

NOTICE OF PUBLIC HEARING

VARIANCE APPLICATION

Village of Dunnottar

Under authority of *The Planning Act*, the municipal Council will hold a public hearing at the time and location listed below to hear from those who wish to speak in support or objection, or to ask questions. For more info on how to register for the public hearing please contact the municipality at 204-389-4962.

Monday
September 22nd, 2025
10:00 AM

Council Chambers
44 Whytefold Road, Matlock
Village of Dunnottar, MB

Note: property owners are responsible for notifying “tenants”

APPLICATION INFORMATION

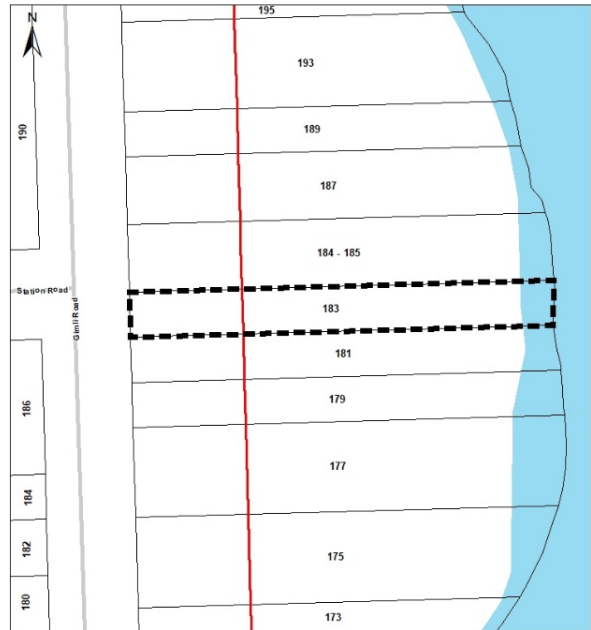
Application File: VO 74, 2025

Applicant: Samuel Pollock and Eve
Dillistone

Property Location: 183 Gimli Road, Village of
Dunnottar
Roll # 91100
Lot *21, Plan 11691L

Application Purpose:

The applicant proposes to reduce the interior side yard setback and permit both an existing shed and existing gazebo in the lakefront yard, in order to allow for a 5' by 6' shed, 9' by 13' shed, and a 10' by 10' gazebo to remain on the subject property.



Variance Request	Zoning By-law Requirement	Proposed by Applicant
Interior Side Yard Setback	5 feet (min.)	1 foot 7 inches
Other Accessory Building Not Permitted in Front Yard	Other Accessory Building Not Permitted in Front Yard	To permit an existing shed and existing gazebo in the lakefront yard

A copy of the above-noted proposal and supporting material is available on the Red River Planning District website at <https://www.redriverplanning.com/hearings.php> or by contacting the Red River Planning District in person during normal business hours Monday to Friday at 2978 Birds Hill Road, East St. Paul, by phone at 204 669-8880, or by email at info@rrpd.ca

VARIANCE APPLICATION REPORT

Date	July 24, 2025
Application File	VO 74, 2025
Applicant	Samuel Pollock and Eve Dillistone

SUBJECT PROPERTY INFORMATION

Property Location	
- Street Address	183 Gimli Road, Village of Dunnottar
- Roll #	91100
- Legal	Lot *21, Plan 11691L
Zoning	"RL" Residential Lakefront zone Village of Dunnottar Zoning By-law 858/08
Development Plan Designation	"SC" Settlement Centre designation RRPD Development Plan By-law No. 272/19
Secondary Plan Designation	N/A
Property Size	0.54 acres in area (+/-) 50 feet in width (+/-) <i>NOTE: Information is based on GIS data</i>

APPLICATION DETAILS / PROPOSAL

Variance Request	Zoning By-law Requirement	Proposed by Applicant
Interior Side Yard Setback (Section 4.3.3, Table 9)	5 feet (min.)	1 foot 7 inches
Other Accessory Building Not Permitted in Front Yard (Section 4.3.3, Table 9)	Other Accessory Building Not Permitted in Front Yard	To permit a shed and gazebo in the lakefront yard

Application Purpose

This application was brought forth by by-law enforcement. Approval of this application will help bring the property into compliance with the Village of Dunnottar Zoning By-law 858/08.

The applicant has the following accessory buildings on their property:

- 10' by 10' gazebo in lakefront yard

- 5' by 6' shed in lakefront yard
- 9' by 13' shed in back yard
- 8' by 12' shed in back yard
- 8.5' by 12' shed in back yard

Of the five accessory buildings on the subject property, three of them need variances, and one of them needs a conditional use application.

