



Application for Draft Plan Approval of Subdivision or Condominium or Exemption to Draft Plan of Condominium Approval

Updated: January 2023

Date Received:

PRECONSULTATION

A formal pre-consultation meeting with City Planning staff is required to take place within 1 year prior to application submission.

Pre-consultation does not imply or suggest any decision whatsoever on behalf of City staff or the City of Niagara Falls to either support or refuse the application. Pre-consultation identifies information and application requirements for application submission.

COMPLETE APPLICATION

The information requested by this application form and fees are required to constitute a "complete application".

Until all required information and fees have been submitted to City standard, the City may refuse to accept or further consider the requested amendment(s).

FEES

Separate cheques made out to the City, Region, and NPCA are required.

The Region accepts on-line payments through their on-line payment portal:

<https://www.niagararegion.ca/business/payments/default.aspx>

If fees are paid directly to the Region, please provide a copy of receipt with application submission.

**Fees are current as of the update of the application form. Please consult with City and Agency staff, or the respective agency websites, to confirm amounts identified on your pre-consultation meeting report.

<u>City of Niagara Falls</u>	Fee:
<input type="checkbox"/> Plan of Subdivision	\$13,900
<input checked="" type="checkbox"/> Plan of Condominium	
<input checked="" type="checkbox"/> Vacant Land	\$10,800
<input type="checkbox"/> Conversion	\$4,300
<input type="checkbox"/> Standard/Common Element	\$3,000
<input type="checkbox"/> Modification of Draft Plan Approval – Subdivision/Vacant Land Condominium	\$2,750
<input type="checkbox"/> Modification of Draft Plan Approval – Standard/Conversion	\$2,000
<input type="checkbox"/> Exemption to Draft Plan of Condominium Approval	\$3,000

Please note: Fees collected for pre-consultation meetings held after January 1, 2023 are no longer applied to City application fees.

***Additional fees will be required as part of the subdivision registration process as outlined in the City's Fee Guide.*

Niagara Region (2022 rate- 2023 rate to be set March 2023) Fee:

<input checked="" type="checkbox"/> Draft Plan Review: Subdivision, Vacant Land/Common Element Condominium	\$5,525.00 + \$1,915 per ha -\$5,340 + \$1,850 per ha
<input type="checkbox"/> Combined Standard Condominium and Site Plan Review Fee	\$4,010
<input type="checkbox"/> Plan of Standard Condominium Review (Where site plan is not required)	\$2,680
<input type="checkbox"/> Revisions to Submission by Applicant (Prior to Draft Plan Approval)	\$1,345
<input type="checkbox"/> Modification of Draft Plan Approval- Subdivision, Vacant Land/Common Element Condominium	\$2,680
<input type="checkbox"/> Modification of Draft Plan Approval- Standard Condominium	\$675

Additional fees may be required by Niagara Region—please consult your pre-consultation meeting report.

Niagara Peninsula Conservation Authority (NPCA)

NPCA fees may be applicable to your application. Fees are listed on the Conservation Authority website and provided on your pre-consultation meeting report.

SUBMISSION REQUIREMENTS (see Digital Files notes below)

The submission must include:

- One (1) digital (pdf) and (1) paper copy of the original completed application form.
- One (1) digital (pdf) and (1) paper copy of the signed pre-consultation meeting report.
- One (1) digital .jpg of posted subdivision sign.
- All required application fees
 - City of Niagara Falls
 - Niagara Region
 - Niagara Peninsula Conservation Authority (if required)
- One (1) digital (pdf) and (1) paper copy of the Land Registry PIN sheet or “Final Deed” to the property.
- One (1) digital (pdf), CAD .dwg file (projected to City standards-outlined in Appendix 1), and (1) paper plan of a survey or reference plan of the property.
- One (1) digital (pdf) and (4) paper draft plans, drawn on a single sheet and to scale. The plan must show all items required by S. 51(17) of Planning Act and any other items required by the City’s Official Plan.
 - * Please note that measurements are to be in metric units.
 - * All road widening or day-light triangle dedications are to be shown and dimensioned.
- All required technical reports and studies, including agreed Terms of Reference for each report, additional plans, other information identified in the pre-consultation meeting report, and/or as outlined in the City’s Official Plan, in digital (pdf) and paper format— one (1) copy of each document.

