

Explanation of the Purpose and Effect of  
By-law 4316FQ(1)-26

The subject lands are municipally known as 308 Four Mile Creek Road and are legally described as “FIRSTLY: PART TOWNSHIP LOT 89 NIAGARA, PART 1 PLAN 30R13725; SECONDLY: PART TOWNSHIP LOT 89 NIAGARA, PART 1 PLAN 30R14992; TOGETHER WITH AN EASEMENT OVER PART LOT 89 NIAGARA TOWNSHIP, PARTS 2, 3 & 4 PLAN 30R14992 AS IN NR362619”, now in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara.

Purpose

The purpose of this By-law is to rezone the development portions of the subject lands to permit the development of fifteen (15) block townhouse dwelling units, with common elements for a private road and servicing, environmental protection area and landscaping. As part of the rezoning, a “Holding (H)” symbol is removed, which prevented development on the subject lands until such time as the submission of confirmation of the filing of a Record of Site Condition with the Ministry.

Effect

The effect of this By-law is to rezone the development portions of the subject lands from “St. Davids Community Zoning District – Residential (R1) Zone” and “St. Davids Community Zoning District - Residential Multiple (RM1-41-H) – Site Specific Holding Zone” to “St. Davids Community Zoning District - Residential Multiple (RM1-41) Site Specific Zone”, with site-specific provisions for front yard setbacks, rear yard setbacks, interior side yard setbacks, garage door width, distance between buildings on the same lot, and encroachments into front and rear yards.

<i>Applicant:</i>	Sleek Developments Inc.
<i>File Number:</i>	ZBA-24-2025
<i>Report Number:</i>	CDS-26-014
<i>Assessment Roll Number:</i>	262702002506000

**THE CORPORATION  
OF THE  
TOWN OF NIAGARA-ON-THE-LAKE**

**BY-LAW NO. 4316FQ(1)-26**

308 Four Mile Creek Road

Roll# 262702002506000

A BY-LAW PURSUANT TO SECTION 34 OF THE ONTARIO *PLANNING ACT* 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.

**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 development portions 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" and "St. Davids Community Zoning District - Residential Multiple (RM1-41-H) – Site Specific Holding Zone" to "St. Davids Community Zoning District – Residential Multiple (RM1-41) Site Specific Zone".

- 2 That Subsections 9.13.41.1 and 9.13.41.2 (Site Specific Exceptions) of By-law 4316-09, as amended, are hereby deleted and replaced with the following sections:

9.13.41.1 RM1-41 Zone Requirements

In lieu of the corresponding provisions of Subsection 9.4.2.3, and in addition to such provisions, the following provisions shall apply on the lands identified as RM1-41 on Schedule “A-23”:

(f)	Minimum front yard setback	5.0 m from a private lane to the main façade of a dwelling unit  An attached garage shall be setback a minimum of 1 metre behind the main façade of the dwelling unit on the ground floor
(g)	Minimum interior side yard setback	2.0 m from a dwelling unit or covered porch to a <i>lot line</i>  1.2 m from a dwelling unit or covered porch to an Open Space Zone boundary line  0 m from a common wall
(i)	Minimum rear yard setback	6.0 m from the rear face of a dwelling unit to a <i>lot line</i>  6.0 m from the rear face of a dwelling unit to an Open Space Zone boundary line
(j)	Minimum distance between buildings located on the same lot from end wall to end wall	3.0 m
(k)	Minimum distance between any townhouse	Not applicable

	dwelling and an internal driveway and parking area to the front of the dwelling, and to the front face of garage	
(q)	Maximum total width of garage doors	50% of the front face of a dwelling unit

9.13.41.2(a) In lieu of the corresponding provisions of Section 6.44 Table 6-10 of Zoning By-law 4316-09, as amended, Permitted Yard Projections and Encroachments, on lands identified as RM1-41 on Schedule "A-23", the following provisions shall apply:

- a) an unenclosed and uncovered or covered porch, patio or steps may project 2.0 metres into a required front yard.
- b) an unenclosed and uncovered or covered porch, deck or patio or steps may project 3.5 metres into a required rear yard, provided that any covered area is no greater than 15 square meters (excluding eaves and gutters).

9.13.41.2(b) RM-41 Parking Space Requirements, Additional Provisions

In lieu of the provisions of Subsections 6.40 (i) and (j), the minimum interior side yard setback for a driveway shall be 0 metres from an abutting condominium unit line.

