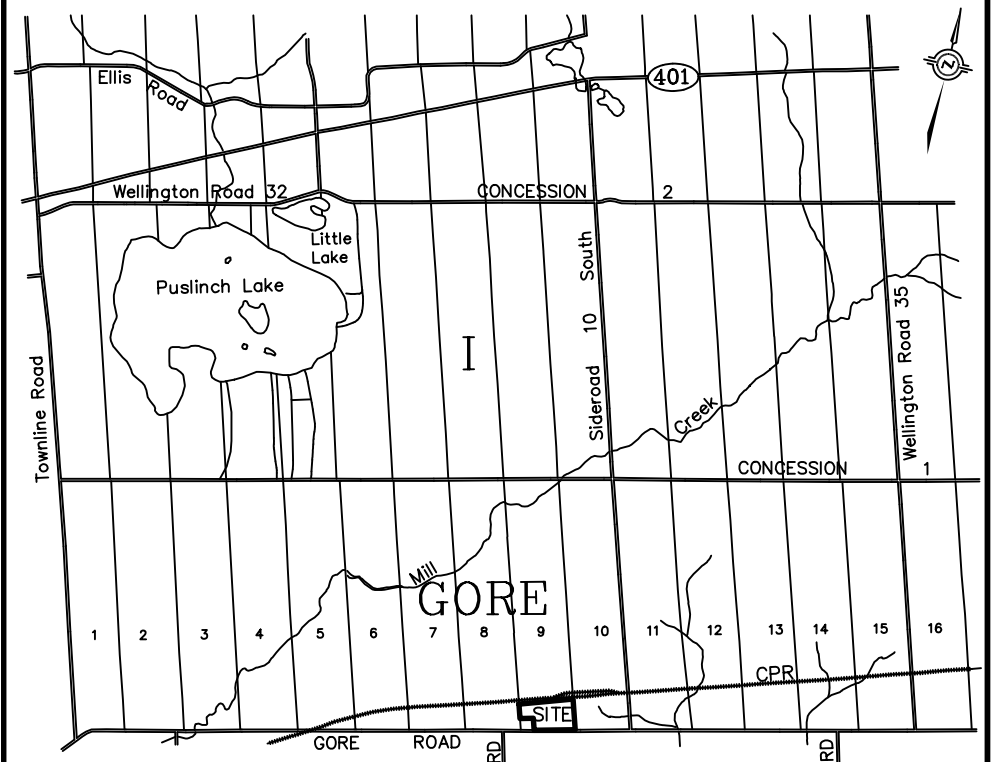
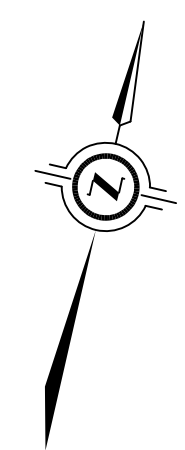
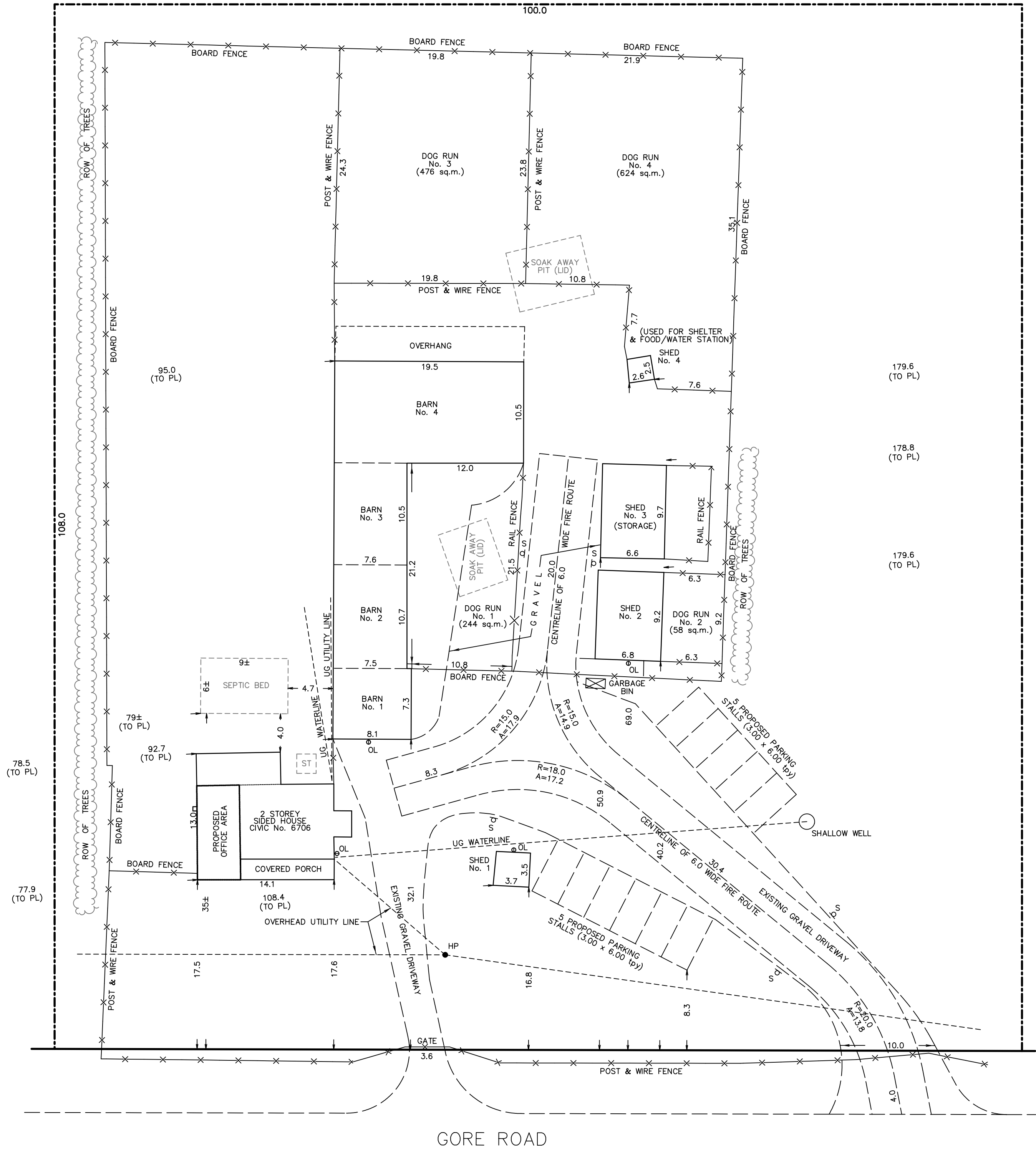
6706 Gore Rd, Puslinch, ON N0B 2J0

