

Planning Justification Brief

Proposed Detached Garage – 968 Birchcliff Drive

1. Introduction and Site Context

This Planning Justification Brief is submitted in support of a Minor Variance application for the construction of a 24 ft x 30 ft (7.3 m x 9.1 m) detached garage on the property municipally known as 968 Birchcliff Drive, Township of Douro-Dummer. The subject lands are zoned Limited Service Residential (LSR) under Township Zoning By-law 10-1996, and designated Lakeshore Residential with a portion identified as Environmental Constraint Area in the Township Official Plan. The proposed garage is located entirely outside the Environmental Constraint Area and outside the regulated floodplain, as confirmed by Otonabee Region Conservation Authority during preconsultation.

The subject property is an existing undersized lot of record, with:

Lot area: 1,845.35 m² (required 4,050 m²)
Frontage: 31.2 m (required 60 m)

These conditions materially constrain the buildable envelope and necessitate reasonable relief to accommodate accessory structures.

The proposal was reviewed through Township pre-consultation on February 27, 2025, during which staff confirmed that a Minor Variance application was appropriate and identified staff-supported minimum setbacks of 6.0 m to the private road and 1.2 m to the side lot line, subject to Committee approval.

2. Neighbourhood Context and Precedent

The surrounding development pattern along Birchcliff Drive consists predominantly of detached dwellings with accessory garages and outbuildings located at varying setbacks from the roadway and side lot lines, reflective of the historic cottage-lot fabric and constrained lot dimensions common to this lakeshore area.

Several neighbouring properties exhibit accessory structures located significantly closer to the rear lot line and roadway than the zoning standard setback of 15 metres, establishing a consistent built form context in which accessory buildings are oriented toward functionality, site constraints, and vegetation retention rather than strict adherence to current setback metrics. Township staff explicitly noted during pre-consultation that demonstrating the existence of nearby garages within reduced setbacks would form appropriate planning rationale for the requested relief.

The proposed garage is therefore compatible with — and reinforces — the prevailing development pattern along Birchcliff Drive and does not introduce built form or siting conditions that are foreign to the immediate neighbourhood context.

3. Requested Variances

Relief is requested from the following provisions of Zoning By-law 10-1996:

S 3.1.2(d) – Rear Yard Setback	Required: 15.0 m, Proposed: 6.0 m
S 3.1.2(c) – Side Yard Setback (Accessory Structures)	Required: 1.5 m, Proposed: 1.2 m

All other zoning requirements, including building height (4.5 m), lot coverage (3.6% vs. 5% permitted), and water setbacks (30 m minimum, 47.2 m provided), are met.

4. Planning Analysis – Four Tests

Test 1 – The Variances Are Minor

The requested variances are technical and limited in scope:

The rear yard setback reduction aligns with Township staff's recommended minimum of 6.0 m for safety and visibility purposes on private roads, as documented through preconsultation. The side yard reduction of 0.3 m meets the Building and Fire Department minimum spatial separation requirement of 1.2 m, ensuring no adverse impacts on fire safety, maintenance access, or neighbouring lands.

The garage is modest in scale, accessory in nature, and does not introduce new residential density, servicing demand, or land use intensity. No adverse impacts are anticipated on neighbouring properties or the public realm. The variances are therefore minor.

Test 2 – The Variances Are Desirable for the Appropriate Development or Use of the Land

The proposal facilitates the reasonable and functional use of the property by providing secure vehicle storage and ancillary residential space consistent with established residential development patterns.

The proposed location of the garage preserves mature vegetation, as encouraged by Township staff during pre-consultation, maintains safe and functional vehicle ingress/egress and propane servicing access, and responds to the physical constraints of an undersized lot of record.

Accessory garages are a customary and anticipated feature in low-density residential areas and support the continued long-term residential use of the property. The proposal therefore represents appropriate development and good planning.

Test 3 – The Variances Maintain the General Intent and Purpose of the Zoning By-law

The intent of setback provisions in Sections 3 and 7 of Zoning By-law 10-1996 is to ensure adequate access, light, and privacy, maintain neighbourhood character, and protect safety along roadways. Despite the requested reductions, these objectives continue to be met by a 6.0 m setback to the private road to maintain adequate sightlines and safety separation consistent with staff recommendations. A 1.2 m side yard setback satisfies minimum fire separation standards and maintains functional access. The building remains subordinate to the dwelling, low in height, and within permitted lot coverage.

Importantly, the zoning framework anticipates flexibility on legally undersized lots of record, and the proposal enables reasonable residential development without undermining zoning intent. The variances therefore maintain the general intent and purpose of the Zoning By-law.

Test 4 – The Variances Maintain the General Intent and Purpose of the Official Plan and the Provincial Policy Statement

Provincial Policy Statement (2020)

The PPS promotes efficient use of land and existing infrastructure (Policy 1.1.3), appropriate residential development within settlement areas (Policy 1.1.3.2), and minor residential infill and site-scale intensification that supports compact built form (Policy 1.1.3.3).

The proposed garage constitutes minor residential improvement on an existing lot, requires no new infrastructure or services, and does not create land use conflicts or environmental impacts. The proposal is fully consistent with the PPS.

Township of Douro-Dummer Official Plan

The subject lands are designated Lakeshore Residential, which permits single detached dwellings and accessory buildings (Section 6.2.6.2). The proposal is located entirely outside lands designated Environmental Constraint Area, where development is otherwise restricted (Section 6.2.15.3(a)), and meets the 30m minimum water setback requirement (Section 6.2.6.3(c)).

The Official Plan further supports stable residential neighbourhoods, compatible infill and accessory development, and efficient use of existing lots and services. The proposal conforms to these objectives by maintaining low-density residential character while enabling reasonable accessory development on a constrained lot of record. Accordingly, the variances maintain the general intent and purpose of the Official Plan.

5. Conclusion

The requested variances are minor in nature, desirable and appropriate development and use of the land, maintain the general intent and purpose of the Zoning By-law, and maintain the general intent and purpose of the Official Plan and Provincial Policy Statement. The proposal reflects sound planning principles, responds directly to site constraints and staff preconsultation

direction, preserves mature vegetation, and enables functional residential use without adverse impacts.

Approval of the requested variances is respectfully requested.

Sincerely,

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