



Planning Justification Brief

Consent & Minor Variance Applications

2052 York Road, Niagara on the Lake

For: Christopher Adams

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1.0 Introduction

NPG Planning Solutions Inc. (“NPG”) is the planning consultant for Christopher Adams (the “Owner”), who owns approximately 0.25 hectares of land located at 2052 York Road in the Town of Niagara-on-the-Lake (the “Subject Lands”). NPG has been retained to provide professional planning advice in support of proposed consent and minor variance applications, which seeks to sever the Subject Lands to create one (1) additional residential lot for the development of a future single detached dwelling.

The Owner proposes to sever approximately 1,692 m² of land, referred to as *Part 1*, for future residential development. The retained portion of the Subject Lands, which contains an existing single detached dwelling, is referred to as *Part 2*. To facilitate the severance, applications for consent and minor variances are proposed.

This Planning Justification Brief (“Brief”) provides a professional planning analysis of the proposed lot creation and associated variances. It evaluates the proposal in the context of applicable provincial and local planning policy, including the Provincial Planning Statement (“PPS”), the Greenbelt Plan, the Niagara Escarpment Plan (“NEP”), the Town of Niagara-on-the-Lake Official Plan (the “Town’s OP”), and Zoning By-law No. 4316-09.

Sections 5.1 and 5.2 of this report evaluate the proposed applications in the context of applicable provincial and regional planning policies. Section 5.3 examines the proposal’s conformity with the general policy direction of the Town’s OP. Section 6.0 provides an analysis of the requested minor variances and assesses their appropriateness. A Streetscape Study is included in the Appendices to assist with the evaluation.

2.0 Description of Subject Lands and Surrounding Area

2.1 Description of the Subject Lands

The Subject Lands consist of an existing single detached dwelling located at 2052 York Road (**see Photo 1**), within the Minor Urban Centre of Queenston, in the Town of Niagara-on-the-Lake. The property is designated Low Density Residential in the Town’s Official Plan (“Town’s OP”) and is zoned Established Residential (ER2) under Zoning By-law 4316-09. The Subject Lands are located within the Niagara Escarpment Plan (“NEP”) Area but are not within the Area of Development Control. The rear of the Subject Lands contains Significant Woodlands which are recognized as a Key Natural Heritage Feature in the NEP.

The Subject Lands are currently accessed by two (2) existing driveways off York Road. The north driveway provides access to the front of the existing single detached dwelling (**see Photo 2**), while the south driveway leads to the primary parking area of the existing dwelling (**see Photo 3**). The Subject Lands are characterized by a significant slope, with

an elevation change of approximately 11 metres from the front to the rear of the Subject Lands.

2.2 Site Photos

The photos below were taken on July 4th, 2025, and are intended to further contextualize the Subject Lands.

Photo 1 - Existing Single Detached Dwelling



Photo 2 – North Driveway



Photo 3 – South Driveway



2.3 Surrounding Contextual Analysis

Figure 1 - Aerial Context



- North:** To the north of the Subject Lands are predominantly agricultural lands and natural heritage lands, located outside of the Urban Boundary of Queenston. The lands to the north are located within the Niagara Escarpment Plan area.
- East:** To the east of the Subject Lands are single detached dwellings within the Minor Urban Boundary of Queenston.
- South:** To the south of the Subject Lands are single detached dwellings within the Minor Urban Boundary of Queenston.
- West:** To the west of the Subject Lands are single detached dwellings within the Minor Urban Boundary of Queenston.

3.0 Proposed Development

The proposal is for a consent to sever the Subject Lands, in order to create one (1) new parcel for the development of a future single detached dwelling (“Part 1”). The existing southern driveway will be repurposed as the primary access for Part 1. The retained parcel (“Part 2”) will contain the existing single detached dwelling, which will be accessed via the existing northern driveway. No new entrances onto York Road, a Regional Road, are required to accommodate the proposed development.

To facilitate the proposed development, several minor variances are required under Section 45(1) of the *Planning Act*. The Consent Sketch prepared by Chambers and Associates Surveying Ltd. (excerpt in **Appendix A**) illustrates the proposed consent, which is summarized in Table 1 below. Table 1 also outlines the required minor variances.

Table 1 – Summary of Consents

Application	Description	Corresponding Part on Consent Sketch
Consent #1	<p>Creation of Part 1: Refers to the proposed severance of a 1,692 m² portion of the Subject Lands to accommodate a future single detached dwelling.</p> <p>The proposed lot will have 18.29 metres of frontage along York Road.</p>	Part 1
Minor Variance #1	Reduce the minimum lot frontage on Part 1 from 30 metres to 18.29 metres.	
	Increase the maximum building face percentage on Part 1 from 50% to 67%.	

Application	Description	Corresponding Part on Consent Sketch
Consent #2	<p>Creation of Part 2: Refers to the retained portion of the Subject Lands following the severance of Part 1.</p> <p>The retained lot will have 18.29 metres of frontage along York Road and a depth of 44.76 metres. Part 2 contains the existing single detached dwelling currently located on the Subject Lands.</p>	Part 2
Minor Variance #2	Reduce the minimum lot frontage on Part 2 from 30 metres to 18.29 metres.	
	Increase the maximum building face percentage on Part 2 from 50% to 67%.	
	Reduce the minimum lot area on Part 2 from 1,350 m ² to 818 m ² .	

4.0 Supporting Studies Review

The pre-consultation notes indicated the following requirements for the consent and minor variance applications:

- Consent Sketch
- Natural Heritage Evaluation
- Building Elevations
- Tree Inventory and Preservation Plan
- Stage 1-2 Archaeological Assessment
- Property Index Map and Parcel Registers
- Streetscape Study

4.1 Consent Sketch

A Consent Sketch of the Subject Lands, prepared by Chambers and Associates Surveying Ltd. and dated July 21, 2025, illustrates Part 1 (the proposed lot) and Part 2 (the retained lot), including the proposed lot dimensions, the location of a conceptual single-detached dwelling, and associated building setbacks.

4.2 Natural Heritage Evaluation

A Natural Heritage Evaluation (“NHE”), prepared by GEI and dated July 2025, has been completed for the Subject Lands. As part of the NHE, both background research and field

studies were undertaken to identify key natural heritage features located on or adjacent to the Subject Lands. The following features were identified:

- Significant Woodlands
- Significant Wildlife Habitat
- Habitat of Endangered and Threatened Species

These features are recognized as Key Natural Heritage Features under the Niagara Escarpment Plan (“NEP”). While the NEP does not specify prescribed buffer setbacks for such features, appropriate setback distances were evaluated based on the physical characteristics, ecological function, and sensitivity of each feature. Following the background research and field studies, the NHE recommends a 10-metre vegetation protection zone from the outer limit of the identified key natural heritage features to ensure their protection from potential development-related impacts.

Further details regarding the methodology, findings, and recommended mitigation measures are outlined in the NHE, which is included as part of this submission.

4.3 Building Elevations

Conceptual building elevations, floor plans and site plan for the future single detached dwelling have been prepared by Jason Pizzicarola Design – Architects Inc. These materials are provided to illustrate the potential architectural style, scale, and site placement of a future dwelling on Part 1.

4.4 Tree Inventory and Preservation Plan

A Tree Inventory and Preservation Plan Report (“TIPP”) was prepared by Jackson Arboriculture Inc., dated July 29, 2025. The purpose of the TIPP is to assess the potential impacts of the proposed development on trees documented within the study area. A total of 39 trees were inventoried on the Subject Lands, within the municipal road allowance, and on adjacent lands within a 6-metre radius. Of these, ten (10) trees are proposed for removal to facilitate the development. One (1) of the trees identified for removal is classified as weed tree and is not regulated under the Tree By-law. The remaining trees are to be retained and protected through the implementation of appropriate tree preservation measures.

