

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

The subject lands are described as 281 Tanbark Road, Niagara-on-the-Lake, more particularly described as Lot 1 of Plan 664; 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 (1) new lot for the conversion of an existing detached garage to a single-detached dwelling and retain one (1) lot for an existing single-detached dwelling.

Effect

The effect of this By-law is to rezone the subject lands from “St. Davids Community Zoning District – Residential (R1) Zone” to “St. Davids Community Zoning District – Residential [R1-36(a)] Site-Specific Zone” and “St. Davids Community Zoning District – Residential [R1-36(b)] Site-Specific Zone” with site-specific provisions pertaining to:

- Minimum lot area
- Maximum front yard setbacks
- Minimum interior and exterior side yard setbacks
- Minimum rear yard setback
- Minimum accessory building setbacks
- Minimum setback for an in-ground pool
- Minimum dwelling floor area
- Driveway and parking area

<i>Owner:</i>	Frederick Coccimiglio
<i>File Number:</i>	ZBA-26-2022
<i>Report Number:</i>	CDS-23-061
<i>Assessment Roll Number:</i>	262702002511309

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

281 Tanbark Road, Roll #: 262702002511309

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-23" 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 "St. Davids Community Zoning District – Residential (R1) Zone" to "St. Davids Community Zoning District – Residential [R1-36(a)] Site-Specific Zone" and "St. Davids Community Zoning District – Residential [R1-36(b)] Site-Specific Zone".
2. That Subsection 9.13 Site Specific Exceptions of By-law 4316-09, as amended, is hereby further amended by adding the following:

9.13.36 – 281 Tanbark Road & Stoneridge Crescent – See Schedule A-23

9.13.36.1 R1-36 (a) Zone Requirements

In lieu of the corresponding provisions of Subsection 9.1.2, the following provisions shall apply to the subject lands identified as R1-36 (a) on Schedule 'A-23':

(f)	Maximum front yard setback	As existing on the date of passage of this by-law
(i)	Minimum exterior side yard setback	
(o)	Minimum accessory building exterior side yard setback	
(p)	Minimum setback of in-ground swimming pool from interior lot line	

9.13.36.2 R1-36 (b) Zone Requirements

In lieu of the corresponding provisions of Subsection 9.1.2, and in addition to such provisions, the following provisions shall apply to the subject lands identified as R1-36 (b) on Schedule 'A-23':

(b)	Minimum lot area	610 square metres
(f)	Maximum front yard setback for existing building	14.8 metres
(h)	Minimum east interior side yard setback for existing building	1.4 metres
	Minimum west interior side yard setback for existing building	12 metres
(j)	Minimum rear yard setback for existing building	1.6 metres
(l)	Minimum dwelling floor area for existing building	75 square metres
(p)	Driveway and parking area	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 25TH DAY OF JULY, 2023.

LORD MAYOR GARY ZALEPA

ACTING TOWN CLERK
SHAUNNA ARENBURG