

Explanation of the Purpose and Effect of
By-law 4316EQ-23

The subject lands are described as 507 Butler Street, Niagara-on-the-Lake, more particularly described as Part of Lot 337 Township Plan 86 Niagara as in RO163436; Town of Niagara-on-the-Lake, Regional Municipality of Niagara.

Purpose

The purpose of this By-law is to rezone the subject lands to permit the creation of one new residential lot for a future single-detached dwelling and to recognize the location and size of the existing structures on the remainder of the subject lands.

Effect

The effect of this By-law is to rezone the subject lands from “Old Town Community Zoning District Institutional - (I-34) Site-Specific Zone” to “Old Town Community Zoning District - Residential [R1-34(a)] Site-Specific Zone” and “Old Town Community Zoning District - Residential [R1-34(b)] Site-Specific Zone” with various site-specific provisions pertaining to:

- Minimum lot frontage
- Minimum lot area
- Minimum front yard setback
- Minimum interior side yard setback
- Maximum building height
- Building setbacks and size of the existing structures

<i>Owner:</i>	Bruce Harvey
<i>File Number:</i>	ZBA-21-2022
<i>Report Numbers:</i>	CDS-23-108
<i>Assessment Roll Number:</i>	262701000517600

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 4316EQ-23**

507 Butler Street, Roll #: 262701000517600

A BY-LAW TO AMEND BY-LAW NO. 4316-09, AS AMENDED, ENTITLED
A BY-LAW TO REGULATE THE USE OF LANDS AND THE ERECTION,
USE, BULK, HEIGHT, LOCATION, AND SPACING OF BUILDINGS AND
STRUCTURES WITHIN THE TOWN OF NIAGARA-ON-THE-LAKE.

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

AND WHEREAS this By-law conforms to the Town of Niagara-on-the-Lake Official Plan.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:

1. Schedule "A-3" of By-law 4316-09, as amended, is further amended by changing the zoning of the subject lands identified on Map 'A' attached to and forming part of this By-law from "Old Town Community Zoning District - Institutional (I-34) Site-Specific Zone" to "Old Town Community Zoning District - Residential [R1-34 (a)] Site-Specific Zone" and "Old Town Community Zoning District - Residential [R1-34 (b)] Site-Specific Zone".
2. That Subsection 7.14.34 Site Specific Exceptions of By-law 4316-09, as amended, is hereby deleted in its entirety and replaced with the following:

7.14.34 – 507 Butler Street & John Street West – See Schedule ‘A-3’

7.14.34.1 R1-34 (a) Zone Requirements

In lieu of the corresponding provisions of Subsection 7.3.2, and in addition to such provisions, the following provisions shall apply to the subject lands identified as R1-34 (a) on Schedule ‘A-3’:

(a)	Minimum lot frontage	16.7 metres
(c)	Minimum lot area	425 square metres
(g)	Minimum front yard setback	3.0 metres
(h)	Minimum west interior side yard setback	4.5 metres
(l)	Maximum building height	7.0 metres

7.14.34.2 R1-34 (b) Zone Requirements

In lieu of the corresponding provisions of Subsection 7.3.2, and in addition to such provisions, the following provisions shall apply to the subject lands identified as R1-34 (b) on Schedule ‘A-3’:

(c)	Minimum lot area	365 square metres
(o)	Minimum front yard setback, Minimum interior side yard setback, Minimum exterior side yard setback, Minimum rear yard setback, Minimum dwelling floor area, Maximum building height, Minimum accessory building exterior side yard setback	As existing on the date of passage of this by-law