4.5 Stage 1-2 Archaeological Assessment

A Stage 1-2 Archaeological Assessment has not yet been completed; however, it is currently underway. It is understood that the completion of this assessment and receipt of Ministry clearance letter will be required as a condition of consent.

4.6 Streetscape Study

A Streetscape Study prepared by NPG is provided in the Appendices of this Brief. The purpose of the Streetscape Study is to ensure that the proposed development aligns with the Town's urban design and compatibility policies.

5.0 Planning Policies

5.1 Planning Act

The *Planning Act*, R.S.O. 1990, Chapter P.13, provides provincial legislation that establishes the requirements for land use planning in Ontario. The Act describes how land uses may be controlled, and who may control them.

Subsection 53(12) of the Ontario *Planning Act* mandates that the approval of a consent shall have regard to matters under Section 51(24) of the Act. Table 2 below assesses the criteria outlined in Section 51(24) in relation to the proposed consent.

Table 2 - Analysis of Consent Criteria in the Ontario Planning Act

	Criteria	Proposed Consent
a.	the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;	The proposed consent will create a new infill lot (Part 1) for future residential development. The consent promotes the orderly development of safe and healthy communities, as well as growth and development at an appropriate location, aligning with the matters of provincial interest outlined in Section 2 of the <i>Planning Act</i> .
b.	whether the proposed subdivision is premature or in the public interest;	<p>The proposed severance is neither premature nor contrary to the public interest. The Subject Lands are of sufficient size and configuration to accommodate the creation of an additional residential lot that can support a single detached dwelling in accordance Provincial and Town policies.</p> <p>The consent supports the orderly development of underutilized land,</p>

	Criteria	Proposed Consent
		aligns with surrounding residential uses, and contributes to the Town's housing supply objectives. As such, the proposal represents a logical and efficient use of land that is consistent with broader planning goals, and is in the public interest.
c.	whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The proposed consent application conforms with the Town's OP, as analyzed in section 5.3 of this Brief.
d.	the suitability of the land for the purposes for which it is to be subdivided;	The Subject Lands are proposed to be subdivided to create an additional residential lot (Part 1). The Town's OP and Zoning By-law envision the Subject Lands for residential use. Both the proposed and retained lots are of sufficient size and configuration to accommodate a single detached dwelling in compliance with applicable regulations, with minor variances. As such, the land is suitable for the intended residential use.
f.	the dimensions and shapes of the proposed lots;	<p>Part 1 is an L-shaped lot with a frontage of 18.29 metres and an overall depth of 68.66 metres. The lot is L-shaped in order to contain the natural heritage features on one parcel.</p> <p>Part 2 is a rectangular lot with a frontage of 18.29 metres and a depth of 44.76 metres. The proposed lot shape is consistent with surrounding residential lot patterns and size is suitable for accommodating a single detached dwelling.</p>
g.	the restrictions or proposed restrictions, if any, on the land	The Town's zoning by-law controls restricts development on the Subject

	Criteria	Proposed Consent
	proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;	<p>Lands. The requested minor variances are evaluated against the four tests of the <i>Planning Act</i> in Section 6 of this Brief.</p> <p>In addition, environmental protection policies apply to the rear portion of the Subject Lands due to the presence of a Significant Woodland. As such, a 10-metre vegetative protection zone is proposed between the woodland boundary and the edge of development (i.e., the northerly limit of Part 2).</p>
h.	conservation of natural resources and flood control;	Key Natural Heritage Features, including Significant Woodlands, are located at the rear of the Subject Lands; a 10-metre vegetative protection zone is proposed. The proposed lot configuration respects this buffer and does not fragment the Key Natural Heritage Features. As a result, the consent supports the conservation of natural resources.
i.	the adequacy of utilities and municipal services;	Municipal services exist in front of the Subject Lands.
j.	the adequacy of school sites;	School sites exist in Niagara-on-the-Lake and Niagara Falls to serve future resident of the new lot.
k.	the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;	No land within the Subject Lands is identified for dedication to public purposes.
l.	the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and	While detailed design is not proposed at this stage, the consent applications will enable more efficient use of land within the urban area. Energy conservation measures may be considered through building and site design at later stages.

	Criteria	Proposed Consent
m.	the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006.	Not applicable.

As demonstrated, the proposed development conforms with the criteria outlined in Section 51(24) of the Ontario *Planning Act*.

According to Section 45(1) of the *Planning Act*, the Committee of Adjustment may, upon the application of the property owner or their authorized representative, grant a minor variance from the provisions of a by-law under sections 34 or 38, provided the variance is deemed desirable for the appropriate development or use of the land, building, or structure, and maintains the general intent of the by-law and Official Plan. Evaluation of the proposed minor variances is included in Section 6 of this Brief.

5.2 Provincial Policies and Plans

Relevant provincial planning documents include the Provincial Planning Statement (2024) (“PPS”), the Greenbelt Plan, and Niagara Escarpment Plan (“NEP”).

5.2.1 Provincial Planning Statement (2024)

The proposal aligns with Section 2.2.1(b) of the PPS, which directs planning authorities to permit and facilitate a range of housing options to meet the social, health, economic, and well-being needs of current and future residents. The PPS supports all forms of housing intensification, including infill development.

Section 2.3.1.1 of the PPS focuses residential development within settlement areas. The Subject Lands are located in the Minor Urban Centre of Queenston, a designated settlement area where infrastructure and servicing are available or can be efficiently provided.

The proposal is also consistent with Section 4.1 of the PPS, which requires the long-term protection of natural features. Specifically, Section 4.1.5 of the PPS prohibits

*development*¹ within Significant Woodlands located in Ecoregions 6E and 7E. As the Niagara Region is situated within Ecoregion 7E, development within Significant Woodlands is not permitted. Further analysis is provided in Section 5.2.3 of this Report.

5.2.2 Greenbelt Plan (2017)

The community of Queenston is located within the Greenbelt Area and falls under the jurisdiction of the Niagara Escarpment Plan (“NEP”) Area. In accordance with Section 1.4.3(1) of the Greenbelt Plan, where lands are within the NEP Area, the policies of the NEP apply, as outlined in Section 2.2. Section 2.2 clarifies that the policies of the NEP take precedence, and the Protected Countryside policies of the Greenbelt Plan do not apply.

5.2.3 Niagara Escarpment Plan (NEP)

The Subject Lands are located within the Minor Urban Centre of Queenston and designated Escarpment Protection Area in accordance with Map 1 of the NEP.

Section 1.6.8 of the NEP states that development and growth should be limited to reduce land use conflicts and must be designed in a manner that respects the scenic character of the Escarpment. Where appropriate, measures such as adequate setbacks, height limitations, and visual screening should be implemented to minimize visual impacts, in accordance with applicable provincial guidance. Development should remain minor in scale to preserve the existing character of the community. Within Minor Urban Centres, growth must be compatible with the surrounding context and support the protection of natural heritage features and functions.

The conceptual single detached dwelling illustrated on the Consent Sketch aligns with Section 1.6.8 of the NEP. The conceptual single detached dwelling complies with the regulated setbacks and building height requirements. The proposed frontage and building scale are consistent with adjacent dwellings and lots, as described in the Streetscape Study included in the Appendices of this Brief.

Lot creation must also conform to Section 2.4 of the NEP, which outlines that new residential lots within Minor Urban Centres must align with local planning instruments, front onto an existing public road, and protect or enhance natural heritage and hydrologic features. Subject to site-specific variances, the proposed lots satisfy these criteria.

