

Office Use Only --	Meeting date:	Fee collected:
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**APPLICANTS** only need to complete page 1 of this form. E-mail the entire document with page 1 filled out to: [planning.development@notl.com](mailto:planning.development@notl.com)  
You will be contacted with a meeting date and a planner will be assigned to your file.

## Pre-Consultation Agreement

**For applications filed under the *Planning Act, R.S.O. 1990 c. P.13, as amended***

Persons intending to file an application under the *Planning Act, R.S.O. 1990, c. P.13, as amended*, are required to attend a pre-consultation meeting with Community & Development Services Staff prior to submitting an application. This meeting will identify the requirements to submit a complete application and will provide the opportunity to discuss the application, planning-related matters, application fees, the application review process, and other matters.

*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 form and all accompanying plans, reports, 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 company 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. Application Type (select all that apply)

- |  |  |  |  |   |
|--|--|--|--|---|
| <input type="checkbox"/> Official Plan Amendment | <input type="checkbox"/> Zoning By-law Amendment | <input type="checkbox"/> Draft Plan of Subdivision | <input type="checkbox"/> Draft Condominium Description | <input type="checkbox"/> Site Plan Approval |
| <input type="checkbox"/> Consent                 | <input type="checkbox"/> Minor Variance          | <input type="checkbox"/> Fence/Sign Variance       | <input type="checkbox"/> LNCU Permission               | <input type="checkbox"/> Other: _____       |

### 2. Details of the Subject Lands

Municipal Address		Assessment Roll Number
Legal Description		
Lot Area (metric)	Lot Frontage (metric)	Lot Depth (metric)

### 3. Registered Owner

Name(s)	Company Name
Email	Telephone

### 4. Authorized Agent

Name	Company Name
Email	Telephone

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

### 5. Details of the Proposal

Provide a description of the proposal, including any specific amendments or relief being requested:

## 6. Provincial Planning, Official Plan, and Zoning Information

Identify the applicable Provincial Plan designations that apply to the subject lands:

☐ Specialty Crop Area      ☐ Built-Up Area      ☐ Greenfield Area      ☐ Niagara Escarpment Plan Area

Does this application conform to the applicable Provincial Plans? ☐ Yes ☐ No

Existing Niagara Regional Official Plan Designation(s) of the subject lands:

Does this application conform to the Niagara Regional Official Plan? ☐ Yes ☐ No

If no, describe the nature of the amendment needed:

Existing Town of Niagara-on-the-Lake Official Plan Designation(s) of the subject lands:

Does this application conform to the Town of Niagara-on-the-Lake Official Plan? ☐ Yes ☐ No

If no, describe the nature of the amendment needed:

Existing Town of Niagara-on-the-Lake Zoning of the subject lands:

Does this application conform to the Town of Niagara-on-the-Lake Zoning By-law? ☐ Yes ☐ No

If no, describe the nature of the amendment needed:

## 7. Site Plan Control

Is Site Plan Approval required for the proposal? ☐ Yes ☐ No

Is there an existing Site Plan Agreement that applies to any portion of the subject lands? ☐ Yes ☐ No

## 8. Archaeology and Municipal Heritage

Is any portion of the subject lands within an area of archaeological potential? ☐ Yes ☐ No

Is any portion of the subject lands or adjacent lands listed on the Municipal Heritage Register? ☐ Yes ☐ No

Is any portion of the subject lands or adjacent lands designated under the *Ontario Heritage Act*? ☐ Yes ☐ No

## 9. Niagara Peninsula Conservation Authority (NPCA)

Is any portion of the subject lands within an NPCA regulated area? ☐ Yes ☐ No

## 10. Parkland Dedication and Development Charges

Is the proposal eligible for parkland dedication or cash-in-lieu pursuant to Sections 42 or 51.1 of the *Planning Act, R.S.O. 1990, c. P.13*? ☐ Yes ☐ No

Are Town Development Charges applicable to the proposal? ☐ Yes ☐ No

## 11. Agencies to be Circulated on the Application (subject to change)

☐ Niagara Region      ☐ Niagara Escarpment Commission      ☐ NPCA      ☐ Niagara Parks Commission

☐ Enbridge Gas      ☐ TransCanada Pipelines      ☐ Bell Canada      ☐ NOTL Hydro

☐ Hydro One      ☐ Canada Post      ☐ Parks Canada      ☐ Local School Boards

☐ Other: \_\_\_\_\_

## 12. Plans, Reports, and Information Required for a Complete Application

Notwithstanding the plans, reports, and information noted below, Staff reserve the right to request additional plans, reports, and information, if applicable. All plans, reports and information are subject to peer-review at the applicant's cost. At the time of submission of an application, all accompanying plans, reports, and information may become part of the public record.

