



Township of Douro-Dummer Agenda for a Committee of Adjustment Meeting

Friday, January 24, 2025, 9:30 a.m.
Council Chambers in the Municipal Building

Please note, that Committee may, by general consensus, change the order of the agenda, without prior notification, in order to expedite the efficiency of conducting business.

Hybrid Meetings

Committee of Adjustment Meetings are being held in person and electronically. Meetings are recorded and live-streamed on the Township YouTube channel.

To watch the meeting live or access a recording please visit the Township's YouTube Channel

https://www.youtube.com/channel/UCPpzm-uRBZRDjB89o2X6R_A

Please contact the Secretary-Treasurer if you require an alternative method to virtually attend the meeting. mchaithartwig@dourodummer.ca or 705-652-8392 x210.

Pages

1. Call to Order:

The Secretary-Treasurer will call the meeting to order.

2. Nominations for Committee Chair:

The Secretary-Treasurer will request nominations for Committee Chair. Once elected, the new Chair shall take over the meeting.

3. Disclosure of Pecuniary Interest:

4. Approval of Minutes:

4.1 Committee of Adjustment Meeting Minutes - December 13th, 2024

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5. Minor Variance Applications:

5.1 A-05-24 (Chris Petraitis/Laura Stone), Planning-2025-02

5

Applicant/Agent: Chris Petraitis/Laura Stone

Property Description: Part Lot 25, Con. 4 (Douro)

3796 Highway 28

Roll No:1522-010-001-23300

6. Next Meeting Date: To be determined

7. Adjournment

Minutes of the Township of Douro-Dummer Committee of Adjustment Meeting

December 13, 2024, 9:30 AM
Council Chambers in the Municipal Building

Present: **Chair - Jim Patterson**
 Member - Harold Nelson
 Member - Mark Porter
 Member - Robert Lamarre

Members Absent **Member - Rod Manley**

Staff Present **Secretary-Treasurer/Acting Clerk - Martina Chait-Hartwig**
 Planner - Christina Coulter

1. Call to Order by Chair:

The Chair called the meeting to order at 9:30 a.m.

2. Disclosure of Pecuniary Interest:

The Chair reminded members of their obligation to declare any pecuniary interest they might have. None were declared.

3. Approval of Minutes:

3.1 Committee of Adjustment Minutes - November 29, 2024

Resolution Number 13-2024

Moved By Mark Porter

Seconded By Robert Lamarre

That the Minutes from the Committee of Adjustment Meeting, held on November 29, 2024, be received and approved, as circulated. Carried

4. Minor Variance Applications:

4.1 A-04-24 (Scott and Shaylene Pind and Gavin and Elise Black), Planning-2024-29

Applicants: Scott and Shaylene Pind and Gavin and Elise Black

Property Description: Part Lot 19, Con. 2 (Dummer)

1452 Third Line Road-N-Dummer

Roll No:1522-020-003-30900

Township Planner, Christina Coulter reviewed the report.

In attendance: Scott Pind, Owner

Comments Received: The Otonabee Region Conservation Authority (ORCA) indicated that the application is consistent with Chapter 5 of the Provincial Planning Statement (PPS), referencing Natural Hazards.

The development will not create new or is proposing to aggravate existing hazards and the subject property is not located within an area that is subject to the policies contained in the Trent Source Protection Plan.

ORCA noted that the second dwelling unit is beyond regulatory jurisdiction on the property and permits from Otonabee Conservation are not required.

As of the writing of this Report, there have been no other written or verbal comments received from the prescribed persons or public bodies.

Senior Staff of the Township have not identified any concerns with the application.

Verbal Comments: The Owner asked if Condition iii) could be revised to have Molly Conlin verify that the structures comply with the zoning requirements and ensure compliance with any relief granted by the Committee rather than having an Ontario Land Surveyor verify.

Resolution Number 14-2024

Moved By: Harold Nelson

Seconded By: Robert Lamarre

That the Committee review and consider all verbal and written comments received regarding Minor Variance Application File A-04-24;

That the Committee approve Minor Variance Application A-04-24 to permit an increase in the ground floor area of the second dwelling unit from 76.79 m² to 167.2 m², for the life of the structure, to facilitate the issuance of a building permit for the construction of a new, two-storey detached second dwelling as shown on the site plan prepared by Molly Conlin, dated November 2024 attached to the Decision as Schedule 'A' and to bring the proposed construction into compliance with the Zoning By-law.

This variance is deemed to be minor in nature and is appropriate for the development of this land. The application maintains the general intent and purpose of the Official Plan and Zoning By-law. Approval is conditional on the following:

- i. Obtaining any necessary permits from ORCA, Douro-Dummer Building Department and any other required ministry/agency;
- ii. That the issuance of Building Permit No. DD-2024-0144 for the proposed dwelling clearly identifies the structure as an "additional dwelling unit" to ensure compliance with the Official Plan and to prevent a future severance of the second dwelling unit.
- iii. That verification from an Ontario Land Surveyor be provided to the Township's Chief Building Official after the structures are framed to confirm that all applicable setback requirements have been met and to ensure compliance with any relief granted by this decision of the Committee;
- iv. That if any archaeological resources should be discovered during the course of development, all excavation must stop immediately, and an archaeologist must be contacted. Potential significance of the findings will be assessed and mitigative options will be identified. The recommendations of the archaeologist must be followed.

Carried

5. Next Meeting Date: January 24, 2025, at 9:30 am

6. Adjournment

Resolution Number 15-2025

Moved By: Robert Lamarre

Seconded By: Mark Porter

That this meeting adjourn at 9:43 a.m.

Carried

Chair, Jim Patterson

Secretary-Treasurer, Martina Chait-Hartwig

Minor Variance Report

Application No.: A-05-24
Applicant/Agent: Chris Petraitis/Laura Stone
Property Description: Part Lot 25, Con. 4 (Douro)
3796 Highway 28
1522-010-001-23300

Purpose of Application:

The Owner desires to construct a detached garage with a ground floor area of 44.59 square metres (480 square feet) on the subject property. The subject property is zoned Residential (R) as illustrated on Schedule B4 to By-law No. 10-1996, as amended. The property is an existing lot of record which has less than the minimum lot frontage and minimum lot area required for the (R) Zone and is developed with a single detached dwelling and two sheds.

The detached garage is proposed to be setback 3.05 metres (10 feet) from a private road (i.e. Lake Edge Road) and does not comply with Section 3.1.2 (d) of the Zoning By-law which requires a 15 metre (49.21 foot) setback for an accessory structure from any lot line abutting a public or private road. The total lot coverage of the proposed garage and existing accessory structures is 5.91% and does not comply with Section 3.1.3 of the Zoning By-law which requires that the total lot coverage of all accessory structures must not exceed 5%.

Staff have adjusted the requested values above to provide for some minor flexibility for the final development. Therefore, the purpose of the minor variance is to reduce the north lot line setback from a private road from 15 metres (49.21 feet) to 3 metres (9.84 feet) and to increase the maximum lot coverage for accessory structures from 5% to 6% to facilitate the construction of a detached accessory garage.

Notice of the public meeting was provided on January 13, 2025, by e-mail to all prescribed persons and public bodies and to every person and public body that has provided a written request for Notice.

Notice of the public meeting was circulated by ordinary mail to every owner of land within 60 metres of the subject property on January 13, 2025. Signs were posted on the Highway 28 frontage of the subject property and on the property line abutting Lake Edge Road. Notice was also posted on the Township Website.

The giving of Notice complies with the applicable Regulations of the Planning Act.

Agency Comments:

As of the writing of this Report, there have been no written or verbal comments received from the prescribed persons or public bodies.

Public Comments:

As of the writing of this Report, there have been no written or verbal comments received from members of the public.

Staff Comments:

The application was circulated to Senior Staff on January 13, 2025. There were no concerns identified by Senior Staff.

Pre-Consultation:

A pre-consultation meeting was held on August 29, 2024. The meeting included Township Staff; Pete Hynes, Peterborough County Engineering and Design; and Adam Leggett, Agent. Otonabee Region Conservation Authority (ORCA) Staff and Ministry of Transportation (MTO) Staff sent regrets but provided written comments in advance of the meeting.

The pre-consultation identified additional information to be provided regarding the final proposal along with potential supporting study requirements for a complete Planning Act application. The process for a minor variance application and prescribed timelines was outlined.

The pre-consultation identified that the subject property is within 300 metres of a secondary sand and gravel resource and a Class 'A', above water licensed aggregate pit.

Policy 4.5.2.4 of the PPS, 2024 requires that mineral aggregate operations be protected from development and activities that would preclude or hinder their expansion or continued use or would be incompatible for reasons of public health, public safety or environmental impact.

Policy 4.5.2.5 of the PPS, 2024 states that, in known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- a) resource use would not be feasible; or
- b) the proposed land use or development serves a greater long-term public interest; and
- c) issues of public health, public safety and environmental impact are addressed adjacent to a known pit and known deposits of mineral aggregate resources.