Section 2.5 of the NEP requires that development maintain appropriate setbacks from the brow, crest, or toe of slopes or ravines, and limits site alteration in these areas to protect

¹ *means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act...*

slope stability and natural vegetation. Staff from the Niagara Escarpment Commission (NEC) and the Niagara Peninsula Conservation Authority (NPCA) reviewed the proposal through the pre-consultation process, and did not provide comments that a slope stability or geotechnical study were required with the proposed applications.

The Subject Lands contain a Significant Woodland, which is identified in the NEP as a Key Natural Heritage Feature. In accordance with Section 2.7.2 of the NEP, development within Key Natural Heritage Features is generally prohibited, subject to limited exceptions that do not apply to this proposal. The proposed development does not occur within the Key Natural Heritage Features.

Section 2.7.6 of the NEP provides that a Natural Heritage Evaluation may be required to demonstrate that the proposed development will not negatively impact the Key Natural Heritage Feature or its ecological functions. This evaluation must also establish the minimum vegetation protection zone required to protect, and where possible enhance, the feature. Section 2.7.7 further requires that the vegetation protection zone be of sufficient width to mitigate potential impacts associated with the proposed development, including those that may occur before, during, and after construction. These requirements are addressed through the preparation and submission of the NHE by GEI, which recommends the establishment of a 10-metre vegetation protection zone from the boundary of the identified Key Natural Heritage Features. No development is proposed in the vegetation protection zone.

5.3 Niagara-on-the-Lake Official Plan

The Town's OP provides policy direction for managing growth and development within the municipality. It directs new residential development to designated Urban Areas, including the Village of Queenston, with an emphasis on the efficient use of land and context-sensitive planning, recognizing the limited supply of urban-designated land. As of March 31, 2025, the Niagara Official Plan (NOP) is no longer administered at the Regional level; instead, its interpretation and implementation, as it applies to Niagara-on-the-Lake, falls under the Town's jurisdiction. Accordingly, the NOP is now considered part of the Town's planning framework until such time as the Town adopts a new consolidated Official Plan.

The Subject Lands are located within a Delineated Built-up Area, identified as an Urban Area under the NOP. In accordance with Section 2.2 of the NOP, most growth is to be directed to urban areas that are serviced or planned to be serviced by municipal water and wastewater systems, and that can support a range of transportation options. Further, Section 3.1.8.1 of the NOP establishes that development and site alteration within or adjacent to Key Natural Heritage Features in the Niagara Escarpment Plan (NEP) area are subject to NEP policies.

The following policies of the Town's OP, including the incorporated NOP direction, are relevant to the proposed development:

5.3.1 Special Policy Area (Queenston)

The Subject Lands are located within the community of Queenston. Section 6.32.1 of the Town's OP contains special policies applicable to the community of Queenston, which collectively form the Queenston Secondary Plan ("Secondary Plan"). The Secondary Plan states that new private development shall increase the diversity of housing types while respecting the essential character and structure of the Queenston Village. The Subject Lands are designated 'Low Density Residential' in the Secondary Plan.

All future planning and development within the Special Policy Area are to be guided by the policies of the Secondary Plan, as outlined below:

5.3.1.1 Residential Policies

Section 4.1 of the Queenston Secondary Plan outlines the general policies for residential land use designations, while Section 4.2 provides more detailed direction specific to the Low-Density Residential designation.

POLICY

Policies Pertaining to All Residential Designations

- 4.1.2 *When creating new residential lots, a Streetscape Study will be completed to ensure that the application is consistent with Urban Design Policies of this Plan.*
- 4.1.3 *New buildings shall generally reflect and complement existing adjacent development in terms of scale, height, building location and architectural character.*
- 4.1.5 *Buildings and secondary structures shall be located appropriately on the lot to be consistent with and reinforce the characteristic of buildings and secondary structures situated in a landscaped yard/garden.*
- 4.1.6 *Structures shall have front, side and rear yard setbacks that are generally consistent with the character of the neighbouring properties. Specific setback dimensions are outlined in the Urban Design Policy provisions of this Plan.*

Low Density Residential

- 4.2.1 *Permitted Main Uses: residential uses including single detached dwellings, semi-detached dwellings and duplexes.*

- 4.2.5 *Newly created lots with direct frontage on the Niagara River Parkway and/or abutting the Niagara Escarpment shall have minimum dimension of 60m in width by 45m in depth, and should generally be similar in overall size, width and depth to adjacent and neighbouring residential lots.*

ANALYSIS

In accordance with Section 4.1.2 of the Secondary Plan, a Streetscape Study has been prepared and is included in the appendices of this Brief. Although the design of the future single detached dwelling is not intended to be final, it is anticipated that the future dwelling will generally reflect and complement the existing adjacent development. No variances are required for building height or for the front, side, or rear yard setbacks.

The Streetscape Study evaluates the street and block patterns, as well as the overall size, frontage, and depth of residential lots adjacent to and near the Subject Lands. As outlined in the Study, the proposed lots are generally similar in area and frontage to adjacent and neighbouring residential lots in the area.

5.3.1.2 General Site Development Guidelines

Section 12 of the Queenston Secondary Plan outlines policies related to General Site Development Guidelines, which are intended to articulate the Urban Design vision for the village of Queenston. The following policies are particularly relevant:

POLICY

Building Heights

- 12.1.1 *Building heights will be a maximum 2.5 storeys and 8.5m and a minimum of 1.5 stories and 5.5m...*

Building Orientation

- 12.2.1 *Buildings will be oriented toward the public street in order to clearly define the public realm, create*

Site Landscaping

- 12.3.1 *General site landscaping, including street tree planting along the primary street frontage, and rear and side yard landscaping is encouraged on each lot.*

Building Setbacks

- 12.6.1 *Low Density Residential mandatory setbacks of a principles structure for Single Family Dwellings, Duplex and Semi-Detached Dwelling are as follows:*

- 1 *Front Yard: 7.5m to the front of the principal building;*

- 2 *Side Yard: 1.5m from side lot line, and 3.0m from built structures on adjacent properties.*
- 3 *Rear Yard: The principal structure will be located a minimum of 9m from the rear property line.*

ANALYSIS

Conceptual building plans have been provided with the application and are not considered final. The future single detached dwelling unit is expected to conform to the policies set out in Section 12 of the Queenston Secondary Plan and reflect the Urban Design vision for the Low-Density Residential land use designation. The conceptual building elevations, together with the Consent Sketch provided in the Appendix, illustrate that the proposed building orientation and scale are consistent with the urban design direction of the Secondary Plan.

While the proposed building height exceeds the maximum identified in the Secondary Plan, it complies with the Town's Zoning By-law 4316-09, which permits a maximum height of 10.0 metres.

Although a detailed landscape plan is not included, the Tree Preservation and Inventory Plan confirms that the majority of existing trees on the site are to be retained and will not be impacted by the proposed development.

5.3.2 General Development Policies

Section 6 of the Town's OP contains General Development Policies that apply to all forms of development, regardless of land use designation.

POLICY

Lands Abutting Conservation Designations

- 6.15 *Proposed uses shall be sensitive to and minimize any impact on the natural environment in a Conservation designation. Building setbacks and buffering may be a requirement in Zoning By-laws and/or Site Plan Control.*

Lot Sizes

- 6.17 *The lot area and lot frontage shall be suitable for the proposed uses and should conform to the provisions of the implementing Zoning By-law. In considering any plan of subdivision or consent application regard shall also be had to the minimum lot sizes provided in the zoning by-law so as to keep the lots as small as possible in relation to the efficient use of land and the need to preserve the agricultural land resource.*

ANALYSIS

The proposed lot sizes are appropriate for the intended residential use. Although minor variances are required to permit reduced lot frontages for both Part 1 and Part 2, as well as a reduced lot area for Part 2, the proposed frontages are generally similar with those of adjacent properties in the surrounding streetscape, thereby maintaining compatibility with the existing neighbourhood character. The reduced lot area for Part 2 reflects the preservation of the Key Natural Heritage Features at the rear of the Subject Lands and its associated buffer.

