

Town of Niagara-on-the-Lake
Community & Development Services

Re: Minor Variance Application – 342 William Street, Niagara-on-the-Lake
Owners: Marcia & Russell Hay-McCutcheon

Dear Committee Members,

David Small Designs is pleased to submit the enclosed Minor Variance Application on behalf of the owners of 342 William Street for the construction of a new single-family dwelling.

The subject property is designated Established Residential and zoned Established Residential (ER). The application seeks relief for the following:

- **Lot Coverage:** 36.2% proposed, whereas 33% is permitted.
- **Front Yard Setback:** 3.86 m proposed, whereas 7.5 m is required.
- **Front Step Encroachment:** The proposed front steps extend to 3.0 m from the front property line.

The proposed dwelling has been carefully designed to respond to the existing property and the established character of William Street.

The front property line is situated substantially back from the travelled portion of William Street due to the large municipal road allowance. During pre-consultation, Town staff noted that this condition creates the perception of a considerably deeper front yard and that reduced front yard setbacks are not uncommon along this side of William Street.

Importantly, the proposed dwelling generally maintains the established building location on the property. The existing dwelling has a front yard setback of approximately **4.03 m**, compared with **3.86 m** proposed. In addition, the 3.86 m setback is measured to the covered porch, while the closest projecting main wall of the dwelling is setback approximately **5.6 m**.

The new home has been intentionally designed with a lower-profile, two-storey form that presents more like a one-and-a-half-storey dwelling from the street, helping to maintain an appropriate scale and character within the streetscape.

The proposed front steps are integrated into the covered front porch and foundation design. The requested encroachment allows the steps and porch to read as a cohesive architectural element and provides a more streamlined entrance. Given their modest scale and the substantial road allowance separating the property from the travelled roadway, the encroachment will have minimal impact on the streetscape.

The proposed **36.2% lot coverage** represents a modest increase over the permitted 33%. The property continues to provide generous open space around the dwelling. When considered together with the substantial road allowance and resulting separation from William Street, the proposed dwelling does not present as an overdevelopment of the property.

Four Tests of a Minor Variance

In our opinion, the requested variances satisfy the four tests of a minor variance under the Planning Act:

1. The variances maintain the general intent and purpose of the Official Plan.

The proposed development maintains the established residential use of the property and provides a dwelling that is compatible in scale, form and character with the surrounding residential neighbourhood.

2. The variances maintain the general intent and purpose of the Zoning By-law.

The proposal maintains appropriate open space and separation from surrounding properties. While a 3.86 m front yard setback is proposed to the covered porch, the closest projecting main wall of the dwelling is setback approximately 5.6 m. The substantial municipal road allowance also provides additional separation between the dwelling and the travelled portion of William Street.

3. The variances are desirable for the appropriate development of the property.

The requested relief facilitates the redevelopment of an existing residential property with a thoughtfully designed dwelling that responds to the established building location and surrounding streetscape. The integrated front porch and steps provide a cohesive entrance design, while the modest increase in lot coverage allows for a functional dwelling without compromising meaningful open space on the property.

4. The variances are minor in nature.

The impacts of the requested relief are limited. The proposed 3.86 m front yard setback generally maintains the location of the existing dwelling, which has a setback of approximately 4.03 m. The lot coverage exceeds the permitted maximum by only 3.2 percentage points, and the front step encroachment is modest in scale. Collectively, the variances are not anticipated to create adverse impacts on neighbouring properties or the William Street streetscape.

In our opinion, the requested variances satisfy the four tests under the Planning Act and represent appropriate development of the subject property. The proposal maintains the established relationship of the property to William Street and introduces a thoughtfully designed home that is compatible with the surrounding residential streetscape.

We respectfully request the Committee's support of the application.

Sincerely,

Rebecca Muisse & Peter Giordano
David Small Designs