

Village of Dunnottar
ZONING BY-LAW 858/08
VARIATION ORDER FILE NO. 48, 2024
PUBLIC HEARING

We are
Listening.

**Public
Hearing
Monday,
July 15th, 2024
10:00 am
Council Chambers
44 Whytewold Rd.
Matlock, MB**

Phone:

(204) 669-8880

1-800-876-5831

Fax:

(204)669-8882

E-Mail:

info@rrpd.ca

Website:

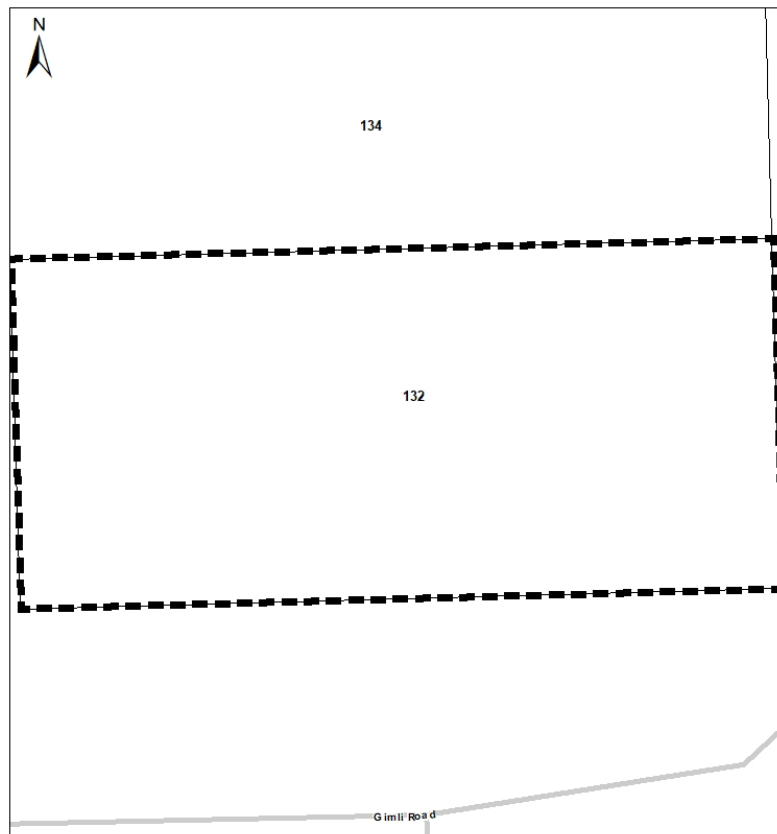
redriverplanning.com



As per *The Planning Act*, any person can make representation on the matter at the meeting.

What is VO 48, 2024 about?

This application proposes to reduce the minimum separation distance between an accessory structure and a principal building to facilitate the construction of a new garage in the “R” Residential zone.



132 Gimli Rd. (Roll No. 94600)

Please be advised that a Public Hearing will be conducted in person at the Council Chambers. Participants must register at the entrance on the day of the Public Hearing. If you require further information about attendance, please contact the municipality at info@dunnottar.ca or by phone at (204) 389-4962.

For more information, please contact the Red River Planning District.

Red River Planning District
2978 Birds Hill Road, East St. Paul

Mon-Fri*
8:30am-4:15pm

**excludes all statutory holidays*

NOTE: Property owners are responsible for notifying “Tenants”.

Date: June 21, 2024
File: **VO 48, 2024**
To: Planning Commission, Village of Dunnottar
Prepared By: Calvin So, MCP, Community Planning Assistant, Red River Planning District
From: Santan Singh, RPP, MCIP, Community Planner
Location: 132 Gimli Rd.
 Lot 6, Plan 4728 (Roll 94600)

Property Zoning:
 “R” Residential Zone
 Village of Dunnottar Zoning By-Law 858/08

Variance Request	Required	Proposed
Minimum separation distance (principal to accessory)	10 ft. (min)	8 ft. (min)

Purpose:

The owner wishes to reduce the minimum separation distance between an accessory structure and principal building from 10 ft. (min) to **8 ft. (min)**, to facilitate the construction of a 24’ x 24’ garage. A site plan and letter of intent was included, which is attached to this report.

