

The Corporation of the City of Kawartha Lakes
Committee of Adjustment Report – Svendsen
Report Number COA2024-038

Public Meeting

Meeting Date: April 25, 2024
Time: 1:00 pm
Location: Council Chambers, City Hall, 26 Francis Street, Lindsay

Ward 6 – Geographic Township of Emily

Subject: The purpose and effect is to facilitate the construction of a new kennel building.

Relief sought:

1. Section 7.2.1.3 d) of the By-law requires a minimum rear yard setback of 25 metres; the proposed setback is 15 metres; and,
2. Section 7.2.1.3 e) of the By-law requires a minimum lot line setback for a kennel of 45 metres; the proposed setback from the rear lot line is 15 metres.

The variance is requested at **146 Yankee Line** (File D20-2024-028).

Author: Katherine Evans, Planner II **Signature:** 

Recommendations

That Report COA2024-038 – Svendsen, be received;

That minor variance application D20-2024-028 be GRANTED, as the application meets the tests set out in Section 45(1) of the Planning Act.

Conditions

- 1) **That** building construction related to this approval shall proceed generally in accordance with the sketch in Appendix C submitted as part of Report COA2024-038, which shall be attached to and form part of the Committee's Decision; and,
- 2) **That** building construction related to the minor variance shall be completed within a period of twenty-four (24) months after the date of the Notice of

Decision, failing which this application shall be deemed to be refused. This condition will be considered fulfilled upon completion of the first Building Inspection.

This approval pertains to the application as described in report COA2024-038. Fulfillment of all conditions is required for the Minor Variance to be considered final and binding.

Application Summary

Proposal:	The construction of a new kennel building
Owners:	Amanda Svendsen and Justin Adamson
Applicant:	Amanda Svendsen
Legal Description:	Part Lot 15, Concession 6
Official Plan ¹ :	Prime Agricultural (City of Kawartha Lakes Official Plan, 2012)
Zone ² :	Agricultural (A1) Zone (Township of Emily Zoning By-law 1996-30)
Site Size:	39.8 ha. (98 ac.)
Site Access:	Year round municipal road
Site Servicing:	Private individual well and septic system
Existing Uses:	Residential and agricultural
Adjacent Uses:	Residential and agricultural

Rationale

The variance is desirable for the appropriate development or use of the land, building or structure.

The subject property is located on the south side of Yankee Line, and is surrounded primarily by large agricultural lots with some smaller residential lots. The property is rectangular in shape and currently contains a single detached dwelling constructed in 1977 (according to Municipal Property Assessment Corporation), two sheds, and a kennel.

The property owners operate Long Lane Pet Resort, which provides services including pet boarding and a dog daycare. The proposal is to construct a new kennel building to replace the existing building. The existing kennel building is

¹ See Schedule 1

² See Schedule 1

approximately 240 square metres in size, and the new kennel is to be approximately 558 square metres in size. The new kennel will provide 22 more animal facilities than the existing building, and the facilities will be more durable and allow for easier disinfecting. The new kennel will also provide increased storage space and will allow for more effective heating and cooling. The new kennel will also contain bathroom facilities. The existing kennel does not contain a bathroom and currently staff and customers have to use the facilities in the owners' private dwelling. The new larger kennel will better accommodate staff and customers, will be better equipped to meet the needs of pets, and will increase the capacity of the operation, allowing the business to grow.

Given the above analysis, the variance is considered desirable and appropriate for the use of land.

The variance maintains the general intent and purpose of the Official Plan.

The subject property is designated Prime Agricultural under the City of Kawartha Lakes Official Plan (2012). Kennels are permitted within this designation, with performance and siting criteria being implemented through the Zoning By-law.

Therefore, the variance is considered to maintain the general intent and purpose of the Official Plan.

The variance maintains the general intent and purpose of the Zoning By-law.

The subject property is zoned Agricultural (A1) Zone under the Township of Emily Zoning By-law 1996-30. A kennel is a permitted use within the A1 Zone. The proposal complies with all provisions of the Zoning By-law with the exception of the minimum rear yard setback and the minimum lot line setback for a kennel.

Section 7.2.1.3 d) of the By-law requires a minimum rear yard setback of 25 metres, and Section 7.2.1.3 e) of the By-law requires a minimum lot line setback for a kennel of 45 metres. The proposed setback from the rear lot line is 15 metres. The intent of the rear yard setback is to reduce land use and privacy conflicts between abutting properties, and address massing impacts. The intent of establishing a minimum lot line setback for a kennel is to ensure the kennel is far enough from neighbouring properties as to not cause a noise nuisance.