SCALE 1:320

DATE: MARCH, 2023

S3

TOWNSHIP OF PUSLINCH
COUNTY OF WELLINGTON



KEYPLAN (NOT TO SCALE)

GENERAL NOTES:

1. THIS PLAN WAS PREPARED FOR USMAN AZIZ.
2. LOT DIMENSIONS SHOWN ARE AS SHOWN ON PLAN BY J.D. BARNES LIMITED, PROJECT No. 22-14-851-00-A, DATED DECEMBER 20, 2022 AND HAVE NOT BEEN VERIFIED BY SURVEY.
3. THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.
4. THE POSITION OF ALL POLE LINES, CONDUITS, WATER MAINS, SEWERS AND OTHER UNDERGROUND AND OVERHEAD UTILITIES AND STRUCTURES IS NOT NECESSARILY SHOWN ON THIS PLAN, AND WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED. BEFORE STARTING WORK, THE CONTRACTOR SHALL INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES, AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.
5. ALL ANIMAL WASTE COLLECTION IS TO BE REMOVED FROM THE SITE DAILY THROUGH A PRIVATE CONTRACTOR OR OWNER AND THAT ALL OTHER FORMS OF WASTE ARE STORED WITHIN THE GARBAGE BIN FOR STANDARD COLLECTION SERVICES.

PROPERTY DESCRIPTION - PART OF LOT 9, GORE CONCESSION (7.8 ha)

CURRENT ZONING - A (AGRICULTURAL)

CIVIC No. 6706

- BARN No. 1 - 9 PROPOSED DOG KENNELS (59.1 sq.m.)
- BARN No. 2 - 10 PROPOSED DOG KENNELS (80.3 sq.m.)
- BARN No. 3 - 10 PROPOSED DOG KENNELS (79.8 sq.m.)
- BARN No. 4 - 11 PROPOSED DOG KENNELS & QUARANTINE ROOM (204.8 sq.m.)
- SHED No. 1 - (13.0 sq.m.)
- SHED No. 2 - 4 PROPOSED DOG KENNELS (62.6 sq.m.)
- SHED No. 3 - STORAGE (64.0 sq.m.)
- SHED No. 4 - USED FOR SHELTER AND FOOD/WATER STATION (6.5 sq.m.)
- HOUSE - DWELLING (152.0 sq.m. TOTAL GROUND FLOOR) & PROPOSED OFFICE (OFFICE 4.32 x 9.60 - 41.5 sq.m.)

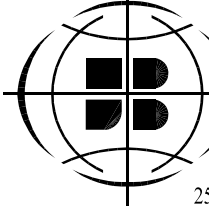
LEGEND

GRCA	DENOTES	GRAND RIVER CONSERVATION AUTHORITY
ST	DENOTES	SEPTIC TANK
HP	DENOTES	HYDRO POLE
UG	DENOTES	UNDERGROUND
PL	DENOTES	PROPERTY LINE
S	DENOTES	'NO PARKING - FIRE ROUTE' SIGN
OL	DENOTES	OUTDOOR LIGHTING
PS	DENOTES	PATIO SLIDER
D	DENOTES	MANDOOR
FD	DENOTES	FLOOR DRAIN
K	DENOTES	PROPOSED KENNEL NUMBER

5			
4			
3			
2			
1	AS PER COMMENTS FROM INNOVATIVE PLANNING SOLUTIONS	DM	AUG. 11, 2023
No.	REVISIONS	BY	DATE
	CONSTRUCTION		
	TENDER		
	ISSUE FOR APPROVALS		
	ISSUE BLOCK		

COUNTY OF WELLINGTON TOWNSHIP OF PUSLINCH

SITE PLAN / ZONE CHANGE APPLICATION



J.D. BARNES
LIMITED
SURVEYING
MAPPING
GIS
LAND INFORMATION SPECIALISTS
257 WOODLAWN ROAD WEST, UNIT 101, GUELPH, ON N1H 8J1
T: (519) 822-4031 F: (519) 822-1220 www.jdbarnes.com

DESIGNED BY: KFH	SCALE 1 : 300	DATE: JULY 20, 2023
CHECKED BY: KFH	5 0 5 10 metres	
DRAWN BY: DM		
CHECKED BY: KFH		
FILE No. 22-14-851-01	REVISION No. 1	SHEET 2 OF 3

THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

BY-LAW NUMBER 024-2021

A by-law to control, license, register and regulate
Dogs and Kennels within the Township of Puslinch
and to repeal By-law 8/99 and 33/05

WHEREAS section 11 (2), paragraph 6 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended (hereinafter called the "Act") authorizes a municipality to pass a by-law respecting the health, safety and well-being of persons;

AND WHEREAS section 11 of the Act authorizes a municipality to pass a by-law to regulate dogs;

AND WHEREAS section 11(2) paragraph 8 and section 11(3) of the Act authorizes a municipality to pass by-laws respecting dogs and the protection of persons and property;

AND WHEREAS section 8 (3) of the Act authorizes a municipality to provide for a system of Licenses with respect to dogs;

AND WHEREAS section 23.1 of the Act authorizes a municipality to delegate its powers and duties;

AND WHEREAS the Council of the Corporation of the Township of Puslinch deems it necessary and expedient to regulate the keeping of dogs and the establishment and operation of dog kennels in the Township of Puslinch;

NOW THEREFORE The Council of the Corporation of the Township of Puslinch enacts as follows:

1. INTERPRETATION

For the purpose of this By-law the following definitions shall apply:

BOARDING: shall mean the taking in of domestic dog for a period of time for capital gain;

BOARDING KENNEL: shall mean any building, structure, dog run or facility, or part thereof, used for the boarding (for hire), grooming, showing, training or temporary housing of more than one (1) dog, but does not include a veterinarian clinic;

