



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 (\$):	Operations Fee (\$):
Other Fee (\$):	Other Fee (\$):

(Office Use Only)

Application for Approval of a Draft Plan of Subdivision
and/or Draft Condominium Description
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 approval of a Draft Plan of Subdivision and/or Draft Condominium Description.

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

☐ Approval of a Draft Plan of Subdivision:

☒ New Draft Plan of Subdivision

☐ New Subdivision Agreement (Complete Sections 2-5 and 12-13 only)

☐ Modification of an Approved Draft Plan of Subdivision

☐ Extension of an Approved Draft Plan of Subdivision (Complete Sections 2-4 and 10-13 only)

☐ Approval of a Draft Condominium Description:

☐ Standard

☐ Vacant Land

☐ Common Elements

☐ Phased

☐ Leasehold

☐ New Development Agreement (Complete Sections 2-4 and 10-13 only)

☐ Modification of an Approved Condominium Description

☐ Extension of an Approved Condominium Description (Complete Sections 2-4 and 10-13 only)

2. Details of the Subject Lands

Municipal Address

Parts of 170, 178, 184 and 192 Tanbark Road and Unaddressed Parcel on Warner Rd.

Assessment Roll Number

Legal Description

Please see attached page containing legal description and property information.

Date the subject lands were acquired:

Lot Area (metric):

Lot Frontage (metric):

Lot Depth (metric):

Description of easements, rights-of-way, or restrictive covenants applicable to the subject lands (if applicable):

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

Name

Company Name

Municipality

1755 Stevensville Road, Fort Erie

Unit Number

Postal Code

Province

Email

Telephone

4. Authorized Agent (if one has been authorized)

Name

Company Name

Municipality

30 Hannover Drive

Unit Number

Postal Code

Province

Email

Telephone

Contact for all future correspondence (select one):

☐ Registered Owner

☒ Authorized Agent

5. Solicitor (if different from Authorized Agent)

Name

Company Name

Municipality

40 Queen Street

Unit Number

Postal Code

Province

Email

Telephone

6. Mortgages, Charges, and Other Encumbrances (if applicable)					
Name Please see attached page cited above.		Company Name		Municipality	
Mailing Address				Unit Number	Postal Code
Province	Email			Telephone	

7. Existing Building, Structures, and Uses				
Describe the existing use(s) of the subject lands: Existing dwellings are located on 170 and 192 Tanbark Road. These dwellings and related accessory structures will be demolished to facilitate the development. Detailed measurements were not taken by the surveyor.				
Type of building or structure				
Construction date				
Existing use(s)				
Front yard setback (m)				
Rear yard setback (m)				
Side yard setback (m)				
Side yard setback (m)				
Height (m)				
Gross floor area (sq m)				
Lot coverage (%)				
Will any existing buildings or structures be demolished? <input type="checkbox"/> Yes <input type="checkbox"/> No				

8. Proposed Land Use(s) (select all that apply)					
Proposed Land Use(s)	Number of Units	Number of lots and blocks	Area (hectares)	Density (units/hectare)	Number of Parking Spaces
<input checked="" type="checkbox"/> Single-Detached	20	20	1.053	18.99	N/A
<input type="checkbox"/> Semi-Detached					N/A
<input checked="" type="checkbox"/> Multi-Attached Residential	24	6	0.725	33.10	48
<input checked="" type="checkbox"/> Apartment	30	1	0.417	71.9	TBD
<input type="checkbox"/> Seasonal Residential					
<input type="checkbox"/> Mobile Home					
<input type="checkbox"/> Other Residential: _____					
RESIDENTIAL TOTAL	74	27	2.195	33.71	
<input type="checkbox"/> Commercial					
<input type="checkbox"/> Industrial					
<input type="checkbox"/> Institutional: _____					
<input type="checkbox"/> Parks and Open Space	N/A			N/A	N/A
<input checked="" type="checkbox"/> Roads	N/A	8	0.783	N/A	N/A
<input checked="" type="checkbox"/> Other: Reserve, Widen, Temp _____			0.790	N/A	
NON-RESIDENTIAL TOTAL					
GRAND TOTAL		35	3.11	23.7	

9. Access (select all that apply)		
Identify how the subject 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 subject 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 subject lands to the nearest public road:		

10. Servicing (select all that apply)		
Identify how the subject lands will be serviced:		
Water	Sewage Disposal	Storm Drainage
<input checked="" type="checkbox"/> Publicly owned and operated piped water system	<input checked="" type="checkbox"/> Publicly owned and operated sanitary sewage system	<input checked="" type="checkbox"/> Sewers
<input type="checkbox"/> Privately owned and operated individual well	<input type="checkbox"/> Privately owned and operated individual septic system	<input 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:	

11. Provincial Policy

Is this application consistent with policy statements issues under Section 3(1) of the *Planning Act*?

