

**Minor Variance or Permission Application**

**3. Property information**

Civic address: 141 O-At-Ka Road

Assessment Roll Number: 12-90-278-010-14500-0000

Former Geographic Township Herschel County of Hastings

Legal Description: Part A - Plan Lot 4 and T/W Part Lot 5 R.C.P. 2278  
Municipality of Hasting Highlands PIN 40052-0162 LT and  
PIN 40052-0167

Lot frontage (m): 29.8 Lot Depth (m): 92.5 Lot Area (ha): 0.27565 ha

Date the subject property was acquired by current owner: February 3, 2022

**4. Access to property (select one):**

- ☐ Provincial highway ☐ Right-of-way  
☒ Municipal Road (year-round maintenance) ☐ Water (see next page)  
☐ Municipal Road (seasonal maintenance)  
☐ Other (please specify): \_\_\_\_\_

Where access to the subject land is by water only:

Docking facilities Location: n/a

Distance of Docking facilities from subject land: n/a

Distance of Docking facilities from public road: n/a

Parking facilities Location: n/a

Distance of Parking facilities from subject land: n/a

Distance of Parking facilities from public road: n/a

**5. Is 66 feet Shore Road Allowance owned by Applicants?** ☐ Yes ☒ No ☐ N/A

*If yes, please include documentation to support this. If no water frontage, select N/A.*

If No, is development happening on the Shore Road Allowance? ☐ Yes ☒ No

**6. Servicing of the Property**

**Water** is provided to the subject land by:

- ☐ Publicly owned/operated pipe water system  
☐ Privately owned/operated individual well  
☐ Privately owned/operated communal well  
☒ Lake or other waterbody  
☐ Other means (please explain): \_\_\_\_\_

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**Sewage** is provided to the subject land by:

- ☐ Publicly owned/operated sanitary sewage system
- ☒ Privately owned/operated individual septic system
- ☐ Privately owned/operated communal septic system
- ☐ Privy
- ☐ Other means (please explain): \_\_\_\_\_

**Storm drainage** is provided to the subject land by:

- ☐ Sewers
- ☐ Ditches
- ☐ Swales
- ☒ Other means (please explain): none

**7. Current Land Use**

Current designation of the property in the County of Hastings Official Plan:  
RURAL/WATERFRONT

Current zoning of the property in the Comprehensive Zoning Bylaw:  
Waterfront Residential (WR)

What is the land currently being used for? Please explain:

Family Cottage

Length of time the current use of the land has continued: 1957

What are the land uses of adjacent and neighbouring properties?

Cottages

## 8. Existing buildings/structures

Include the following for each building(s) or structure(s) on the property:

### ***Existing Building/Structure 1 (both metric and imperial units):***

Type of building: Single Family Dwelling  
Date constructed: 1957  
Height of building (to the midpoint of the roof): 28f/8.5344m  
Front lot line setback: 20.67f/6.3m Dimensions: 40fx20f/12.192mx6.10m  
Rear lot line setback: 283f/86.2584m Floor area: 800 sq f/74.32 sq m  
Side lot line setback: 11 f x 3.3528m Side lot line setback: 31f/9.4488m  
Distance to water (if applicable): approx 30f/9.14m

### ***Existing Attached Structure (such as a deck) (metric and imperial units):***

Type of building: Shed 1  
Date constructed: 1957  
Height of building (to the midpoint of the roof or top of deck): 6f/1.8288m  
Front lot line setback: 19.69f/6m Dimensions: 5f x 6f/1.52 m x 1.83 m  
Rear lot line setback: 292f/89m Floor area: 30sqf/2.79sqm  
Side lot line setback: 1f/.30488m Side lot line setback: 95f/29m  
Distance to water (if applicable): 19.69f/6m

Note: If there are any additional attached decks, porches, etc., include them as an Existing Building/Structure below.

### ***Existing Building/Structure 2 (both metric and imperial units):***

Type of building: Shed 2  
Date constructed: 1957  
Height of building (to the midpoint of the roof): 8.f/2.44m  
Front lot line setback: 67f/20.42m Dimensions: 10f x 9f/3.05mx2.74m  
Rear lot line setback: 236f/71.9328m Floor area: 90sqf/8.36sqm  
Side lot line setback: 0f/0m Side lot line setback: 87f/26.52m  
Distance to water (if applicable): 67f/20.42m



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***Existing Building/Structure 3 (both metric and imperial units):***

Type of building: Porch in front of house with stairs  
Date constructed: 1957  
Height of building (to the midpoint of the roof): n/a  
Front lot line setback: 25f/7.62m Dimensions: 5fx14f/1.52mx4.27m  
Rear lot line setback: attached house Floor area: 70sqf/6.5sqm  
Side lot line setback: 29f/8.84m Side lot line setback: 38f/11.58m  
Distance to water (if applicable): 25f/7.72m