The applicant proposes to reduce the interior side yard setback and permit both a shed and gazebo in the lakefront yard, in order to allow for a 5' by 6' shed, 9' by 13' shed, and a 10' by 10' gazebo to remain on the subject property. The 9' by 13' shed, 10' by 10' gazebo and 5' by 6' shed require the side yard setback variance, and the 10' by 10' gazebo and 5' by 6' shed require permission to be in the lakefront yard via a variance.

The 10' by 10' gazebo and 5' by 6' shed are located $\pm 70'$ from the lakefront property line and meet all necessary setbacks from property lines. The 8.5' by 12' shed and 8' by 12' shed in the back yard also meet all necessary setbacks from property lines, as accessory buildings that are at the rear of the principal building have a minimum two-foot side yard setback, which these two sheds meet.

This applicant is also applying for Conditional Use CU 33, 2025 for the same property.

At the time this report was written, no comments were received from the Village of Dunnottar.

MIT Water Review notes that:

The applicant/owner proposes to rectify a setback distance issue with respect to a newly constructed shed on their property.

Available topographic information, obtained by LiDAR, indicates natural ground elevations at the proposed subdivision ranges from approximately 217.32 metres (713 feet) to 220.98 metres (725 feet) CGVD28.

The minimum criteria which Water Management, Planning and Standards is now utilizing in assessing the floor hazard is the 200-year flood or flood of record, whichever is greater. The 200-year flood protection level for this location is approximately 220.07 metres (722 feet) CGVD28. Water Management, Planning and Standards recommends that construction of permanent structures on this subdivision should only occur on lands above or raised to the floor protection level of 220.07 metres (722 feet) CGVD28.

The floor risk should be made known to any potential purchaser.

Manitoba Highways has no concerns for this application, but note the following statutory requirements affecting PR 232:

Statutory Requirements:

Under the Transportation Infrastructure Act, a permit is required from Manitoba Transportation and Infrastructure to construct, modify, relocate, remove or intensify the use of an access. A permit is also required from Manitoba Transportation and Infrastructure to construct, modify or relocate a structure or sign, or to change or intensify the use of an existing structure (including the alteration of existing buildings) within **38.1m** (125ft) controlled area from the edge of the highway right-of-way.

In addition, a permit is required from Manitoba Transportation and Infrastructure for any planting placed within **15 m** (50 ft) from the edge of the right-of-way of this highway.