Yes

No

Is any portion of the subject lands within the Specialty Crop (Niagara Tender Fruit and Grape) Area?

No

Yes

Is any portion of the subject lands within the Niagara Escarpment Plan Area?

No

Yes

If yes to any, explain how this application conforms to Provincial policy statements and applicable Provincial plan(s):

12. Official Plan and Zoning Information

Existing Niagara Regional Official Plan designation(s) of the subject lands:
Urban Area, Built-up Area.

Does this application conform to the Niagara Regional Official Plan?

No

Yes

If yes, explain how this application conforms to the Niagara Regional Official Plan:
Please see the provided Planning Justification Report.

Existing Town of Niagara-on-the-Lake Official Plan designation(s) of the subject lands:
Low Density Residential

Does this application conform to the Town of Niagara-on-the-Lake Official Plan?

No

Yes

If yes, explain how this application conforms to the Town of Niagara-on-the-Lake Official Plan:
The proposed density exceeds the maximum - 9.6 units per acre proposed, whereas 6 units per acre is permitted.

Please see the provided Planning Justification Report for a detailed overview of the amendment.

Existing Town of Niagara-on-the-Lake Zoning of the subject lands:
Residential 1 (R1) and Residential Development (RD)

Does this application conform to the Town of Niagara-on-the-Lake Zoning By-law?

No

Yes

If yes, explain how this application conforms to the Town of Niagara-on-the-Lake Zoning By-law:
Change in Zoning to Residential 2 (R2) and Residential Multiple 1 (RM1) with site specific provisions.

Please see the provided Planning Justification Report for a detailed overview of the amendment.

13. Previous Applications (if applicable)

Have the subject lands ever been the subject of an application under the *Planning Act* for approval of a plan of subdivision, a consent, a minor variance, a site plan, an official plan amendment, a zoning by-law amendment, or a Minister's zoning order?

Yes

No

Unknown

If yes, provide the information requested below:

Application Type	File/Ontario Regulation Number	Status of the Application
Official Plan Amendment (Ph. 1)	OPA-03-2022	Deemed Complete, Under Review.
Zoning By-law Amendment (Ph.1)	ZBA-12-2022	Deemed Complete, Under Review.
Draft Plan of Subdivision (Ph. 1)	26T-18-22-02	Deemed Complete, Under Review.

14. Concurrent Applications (if applicable)

Application Type	File Number	Status of the Application
Zoning By-law Amendment (Ph.2)	TBD	Submitted Concurrently.
Official Plan Amendment (Ph. 2)	TBD	Submitted Concurrently.

15. Additional Information for Condominium Applications

Has a site plan application for the proposed condominium been approved?

Yes

No

Has a site plan agreement for the proposed condominium been entered into?

Yes

No

Have any building permits for the proposed condominium been issued?

Yes

No

Identify the construction status of the proposed condominium (select one):

Construction of the proposed condominium has not started.

The proposed condominium is currently under construction. Anticipated completion date:

Construction of the proposed condominium is completed. Completion Date:

The proposed condominium is a conversion of an existing building containing residential rental units. Number of units to be converted:

Page 3 of 6

Revision: 01/19

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

The following plans, reports, and information must accompany this application:

- ☒ One (1) signed copy of the Pre-Consultation Agreement;
- ☒ All applicable application fees (payable by cash, cheque, or debit);
- ☒ Evidence that at least one (1) signage has been posted on the subject lands, as per the requirements outlined in Schedule A to this application form;
- ☒ 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;
- ☒ Two (2) folded hardcopies of the Reference Plan(s) included in the legal description of the subject lands, to scale (unfolded copies will not be accepted);
- ☒ Two (2) folded hardcopies of a Draft Plan of Subdivision and/or Condominium Description of the subject lands, to scale (unfolded copies will not be accepted);
- ☐ Two (2) folded hardcopies of a Landscape Plan of the subject lands, to scale (unfolded copies will not be accepted);
- ☐ Two (2) folded hardcopies of a preliminary Grading Plan of the subject lands, to scale (unfolded copies will not be accepted);
- ☒ Two (2) hardcopies of all required plans, reports, and information identified on the Pre-Consultation Agreement;
- ☒ For all large-format plans, two (2) sets of reduced plans on 11' X 17' paper; and
- ☒ One (1) digital copy, in PDF format, of all required materials.

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.

17. 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:

- ☐ Town signing block (to be provided by the Town);
- ☒ North arrow;
- ☒ Metric scale;
- ☒ The boundaries of the subject lands, certified by an Ontario land surveyor;
- ☒ The locations, widths and names of the proposed roads/highways within the proposed subdivision/condominium and of existing roads/highways on which the proposed subdivision/condominium abuts;
- ☒ On a small key plan, on a scale of not less than one centimetre to 100 metres, all lands adjacent to the proposed subdivision/condominium that is owned by the Registered Owner or in which the Registered Owner has an interest, every subdivision/condominium adjacent to the proposed subdivision/condominium and the relationship of the boundaries of the subject lands to the boundaries of the Town lot or other original grant of which the land forms the whole or part;
- ☒ The purpose for which the proposed lots/units are to be used;
- ☒ The existing uses of all adjacent lands;
- ☒ The dimensions and layout of the proposed lots/units, and if any affordable housing units are being proposed, the shape and dimensions of each proposed affordable housing unit and the approximate location of each proposed affordable housing unit in relation to other proposed residential units;
- ☒ Natural and artificial features, such as buildings, railways, roads/highways, pipelines, watercourses, drainage ditches, top of banks, wetlands, wooded areas, wells, and septic tanks located on or adjacent to the subject lands;
- ☐ The availability and nature of domestic water supplies;
- ☐ The nature and porosity of the soil on the subject lands;
- ☒ Existing contours or elevations as may be required to determine the grade of the roads/highways and the drainage of the subject lands;
- ☐ The municipal services available or to be available to the subject lands; and
- ☐ The nature and extent of any restrictions affecting the subject lands, including restrictive covenants or easements (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.

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

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

No.	Title	Date	Author
1	Draft Plan of Subdivision	April 5, 2022	Upper Canada Consultants
2	Draft Zoning By-law Amendment	-	Upper Canada Consultants
3	Draft Official Plan Amendment	-	Upper Canada Consultants
4	Transportation Impact Study	November 2022	Paradigm Transportation
5	Functional Servicing Report	November 2022	Upper Canada Consultants
6	Archaeological Assessments	Various	Detritus Consulting Ltd.
7	Planning Justification Report	November 2022	Upper Canada Consultants
8	Arborist Report	October 2022	Beacon Environmental Ltd.
9	Parcel Register and PIN Map	November 10, 2022	Land Registry
10	Environmental Site Assessmens (1 & 2)	Various	Hallex
11			
12			


19. Acknowledgement and Agreement of Registered Owner

I, St. Davids Riverview Estates Inc. **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)

November 11, 2022
(Date)

20. 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, St. Davids Riverview Estates Inc. **AM THE REGISTERED OWNER OF THE SUBJECT LANDS**
(Name of Registered Owner/Company)

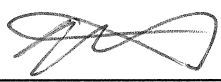
AND HEREBY AUTHORIZE Upper Canada Consultants
(Name of Authorized Agent/Company)

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)

November 11, 2022
(Date)

21. Sworn Declaration

I, Craig Rohe of Upper Canada Consultants

OF THE City of Welland

(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 11 day of November, 2022.

(Month)

(Year)

Robert John VanDerValk, a Commissioner,
etc., Province of Ontario, for Upper
Canada Planning & Engineering Ltd.
Expires November 23, 2025.

(Signature of Commissioner of Oath)

(Signature of Registered Owner/Authorized Agent)

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

Phone: (905) 468-3266
Fax: (905) 468-0301
Website: www.notl.org

Page 6 of 6

Revision: 01/19