

Explanation of the Purpose and Effect of
By-law 4316FO-24

The subject lands are described as 489 Regent Street, Niagara-on-the-Lake, more particularly described as Part of Lot 322, Township Plan 86 Niagara as in RO685813; 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 residential lot for the construction of a single-detached dwelling and retain one (1) residential lot with an existing single-detached dwelling for continued residential use.

Effect

The effect of this By-law is to rezone the subject lands from “Old Town Community Zoning District – Established Residential (ER) Zone” to “Old Town Community Zoning District – Established Residential [ER-113(a)] Site-Specific Zone” and “Old Town Community Zoning District – Established Residential [ER-113(b)] Site-Specific Zone” with site-specific provisions pertaining to:

- Lot frontage
- Garage setback and garage door width
- Side yard setback for existing chimney with foundation
- Permit existing operating apparatus (air conditioning unit) in the interior side yard

<i>Owner:</i>	Landen Wakil
<i>File Number:</i>	ZBA-06-2024
<i>Report Numbers:</i>	CDS-24-084
<i>Assessment Roll Number:</i>	262701000322400

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 4316FO-24**

489 Regent Street, Roll #: 262701000322400

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-1" 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 – Established Residential (ER) Zone" to "Old Town Community Zoning District – Established Residential [ER-113(a)] Site-Specific Zone" and "Old Town Community Zoning District – Established Residential [ER-113(b)] Site-Specific Zone".

2. That Subsection 7.14 Site Specific Exceptions of By-law 4316-09, as amended, is hereby further amended by adding the following section:

7.14.113 – 489 Regent Street – See Schedule ‘A-1’ [ER-113(a) and ER-113(b)]

7.14.113.1 ER-113 (a) Zone Requirements

In lieu of and in addition to the corresponding provisions of Subsection 7.1.2, the following provisions shall apply to the subject lands identified as ER-113 (a) on Schedule ‘A-1’:

(a)	Minimum lot frontage Minimum lot depth	15 m (49.2 ft) As existing
(k)	A detached or attached garage shall be setback a minimum of 1 metre behind the main façade of the dwelling on the ground floor	
(l)	The door(s) of an attached garage shall not occupy more than 50% of the width of the dwelling façade	

7.14.113.2 ER-113 (b) Zone Requirements

In lieu of and in addition to the corresponding provisions of Subsection 7.1.2, the following provisions shall apply to the subject lands identified as ER-113 (b) on Schedule ‘A-1’:

(a)	Minimum lot frontage Minimum lot depth	19 m (62.3 ft) As existing
(k)	Interior side yard setback to existing chimney with foundation	1.0 m (3.2 ft)

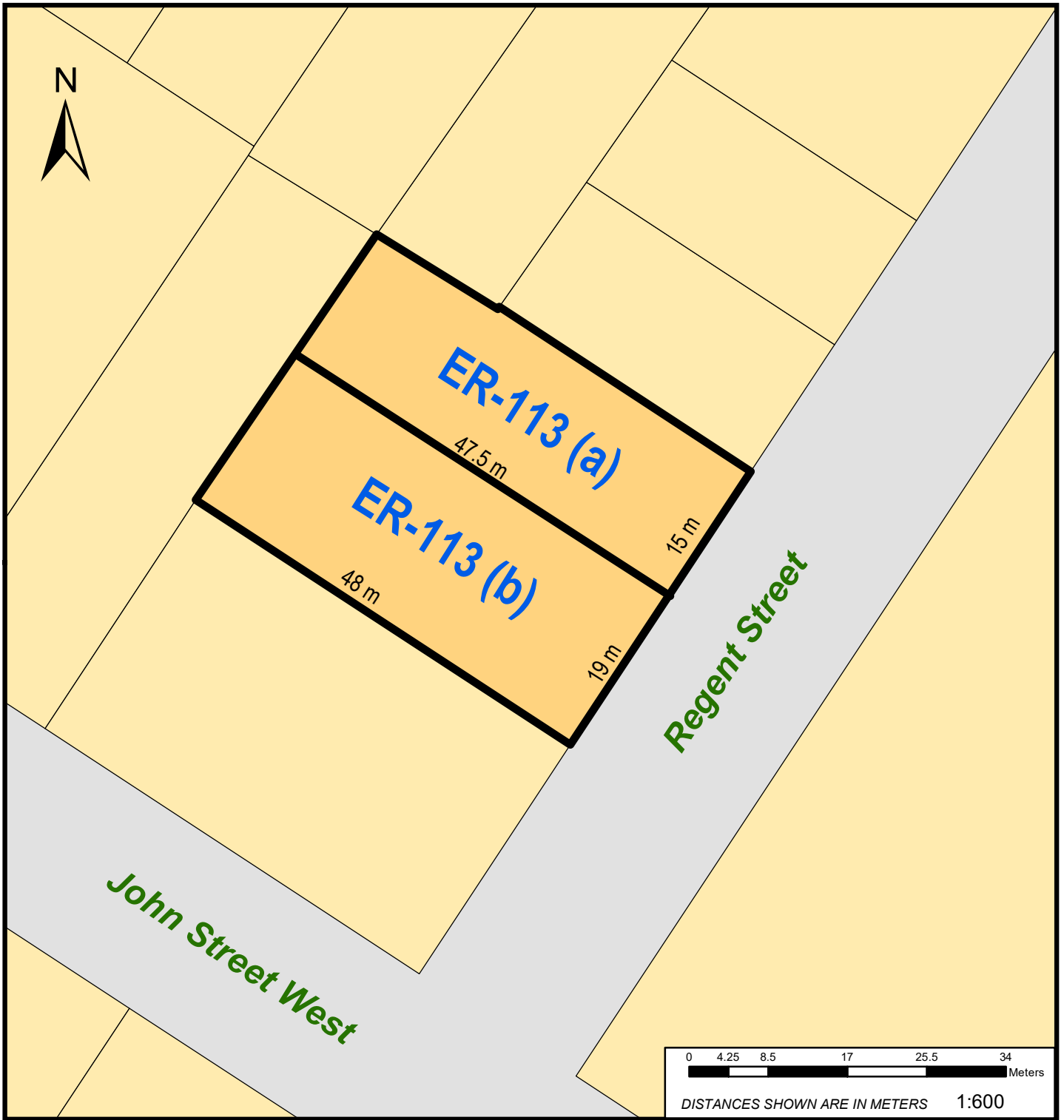
7.14.113.3 Notwithstanding Subsection 6.1(f) and applicable to the subject lands identified as ER-113 (b) on Schedule ‘A-1’, the existing operating apparatus (air conditioning unit) is permitted in the northeastern interior side yard.

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 JUNE, 2024.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL



MAP 'A' ATTACHED TO BY-LAW 4316FO-24, BEING AN AMENDMENT TO SCHEDULE "A-1" OF ZONING BY-LAW 4316-09, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS 25th DAY OF JUNE, 2024.

LORD MAYOR
GARY ZALEPA

TOWN CLERK
GRANT BIVOL