Background:

The subject property is approximately 0.24 ac in size and located on Gimli Road near Crescent Boulevard in Matlock. The property is currently developed with a single-family dwelling and an attached deck.

The subject property is surrounded by the following:

To the North: Properties zoned “R” Residential.

To the South: Gimli Road, followed by properties zoned “R” Residential and “RL” Lakefront Residential.

To the West: Properties zoned “R” Residential.

To the East: Gimli Road, followed by properties zoned “RL” Lakefront Residential.

Analysis:

The owner wishes to construct a 24’ by 24’ detached garage near the back lane of their property. As per the letter of intent, the garage would include 9 ft. walls and a 1 ft. overhang. Given the 1 ft. proposed garage overhang, proposed garage location, and 2 ft. overhang for the

current house, it would be below the 10 ft. building separation requirement between a principal and accessory structure. The detailed letter of intent has been added to the package for Planning Commission's consideration.

The following information is for Council's consideration:

- The proposed variance involves constructing a new detached garage for storing two vehicles. The applicant plans to demolish the existing garage and build a new 24 ft. x 24 ft. garage.
- The proposed garage would result in an 8 ft. overhang-to-overhang separation distance between the garage and the principal dwelling, which is below the 10 ft. requirement, requiring the variance.
- The required 10 ft. separation space is more about limiting the rate of fire spread than a building code requirement. It is also worth noting that the reduced building separation is internal to the subject site and would not adversely affect adjoining properties.
- The applicant has indicated that the proposed variance is to allow for better movement in the garage with the two vehicles stored inside.
- The applicant has submitted an old survey from 2017 as part of this application. Please note that the subject property is a corner lot with a back lane. The existing woodshed (96 sq. ft.) does not meet the setback requirements for the corner lot in this zone. No permit is required for this shed due to the small size; however, it is advised to bring the current shed into compliance with setback requirements.
- RRPD notes that the current two-story house is on a lot that is between 50 ft. and 75 ft. wide. We do not have any records of permits for the house.
- The RRPD notes that while the applicant has provided a site plan reflecting the positions of existing and proposed buildings, no actual building plans for the structure have been presented at the time of this variance application. There may be additional concerns, including but not limited to setback, projections and height, that may need to be addressed at the time of the permit application.
- The application was circulated to the Village of Dunnottar for comments, and there are no comments at the time of writing this report.

Options:

Under section 97(1) of *the Planning Act*, on completion of the public hearing, the Planning Commission may:

- (a) *reject the requested variance; or*
- (b) *varying the application of specific provisions of the zoning by-law with regard to the affected property in the manner specified in the order if the variance*
 - (i) *will be compatible with the general nature of the surrounding area,*
 - (ii) *will not be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area,*

- (iii) is the minimum modification of a zoning by-law required to relieve the injurious affect of the zoning by-law on the applicant's property, and*
- (iv) is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law.*

Under section 98(1) of *the Planning Act*, in making a variance order under clause 97(1)(b) above, Planning Commission may:

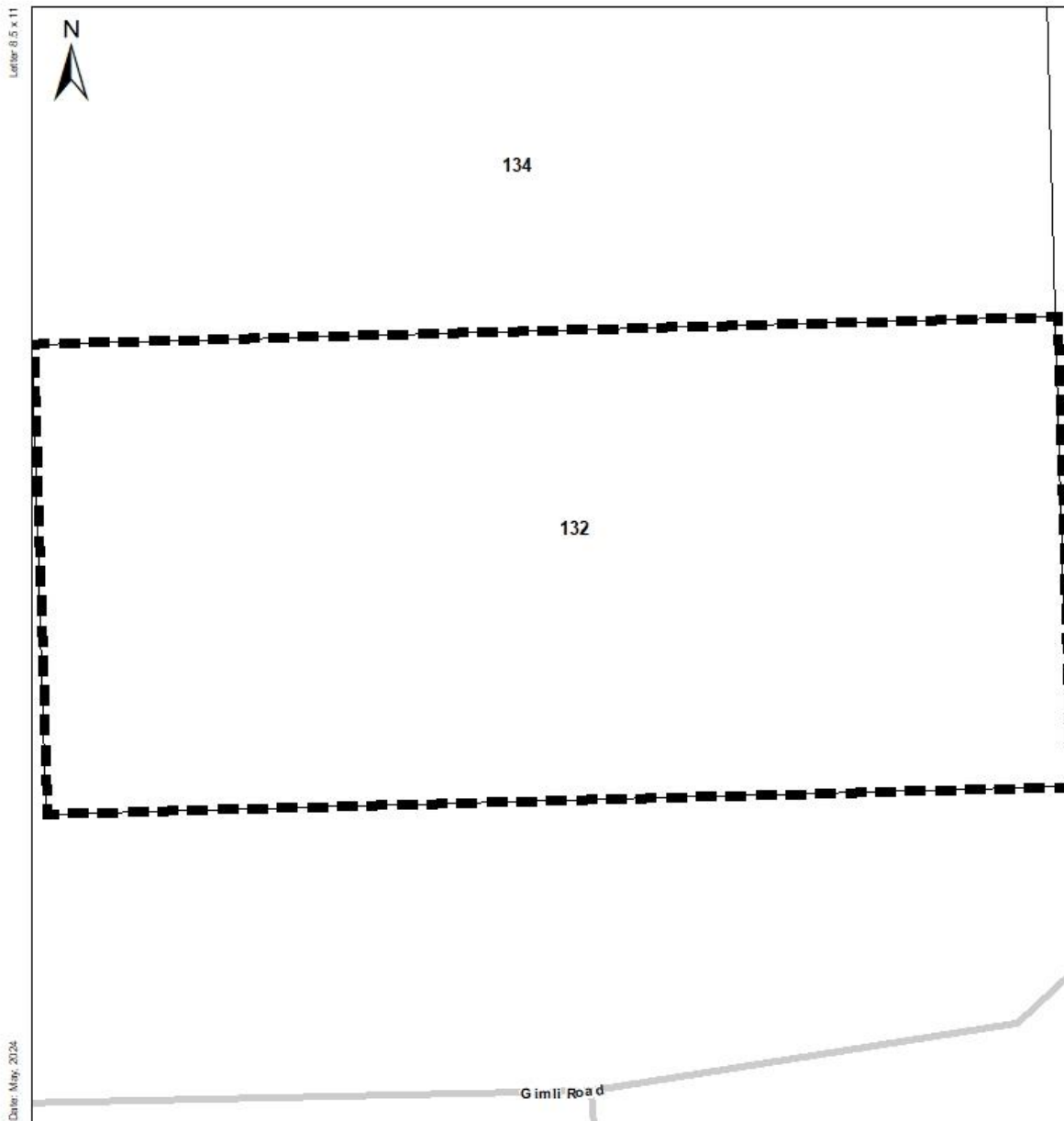
- (a) impose any conditions on the applicant or the owner of the affected property that it considers necessary to meet the requirements of clause 97(1)(b); and*
- (b) require the owner of the affected property to enter into a development agreement under section 150.*

Recommendations:

Should the Planning Commission approve the requested zoning variance, we recommend the following conditions:

1. This variance is limited to what is proposed in this application. Any changes in use, location, and/or replacement may require a new variance approval.
2. Applicant / owner obtains all required permits (demolition and building) and approvals, from the Red River Planning District and the Village of Dunnottar.