***Existing Building/Structure 4 (both metric and imperial units):***

Type of building: Deck including stairs  
Date constructed: 1958  
Height of building (to the midpoint of the roof): n/a  
Front lot line setback: 26f/7.92m Dimensions: 24fx20f/7.315mx 6.096m  
Rear lot line setback: 283f/86.2584m Floor area: 480sqf/44.82sqm +stairs  
Side lot line setback: 9f/2.74m Side lot line setback: n/a  
Distance to water (if applicable): 26f/7.92m

***Existing Building/Structure 5 (both metric and imperial units):***

Type of building: \_\_\_\_\_  
Date constructed: \_\_\_\_\_  
Height of building (to the midpoint of the roof): \_\_\_\_\_  
Front lot line setback: \_\_\_\_\_ Dimensions: \_\_\_\_\_  
Rear lot line setback: \_\_\_\_\_ Floor area: \_\_\_\_\_  
Side lot line setback: \_\_\_\_\_ Side lot line setback: \_\_\_\_\_  
Distance to water (if applicable): \_\_\_\_\_

**Note:** If there are additional buildings, please attach (a) separate page(s) to this Application.

## **9. Summary of Development Proposal**

Provide a complete written description of the nature of the application with details of the proposed development including but not limited to: proposed use(s), height/storeys, floor area(s), number of parking/loading spaces, landscape area, etc. If additional space needed, attach (a) separate page(s) to this Application.

We are submitting this application to request an amendment to our previously approved Minor Variance. Since the original approval, we have refined the design of the dwelling and wish to incorporate additional exterior features. These features require updated variance permissions because they extend beyond the currently approved building envelope.

The following additions and structural changes are proposed:

See attached for further amendments

## **10. Relief**

Provide a written explanation of the nature and extent of the relief being requested from the Comprehensive Zoning Bylaw. A land use planning consultant or other qualified professional may be able to assist you:

Please see EIS report, dated October, 2024 from Ainley Group Ainley File No. 24081-1

## **11. Reason**

Provide a written explanation of why the proposed development or use cannot comply with the Comprehensive Zoning Bylaw. How or can the proposal be modified to comply with the regulations? A land use planning consultant or other qualified professional may be able to assist you in providing an explanation:

Municipality's Comprehensive Zoning Bylaw No. 2004-035 requires development to be no closer than 30 metres to the high water mark and requires a 30 metre natural vegetative buffer area along the shoreline. The existing dwelling was built before the zoning required this setback; and it is interpreted that "grandfathering" would not apply to the proposed cottage addition. As such, these development plans require the support of an EIS . Please see EIS report, dated October, 2024 from Ainley Group Ainley File No. 24081-1, which provides the recommendations required to allow for compliance.

## 12. Rationale

Did you conduct a Pre-consultation with the Municipality? ☒ Yes ☐ No  
*If yes, please include any correspondence with the Municipality.*

### Tests for a Minor Variance or Permission Application

Please provide a written explanation of why/how the proposed development or use is consistent with the Provincial Policy Statement and either meets the tests of a Minor Variance or Permission Application. To see these tests, check the Minor Variance or Permission Guide. A land use planning consultant or other qualified professional may be able to assist you in providing planning rationale to support your Application. If more space needed to answer, please attach (an) additional page(s):

Please see EIS report, dated October, 2024 from Ainley Group Ainley File No. 24081-1. - Under Section 5.1 of the report.

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**13. Property/proposed development**

Include the following for each proposed building(s) or structure(s) on the property:

***Proposed Building/Structure 1 (both metric and imperial units):***

Type of building: Bungalow w/walkout 1,626.6 sqf/151.12 sqm including sunroom

Date to be constructed: 2026

Height of building (to the midpoint of the roof): 24.6 f/7.5 m

Front lot line setback: 23.95f/7.3m      Dimensions: 43x30f/13.11x9.14m

Rear lot line setback: 225.68f/68.79m      Floor area: 1,290 sf/119.84 sm

Side lot line setback: N 10.7f/3.23 m      Side lot line setback: S 31.6f/9.6m

Distance to water (if applicable): 23.95f/7.3m

***Proposed Attached Structure (such as a deck) (metric and imperial units):***

Type of building: Deck/Terrace

Date to be constructed: 2026

Height of building (to the midpoint of roof or top of deck): mainfloor height

Front lot line setback: 25.59f/7.8m      Dimensions: 21'.9"x17'.9"f/6.7x5.5m

Rear lot line setback: 251.35/76.61m      Floor area: 396 sqf/36.8 sqm

Side lot line setback: N abutting house      Side lot line setback: S 12.6f/3.8m

Distance to water (if applicable): 25.59f/7.8m

***Proposed Building/Structure 3 (both metric and imperial units):***

Type of building: Fully encl year-round sun room

Date to be constructed: 2026

Height of building (to the midpoint of roof): 24.8 f/7.53 m

Front lot line setback: 43f/13.11m      Dimensions: 19.6 f x 17.6/ 5.97x5.36n

Rear lot line setback: 225.68f/68.79m      Floor area: 341 sq f/31.7 sq m

Side lot line setback: N abutting house      Side lot line setback: S 13.68f/4.17 m

Distance to water (if applicable): 43f/13.11m

**Note:** If there are additional buildings, attached decks, attached porches, etc., please attach a separate page to this Application.