BREEDING: shall mean the generating of canine offspring;

BREEDING KENNEL: shall mean any building, structure, dog run or facility, or part thereof, where more than two (2) dogs are kept for the purposes of breeding, housing or selling;

CLERK: shall mean the Clerk for the Township or any person designated by the Clerk;

COUNCIL: shall mean the Council of The Corporation of the Township of Puslinch;

DOG: shall mean any member of the species *canis familiaris* or hybrid thereof and shall include a male or female, spayed, neutered or intact dog (of any age or breed);

DWELLING UNIT: shall mean a room or a suite of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and supporting general living conditions including cooking, eating, sleeping and sanitary facilities;

GOOD STANDING: shall mean a Kennel that complies with all requirements of this By-law and all other Township By-laws, has up to date License, and has resolved any outstanding verified complaints at the time of License application;

HARBOUR or HARBOURED: shall include keeping or possessing for any period of time, whether temporary or not;

KEEP or KEPT: shall include harbouring or possessing for any period of time, whether temporary or not;

KENNEL: shall mean any building, structure, dog run or facility or part thereof where more than three (3) dogs are housed, groomed, bred, boarded, trained or sold, and includes a **BOARDING KENNEL**, **BREEDING KENNEL**, and **RETIRING KENNEL**, but does not include a veterinarian clinic;

LEASH: shall mean a leash, chain, rope, cord, chain or other similar device, which is used, designed and capable of being held by a person and is used and designed to restrain a dog;

LICENSE: shall mean a License issued by the Township permitting an Owner to operate a Kennel;

LICENSEE: shall mean a person issued a kennel License pursuant to this By-law;

MUNICIPAL LAW ENFORCEMENT OFFICER (or "MLEO"): shall mean a person appointed by Council to enforce the by-laws of the Township pursuant to section 15 of the *Police Services Act*, R.S.O. 1990, c. P. 15, as amended;

OFFICER: shall mean a dog control officer, a pound keeper and its employees, the Ontario SPCA Officers, Animal Welfare Inspectors appointed under the *Provincial Animal Welfare Services Act, 2019*, police officer, MLEO, the Medical Health Officer or other person appointed by by-law to enforce the provisions of this By-law;

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (or “OSPCA”): shall mean the Ontario Society for the Prevention of Cruelty to Animals or any local branch;

OWNER: shall mean the person who is the registered owner of the property on which a Kennel is located;

PERSON: shall include an individual, sole proprietorship, partnership, limited partnership, trust, corporation, and an individual in his or her capacity as a trustee, executor, administrator, or other legal representative;

POLICE WORK DOG: shall mean a dog trained, or training, for and engaged in law enforcement by any Federal, Provincial or municipal government or government agency;

POUND: shall mean any premise or facility or part thereof used by the Township for the temporary housing or boarding of dogs that have been impounded pursuant to this By-law;

POUND KEEPER: shall mean any person or organization retained by the Township to provide pound services;

PROPERTY: shall mean a parcel of land which is capable of being legally conveyed;

PUREBRED: shall mean a dog registered or eligible for registration with an Association incorporated under the *Dog Pedigree Act (Canada)*;

REGISTRATION or REGISTERED: shall means a record of ownership and of the keeping of a dog pursuant to this By-law;

RETIRING KENNEL: shall mean a formerly licensed BREEDING KENNEL that meets the criteria in Sections 11.19 to 11.23 of this By-law

SCHEDULE OF FEES: shall mean the Township’s User Fees and Charges By-Law, as amended from time to time;

SERVICE DOG: shall mean a dog trained to assist the visually impaired and a dog guide working with a person with a physical or mental disability or a medical condition;

TAG: shall mean a tag issued by the Township permitting the Keeping or Harboring of a dog within the Township;

TREASURER: shall mean the Treasurer of the Township;

TOWNSHIP: shall mean The Corporation of the Township of Puslinch;

VETERINARY CLINIC: shall mean a building where dogs are diagnosed and treated for illness by a registered veterinarian, and where such dogs can be temporarily housed within the clinic, and includes accessory services such as grooming, but does not include a commercial kennel as defined in the Township's Zoning By-law;

ZONE: shall mean a land use designation as indicated in the Township's Zoning By-law(s) passed pursuant to the provisions of the *Planning Act*.

2. APPLICATION AND GENERAL PROVISIONS

2.1. This By-law shall apply throughout the whole of the Township.

2.2. No Person shall Keep or Harbour or permit to be Kept or Harboured at any one time, more than three (3) Dogs per Dwelling Unit to a maximum of 5 Dogs per Property.

2.3. Section 2.2 does not apply to

2.3.1. A Pound;

2.3.2. The Owner of:

2.3.2.1. A Kennel with a valid License issued pursuant to this By-law

2.3.2.2. A Veterinary Clinic

2.3.2.3. A Shelter operated by a branch or affiliate of the Ontario SPCA or Humane Society; and,

2.3.2.4. A facility registered as a research facility in accordance with the *Dogs for Research Act*, R.S.O. 1990, c. A. 22, as amended;

2.4. No Person shall own or Keep or Harbour a Dog without a current valid Dog Tag.

2.5. An Owner of a Dog shall keep the Tag issued by the Township securely fixed on the Dog for which it was issued at all times.

2.6. No Person shall:

2.6.1. affix a Tag to any Dog other than the Dog for which it was issued; or

2.6.2. remove a Tag except to replace it with a current or valid Tag.

3. LICENSES, TAGS AND REGISTRATION (GENERAL)

- 3.1. The Clerk or his/her delegate is hereby delegated authority to issue Licenses and Tags in accordance with the provisions of this By-law.
- 3.2. The Clerk or his/her delegate is hereby delegated authority to impose additional terms and conditions to a Kennel License that in his/her opinion are reasonable and taking into consideration:
 - 3.2.1. the health, safety and well-being of Persons and Dogs;
 - 3.2.2. the impact on a neighbouring Property or neighbouring Property Owner.
- 3.3. A Tag automatically expires and becomes null and void upon the sale, death or other disposal of a Dog to which such Tag applies.
- 3.4. A Tag or License issued by the Township is non-refundable.
- 3.5. A Tag or License issued pursuant to this By-law is valid for one year from the date it is issued.
- 3.6. A Licensee shall notify the Township within fifteen (15) days of any changes to the:
 - 3.6.1. business name;
 - 3.6.2. location of the business premises;
 - 3.6.3. ownership of the businessand such changes shall be subject to submission of the necessary documentation to the Township.
- 3.7. A Licensee shall display a License in a conspicuous place on the Licensed Property visible to the public at all times.
- 3.8. A Licensee shall be responsible for the act(s) and omission(s) of its employees, representatives and agents in the carrying on of the business in the same manner and to the same extent as though the Licensee did the act(s) or omission(s).
- 3.9. Any record required by this By-law shall be produced by the Licensee upon request of an Officer.

