

# Memo

**To: The Town of Niagara-on-the-Lake  
Committee of Adjustments, Public Works Department and Town Council**

**From: Teresa Brzezniak Arnold**

**RE: 471 Line 1 Road Niagara-on-the-Lake LOS 1J0 application for Re-zoning and Severance**

**An application has been submitted by NPG Planning Solutions Ltd., on my behalf, Teresa Brzezniak Arnold, for 471 Line 1 Road requesting to re-zone the property from RD to R2 along with a Consent to Sever application. This memo concerns the land dedication on the new lot being created, requested by The Town at the pre-consultation meeting.**

I grew up in Niagara-on-the-Lake, and 471 Line 1 Road was my childhood home, which I have now owned for almost 34 years. I saw Line 1 Road transform from a narrow tree lined gravel road to the current 20m paved road.

So, you can imagine my surprise to learn of a plan for Line 1 Road's right-of-way (ROW) to be widened to 26m and the Town's request that I "dedicate" 3m of frontage on the new lot being created, as part of the severance conditions. The 20m roadway already seems substantial as it provides a single lane of traffic in each direction with significant space at 20m to provide sidewalks to match the roadway design further east along Line 1 Road all the way to Henry Street.

I am requesting reconsideration of the "dedication" of 3m for a right-of-way (ROW) on Line 1 and allowing to me an exemption, as justified by the following:

1. Precedent is set when new lots were created on Line 1 Road without having to reduce their lot depth by the 3 meters for future right-of-way (ROW) to be approx. 26 meters:
  - 475 Line 1 new lot created in 2013 depth of lot approx. 61 meters (east side of 471 Line 1)
  - 465 Line 1 new lot created in 2017 depth of lot approx. 61 meters (west side of 471 Line 1)
  - 463 Line 1 new lot created in 2017 depth of lot approx. 61 meters (west side of 471 Line 1)

2. The new lots mentioned above have the same depth as my current property at 471 Line 1 Road (approx. 61 meters) as well as my proposed new lot. To now require that one new lot have a further set back of 3m seems unnecessary.

The photograph below shows the current property post and where the property line would be located on the proposed new lot, if 3m were “dedicated” to the town to increase the ROW to 26m. The photograph is looking west towards the 2 new lots created in 2017, 465 Line 1 Road and 463 Line 1 Road. These lots set a precedent for not providing the dedication. The houses built on these lots would have dysfunctional driveways with a reduced frontage of 3m for a ROW of 26m. Also, to now have one new lot with a setback of 3 meters would be out of character with the neighboring new lot properties.

The photograph shows that at 20m there still is a significant amount of ROW space currently to allow for sidewalks and other road enhancements.

Figure 1 - Illustration of the additional 3 meters added to the existing ROW looking west towards 465 & 463 Line 1 Road



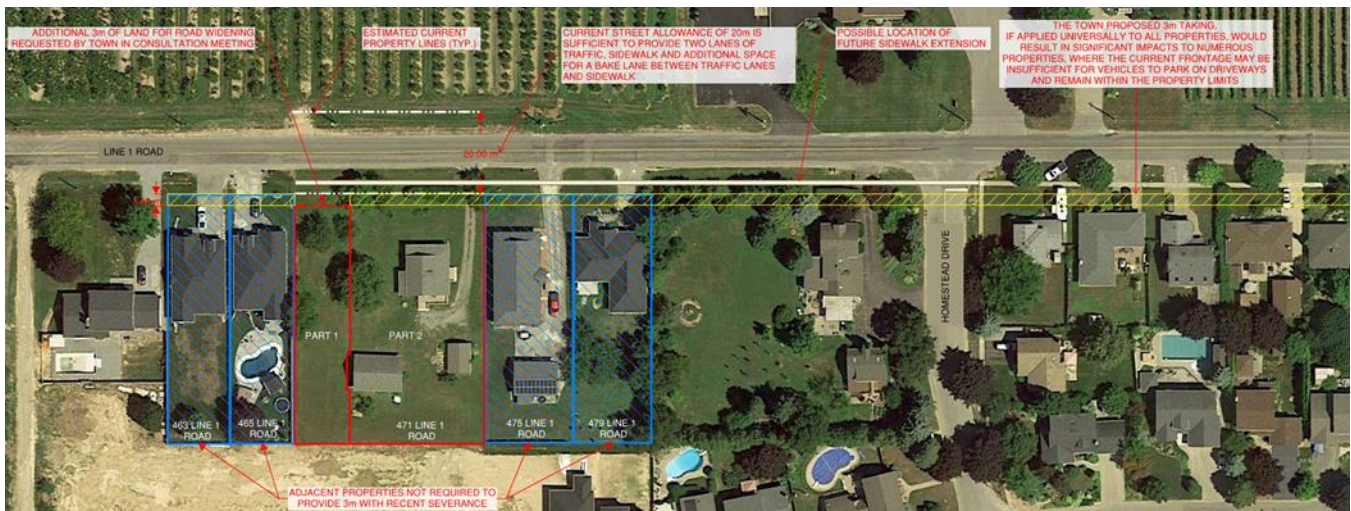
Source: Photo by Teresa Brzezniak Arnold

3. Below is an aerial diagram showing the impact of the Town’s proposed acquisition of 3 meters frontage to accommodate a 26m ROW on 471 Line 1 (Part 1) plus the impact on the residential properties along the south side of Line 1 Road.

Widening the road on the south side of Line 1 Road may not be feasible as many of the existing houses do not have sufficient frontage and would result in very few properties being able to park vehicles on their driveway and remain within the property limits.