The following additions and structural changes are proposed:

See Minor Variance Application for additions and structural changes for 1 to 3 and adding comments that did not fit on application

#### **Continuation of number 2**

- Cement pad flooring under deck for storage purposes. Same dimensions as deck.
- A 5 by 5 feet/1.5 m by 1.5m landing pad at base of stairs off deck water front for safety exiting and entering staircase

#### **Continuation of number 3**

- Including up to an additional 8 steps to enter sun-room
- Side setback 21.23 feet/6.47 metres
- Rear setback 210.2 feet /64.07metres
- This update sun room design includes:
  - Doors and windows, full insulation, heating features
  - A fireplace and a wall heater
- up to 8 exterior stairs for grade access
- Access to sun room from main building
- Designed to function as a year-round conditioned living

#### **Proposed Building Structure 4**

- Type of Building : Porch with foundation and roof on roadside of proposed dwelling plus up to 8 exterior stairs
- Date of Construction: 2026
- Height of Building (to the midpoint of roof) 20 feet/6.1 m
- Front lot line setback Abutting proposed dwelling Dimensions 13.6 f by 9.2 f /4.14 m by 2.8 m
- Rear lot line setback 216.7f/66.04m Floor area- 125 sq ft /11.6 sq m
- Side lot line:North side 34.86 feet/10.63 metres, South 40.62 feet/12.38 metres
- Distance to water (if applicable): abutting on rear of cottage
- Including up to an additional 8 steps to enter porch from road side.

#### **4. Proposed Primary Bedroom Balcony**

- Type of Building : Addition of balcony main floor lakeside with no roof
- Date of Construction: 2026
- Height of Building (to the midpoint of roof) Main floor height
- Front lot line setback 19.4 feet/5.9 metres Dimensions 5.6 f by 11.11 f /1.7 m by 3.39 m
- Rear lot line setback Abutting on to proposed dwelling Floor area- 62.22 sq ft /5.78 sq m
- Side lot line North side 9.8 feet/3 metres Side lot line South 65 feet/19.8 metres
- Distance to water (if applicable) : 19.4 feet/5.9 metres
- Constructed using decking or Trex material

**6. Septic bed and septic tank to remain 30 metres from high watermark. Already approved.**

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**14. Land Uses and Features**

Are any of the following uses or features on the subject lands and/or within 500 metres of the subject lands (Please indicate if it applies with a 'Yes' and an 'N/A' if it does not. Any features indicated with a 'Yes', please identify on your site plan):

	On Subject Lands	Within 500 Metres (unless otherwise specified)
An agricultural operation (any livestock facility, occupied or vacant, including manure storage)	N/A	N/A
A landfill (active or non-operating) (within 1000 metres)	N/A	N/A
An active mine site (within 1000 metres)	N/A	N/A
A rehabilitated or abandoned mine site or mine hazards (within 1000 metres)	N/A	N/A
An active gravel pit or quarry	N/A	N/A
Any industrial use (current or former)	N/A	N/A
Provincial Park or Crown Lands	N/A	N/A
A floodplain	N/A	N/A
Significant wildlife habitat (such as a deer yard) and/or significant habitat of Species at Risk (including but not limited to endangered and threatened species)	N/A	N/A
Lake, river, stream, creek, pond or other water feature	Yes	Yes
Fish habitat	N/A	N/A
Provincially Significant Wetland	N/A	N/A
Any known cultural heritage, archaeological resources and/or areas of archaeological potential?	N/A	N/A
A slope, including a steep and/or unstable slope with an angle of three-to-one (horizontal:vertical) or 18 degrees	N/A	N/A

### 15. Other Planning Applications

Has the property been or is the property currently the subject of any of the following (include file number and status)? Check all that apply:

- ☐ Official Plan Amendment \_\_\_\_\_
- ☐ Consent (Severance) \_\_\_\_\_
- ☐ Plan of Subdivision \_\_\_\_\_
- ☐ Zoning Bylaw Amendment Application \_\_\_\_\_
- ☐ Minor Variance Application \_\_\_\_\_
- ☐ Site Plan Control Application \_\_\_\_\_

### 16. Site Plan Requirements

The site plan will have to be clear and Minimum requirements for a site plan will show the following:

- ☒ The boundaries and dimensions of the subject land.
- ☒ The location, size and type of all existing and proposed buildings and structures, including septic systems, in the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear lot lines, and the side yard lot lines.
- ☒ The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application (including railways, roads, watercourses, drainage ditches, lake, pond, river or stream, banks, wetlands, wooded areas, wells, and septic tanks).
- ☒ The current uses on land that are adjacent to the subject land.
- ☒ The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way.
- ☒ The location and nature of easements and right-of-ways affecting the subject land.
- ☐ If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- ☒ The distance of the proposed buildings or structure to any water features, including, but not limited to, lakes, rivers, streams, creeks and ponds.
- ☒ Any land uses and/or features noted above on Page 8 of this Application.
- ☒ For proposals on waterfront properties, the Municipality recommends including a landscaping plan in the Application to indicate how natural vegetation will be maintained or restored on the property.