DIGITAL FILES

The numbering may change as required in accordance with the number of items submitted. This is intended to be a guide to ensure submissions follow the same format.

01 – Application Form

02 – Site Plan/Draft Plan of Condominium/Draft Plan of Subdivision

03 – Any additional drawings numbered as required (i.e. 03 – Elevations, 04 - Site Servicing Plan, 05– Grading Plan, etc.)

04 – Planning Justification Report

05 – Any additional reports submitted with the application (i.e. 06 – Municipal Servicing Study, 07 - Noise Study, 08 – Traffic Impact Study, etc.)

06 – Miscellaneous materials (i.e.09-Deed, 10-Pre-consultation Report, etc.)

*** Files are not to be locked to provide City staff the ability to upload to the Tribunal website.*

ACCESSIBILITY

The City of Niagara Falls is dedicated to ensuring that everyone will be able to access the information they needed. Reports and Studies submitted with Planning Applications may, upon the request of City Staff, be required to meet the accessibility standard of WCAG 2.0 Level AA.

PUBLIC DOCUMENT

The personal information contained on this form is collected pursuant to the Planning Act and will be used for the purpose of processing your application. If you have any questions on the gathering of personal information and the release of any personal information to any person or public body under the Freedom of Information and Protection of Privacy Act, you may contact Margaret Corbett, Freedom of Information, Records, and Elections Officer at mcorbett@niagarafalls.ca.

PRE-CONSULTATION:

Date of Pre-consultation: March 4th, 2020

CONTACT INFORMATION:

* If a numbered company, provide the name and address of the principal owner/signing officer.
* If more than one owner, complete an additional contact for each owner.

Applicant

Applicant is: Owner or Authorized Agent of Owner
(if selected complete and attach authorization form)

Last Name: Agro First Name: Carmela
Corporation or Partnership: Arcadis
Street Address: 360 James Street North Unit No. 200
Municipality Hamilton Postal Code: L8L 1H5 Province: ON
Telephone: n/a Cell: 905-920-0262 Email: carmela.agro@arcadis.com

Owner (if different from applicant)

Last Name: Georgakakos First Name: John
Corporation or Partnership: Gemini Corporation
Street Address: 1236 Lakeshore Road West Unit No. n/a
Municipality St. Catharines Postal Code: L2R 6P9 Province: Ontario
Telephone: see applicant Cell: see applicant Email: see applicant

Agent same as Applicant above

Last Name: _____ First Name: _____
Firm: _____
Street Address: _____ Unit No. _____
Municipality _____ Postal Code: _____ Province: _____
Telephone: _____ Cell: _____ Email: _____

Surveyor

Last Name: Cameron First Name: Andrew
Firm: JD Barnes
Street Address: 4318 Portage Road Unit No. 2
Municipality Niagara Falls Postal Code: L2E 6A4 Province: Ontario
Telephone: 905-358-3693 Cell: c.a Email: acameron@jdbarnes.com

DESCRIPTION

1. Brief Description of Proposal (Including the proposed uses):
To permit a total of 91 street-townhome units with a height of two (2) to three (3) storeys. The proposed development will include a total of 107 total parking spaces (91 driveway and 16 visitor).

2. Legal Description of the Subject Lands (Must meet City validation)

Municipal Address: no municipal address
ROLL NO.: unknown PIN: 643660460

Township Stamford Concession No.: n/a Lot No(s): 163
 Registered Plan: Part 2 of plan 59R-13537 Part(s)/Lot(s)/Block(s): _____
 Reference Plan: 59R13537 2 Part(s)/Lot(s)/Block(s): 2

If yes, please describe the easement or covenant and its effect:

n/a

3. Names and addresses of mortgages, holders of charges or other encumbrances with respect to the subject land(s):

None.

