



Official Plan and/or Zoning By-law Amendment Application

☐ Official Plan Amendment Major or Minor Official Plan Amendment (Minor does not require Regional Approval)	Cost Acknowledgement Fee**	\$7600.00 2500.00 \$10100.00
☒ Zoning By-law Amendment	Cost Acknowledgement Fee**	\$7150.00 2500.00 \$9650.00
☐ Minor Zoning By-law Amendment (proposing 3 dwelling units excluding existing units or less than 90m ² (1000ft ²) of non-residential floor area, Agricultural Purpose Only (APO), Temporary Use Renewals)	Cost Acknowledgement Fee**	\$2500.00 2500.00 \$5000.00
☐ Other By-laws - Holding Symbol Removal	Cost Acknowledgement Fee**	\$1800.00 2500.00 \$4300.00
☐ Combined Official Plan & Zoning Amendment (Zoning Amendment Major or Minor)	Cost Acknowledgement Fee**	\$10500.00 2500.00 \$13000.00

A cost acknowledgement agreement with the Municipality is required for these applications. The purpose if the agreement is to address out of pocket expenses including advertising costs, registration of documents and those costs that go beyond the ordinary processing of an application, such as review of specialized planning, legal, advertising, engineering, other professional studies, or services provided by the Municipality on behalf of the proponent at the Ontario Municipal Board Hearings. Any unused portion of the deposit is returned at the end of the process. Should additional monies be required, these will be requested and paid prior to continuing the process.

The cost of any plans to be submitted with the application is the responsibility of the applicant and similarly the cost of any revisions to those plans is the responsibility of the applicant.

Refund Policy: A maximum of 60% of the application fee submitted may be refunded when an application is withdrawn by the applicant prior to the preparation of a planning report by Town Community & Development staff. A 20% refund is available when the application is withdrawn after the preparation of a planning report but prior to the consideration of the report by the Community & Development Services Advisory Committee.

The information contained in this application is required to review the proposed amendment. It is important that all the required information be submitted at the time the application is submitted.

Please Note: An application will not be considered complete unless ALL supporting reports and full size drawings are submitted folded.

Other Fees that may be applicable to your Official Plan/Zoning By-law application

Regional Municipality of Niagara

http://www.niagararegion.ca/business/fpr/forms_fees.aspx

NOTE: All fees are to be made payable to the *Regional Municipality of Niagara*

Niagara Peninsula Conservation Authority (NPCA)

http://www.niagararegion.ca/business/fpr/forms_fees.aspx

NOTE: All fees are to be made payable to the *Niagara Peninsula Conservation Authority*

Official Plan and/or
Zoning By-law Amendment Application

Registered Owner

Two Sisters Resorts Inc.

122 Romina Drive, Concord

ON

(905) 660-9222

mrogato@solmar.ca

(include Box No. or Rural No)

Postal Code

Facsimile

L4K 4Z7

Applicant

Two Sisters Resorts Inc.

122 Romina Drive, Concord

ON

(905) 660-9222

mrogato@solmar.ca

(include Box No. or Rural No)

Postal Code

Facsimile

L4K 4Z7

Agent (unless an agent is authorized, all correspondence with respect to this application will be sent to the owner, see appendix for statement of authorization)

(include Box No. or Rural No)

Postal Code

Facsimile

Name and Mailing Address of any Mortgagees, Holders of Charges or other encumbrances:

Postal Code

Postal Code

Postal Code

A. LOCATION & DESCRIPTION OF PROPERTY

Municipal Street

John Street East

Address

144 & 176

Lot

Plan

Assessment Roll Number: 26-27 - 01000200900 & 26-27-01000200800

Dimensions of the subject lands:

Frontage	305	m	or	1,000	ft
Width	305	m	or	1,000	ft
Depth	195	m	or	640	ft
Area	5.3	ha	or	13.1	ac

Date the subject lands were acquired by the Owner :

C. PROPOSED AMENDMENT

Does the proposed amendment change, replace or delete a policy in the Official Plan? ☐ yes ☒ no

If yes, what is the policy that is being required to be changed, replaced or deleted?