RRPD LOCATION MAP
Illustrating Subject Property



Letter: 0.5 x 11

Date: May, 2024

SUPPORTIVE MAPPING

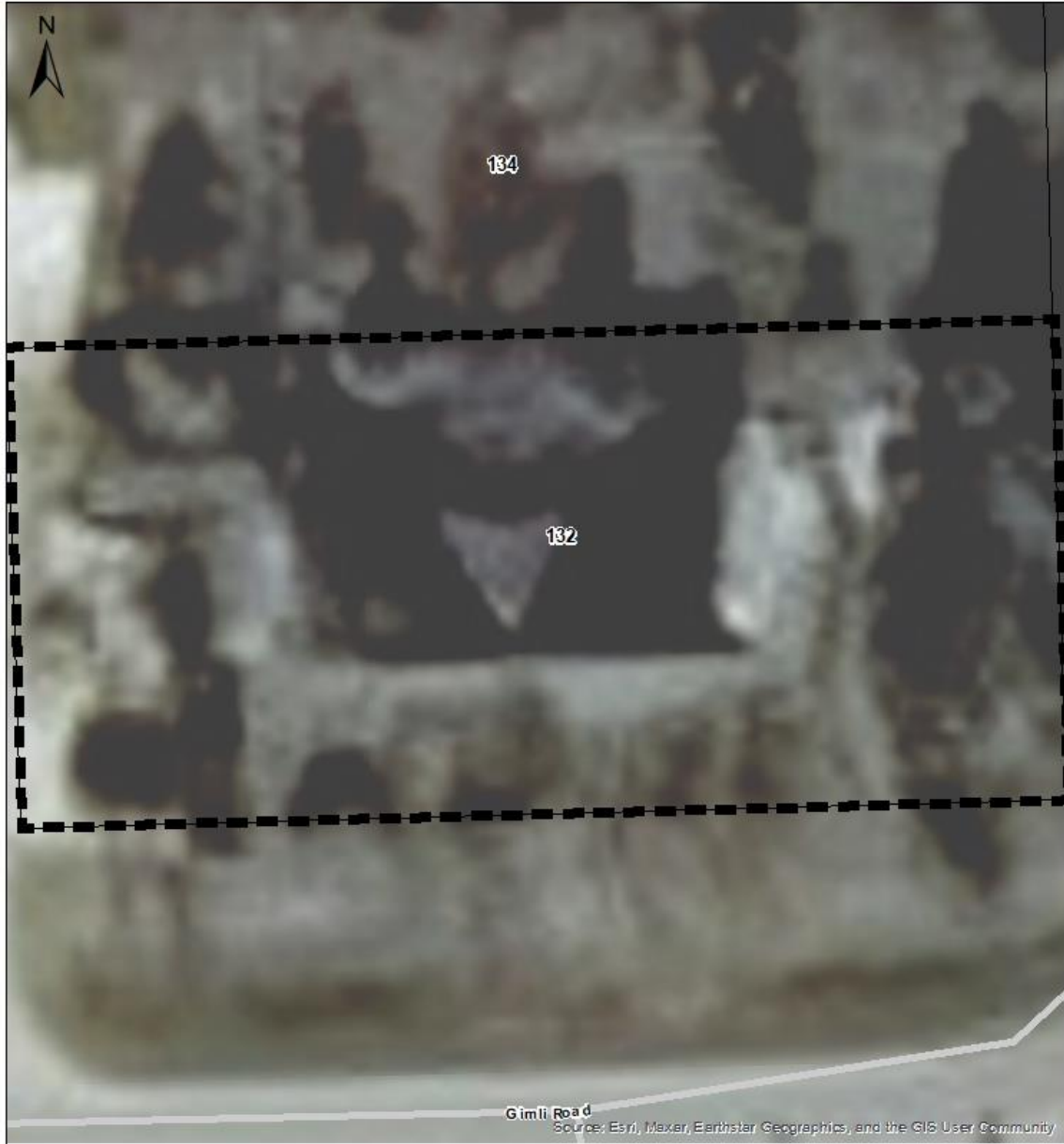
Variance Order VO48-2024
132 Gimli, Village of Dunnottar
Designation: "SC" Settlement Centre
Zoning: "R" Residential

Legend:
■ Subject Property
— Roads
□ Parcel Outline

Please refer to applicant's Site Plan. Not To Scale. For Discussion Purposes Only

RED RIVER
PLANNING DISTRICT

Letter: 8.5 x 11






Date: May, 2024

Sources: Esri, Maxar, Earthstar Geographics, and the GIS User Community

SUPPORTIVE MAPPING

Variance Order VO48-2024
 132 Gimli, Village of Dunnottar
 Designation: "SC" Settlement Centre
 Zoning: "R" Residential

-  Subject Property
-  Roads
-  Parcel Outline



Please refer to applicant's Site Plan. Not To Scale. For Discussion Purposes Only