4. Has an application been made to place the lands in Land Titles or to consolidate parcels?
 Yes No

5. What is the current use of the subject lands? Vacant

If unknown, how long has this use continued? Since 1978

6. On what date was the property acquired by the current owner (if known)? October 15, 2021

7. Please complete the following table:

Proposed Land Use	Number of Units or Dwellings	Number of Lots and/or blocks on the Draft Plan	Area (ha)	Density (Units/Dwellings per ha)	Number of Parking Spaces
Residential					
Detached					(1)
Semi-detached					(1)
Multiple-On-street towns	91		2.27 ha	40 uph	107
Multiple-Block towns					
Multiple-Stacked towns					
Multiple-Back-to-back towns					
Apartment					
Seasonal					
Mobile Home					
Other (specify)					
Commercial	n/a			n/a	
Industrial	n/a			n/a	
Park, Open Space	n/a			n/a	
Institutional (specify)	n/a			n/a	
Roads	n/a			n/a	
Other (specify)	n/a			n/a	

Proposed Land Use	Number of Units or Dwellings	Number of Lots and/or blocks on the Draft Plan	Area (ha)	Density (Units/Dwellings per ha)	Number of Parking Spaces
Totals					
(1) Complete only if for approval of condominium description					
*If a land use has been identified as "Other Residential", "Institutional" or "Other", please provide a description of the proposed use:					

CONDOMINIUM APPLICATION: Complete this section only if applicable

1. Indicate the following information for all types of condominium applications:

- 1.1 Has a site plan for the proposed condominium been approved and signed?
 Yes No
- 1.2 Has a site plan agreement been entered into?
 Yes No
- 1.3 Has a building permit for the proposed condominium been issued?
 Yes No

If "Yes", specify date of issuance of building permit _____

- 1.4 Has construction of the development started?
 Yes No
 If "Yes", specify the date construction started. _____
- 1.5 If construction is completed, indicate the date of completion.

- 1.6 If this is a conversion of a building containing rental residential units
 Yes No

If "Yes", please complete the following table:

Building Characteristics	
Year Built	
Gross Floor Area	
No. of Storeys	
No. of Units	
No. of Units by Bedroom Type	
1 bedroom	unit(s)
2 bedrooms	unit(s)
3 bedrooms	unit(s)
4 bedrooms	unit(s)

Please complete the following table. Information should be based on the best information available at the time of application.

Unit type	Number of Units	Unit Size (Sq. metres)	Estimated Selling Price
1 Bedroom			
2 Bedroom			
3 Bedroom			

Unit type	Number of Units	Unit Size (Sq. metres)	Estimated Selling Price
4 Bedroom			
Other (specify)			

PLANNING INFORMATION

1. What is the current designation of the subject lands in the Official Plan?

Major Commercial

2. What is the current zone classification of the subject lands in the Zoning By-law?

Residential Apartment 5C Density Zone -912

3. What are the current or previous uses of the subject lands?

- Residential
- Industrial
- Commercial
- Agricultural
- Parkland
- Vacant
- Other

Please complete the checklist provided in Appendix A.

4. Does the subject land contain any areas of archaeological potential? Yes No

If "Yes", attach an archaeological assessment prepared by a person who holds a license that is effective with respect to the subject land, issued under Part VI of the Ontario Heritage Act; and a conservation plan for any archaeological resources identified in the assessment.

5. Has the subject land ever been the subject of a previous application for the following?

- Yes
- No

If "Yes", and if there are concurrent applications, please complete the chart.

