

Explanation of the Purpose and Effect of
By-law 4316BV(3)-26

The subject lands are known municipally as 52 and 56 Shaw's Lane, located at the southeast corner of Shaw's Lane and Albion Way, east of Cottage Street. The subject lands are legally described as Lots 28 & 29 of 30M432; in the 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 development of three (3) street townhouse units fronting Shaw's Lane, with site-specific provisions to facilitate the build-out of the use. The Holding (H) symbol is applied for purpose of preventing townhouse development until required technical plans have been approved and a Development Agreement has been executed. The (H) symbol is not intended to restrict the development of a single detached dwelling in accordance with the registered Subdivision agreement.

Effect

The effect of this By-law is to rezone the subject lands from "Old Town Community Zoning District – Residential (R1-71) Site Specific Zone" to "Old Town Community Zoning District – Residential Multiple (RM1-119 - H) Site-Specific Holding Zone." to permit the townhouse dwellings and establish site-specific provisions for:

- Maximum lot coverage;
- Maximum garage width and minimum garage setback;
- Driveway setbacks; and
- Encroachment permissions.

<i>Owner:</i>	Gatta Homes Inc.
<i>File Numbers:</i>	ZBA-26-2025
<i>Report Numbers:</i>	CDS-26-017
<i>Assessment Roll Numbers:</i>	262701000319540 and 262701000319539

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 4316BV(3)-26**

52 Shaw's Lane, Roll #: 262701000319540
56 Shaw's Lane, Roll #: 262701000319539

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-2" 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 – Residential (R1-71) Site Specific Zone" to "Old Town Community Zoning District – Residential Multiple (RM1-119 -H) Site-Specific Holding 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:

7.14.119 – 52 & 56 Shaw’s Lane – See Schedule ‘A-2’ (RM1-119-H)

7.14.119.1 RM1-119-H – Zone Requirements:

In lieu of the corresponding provisions of Subsection 7.5.2.2, the following provisions shall apply to the lands identified as RM1-119-H on Schedule ‘A-2’:

7.14.119.2 RM1-119-H - Permitted Uses (While Holding (H) Symbol Applies):

In lieu of the uses permitted in the Residential Multiple (RM1) Zone as described in Subsection 7.5.1 of By-law 4316-09, the following uses are permitted on the lands identified as RM1-119-H on Schedule ‘A-2’, while the Holding (H) symbol applies:

- (a) A single detached dwelling unit

7.14.119.3 RM1-119-H – Zone Requirements – *Single detached dwelling*

- a) The requirements of the R1-71 Zone as per Section 7.14.71.1

7.14.119.4 RM1-119-H - Permitted Uses (Requires Removal of Holding (H) Symbol):

In lieu of the uses permitted in the Residential Multiple (RM1) Zone as described in Subsection 7.5.1 of By-law 4316-09, only the following uses shall apply on the lands identified as RM1-119-H on Schedule ‘A-2’, following removal of the Holding (H) symbol:

- (a) accessory building and structures in accordance with Section 6.21
- (b) townhouse or row dwelling

7.14.119.5 RM1-119-H – Zone Requirements – *A Townhouse or row dwelling*

In lieu of the corresponding provisions of Subsection 7.5.2.2, the following provisions shall apply on the subject lands identified as RM1-119-H:

(c)	1. Maximum lot coverage for the total development 2. Maximum lot coverage for an interior unit	53% 60%
(n)	Maximum width of garage door	50% of dwelling façade which faces the front lot line
(o)	A detached or attached garage shall be setback from the front lot line a minimum of 0.9 m greater than the building face (including a covered porch) of the main building	
(p)	Minimum interior side yard setback to a driveway and required uncovered surface parking area where driveways are abutting	0.6 m
(q)	Covered/uncovered and unenclosed porch, deck, patio may encroach 2.1 m into a required rear yard and 1 m into a required front yard.	
(r)	Uncovered and unenclosed steps may encroach 3.6 m into a required rear yard and 2.5 m into a required front yard.	

