



Department of Community & Development Services
 1593 Four Mile Creek Road
 P.O. Box 100, Virgil, ON L0S 1T0
 905-468-3266 • Fax: 905-468-0301

www.notl.org

File No:	Date of Receipt:
Town Fee (\$):	Regional Fee (\$):
NPCA Fee (\$):	Other Fee (\$):

(Office Use Only)

Application for Consent

Under the *Planning Act, R.S.O. 1990 c. P.13, as amended*

A pre-consultation meeting with Community & Development Services Staff is required prior to applying for Consent.

Please complete all applicable sections of this application. All measurements are to be provided in metric units. The information requested on this application is required to review the proposal. An incomplete application will be returned to the Registered Owner/Authorized Agent. If you have questions regarding the information requested on this application, please contact the Community & Development Services Department.

All information requested on this form is collected under the authority of the Planning Act, R.S.O. 1990, c. P.13, as amended, and the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56. The requested information on this application and all accompanying plans, reports, and information is required in order to process this application and will form part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information. Questions about the collection of information can be made to the Town Clerk.

1. Type of Application

Creation of a new lot Boundary adjustment Easement/right-of-way Other: Surplus Farm Dwelling

2. Details of the Subject Lands

Municipal Address 280, 282 & 298 Niven Road		Assessment Roll Number 262702000902700	
Legal Description PCL 162-3 SEC M11; LT 162 PL M11 EXCEPT PT 1 LR83			
Date the subject lands were acquired: March 29, 2022	Lot Area (metric): 18.09 ha	Lot Frontage (metric): 88.92 m (Niven)	Lot Depth (metric): 459.54
Description of easements, rights-of-way, or restrictive covenants applicable to the subject lands (if applicable): N/A			
Name of the person to whom the subject lands or an interest in the subject lands is to be transferred, charged, or leased: N/A			

3. Registered Owner (as shown on the deed and title of the property)

Name David, Shirley and Craig Froese		Company Name	Municipality Niagara-on-the-Lake
Mailing Address 280 Niven Road, Niagara-on-the-Lake		Unit Number	Postal Code L0S 1J0
Province Ontario	Email N/A	Telephone N/A	

4. Authorized Agent (if one has been authorized)

Name Albert Nickel		Company Name	Municipality
Mailing Address 31 Claremount Circle, Welland		Unit Number	Postal Code L3C 2P4
Province Ontario	Email albert.nickel@hotmail.com	Telephone 289-219-2048	

Contact for all future correspondence (select one): Registered Owner Authorized Agent

5. Solicitor (if different from Authorized Agent)			
Name N/A		Company Name	Municipality
Mailing Address		Unit Number	Postal Code
Province	Email	Telephone	
6. Mortgages, Charges, and Other Encumbrances (if applicable)			
Name N/A		Company Name	Municipality
Mailing Address		Unit Number	Postal Code
Province	Email	Telephone	
7. Details of the Lands to be Severed, Granted Easement or Right-of-way, Leased, Charged, etc.			
Part number(s) on drawing: Part 2	Lot/part area (metric): 6,010.8	Lot/part frontage (metric): 15.11	Lot/part depth (metric): 157.46
Identify how the lands will be accessed:			
<input checked="" type="checkbox"/> Public road maintained all year	<input type="checkbox"/> Niagara River Parkway	<input type="checkbox"/> Provincial highway	
<input type="checkbox"/> Public road maintained seasonally	<input type="checkbox"/> Private easement/right-of-way	<input type="checkbox"/> Waterway	
If the lands to be severed will be accessed by a waterway only, identify the parking and docking facilities to be used and the approximate distance of these facilities from the lands to be severed to the nearest public road:			
Identify how the lands will be serviced:			
Water	Sewage Disposal	Storm Drainage	
<input checked="" type="checkbox"/> Publicly owned and operated piped water system	<input type="checkbox"/> Publicly owned and operated sanitary sewage system	<input type="checkbox"/> Sewers	
<input type="checkbox"/> Privately owned and operated individual well	<input checked="" type="checkbox"/> Privately owned and operated individual septic system	<input checked="" type="checkbox"/> Ditches/swales	
<input type="checkbox"/> Privately owned and operated communal well	<input type="checkbox"/> Privately owned and operated communal septic system	<input type="checkbox"/> Other:	
<input type="checkbox"/> Lake or other water body	<input type="checkbox"/> Privy		
<input type="checkbox"/> Other:	<input type="checkbox"/> Other:		
Identify the existing buildings and structures on the lands: Existing Detached Dwelling			
Identify the existing use(s) on the lands: Residential			
Identify the proposed buildings and structures on the lands: No new development proposed.			
Identify the proposed use(s) of the lands: Residential			
If severed lands will merge with abutting lands, identify the Part number on the attached sketch, and name of the current owner: N/A			
If an easement is proposed, identify the Part number on the attached sketch, purpose, and benefitting Part number and owner: N/A			