Based on the above, a statement addressing the above noted policies was requested as part of a Planning Justification Report (PJR).

A PJR was prepared by One Community Planning Inc., dated November 5, 2024, and submitted in support of the application. A copy is attached to this Report.

Planning Review:

Section 45 of the Planning Act provides the tests that must be satisfied to support a minor variance application. The tests are as follows:

1. Does the minor variance maintain the general intent and purpose of the Official Plan?

The property is an existing lot of record, developed with a single detached dwelling having a ground floor area of 93.27 square metres, a 3.72 square metre attached deck and two accessory sheds totalling 10.77 square metres in area. The existing development is serviced by a private well and septic system.

The property is designated Hamlet and within the Young's Point Settlement Area as illustrated on Schedule A4-3 to the Official Plan. While the area is not identified as a recognized Growth Centre within the Township (S. 6.2.3.1), single detached residential dwellings are permitted in the Hamlet designation (S. 6.2.3.2) and must comply with the policies outlined in Section 6.2.3.3.

The PJR prepared by One Community Planning Inc., has outlined the applicable sections of the Official Plan and Planning Staff agree with the conclusion that the proposed development meets the intent and purpose of the Official Plan.

2. Does the minor variance maintain the general intent and purpose of the Zoning By-law?

The property is Zoned Residential (R) as illustrated on Schedule B4 to the Zoning By-law. A permanent single detached dwelling and accessory uses are permitted within the (R) Zone (Ss. 4.1.1 and 3.1.1).

The subject property is an existing lot of record which has less than the minimum lot frontage and minimum lot area required for the (R) Zone and is developed with a single detached dwelling and two sheds. Section 3.11 of the By-law states that, where any lot has less than the minimum lot frontage and/or minimum lot area required in the applicable zone, such lot may be used and any building erected, altered or used thereon for any residential purpose permitted in the applicable zone, provided that all other applicable provisions and regulations of this By-law are complied with.

Section 3.1.2 (d) of the By-law requires that accessory buildings and structures must be set back a minimum 15 metres from any lot line abutting a private road. The proposed garage is approximately 3.05 metres (10 feet) from the north lot line abutting Lake Edge Road.

Section 3.1.3 of the By-law stipulates that the maximum lot coverage of all accessory buildings and structures must not exceed 5%. The proposed garage and existing sheds will have a total lot coverage of 5.91%.

Relief is required from the above noted sections to facilitate the construction of the detached accessory garage.

The application and PJR have stated that the total lot coverage of all existing and proposed structures will be 16.27% (i.e. 10.36% for the existing dwelling with attached deck and 5.91% for the existing sheds and proposed garage). The Owner has also requested relief from Section 4.2.1 (j) of the By-law which stipulates that the maximum lot coverage in the (R) Zone must not exceed 15%. However, Section 3.1.3 further states that the maximum lot coverage for accessory structures shall be considered in addition to any other lot coverage regulations specified in the By-law.

The lot coverage for the existing dwelling does not exceed 15% and therefore complies with Section 4.2.1 (j) of the By-law and relief is only required from the lot coverage provisions for the accessory structures, Section 3.1.3 of the By-law.

In all other respects, the proposal complies with the Zoning By-law and the application meets the general intent and purpose of the Zoning By-law.

3. Is the proposed use desirable for the appropriate development or use of the land?

The proposed use is desirable and appropriate to the development of the subject land.

The existing dwelling is located within an area of similar sized dwellings, the majority of which have detached garages.

The property is zoned and designated to permit a single detached dwelling and associated accessory buildings and structures. As evidenced by the air photo attached to this Report, the property line closest to Lake Edge Road is well treed and the impact of the proposed development on the property located at 3802 Highway 28 will be minimised.

Through the pre-consultation, MTO noted that the subject lands are within MTO's permit control area; therefore, Ministry approvals and permits are required prior to the construction and/or alteration of any buildings and/or structures and prior to the issuance of any municipal building permits or approvals as per section 8. (2) (a) of the Building Code Act.

The Ministry reviewed the documentation provided in support of the construction of a residential garage at this location and did not identify any concerns with the proposal as described.

The Ministry brought to the attention of the property owner that there does not appear to be an entrance permit from the subject lands, for access onto Highway 28. As a condition of receiving the required MTO building permit for the garage the property owner will be required to obtain a "No fee" entrance permit for their lands. This permit can be obtained from the [Ministry's on-line Highway Corridor Management portal](#). At the same time the applicant can also apply for their MTO Building and Land Use permit.

A copy of MTO's pre-consultation comments dated August 16, 2024 are attached to this Report.

4. Is the variance minor?

The proposed variance is minor in nature.

Due to the small lot area of the existing property, the proposed garage is limited in location options. The existing well, septic and utility wires further limit the location opportunities for the proposed garage. Similarly, if the north lot line did not abut a private road, the minimum required setback would only be 1.5 metres (S. 3.1.2 (c)).

With the exception of a slight increase in lot coverage for accessory uses and a reduced setback from the lot line abutting Lake Edge Road, the proposal complies with the Zoning By-law.

The PJR prepared by One Community Planning Inc., concludes the variance is minor in nature and the property is not considered to be overdeveloped.

Conformity to PPS, 2024:

Effective October 20, 2024, the Growth Plan and the Provincial Policy Statement were consolidated into one document called the Provincial Planning Statement (PPS, 2024).

The PPS, 2024 is considered a policy statement for the purpose of Section 3 of the Planning Act. All municipal decisions, as well as comments, submissions or advice affecting planning matters, are required to be consistent with the PPS, 2024 pursuant to subsections 3(5) and 3(6) of the Planning Act.

Through the pre-consultation, ORCA noted that there are no known hazards present on the property and that the proposal appears to conform to PPS policy 3.1 [now Chapter 5 of PPS, 2024] referencing natural hazards. A copy of ORCA's pre-consultation comments dated August 22, 2024 are attached to this Report.

The PJR prepared by One Community Planning Inc., indicates the existing dwelling and proposed garage on the subject property, along with the surrounding residential [and commercial] development already pose constraints toward future expansion of the aggregate deposit and existing operation (Policy 4.5.2). The location of the subject property within the Hamlet designation is within an area where residential growth, intensification and complete communities are supported (Policies 2.1, 2.5 and 2.6).

The application appears to be consistent with the PPS.

Application of Four Tests:

The Committee should state in the decision how the application meets/or does not meet the four tests:

- 1) The application is (or is not) minor in nature.

- 2) The application is (or is not) desirable and appropriate to the development of this land.
- 3) The application meets (or does not meet) the general intent of the Official Plan.
- 4) The application meets (or does not meet) the general intent of the Zoning By-law.

Summary: The Committee will need to decide if the request is considered minor, that it is desirable and appropriate development of this parcel, and that the use intended meets the general intent of the Official Plan and Zoning by-law.

After hearing public comment and considering all written submissions, the Committee has the following options:

1. approve the minor variance with no conditions;
2. approve the minor variance with conditions;
3. defer the minor variance for further consideration at a later date; or
4. reject the minor variance.

Recommendation:

That the Committee review and consider all verbal and written comments received regarding Minor Variance Application File A-05-24;

That the Committee approve Minor Variance Application A-05-24 to reduce the north lot line setback from a private road from 15 metres (49.21 feet) to 3 metres (9.84 feet) and to increase the maximum lot coverage for accessory structures from 5% to 6%, for the life of the structure, to facilitate the issuance of a building permit for the construction of a new detached accessory garage as shown on the site plan prepared by Timberline Custom Homes, dated August 1, 2024 attached to the Decision as Schedule 'A' and to bring the proposed construction into compliance with the Zoning By-law.

This variance is deemed to be minor in nature and is appropriate for the development of this land. The application maintains the general intent and purpose of the Official Plan and Zoning By-law. Approval is conditional on the following:

- i. Obtaining any necessary permits from ORCA, Douro-Dummer Building Department, MTO and any other required ministry/agency;
- ii. That verification from an Ontario Land Surveyor be provided to the Township's Chief Building Official after the structures are framed to confirm that all applicable setback requirements have been met and to ensure compliance with any relief granted by this decision of the Committee;
- iii. That if any archaeological resources should be discovered during the course of development, all excavation must stop immediately, and an archaeologist must be contacted. Potential significance of the findings will be assessed and mitigative options will be identified. The recommendations of the archaeologist must be followed.