Reports/Studies	Notes
<input type="checkbox"/> Planning Justification Report / Impact Analysis	
<input type="checkbox"/> Streetscape Study	
<input type="checkbox"/> Transportation Impact Study	
<input type="checkbox"/> Parking Impact Analysis	
<input type="checkbox"/> Archaeological Assessment and Ministry letter(s)	
<input type="checkbox"/> Cultural Heritage Impact Assessment	
<input type="checkbox"/> Environmental Impact Study	
<input type="checkbox"/> Environmental Site Assessment	
<input type="checkbox"/> Arborist Report / Tree Inventory	
<input type="checkbox"/> Functional Servicing Report	
<input type="checkbox"/> Stormwater Management Report	
<input type="checkbox"/> Land Use / Market Study	
<input type="checkbox"/> Urban Design Brief	
<input type="checkbox"/> Geotechnical Study	
<input type="checkbox"/> Hydrogeological Study	
<input type="checkbox"/> Slope Stability Report	
<input type="checkbox"/> Air, Noise, and Vibration Emissions Study	
<input type="checkbox"/> Agricultural Impact Assessment	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	
Plans/Drawings	Notes
<input type="checkbox"/> Site Plan	
<input type="checkbox"/> Landscape Plan and Planting Plan	
<input type="checkbox"/> Building Elevations	
<input type="checkbox"/> Coloured Site Plan, Landscape Plan and Building Elevations	
<input type="checkbox"/> Floor Plans (including Gross Leasable Floor Areas)	
<input type="checkbox"/> Photometric Plan / Lighting Plan	
<input type="checkbox"/> Draft Plan of Subdivision	
<input type="checkbox"/> Draft Condominium Description	
<input type="checkbox"/> Servicing Plan	
<input type="checkbox"/> Preliminary Grading Plan	
<input type="checkbox"/> Lot Grading and Drainage Area Plan	
<input type="checkbox"/> Consent Sketch	
<input type="checkbox"/> Minor Variance Sketch	
<input type="checkbox"/> Fence/Sign Variance Sketch	
<input type="checkbox"/> Reference Plan / Registered Plan	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	

Other Requirements	Notes
<input type="checkbox"/> Draft Regional Official Plan Amendment	
<input type="checkbox"/> Draft Town Official Plan Amendment	
<input type="checkbox"/> Draft Zoning By-law Amendment	
<input type="checkbox"/> Surplus Farm Dwelling Information Form	
<input type="checkbox"/> MDS I/II Farm Data Sheet(s)	
<input type="checkbox"/> Property Index Map and Parcel Registers (including all PIN Printouts and Legal Instruments)	
<input type="checkbox"/> Legal Opinion	
<input type="checkbox"/> Heritage Permit	
<input type="checkbox"/> Urban Design Guidelines / Architectural Codes	
<input type="checkbox"/> Municipal Heritage Committee Review	
<input type="checkbox"/> Urban Design Committee Review	
<input type="checkbox"/> Cost Estimates for all proposed on-site and off-site works	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	

### 13. Application Fees

Notwithstanding the fees noted below, all fees are payable based on the Fee Schedule By-law in effect on the date the application is received. Separate cheques shall be made payable to the appropriate agency. Additional fees may be required to process the application, including but not limited to peer-review fees.

Application Type	Town Planning	Niagara Region	NPCA	Town Operations	Other
Official Plan Amendment					
Zoning By-law Amendment					
Draft Plan of Subdivision					
Draft Condominium Description					
Site Plan					
Consent					
Minor Variance					
Fence/Sign Variance					
LNCU Permission					
Pre-Consultation Fee Deduction					
Other: _____					
Other: _____					
Other: _____					
Other: _____					

## 14. Additional Comments

- Goals and objectives of the General Commercial designation: provide an orderly distribution of commercial areas to meet the shopping and service needs of residents and tourists, provide for local-servicing commercial areas, maintain tourist-serving commercial areas. Permitted main uses: retail commercial uses, business offices, uses permitted independent of a main use: service shops

The Commercial designation of land shall mean that the predominant use shall be the buying and selling of goods and services.

Adequate off-street parking shall be provided for all new commercial development. In existing developed commercial areas, where inadequate parking has been provided, and where additional off-street parking is difficult to achieve, or would negatively affect the pedestrian character of the area, Council may consider accepting payments of cash-in-lieu of parking spaces from new or intensified commercial development.

