

Explanation of the Purpose and Effect of  
By-law 4316EF-22

The subject lands are a parcel of land described as 419 Line 1 Road, Niagara-on-the-Lake, more particularly described as Part of Niagara Township Lot 118, as in RO257974, Town of Niagara-on-the-Lake.

Purpose

The purpose of this By-law is to rezone a portion of the property to facilitate the severance of an existing single-detached dwelling.

Effect

The effect of this By-law is to rezone a portion of the property from “Virgil Community Zoning District – Residential Development (RD) Zone” to “Virgil Community Zoning District – Residential (R2) Zone” with site-specific provisions pertaining to the following:

- Interior side yard setback; and
- Future garage location and door width.

A majority of the property would maintain the existing “Residential Development (RD) Zone” until a future Zoning By-law Amendment is proposed to permit development.

<i>Owner:</i>	Bice Builders Ltd.
<i>File Number:</i>	ZBA-01-2022
<i>Report Number:</i>	CDS-22-027
<i>Assessment Roll Number:</i>	262702001420900

**THE CORPORATION  
OF THE  
TOWN OF NIAGARA-ON-THE-LAKE  
BY-LAW NO. 4316EF-22**

419 Line 1 Road - Roll 262702001420900

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)” to “Virgil Community Zoning District – Residential (R2-40) – Site Specific Zone.”
2. That Subsection 10.12 Site Specific Exceptions, as amended, is hereby further amended by adding the following section:

**10.12.40 419 Line 1 Road – See Schedule A-14 (R2-40)**

10.12.40.1          R2-40 Zone Requirements

In lieu of the corresponding provisions of Subsection 10.2.2, and in addition to such provisions, the following provisions shall apply to the subject lands identified R2-40 on Schedule A-14:

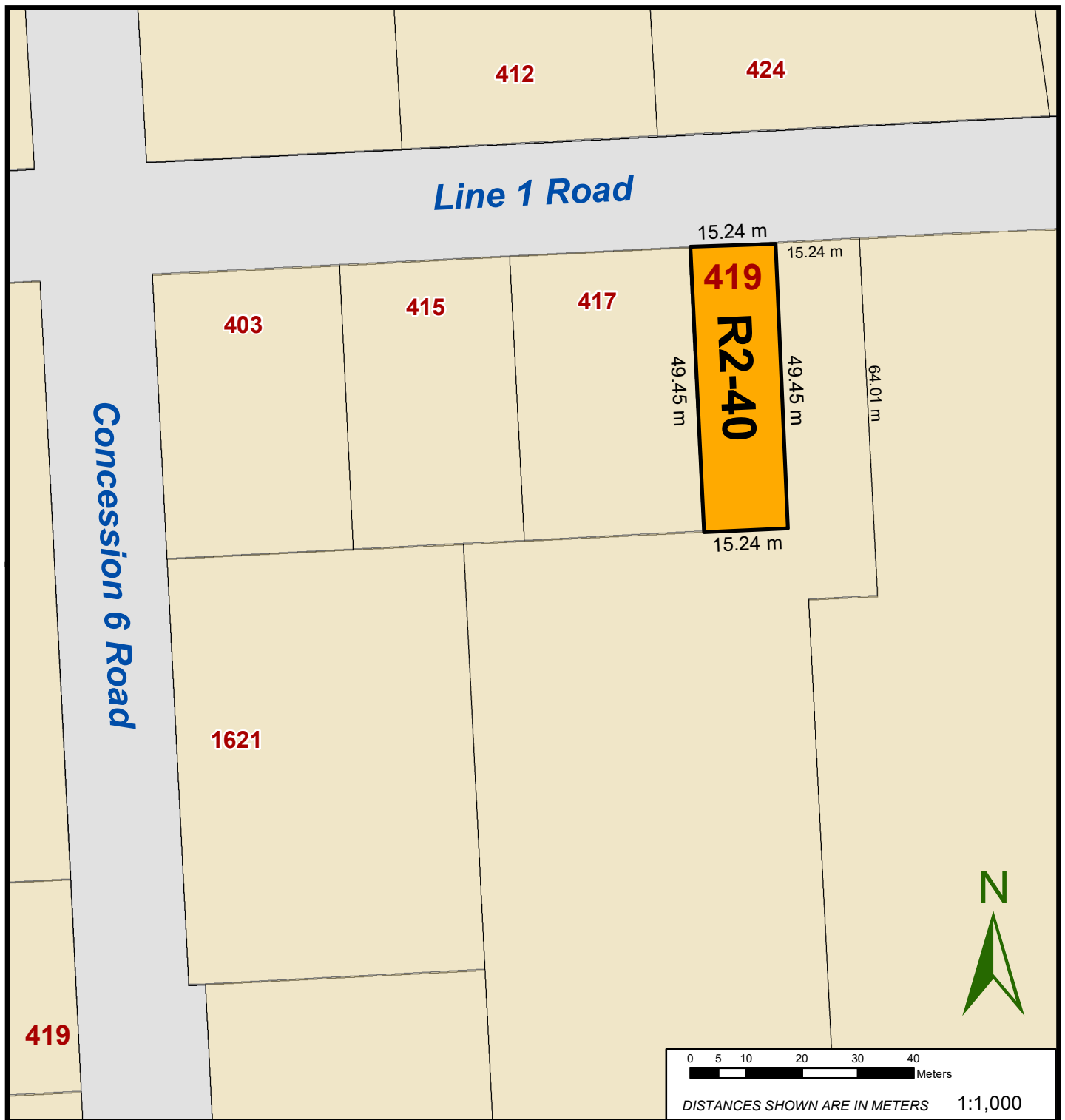
(f)	Minimum interior side yard setback of 1.2 m (3.94 ft) on each side, except where there is no attached garage, the minimum side yard shall be 2.73 m (8.96 ft) on one side.
(m)	A detached or attached garage shall be setback a minimum of 1.0 m (3.28 ft) behind the main façade of the dwelling on the ground floor, except where a covered front porch is provided, an attached garage may project to the rear of the covered front porch, provided the garage has a minimum front yard setback and exterior side yard setback of 6.0 m (19.69 ft).
(n)	The door(s) of an attached garage shall not occupy more than 50% of the width of the dwelling façade.

3. That the effective date of this By-law shall be the date of final passage thereof and of the related Amendment to the Niagara-on-the-Lake Official Plan.

READ A FIRST, SECOND AND THIRD TIME THIS 20TH DAY OF JUNE, 2022.

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LORD MAYOR BETTY DISERO

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TOWN CLERK RALPH WALTON



MAP 'A' ATTACHED TO BY-LAW 4316EF-22, 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 20TH DAY OF JUNE, 2022.

LORD MAYOR  
BETTY DISERO

TOWN CLERK  
RALPH WALTON