OPTIONS FOR COUNCIL'S CONSIDERATION

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

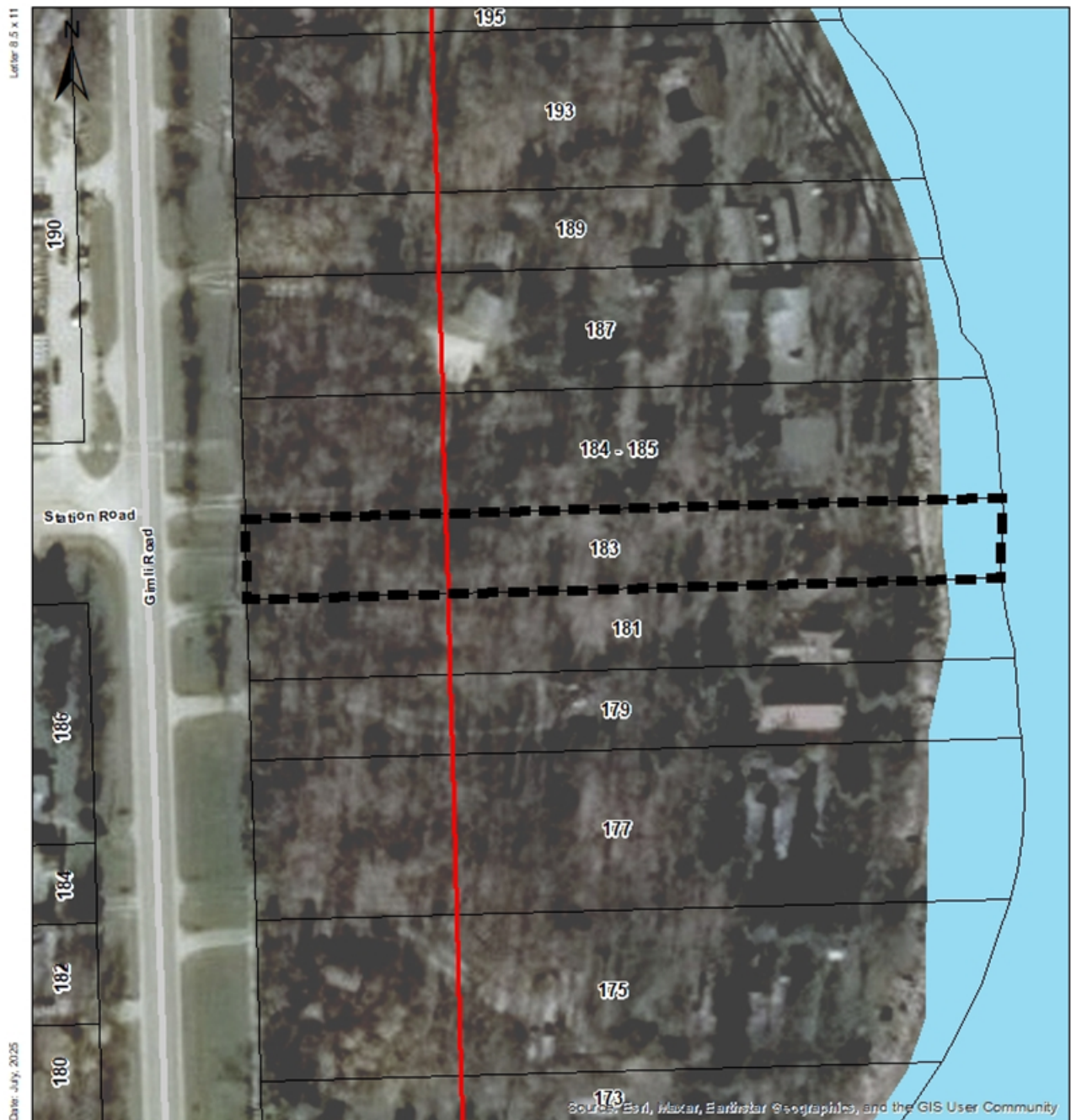
- (a) reject the requested variance; or
- (b) varying the application of specific provisions of the zoning by-law with regard to the affected property in the manner specified in the order if the variance
 - (i) will be compatible with the general nature of the surrounding area,
 - (ii) will not be detrimental 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.

RECOMMENDED CONDITIONS OF APPROVAL

Should Council approve the requested zoning variances, the following conditions are recommended:

1. This variance is limited to what has been presented in this application. Any further changes, replacement or additions would require a new variance approval;
2. Applicant / owner obtains all required permits from the Red River Planning District and the municipality, if required.