N/A

Does the proposed amendment add a policy to the Official Plan? ☐ yes ☒ no
If yes, please explain

N/A

Does the proposed amendment change or replace a designation in the Official Plan? ☐ yes ☒ no
If yes, please explain

N/A

Describe in detail the proposed official plan designation and proposed land uses authorized by the amendment

N/A

If the requested official plan amendment changes, replaces, deletes or adds policy, please provide the text of the amendment

N/A

If the requested official plan amendment changes or replaces a schedule in the Official Plan, please provide the requested schedule and text to accompany it

N/A

If the requested official plan amendment alters all or any part of the urban area boundary or establishes a new urban area, what are the current Official Plan policies dealing with the change of, or establishment of a new urban area

N/A

If the requested official plan and/or zoning by-law amendment removes the subject lands from an area of employment, what are the current official plan policies that address the removal of land from an area of employment

N/A

Is the requested official plan and/or zoning by-law consistent with the Provincial Policy Statement
☒ yes ☐ no

Is the subject land within an area designated under any provincial plan(s) ☒ yes ☐ no

If yes, does the requested official plan amendment conform to or not conflict the provincial plan(s)

N/A - not an Official Plan Amendment

Nature and extent of the proposed rezoning and reason for the requested rezoning

Zoning Amendment to reflect revised design of Hotel Site (with previous zoning approval)

If the subject lands are within an area of minimum and maximum density requirements, or minimum and maximum building height requirements, what are those requirements -

D. OTHER CONCURRENT APPLICATIONS

1. Are the subject lands the subject of any other planning application as follows:

Type of Application	Yes	No	Status
Regional Policy Plan Amendment	☐	☒	
Plan of Subdivision	☐	☒	
Site Plan	☒	☐	Concurrent Site Plan Application
Consent	☐	☒	
Minor Variance	☐	☒	

If yes, please provide the following information

File Number	Concurrent application (no file number yet)
Name of Approval Authority	Town of Niagara-on-the-Lake
It's purpose	Site Plan Approval
It's status	Concurrent Application
Effect of the request	Site Plan Approval

2. Are the lands within 120 metres of the subject lands subject to other planning applications:

Type of Application	Yes	No
Official Plan Amendment	☐	☒
Zoning By-law Amendment	☐	☒
Consent	☐	☒
Site Plan Control	☐	☒
Minor Variance	☐	☒
Plan of Subdivision	☐	☒

If yes, please provide the following information

File Number	
Name of Approval Authority	
It's purpose	
It's status	
Effect of the request	

3. Indicate how the proposed conforms to the Regional Niagara Policy Plan:

see planning justification report

4. Servicing

a) Type of water services proposed to service the lands:

- ☒ publicly owned and operated piped water system
- ☐ privately owned and operated individual well
- ☐ privately owned and operated communal well
- ☐ other water body
- ☐ other means

b) Type of sewage disposal system proposed to service the lands:

- ☒ publicly owned and operated sanitary sewage system
- ☐ privately owned and operated individual septic system
- ☐ privately owned and operated communal septic system
- ☐ other

If the requested amendment would permit development on a privately owned and operated individual or communal septic system of more than 4500 litres of effluent/day, please include a servicing options report and hydro geological report (three copies of each).

c) Access to the subject lands will be by

- ☐ provincial highway
- ☒ municipal road maintained all year
- ☐ municipal road maintained seasonally
- ☒ another public road or right of way
- ☐ by water

If access will be by water only, the parking and docking facilities used and distance of these facilities to nearest public road.

- d) Storm drainage of the subject lands will be provided by:
- ☐ ditches ☐ swales ☒ sewers ☐ other

PLANNING IMPACT ANALYSIS

It is policy of the Official Plan for the Town of Niagara-on-the-Lake that a Planning Impact Analysis is required to evaluate applications for an Official Plan and/or Zone change, to determine the appropriateness of the proposed change and to identify ways of reducing any adverse impacts on surrounding land uses. This is a detailed review of the proposed development intended to show how well the project will “fit in” with its neighbours. It is not intended to duplicate policy but to supplement it.

Each of the items listed below must be addressed in the Planning Impact Analysis. The owner or authorized agent may reply in the space provided or submit a separate response if preferable:

- a) Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area and on the character and stability of the surrounding neighbourhood

see planning justification report

- b) The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses

see planning justification report

- c) The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that, contribute to the visual character of the surrounding area

see planning justification report

- d) The proximity of any proposal for medium density residential development to public open space and recreational facilities and transit services, and the adequacy for these facilities and services

see planning justification report

- e) The size and shape of the parcel of land on which a proposed development is to be located and the ability of the site to accommodate the intensity of the proposed use

see planning justification report

- f) The location of vehicular access points and the likely impact of traffic generated by the proposal on streets, on pedestrian and vehicular safety, and on surrounding properties

see planning justification report

- g) The servicing capabilities of the area and capacity of municipal services to accommodate the proposed development

see planning justification report

- h) The exterior design and layout of buildings and the integration of these uses with present and future land uses in the area

see planning justification report

- i) The location and adequacy of lighting, screening, and parking areas
see planning justification report
- j) Provisions for landscaping and fencing
see planning justification report
- k) The location of outside storage, garbage and loading facilities
see planning justification report
- l) The design and location of all proposed signs on site
see planning justification report
- (m) The need and desirability of the use
see planning justification report
- (n) The availability of alternative sites
see planning justification report
- o) The effect on environmental resources
see planning justification report
- p) The effect on agricultural lands
see planning justification report
- q) The identification of heritage resources in the area and how the development will impact on that resource
see planning justification report
- r) Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the planning impact analysis, including potential impacts to heritage resources
see planning justification report