Report Approval Details

Document Title:	A-05-24 (Petraitis).docx
Attachments:	<ul style="list-style-type: none"> - A-05-24 Application_Redacted.pdf - A-05-24 2375 Petraitis Plans.pdf - A-05-24 - Meeting Notice.pdf - A-05-24 Air Photo.pdf - A-05-24 MV Planning Report-3796 Hwy 28.pdf - MTO Highway Corridor Management Comments (August 16, 2024).pdf - ORCA Comments 3796 Highway 28 (August 22, 2024).pdf
Final Approval Date:	Jan 17, 2025

This report and all of its attachments were approved and signed as outlined below:

Martina Chait-Hartwig

Todd Davis



Office Use Only	
File No.	A- <u>05-24</u>
Variance from By-law No.	_____
Date Submitted	_____
Date Fee Received	_____
Date Application Deemed Complete	_____
Roll No.	<u>010-001-23300</u>

Township of Douro-Dummer Application for

_____ Minor Variance s. 45 (1) _____ Permission s. 45 (2)
(Section 45 (1) & (2) of the Planning Act, R.S.O. 1990, c. P.13, as amended)

The undersigned hereby applies to the Committee of Adjustment for the Township of Douro-Dummer under section 45 of the Planning Act for relief, as described in this application, from By-law No.10-1996, as amended.

1.0 Applicant Information

Registered Owner(s): Chris Petraitis
(Please Indicate Name(s) Exactly as Shown on the Transfer/Deed of Land)

Address: 3796 Hwy 28
Douro Dummer, ON
K0L 2H0

Phone: (home) _____
Phone: (cell) _____

Email: _____
Phone: (work) _____
Fax: _____

2.0 Agent Information

Authorized Agent (if any): Laura Stone, One Community Planning Inc.

Address: Box 50006
RPO Lansdowne Peterborough
K9J 8E1

Phone: (home) _____
Phone: (cell) _____

Email: laura@oneplanning.ca
Phone: (work) _____
Fax: _____

3.0 Legal Description/Location of the Subject Land

County <i>Peterborough</i>		Township <i>Douro-Dummer</i>	Ward (Former Township) <i>Douro</i>
Concession Number(s) <i>4</i>	Lot Number(s) <i>25</i>	Legal Description:	
Registered Plan No:	Lot(s)/ Block No.	Civic/911 Address: <i>3796 Hwy 28</i>	
Reference Plan No:	Part Number(s):	Are there any easements or restrictive covenants affecting the property? <i>NO</i>	
Date subject land was purchased by current		<i>Unknown</i>	

4.0 Land Use, Zoning and Official Plan Designation

Criteria:	Subject Property
Official Plan Designation ¹ (e.g. Rural, Hamlet, Commercial)	<i>Hamlet</i>
Zoning Classification ¹ (e.g. Rural (RU), Hamlet (HR))	<i>R- Residential</i>
Existing Use (e.g. seasonal residential, commercial, open space)	<i>Residential</i>
Length of Time Existing Uses have continued	<i>Unknown</i>
Proposed Use (e.g. permanent residential, home-based business)	<i>Acc. Structure</i>
Is your property within a vulnerable area as defined by the Source Water Protection Plan? (yes ² or no)	<i>NO</i>

¹ Please consult with the Municipal Office to identify Official Plan Designation and Zoning Classification

² If yes, a clearance notice from the Risk Management Official is required to be submitted with your application

5.0 Relief Requested from Zoning By-law

Please identify the relevant zone provision/standard and relief required to support the proposal:

Section of Zoning By-law 2010-55	Zone Provision/Standard	Proposed Standard	Relief Required
[Example] Section 3.1.6	9 m Side Yard Setback	7 m Side Yard Setback	2 metres
<i>3.2.1(d)</i>	<i>15 m to private road</i>	<i>3m</i>	<i>12 m</i>
<i>3.1.3</i>	<i>lot coverage 5%</i>	<i>5.91%</i>	<i>0.91%</i>
<i>4.2.1(j)</i>	<i>max lot cov. 15%</i>	<i>16.27%</i>	<i>1.27%</i>

6.0 Purpose/Reason of the Application

Please describe the proposal and explain why it is not possible to comply with the zone provisions/standard set out in the Township’s Zoning By-law. (If additional space is required, please attach a separate sheet)

Please see Planning Justification Report

7.0 Property Characteristics, Access and Servicing Information

Lot Area	^{LC} 101078 10245.2 m	(acres, hectares, ft ² , m ²)
Lot Depth	32m	(feet/metres)
Lot Frontage	32m	(feet/metres)

Access to Subject Property –		<input checked="" type="checkbox"/> Existing	or	<input type="checkbox"/> Proposed
<input type="checkbox"/> Municipal Road – maintained year round		<input type="checkbox"/> Private Road		
<input type="checkbox"/> County Road		<input type="checkbox"/> Right-of-way		
<input checked="" type="checkbox"/> Provincial Highway Highway 28		<input type="checkbox"/> Water		
<input type="checkbox"/> Other public road (Specify):				
Name of Road/Street: Highway 28				
If access to the land is by water only:				
Where are parking and docking facilities:				
Approximate distance from subject land:				
Approximate distance from nearest public road:				

7.0 Property Characteristics, Access and Servicing Information (Continued)

Please provide a brief description of the property taking into account factors such as: soil type and depth, lot configuration, steep slopes or low-lying areas, natural features and any other item that may impact the proposed development. Also, please include a description of the use of lands surrounding the lot. Please provide photographs of the property.

Location of overhead wires and well restrict location of proposed garage.

Water Supply:	Please identify the type of water supply serving the subject property:
<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed	<input checked="" type="checkbox"/> Privately-owned/operated individual well <input type="checkbox"/> Privately-owned/operated communal well <input type="checkbox"/> Publicly-owned/operated piped water system <input type="checkbox"/> Lake or other water body <input type="checkbox"/> Other (specify): _____

Storm Drainage:	Please identify the type of storm drainage serving the subject property:
<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed	<input type="checkbox"/> Sewers <input checked="" type="checkbox"/> Ditches <input type="checkbox"/> Swales <input type="checkbox"/> Other (specify): _____

Sewage Disposal:	Please identify the type of sewage disposal serving the subject property:
<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed	<input checked="" type="checkbox"/> Privately-owned/operated individual septic system <input type="checkbox"/> Privately-owned/operated communal septic system <input type="checkbox"/> Publicly-owned/operated sanitary sewage system <input type="checkbox"/> Privy <input type="checkbox"/> Other (specify): _____
	If the sewage disposal system is proposed, have you obtained a permit from the Township of Douro-Dummer? <input type="checkbox"/> Yes or <input type="checkbox"/> No Permit Number: _____

8.0 Existing and Proposed Structures: Dimensions

In the tables below, please provide information regarding all existing and proposed structures (this information must also be included on the site plan provided with the application). **Please note** that an up-to-date location survey completed by an Ontario Land Surveyor is required.

Existing Structures (in metric)

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Length	Width	Height	Date Constructed
Dwelling	93.27	93.27	1	-	-	1 storey	unknown
Deck	3.72	3.72	1	-	-	-	unknown
Shed	10.77	10.77	1	-	-	1 storey	unknown

Please place an asterisk (*) beside any existing structure that will be demolished.

Lot Coverage (in metric and percentage)

	Existing	Proposed
Principle Use (i.e. Dwelling)	9.96% + deck = 10.35%	10.35%
Accessory Structures	1.15%	5.91%
Total	11.5%	16.27%

Proposed Structures (in metric)

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Length	Width	Height
Garage	44.59	44.59	1	7.3	6.1	1 storey

Will the proposal add any of the following?

	Yes	No	If yes, please provide:	Existing	Proposed
Total Living Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Size		
Bedrooms	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Number		
Bathrooms	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Number		
New Plumbing Fixtures	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Number of Fixtures		

9.0 Existing and Proposed Structures: Setbacks

In the tables below, please provide information regarding all existing and proposed structures (this information must also be included on the site plan provided with the application). **Please note** that an up-to-date location survey by an Ontario Land Surveyor is required.

Existing Structures (in metric)

Type of Structure	Front Lot Line	Rear Lot Line	Side Lot Line	Side Lot Line	Water yard	Other (specify)
Dwelling	15.14m	1.18m	5.09	15.63	-	-

Please place an asterisk (*) beside any existing structure that will be demolished.

Proposed Structures (in metric)

Type of Structure	Front Lot Line	Rear Lot Line	Side Lot Line	Side Lot Line	Water yard	Other (specify)
Garage	20.37	3.04	3.05	-	-	-

Note: Information regarding the definitions of the requested dimensions and setbacks can be obtained from the Township’s Zoning By-law 2010-55.

10.0 Other Planning Applications

Please indicate if the subject land is or has been the subject of an application under the Planning Act.

Type of Planning Application	Yes	No	File Number	Status
Approval of Plan of Subdivision (under Section 51)	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Consent (Severance) (Section 53)	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Minor Variance (Section 45)	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Other:	<input type="checkbox"/>	<input checked="" type="checkbox"/>		

11.0 Other Information:

Please provide any additional information that you feel may be relevant in the review of this application on additional pages as necessary, including and required studies.

12.0 Authorization by Owner:

I/We _____, being the owner(s) of the subject land, hereby, authorize _____ to be the applicant in the submission of this application.