8. Details of the Lands to be Retained						
Part number(s) on drawing: 3 & 4	Lot/part area (metric): 17.7 hectares	Lot/part frontage (metric): 13.0 metres	Lot/part depth (metric): 372.20 metres			
Identify how the lands will be accessed: <input checked="" type="checkbox"/> Public road maintained all year <input type="checkbox"/> Niagara River Parkway <input type="checkbox"/> Provincial highway <input type="checkbox"/> Public road maintained seasonally <input type="checkbox"/> Private easement/right-of-way <input type="checkbox"/> Waterway If the lands will be accessed by a waterway only, identify the parking and docking facilities to be used and the approximate distance of these facilities from the lands to be retained to the nearest public road:						
Identify how the lands will be serviced: <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top; padding: 5px;"> Water <input checked="" type="checkbox"/> Publicly owned and operated piped water system <input type="checkbox"/> Privately owned and operated individual well <input type="checkbox"/> Privately owned and operated communal well <input type="checkbox"/> Lake or other water body <input type="checkbox"/> Other: _____ </td> <td style="width: 33%; vertical-align: top; padding: 5px;"> Sewage Disposal <input type="checkbox"/> Publicly owned and operated sanitary sewage system <input checked="" type="checkbox"/> Privately owned and operated individual septic system <input type="checkbox"/> Privately owned and operated communal septic system <input type="checkbox"/> Privy <input type="checkbox"/> Other: _____ </td> <td style="width: 33%; vertical-align: top; padding: 5px;"> Storm Drainage <input type="checkbox"/> Sewers <input checked="" type="checkbox"/> Ditches/swales <input type="checkbox"/> Other: _____ </td> </tr> </table>				Water <input checked="" type="checkbox"/> Publicly owned and operated piped water system <input type="checkbox"/> Privately owned and operated individual well <input type="checkbox"/> Privately owned and operated communal well <input type="checkbox"/> Lake or other water body <input type="checkbox"/> Other: _____	Sewage Disposal <input type="checkbox"/> Publicly owned and operated sanitary sewage system <input checked="" type="checkbox"/> Privately owned and operated individual septic system <input type="checkbox"/> Privately owned and operated communal septic system <input type="checkbox"/> Privy <input type="checkbox"/> Other: _____	Storm Drainage <input type="checkbox"/> Sewers <input checked="" type="checkbox"/> Ditches/swales <input type="checkbox"/> Other: _____
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Identify the existing buildings and structures on the lands: Agricultural Buildings, Farm Help Houses (see Survey Sktech)						
Identify the existing use(s) on the lands: Agricultural						
Identify the proposed buildings and structures on the lands: No new development proposed.						
Identify the proposed use(s) on the lands: Agricultural						
9. Previous Applications (if applicable)						
Have any lands been severed from the parcel originally acquired by the Registered Owner of the subject lands? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the date of transfer, the name of the transferee and the use of the severed lands:						
Have the subject lands ever been the subject of an application under the <i>Planning Act, R.S.O. 1990, c. P.13, as amended</i> for approval of a plan of subdivision or condominium, a consent, a minor variance, a site plan, an official plan amendment, or a zoning by-law amendment? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown If yes, provide the information requested below for each previous application:						
Application Type	File Number	Status of the Application				
Lot Addition	Unknown	Approved				
10. Concurrent Applications (if applicable)						
Application Type	File Number	Status of the Application				
Zoning By-law Amendment	To be determined.	Pending Consent Approval.				

11. Checklist of Requirements for a Complete Application (all boxes must be checked)

The following plans, reports, and information must accompany this application in a digital format (pdf):

- One copy of the Pre-Consultation Agreement;
- All applicable application fees (payable by cheque, cash, or debit);
- Property Index Map(s) of the subject lands from the Land Registry Office, dated within one (1) month of receipt of this application;
- Parcel Register(s) (including all PIN printouts and Legal Instruments) of the subject lands from the Land Registry Office, dated within one (1) month of receipt of this application;
- A sketch of the subject lands prepared by an Ontario Land Surveyor, to scale;
- All required plans, reports, and information identified on the Pre-Consultation Agreement.

This application will be circulated to various agencies for review and comment. Where the scope or nature of the application requires input from a large number of agencies, additional copies of this application and accompanying plans, reports, and information may be required.