PLANS REQUIRED

Five (5) folded copies of a plan of the property, to scale, must be submitted with the application. **All information must also be submitted in a digital format.** A reduced plan on 11' X 17' (or smaller) paper is also required and must be clearly legible. All dimensions must be provided in a letter type or mechanical drafting format. The submitted plan must show the following information:

- the location of any existing or proposed buildings or structures and setbacks
- the boundaries of the subject land, with dimensions
- the location, widths and names of the existing highways on which the subject lands abut
- the boundaries of all the land adjacent to the subject land that is owned by the applicant or in which the applicant has an interest (this may be shown on a key map)
- the relationship of the boundaries of the subject lands to the boundaries of the adjoining lots
- the existing uses of adjacent lands
- natural and artificial features such as building, railways, highways, pipelines, watercourses, top of banks, drainage ditches, wetlands, and wooded areas, wells, septic tanks within or adjacent to the subject lands
- the general slope of the land, in order to establish the relationship between the grade of abutting highways and the grade of the subject land and to determine the drainage of the land. (This information may be given in the form of contours, spot elevations or written description)
- any right-of-ways or other easements
- Large scale coloured site plan, landscaping and elevation architectural rendering.

OTHER INFORMATION

Is there any other information that may be useful to the region/municipality or other agencies in reviewing this proposed official plan and/or zoning by-law amendment (e.g. efforts made to resolve outstanding objections or concerns)? If so, please explain on a separate page

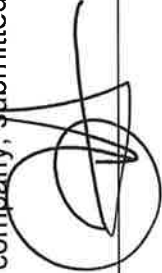
ACKNOWLEDGEMENT OF APPLICANT

Personal information on this form is collected under the authority of the Ontario Planning Act and will be used by the municipality in the processing of official plan and zoning by-law amendment applications. The information may be used by other departments and agencies for the purpose of assessing the proposal and preparing comments to the municipality and approval authority. This information may be released to the public.

RELEASE FORM

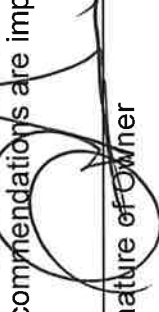
I, Benny Marotta (print name) of Two Sisters Resorts Inc. (company name)

grant permission to the Town of Niagara-on-the-Lake to make public any documents prepared by myself or my company, submitted with an application for Zoning By-Law Amendment


Signature

UNDERTAKING

I, Benny Marotta am the Owner of the land that is the subject of this application and I hereby agree not to remove and/or disturb the soil until final approval is obtained. I further agree that if an archaeological survey is required as a condition of approval not to remove and/or disturb the soil until the archaeological survey is completed and its recommendations are implemented.

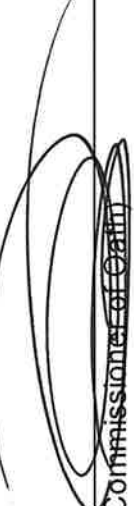
Nov 21 /17
Date

Signature of Owner

AFFIDAVIT OR SWORN DECLARATION

I, MAURIZIO ROSATO of the CITY OF VAUGHAN
in the REGION OF YORK
make oath and solemnly declare that the information contained in this application is true and that the information contained in the documents that accompany this application is true.

MAURIZIO ROSATO
(Print Applicant(s) Name)

Sworn (or declare) before me at the CITY of VAUGHAN
in the Regional Municipality of YORK this 21 day of NOVEMBER
20 17


(Commissioner of Oath)

Tais Davis,
Barrister & Solicitor,
Notary Public
Commissioner of Oaths In and
For the Province of Ontario

OWNER'S AUTHORIZATION

(Required when the Owner is not the Applicant)

I (We) BENNY MAROTTA Name(s) of the Owner(s)

being the registered Owner(s) of the subject land, hereby authorize

PAUL LOWES, SGL PLANNING (Name of the Agent)

to prepare and submit an official plan and/or zoning by-law amendment for application for approval.

Signature

Nov. 21 / 17

Date

Corporate Seal required of a Company owner

Witness

I/We the Owner(s)/Agent of the subject property and the applicant(s) of this subject application, by signing this application agree to allow either staff and/or a Committee Member of the Town of Niagara-on-the-Lake the right to enter onto my property, as necessary, to view & photograph the property for the proposal. Failure to allow access onto the property may result in the application being considered incomplete.