4. APPLICATION FOR DOG TAG

- 4.1. An Owner of a Dog shall obtain a Dog Tag from the Township within ten (10) days of taking possession of the Dog and annually thereafter.
- 4.2. An Owner of a Dog making an application for a Dog Tag shall submit:

- 4.2.1. a complete application in the form provided by the Township;
 - 4.2.2. when required by the Township, a certificate signed by a practicing veterinarian that the Dog has been inoculated with an anti-rabies vaccine;
 - 4.2.3. the required Tag fee in accordance with the Township's User Fees and Charges By-law, as amended.
- 4.3. A Dog Tag shall be issued where the Clerk or his/her delegate is satisfied that the requirements of this By-law have been met.
- 4.4. An Owner of a Dog may obtain a replacement Dog Tag upon re-payment of the Tag Fee.

5. DOGS AT LARGE

- 5.1. No Person shall permit a Dog to be at large in the Township.
- 5.2. A Dog is deemed to be running at large if found in any place other than the Property of the Owner of the Dog and the Dog is not on a Leash and under the control of a Person capable of handling the Dog when it is on Property other than that of the Owner, unless prior consent is given by the Person owning the Property on which the Dog is found.
- 5.3. Sections 5.1 and 5.2 of this By-law shall not apply to a:
- 5.3.1. Police Work Dog, or a Service Dog while actively engaged in the performance of its trained duties;
- 5.4. The Owner of a Dog shall remove forthwith any excrement left by a Dog on any public property or private property other than the Owner's property and shall provide for the sanitary disposal of such excrement.

6. IMPOUNDMENT

- 6.1. An Officer may seize and impound a Dog found running at large and may apprehend a Dog.
- 6.2. Where the Owner of a Dog is known, the Pound Keeper shall make reasonable efforts to notify the Owner that the Dog has been impounded.
- 6.3. Where a Dog is seized and impounded, the Pound Keeper shall return it to the Owner provided that:
- 6.3.1. the Owner claims possession of the Dog within ten (10) days

(excluding Sundays and holidays) after the date of seizure; and

- 6.3.2. the Dog can be lawfully returned; and
 - 6.3.3. upon payment of any applicable Licensing or Tag fees; and
 - 6.3.4. upon payment of the Pound and boarding fees.
- 6.4. The Owner of a Dog impounded, if known, whether or not the Dog is claimed by the Owner from the Pound, shall be liable for the payment of the Pound fee, the boarding fee, and any euthanasia and disposal fees applicable, and shall pay all fees on demand to the Township's Pound Keeper.
- 6.5. Where at the end of ten (10) days excluding Sundays and holidays a Dog has not been returned to the Owner, the Pound Keeper may dispose of the Dog in accordance with the provisions of the *Animals for Research Act, R.S.O. 1990, c. A. 22*, as amended.
- 6.6. All monies received for the sale or adoption of unclaimed Dogs shall become the property of the Township.

7. DOG KENNELS – LICENSING

- 7.1. No Person shall own, operate, manage, control or supervise a Kennel on any Property within the Township without a License.
- 7.2. Only an Owner may apply for and be issued a License. A License issued to an Owner is not transferable.
- 7.3. Every Owner:
- 7.3.1. who applies for a License shall do so, in writing, on the form prescribed by the Township; and
 - 7.3.2. shall be responsible for paying the Township's actual costs in relation to the administration or enforcement of this By-law for their Kennel as well as for paying all applicable fees, as required by the Schedule of Fees.
- 7.4. Kennels shall at all times comply with, and shall only be permitted in accordance with, the Township's Zoning By-law, as amended.
- 7.5. A Kennel shall have a maximum of twenty-five (25) Dogs at any one time. Kennels that lawfully existed at the time of original adoption of this By-law and that had more than 25 Dogs shall be permitted to continue operating so long as the License remains in Good Standing and is re-applied for each

year without any discontinuance of operations, but such operations shall not be permitted to expand.

- 7.6. Every Owner of a Breeding Kennel shall keep a list of all Dogs currently being kept at the subject Property, including both purebreds and non-purebreds, noting verification of current rabies vaccination for each Dog (except where there is proof that they are under 4 months of age). This list shall be kept current at all times and shall be produced to any Township employee or inspector upon demand;
- 7.7. Every Owner of a Boarding Kennel shall at all times keep a list of all Dogs currently boarded, including verification of rabies vaccination for each Dog. This list shall be kept current at all times and shall be produced to any Township employee or inspector upon demand;
- 7.8. Every License shall expire on the 1st day of February in the year succeeding the date of issue, and every application for renewal of a License shall be submitted to the Township on or before that same date.

8. DOG KENNELS – LICENSE APPLICATIONS REQUIREMENTS

- 8.1. Every Owner applying for a License shall, on or before the 1st day of February of each year, submit the following to the Township:
 - 8.1.1. written clearance from the OSPCA or a veterinarian assuring compliance with Sections 11.3 to 11.6, inclusive, of this By-law, with any associated costs borne by the Owner;
 - 8.1.2. upon in initial application for a license, or where any change is proposed to an existing licensed kennel, a site plan drawn to scale showing the location of all buildings, structures, dog runs or facilities on the subject property, including the location of all buildings, structures, dog runs or facilities, or parts thereof, to be used as a Kennel. The site plan must also specify the distance which separates the Kennel from all property lines and all buildings, structures, dog runs or facilities, including any residential buildings situated on adjacent properties;
 - 8.1.3. in the case of Breeding Kennels, a list of all Dogs currently being kept at the subject Property, including both purebreds and non-purebreds, noting verification of current rabies vaccination for each Dog (except where there is proof that they are under 4 months of age);
 - 8.1.4. the applicable fees, as required by the Township's Fees and Charges By-law, as amended;