Signature _____

Date _____

Signature _____

Date _____

13.0 Freedom of Information:

For the purposes of the Freedom of Information and Protection of Privacy Act, I/We authorize and consent to the use by or the disclosure to any person or public body or publishing on the Municipal website any information that is collected under the authority of the Planning Act for the purposes of processing this application.



Owner/Applicant/Agent Signature

December 10 '24

Date

Owner/Applicant/Agent Signature

Date

14.0 Access to Property:

I/We Laura Stone (agent), hereby, authorize the members of the Committee of Adjustment or their agent(s)/representative(s) to attend at the property subject to the Application(s) located at [*insert address*] _____.



Owner/Applicant/Agent Signature

December 10, 2024

Date



Township of Douro-Dummer

Planning Application Costs Acknowledgement Form

I/We, Laura Stone
[Print Owner/Applicant/Agent name]

do hereby acknowledge and agree that the payment of the fee that is submitted with this application for a Minor Variance, as being an application fee only, will be used to defray the costs of processing this application, and;

do also hereby acknowledge and agree to assume all costs** incurred by the Township of Douro-Dummer associated with the processing of this application that exceed the amount of the application fee, including, but not restricted to, Professional Planning Fees, Engineering Fees and Legal Fees, in addition to the municipal costs associated with this application, and;

do also hereby acknowledge and agree to assume all costs** incurred by the Township of Douro-Dummer associated with any Appeal to the Ontario Land Tribunal with respect to this application.

Dated this 12 day of December, 2024


Owner/Applicant/Agent Signature

** written consent from the applicant will be obtained prior to any such additional costs being incurred.

File Name/No. _____

Roll No. _____

Affidavit

In the Matter of a **Minor Variance** application to the Committee of Adjustment of the Township of Douro-Dummer,

I/We, Laura Stone, make oath and say that:
[Print Owner/Applicant/Agent name]

1. I am: [Place a clear mark within the square opposite one of the following paragraphs that describes capacity of deponents.]

- the applicant or one of the applicants in the Application(s).
- the authorized agent acting in this matter for the applicant or applicants.
- an officer of the corporate applicant named in the Application(s).

2. On or before the [Insert date] Public Meeting, I will ensure that the notice or notices of the Application(s) provided to me (or the Applicant, as the case may be) by the Secretary-Treasurer of the Committee of Adjustment of the Township of Douro-Dummer have been posted so as to be clearly visible and legible from a public highway, or other place to which the public has access, at every separately assessed property in the area that constitutes the subject land of the Application(s) or, where posting on the property was impractical, at a nearby location so as to adequately indicate to the public what property is the subject of the Application(s).

Should the notice(s) be removed, by any means from the posting area(s), I will immediately contact the Secretary-Treasurer of the Committee of Adjustment for replacement copies of the notice(s).

Declared before me at the Township of Douro-Dummer in the County of Peterborough

this 12 day of December, 2024

[Redacted Signature]

Signature of Commissioner, etc.
Donna Kelly
Deputy Treasurer / Tax Clerk
Commissioner of Oath
Township of Douro-Dummer

To be signed in the presence of a Commissioner for taking affidavits

[Redacted Signature]

Owner/Applicant Agent Signature

Owner/Applicant Agent Signature

Note: Failure to post the notices, as required by this Affidavit, may result in additional costs and/or delays with your application.

15.0 Declaration of Applicant:

I/We Laura Stone of the Twp of Asphedel-Norwood in the
(name of owner(s)/agent(s) (city in which you reside)
County of Ptbo in Ontario solemnly
(County/Upper tier municipality, if applicable) (Province/Territory)
declare that:

All the statements contained in this application and provided by me are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath

Declared before me at the Township of Douro-Dummer in the County of Peterborough this 12 day of December, 2024.

[Redacted Signature]

Signature of Commissioner, etc.

Donna Kelly
Deputy Treasurer /Tax Clerk
Commissioner of Oath
Township of Douro-Dummer

To be signed in the presence of a Commissioner for taking affidavits

[Redacted Signature]

Owner/Applicant Agent Signature

Owner/Applicant Agent Signature

This application must be accompanied by a fee of \$1580.00 plus the ORCA Fee to be paid in cash, Interac or cheque made payable to the Treasurer of the Township of Douro-Dummer.

Personal information contained on this form, collected pursuant to the Planning Act, will be used for the purpose of responding to the initial application. Questions should be directed to the Freedom of Information and Privacy Coordinator at the institution conducting the procedures under the Act.



Letter of Authorization
3796 Highway 28, Township of Douro-Dummer

I/we Christopher Petrattis, hereby authorize One Community Planning Inc. to proceed with the Minor Variance Application and to work with the Township of Douro-Dummer on my/our behalf.

Dated this 5 day of November, 2024.

Signed



Name

Christopher petrattis



HIGHWAY 28

COVERAGE & AREAS

	AREAS	PERCENTAGES
LOT AREA	10,078 sq.ft.(936.26m2)	100%
MAXIMUM LOT COVERAGE	1,007.8 sq.ft.(93.62m2)	15%
MAX. ACCESSORY COVERAGE	503.9 sq.ft.(9.65m2)	5%

EXISTING

DWELLING	1,004 sq.ft.(93.27m2)	9.96%
DECK	40 sq.ft.(3.72m2)	0.397%
SHEDS	116 sq.ft.(10.77m2)	1.15%

PROPOSED

DWELLING	1,004 sq.ft.(93.27m2)	9.96%
DECK	40 sq.ft.(3.72m2)	0.397%
SHEDS	116 sq.ft.(10.77m2)	1.15%
GARAGE	480 sq.ft.(44.59m2)	4.76%
TOTAL	1,640 sq.ft.(152.36m2)	16.27%

DRAWINGS ARE NOT TO BE SCALED

THE CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE BEFORE PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO TIMBERLINE CUSTOM HOMES PRIOR TO COMMENCEMENT OF WORK.

TIMBERLINE CUSTOM HOMES IS NOT RESPONSIBLE FOR THE ACCURACY OF SURVEY, STRUCTURAL OR ENGINEERING INFORMATION SHOWN ON THESE DRAWINGS OR FOR CONSTRUCTION STARTED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. REFER TO THE APPROPRIATE ENGINEERING DRAWINGS BEFORE PROCEEDING WITH WORK.

THIS DRAWING IS AN INSTRUMENT OF SERVICE, IS PROVIDED BY AND IS THE PROPERTY OF TIMBERLINE CUSTOM HOMES. THIS DRAWING IS NOT TO BE SCALED.

NOTE: SOME ITEMS MAY BE SHOWN TO HELP VISUALIZE ROOM SIZES & LAYOUT. THEY ARE NOT NECESSARILY INCLUDED IN THE PRICE. PLEASE ASK FOR DETAILS.

MM.DD.YY. REVISION NOTE #

1	DRAWING OR DETAIL NUMBER
2	SHEET/PAGE NUMBER

ABBREVIATIONS

- PL - POINT LOAD
- BRKT - BRACKET
- DWG - DRAWING
- o.c. - ON CENTRE
- CONC. - CONCRETE
- FTG. - FOOTING
- LVL - LAMINATED VENEER LUMBER
- BLK. - BLOCK OR BLOCKING
- TRANS. - TRANSPOM
- SDLTS - SIDELITES
- w/ - WITH
- FLR. - FLOOR
- MANUF. - MANUFACTURER
- SUP. - SUPPLIER
- WD. - WOOD
- HT. - HEIGHT
- MECH. - MECHANICALLY
- HORIZ. - HORIZONTAL
- VERT. - VERTICAL
- ALUM. - ALUMINUM
- BLDG. - BUILDING
- EXT. - EXTERIOR
- INT. - INTERIOR
- U/S - UNDERSIDE
- TYP. - TYPICAL

ENGINEER STAMP



5584 Hwy. 28, WOODVIEW, ONTARIO, K0L 3E0
 PH: (705) 654-4312 FAX: (705) 654-3483
 info@timberlinecustomhomes.ca

A DIVISION OF NORTHEY CONTRACTING INC.

I REVIEW AND TAKE RESPONSIBILITY FOR THE DESIGN WORK AND AM QUALIFIED AS PER 3.2.5.1, DIVISION C OF THE O.B.C.

ADAM LEGGETT BCIN #38948
 NORTHEY CONTRACTING INC. BCIN #44864

**PETRAITIS GARAGE
 HIGHWAY 28
 DOURO DUMMER**

SITE PLAN

DATE	JOB NUMBER
AUG. 1, 24	23.75
SCALE	1
1"=12'-0"	
DRAWN BY	2
AJL	
REVIEWED BY	



Township of Douro-Dummer Committee of Adjustment

Notice of Public Meeting Minor Variance Application A-05-24

Take Notice that the Council of the Township of Douro-Dummer will hold a public meeting of the Committee of Adjustment to consider a proposed minor variance under Section 45 of the Planning Act, R.S.O. 1990, as amended.

Date and Time: Friday, January 24, 2025 at 9:30 a.m.