PROCEDURE

PROCEDURE NO. **PDS-PLG-006**
SUPERSEDES NO. _____

TITLE: ***Archaeological Assessment***
EFFECTIVE DATE: **October 24, 2000**

PURPOSE:

To provide guidance to proponents required to undertake an archaeological assessment as part of a planning application

PROCEDURE:

- (1) An archaeological resource assessment may be required by the Town in consultation with the Regional Municipality of Niagara (Community and Development Services Department) as the delegated authority as a result of a planning application should any portion of the property fall within a zone of archaeological potential as shown on Schedule "H" to the Official Plan or where an archaeological site has been previously registered on the property.
- (2) The assessment should be completed and submitted as part of the planning application.
- (3) The Ministry of Citizenship, Culture and Recreation must be provided with a copy of the notice from the delegated authority that an archaeological assessment will be required of the proponent so the Ministry can complete their review of the archaeological resource assessment and provide the proponent with a letter recommending clearance of outstanding archaeological concerns.
- (4) The applicant must retain a licensed archaeologist to conduct a Stage 1 and 2 archaeological assessment. All work conducted by the archaeologist must conform to the standards set forth in the most current *Archaeological Assessment Technical Guidelines* authorized by the Ministry of Citizenship, Culture and Recreation.
- (5) Once the archaeological resource assessment, consisting of background research and a field survey, has been completed, the archaeological consultant will submit a report to the Cultural Programs Branch of the Ministry of Citizenship, Culture and Recreation. Ministry Staff will review the report to determine if the assessment has met current licensing and technical standards. If this is not the case, the Ministry of Citizenship, Culture and Recreation will require the consultant to carry out additional field work, and/or provide more extensive documentation.
- (6) If the assessment complies with current licensing and technical standards and did not result in the documentation of any significant archaeological resources, the Ministry of Citizenship, Culture and Recreation will provide a letter to the development proponent, which will serve to notify the approval authority that all provincial concerns with respect to archaeological resource conservation and archaeological licensing have been met. Upon receipt of this notification of Ministry of Citizenship, Culture and Recreation approval, and supporting documentation from the archaeological consultant, the approval authority may then clear the planning application of any further archaeological concern.
- (7) If the assessment does result in the documentation of one or more significant archaeological resources, appropriate mitigation and/or preservation options must be recommended by the licensed archaeologist and approved by the Ministry of Citizenship, Culture and Recreation. Upon completion of the mitigation, the archaeological consultant must provide a report detailing this work and its results to the Ministry of Citizenship, Culture and Recreation, which review the work and recommend to the consultant and the approval authority that there are no further archaeological concerns, or that additional mitigations be undertaken, as the case may be.
- (8) Upon receipt of notification that all Ministry of Citizenship, Culture and Recreation archaeological conservation and licensing concerns have been addressed, and receipt of the necessary supporting documentation from the archaeological consultant, the approval authority will clear the planning application of further archaeological concern.
- (9) To ensure the long term utility of the potential model developed during the course of this study, all consultants who complete a Stage 2, 3 or 4 archaeological resource assessment within Niagara-on-the-Lake shall submit the following information to the Niagara-on-the-Lake Community & Development Services Department in order that staff may update the archaeological potential GIS:

- (a) 1:10,000 scale mapping that clearly outlines the limits of the property subject to assessment so that this information may be transferred to a “surveyed areas” layer of the GIS;
- (b) a NOTL archaeological Site Record Form including 1:10,000 scale mapping (see Figure 2) providing site
- (c) locations that can be transferred as polygons to the registered sites layer of the GIS;
- (d) a copy of each relevant report.

These requirements do not supercede the fact that all archaeological resource assessment reports and supporting documentation in the form of Contract Information Forms, Ministry Site Record Forms (‘Borden Forms’) must be submitted to the Ministry of Citizenship, Culture and Recreation for the purposes of licensing and development approvals.

The proponent agrees to adhere to the procedures of the “Contingency Plan for the Protection of Archaeological Resources in Urgent Situations” when approved and adopted by the Town.

REFERENCES:

-A MASTER PLAN OF ARCHAEOLOGICAL RESOURCES FOR THE TOWN OF NIAGARA-ON-THE-LAKE - Planning Report, prepared by Archaeological Services Inc. dated August 30, 2000.

-TOWN OF NIGARA-ON-THE-LAKE OFFICIAL PLAN Amendment No. 12 *The Master Plan of Archaeological Resources for the Town of Niagara-on-the-Lake*