



**NOTICE OF DECISION OF
COMMITTEE OF ADJUSTMENT
WITH REASONS RE APPLICATION FOR**

File No.
02-MV-2024



Minor Variance – s.45 (1)



Permission – s.45 (2)

MUNICIPALITY OF SOUTH DUNDAS COMMITTEE OF ADJUSTMENT

Name of Committee

RE AN APPLICATION BY

Gisele Mitrow & Normand Dessureault

Name of Applicant

19 St. Lawrence Street

Address of Applicant

LOCATION OF PROPERTY

PLAN 29 BLK 19 PT LOT 35

Brief description

PURPOSE OF APPLICATION To increase the maximum building height from 6 m to 8.2 m for an accessory building in the “Residential Second Density – Special Exception 4 (R2-4)” Zone.

As set out in application

WE, the undersigned, in making the decision upon this application, have considered whether or not the variance requested was minor and desirable for the appropriate development or use of the land, building or structure, and that the general intent and purpose of the zoning by-law and the official plan will be maintained or, in the case of a change in a use of property which is lawfully non-conforming under the by-law, as to whether or not this application has met the requirements of subsection 45 (2) of the *Planning Act*, concur in the following decision and reasons for decision made on the **22nd day of March, 2024.**

DECISION: Granted
CONDITIONS: None
REASONS FOR DECISION: No comments from agencies circulated on the request. Eight letters in support of the minor variance were received.
The requested variance is based on the proposed design of the detached accessory building exhibiting similar design characteristics of the 1870's single detached dwelling to maintain a cohesive design on the property, and along the street. The existing house has a Victorian-style ornamental cupola and in keeping with the style, of the one being proposed on the proposed accessory building. Given the scale of the existing dwelling, the proposed building will offer a suitable transition with the neighbouring home. The proposal is minor in nature.
The variance would allow a comparable design across the entire property and would blend into the neighbourhood suitably. Carriage houses were common in the Victorian age, the proposal would allow for a personal workshop and maintenance storage on the main floor, with room for additional storage on the second floor. The proposal is desirable and appropriate development.
The intention of the height calculation is for accessory buildings built on a lesser side yard and rear yard setbacks. Things that are important to consider in height variances include, shadow, of which the dwellings to the north are setback further than the minimum front yard setback of 6 m. This allows for a larger front yard on the north side, and a less confined streetscape along both sides of the road. The proposal conforms to the general intent of the Zoning By-law.
The municipality does not have any design criteria at this time though the Official Plan states that residential development of different heights may be permitted where the scale and character is in keeping with existing or planning surrounding residential heights. This provision in the Official Plan speaks directly to the historical character of St. Lawrence Street and First Street. The landowner has proudly kept the visual design elements and scale of the existing house in mind in relation to the design of the new accessory building. This thereby contributes to the cultural heritage of this neighbourhood. The proposal conforms to the general intent of the Official Plan.

Signature of member

Signature of member

