PLANNING BRIEF

To: Township of Douro-Dummer Planning Department/Emily Fitzgerald
Prepared by: Nicholas Fegan, Convex Consulting Inc.
Re: Minor Variance Application – 162 Bryson Road
Roll No.: 1522-020-003-22809
Date: August 20,2026

1.0 Introduction and Site Context

This Planning Justification Brief is submitted in support of a Minor Variance application for 162 Bryson Road, Township of Douro-Dummer, to facilitate the reconstruction and enlargement of the existing attached deck and the construction of a new covered porch associated with the existing dwelling. The work responds to deterioration of the existing deck structure and provides improved covered outdoor amenity space. The subject property is located on Clear Lake, is zoned Limited Service Residential (LSR), and is designated Lakeshore Residential with a portion identified as Environmental Constraint Area under the applicable Official Plan. The proposed work is located within the Lakeshore Residential portion of the property. The proposal was reviewed through Township pre-consultation on March 19, 2026, with Township Planning staff, Otonabee Region Conservation Authority, Hiawatha First Nation, and the Owner/Applicant.

2.0 Proposed Development

The proposal consists of the following improvements to the existing dwelling and deck:

- Reconstruction of the existing deck, including replacement of deteriorated foundation posts and deck boards;
- Enlargement of the existing deck and construction of new stairs at the northwest corner;
- Construction of a covered porch over a portion of the enlarged deck;
- Associated roof framing and alterations to the dwelling roof; and
- Replacement of the existing interlock patio with larger stone, with no grading anticipated.

The proposed deck expansion does not propose any lateral expansion from the existing deck, but extends 3m from the existing deck towards the water and provides an additional 40sqm of deck area. It is noted that although the deck is expected to expand towards the water, it is not creating a further reduction in water setback as the existing dwelling is currently 20.5m from the high water mark and the proposed deck expansion will remain 24.47m from the high water mark. The site plan indicates a total lot area of approximately 2,419.44 sqm and proposed lot coverage of approximately 15.65%.

3.0 Requested Variances

The following relief is required to recognize the proposed improvements:

Provision	Requirement	Proposed
Water Yard	30m	20.5m *Existing*
Side Yard	6m	4.41m / 1.9m **Existing**
Lot Coverage	15%	15.65%

The existing dwelling is legally non-complying with respect to its water yard. Section 3.28.1 of Zoning By-law 10-1996 permits enlargement and reconstruction of legally existing non-complying buildings where the deficient setback is not further reduced, subject to the applicable limitations. The proposal does not move the development closer to Clear Lake. The existing deck's approximately 4.41 m western side yard was previously authorized by Minor Variance and the variance was granted for the life of the structure. The current application recognizes that established condition as the deck is substantially reconstructed.

4.0 Planning Policy Analysis

OFFICIAL PLAN

The Lakeshore Residential designation permits the existing single-detached residential use pursuant to Section 6.2.6.2. The Environmental Constraint Area generally prohibits new development and site alteration pursuant to Section 6.2.15.3(a); the proposed work is located within the Lakeshore Residential portion of the property. Section 6.2.6.3(c) establishes a general 30m setback from the high-water mark. The existing dwelling is legally established within the deficient water yard, and the proposed work does not further reduce that water setback. The proposal therefore maintains the principal shoreline objective while permitting reasonable improvements to an existing waterfront dwelling.

ZONING BY-LAW 10-1996

The property is zoned Limited Service Residential (LSR), which permits single detached permanent or recreational dwellings. Section 3.28.1 provides the framework for enlargement, reconstruction, repair and alteration of legally existing non-complying buildings and structures. The requested relief is limited to the identified lateral-expansion limitation, the previously approved reduced western side yard, and the resulting lot coverage of approximately 15.65% versus 15% permitted. The remaining applicable zoning standards are understood to be satisfied, subject to the Township's final zoning review.

PROVINCIAL PLANNING STATEMENT, 2024

The proposal is consistent with the Provincial Planning Statement, 2024. It represents an improvement to an existing residential property rather than new development on an undeveloped waterfront lot. Otonabee Conservation reviewed the proposal during pre-consultation and identified no additional studies required for the planning application. A Conservation Authority permit will be required before the building permit stage. The pre-consultation record also identifies archaeological potential on the property and archaeological requirements raised by Hiawatha First Nation. No conclusions regarding the findings or completeness of any archaeological assessment are relied upon in this Brief; any applicable archaeological requirements can be addressed through the Township's normal approval process.

5.0 FOUR TESTS OF A MINOR VARIANCE

Test 1 – The Variances Are Minor

The requested relief is limited in scope and does not create a new development use or materially alter the established relationship of the property to its neighbours or Clear Lake. The requested lot coverage increase is only 0.65 percentage points from the maximum permitted 15%. The side yard recognizes a previously approved condition, and similarly, the water-yard request for relief is to capture the existing dwelling being closer than the required 30m setback and the proposed deck does not extend further than the existing dwelling. The proposal therefore represents a minor adjustment to existing development standards rather than a substantive change to the character or intensity of the property.

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

The proposal facilitates the continued functional use and maintenance of an existing waterfront dwelling. Reconstruction addresses deterioration of the existing deck, while the covered porch provides useful outdoor amenity space and weather protection. The work remains integrated with the existing dwelling and development area and does not introduce a new residential use or servicing demand. The proposal is therefore a desirable and appropriate improvement to the property.

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

The zoning provisions establish appropriate setbacks and lot coverage while providing a framework for the reasonable improvement of legally existing non-complying buildings. The proposal maintains that intent because the deficient water setback is not further reduced, the western side yard reflects a previously approved variance, and the lot coverage exceeds the permitted standard only marginally. The additional coverage is attributable to a covered porch integrated with the existing dwelling, rather than substantial new development. The requested relief therefore maintains the general intent and purpose of the Zoning By-law.

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

The proposal maintains the established residential use within the Lakeshore Residential designation and does not introduce development into the Environmental Constraint Area. It also respects the Official Plan's shoreline objective by avoiding any further encroachment toward Clear Lake. The proposal represents a reasonable, site-specific improvement to an existing waterfront dwelling and maintains the general intent and purpose of the Official Plan.

6.0 Neighbourhood and Site Context

The proposal is compatible with the established development pattern of an existing waterfront residential property. It does not create a new dwelling, new lot or substantially independent building mass. The covered porch is integrated with the existing dwelling and deck, and the established relationship between the dwelling and shoreline is maintained. The requested relief should therefore be understood as a site-specific accommodation of an existing developed lot, rather than as a precedent for new development within the shoreline setback.

7.0 Conclusion

The proposal is consistent with the applicable planning framework, responds to the constraints of an existing waterfront property, and does not further encroach toward Clear Lake. Approval of the requested Minor Variance is therefore respectfully recommended, subject to the usual conditions and technical approvals considered appropriate by the Township and applicable agencies.

Respectfully submitted,

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