- 8.1.5. a sworn declaration by the Owner that (s)he has never been convicted under Section 446 of the Criminal Code of Canada pertaining to animal cruelty or an offence under the *Ontario Society for the Prevention of Cruelty to Animals Act*, the *Provincial Animal Welfare Services Act, 2019*, or the *Dog Owners' Liability Act*, ;
 - 8.1.6. proof of insurance by way of a Certificate of Insurance showing a minimum limit of \$2,000,000 (Two Million Dollars) in Commercial General Liability;
 - 8.1.7. a floor plan drawn to scale (min. 1:64 (3/16" = 1'-0")) of any building, structure, dog run, or facility being used for the housing of Dogs. The floor plan must graphically indicate the area being used for a Kennel including pens, dog runs, walkways, exits, fire extinguishers, etc. The plans shall be fully dimensioned and labelled.
 - 8.1.8. a nutrient management plan demonstrating how Dog excrement will be handled and disposed of.
 - 8.1.9. in the discretion of the Township, in the case of a new Kennel or an expansion (either in area or in number of Dogs), a noise study from a qualified acoustical consultant demonstrating that predicted noise will not cause exceedances of environmental noise guidelines from stationary sources as published by the Ministry of the Environment, Conservation and Parks from time to time.
- 8.2. in the case of a new Kennel or an expansion (either in area or in number of Dogs), a site inspection shall be required within 30 days of the issuance of the license to confirm that the Kennel was constructed in accordance with the site plan and meets all other requirements of this By-law. Failure by the Owner to allow for such an inspection shall be grounds for revocation of the License.

9. REFUSAL OF LICENSE

9.1. The Township shall refuse to issue a License where:

- 9.1.1. all of the submission requirements set out in section 8 of this By-law have not been met;
- 9.1.2. any of the other requirements of this By-law are not being met;
- 9.1.3. the location of a Kennel does not meet all of the applicable zoning requirements; or,

9.1.4. in the case of an existing Kennel, the Licensee is not in Good Standing under this By-law or any other Township By-law.

9.2. The Township may refuse to issue a License application where the Owner has been convicted of an offence pursuant to a provincial statute or an offence pursuant to a municipal by-law.

9.3. In the event that a License application is refused, the Township shall provide written notice to the Owner by regular mail or personal delivery, together with reasons for the refusal.

9.4. Within twenty (20) days of a License application being refused, the Owner may apply to the Township, in writing, for a hearing before Council.

9.5. Upon receipt of a request for a hearing, the Township shall arrange for such a hearing at a Council meeting and written notice of the date, time and location of that hearing shall be given to the Owner by regular mail or personal delivery not less than seven (7) days prior to the hearing.

9.6. At any hearing, prior to making its decision, Council shall consider:

9.6.1. the License application;

9.6.2. the reasons for refusal;

9.6.3. any recommendations for conditions to be placed on the License;
and

9.6.4. any oral or written submissions made by the Owner or their representative.

9.7. Following the hearing, Council may:

9.7.1. issue the License, with or without conditions; or,

9.7.2. refuse to issue the License.

9.8. The Township shall notify the Owner, in writing, of Council's decision by regular mail or personal delivery within ten (10) days of the decision.

9.9. Council's decision shall be final and not subject to further review.

10. CHANGES/ALTERATIONS TO KENNEL

10.1. After the issuance of a License, the Owner shall not change or otherwise alter a Kennel without first obtaining the written permission of the Township and submitting:

- 10.1.1. written clearance from the OSPCA or a veterinarian assuring compliance with Sections 11.3 to 11.6, inclusive, of this By-law, with any associated costs borne by the Owner;
- 10.1.2. a revised site plan drawn to scale showing the location of all buildings, structures, dog runs or facilities on the subject property, including the location of all buildings, structures, dog runs or facilities, or parts thereof, to be used as a Kennel. The site plan must also specify the distance which separates the Kennel from all property lines and all buildings, structures, dog runs or facilities, including any residential buildings situated on adjacent properties;
- 10.1.3. in the case of a Breeding Kennel, a revised list of all Dogs currently being kept at the subject Property at the time the application is submitted, including both Purebreds and non-Purebreds, noting verification of current rabies vaccination for each Dog (except where there is proof that they are under 4 months of age);
- 10.1.4. in the discretion of the Township, in the case of a Kennel expanding either in area or in terms of the number of Dogs, a noise study from a qualified acoustical consultant demonstrating that such expansion will not cause exceedances of environmental noise guidelines from stationary sources as published by the Ministry of the Environment, Conservation and Parks from time to time;
- 10.1.5. an updated nutrient management plan that reflects the changes in the Kennel operation; and,
- 10.1.6. the applicable fees, as required by the Schedule of Fees.
- 10.2. The Township shall refuse to approve a change or alteration where the Licensee is not in Good Standing under this By-law or any other Township By-law.
- 10.3. The Township shall provide written notice of its approval or refusal of a change or alteration to a Kennel to the Owner by regular mail, email or personal delivery, together with reasons for the refusal.
- 10.4. In the event that the proposed change or alteration is refused, the Owner may apply for a hearing before Council following the same procedures as set out in sections 9.4 to 9.9 of this By-law.

11. MINIMUM STANDARDS

All Kennels shall comply with the following minimum standards, in addition to all

requirements of the Township's Zoning By-law, as amended:

- 11.1. No Kennel shall be located within any part of any Dwelling Unit or attached to any Dwelling Unit.
- 11.2. No part of any building or structure enclosing a Kennel shall be used for human habitation.
- 11.3. Every Kennel shall be of sufficient space to allow the Dogs kept therein to stand erect and be comfortable, and shall have no less than 2.3 square metres (25 sq. ft.) of floor area per Dog which may be increased in accordance with the size of the Dog or decreased in accordance with the size of the breed of Dog using reasonable judgement and approved by the OSPCA or veterinarian.
- 11.4. Every Kennel shall be sufficient in size and height and of a design that permits each Dog confined therein to:
 - 11.4.1. stand normally to its full height with sufficient room for the Dog to wag its tail without hitting anything;
 - 11.4.2. turn around easily;
 - 11.4.3. move about easily for the purpose of posture adjustments;
 - 11.4.4. lie down in a fully extended position and without touching another Dog;
 - 11.4.5. have sufficient room to separate food, excrement and bedding;
 - 11.4.6. provides for isolation areas for sick or distressed Dogs;
 - 11.4.7. enable species-appropriate contact; and,
 - 11.4.8. provide for the social and behavioural needs of the Dog.
- 11.5. Every Kennel shall be properly equipped with accessible, fresh water and suitable, adequate feed both in clean, properly sized containers made of stainless steel to maintain Dogs in a healthy condition. Food and water receptacles shall be kept clean and located as to avoid contamination by excreta.
- 11.6. Every Kennel shall be kept in a sanitary, well-ventilated condition and free from offensive odours, disease and insect or rodent infestation. Dog feces shall be removed daily.