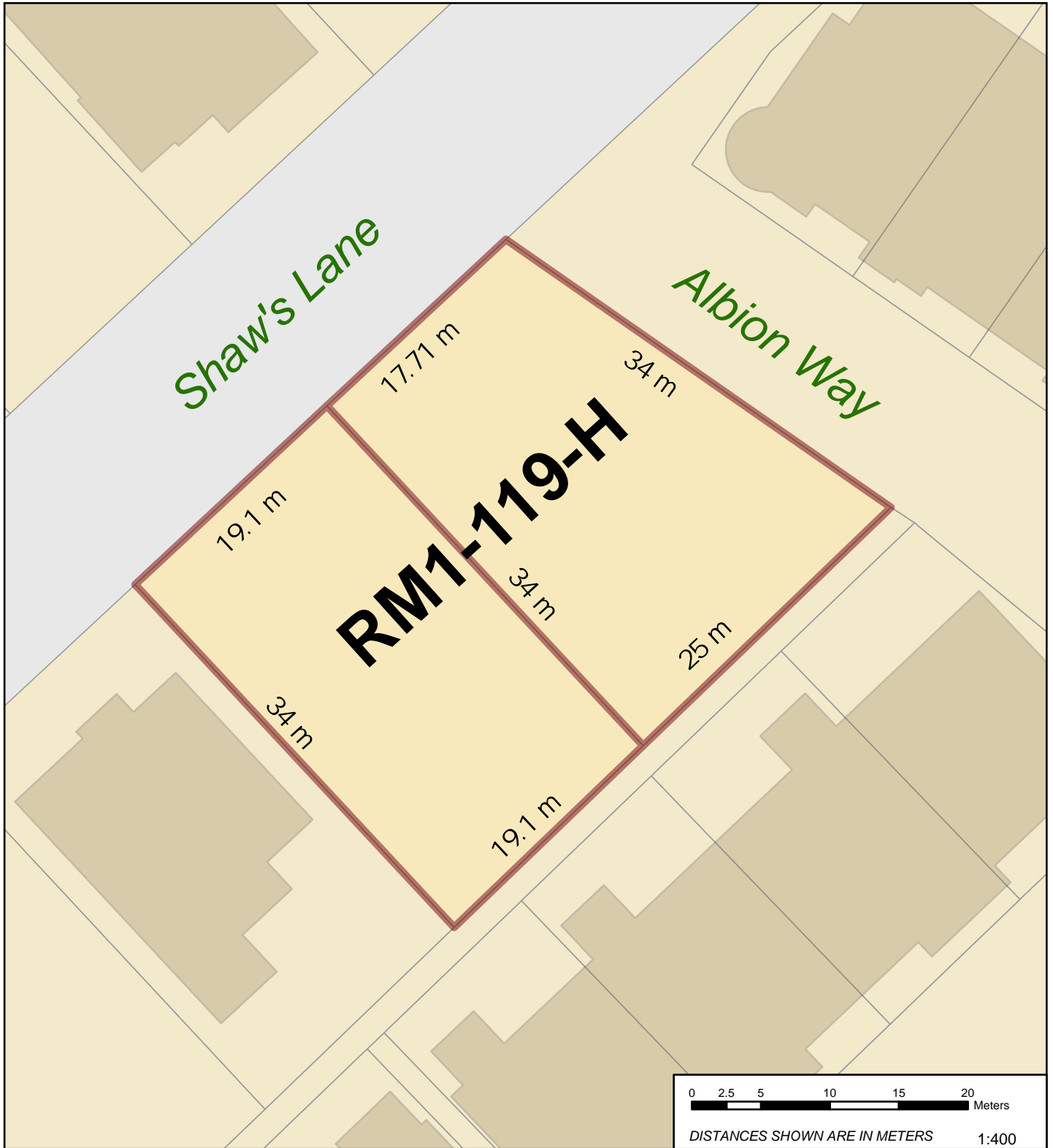
3. Any development for the purpose of a townhouse dwelling on the subject lands for identified as RM1-119-H on Schedule “A-2” shall only be permitted upon removal of the Holding (H) symbol. The Holding (H) symbol shall not be removed until the following conditions have been met to the satisfaction of the Corporation of the Town of Niagara-on-the-Lake:
- a) The Owner has received approval from the Director of Public Works & Infrastructure of the following plans, enabling townhouse construction:

- i. a detailed grading and drainage plan;
 - ii. a site servicing plan; and
 - iii. a landscape plan.
 - b) The Owner has entered into a Development Agreement enabling townhouse construction with the Town, and that such Development Agreement is registered on title, which requires the Owner to complete all works in accordance with the approved plans, and requires the payment of any relevant cash-in-lieu of parkland, to the satisfaction of the Director of Planning, Building and Development Services.
4. All other provisions of Zoning By-law 4316-09, as amended, shall continue to apply to the subject lands.
5. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS 28TH DAY OF APRIL, 2026.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL



MAP 'A' ATTACHED TO BY-LAW 4316BV(3)-26, BEING AN AMENDMENT TO SCHEDULE 'A-2' OF ZONING BY-LAW 4316-09, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS 28TH DAY OF APRIL, 2026.

LORD MAYOR
GARY ZALEPA

TOWN CLERK
GRANT BIVOL