Building, Planning and 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 Planning, Building and 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 Planning, Building and 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 2-6 and 11-14 only) ☐ Modification of an Approved Draft Plan of Subdivision ☐ Extension of an Approved Draft Plan of Subdivision (Complete Sections 2-6 and 11-14 only)

☐ **Approval of a Draft Condominium Description:**

☑ Standard ☐ Vacant Land ☐ Common Elements ☐ Phased ☐ Leasehold

☐ New Development Agreement (Complete Sections 2-6 and 11-15 only) ☐ Modification of an Approved Condominium Description ☐ Extension of an Approved Condominium Description (Complete Sections 2-6 and 11-15 only)

2. Details of the Subject Lands

Municipal Address	Assessment Roll Number
Vacant lands between 727 and 733 King Street	262701000319612

Legal Description: PART LOT 14 RCP 692 NIAGARA, PARTS 1 & 3 30R-16061; PART LOT 13 RCP 692 NIAGARA PART 5 30R16061

Date the subject lands were acquired:	Lot Area (metric):	Lot Frontage (metric):	Lot Depth (metric):
June 8, 2023	3,218.5 sqm	22.59 m	94.92 m

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	
Josh Bice	Butler's Gardens Development Inc.	NOTL	
Mailing Address		Unit Number	Postal Code
Province	Email	Telephone	
	joshbice@bicebuilders.com		

4. Authorized Agent (if one has been authorized)

Name	Company Name	Municipality	
Lichheng Lim	NPG Planning Solutions Inc.	Niagara Falls	
Mailing Address		Unit Number	Postal Code
4999 Victoria Avenue			L2E 4C9
Province	Email	Telephone	
ON	llim@npgsolutions.ca	(647) 676-3738	

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

5. Solicitor (if different from Authorized Agent)

Name	Company Name	Municipality	
Lana T. Sgambelluri	L.T. Sgambelluri Professional Corporation	Niagara Falls	
Mailing Address		Unit Number	Postal Code
7085 Morrison Street			L2E 7K5
Province	Email	Telephone	
ON		(905) 357-2851	

6. Mortgages, Charges, and Other Encumbrances (if applicable)

Name	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:

Vacant

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? ☐ Yes ☐ 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
☐ Single-Detached					N/A
☐ Semi-Detached					N/A
☐ Multi-Attached Residential					
☑ Apartment	17	1	0.32	53	22
☐ Seasonal Residential					
☐ Mobile Home					
☐ Other Residential: _____					
RESIDENTIAL TOTAL	17	1	0.32	53	22
☐ Commercial					
☐ Industrial					
☐ Institutional: _____					
☐ Parks and Open Space	N/A			N/A	N/A
☐ Roads	N/A			N/A	N/A
☐ Other: _____					
NON-RESIDENTIAL TOTAL					
GRAND TOTAL	17	1	0.32	53	22

9. Access (select all that apply)

Identify how the subject lands will be accessed:

☑ Public road maintained all year ☐ Niagara River Parkway ☐ Provincial highway
☐ Public road maintained seasonally ☐ Private Easement/Right-of-way ☐ 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
- ☑ Publicly owned and operated piped water system
- ☐ Privately owned and operated individual well
- ☐ Privately owned and operated communal well
- ☐ Lake or other water body
- ☐ Other: _____

Sewage Disposal
- ☑ Publicly owned and operated sanitary sewage system
- ☐ Privately owned and operated individual septic system
- ☐ Privately owned and operated communal septic system
- ☐ Privy
- ☐ Other: _____

Storm Drainage
- ☑ Sewers
- ☐ Ditches/swales
- ☐ 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? ☐ Yes ☑ No

Is any portion of the subject lands within the Niagara Escarpment Plan Area? ☐ Yes ☑ No

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

This application promotes the efficient use of land and municipal infrastructure within an established settlement area, contributing to a diverse range of housing options that meets the social, health, economic, and well-being requirements of future and current residents.

12. Official Plan and Zoning Information

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

Delineated Built-up Area

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

If yes, explain how this application conforms to the Niagara Regional Official Plan:

This application supports intensification and the creation of compact, complete communities that helps meet the intensification targets outlined in the OP.

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

Medium Density Site-Specific - EX-RES-12 (OPA 89 - medium density development, max of 53 units per hectare)

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

If yes, explain how this application conforms to the Town of Niagara-on-the-Lake Official Plan:

The application is within the maximum density requirements as amended and appropriately considers compatibility with the surrounding community through building and site design considerations.

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

Residential Multiple Site-Specific - RM1-112

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

If yes, explain how this application conforms to the Town of Niagara-on-the-Lake Zoning By-law:

This application meets all provisions of the Zoning By-law, as amended.

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
Site Plan Application	SPA-01-2025	Conditionally Approved
Official Plan Amendement	OPA-04-2023	OLT Decision (Approved)
Zoning By-law Amendment	ZBA-13-2023	OLT Decision (Approved)
Consent	B-21/22; B-22/22; B-23/22	Approved

14. Concurrent Applications (if applicable)

Application Type	File Number	Status of the Application

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: _____

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) sign 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 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).

Planning, Building and 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 Condominium drawing	September 17, 2026	JD. Barnes Ltd
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			

19. Acknowledgement and Agreement of Registered Owner

I, Josh Bice of Butler's Gardens Development 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)

September 22, 2026
(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, Josh Bice of Butler's Gardens Development Inc. **AM THE REGISTERED OWNER OF THE SUBJECT LANDS**
(Name of Registered Owner/Company)

AND HEREBY AUTHORIZE Lichheng Lim on behalf of NPG Planning Solutions Inc.
(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)

September 22, 2026
(Date)

21. Sworn Declaration

I, Lichheng Lim OF THE City of Toronto
(Name of Registered Owner/Company or Authorized Agent/Company) *(Name of City, Town, Township, etc.)*

IN THE Province of Ontario
(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 Hamilton in the Province of Ontario
(Name of City, Town, Township, etc.) *(Name of Regional Municipality or Province)*

on this 23rd day of September, 2026.
(Month) *(Year)*

Robert Scott Fiedler,
a Commissioner, etc.,
Province of Ontario,
for NPG Planning Solutions Inc.
Expires February 19, 2028.

(Signature of Registered Owner/Authorized Agent) *(Signature of Commissioner of Oath)*

THIS APPLICATION MUST BE SUBMITTED TO:

Town of Niagara-on-the-Lake
Planning, Building and Development Services
1593 Four Mile Creek Road
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Virgil, ON L0S 1T0

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