- 11.7. Every Kennel shall have floors and walls made of concrete or other impermeable material (including rigid plastic). Wire floors and cages shall not be permitted.
- 11.8. The yards and runways associated with Kennel operations shall be completely enclosed with a fence or as required by the Township's applicable Zoning By-law.
- 11.9. Floors in all pens, alley-ways and outdoor runs (or any area resembling the same) shall be sloped to allow for sufficient drainage.
- 11.10. Every Kennel shall be provided with adequate natural or artificial light, proper ventilation and sufficient heat and air conditioning to maintain healthy conditions. Every run or pen must be regularly cleaned and sanitized and excreta removed and properly disposed of daily.
- 11.11. Every Kennel shall be provided with adequately shaded, outdoor open air runs, properly fenced to maintain control of the Dogs and with adequate space to accommodate the breed of the Dog being housed.
- 11.12. The Owner of a Kennel shall maintain compliance with all environmental laws pertaining to the disposal of waste at all times.
- 11.13. The Owner of a Kennel shall ensure that every Dog is provided with necessary veterinary medical care when any Dog exhibits signs of pain, illness, injury or suffering.
- 11.14. Every Owner of a Kennel shall:
 - 11.14.1. maintain records verifying current rabies vaccination for each Dog at the Kennel (except puppies at a Breeding Kennel under 4 months old) and provide such records to the Township immediately upon request; and
 - 11.14.2. have in force and effect, at all times, Commercial General Liability insurance with a minimum limit of \$2,000,000 (Two Million Dollars) and provide proof of such insurance to the Township immediately upon request.
- 11.15. The Owner of a Kennel shall ensure that:
 - 11.15.1. a secure, chain link fence, wooden fence or alternative enclosure satisfactory to Township staff is installed and maintained around any outdoor run or any outdoor play area with a minimum height of 2 metres (6 feet);

- 11.15.2. any pen area for the housing of Dogs shall be constructed with solid walls and roofing;

Breeding Kennels

11.16. In addition to the Minimum Standards in Sections 11.1 to 11.14, every Breeding Kennel shall:

- 11.16.1. maintain a whelping bitch in separate accommodation from the balance of the Dogs in the Kennel, and shall keep any puppies in a whelping box that prevents puppies from escaping or harming themselves;
- 11.16.2. provide bitches with nursing puppies increased space in the whelping box by 10% per nursing puppy;
- 11.16.3. provide absorbent bedding in the whelping box to keep the puppies clean and dry;
- 11.16.4. provide a water bowl that is situate such that a puppy cannot fall in
- 11.16.5. provide adequate supplemental heat at all times.

11.17. Every Owner of a Breeding Kennel shall maintain records of the following:

- 11.17.1. the dates of arrival and departure of all Dogs;
- 11.17.2. the breeding and identification records of all whelping bitches and stud Dogs and the results of litters;
- 11.17.3. the age and breed of all Dogs kept and sold; and
- 11.17.4. the names and addresses of the purchasers of individual Dogs.

Boarding Kennels

11.18. Every Owner of a Boarding Kennel shall maintain records with the following minimum information:

- 11.18.1. the dates of arrival and departure of all Dogs; and
- 11.18.2. the names and addresses of the owners of all Dogs cared for at the Kennel.

Retiring Kennels

11.19. Where an Owner of a Breeding Kennel wishes to wind down

operations and retire, they shall have the option of applying for a Retiring Kennel license in accordance with this section. The purpose of the Retiring Kennel license is to allow an Owner who has operated in Good Standing keep more than three (3) Dogs on their Property without the need to apply for a full Breeding Kennel license.

- 11.20. To be eligible for a Retiring Kennel License, the Owner must demonstrate:
 - 11.20.1. That he/she previously was a Licensee in Good Standing in the calendar year immediately prior to applying for a Retiring Kennel License;
 - 11.20.2. That all commercial activities (including boarding, breeding and training, etc.) have ceased;
 - 11.20.3. That the number of Dogs will not increase, which shall be demonstrated by a sworn declaration to that affect;
 - 11.20.4. That no more than ten (10) Dogs will be harboured on the Property;
- 11.21. Retiring Kennel Licenses shall only be permitted for a maximum of 5 years.
- 11.22. The Licensee of a Retiring Kennel shall be subjected to annual inspections to ensure that no commercial activities have resumed.
- 11.23. The requirements of sections 7.4, 8.1, and 11.14.2 of this By-law do not apply to Retiring Kennels.

12. CONFINEMENT AND CONTROL OF DOGS IN KENNELS

- 12.1. All Dogs shall be confined indoors during the hours of 8:00 p.m. to 7:00 a.m.
- 12.2. The Owner of a Kennel shall maintain compliance with applicable Township by-laws at all times.

13. REVOCATION OF LICENSE

- 13.1. Any License issued under the provisions of this By-law may be revoked by the Township, prior to its expiration, for any contravention of the provisions of this By-law if:
 - 13.1.1. the Township provides written notice of the By-law

contravention to the Owner by regular mail or personal delivery;
and,

13.1.2. the Owner has not corrected the By-law contravention within ten (10) days of receiving the Township's written notice.

13.2. Following the process set out in section 13.1, if the Township decides to revoke a License, the Township shall provide written notice of the revocation to the Owner by regular mail or personal delivery.

13.3. Following the revocation of a License, the Owner may apply for a hearing before Council following the same procedures as set out in sections 9.4 to 9.9 of this By-law.