Location: Council Chambers of the Municipal Office
894 South Street, Warsaw ON and
Electronic Meeting Site

Public Hearing: While the meeting will be held in person, any person wishing to make written and/or oral submissions either in support of or opposition to the proposal is invited to make arrangements to attend the hearing virtually. To participate in this electronic meeting in real time, please contact the Secretary/Treasurer by email at mchaithartwig@dourodummer.ca, no later than 4:00 p.m. on the day prior to the scheduled meeting and you will be provided with an invitation to join the meeting using your computer or telephone. Although it is possible for members of the public to "attend" a meeting electronically, and provide verbal submissions, we encourage you to communicate with the Committee by forwarding written comments in support or in opposition to mchaithartwig@dourodummer.ca.

If you wish to view the public meeting in real time, but do not wish to speak to the application, the meeting will be hosted on the Townships YouTube Channel at: https://www.youtube.com/channel/UCPpzm-uRBZRDjB89o2X6R_A?app=desktop. The meeting will also be recorded and available after the meeting for public viewing on the same platform.

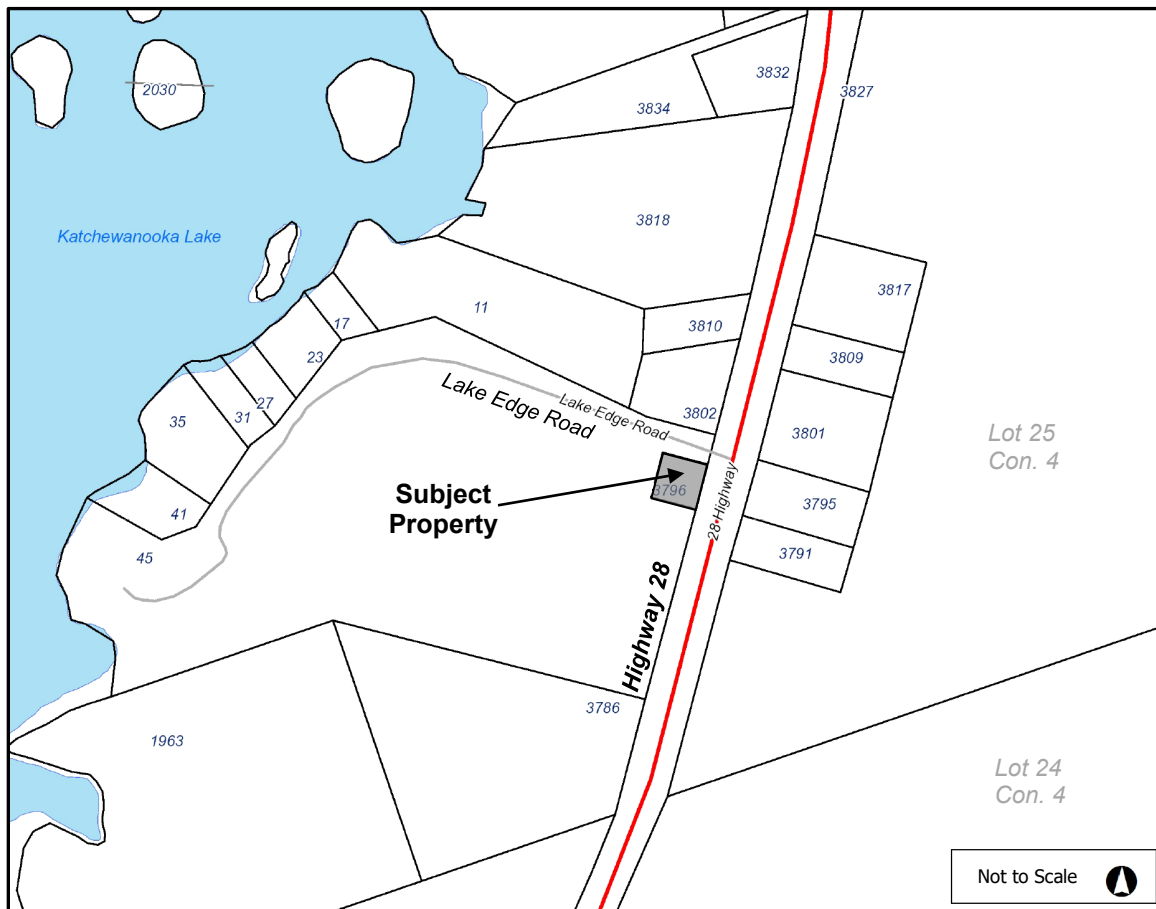
Location of Subject Lands: Part Lot 25, Con. 4 (Douro)
3796 Highway 28
Property Roll Number: 1522-010-001-23300

Related Applications: None.

The lands subject to the minor variance application are shown on the following Key Map.

Additional Information relating to the proposed minor variance is available by contacting the undersigned and is available for public inspection online at: <https://www.dourodummer.ca/modules/news/en>

Key Map:



Purpose of Application:

The subject property is zoned Residential (R) as illustrated on Schedule B4 to By-law No. 10-1996, as amended. The property is an existing lot of record which has less than the minimum lot frontage and minimum lot area required for the (R) Zone and is developed with a single detached dwelling and two sheds. The Owner desires to construct a detached garage with a ground floor area of 44.59 square metres (480 square feet) on the subject property.

The detached garage is proposed to be setback 3.05 metres (10 feet) from a private road (i.e. Lake Edge Road) and does not comply with Section 3.1.2 (d) of the Zoning By-law which requires a 15 metre (49.21 foot) setback for an accessory structure from any lot line abutting a public or private road. The total lot coverage of the proposed garage and existing accessory structures is 5.91% and does not comply with Section 3.1.3 of the Zoning By-law which requires that the total lot coverage of all accessory structures must not exceed 5%.

The purpose of the minor variance is to reduce the north lot line setback from a private road from 15 metres to 3.1 metres and to increase the maximum lot coverage for accessory structures from 5% to 6% to facilitate the construction of a detached accessory garage.

A Copy of the Notice of Decision of the Committee will be sent to the Applicant and to each person who appears in person or by counsel at the hearing and who has filed with the Clerk a written request for notice of the decision.

Accessibility: If you have accessibility needs and require alternative formats or other accommodations, please contact the undersigned.

Privacy Disclosure: All written submissions, documents, correspondence, e-mails or other communications (including your name and address) are collected under the authority of the *Planning Act* and become part of the public record and may be made available for public viewing or distribution. Please note that by submitting any of this information, you are providing the Township with your consent to use and disclose this information as part of the planning process.

The Right to Appeal:

Any person may attend the public meeting and make written and/or verbal submissions either in support of or in opposition to the proposed minor variance. To make arrangements to attend the virtual meeting please contact the Clerk by email at mchaithartwig@dourodummer.ca no later than 4:00 p.m. on the day prior to the scheduled meeting. It is the responsibility of the interested member of the public to have technology in place to connect to the meeting.

If you are aware of any person interested in, or affected by this application who has not received a copy of this Notice, you are requested to inform that person of this hearing. If you wish to make written comments on this application, your comments must be forwarded to the Clerk by e-mail to mchaithartwig@dourodummer.ca no later than 4:00 p.m. on the day prior to the scheduled meeting.