The neighbouring property to the south, which abuts the rear lot line of the subject property, contains a single detached dwelling and several agricultural buildings. This dwelling is approximately 445 metres away from the rear lot line of the subject property, resulting in a distance of 460 metres between the neighbour's dwelling and the proposed kennel. Due to the separation between the proposed kennel and the neighbouring dwelling, massing, privacy, and land use conflicts are not anticipated. Additionally, it is not anticipated that the location of the proposed kennel will increase the audibility of the kennel from neighbouring properties.

Therefore, the variance is considered to maintain the general intent and purpose of the Zoning By-Law.

The variance is minor in nature.

There are no anticipated impacts on environmental features; neighbouring properties; or, the function of the municipal right-of-way with respect to access, drainage, or streetscaping and maintenance.

Other Alternatives Considered:

No alternatives considered.

Consultation Summary

Notice of this application was circulated in accordance with the requirements of the Planning Act.

Agency Comments:

Building and Septic Division (Building): “Outstanding permit BPH2004-1355 for a kennel (not relevant to this application). No other comments.”

Engineering and Corporate Assets Division: “From a Development engineering perspective, we have no objection to or comment for this Minor Variance application.”

Public Comments:

No comments received as of the writing of the staff report.

Attachments

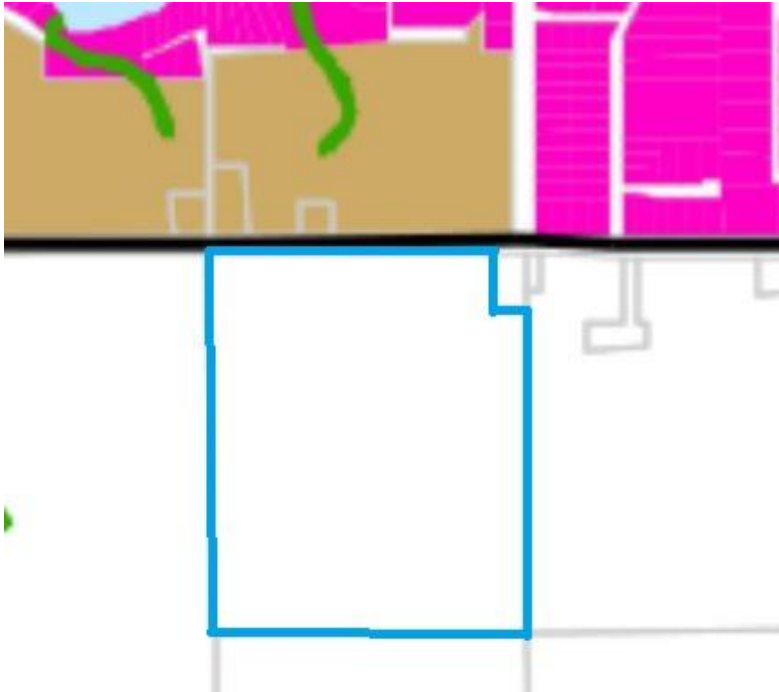
Appendix A – Location Map
Appendix B – Aerial Photo
Appendix C – Applicant’s Sketch
Appendix D – Construction Drawings


Phone:	705-324-9411 extension 1883
E-Mail:	kevans@kawarthalakes.ca
Department Head:	Leah Barrie, Director of Development Services
Division File:	D20-2024-028

