

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 (108.2 ft) 42 m (137.7 ft) |
| (b) | Minimum front yard setback | 8.5 m (27.8 ft) |
| (k) | Maximum encroachment into a required rear yard for an unenclosed and uncovered/covered porch, deck, balcony, patio or steps | 3.5 m (11.4 ft) |
| (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 (95.1 ft) 42 m (137.7 ft) |
| (b) | Minimum front yard setback | As existing on the date of passage of this by-law |
| (c) | Minimum rear yard setback | 5 m (16.4 ft) |
| (i) | Minimum exterior side yard setback to the front face of the dwelling | As existing on the date of passage of this by-law |
| | Minimum exterior side yard setback to the front face of an attached garage | 12 m (39.3 ft) |

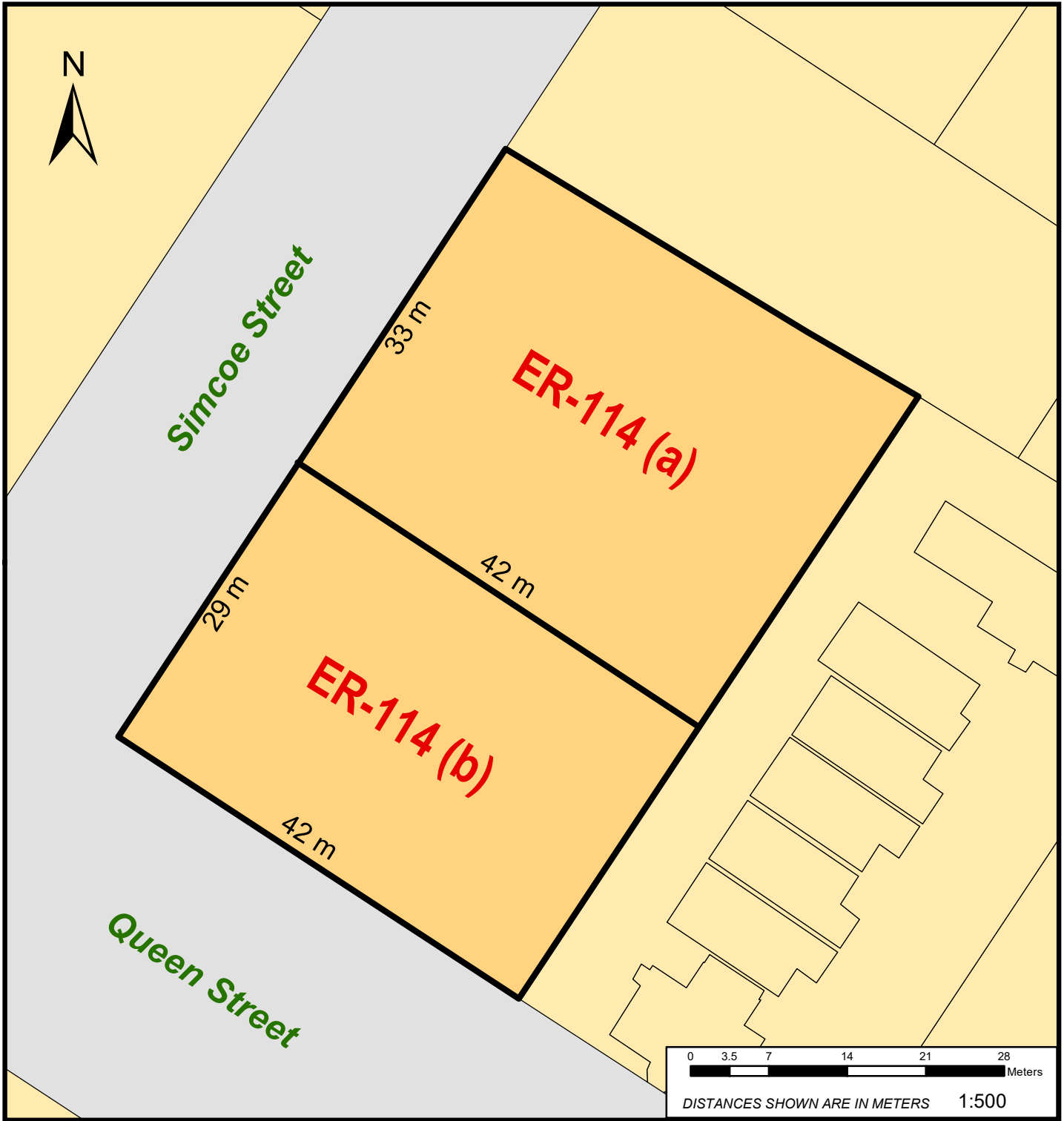
3. All other provisions of Zoning By-law 4316-09, as amended, shall continue to apply to the subject lands.

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.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL



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.

LORD MAYOR
GARY ZALEPA

TOWN CLERK
GRANT BIVOL