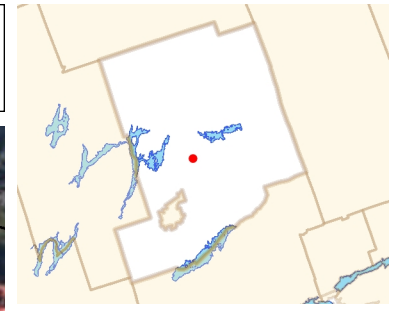
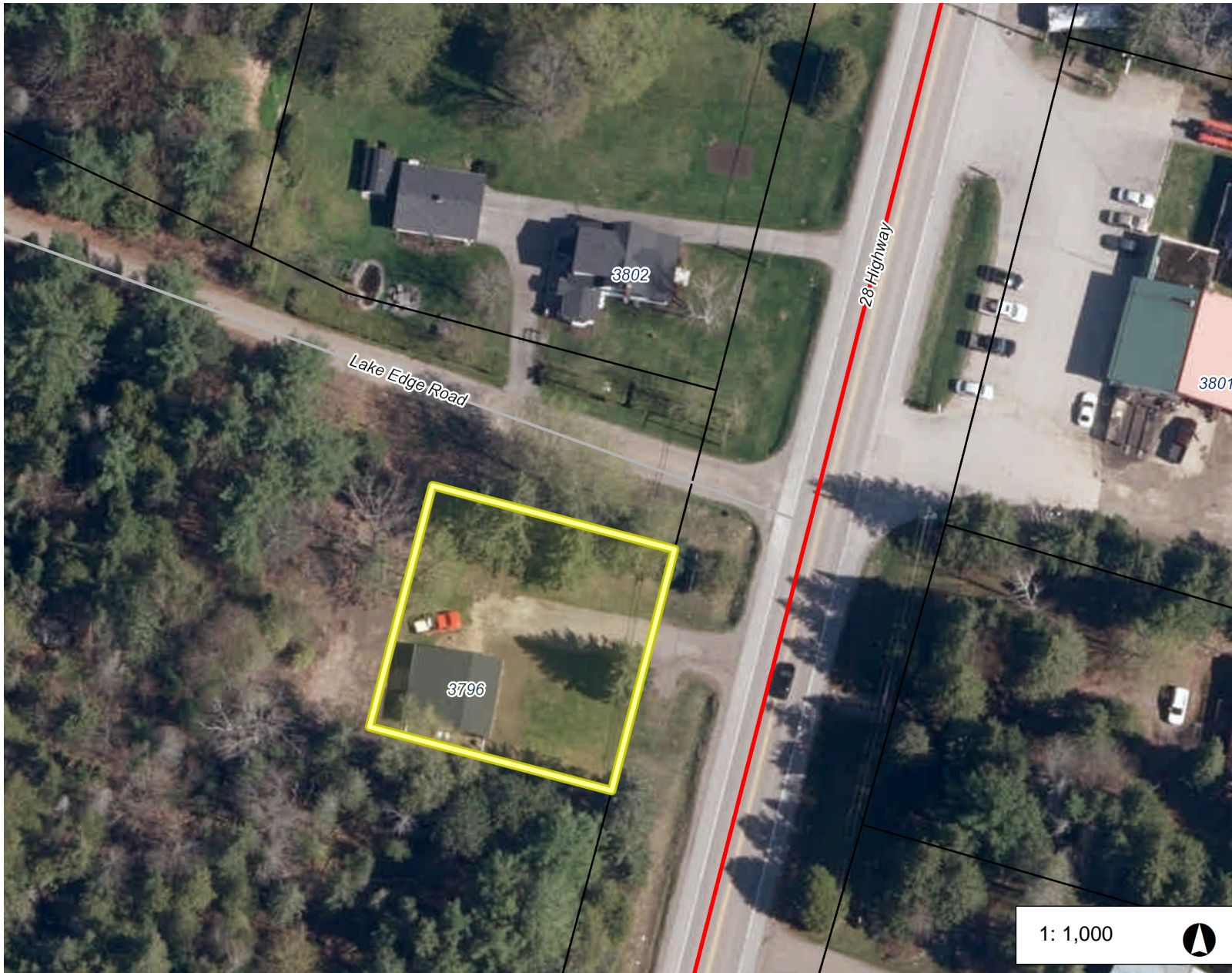
If you fail to participate in the hearing and/or submit written comments, the hearing will proceed in your absence and, except as otherwise provided in the Planning Act, you will not be entitled to any further notice of the proceedings.

Notwithstanding the above, subsection 45(12) of the Planning Act defines the parties that are eligible to appeal the decision to the Ontario Land Tribunal.

Dated this 13th day of January, 2025 at the Township of Douro-Dummer.

Martina Chait-Hartwig, Clerk
Secretary/Treasurer, Committee of Adjustment
705-652-8392 Ext. 210
mchaithartwig@dourodummer.ca

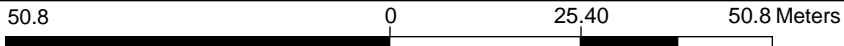
Christina Coulter
Planner
705-652-8392 Ext. 226
ccoulter@dourodummer.ca



Legend

- Hydro Lines
- Roads < 50,000
 - PRIV ; Private; PRIV
 - City Arterial
 - City Collector and Local
 - City Owned Unclassified
 - Provincial
 - County
 - Township
 - Water Access Only
- Outside Roads < 50,000
 - Major Roads
 - Local Roads
- Peterborough Proposed Bypass
- First Nations
- Civic Address
- Parcel Fabric
- Parcel First Nations - Canada I
- Rivers
 - Intermittent
 - Permanent
- Lakes - Local Scale
- Municipal Boundary - Upper Ti
 - <all other values>
 - COUNTY OF PETERBOROUGH

1: 1,000



Notes

NOT a legal survey
2023 air photo



Planning Justification Report

Minor Variance Application

3796 Highway 28, Township of Douro-Dummer

ONE
COMMUNITY
PLANNING

Prepared by: One Community Planning Inc.

On behalf of: Adam Leggett, Timberline Custom Homes

November 5, 2024



Planning Justification Report Minor Variance Application 3796 Highway 28, Township of Douro Dummer November 5, 2024

1.0 Introduction

One Community Planning has been retained to provide planning services for the subject property, known municipally as 3796 Highway 28 in the Township of Douro-Dummer. This Planning Justification Report (PJR) has been prepared in support of the Application and is intended to provide an overview of the site and proposal and includes a review of the applicable Provincial and local planning policies as they pertain to the subject lands.

1.1 Subject Lands

The property is known municipally as 3796 Highway 28 in the Township of Douro-Dummer. The property is located at the intersection of Highway 28 (Provincial) and Lake Edge Road (Private).



Figure 1-Key Map. County of Peterborough GIS, November 2024

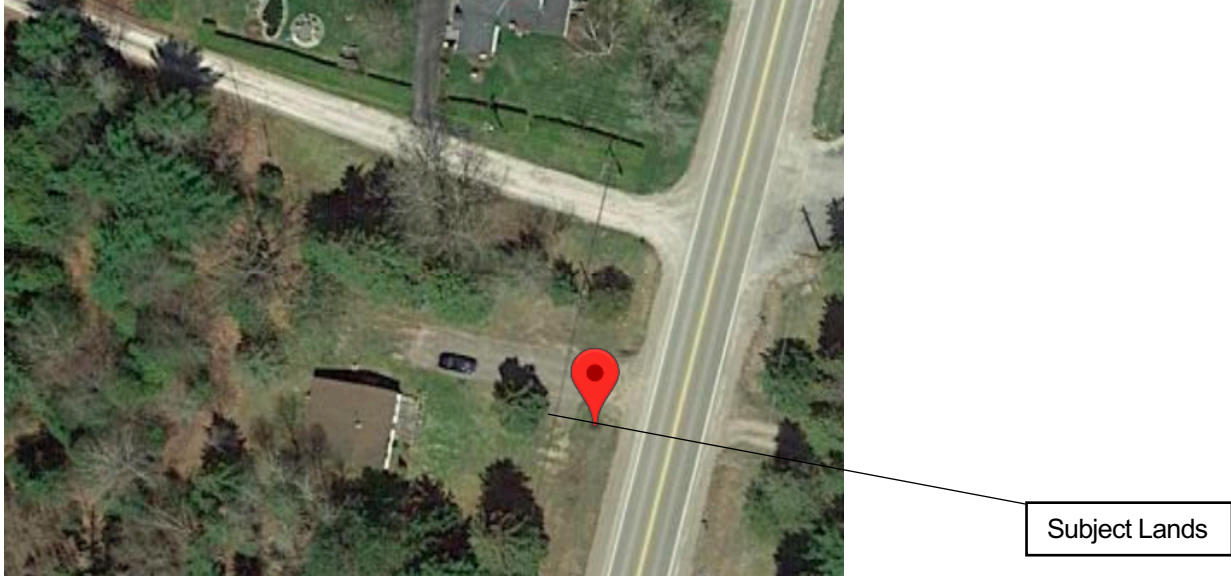


Figure 2-Google Earth-Local Neighbourhood, November 2024

Surrounding Land uses are as follows:

- NORTH: Rural residential
- SOUTH: Rural residential
- EAST: Rural residential
- WEST: Rural

1.2 Site Plan and Application Overview

Site plan information is illustrated further below and is included as an Appendix. The property has a Residential (R) zoning which permits a detached dwelling with associated accessory structures.

The purpose of this Application is to seek relief from certain provisions of the Zoning By-law in order to facilitate appropriate development of the subject lands. The proposal is to construct a garage located 3 metres from the lot line fronting the private road and to increase the lot coverage for accessory structures to 5.91%, which increases total lot coverage to 16.27%. There is an existing driveway to access the property from Highway 28. The location of the on-site existing well and the overhead utility wires restricts the location of the garage to the proposed location.



Development Summary:

COVER	AREAS	PERCENTAGES
LOT AREA	10,078 sq.ft.	100%
MAXIMUM LOT COVERAGE	1,007.8 sq.ft.	15%
MAX. ACCESSORY COVERAGE	503.9 sq.ft.	5%
EXISTING		
DWELLING	1,004 sq.ft.	9.96%
DECK	40 sq.ft.	0.397%
SHEDS	116 sq.ft.	1.15%
PROPOSED		
DWELLING	1,004 sq.ft.	9.96%
DECK	40 sq.ft.	0.397%
SHEDS	116 sq.ft.	1.15%
GARAGE	480 sq.ft.	4.76%
TOTAL	1,640 sq.ft.	16.27%

The Minor Variance Application seeks relief from the regulatory provisions of By-law 1997-123, summarized as follows:

- Section 3.1.2(d): notwithstanding any setback requirements of this By-law to the contrary; no accessory building or structure may be located within 15 metres of any lot line abutting a public or private road;
- Section 3.1.3: Except as otherwise permitted herein, the total lot coverage of all accessory buildings or structures of a lot shall not exceed 5% of the lot area and shall be considered in addition to any other lot coverage regulations as specified in this By-law; and
- Section 4.2.1(j): Maximum lot coverage 15%.

