

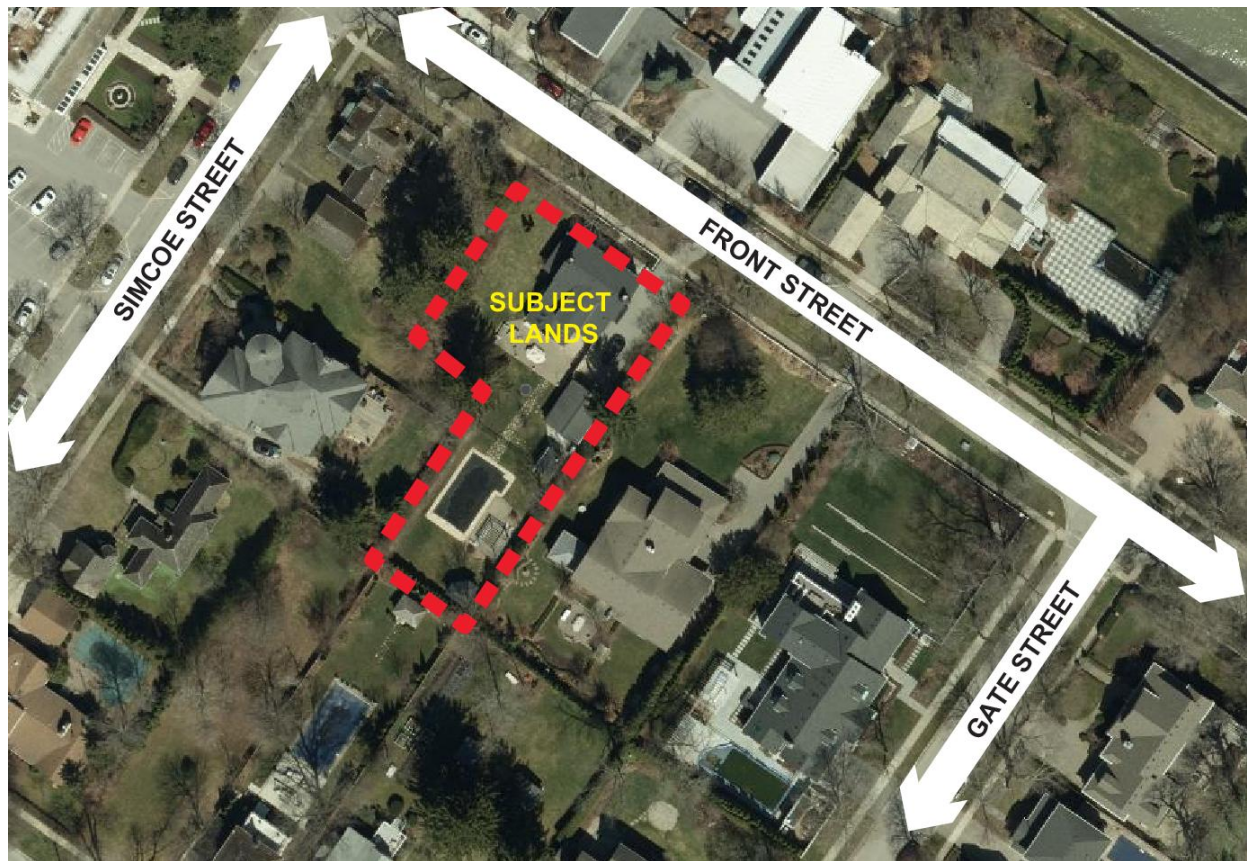
September 2, 2025

Natalie Thomson  
Secretary-Treasurer  
Committee of Adjustment  
Town of Niagara-on-the-Lake

**RE: 130 Front Street – Application for Minor Variance**

Dear Ms. Thomson,

NPG Planning Solutions Inc (NPG) has been retained by David Sanderson and Dinah Sanderson to provide independent professional planning advice related to a Minor Variance (Application) to facilitate the development of a 2-storey detached garage with an additional dwelling unit (ADU) on the second floor, on the lands municipally known as 130 Front Street (Subject Lands) in the Town of Niagara-on-the-Lake.



*Figure 1 - Location Map*

The Subject Lands have a frontage of approximately 32.07 metres on Front Street, a public road, and an area of 1,512 m<sup>2</sup>. The lands contain an existing single detached dwelling, detached garage, pool, and accessory buildings. The existing detached garage is proposed to be removed and replaced with a new 2-storey detached garage with ADU

in approximately the same location. The proposed structure will be located 1.52 m from the east interior lot line, whereas the existing structure is 0.99 m. The Subject Lands are designated and zoned Established Residential in the Town of Niagara-on-the-Lake Official Plan and Zoning By-law, and are designated under Part IV of the Ontario Heritage Act.

The Application proposes a variance from Section 6.1(b) of the Niagara-on-the-Lake Zoning By-law to permit an increased building height of 6.4 metres for the proposed detached garage with ADU, whereas the By-Law allows a maximum height of 6 metres.

Included as part of this submission are as follows:

- Survey – prepared by Rasch + Hyde LTD., dated October 10, 2024;
- Conceptual Site Plan and Elevations – prepared by J3 Drafting & Design, dated June 18, 2025;
- A cheque in the amount of \$2,475 addressed to the Town of Niagara-on-the-Lake related to Minor Variance Application fees.

## Proposed Variance and Analysis of Four Tests

Section 45(1) of the *Planning Act* provides that:

*The committee of adjustment, upon the application of the owner of any land, building or structure affected by any by-law that is passed under section 34 or 38, or a predecessor of such sections, or any person authorized in writing by the owner, may, despite any other Act, authorize such minor variance from the provisions of the by-law, in respect of the land, building or structure or the use thereof, as in its opinion is desirable for the appropriate development or use of the land, building or structure, if in the opinion of the committee the general intent and purpose of the by-law and of the official plan, if any, are maintained. R.S.O. 1990, c. P.13, s. 45 (1); 2006, c. 23, s. 18 (1); 2009, c. 33, Sched. 21, s. 10 (11).*

The following is an analysis of the Application for Minor Variance in relation to the four tests of the *Planning Act*:

**Variance #1:** Section 6.1(b) – Permit an increase in maximum height of an accessory building to 6.4m from 6m

Proposed: 6.4m

Required: 6m

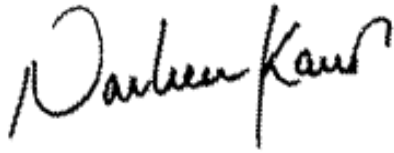
Test	Analysis
<b>Is the requested variance minor in nature?</b>	The requested variance seeks a modest increase in building height for the proposed detached garage. The additional height of 0.4m will not create adverse impacts such as overshadowing, overlook, or loss of privacy to neighbouring properties. The massing remains compatible with the established residential character of the surrounding area.
<b>Is the requested variance desirable for the appropriate development or use of the land, building, or structure?</b>	The variance facilitates the construction of a functional, well-designed detached garage with ADU, consistent with the Town's housing objectives of providing gentle intensification and diverse housing options. Review of the design through the Town's Ontario Heritage Act permit process will ensure the structure is appropriately designed.
<b>Does the requested variance maintain the general intent and purposes of the By-law?</b>	The intent of the height regulation is to ensure accessory structures remain compatible with the primary dwelling and surrounding residential uses. The proposed ADU maintains compatibility through its design, scale, and siting, and will remain secondary to the principal dwelling on the lot.
<b>Does the requested variance maintain the general intent and purpose of the Official Plan?</b>	The Official Plan designates the property as Established Residential, which supports stable residential areas while allowing for compatible forms of intensification. The proposed detached garage and ADU contributes to the Town's objectives for increasing housing supply and affordability in a manner that respects the character of the neighbourhood. The property is also designated under the Ontario Heritage Act, and the design of the proposed structure will be reviewed through the Town's permitting process to ensure heritage compatibility, maintaining the broader intent of the OP.

## Conclusion

As noted above, the Application complies with Section 45(1) of the Planning Act, as the variances are minor in nature, appropriate for the development of the Subject Lands, and maintain the general intent and purpose of both the Zoning By-law and the Official Plan.

Please provide notice of all meetings and decisions regarding the proposed variance to the undersigned.

Letter prepared by:



**Navleen Kaur**  
Planning Technician  
NPG Planning Solutions Inc.



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