

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

The subject lands are described as 187 Queen Street, Niagara-on-the-Lake, more particularly described as LT 49 TP PL 86 NIAGARA; PT LT 50 TP PL 86 NIAGARA AS IN RO659780; 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-114(a)] Site-Specific Zone” and “Old Town Community Zoning District – Established Residential [ER-114(b)] Site-Specific Zone” with site-specific provisions pertaining to:

- Lot frontage and depth
- Front yard setback
- Rear yard setback
- Exterior side yard setback
- Permitted encroachment for uncovered/covered porches, patios and decks
- Garage setback and garage door width

<i>Owner:</i>	Rainer Hummel
<i>File Number:</i>	ZBA-05-2024
<i>Report Numbers:</i>	CDS-24-104
<i>Assessment Roll Number:</i>	262701000404100

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

187 Queen Street, Roll #: 262701000404100

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-114(a)] Site-Specific Zone" and "Old Town Community Zoning District – Established Residential [ER-114(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:

**7.14.114 – 187 Queen Street – See Schedule ‘A-1’ [ER-114(a) and ER-114(b)]**

7.14.114.1 ER-114 (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-114 (a) on Schedule ‘A-1’:

(a)	Minimum lot frontage Minimum lot depth	33 m 42 m
(b)	Minimum front yard setback	8.5 m
(k)	Maximum encroachment into a required rear yard for an unenclosed and uncovered/covered porch, deck, balcony, patio or steps	3.5 m
(l)	A detached or attached garage shall be setback a minimum of 1 metre behind the main façade of the dwelling on the ground floor	
(m)	The door(s) of an attached garage shall not occupy more than 50% of the width of the dwelling façade	

7.14.114.2 ER-114 (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-114 (b) on Schedule ‘A-1’:

(a)	Minimum lot frontage Minimum lot depth	29 m 42 m
(b)	Minimum front yard setback	As existing on the date of passage of this by-law
(c)	Minimum rear yard setback	5 m
(i)	Minimum exterior side yard setback to the front face of the dwelling  Minimum exterior side yard setback to the front face of an attached garage	As existing on the date of passage of this by-law  12 m

3. All other provisions of Zoning By-law 4316-09, as amended, shall continue to apply to the subject lands.

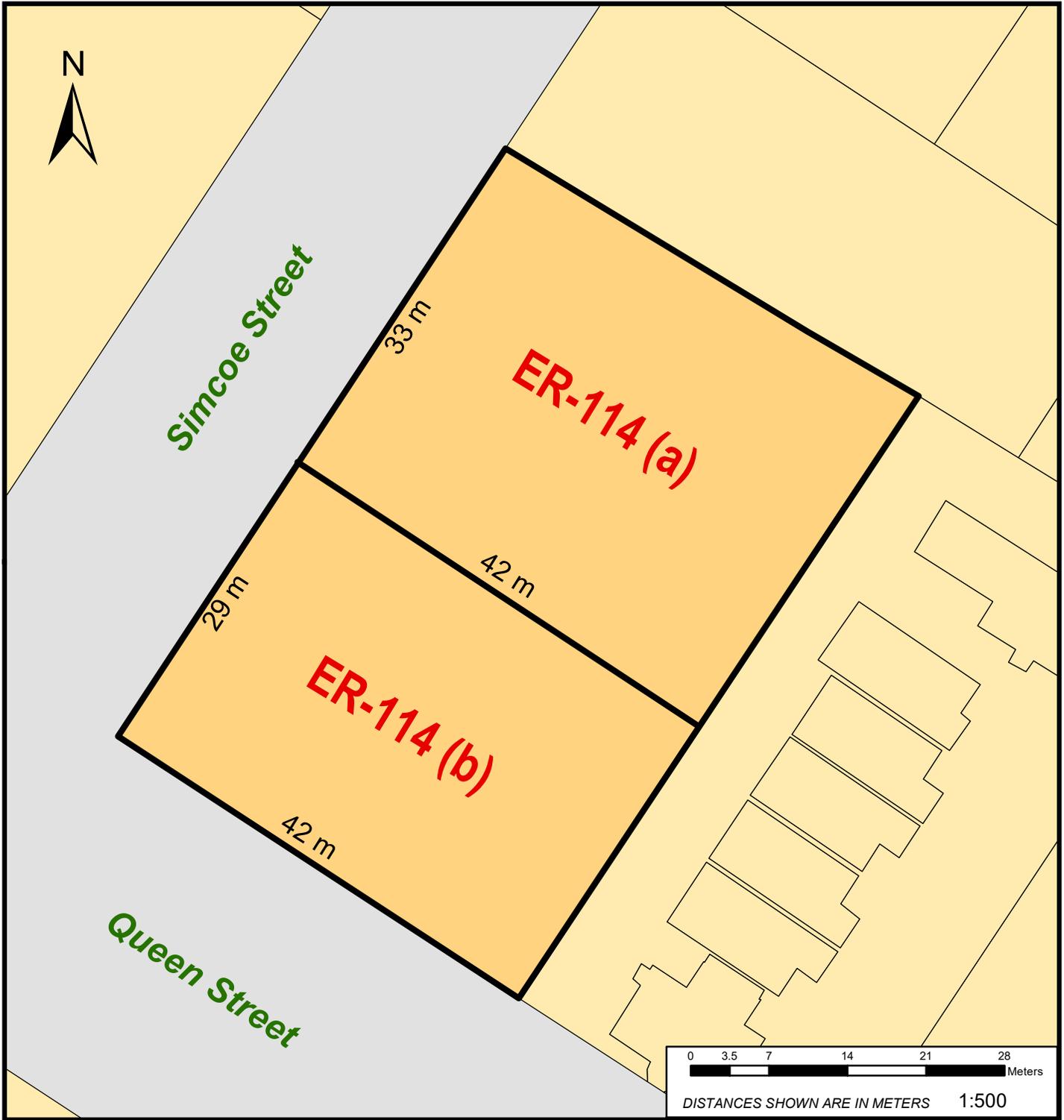
4. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS 30TH DAY OF JULY, 2024.

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LORD MAYOR GARY ZALEPA

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TOWN CLERK GRANT BIVOL

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MAP 'A' ATTACHED TO BY-LAW 4316FR-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 30th DAY OF JULY, 2024.

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LORD MAYOR  
GARY ZALEPA

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TOWN CLERK  
GRANT BIVOL