1.3 Pre-consultation

Pre-consultation discussions with Staff were conducted on August 29, 2024 to determine the scope of the variance required. Associated with this application is a concept plan. The proposed detached garage is located at 3m (10 feet) from the private road known as Lake Edge Road and is proposed to have a lot coverage of 5.91%, which increases the overall lot coverage to 16.27%.

2.0 Policy Analysis

2.1 Provincial Planning Statement (PPS 2024)

The Provincial Planning Statement (PPS) provides policy direction to guide development and land use planning within the Province. For the purposes of preparing this report, the PPS has been reviewed in its entirety. The following Policies have direct relevance to the proposed Application as they relate to the subject lands:

Policy	
2.1	<p>Planning for People and Homes</p> <ol style="list-style-type: none"> 1. As informed by provincial guidance, planning authorities shall base population and employment growth forecasts on Ontario Population Projections published by the Ministry of Finance and may modify, as appropriate. 2. Notwithstanding policy 2.1.1, municipalities may continue to forecast growth using population and employment forecasts previously issued by the Province for the purposes of land use planning. 3. At the time of creating a new official plan and each official plan update, sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of at least 20 years, but not more than 30 years, informed by provincial guidance. Planning for <i>infrastructure, public service facilities, strategic growth areas</i> and <i>employment areas</i> may extend beyond this time horizon. Where the Minister of Municipal Affairs and Housing has made a zoning order, the resulting development potential shall be in addition to projected needs over the planning horizon established in the official plan. At the time of the municipality's next official plan update, this additional growth shall be incorporated into the official plan and related infrastructure plans.

<p>Opinion</p>	<p>4. To provide for an appropriate range and mix of <i>housing options</i> and densities required to meet projected requirements of current and future residents of the <i>regional market area</i>, planning authorities shall: maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are <i>designated and available</i> for residential development; and maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.</p> <p>5. Where planning is conducted by an upper-tier municipality, the land and unit supply maintained by the lower-tier municipality identified in policy 2.1.4 shall be based on and reflect the allocation of population and units by the upper-tier municipality.</p> <p>6. Planning authorities should support the achievement of <i>complete communities</i> by:</p> <ul style="list-style-type: none"> i Accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long term care facilities, places of worship and cemeteries), recreation, parks and open space and other uses to meet long term needs. ii improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and iii improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups. <p>The application for variance to permit a garage on a residential lot contributes to the viability of the residential lot (subject property).</p>
<p>2.5</p>	<p>Rural Areas in Municipalities</p> <p>1. Healthy, integrated and viable <i>rural areas</i> should be supported by:</p> <ul style="list-style-type: none"> a) building upon rural character, and leveraging rural amenities and assets; b) promoting regeneration, including the <i>redevelopment</i> of <i>brownfield sites</i>; c) accommodating an appropriate range and mix of housing in rural <i>settlement areas</i>; d) using rural <i>infrastructure</i> and <i>public service facilities</i> efficiently; e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources; f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets; g) conserving biodiversity and considering the ecological benefits provided by nature; and h) providing opportunities for economic activities in <i>prime agricultural areas</i>, in accordance with policy 4.3. <p>2. In <i>rural areas</i>, rural <i>settlement areas</i> shall be the focus of growth and development and their vitality and regeneration shall be promoted.</p> <p>3. When directing development in rural <i>settlement areas</i> in accordance with policy 2.3, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels.</p>

	<p>Growth and development may be directed to <i>rural lands</i> in accordance with policy 2.6, including where a municipality does not have a <i>settlement area</i>.</p>
2.6	<p>Rural Lands in Municipalities</p> <p>1. On <i>rural lands</i> located in municipalities, permitted uses are:</p> <ul style="list-style-type: none"> a) the management or use of resources; b) resource-based recreational uses (including recreational dwellings not intended as permanent residences); c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate <i>sewage and water services</i>; d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards; e) home occupations and home industries; f) cemeteries; and g) other rural land uses. <p>2. Development that can be sustained by rural service levels should be promoted.</p>
4.5	<p>Mineral Aggregate Resources</p>
4.5.2.4	<p>Protection of Long-term Resource Supply</p> <p>4. Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the Planning Act. Where the Aggregate Resources Act applies, only processes under the Aggregate Resources Act shall address the depth of extraction of new or existing mineral aggregate operations. When a license for extraction or operation ceases to exist, policy 4.5.2.5 continues to apply.</p> <p>5. In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:</p> <ul style="list-style-type: none"> a) resource use would not be feasible; or b) the proposed land use or development serves a greater long-term public interest; and c) issues of public health, public safety and environmental impact are addressed.
Opinion	<p>The subject property contains an existing dwelling, which is surrounded by other existing residential properties. The proposal to add a garage to the subject property does not</p>

	impede accessibility to the noted mineral deposit located approximately 250 metres to the south and south east of the garage development.
--	--

It is my opinion that the proposed Minor Variance Application is in conformity with the Provincial Planning Statement.

2.3 Four Tests

Section 45 (1) of the Planning Act sets forth 4 (four) tests that are to be applied for the purpose of evaluating a Minor Variance Application:

1. Is the Variance Minor in Nature?

The primary focus of this test is on the impact of the requested relief. In regard to the requested relief, the variances sought are appropriate given the proposed development. The garage is proposed to be located 3 metres from the side lot line, which has frontage to a private road. The site is relatively small and the proposed garage is a modest size at 44.6 square metres. The reduced setback is minor in that the frontage of the property is Highway 28 and site lines are not impeded on Lake Edge Road.

An increase in lot coverage is minor at 5.91% for accessory structures is due to the small size of the lot. As noted above, the garage is proposed to be 44.6 square metres, which is a modest size. The overall lot coverage is also proposed to increase to 16.27%. The property is not considered to be overdeveloped and the variances are minor in nature.

2. Is the Variance desirable and appropriate for the use of land?

The property is zoned to permit a residential use with associated accessory structures.

The accessory use (garage) is an appropriate and permitted use for a Residential property in the Township of Douro-Dummer. The location of the modestly sized garage is dictated by the location of the existing well and the utility wires that run easterly of the proposed garage in a north-to-south direction.

The garage use does not hinder the noted mineral extraction to the east/south of the property, as it is accessory to an existing residence, leading it to be an appropriate and desirable use of the land. The reduction of side yard and increase in lot coverage does not represent overdevelopment of the property.

3. Does the Variance maintain the general intent and purpose of the Zoning By-law?

The property is currently zoned R (Residential) in the Township of Douro-Dummer.

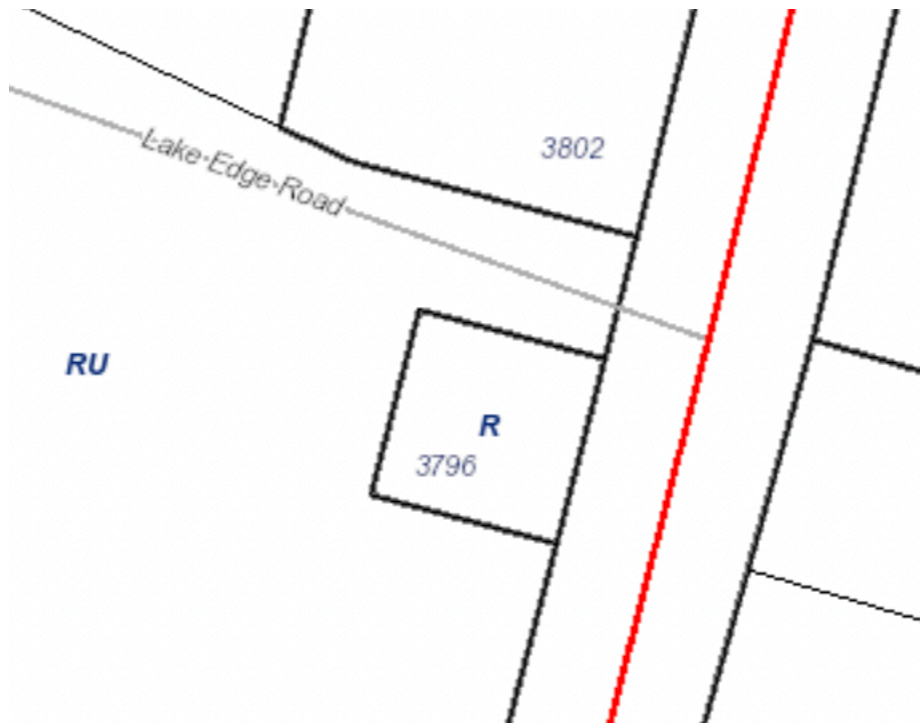


Figure 4- Zoning Map Detail – County of Peterborough Website, November 2024

The zoning permits Residential uses and associated accessory uses, such as a garage and this application therefore maintains the general intent and purpose of the Comprehensive Zoning By-law.

