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Planning Rationale for Minor Variance November 16, 2026

23 Drummond Street West, Perth ON
Carriage House restoration

1.0 Introduction

Andrea Gummo Planning & Heritage Consulting has been retained by Foolhardy to act as agent to prepare and submit an application for minor variance for the property known municipally as 23 Drummond Street West. In addition to this planning rationale describing the application for minor variances, please find enclosed the following for your consideration:

- Completed Application form for minor variances;
- Completed authorization form, signed by the property owners;
- Completed Pre-Consultation form September 3, 2026;
- Elevations, RAW Architects, July 16 2026;
- Site Plan, RAW Architects, September 18 2026.

2.0 Site Information and Context

The subject property is located on the east side of Drummond Street West and creates a through lot between Boulton Street to the north and D'Arcy Street to the south. The property contains a residential dwelling and associated carriage house, which is accessed from Boulton Street but faces Drummond Street and the rear of the main dwelling in a traditional configuration.

The subject property is designated Residential in the Official Plan and zoned R4-26 (former R3-3), Residential Medium Density Exception 26, a site-specific zone that was introduced to permit the past use of the property as an inn and restaurant. Accordingly, Section 8.1.3.21.a of the Official Plan introduces a site-specific exception to the Residential designation to allow this former commercial use.

These site-specific policies apply to the prior inn and restaurant/event use of the subject property, with an intent of minimizing impacts on surrounding residential uses. The policies include a restriction on new structures and a maximum building coverage that does not apply to the current residential use of the property. The policies confirm that residential uses continue to be permitted on the property, and, "In the event the Inn ceases to operate on the land, then the restaurant and the permitted ancillary and incidental uses shall also cease and the land and buildings shall revert to residential uses".

The current use of the property is as a single detached dwelling with an additional dwelling unit (Carriage House). These uses were legally established prior to the passing of the new Zoning By-law 5276. The carriage house is an accessory use on the property that has aspects that are considered legal noncomplying due to its historic character and construction.

3.0 Proposed Development

The proposal is part of an ongoing project to restore the historic buildings (main dwelling and carriage house) and traditional garden of the subject property. The application for minor variance is requested to allow restoration of the carriage house, including a small increase in the height of the building, and the installation of a single chiller unit to support updated utilities for the main dwelling.

No new residential units are proposed to be introduced to the property. For greater clarity, this application has no impact on the use of the property, but seeks permission for a slight expansion in the height of a noncomplying building (carriage house) and for the establishment of a single chiller unit that would normally be permitted in a side yard. Due to the unusual configuration of the lot with three street frontages, the Boulton Street frontage is considered to be the front yard by the zoning bylaw, which requires larger setbacks. In terms of function and the configuration of the lot, the Drummond Street frontage is the front yard, and is not impacted by this application.

4.0 Variances Requested

The historic use of the property means that many elements of its development do not meet modern standards. For example, as discussed above, although the subject property is oriented facing Drummond Street West, the zoning by-law defines the Boulton Street frontage as the front lot line. This requires several additional variances since what is technically considered the front yard is performing as an exterior side yard.

As discussed with Town staff at the Pre-Consultation meeting on August 20 2026, there is a preference to confirm through this application additional legal noncomplying aspects of the proposal. As such additional variances are included but for clarity are identified either as being existing conditions and therefore legal noncomplying, or as being a new proposal for the property.

Existing Conditions:
Front Yard

1. Minimum front yard (Boulton Street) 6 m required, existing is 4.9 m
2. Maximum projection of eaves into front yard is 1.2m, existing is 0.1 m
3. Maximum accessory building in a front yard is zero, existing is one (4.1.1e)

Interior Side Yard

4. Minimum interior side yard 1.5 m required, existing is 0.33 m

5. Maximum habitable room windows facing an interior side lot line where setbacks are deficient is zero, existing is 5 windows (4.2 k)

Accessory Dwelling Requirements

6. The additional dwelling unit and additional dwelling shall be connected to the same water supply and sewage disposal system as the principal dwelling (4.2 c), existing is same water but separate sewage

New Proposal:

1. Maximum height of an additional dwelling is 4.5 m, existing is 5.45 m, proposed is 5.9 m
2. Maximum projection for single chiller unit into front yard is 1.2 m, requesting 5 m
3. Minimum setback of 30 cm for all eaves, soffit, fascia or roof extensions for accessory buildings, requesting 0 (4.1.1q)

5.0 Four Tests of a Minor Variance

The Four Tests of a minor variance are required by the *Planning Act* to be applied to any request made to the Committee of Adjustment for relief from a zoning by-law. The requested variances meet the four tests as described below.