Schedule 1

Relevant Planning Policies and Provisions

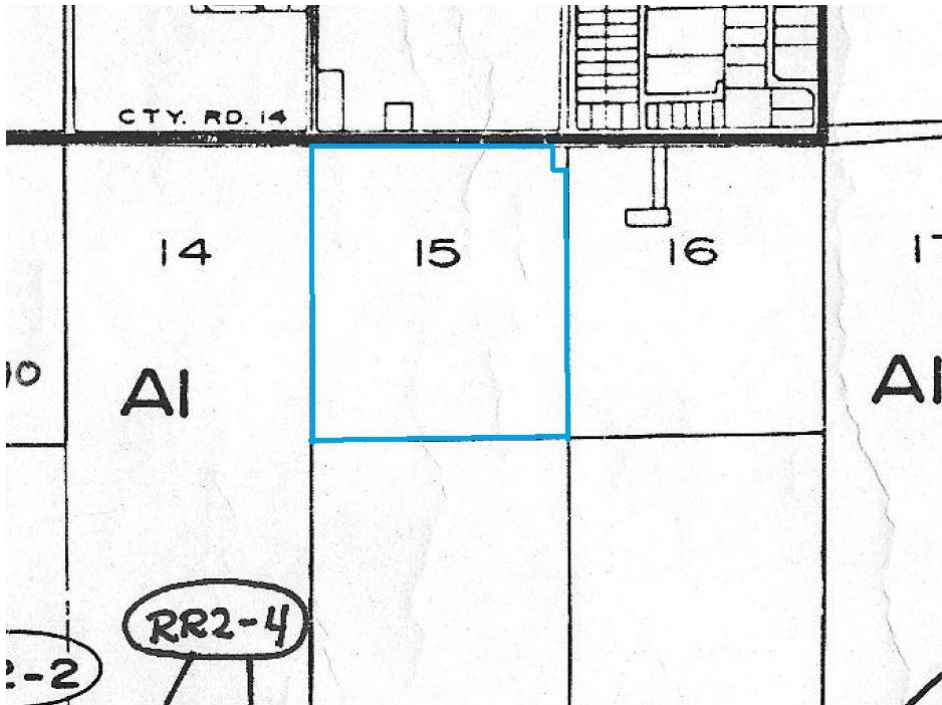
City of Kawartha Lakes Official Plan



 Prime Agricultural

15. Prime Agricultural Designation

Township of Emily Zoning By-law 1996-30



Part 7 Agricultural (A1) Zone

7.1 Uses Permitted

7.2 Zone Provisions

7.2.1.3 Yard Requirements (min.)

(d) rear 25 m

(e) kennel setback 45 m, and in any case 150 metres from an existing dwelling on a separate lot or 145 metres from a vacant lot for which the principal permitted use is residential.

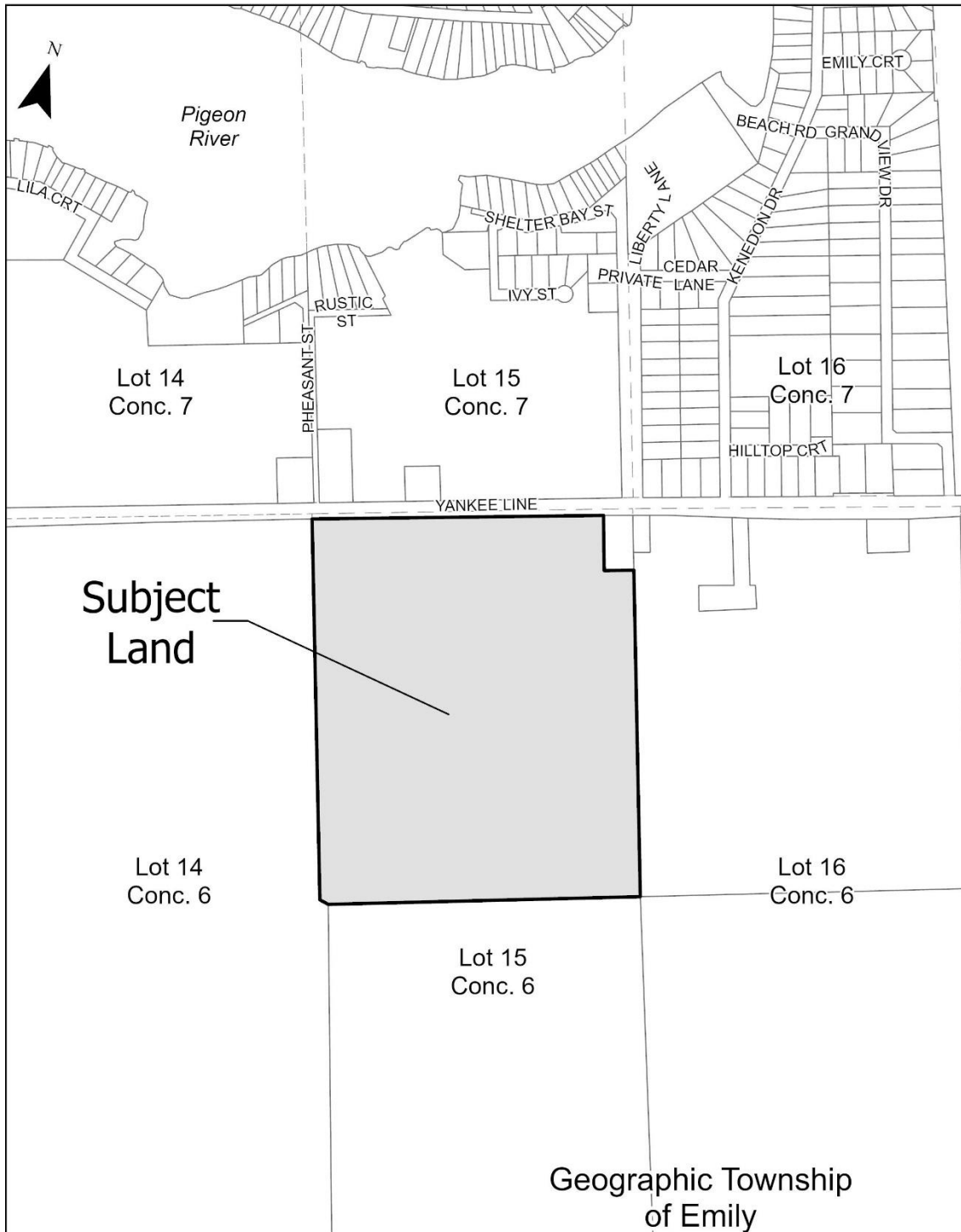
to

REPORT COA2024-038

FILE NO: D20-2024-028

LOCATION MAP

D20-2024-028



APPENDIX " B "