Additionally, it should be noted that there are large mature trees located along the south side of Line 1 Road between Henry Street and Concession 6 road which should be preserved and protected.

Figure 1 - Impact of an additional 3 meters removed from existing frontage



Source: Prepared by Teresa Brzezniak Arnold

4. Regarding Niagara-on-the-Lake street design guidelines, it was confirmed by email from Patricia Bauer, Customer Experience Representative of Town of Niagara-on-the-Lake (August 22, 2022) that:

*“The Town does not currently have a Complete Streets Design Guidelines document. We have been working with the Region in the development of a Complete Streets Design Guidelines for Regional Roads which is nearing completion.*

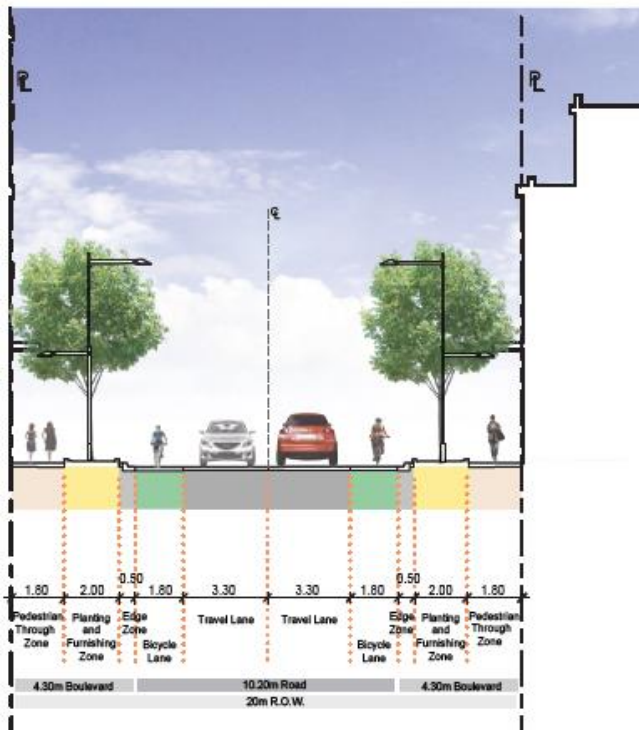
*The Town's Draft Transportation Master Plan recommends that the Town adopt the Regional design guidelines until such time as a review is undertaken to adapt the guidelines to a local context.”*

The Town’s plan to update Line 1 Road between Concession 6 and Creek Road, with sidewalks and bicycle lanes, can be accommodated on a 20m road, using one of the Regional designs. Below, please see a very reasonable, functional and community friendly 20m wide road design based on the Niagara Region street design examples. This design offers sidewalks on both sides of the road, as well as bike lanes and planting and furnishing zones.

By using a plan with a similar design to the one below, there would be no disruption to the current properties or to the green Lane space on the south side of Line 1 from Concession 6 going east to Henry St.

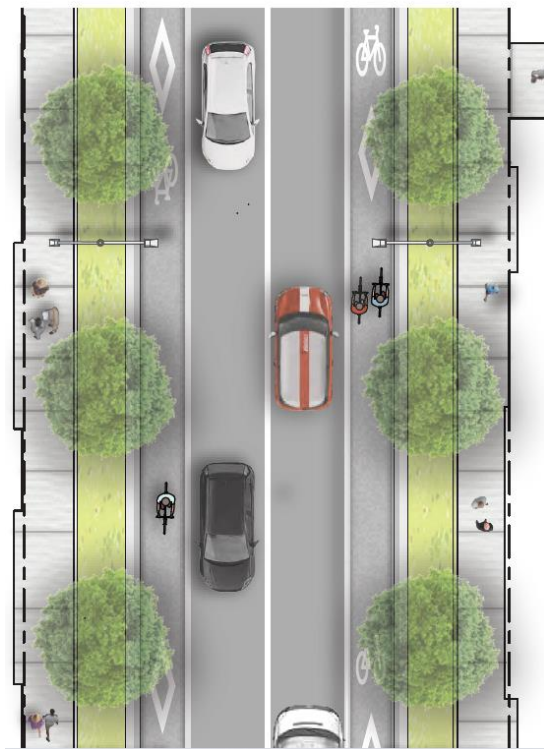
Figure 2 – 20m ROW by the Niagara Region

**URBAN GENERAL - NARROW (20m R.O.W.)**



Source: Page 16 Niagara Region Transportation Master Plan  
Niagara Region Complete Streets Design Guidelines June 2017  
by IBI Group in association with Parsons and Brook McIlroy

Figure 3 - Aerial view of the 20m ROW by the Niagara Region



Source: Page 16 Niagara Region Transportation Master Plan  
Niagara Region Complete Streets Design Guidelines June 2017  
by IBI Group in association with Parsons and Brook McIlroy

**The point of this memo is to kindly request that the dedication of land, which is a condition for the severance application, be exempted or removed from my Consent to Sever application.**

This is based on the precedents established by previous severance applicants who were successful in their applications to create new lots and who **did not** dedicate 3m of property frontage for road widening. Reasons have been presented for keeping Line 1 at 20m. Diagrams have shown how a 26m roadway would impact the property owners along the south side of Line 1 and that there are other options available to enhance the road that seem more feasible. By keeping Line 1 at the current ROW of 20m, there is no need for an additional 3 meters of property being dedicated to the Town upon the severance and creation of the new lot at 471 Line 1 Road Niagara-on-the-Lake.

**Thank you for taking the time to read my memo.**

**Best Regards,**

**Teresa Brzezniak Arnold**