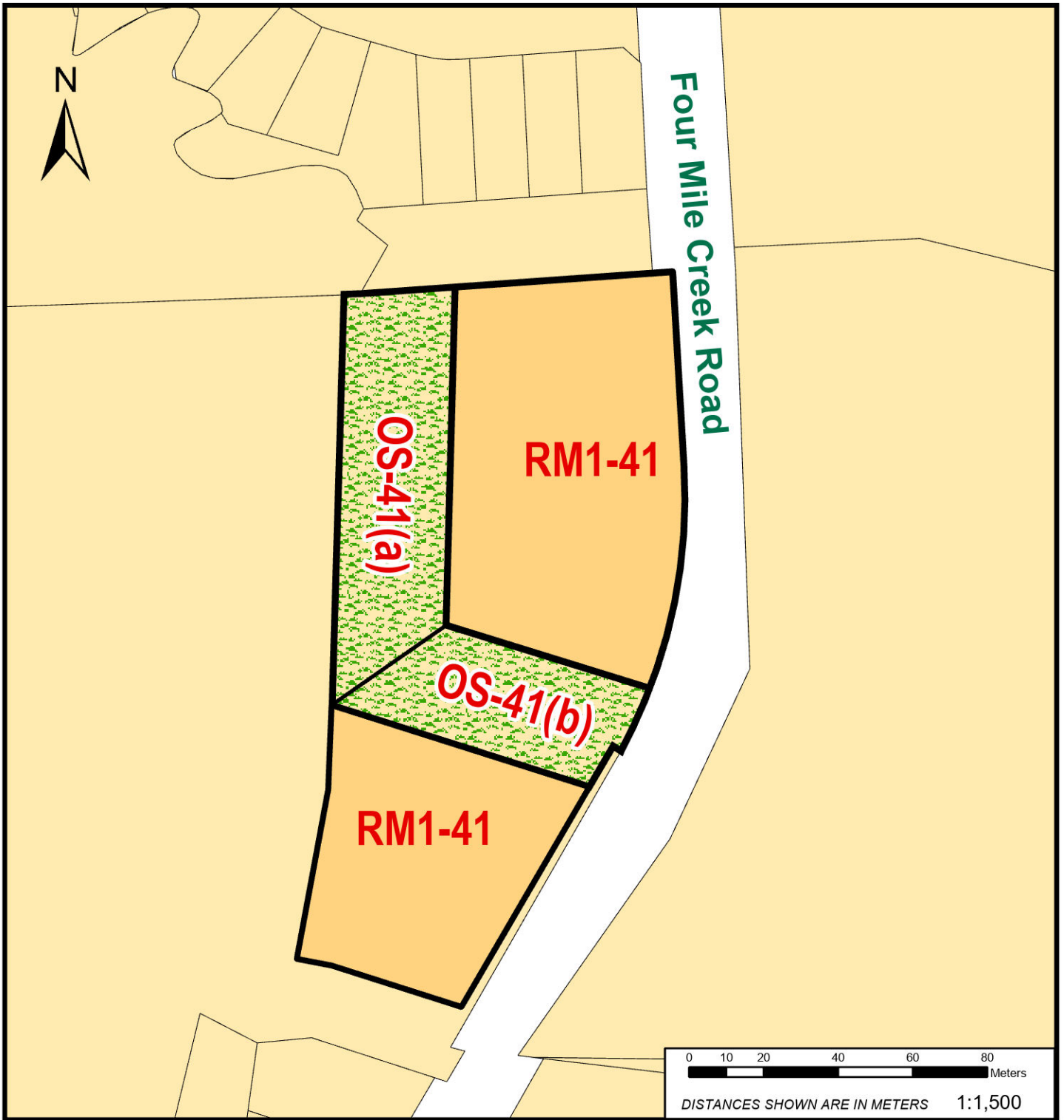
3. That Section 3 of By-law 4316FQ-24, which implemented a Holding (H) provision for the subject lands is deleted in its entirety, and the subsequent sections of By-law 4316FQ-24 are renumbered accordingly.

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 24th DAY OF FEBRUARY  
2026.

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LORD MAYOR GARY ZALEPA

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TOWN CLERK GRANT BIVOL



MAP 'A' ATTACHED TO BY-LAW 4316FQ(1)-26, BEING AN AMENDMENT TO SCHEDULE "A-23" OF ZONING BY-LAW 4316-09, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS 24th DAY OF FEBRUARY, 2026.

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LORD MAYOR  
GARY ZALEPA

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TOWN CLERK  
GRANT BIVOL