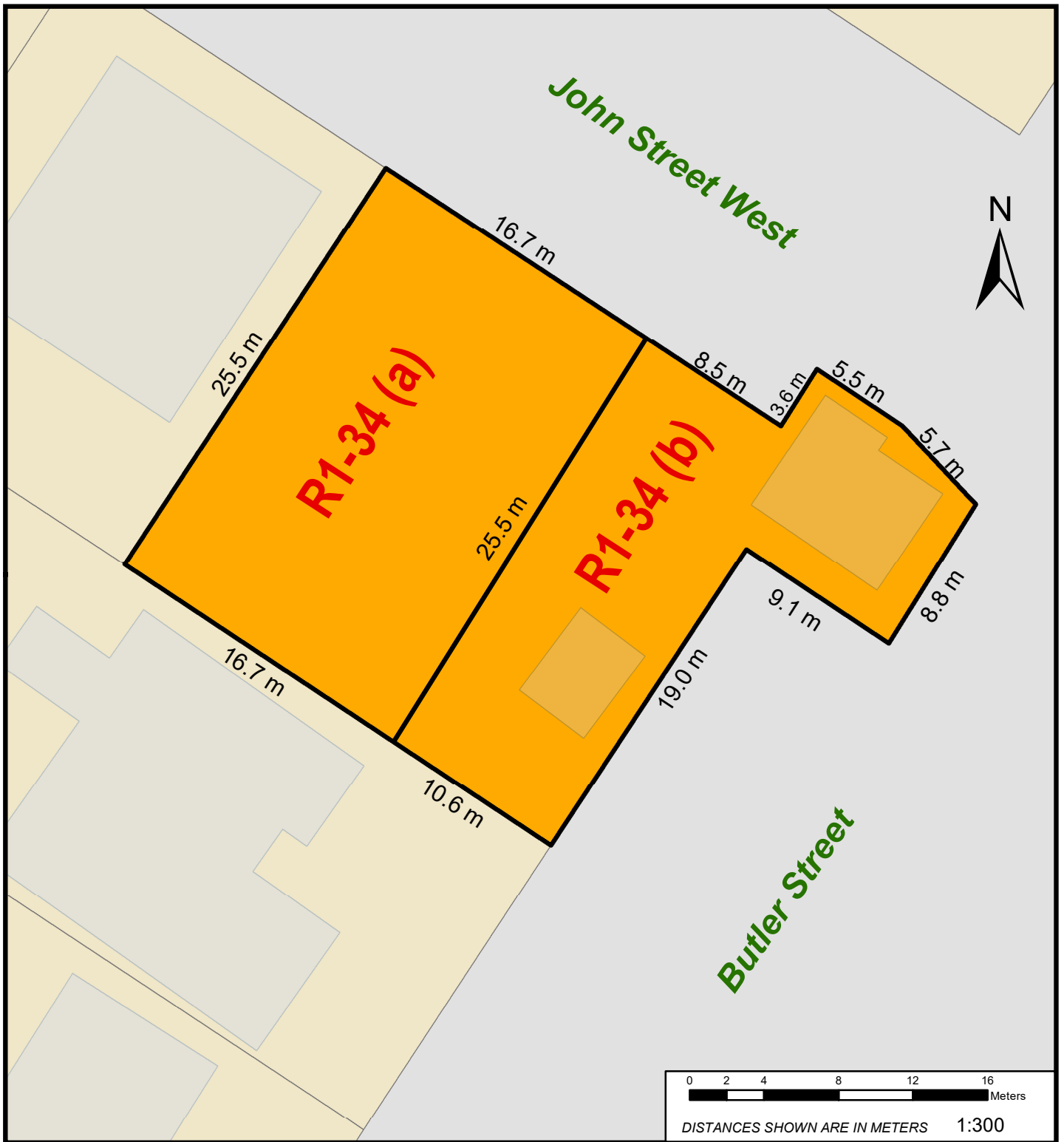
3. All other provisions of Zoning By-law 4316-09, as amended, shall continue to apply to the subject lands.
4. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS 27TH DAY OF JUNE, 2023.

LORD MAYOR GARY ZALEPA

ACTING TOWN CLERK
SHAUNNA ARENBURG

DRAFT



MAP 'A' ATTACHED TO BY-LAW 4316EQ-23, BEING AN AMENDMENT TO SCHEDULE "A-3" OF ZONING BY-LAW 4316-09, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS 27th DAY OF JUNE, 2023.

LORD MAYOR
GARY ZALEPA

ACTING TOWN CLERK
SHAUNNA ARENBURG