5.1 Maintains the General Intent and Purpose of the Official Plan

The proposed minor variances maintain the general intent and purpose of the Official Plan. The subject property is designated Residential and the proposal supports an ongoing residential use that is compatible with surrounding residential uses.

Section 8.1.1.c of the Official Plan states: “Within existing neighbourhoods, the focus will be on maintaining the housing stock in good repair ... Development/redevelopment will only be permitted provided there is no adverse effect to existing surrounding development.” The subject application seeks to restore existing housing stock with no negative impacts to the surrounding residential neighbourhood.

As part of the Official Plan’s Strategy for Economic Development, Section 4.4.B.4 states the intent to “Ensure the maintenance of the building stock and the heritage resources and values which contribute to the community's image.”

While the property is not a protected heritage property or designated under the *Ontario Heritage Act*, it has potential heritage significance according to the Appendices of the Official Plan and at minimum contributes to the heritage character of the Drummond Street landscape and as part of the built form of the community as it existed in 1880. The Official Plan highlights “the importance of heritage to the economic base, visual aesthetics and landscapes of the community. Heritage is a theme which threads its way throughout the Plan since it is an integral component of community development and redevelopment.” (Section 3.5)

Section 9.12.13.2 of the Official Plan provides criteria for determining when expansions to non-conforming uses are desirable. Applicable considerations include that the

extension does not aggravate the non-conforming situation for neighboring uses, and the extension is in reasonable proportion to the existing use and to the land on which it is to be located. These criteria are met by the proposal which includes a modest increase in height for the carriage house that will have no negative impacts on surrounding uses. The additional height requested is in reasonable proportion to the main dwelling. The slight expansion is desirable because it supports the ongoing use and maintenance of the subject property through restoration of the historic buildings which will ensure their long-term conservation.

5.2 Maintains the General Intent and Purpose of the Zoning By-law

The proposed minor variances maintain the general intent and purpose of the zoning by-law, which includes specific provision for the continuation of nonconforming and noncomplying buildings: “nothing in this By-law shall prevent the repair or replacement in whole or in part, or the strengthening to a safe condition of a [non-conforming or non-complying] use, building or structure.” The requested minor variances are primarily to recognize the existing carriage house, with a modest increase in height requested in order to support the livability of the accessory dwelling.

The intent of the zoning By-law is also met with respect to its intended regulation of front and side yards. Front yards are subject to additional setbacks and prohibitions in order to maintain local streetscape character. However, the subject property has an unusual configuration as a “through lot” between two streets, giving it three street frontages. This exact configuration is not contemplated by the By-law.

When through lots are also corner lots, the By-law states that the lot will be considered as a corner lot. It further states “In the case of a corner lot, created by the intersection of two streets, the shorter lot line abutting a street shall be deemed to be the front lot line and the longer lot line shall be deemed to be the exterior side lot line of the lot.”

In the case of the subject property, this means that the functional front yard, the Drummond Street frontage, is considered the exterior side yard, while the Boulton Street frontage is considered the front. This is actually contrary to the intent of the By-law and requires variances for the proposed development, which meets the By-law’s intent to regulate the front yard.

5.3 Desirable and Appropriate for the Development or Use of the Lands

The requested variances are desirable and appropriate for the development and use of the lands, as they support the ongoing use and maintenance of the historic buildings. Many other performance standards of the By-law are met or exceeded by the subject property’s current configuration and are not proposed to change. These standards include parking, lot size, lot coverage, landscaped open space, and rear and exterior yard requirements.

The slight increase in height proposed by the restoration of the carriage house will not have a negative impact on surrounding properties or the streetscape, and will maintain the heritage character of the neighbourhood. The proposal represents good land use planning.

5.4 Minor in Nature

The variances requested are minor in nature. Most of the requested variances are requested to recognize existing legal noncomplying conditions, which do not meet modern development standards due to the historic nature of the buildings on the property.

The increase in height requested for the carriage house is only 1.4 m taller than permitted for additional dwellings, and is only 0.45 m taller than currently exists. The carriage house is subordinate in terms of height and footprint relative to the main dwelling, as intended by the By-law requirements for accessory dwellings.

The request for relief from front yard projections for the single chiller unit is a result of the By-law's consideration of Boulton Street to be the front yard of the property based on lot shape, despite the subject property's orientation to Drummond Street West. The Boulton Street frontage functions as an exterior side yard. If the By-law considered this to be an exterior side yard, the location of the single chiller unit would not require *Planning Act* permissions.

6.0 Conclusion

In conclusion, the requested application for minor variances represents good land use planning for the reasons outlined above. It is consistent with the Provincial Planning Statement, 2024.

Should you have any questions please do not hesitate to contact the undersigned.

Sincerely,



Andrea Gummo MCIP RPP