RRPD LOCATION MAP



SUPPORTIVE MAPPING

Variance Order VO 74, 2025
183 Gimli Rd, Village of Dunnottar

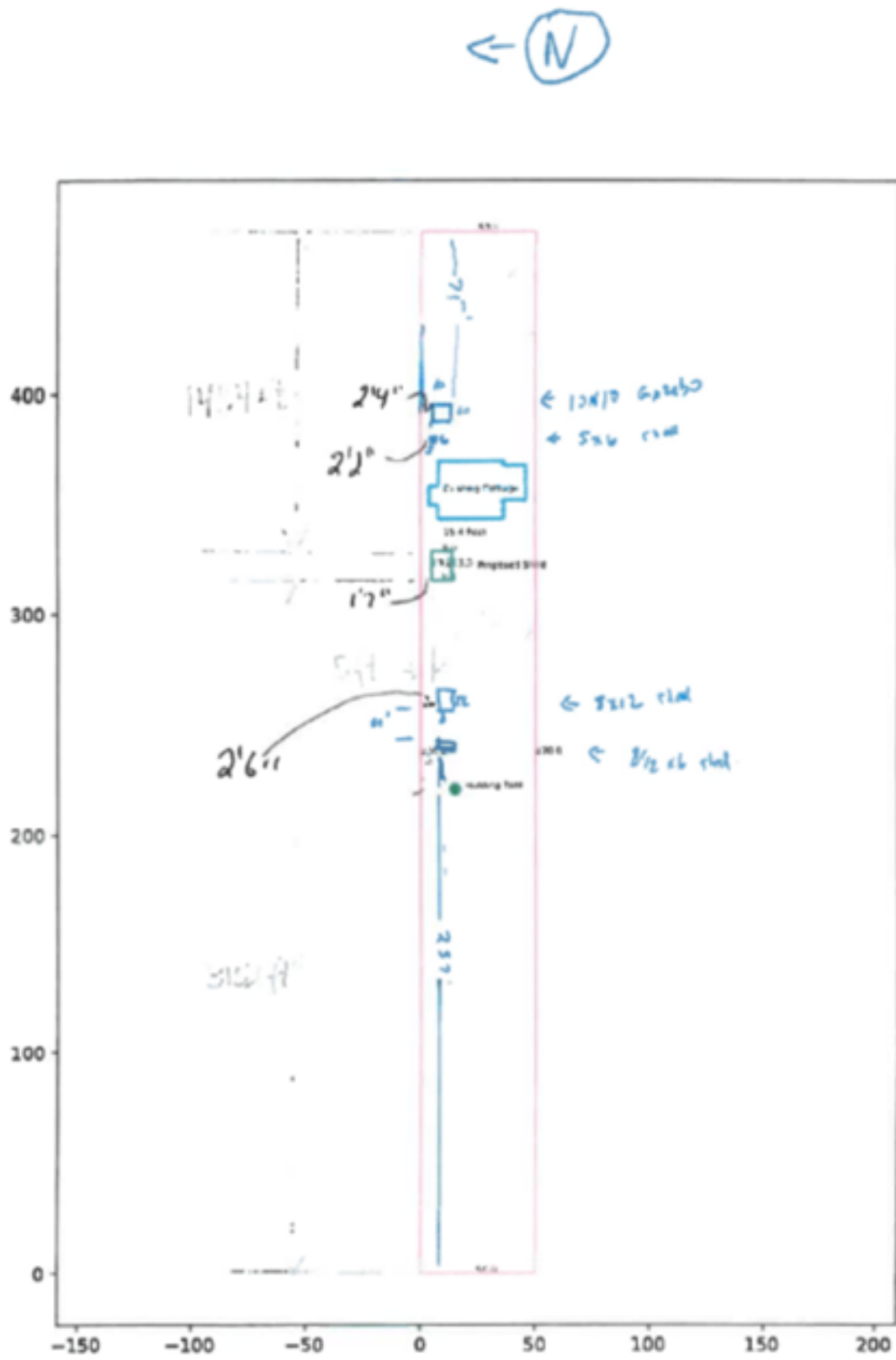
Designation: "SC" Settlement Centre
Zoning: "RL" Residential Lakefront

Terms of Use/Disclaimer: All information is for display and estimate purposes only and is provided "as-is". The accuracy of information contained cannot be guaranteed and is in no way a legal representation of the municipality.

- Subject Property
- Highway Control Zones
- Roads
- Parcel Outline
- Water Bodies



ADDITIONAL INFORMATION – SITE PLAN



183 Ginn Road.

ADDITIONAL INFORMATION – LETTER OF INTENT

Letter of Intent re 183 Gimli Road Zoning Variance

July 20, 2025

To whom it may concern:

This is a request for multiple variances, and is meant to replace the original Letter of Intent that we submitted to your office on July 10, 2025.

For clarity, as per your planning documentation, since this is a lakeside property, the lakeside is considered to be the “front yard”, with the street side as the “backyard”.

New 9x13 Shed Located in the Backyard - 183 Gimli Road

Due to a mistake in determining the property line location and setback requirements, the new backyard shed at the above location does not meet the minimum setback requirements to the north side property line:

- Regulatory setback for a backyard accessory structure: 2 ft
- Actual setback: 1 ft 7 in

Consequently, we are requesting a variance to reduce the north side backyard setback by 5 inches for this shed ($2' - 1'7" = 5"$).

All Other Accessory Structures Along the North Side of the Property not Meeting the Minimum Required Distance

We would further like to request that the above-listed variance would also apply on a broader scale, to cover all other accessory structures along the north side of the property, that do not meet the minimum required distance to the north property line:

- Regulatory setback for a front yard accessory structure: 5 ft
- Regulatory setback for a backyard accessory structure: 2 ft

The 5x6 Shed Located in the Front Yard - 183 Gimli Road

We would like to request a variance to retain the 5x6 shed in its current location, in the front yard. We understand now, that an accessory structure such as this is not permitted in a front yard.

The 10x10 Gazebo Located in the Front Yard - 183 Gimli Road

We are submitting a *Conditional Use Application*, to allow the 10x10 gazebo in its current location, in the front yard. We recently became aware of the requirement to submit this form and a fee.

Please note that this structure amply meets the minimum 15 foot offset to the water boundary (east side property line).

Thank you,
Sam Pollock and Eve Dillistone