12. Checklist of Drawing Requirements (all applicable boxes must be checked)

Plans and drawings accompanying this application must be prepared by an Ontario Land Surveyor, and must show the following information, in metric units:

- North arrow;
- Metric scale;
- The boundaries and dimensions of the subject lands, the part to severed, and the part to be retained;
- The boundaries and dimensions of any lands abutting the subject lands that are owned by the Registered Owner (if applicable);
- The location of all lands previously severed from the parcel originally acquired by the Registered Owner of the subject lands (if applicable);
- The approximate distance between the subject lands and the nearest Town lot line or landmark such as a bridge or railway crossing;
- The location, size, type, and setbacks of all existing and proposed buildings and structures on the subject lands;
- Natural and artificial features located within or adjacent to the subject lands, such as buildings, railways, roads/highways, pipelines, watercourses, drainage ditches, top of banks, wetlands, wooded areas, wells, septic tanks, and parking and docking facilities (if access to the subject lands is by waterway only), or any other features that may affect this application in the opinion of the Registered Owner/Authorized Agent;
- The existing use(s) of adjacent lands (for example, residential, agricultural, or commercial);
- The location, width and name any road/highway within or abutting the subject lands, and indicating whether it is an unopened road allowance, a public road, a private road, or a right-of-way; and
- The location and nature of any easement affecting the subject lands (if applicable).

Community & Development Services Staff may request that additional information be provided in the plans and drawings that accompany this application, based on the scope and nature of the proposal.

13. Plans, Reports, and Information Submitted with this Application

Identify all plans, reports, and information submitted with this application:

No.	Title	Date	Author
1	Severance Sketch	March 30, 2023	J.D. Barnes Ltd.
2	Planning Justification Report	August 2023	Upper Canada Consultants
3	Draft Zoning By-law Amendment	August 2023	Upper Canada Consultants
4	NPCA Comments re: Floodplain	November 17, 2022	NPCA
5	Froese Farm Ownership List	N/D	Albert Nickel
6	History of Dwellings	June 3, 2023	David Froese

14. Acknowledgement and Agreement of Registered Owner

I, Craig, David and Shirley Froese **AM THE REGISTERED OWNER OF THE SUBJECT LANDS AND**
(Name of Registered Owner/Company)

I ACKNOWLEDGE AND AGREE that all information requested on this form is collected under the authority of the *Planning Act, R.S.O. 1990, c. P.13, as amended*, and the provisions of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*. The information is required in order to process this application and forms part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information.

I ACKNOWLEDGE AND AGREE that the Town of Niagara-on-the-Lake, its employees and agents may enter onto my property to view, photograph and survey my property as necessary for this application.

I ACKNOWLEDGE AND AGREE that all costs of processing this application shall be paid for by the Registered Owner. The Registered Owner shall reimburse the Town of Niagara-on-the-Lake, upon demand, for all costs incurred by the Town of Niagara-on-the-Lake in respect of this application. Without limiting the foregoing, the Registered Owner acknowledges and agrees to pay such expenses regardless of whether or not this application is approved or proceeded with and are not refundable. If costs are not paid by the due date imposed by the Town of Niagara-on-the-Lake, the Registered Owner understands and acknowledges that the costs will be added to the tax bill of the subject lands and collected in like manner as property taxes.


(Signature of Registered Owner)

April 13, 2023

(Date)

15. Authorization of Registered Owner

If this application is being submitted by an Authorized Agent, the Registered Owner of the subject lands must complete this section. If there is more than one Registered Owner, a separate authorization from each individual or corporation is required. An additional copy of this page must be attached for each Registered Owner.

I, Craig, David and Shirley Froese **AM THE REGISTERED OWNER OF THE SUBJECT LANDS**
(Name of Registered Owner/Company)

AND HEREBY AUTHORIZE Albert Nickel

(Name of Authorized Agent/Company)

TO SUBMIT THIS APPLICATION to the Town of Niagara-on-the-Lake, appear on my behalf at any hearing(s) of this application, and provide any information or material required by the Town of Niagara-on-the-Lake relevant to this application.

I UNDERSTAND that all information requested on this form is collected under the authority of the *Planning Act, R.S.O. 1990, c. P.13, as amended*, and the provisions of the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*. The information is required in order to process this application and forms part of the public record which may be published on the Town of Niagara-on-the-Lake website or by other means. The name and business address of the Registered Owner and/or Authorized Agent is public information.

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(Signature of Registered Owner)

April 13, 2023

(Date)

16. Sworn Declaration

I, Albert Nickel **OF THE** _____
(Name of Registered Owner/Company or Authorized Agent/Company) (Name of City, Town, Township, etc.)

IN THE Regional Municipality of Niagara
(Name of Regional Municipality or Province)

DO SOLEMNLY DECLARE that the information contained in this application and that the information contained in the documents that accompany this application is true and complete.

Declared before me in City of St. Catharines in the Regional Municipality of Niagara
(Name of City, Town, Township, etc.) (Name of Regional Municipality or Province)

on this 13 day of April, 2023.
(Month) (Year)


(Signature of Registered Owner/Authorized Agent)


(Signature of Commissioner of Oath)
Hannah Kay Gracey, a Commissioner, etc.,
Province of Ontario, for Upper Canada
Planning & Engineering Ltd.
Expires November 28, 2025.

THIS APPLICATION MUST BE SUBMITTED TO:

Town of Niagara-on-the-Lake
Community & Development Services
1593 Four Mile Creek Road
PO Box 100
Virgil, ON L0S 1T0

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