4. Does the Variance maintain the general intent and purpose of the Official Plan?

The property is designated Hamlet on the following Official Plan.



Figure 5: Official Plan Designation Hamlet
Peterborough County GIS November 2024

The following review identifies Official Plan policies relevant to the proposed development and Application.

Section 6.2.3.1 (Hamlet) of the Official Plan states:

In the Township of Douro-Dummer, the settlement areas of Donwood, Douro and Warsaw function as the primary growth and service centres for the Township.

It is intended that residential growth opportunities in Douro-Dummer be directed to these communities. In-depth development by plan of subdivision, rather than strip development, shall be the preferred method of development.

The following are the recognized Hamlets:

Selwyn: Ennismore, Young's Point Asphodel-Norwood: Westwood

North Kawartha: Glen Alda, Burleigh Falls, Big Cedar, Mount Julian, Stonyridge, Woodview, Apsley

Douro-Dummer: Donwood, Douro, Halls Glen, Warsaw, Young's Point

Growth in hamlets shall be consistent with environmental, physical and socio-economic conditions. Surrounding land uses, intensity of existing development and potential soil or ground water constraints shall be considered in assessing new development proposals.

The proposed Application provides opportunity for increased usability of the subject property and development applications for residential purposes are permitted.

The predominant use of land within the Hamlet designation shall be for single detached residential dwellings with some limited provision for multiple unit dwellings. Other uses, which are considered necessary to serve the community or the surrounding rural area may be permitted such as schools, parks, churches, physicians' and dentists' offices and public or municipal facilities. This category may include retail and service commercial uses deemed necessary to serve the surrounding agricultural, rural and/or recreational areas and industrial uses, such as a builders' supply, feed mill, public garage, farm implement dealer which primarily serve the surrounding rural-agricultural community (6.2.3.2).

The development is in alignment with the in Section 6.2.3.2 as it relates to permitted uses in the Hamlet area.

a) The uses permitted in Hamlet areas and regulations for such uses shall be defined in the implementing Zoning By-law. Regard shall be had to the protection of residential uses, especially in cases of adjacent uses which are deemed not compatible. Provision shall be made for adequate setbacks from property lines, for lands to be set aside in certain cases for landscaping and buffering purposes, for off-street parking facilities, prohibition of nuisances, and control over outside storage.

The proposed development of the garage does not hinder adjacent uses (mineral extraction) and protects the residential use that is existing on the lot.

As demonstrated, the proposed development meets the intent and purpose of the Official Plan. The garage use is permitted as per the applicable land use designations.

3.0 Site Plan Control

Site Plan Control is not anticipated.

4.0 Summary

The proposed development represents efficient planning and use of resources, with an exceptional building design and site layout that contribute significantly to the future of the local neighbourhood. The requested variance is appropriate to facilitate the development, as proposed.

The foregoing policy review demonstrates conformity with the objectives and policies.

In summary, it is my opinion that the Minor Variance Application is:

- Consistent with the policy directives of the Provincial Planning Statement;
- Meets the 4 Tests of a Minor Variance: Being minor in nature, desirable and appropriate for the land use and in keeping with the general intent and purpose of the Township Zoning By-law and County Official Plan; and
- Is representative of good planning.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L. Stone', written in a cursive style.

Laura Stone, Planner/Director

From: [Township of Douro-Dummer - Building and Planning](#)
To: [Christina Coulter](#)
Subject: FW: MTO Highway Corridor Management Response to Pre-consultation 3796 28 Highway
Date: August 16, 2024 9:15:35 AM
Attachments: [image001.png](#)

Hi Christina,

Please see comments from the MTO below.

Thank you,
Madhupreeta Muralidhar
Summer Student
Building and Planning Department

T: 705 652 8392 x 213 F: 705 652 5044

Township of

[Douro-Dummer](#)

From: HCMS-Do-Not-Reply <HCMS@ontario.ca>
Sent: Friday, August 16, 2024 8:12 AM
To: Township of Douro-Dummer - Building and Planning <building-planning@dourodummer.on.ca>
Subject: MTO Highway Corridor Management Response to Pre-consultation Request 2024-43S-000437 Submitted on August 13, 2024/Réponse à la demande de consultation préalable au Bureau de gestion des couloirs routiers du MTO no 2024-43S-000437 soumise le 13 août 2024

Please see the response below to the Pre-consultation request you submitted on August 13, 2024.

Thank you for circulating the Pre-consultation application for the subject lands, located at 3796 Hwy 28 to the Ministry of Transportation (MTO) for review. The subject lands are within MTO's permit control area; therefore, Ministry approvals and permits are required prior to the construction and/or alteration of any buildings and/or structures and prior to the issuance of any municipal building permits or approvals as per section 8. (2) (a) of the Building Code Act.

The Ministry has reviewed the attached documentation in support of the construction of a residential garage at this location and the we have no concerns with the proposal as described. The Ministry does wish to bring to the attention of the property owner that there does not appear to be an entrance permit from the subject lands, for access onto Hwy 28. As a condition of receiving the required MTO building permit for the garage the property owner will be required to obtained a "No fee" entrance permit for their lands. This permit can be obtained

from the Ministry's on-line Highway Corridor Management portal. At the same time the applicant can also apply for their MTO Building and Land Use permit.

When making their applications the applicant will be required to supply "Proof of Property Ownership" (i.e., tax bill, deed, etc.), this can be uploaded. The Ministry can only issue a Building and Land Use and Entrance permits to the legal property owner.

Once the applications have been received by the Ministry they will be assigned to a Corridor Management Officer who will then contact the property owner.

If you have any questions and/or concerns, please feel free to contact me.

Regards.

George Taylor
Planner - Area West
MTO

If you have any questions, please contact:

Employee to whom the Pre-consultation has been assigned to for review:

George Taylor

Phone: 613-483-5307

Email: George.Taylor2@ontario.ca

Ministry of Transportation
Highway Corridor Management Section - Port Hope
138 Hope St N
Port Hope, ON
L1A 2P1

Please retain this email for your records.

Thank You,
Highway Corridor Management
Ministry of Transportation of Ontario
<https://www.hcms.mto.gov.on.ca>

Please note: This email was sent from a notification-only address that cannot accept incoming email. Please do not reply to this message.

Veillez voir la réponse ci-dessous à la demande de consultation préalable soumise le 13 août 2024.

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If you have any questions and/or concerns, please feel free to contact me.

Regards.

George Taylor
Planner - Area West
MTO

Si vous avez des questions, veuillez communiquer avec:

Nom de l'employée ou de l'employé à qui la demande de consultation préalable a été soumise :

George Taylor

Téléphone : 613-483-5307

Adresse de courriel : George.Taylor2@ontario.ca

Ministère des Transports
Highway Corridor Management Section - Port Hope
138 Hope St N
Port Hope, ON
L1A 2P1

Veillez conserver ce courriel pour vos dossiers.

Cordialement,
Gestion des couloirs routiers

Ministère des Transports de l'Ontario

<https://www.hcms.mto.gov.on.ca>

Veillez noter ce qui suit : Ce courriel est envoyé à partir d'une adresse servant uniquement à l'envoi d'avis qui ne peut accepter de courriels entrants.
Veillez ne pas répondre à ce message.

|



Plan Review Pre-consultation Memo

To: Township of Douro Dummer
From: Marnie Guindon
Date: August 22nd 2024
Subject: Pre consultation meeting for detached garage
File: PGCD-1313

3796 Highway 28

Description: Construct new detached 20'x24' garage.

ORCA Comments:

Otonabee Conservation's Interest in the Application is 3-fold:

1. **Natural Hazards**

There are no known hazards present on the property. **The proposal does appear to be in conformance with the Provincial Policy Statement 3.1.**

2. **ORCA S. 28 Regulation**

The property is not currently regulated by ORCA based on our best available digital data. **The proposed garage and associated site grading do not require a permit from Otonabee Region Conservation Authority.**

3. **Clean Water Act**

Otonabee Conservation has reviewed the application under the Clean Water Act (CWA) to determine if the subject property is located within a designated vulnerable area and assess the applicability of Trent Source Protection Plan (SPP) which came into effect on January 1, 2015. The CWA is intended to protect Ontario's drinking water at its source and the SPP contains policies to protect sources of municipal residential drinking water sources from threats posed by existing and future land-based activity(ies). **It was determined that the subject property is not located within an area that is subject to the policies contained in the SPP.**

Otonabee Conservation Screening Mapping:

