

Committee of Adjustment

Town of Niagara-on-the-Lake

1593 Four Mile Creek Road

Virgil, Ontario L0S 1T0

Attention: Committee of Adjustment

Re: Cover Letter in Support of Minor Variance Application 34 York Road, Niagara-on-the-Lake

Dear Members of the Committee of Adjustment:

We are writing in support of our minor variance application for the property located at 34 York Road, Niagara on the Lake, L0S 1J0 (the "Property"). The requested variance relates to a set of walkout stairs leading from a basement sliding door on the interior side yard of the Property. We respectfully ask that the Committee grant relief from the front yard setback requirement under Zoning By-law 500A-74 to permit the stairs to remain in their current location.

As confirmed via email on June 18, 2025 by Mr. Mark Leone, Building Inspector II with the Town of Niagara-on-the-Lake, the walkout stairs as constructed on the interior side yard do not meet the required front yard setback of 50 feet under Zoning By-law 500A-74. On this basis, the stairs do not comply with the by-law as it currently stands, and a minor variance is required to permit the stairs to remain in their present location.

We wish to be fully transparent with the Committee regarding the history of this structure. The walkout stairs occupy the same footprint that was previously occupied for several decades prior to our acquisition of the property, by an older wooden deck and walkout serving the same basement sliding door. That deck had deteriorated to the point that it presented a genuine safety hazard to anyone using it. Our intention in replacing it was solely to address this safety concern and to construct a safe means of egress in the same location the house had used for decades. As the prior structure had stood in this same footprint for so long, we did not turn our minds to the front yard setback implications of rebuilding in that location, and construction began before a building permit was obtained.

We acknowledge that this was an error on our part, and we sincerely apologize to the Committee and to the Town for beginning this work without a permit in place. As soon as the oversight was identified, we took immediate steps to remedy it: a building permit was obtained, engineered and approved drawings were prepared for the stairs, and construction was completed in full accordance with those approved drawings. We treat compliance with the Town's requirements seriously, and we have worked cooperatively with Town staff throughout this process and our prior renovations, to bring the structure into good standing.

We do not believe the requested variance will result in any adverse impact on adjacent properties, the streetscape, or the character of the neighbourhood. The stairs occupy substantially the same footprint as the deck and walkout structure that stood in this location for decades prior, so the variance does not introduce a new or unfamiliar built form into the side yard. The stairs were constructed to current

engineering and building code standards under a valid permit and approved drawings, addressing the very safety concerns that prompted their replacement in the first place.

With respect to natural environment considerations, we note that Ms. Amy Shanks, Senior Development Planner with the Niagara Region, confirmed by email correspondence dated August 26, 2025 that, given the minor nature of this development and the Region's prior approval of related applications on this Property, the application may rely on Niagara Official Plan (NOP) Policy 3.1.9.7.2 to waive the requirement for an Environmental Impact Study (EIS). Regional staff have advised that this policy is satisfied and that the proposed development will not have a negative impact on the Natural Environment System (NES).

Given the minor scope of the structure, its consistency with the historic use of the site, and the confirmation from Regional staff regarding the natural environment, we submit that no further mitigation measures are required beyond the engineered design already in place and approved.

We respectfully ask the Committee to consider the minor and remedial nature of this variance, the safety rationale that originally motivated the work, the steps we have taken to bring the structure into full compliance with permit and engineering requirements, and the confirmation from Niagara Region planning staff regarding the natural environment. We are grateful for the Committee's time and consideration, and we apologize again for the initial oversight in constructing these stairs. We would be pleased to provide any further information the Committee may require.

Thank you for your consideration.

Yours truly,

Narinderpal Sidhu