

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

The subject lands are described as 451 Line 1 Road, in Niagara-on-the-Lake, more particularly described as Part Township Lot 118 (Niagara), Designated as Part 1 30R-15744; Town of Niagara-on-the-Lake.

Purpose

The purpose of this By-law is to rezone the subject lands to facilitate the creation of three (3) lots for single-detached dwellings.

Effect

The effect of this By-law is to rezone the subject lands from “Virgil Community Zoning District – Residential Development (RD)” to “Virgil Community Zoning District – Residential (R2) Site-Specific Zone (R2-43)” with site-specific provisions pertaining to:

- Maximum Lot Coverage
- Minimum Front Yard Setback
- Minimum Exterior Side Yard Setback for a Garage
- Maximum Projection of Porches, Decks and Patios into Required Front and Rear Yards
- Maximum Garage Door Width

<i>Applicant:</i>	Grey Forest Homes Ltd
<i>File Number:</i>	ZBA-21-2023
<i>Report Number:</i>	CDS-23-256
<i>Assessment Roll Number:</i>	262702001421100

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

451 Line 1 Road, Roll # 262702001421100

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-14" 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 "Virgil Community Zoning District - Residential Development (R2) Zone" to "Virgil Community Zoning District – Residential (R2-43) Site-Specific Zone".
2. That Subsection 10.12 – Site Specific Exceptions of By-law 4316-09, as amended, is hereby further amended by adding the following:

**10.12.43 – 451 Line 1 Road – See Schedule "A-14" (R2-43)**

10.12.43 R2-43 Zone Requirements

In lieu of and in addition to the corresponding provisions of Subsection 10.2.2, the following provisions shall apply to the subject lands identified as R2-43 on Schedule “A-14”:

(c)	Maximum lot coverage  An additional 5% lot coverage is allowed for attached covered and unenclosed porches, decks and patios	45%
(e)	Minimum front yard setback to the main façade of the dwelling  Minimum front yard setback to the front face of a garage	4.5 metres  6.0 metres
(m)	Minimum exterior side yard setback to the front face of a garage	6.0 metres
(n)	The door(s) of an attached garage shall not occupy more than 50% of the width of the dwelling façade	

In lieu of and in addition to the corresponding provisions of Subsection 6.44, the following provisions shall apply to the subject lands identified as R2-43 on Schedule “A-14”:

Table 6-10	Maximum projection of attached uncovered and covered (1-storey) and unenclosed porches, decks and patios into a required rear yard	3.7 metres
Table 6-10	Maximum projection of attached uncovered and covered (1-storey) and unenclosed porches, decks and patios into a required front yard	1.5 metres

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

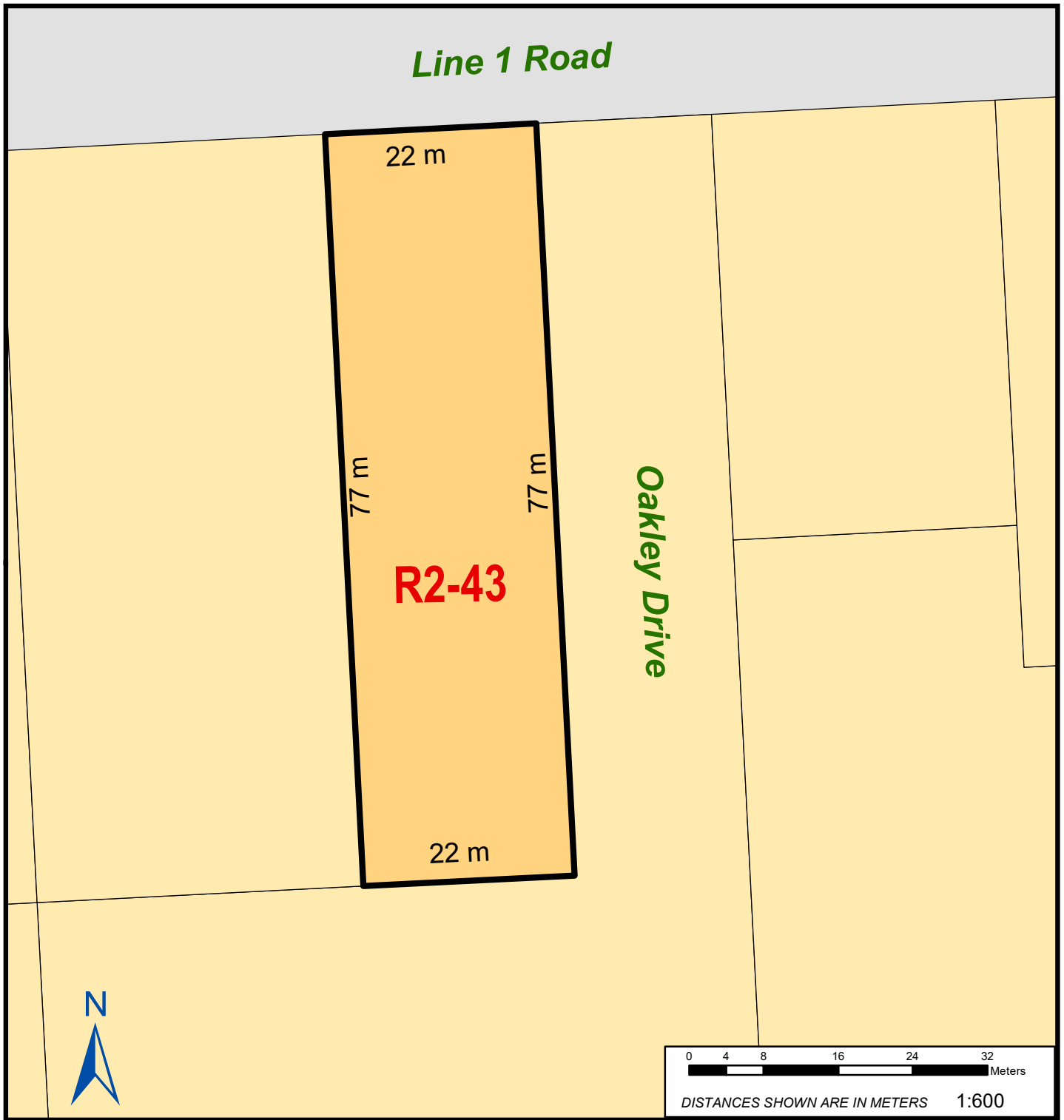
4. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS 12TH DAY OF DECEMBER,  
2023.

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LORD MAYOR GARY ZALEPA

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GRANT BIVOL TOWN CLERK

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MAP 'A' ATTACHED TO BY-LAW 4316FA-23, BEING AN AMENDMENT TO SCHEDULE "A-14" OF ZONING BY-LAW 4316-09, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS 12th DAY OF DECEMBER, 2023.

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LORD MAYOR  
GARY ZALEPA

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TOWN CLERK  
GRANT BIVOL