14. ENFORCEMENT

14.1. This By-law may be enforced by a Municipal Law Enforcement Officer, or any other Person appointed by Council for that purpose.

15. INSPECTION

15.1 The Township may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

15.1.1 this By-law;

15.1.2 a direction or order of the Township made under the *Municipal Act, 2001* or a by-law of the Township passed under the *Municipal Act, 2001*; and,

15.1.3 a condition of a License.

15.2 For the purposes of an inspection, the Township may:

15.2.1 require the production for inspection of documents or things relevant to the inspection; inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;

15.2.2 require information from any Person concerning a matter related to the inspection; and

15.2.3 alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

16. OFFENCES

16.1. Any Person who contravenes any provision of this By-law is guilty of an

offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended.

- 16.2. A director or officer of a corporation who knowingly concurs in the contravention of this By-law by the corporation is guilty of an offence.
- 16.3. Any Person who hinders or obstructs, or attempts to hinder or obstruct, any Person who is exercising a power or performing a duty under this By-law is guilty of an offence.
- 16.4. Each day on which a person contravenes any provision of this By-law shall be deemed to constitute a separate offence under this By-law as provided for in section 429(2) of the *Municipal Act, 2001*, S.O. 2001, c.25.
- 16.5. Any Person, including a director or officer of a corporation, who is convicted of an offence is liable to a minimum fine of One Hundred Dollars (\$100.00) and a maximum fine of One Hundred Thousand Dollars (\$100,000.00).
- 16.6. In addition to the fine amounts set out in section 16.5 of this By-law, for each day or part of a day that an offence continues, the minimum fine shall be One Hundred Dollars (\$100.00) and the maximum fine shall be Ten Thousand Dollars (\$10,000.00). The total of all daily fines for the offence is not limited to One Hundred Thousand Dollars (\$100,000.00).
- 16.7. In addition to the regular fines outlined in sections 16.5 and 16.6 of this By-law, a special fine may be imposed on any convicted Person in order to eliminate or reduce any economic advantage or gain from contravening this By-law. A special fine may exceed One Hundred Thousand Dollars (\$100,000.00).
- 16.8. If this By-law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by the By-law, the court in which the conviction has been entered or any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the Person convicted.

Collection of Unpaid Fines

- 16.9. Pursuant to s. 441 of the *Municipal Act, 2001*, if any part of a fine for a contravention of this By-law remains unpaid after the fine becomes due and payable under s. 66 of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, including any extension of time for payment ordered under that section, a Treasurer may give the Person against whom the fine was imposed a written notice specifying the amount of the fine payable and the final date on which it is payable, which shall be not less than twenty one (21) days after the date of the notice.

If the fine remains unpaid after the final date specified in the notice, the fine shall be deemed to be unpaid taxes for the purposes of s. 351 of the *Municipal Act, 2001*.

Court Order to Close Premises

- 16.10. Pursuant to s. 447 of the *Municipal Act, 2001*, where an Owner is convicted of knowingly carrying on or engaging in a trade, business or occupation on, in or in respect of any premises or any part of any premises without a License required by this By-law, the Court may order that the premises or part of the premises be closed to any use for a period not exceeding two (2) years.
- 16.11. Where a Person is convicted of a contravention of this By-law, other than a conviction described in section 16.10, and the Court determines that the Owner or occupant of the premises or part of the premises in respect of which the conviction was made knew or ought to have known of the conduct which formed the subject-matter of the conviction or of any pattern of similar conduct, the Court may order that the premises or part of the premises be closed to any use for a period not exceeding two (2) years.

17. ORDERS

- 17.1. Where the Township is satisfied that a contravention of this By-law has occurred, the Township may make an order requiring the Person who contravened this By-law, or who caused or permitted the contravention, or the Owner or occupier of the land on which the contravention occurred, to discontinue the contravening activity.
- 17.2. An order under s. 17.1 of this By-law shall set out:
- 17.2.1. reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred; and,
 - 17.2.2. the date by which there must be compliance with the order.
- 17.3. Any Person who contravenes an order under s. 17.1 of this By-law is guilty of an offence.
- 17.4. Where the Township is satisfied that a contravention of this By-law has occurred, the Township may make an order requiring the Person who contravened this By-law, or who caused or permitted the contravention, or the Owner or occupier of the land on which the contravention occurred, to do work to correct the contravention.
- 17.5. An order under s. 17.4 of this By-law shall set out:

- 17.5.1 reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred; and,
 - 17.5.2 the work to be done and the date by which the work must be done.
- 17.6 An order under s. 17.4 of this By-law may require work to be done even though the facts that constitute the contravention of this By-law were present before this By-law came into force.
- 17.7 Any Person who contravenes an order under s. 17.4 of this By-law is guilty of an offence.
- 17.8 If a Person fails to do a matter or thing, including comply with an order under this By-law, as directed or required by this By-law, the Township may, in default of it being done by the Person directed or required to do it, do the matter or thing at the Person's expense. The Township may recover the costs of doing a matter or thing from the Person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as municipal taxes.
- 17.9 The costs outlined in s. 17.8 of this By-law shall include interest calculated at a rate of fifteen per cent (15%), calculated for the period commencing on the day the Township incurs the costs and ending on the day the costs, including the interest, are paid in full.
- 17.10 The amount of the costs, including interest, constitutes a lien on the land upon the registration in the proper land registry office of a notice of lien. The lien is in respect of all costs that are payable at the time the notice is registered plus interest accrued to the date the payment is made. Upon receiving payment of all costs payable plus interest accrued to the date of payment, the Township shall register a discharge of the lien in the proper land registry office.

18. SERVICE OF ORDERS, NOTICES and DECISIONS

- 18.1. An order, notice or decision under this By-law shall be served personally or by registered mail. A copy of the order, notice or decision may also be:
- 18.1.1. Emailed to the last known email address of the Person to whom the order is directed;
 - 18.1.2. Deposited in a mailbox or mail slot of the Person to whom the order is directed; or,
 - 18.1.3. Sent by prepaid regular mail to the last known address of the Person to whom the order is directed.

