

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

The subject lands are described as 431 Line 2 Road, Niagara-on-the-Lake, more particularly described as Part of Lot 120 Registered Plan 30R547 Part 2; 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 severance of one (1) new lot for future residential development and retain one (1) for an existing single-detached dwelling.

Effect

The effect of this By-law is to rezone the subject lands from “Virgil Community Zoning District – Residential Development (RD) Zone” to, in part, “Virgil Community Zoning District – Residential (R2-44) Site-Specific Zone” with site-specific provisions pertaining to:

- Existing driveway width and setback

<i>Owners:</i>	Carmela Biancaniello, Ralph Biancaniello, Frances Biancaniello, Lisa Bevilaqua
<i>File Number:</i>	ZBA-24-2023
<i>Report Number:</i>	CDS-24-014
<i>Assessment Roll Number:</i>	262702001428400

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

431 Line 2 Road, Roll #: 262702001428400

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 (RD) Zone" to "Virgil Community Zoning District – Residential (R2-44) 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 section:

**10.12.44 – 431 Line 2 Road – See Schedule A-14 (R2-44)**

10.12.44.1 R2-44 Zone Requirements

In lieu of the corresponding provisions of Subsections 6.38(f) and 6.40(j) of Zoning By-law 4316-09, the following provisions shall apply to the subject lands identified as R2-44 on Schedule 'A-14':

<i>(m)</i>	Maximum width of driveway, Minimum setback of driveway	As existing on the date of passage of this by-law
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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 27TH DAY OF FEBRUARY, 2024.

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LORD MAYOR GARY ZALEPA

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TOWN CLERK GRANT BIVOL



MAP 'A' ATTACHED TO BY-LAW 4316FH-24, 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 27th DAY OF FEBRUARY, 2024.

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LORD MAYOR  
GARY ZALEPA

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TOWN CLERK  
GRANT BIVOL