to

REPORT COA2024-038

FILE NO: D20-2024-028

AERIAL PHOTO

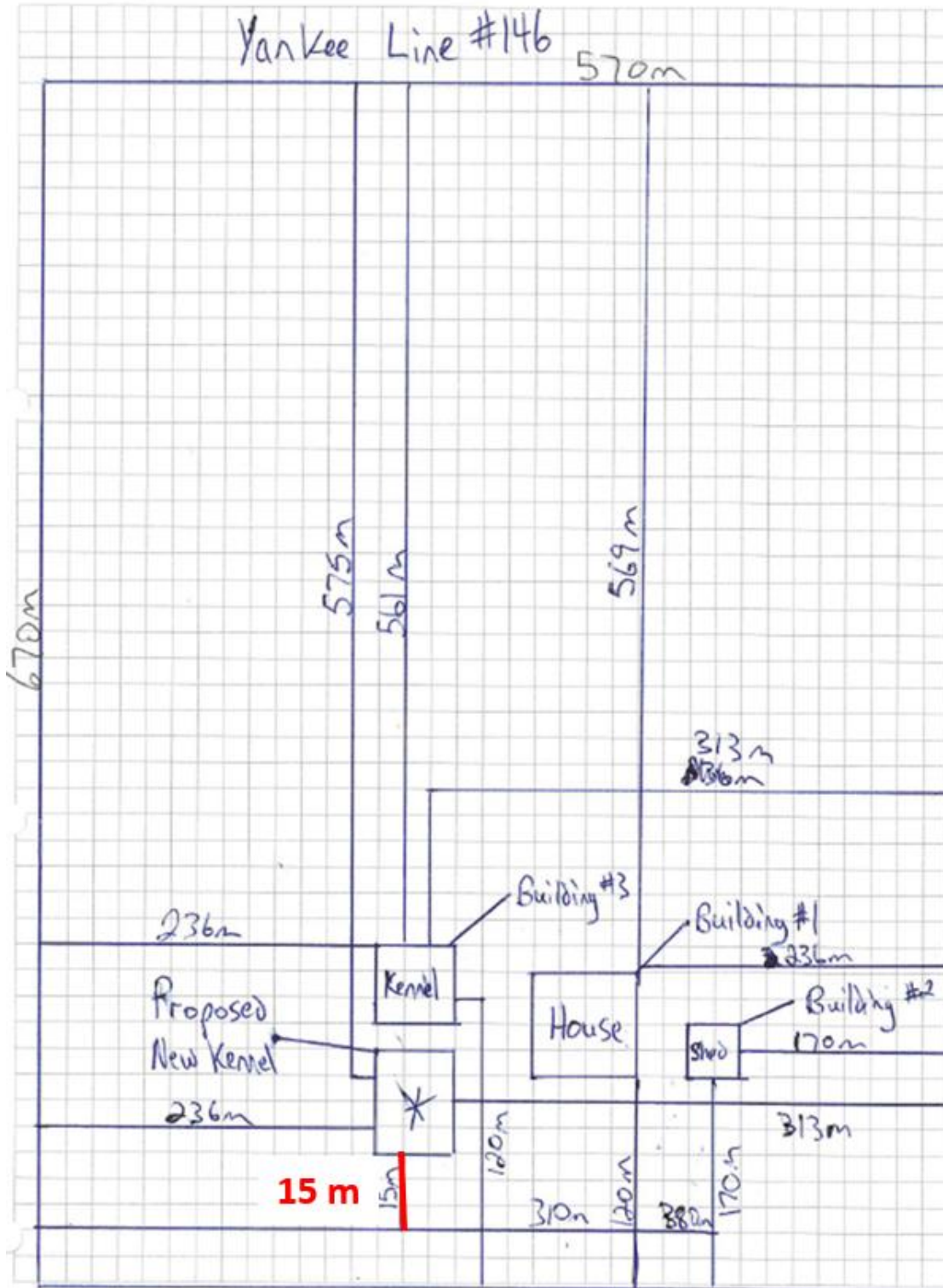


to

REPORT COA2024-038

FILE NO: D20-2024-028

APPLICANT'S SKETCH



FILE NO: D20-2024-028