5.3.3 Growth Management Policies

Section 6A of the Town's OP provides growth management policies. The purpose of the policies is to implement policies of the Growth Plan, which no longer applies to the Village of Queenston. However, the growth management policies are still relevant in that they strive to achieve complete communities that are well-designed, offer transportation choices, accommodate people at all stages of life, and have the right mix of housing, a good range of jobs, and easy access to stores and services to meet daily needs. The Growth Management policies generally direct residential development to the Built-Up Areas of the Municipality, including in Queenston.

The following policies apply:

5.3.3.1 Intensification Policies

POLICY

General Intensification Policy

- 4.1 *The Town supports intensification and infilling within appropriate areas throughout the Built-Up Area in accordance with Land Use Compatibility, urban design and other applicable land use compatibility criteria of this Plan.*

Built-Up Area Intensification Policies

- b) *The predominant built form for intensification and redevelopment within the residential areas of the Built-up Area will be single detached, semi-detached and townhomes and low rise apartment buildings subject to the relevant development and compatibility policies of this plan.*
- h) *The Town will ensure that intensification and redevelopment is consistent with the heritage and character of the Built-up Area. Urban design guidelines for the Built-up Area may be prepared and used as*

a tool to achieve compatible built form with intensification and redevelopment.

ANALYSIS

The Subject Lands are located within the Urban Area Boundary of Queenston, which is part of the Town's Built-Up Area. The conceptualized development represents a form of residential infill that aligns with the surrounding streetscape and built form, as demonstrated in the Streetscape Analysis appended to this report. As such, the development supports the Town's policy direction for appropriate intensification within the Built-Up Area.

5.3.3.2 Land Use Compatibility Policies

Section 6A-4.6 provides as follows:

Residential Neighbourhoods

Neighbourhoods are stable but not static. There is a degree of change that occurs within neighbourhoods over time and the policies of this provide that this change will be appropriate and compatible within the Town's neighbourhoods and throughout the entire Built-Up Area.

Compatibility and Appropriate Infrastructure

Notwithstanding the requirements for a severance, site plan, plan of subdivision or plan of condominium, intensification development within the Built-up Area should be compatible with surrounding existing and planned land uses as shown in the Land Use Schedules of this Plan...

6A-4.6 provides that intensification and/or redevelopment should be consistent with matters indicated on Table 6 below:

POLICY & ANALYSIS

Table 3 – Compatibility Policies

Applicable Policy		Response
a)	The existing and/or planned built form and heritage of the property and surrounding neighbourhood	While the future single detached dwelling unit is not formally part of this application, it is expected to be consistent with the prevailing residential character within the Study Area, which consists primarily of low-rise, single-detached dwellings. No variances related to building height, setbacks, or massing are requested, indicating that the future development

		will conform to the existing zoning standards and be compatible with the established built form.
b)	The existing and/or planned natural heritage areas of the site and within the surrounding neighbourhood	The Subject Lands contain Significant Woodlands at the rear of the site, which is recognized as a key natural heritage feature. In accordance with the recommendations of the EIA, this feature will be protected through the establishment of a 10-metre Vegetation Protection Zone to prevent fragmentation and avoid direct development impacts.
c)	The existing and/or planned densities of the surrounding neighbourhood; and	The proposal involves the development of a single detached dwelling on a lot that is comparable in size and density to those within the surrounding neighbourhood.
d)	The existing and/or planned height and massing of buildings within the surrounding neighbourhood	The proposed height and massing of the new dwelling is expected to remain within the limits established by Zoning By-law 4316-09, except for a variance requested for building frontage. The scale of the development is anticipated to align with the existing built form character of the surrounding neighbourhood.
e)	Development proposals will demonstrate compatibility and integration with surrounding land uses by ensuring that an effective transition in built form is provided between areas of different development densities and scale. Transition in built form will act as a buffer between the proposed development and existing uses and should be provided through appropriate height, massing, architectural design, siting, setbacks,	The future single detached dwelling unit is anticipated to be compatible with the surrounding neighbourhood by maintaining a scale, massing, and architectural character that reflects adjacent dwellings. While the immediate context is low-density residential, the proposal introduces no abrupt change in height or density and therefore provides an effective transition in built form. This transition is further supported through consistent

	<p>parking, public and private open space and amenity space.</p>	<p>front yard setbacks, appropriate building height, and massing that does not overwhelm neighbouring properties.</p> <p>A Streetscape Study has been prepared as part of this proposal which demonstrates that the proposed lot frontages, building face, and building setbacks align with the established pattern along the street. The proposed development also maintains adequate private amenity space and preserves opportunities for landscaping and on-site parking, contributing to a compatible interface with surrounding uses.</p>
f)	<p>Intensification and/or redevelopment shall be compatible and integrate with the established character and heritage of the area and shall have regard to:</p> <ul style="list-style-type: none"> • Street and block patterns • Lot frontages lot area, depth • Building Setbacks • Privacy and over view • Lot grading and drainage • Parking • Servicing 	<p>The proposed development has been evaluated for compatibility with the established character of the surrounding area. A detailed assessment of street and block patterns, lot frontages, lot area and depth, and building setbacks are provided in the Streetscape Study that is included in the Appendix section of this brief. The Streetscape Study demonstrates that the proposed lot configuration and built form aligns with the intent of the Town's OP which supports intensification and development that is compatible with the prevailing low-density residential character of the neighbourhood.</p> <p>Due to the low-density scale and appropriate spatial separation between dwellings, no issues related to privacy or overlook are anticipated. Parking and servicing will be accommodated entirely on each</p>

		individual parcel, thereby avoiding any negative impacts on the streetscape or adjacent properties.
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5.3.4 Residential Policies

Section 9 of the Town's OP includes policies regarding to residential development.

POLICY

Goals and Objectives

- 9.2.3 *To ensure that new development or redevelopment is appropriately located, is compatible with surrounding land uses, incorporates energy efficient aspects in its design, retains to the greatest extent feasible desirable natural features and uses land in an efficient manner.*
- 9.2.7 *To encourage infill residential development of vacant or underutilized parcels of land in residential areas where such development will be compatible with existing uses and where it will contribute to the more efficient use of sewer and water services and community facilities.*

Low Density Residential

- 9.3.1 *In the low-density residential designation the following uses shall be permitted:*
- Main Uses: Low Density Residential uses such as single detached, semi-detached and duplex dwellings.*

ANALYSIS

Section 9.2 of the Town's OP sets out the Goals and Objectives for residential development, including policies that promote the appropriate location of new development, efficient land use, and compatible infill. Section 9.3 outlines the permitted uses within the Low-Density Residential designation, which include single detached dwellings.

The Subject Lands is an underutilized parcel within the Urban Area of Niagara-on-the-Lake and is well-suited for residential infill. The proposed consent application will enable the creation of one (1) additional residential lot, facilitating more efficient use of existing municipal infrastructure and services.

As demonstrated in the Streetscape Study, the proposed lot will be consistent with the prevailing lot fabric, particularly in terms of frontage, lot area, and building face percentage. The conceptual single detached dwelling is designed to be compatible with

surrounding residential properties, thereby supporting the intent of the Town's OP to promote context-sensitive infill development.

5.3.5 Niagara Escarpment Plan Policies

Section 17 of the Town's OP includes policies related to the Niagara Escarpment Plan area. This section aspires to protect the unique ecological and historic areas, and to ensure that all new development is compatible with the purpose of the NEP.

POLICY

17.3.1 *...The policies and development criteria of the Niagara Escarpment Plan apply in the area of the Niagara Escarpment Plan, as shown on the Schedules of this Official Plan.*

ANALYSIS

The Town's OP contains policies that support the protection of the Niagara Escarpment Plan area, while deferring to the NEP for specific land use regulations and development criteria.

5.3.6 General Consent Policy

Section 21 of the Town's OP outlines the applicable General Consent policies. The following policies are relevant to this proposal and are analyzed.

Table 3 – General Consent Policies

Applicable Policy		Response
3)	The Town will recommend to the Land Division Committee that consents for severance where the site already contains a building, should only be permitted if existing sanitary sewage disposal, water supply and drainage are adequate and the new lot lines to be created do not render any aspect of such services unsatisfactory.	It will be confirmed through conditions of consent that the new property lines do not cross existing sewer and water lines, and that site drainage is satisfactory

<p>4)</p>	<p>The Town will recommend to the Land Division Committee that consents shall be granted only when the land fronts on an existing public road. The public road is to be of a reasonable standard of construction and maintained year-round. If the effect of a consent would be to require a greater standard of road construction across the frontage of the site in question or beyond that site and/or other municipal services, then the applicant may be required to contribute to the cost of such improvement through a written agreement with the public authority having jurisdiction. In the case of a Local Road, Council will make the determination and its decision will take into consideration:</p> <ul style="list-style-type: none"> a) The benefit versus cost; and b) whether the improvement required is needed on a short or long term basis. 	<p>Part 1 and Part 2 front directly onto York Road, a year-round, maintained Regional Road. The road is of a reasonable standard of construction and is serviced by sufficient municipal infrastructure within the right-of-way. No road improvements are required as a result of the proposed consent.</p>
<p>5)</p>	<p>Consents should have the effect of infilling in existing urbanized areas and not of extending the urban area.</p>	<p>The Subject Lands are located within the Urban Area Boundary of Queenston, a settlement area within the Town of Niagara-on-the-Lake.</p>
<p>6)</p>	<p>The size of any parcel of land created by a consent should be appropriate for the proposed use and without limiting the generality of the foregoing:</p> <ul style="list-style-type: none"> a) The lot area and frontage should not be less than the requirements for the relevant classification in the implementing by-law. 	<p>The proposed parcel area is appropriate for the intended use, as demonstrated by the Streetscape Study in Appendix A. Please see responses to the specific policy criteria below:</p> <ul style="list-style-type: none"> a. While minor variances are required to permit reduced lot frontage for Parts 1 and 2 as well as reduced lot area for Part 2, the proposed lots are sufficient in size

	<p>b) Where existing buildings are involved, the proposed new lot lines shall take into account required yard and setbacks set out in the Zoning By-law.</p> <p>c) Where land is in an urban area, any land which is fully serviced shall respect the valuable resource of serviced land and the lots created should not greatly exceed the minimum standards of the zoning by-law.</p>	<p>to accommodate all minimum required setbacks in accordance with Zoning By-law 4316-09. Furthermore, the lots are similar to other lots in the surrounding area, as outlined in the Streetscape Study.</p> <p>b. The proposed lot lines ensure all required setbacks from the existing single detached dwelling on Part 2 are met or exceeded. Zoning details, including existing and proposed setbacks, are provided in Appendix C for both Parts 1 and 2.</p> <p>c. The lot area of Part 1 slightly exceeds the minimum lot area provisions in the Zoning By-law to maintain the integrity of the adjacent key natural heritage features and its associated vegetation protection zone. This approach avoids the fragmentation of the heritage features and supports environmental protection objectives while still respecting the efficient use of fully serviced urban land.</p>
7)	<p>The Town will recommend to the Land Division Committee that consents should not be granted for land adjacent to a road from which access is to be obtained where a traffic hazard would be created because of limited sight lines on curves or grades.</p>	<p>There are no identified traffic hazards along York Road. The road is generally straight with no curves, grades, or obstructions that would limit sightlines from the Subject Lands.</p>

9)	<p>Proposed new lots lines shall take into account the existing pattern of surrounding lands. Wherever possible, the new lines shall avoid creating irregular boundaries for the parcel in question or that remaining. Where lands in the Agricultural designation are affected, every attempt shall be made to avoid creating a lot pattern which would make it difficult to farm.</p>	<p>It is acknowledged that the proposed lot lines create an irregular shape relative to the surrounding streetscape. However, this configuration is necessary to conform with Provincial and Regional policies, which require that new development, including lot creation, must not fragment Significant Woodlands or its associated buffers. These policies are detailed in Section 5.2 of this Brief. The proposed 'L'-shaped design ensures the integrity of the Key Natural Heritage Features and their buffer is maintained without fragmentation.</p> <p>As noted, all required building setbacks for Part 2 are met or exceeded, as detailed in the Appendices to this report.</p>
11)	<p>Where a consent would have the effect of creating an additional access to a Provincial highway, a Regional road or a Niagara Parks Commission Road, or changing the location of an existing access to such a highway, then the approval to such addition or change by the Ministry of Transportation and Communication, the Region or the Niagara Parks Commission shall be made a condition of the consent, including such concerns as road widenings, service roads and permission for access.</p>	<p>The Subject Lands are currently served by two (2) existing driveways associated with the existing single detached dwelling. As a result of the proposed consent, each new lot will retain one (1) of the existing driveways, eliminating the need for any new access points onto the Regional Road.</p>

SUMMARY

The applications conform with all applicable policies contained in the Town's OP. The proposed consents and minor variance support orderly development, efficient land use, and alignment with the Town's growth objectives.

6.0 Proposed Variance and Analysis of Four Tests

The Subject Lands are located within the Established Residential 2 (ER2) Zone, as identified on Schedule 25 (Queenston) of the Town's Zoning By-law 4316-09. Both parcels (Part 1 and Part 2) have been assessed against the applicable zoning requirements for lots within the ER2 Zone. A summary of the zoning compliance review for Part 1 and Part 2 is provided in Appendix C.

Following review of the applicable Zoning regulations, three (3) variances are required to facilitate the proposed development:

- A reduction to the minimum lot frontage for Part 1 and Part 2.
- An increase to the maximum building face along the lot frontage for both Part 1 and Part 2.
- A reduction to the minimum lot area for Part 2.

These variances are summarized in the table below.

Table 5 – Proposed Minor Variances

Provision	Required	Proposed	
		Part 1	Part 2
Minimum Lot Frontage	30 metres	18.29 metres	18.29 metres
Maximum Building Face	50%	67%	67%
Minimum Lot Area	1,350 m ²	1,692 m ²	818 m ²

Section 45(1) of the *Planning Act* includes policies that grant the Committee of Adjustment powers related to approval of minor variance applications. The following is an analysis of the applications for minor variance in relation to the four tests of the Planning Act:

Variance: Reduce the minimum lot frontage to 18.29 m for Part 1 and Part 2

Test		Analysis
1	Is the requested variance minor in nature?	<p>The proposed reduction to lot frontage(s) from 30 metres to 18.29 metres is considered minor, as it would not result in any significant adverse impacts on surrounding properties or the streetscape. An assessment of twenty residential lots forming the surrounding streetscape was conducted, with the results presented in Appendix B.</p> <p>The seven lots located directly to the west of the Subject Lands, on the north side of York Road have an average frontage of approximately 23.2 metres. Two of these lots have frontage of 18.3 metres. This demonstrates that the</p>

		<p>proposed reduction to lot frontage is not dissimilar with the established lot pattern within the surrounding area.</p> <p>The change would be comparable with the existing lot patterns and would not negatively impact adjacent properties or the overall character of the area.</p>
2	Is the requested variance desirable for the appropriate development or use of the land, building, or structure?	<p>The variance would enable the development of an additional residential lot that aligns with the prevailing lot pattern in the area. Reducing the lot frontages to 18.29 metres would facilitate the creation of a new infill lot that is not dissimilar with surrounding properties, thereby maintaining the established residential character. The proposal creates suitably sized lots for development, while supporting a more efficient use of the land.</p>
3	Does the requested variance maintain the general intent and purpose of the By-law?	<p>The minimum frontage requirement in the Zoning By-law ensures that residential lots have sufficient width for building placement, setbacks, and landscaping, while maintaining a cohesive streetscape. The proposed reduction to lot frontage is consistent with the established character of surrounding properties and aligns with the Zoning By-law's objective of achieving compatible and orderly development. It has been demonstrated within the surrounding neighbourhood that a lot frontage of 18.3 metres is sufficient to accommodate a single detached dwelling. No additional variances related to building placement—such as setbacks or lot coverage—are required to facilitate either the conceptual single detached dwelling on Part 2 or the existing dwelling on Part 1.</p> <p>Therefore, the requested variance maintains the general purpose of the Zoning By-law.</p>
4	Does the requested variance maintain the general intent and purpose of the Official Plan	<p>The purpose of the Town's Official Plan is to balance the creation of new lots with the efficient use of land, while maintaining compatibility with existing development patterns and preserving the core natural heritage system. Proposed changes to lot frontage should demonstrate consistency with these principles, particularly regarding compatibility with the surrounding streetscape.</p>

		The proposed variance supports development that aligns with the compatibility objectives of the Town's OP, as the reduced lot frontage is generally similar to that of surrounding properties. As such, the variances maintain the general intent and purpose of the Town's OP in this regard.
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Variance: Increase maximum building face along the lot frontage to 67% for Part 1 and Part 2

Test		Analysis
1	Is the requested variance minor in nature?	<p>Permitting the maximum building face percentage to increase to 67% on Parts 1 and 2 will not result in adverse impacts to surrounding properties or the streetscape and is therefore considered minor in nature.</p> <p>As detailed in Table 4 of Appendix B, the average building face percentage relative to lot width along York Road is 61% across all lots included in the Streetscape Study, which exceeds the 50% maximum permitted under Zoning By-law 4316-09. The lots municipally addressed as 2022 to 2046 York Road (even numbers, inclusive), located west of the Subject Lands, have an average building face percentage of approximately 74%, with some lots reaching 80%.</p> <p>The proposed minor variance to increase the building face percentage is consistent with the character of surrounding properties and will maintain the overall streetscape character without resulting in adverse impacts.</p>
2	Is the requested variance desirable for the appropriate development or use of the land, building, or structure?	The proposed variances would support a building form on Part 1 that efficiently utilizes the lot and maintains compatibility with existing development along the street. Increasing the building face to 67% supports a design that aligns with the prevailing streetscape character and improves overall site functionality.
3	Does the requested variance maintain the general intent and purpose of the By-law?	The Zoning By-law limits the building face along the lot frontage to 50% to maintain a balanced relationship between built form and open space along the streetscape. However, as demonstrated in Table 4 of

		<p>Appendix B, the average building face percentage along York Road is 61%, with several lots having a building face equal to or exceeding 77%.</p> <p>Therefore, the conceptualized single detached dwelling on Part 1 and the existing single detached dwelling on Part 2 remain consistent with the established character along York Road. Moreover, both Part 1 and Part 2 meet or exceed the interior side yard setback requirements, which are intended to help preserve the character of the streetscape.</p> <p>For these reasons, the proposed variance maintains the general intent and purpose of the Zoning By-law.</p>
4	Does the requested variance maintain the general intent and purpose of the Official Plan	<p>The Town's OP aims to balance the creation of new lots with the efficient use of land while maintaining compatibility with existing development patterns and preserving the core natural heritage system.</p> <p>The Town's OP requires that a Streetscape Study be prepared to ensure consistency with its urban design policies. As outlined in Table 4 of Appendix B, the average building face of properties within the Study Area exceeds the zoning requirement by more than 10%, with some building faces exceeding 80% of the lot frontage. Therefore, while the proposed building face percentages exceed the zoning requirement, they maintain the composition of the surrounding development and align with the Town's Official Plan objective of achieving compatible and high-quality urban design.</p>

Variance No. 3: Reduce the minimum lot area to 818 m² for Part 2

Test		Analysis
1	Is the requested variance minor in nature?	<p>The requested variance pertains to a reduced minimum lot area for Part 2. The Zoning By-law requires a minimum lot area of 1,350 m², while the proposed lot area is 818 m².</p> <p>The primary reason for the reduced lot area, aside from the previously analyzed reduced frontage, is the presence of Key Natural Heritage Features, including Significant Woodlands at the rear of the Subject Lands.</p>

		<p>Both the PPS and the NEP clearly state that development, including the establishment of new property lines, shall not encroach into a Significant Woodland feature or its associated buffer.</p> <p>The reduction in lot area is not expected to cause any adverse impacts on neighbouring properties. Accordingly, the requested variance is considered minor in nature.</p>
2	Is the requested variance desirable for the appropriate development or use of the land, building, or structure?	<p>The proposed variance would facilitate the development of an additional single detached dwelling, which represents an appropriate use of the land.</p> <p>Importantly, the significant woodland feature at the rear of the property will be protected from development, consistent with applicable provincial and regional policies.</p>
3	Does the requested variance maintain the general intent and purpose of the By-law?	<p>The intent of the minimum lot area requirement in the Zoning By-law is to regulate density, ensure adequate space for development, and maintain the character and street presence of the neighbourhood. Although the proposed lot area is smaller than some surrounding lots, it is sufficiently sized to accommodate a single detached dwelling and remains compatible with the character of the surrounding area. Additionally, no variances to setback or lot coverage requirements are necessary.</p> <p>Despite being undersized, the lot will provide adequate private green space and therefore maintains the general intent and purpose of the By-law.</p>
4	Does the requested variance maintain the general intent and purpose of the Official Plan	<p>The Town's OP seeks to balance the creation of new lots with the efficient use of land, while maintaining compatibility with existing development patterns and preserving the core natural heritage system.</p> <p>One of the objectives of the Town's OP is to ensure the adequate protection of key natural heritage features, in accordance with the Niagara Official Plan, which directs that new lots must not fragment these features or their required buffers.</p>

		The proposed lot maintains appropriate setbacks and landscaped open space to support the existing single detached dwelling, while also protecting the adjacent natural heritage area from development. For these reasons, the requested minor variance is consistent with the general intent and purpose of the Town's OP.
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In conclusion, it is our opinion that the requested variance meets the four tests of Section 45(1) of the *Planning Act*, in that the variances are minor in nature, are desirable for the appropriate development or use of the land, building, or structure, and maintain the general intent and purpose of the Zoning By-law and the Town's OP.

7.0 Summary and Conclusion

It is our opinion the proposed consent application with minor variances represents good land use planning, are in the public interest and should be approved for the following reasons:

1. The proposal creates a new residential lot that is compatible with the surrounding streetscape and existing lot fabric.
2. The Significant Woodland feature, identified as a key natural heritage area under the Niagara Escarpment Plan, is preserved and protected.
3. The proposal is consistent with the *Planning Act*, the Provincial Planning Statement, the Greenbelt Plan, the Niagara Escarpment Plan, and conforms with the Town's Official Plan.
4. The requested minor variances satisfy the four tests set out in the Planning Act, as demonstrated in Section 6 of this Brief.

Report prepared by:



Robert Smit, MSC RPD
Intermediate Planner
NPG Planning Solutions Inc.

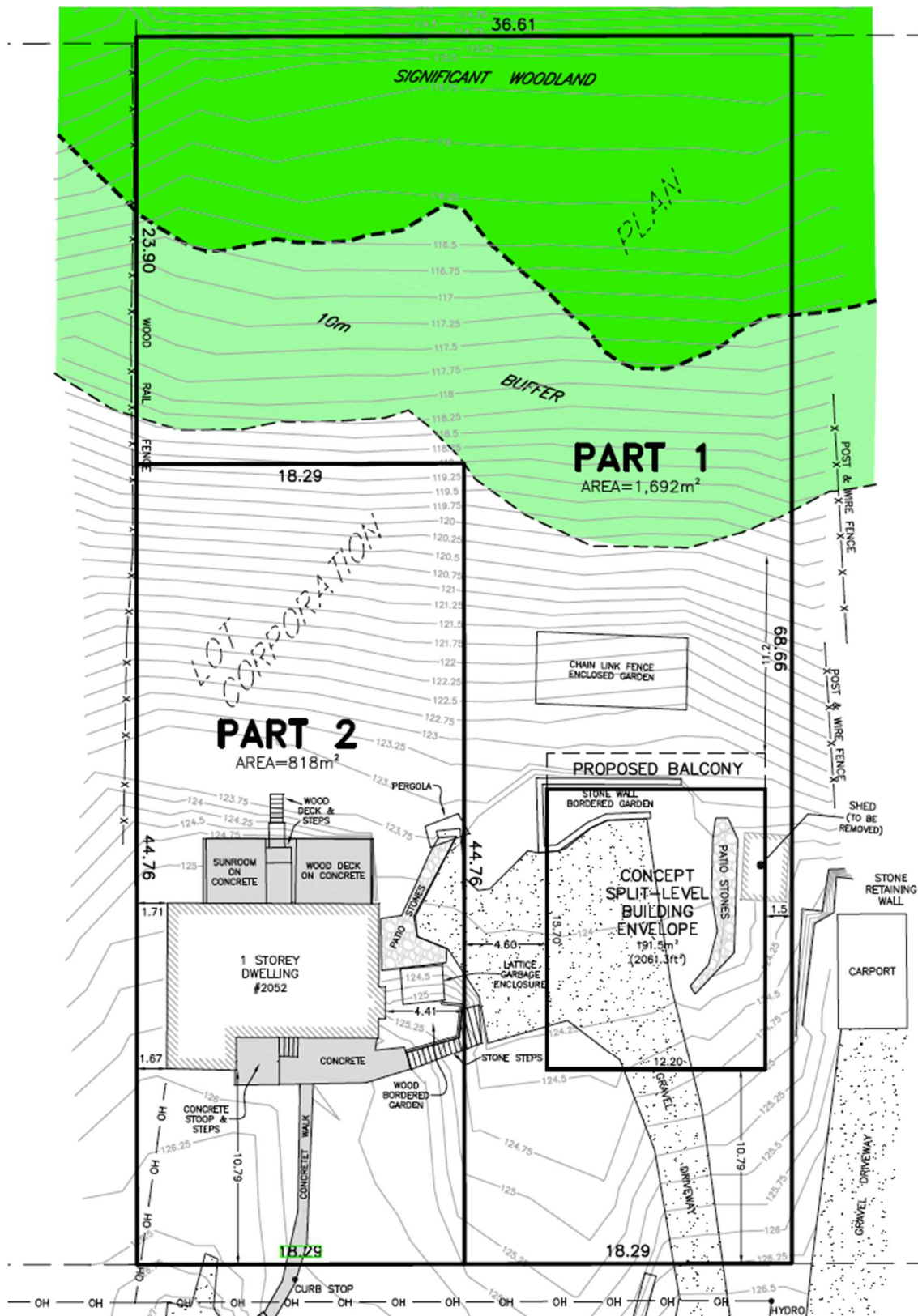
Report reviewed and approved by:



Aaron Butler, MCIP, RPP
President
NPG Planning Solutions Inc.

9.0 Appendices

Appendix A – Excerpt of Consent Sketch



Appendix B – Streetscape Study

Section 4.1.2 of the Queenston Secondary Plan requires the submission of a Streetscape Study when proposing the creation of new residential lots.

The purpose of the Streetscape Study is to assist with the evaluation of the proposed lot against the urban design and compatibility policies of the Town's OP's. The following analysis outlines how the proposed residential lots are compatible and integrate with the established character and heritage of the area with consideration given to street and block patterns, lot frontage, lot area and depth, and building setbacks.

Methodology

This analysis satisfies the requirements for a Streetscape Study through the:

- Review and inventory of surrounding context informed through measurements based on Niagara Navigator's aerial imagery and GIS mapping using Open Data.
- Identification and assessment of streetscape characteristics with potential for impact. Relevant policies under the Town's OP will also be addressed.
- Provision of conclusion based on the investigation and observation.

Existing Condition

Location of the Study Area

Figure 2 provides an overview and evaluation of the surrounding streetscape, hereafter referred to as the Study Area.

The analysis focuses solely on twenty (20) properties closest to and excluding the Subject Lands, that directly front onto York Road. These properties demonstrate the existing character of the immediate streetscape.

Figure 2 - Study Area



Description of the Streetscape Character

The Study Area is predominantly characterized by single detached dwellings, generally ranging from one to two storeys in height (**refer to Photos 4–7**). The streetscape to both the east and west of the Subject Lands is lined with mature vegetation, interspersed with openings that provide glimpses of the single detached dwellings behind (**refer to Photos 8 and 9**).

Lot configurations within the Study Area vary from shallow to deep rectangular parcels. While front yard setbacks are generally consistent across the Study Area, the extent of

the setback differs depending on whether a property is located on the north or south side of York Road. Properties on the north side of York Road tend to be smaller in size compared to those on the south side. This is consistent with the Town's Zoning By-law, which applies different regulatory standards to each side of the road. Specifically, the north side is subject to more stringent minimum lot area requirements, narrower lot frontages, and reduced front yard setbacks.

These differences are summarized in Table 4 and comprehensive data included in Table 5.

Table 4 – Streetscape Character Analysis

	Avg. Front Yard Setback (m)	Avg. Lot Frontage (m)	Avg. Front Face %	Avg. Lot Area (m ²)
Properties on north side of York Road	10.7	27.2	61.5	1,792
Properties south side of York Road	20.1	32.0	61	3,372
All Properties in Study Area	14.5	38.1	61.2	2,424

2052 York Road – Planning Justification Brief

Photo 4 - 2040 York Road (2-storey single detached dwelling)



Photo 5 - 2046 York Road (1-storey single detached dwelling)



Photo 6 - 2051 York Road (2-storey single detached dwelling)



Photo 7 - 2064 York Road (2-storey single detached dwelling)



Photo 8 - Eastward view of York Road

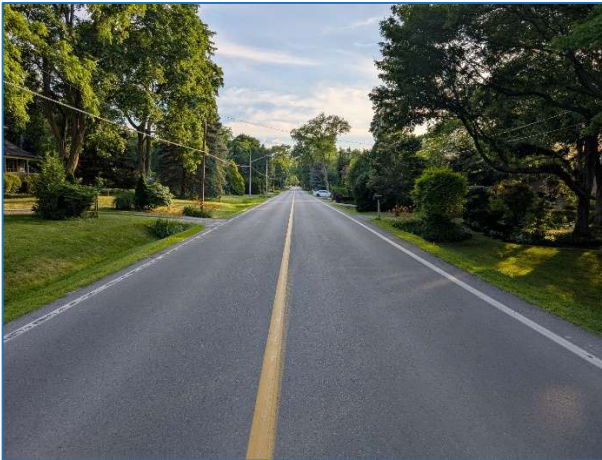


Photo 9 - Westward view of York Road



Summary of Streetscape Characteristics

To assess the impact of the proposed residential lot and conceptualized built form on the streetscape and its compatibility with the Study Area, key characteristics of the proposed lots, including front yard setback, lot frontage, lot area, and the maximum building face relative to lot frontage, were evaluated against the values provided in Table 4 (streetscape averages).

