

### **Minor Variance Report**

**Applicant:** Phil and Lori Longbottom

**Agent:** Riley Martens – Timberline Custom Homes

**Property Description:** Con. 11, Part Lot 31, Plan 178 Part Lot 12  
2329 Lakeside Road  
Dummer Ward, Roll No. 020-005-63900

**Purpose of Application:** The owners would like to construct a new garage on the property. To permit the structure in the proposed location, variances are required to reduce the side yard from **1.5 m (4.9')** to **0.60 m (1.97')** and reduce the rear yard setback from **15 m (49.2')** to **7.62 m (25')**;

all as shown on the Site Plan prepared by JBF Surveyors, Ontario Land Surveyor, dated August 11, 2020.

**Comments Received:**

None at time of writing.

**Staff Comments:**

This application is asking for relief from the side yard and rear yard setbacks to allow for the construction of a new detached garage on the subject property.

The applicants state the reason for the application for minor variance is as follows:

Current constraints of site such as septic, hydro and angle of dwelling make it not possible to comply with the zone provisions.

The property in question is described as follows:

This and the surrounding lots are low sloped lots with water access.

The property is zoned as Lakeshore Residential (LSR) Zone and residential uses are permitted within this Zone. The notice was circulated to the Management Team and the following comment was received:

Chief Building Official: "Under the Ontario Building Code, for a detached residential accessory building the construction and cladding may be of a combustible type, provided that the limiting distance is 0.6m or greater and there are no unprotected openings."

**Conformity to PPS:** 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 4 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.

**Impact of Comments Received:** The Committee will need to pass a resolution regarding the impact if any of any comments that were received regarding this application. Examples of the resolution could be as follows:

- a) The Committee heard from members of the public concerning the application and has given due consideration (\_\_\_\_regarding additional information if needed\_\_\_\_\_) and weight to the written and oral submissions that have been made in favour and/or in opposition regarding this minor variance application File A-03-20.
- b) The Committee has not received any written or oral submissions from the public regarding minor variance application File A-03-20 and thus have made its decision on the basis of the application, and/or submissions from the following agencies (Otonabee Region Conservation Authority, Peterborough Public Health, Trent Severn Waterway ect...) and (\_\_\_\_ additional information if needed\_\_\_\_\_).

Recommendation:

That Minor Variance A-03-20 for Phil and Lori Longbottom be approved as requested, for the life of the structure\* to facilitate the issuance of a building permit for the construction of a detached garage, as shown on the Site Plan prepared by JBF Surveyors, Ontario Land Surveyor, dated August 1, 2020 attached to this Decision as Schedule 'A', and to bring the structure 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 of the Official Plan and Zoning By-law. Approval is conditional on the following:

**Conditions if Approved:**

- The variance would be for the life of the structures only (definition)
- Obtaining any necessary permits from ORCA, Douro-Dummer Building Department, Trent Severn Waterway and any other required ministry/agency
- Proper Building Plans be submitted with the building permit application based on the design included on the site plan prepared by J. B. Fleguel Surveyors, Ontario Land Surveyor, dated August 11, 2020 attached to this Decision as Schedule 'A' and submitted with the minor variance application.
- That the exterior corners of the structure(s) be pinned by a Surveyor on the poured footings and a copy of the survey be provided to the Chief Building Official after the footings are poured and prior to any further construction taking place
- That verification from an Ontario Land Surveyor be provided to the Township's Chief Building Official after the structure(s) 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.
- That if any archaeological artifacts are found during construction, that all development shall be halted immediately and the proper agency be contacted.