**General Commercial:** intended to provide the residents of the municipality with a wide range of goods and services. Tourist uses are also permitted but may be restricted in the implementing zoning by-law to specific locations so as not to detract from providing for the needs of local residents.

The Official Plan considers health care facilities to be permitted and directed to Open Space and Community Facilities designations.

Require the submission of a Planning Justification Report, signed by a Registered Professional Planner, to provide justification on the proposed additional of a Medical Office use, and the way in which permitting this use aligns with the Official Plan.

Discussion is also required with respect to parking provided for the development. Previously, cash was paid in lieu of providing for 18 parking spaces for the commercial plaza. However, a medical office requires the provision of 3 parking spaces per practitioner or 1 per 15 sq m of ground floor leasable area, whichever is greater. The 2023 rate for cash-in-lieu of parking is \$65,988 per stall. Please provide comments on the proposed parking strategy for the addition of the Medical Office use.

Please provide comments regarding access to the medical office, as there is no parking provided on-site. Are there any concerns with accessibility? What is the anticipated floor area of the Medical Office space (to assist with calculating parking)?

## 15. Additional Notes

- i. The purpose of this Pre-consultation Agreement is to identify the information required to process and evaluate an application, as set out in the *Planning Act, R.S.O. 1990, c. P.13, as amended*. This pre-consultation process is designed to proceed based on the mutual agreement of the parties who have provided signatures below.
- ii. Pre-consultation does not imply or suggest any decision whatsoever on behalf of Staff or the municipality to either support or refuse the application.
- iii. 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.
- iv. The applicant should be aware that the information provided in this Pre-consultation Agreement is accurate as of the date of the pre-consultation meeting. Should other policies, by-laws or procedures be approved by the Province, Region, Town and other agencies prior to the submission of a formal application, the applicant will be subject to any new policies, by-laws or procedures that are in effect on the day the application is received. If an application is not submitted within one (1) year, the applicant must confirm with the Town that the directives of the original pre-consultation meeting are being met. Another pre-consultation meeting may be required at the direction of the Director of Community & Development Services if an application has not been submitted within one (1) year of the pre-consultation date and/or the proposal has changed.
- v. It is hereby understood that, subject to any appeals, an application filed for the proposal identified in this Pre-consultation Agreement will only be considered complete if it includes the required plans, reports and information identified in this Pre-consultation Agreement, completed application form(s), any information or materials prescribed by statute, the required fees, a copy of this signed Pre-Consultation Agreement, and any other applicable requirements as identified on the application forms. Any application submitted without the plans, reports and information identified in this Pre-consultation Agreement will be deemed incomplete and will not be processed. Alternately, Staff may recommend refusal of the application based upon insufficient information to properly evaluate the application.
- vi. The applicant acknowledges that the Town, Region, and other agencies consider the application forms and all accompanying plans, reports, and information filed with any application to be public information and to form part of the public record. With the filing of an application, the applicant consents and hereby confirms that the consent of the authors of all accompanying plans, reports and information have been obtained, to permit the Town, Region and other agencies to release the application and any accompanying materials either for their own use in processing the application, or at the request of a third-party, without further notification to, or permission from, the applicant.
- vii. It is hereby understood that during the review of the application additional plans, reports, and information may be required as a result of issues arising during the processing of the application, public input, or the review of the submitted studies.
- viii. The applicant acknowledges and agrees that Town of Niagara-on-the-Lake Staff, Agency Staff and Committee of Adjustment Members may enter onto their property to view, photograph, and survey their property as necessary for this proposal. It is acknowledged that failure to allow access onto the subject lands may result in the application being considered incomplete.
- ix. If the Town or Region do not have sufficient expertise to review and determine that a study is acceptable, a peer-review may be required. The cost of the peer review shall be paid for by the applicant. The Terms of Reference for a peer review is determined by the Town, Region or other agencies.
- x. Some studies may require review and clearance/approval from other agencies. In this instance, the review fee(s) of the review agency shall be paid by the applicant.

## 16. Signatures of Attendees

I have read, understand, and agree to all of the content provided in this Pre-consultation Agreement:

Position/Title	Name	Signature	Date
Planner			
Planning Manager			
Development Coordinator			
Secretary-Treasurer, CoA			
Operations Staff			
Regional Staff			
NPCA Staff			
Other Staff: _____			
Other Staff: _____			
Other Staff: _____			
Registered Owner			
Authorized Agent			
Other: _____			
Other: _____			
Other: _____			

### APPLICATIONS 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.com](http://www.notl.com)  
E-mail: [planning.development@notl.com](mailto:planning.development@notl.com)