



## Committee of Adjustment

Report N° PE2026-014

Date received: 10/02/2026

Date of the meeting: 04/03/2026

Submitted by: Sarra Dai

Subject: Minor variance

File no : D-13-26-03

Owner : Jean-Emmanuel Daoust

Applicant : Jean-Emmanuel Daoust

Civic address: 437 Butler Rd

Legal description: CON 8 Pt Lots 17-18; RP50R7667 Part 1

## General information

Designation of the Official Plan of the United Counties of Prescott and Russell:

Rural

Designation of the Official Plan of the Urban Area of the City of Clarence-Rockland:

N/A

Classification of Zoning By-Law No. 2016-10:

RV1

Services:

- Municipal water: NO
- Municipal Sewer: NO
- Road access: Butler Rd

## Purpose

The purpose of this application is to request a minor variance to allow a height of 5.74 m for a proposed detached garage on a property zoned Village Residential First Density (RV1). This variance is required because Section 4.1 of the Zoning By-law limits the maximum height of accessory buildings to 5.0 m in community residential zones. The requested modification would allow the garage to be constructed as proposed, ensuring architectural consistency and visual harmony with the existing house, while maintaining a placement that complies with the other applicable provisions of the Zoning By-law.

## Variance requested

Zoning provision	Permitted	Proposed
Maximum height for accessory buildings (such as a detached garage)	5.0 meters	5.74 meters

## Conditions and Comments Received

### Finance Department:

Minimal outstanding balance from 2025 tax year.

### Infrastructure Services:

No comments were provided by this department.

### Protective Services:

No comments were provided by this department.

### Construction Division:

No comments

### United Counties of Prescott and Russell:

No comments

### South Nation Conservation:

No comments

### Planning Services:

A building permit application (File No.2025-0288) was submitted in September 2025 for the construction of a detached garage on the property located at 437 Butler Road. The submitted plans show that the proposed detached garage does not comply with the maximum permitted height of 5.0 m in a community residential zone, as specified in Section 4.1 of the Zoning By-law for accessory buildings in these zones. Instead, the proposed garage has a height of 5.74 m. However, the applicant intends to harmonize the roof pitch and overall proportions of the garage with those of the existing house, which would support architectural consistency and a more uniform visual integration. The proposal also maintains a placement that complies with the other applicable provisions of the Zoning By-law.



Image 1 – Location of subject property



Image 2 – Site plan that was submitted, showing the location of the proposed detached garage.

#### Four tests

- I. The general intent and purpose of the Official Plan are maintained:

The property is designated “Rural” under the Official Plan of the United Counties of Prescott and Russell, where residential uses and their accessory buildings are permitted. The request seeks to allow a slightly greater height for a detached garage in order to ensure better architectural harmony with the existing dwelling. The garage remains an accessory use that is compatible with the residential character of the area. Therefore, the application maintains the general intent and purpose of the Official Plan.

- II. The general intent and purpose of the Zoning By-law are maintained:

The Zoning By-law establishes a maximum height of 5.0 m for accessory buildings in community residential zones to ensure compatible massing and to avoid an excessive visual presence. The proposed garage complies with all other applicable provisions (setbacks, placement, lot coverage), and the increased height is intended to align the garage’s architectural style with that of the main dwelling. The purpose of the regulation—ensuring compatibility and preventing disproportionately scaled structures—remains upheld.

- III. The variance is minor:

The requested variance represents an increase of approximately 14.8% (an additional 0.74 m beyond the maximum permitted height of 5.0 m). This increase does not create any negative impacts on neighbouring properties, does not obstruct views, does not affect sunlight access, and does not alter the function of the lot. The garage remains proportional and well integrated

into the site. The extent of the deviation is considered minor and does not undermine the intent of the By-law.

IV. The proposed use of land, building or structure is desirable for appropriate development:

The proposed detached garage is a functional addition that aligns with the residential use of the property. The modest height increase allows for a more visually cohesive design with the existing dwelling while remaining compatible with the rural character of the area. The project does not generate any negative impacts and represents appropriate and desirable development.

#### [Recommendation from the Planning Division](#)

That the Committee of Adjustment approve the Minor Variance application submitted by Jean-Emmanuel Daoust, for the property known as 437 Butler Road, to permit an increase in the maximum permitted height of a detached garage (accessory building) from 5.0 meters to 5.74 meters, representing an increase of 0.74 meters (approximately 14.8%).

Que le Comité de dérogation accepte la demande de dérogation mineure soumise par Jean-Emmanuel Daoust, pour la propriété située au 437, chemin Butler, afin de permettre une augmentation de la hauteur maximale autorisée pour un garage détaché (bâtiment accessoire) de 5,0 mètres à 5,74 mètres, représentant une augmentation de 0,74 mètre (environ 14,8 %).

#### [Attachments:](#)

- Site Plan