Lot Shapes

Part 1

The primary distinguishing feature of Part 1 is its 'L'-shaped configuration, which differs from the overwhelming rectangular shaped lots in the Study Area. This lot pattern results from the application of policies in the PPS and the NEP, which restrict development, including lot creation within Key Natural Heritage Features and their associated buffers.

Part 2

The retained parcel is rectangular in shape and consistent with the lot fabric of surrounding properties. The proposed lot does not extend to the full depth of the Subject Lands due to applicable policy constraints outlined in the PPS and the NEP, as discussed in Section 5.2.

Lot Area

Part 1

The proposed lot has a total lot area of 1,692 m², which is similar in overall size to the average lot size of the properties located on north side of York Road, which are approximately 1,792 m².

Part 2

The retained lot has a total area of 818 m², which is smaller than the average lot size of properties on the north side of York Road. If the rear portion of the Subject Lands were not constrained by a Key Natural Heritage Feature, the property could have been severed into two equal Parts, each generally comparable in size to several other lots on the north side of York Road. Despite the reduced lot area, the proposed front, side, and rear yard setbacks exceed the minimum requirements established in the Zoning By-law.

Lot Frontage

Part 1 & 2

Parts 1 and 2 each have a lot frontage of 18.29 metres, which is less than the average frontage of 27.2 metres for properties located on the north side of York Road. However,

the proposed frontages are nearly identical to those of two existing properties within the Study Area, specifically 2038 and 2040 York Road. These two properties have frontages of 18.3 metres, matching the proposed frontages of Parts 1 and 2. Additionally, two other properties in the Study Area, 2022 and 2032 York Road, have frontages of 21.3 metres, only slightly larger than the proposed lots. In this context, the proposed lot frontages are similar to and compatible with the prevailing lot fabric in the Study Area and maintains the character of the existing streetscape.

Maximum Building Face Percentage

Part 1 & 2

The average building face percentage, which refers to the proportion of lot frontage occupied by the front façade of a single detached dwelling, is approximately 61% for properties located both north and south of York Road. The proposed building face percentage for Part 1 and Part 2 is 67%, which is slightly above the broader area average but not uncharacteristic of the surrounding streetscape.

When considering a more localized context, specifically the seven (7) properties immediately west of the Subject Lands and on the north side of York Road, the average building face percentage increases to 74%. In this context, the proposed building face percentage of 67% for both Part 1 and Part 2 is similar to that of neighbouring residential lots within the Study Area.

Front Yard Setback

Part 1

The average front yard setback for properties located on the north side of York Road is approximately 10.7 metres. The conceptual single detached dwelling is proposed to have a front yard setback of 10.8 metres, which is consistent with the prevailing streetscape pattern. It is anticipated that the front yard setback of the future dwelling will be consistent with that of the existing single detached dwelling located on the Subject Lands. As such, the proposed setback is similar to the established character of the Study Area and maintains visual continuity along the street.

Table 5 – Streetscape Data

Address	Lot Frontage	Front Face %	Lot Area (m ²)	In Proximity to Subject Lands
2022 York Road	21.3	83%	1455	W of Subject Lands, N side of York Rd.
2026 York Road	32.3	72%	2204	W of Subject Lands, N side of York Rd.
2032 York Road	21.3	73%	1455	W of Subject Lands, N side of York Rd.
2038 York Road	18.3	69%	1248	W of Subject Lands, N side of York Rd.
2040 York Road	18.3	77%	1248	W of Subject Lands, N side of York Rd.
2042 York Road	20.6	81%	1403	W of Subject Lands, N side of York Rd.
2046 York Road	30.5	62%	2080	W of Subject Lands, N side of York Rd.
2052 York Road				
2060 York Road	30.5	40%	2093	E of Subject Lands, N side of York Rd.
2064 York Road	24.6	57%	1647	E of Subject Lands, N side of York Rd.
2070 York Road	40.4	25%	2489	E of Subject Lands, N side of York Rd.
2078 York Road	35	55%	2155	E of Subject Lands, N side of York Rd.
2084 York Road	33	45%	2025	E of Subject Lands, N side of York Rd.
2021 York Road	30	68%	3248	W of Subject Lands, S side of York Rd.
2025 York Road	30.4	66%	3330	W of Subject Lands, S side of York Rd.
2033 York Road	30.5	62%	3260	W of Subject Lands, S side of York Rd.
2037 York Road	30.5	64%	3187	W of Subject Lands, S side of York Rd.
2043 York Road	25.9	47%	3652	W of Subject Lands, S side of York Rd.
2051 York Road	47.4	34%	4480	S of Subject Lands, S side of York Rd.
2057 York Road	30.5	82%	2949	S of Subject Lands, E side of York Rd.
2063 York Road	30.5	64%	2875	E of Subject Lands, S side of York Rd.
Averages	29.09	61%	2,424.15	

Appendix C – Zoning Tables

Part 1

Zoning Regulation	Requirement	Proposed	Complies
Minimum Lot Frontage	30 metres	18.29 metres	No
Minimum Lot Area	1,350 m ²	1,692 m ²	Yes
Maximum Lot Coverage	15%	11% *	Yes
Minimum Landscape Area	45%	85% *	Yes
Minimum Front Yard Setback	7.5 m (24.6 ft)	10.8 metres (35.4 ft.) *	Yes
Minimum Interior Side Yard Setback	1.5 metres (5 ft.)	1.5 metres (5 ft.) *	Yes
Minimum Exterior Side Yard Setback	9.0 metres (29.5 ft.)	N/A	N/A
Minimum Rear Yard Setback	9.0 metres (29.5 ft.)	> 9.0 metres *	N/A
Maximum Building Face of Lot Frontage	50%	67%	No
Maximum Building Height	10.0 metres (32.8 ft.)	10.0 metres (32.8 ft.) *	Yes

*According to Conceptual Plans

Part 2

Zoning Regulation	Requirement	Proposed	Complies
Minimum Lot Frontage	30 metres	18.29 metres	No
Minimum Lot Area	1,350 m ²	818 m ²	No
Maximum Lot Coverage	15%	13%	N/A
Minimum Landscape Area	45%	82%	N/A
Minimum Front Yard Setback	7.5 m (24.6 ft)	10.8 metres (35.4 ft.)	Yes
Minimum Interior Side Yard Setback	1.5 metres (5 ft.)	1.67 metres (5.5 ft.)	Yes
Minimum Exterior Side Yard Setback	9.0 metres (29.5 ft.)	N/A	N/A
Minimum Rear Yard Setback	9.0 metres (29.5 ft.)	20.98 metres (68.8 ft)	N/A
Maximum Building Face of Lot Frontage	50%	67%	No
Maximum Building Height	10.0 metres (32.8 ft.)	<10.0 metres	Yes