18.2. Where service is effected by:

18.2.1. registered mail, it shall be deemed to be made on the second (2nd) day after the date of mailing;

18.2.2. person service, it shall be deemed effective on the day the document served was delivered;

19. **SHORT TITLE**

19.1. This By-law may be cited as the “Dog and Kennel Licencing By-Law”.

20. **SEVERABILITY**

20.1. If any court of competent jurisdiction finds that any of the provisions of this By-law are ultra vires the jurisdiction of Council, or are invalid for any reason, such provision shall be deemed to be severable and shall not invalidate any of the other provisions of the by-law which shall remain in full force and effect.

21. **REPEAL**

21.1. By-laws 8/99 and 33/05 are hereby repealed.

22. **COMING INTO FORCE**

22.1. This By-law shall come into effect upon the final passing thereof.

Passed by Council on the 24th day
of March, 2021 authorized by
Council Resolution No. 2021-095

James Seeley, Mayor

Courtenay Hoytfox, Clerk

Township of Puslinch
By-law No. 024-2021
Schedule A
Part I of *Provincial Offences Act*
Set Fine Schedule

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1	Keep more than 3 dogs per dwelling unit / 5 dogs per property	2.2	\$200.00
2	Keep/harbour dog without valid tag	2.4	\$150.00
3	Affix tag to unregistered dog	2.6.1	\$150.00
4	Fail to display License in conspicuous place	3.7	\$300.00
5	Permit dog to run at large	5.1	\$100.00
6	Fail to remove dog excrement	5.4	\$100.00
7	Operate kennel without a license	7.1	\$400.00
8	Permitting Dogs outdoors – 8:00 p.m. to 7:00 a.m.	12.1	\$100.00

*NOTE: The penalty provision for the offences indicated above is section 16.1 of the By-law 024-2021, a certified copy of which has been filed.

September 19, 2023

Township of Puslinch
7404 Wellington Road 34
Puslinch, Ontario
N0B 2J0

Attention: Lynne Banks
lbanks@puslinch.ca

VIA E-MAIL

**Re: Peer Review of Environmental Noise Study and Peer Review Response
Proposed Dog Breeding Kennel
6706 Gore Road
Puslinch, Ontario
VCL File: 123-0140**

Dear Ms. Banks:

We have completed our review of these documents:

- “Environmental Noise Study, Dog Breeding Kennel, 6706 Gore Road, Puslinch, Ontario”, dated August 25, 2023, prepared by SLR Consulting (Canada) Ltd. (SLR); and
- Letter to Usman Aziz dated August 25, 2023 regarding 6706 Gore Road, Township of Puslinch, Peer Review Response – Proposed Dog Breeding Kennel – Environmental Noise Study, prepared by SLR.

Our comments are outlined herein.

1.0 COMMENTS

- a) We agree that the application of the sound level limits for a stationary noise source as outlined in Ministry of Environment, Conservation and Parks (MECP) Publication NPC-300 appropriately address the requirements of the applicable Noise By-Laws. This is consistent with item 8.1.9 in By-Law Number 024-2021 which indicates the predicted noise levels are not to exceed the environmental noise guidelines from stationary sources as published by the MECP.
- b) Section 4.1.1 of the SLR report indicates that the reference sound power level of 110 dBAI used to complete the impact assessment is an average sound power level that is representative of small to large breed dogs. The report then goes on to say “*as the kennel is planning to include small breeds at this time, this is considered to be a conservatively high assessment of noise impacts*”. A few questions:

- a. Why is this a conservatively high assessment when the reference sound power level used is a representation of the mix of breed sizes anticipated at the facility?
 - b. Is the facility planning on not having small breeds at some point in the future?
 - c. If small breeds are not at the facility, what impact does this have on the reference sound power level and the resulting off site sound levels? Conversely, if larger breeds are not anticipated at the facility, what impact does this have on the reference sound power level and the resulting off site sound levels?
- c) Section 4.1.1 also recommends that “*exterior windows to climate-controlled spaces where dogs will be located indoors remain closed for noise control purposes*”. For noise control purposes, all indoor spaces where dogs may be located require exterior windows and doors to remain closed for noise control purposes and not just those spaces that are climate controlled.
- d) The recommendation that a/c unit selections shall meet the sound level recommendations of MECP Publication NPC-216 is not adequate. According to NPC-216, the indicated 7.6 bels limit applies to residential air conditioners that are 38,900 BTU or less. If larger air conditioners are used, there is no corresponding sound level limit in NPC-216. Thus, the recommendation should simply be that each a/c unit must have an ARI sound rating not exceeding 7.6 bels.
- e) The discussion in 4.4 of the SLR report indicates that the vacant lot is not noise sensitive. NPC-300 clearly defines a noise sensitive zoned lot as being a Point of Reception where the noise guideline limits must be met. We agree that any required noise mitigation can be deferred but that the mitigation must be in place prior to any dwelling or other noise sensitive use being occupied. However, the noise study must demonstrate that any potential noise mitigation measures are feasible and practical. Questions about the potential noise mitigation measures mentioned in the report are:
- a. What does administrative controls mean? Will outdoor runs 1 and 2 cease to be used? Review of the analysis results also seem to show the guideline limits are exceeded for the outdoor run 4 scenario. Does this mean future outdoor activities will be limited to outdoor run 3?
 - b. What height of sound barrier is needed to meet the guideline limits?
 - c. Regarding Figure 5 which shows the area where an excess above the guideline limit is predicted, the Outdoor Point of Reception should also be considered which extends 30 m from the dwelling facades in all directions.
- f) The sound level modelling discussion in 4.2 indicates existing buildings were taken into account. Review of the analysis results indicate that the predicted sound levels are higher at POR 1 than at POR 3. These receptors are about the same distance from the facility. However, POR 1 likely benefits from the acoustical screening provided by the existing buildings (the analysis information in Appendix B shows barrier attenuation for the receptor to the west). Thus, it is not clear why the sound level at POR 1 is higher than at POR 3. Clarification is needed.

- g) The report fails to provide any significant analysis details, such as the ground absorption coefficient, or a sample calculation. Additional analysis detail is needed to confirm the analysis approach.

2.0 CONCLUSIONS

Our review of the environmental noise study prepared in support of the dog breeding kennel indicates a few items remain, as outlined above, that require further clarification and assessment before we can concur with its findings and conclusions.

If there are any questions, please do not hesitate to call.

Yours truly,

VALCOUSTICS CANADA LTD.

Per:


John McAndrew, Eng.

JEV
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