Application	File No.	Status of Application
<input type="checkbox"/> Minor Variance		
<input type="checkbox"/> Consent		
<input type="checkbox"/> Official Plan Amendment		
<input checked="" type="checkbox"/> Zoning By-law Amendment	AM-2010-009	Approved
<input type="checkbox"/> Plan of Subdivision/Condominium		
<input type="checkbox"/> Site Plan		
<input type="checkbox"/> Minister's Zoning Order (including Regulation Number)		

6. Is the proposal consistent with the Provincial Policy Statement? Does the proposal conform or not conflict with provincial plans (i.e. Growth Plan) and the City's Official Plan? Provide an explanation below or within the submitted Planning Justification Report.

Please refer to Planning Justification Report

GENERAL INFORMATION

1. Sewage Disposal and Water Supply

Water to be provided to the subject land:

- publicly piped water system
- public or private communal well
- public or private individual well*
*for the development of more than 5 lots/units: a servicing options and a hydrogeological report are required.
- communal surface water
- individual surface water (lake, other water body)
- other

Sewage Disposal to be provided to the subject land:

- publicly owned and operated sewage system
- privately owned and operated communal/individual septic system

*Report requirements for the development of:

- **more than 5 lots/units:** a servicing options and a hydrogeological report
- **5 or less lots/units and generating more than 4,500 litres per day effluent:** a servicing options and hydrogeological report
- **5 or less lots/units and generating less than 4,500 litres per day effluent:** a hydrogeological report

- other (privy)

2. Storm Drainage and Road/Water Access

Storm drainage to be provided on the subject land:

- sewers
- ditches or swales
- other (lake, water body)

Road access proposed to the subject land:

- provincial highway
- municipal land Regional or City
- maintained year round
- maintained seasonally
- unopened right of way

- water

If water access is proposed, attach a description of the parking and docking facilities to be used and the approximate distance of these facilities from the subject land and the nearest public road.

3. Give a brief description of the existing land use, vegetation, topography and drainage on the site.

The subject lands are currently vacant with relatively flat vegetation (grass, small trees) on the portion of the lands adjacent to Montrose Road. The steepness of the topography gradually increases moving

westwards on the site. The western side of the subject lands which is adjacent to Charnwood Park, includes larger and denser trees.

4. Environmental Effects

What measures have been taken to eliminate adverse environmental effects from the development on the surrounding areas (e.g., traffic, noise, odours, pollution of nearby water bodies, run-off, etc.) and to eliminate any adverse effects from the adjacent area on the proposed development (e.g., buffering, berms, setbacks, etc.)? In agricultural areas, refer to the Agricultural Code of Practice. Where potential adverse environmental effects are foreseen, consultation with the applicable Ministry is recommended.

Please refer to Planning Justification Report

5. Housing Affordability

For applications that including housing, complete the following chart. Information should be based on the best information available at the time of application. If additional space is needed, attach on a separate page.

Housing Type	Number of Units	Unit Size (Sq. metres) and/or Lot Frontage	Estimated Selling Price/ Monthly Rent
Detached			
Semi-Detached			
On-Street Towns	91		
Block Towns			
Stacked Towns			
Back-to-Back Towns			
Apartment Dwelling			

6. Other Information

Is there any other information that may be useful to the City in reviewing this development proposal (e.g., efforts made to resolve outstanding objections or concerns)? If so, explain below or attach on a separate page.

See Planning Justification Report for details.

NOTE: The following sections include several declarations and authorizations that must be signed by the owner of the subject land to which this application applies.

If there is more than ONE owner/property, an additional declaration and authorization page must be completed and attached to the application for each owner/property.

OWNERS AUTHORIZATION:

I/We, John Georgakakos of Gemini Corp. John Georgakakos
(Owner's Name) (Owner's Name)

Being the registered owner(s) of the subject property, hereby endorse:

Applicant: [Signature] Agent: [Signature]
Same as applicant

To proceed with this application and agree to be bound by the findings of the application as it is processed through the proper stages. I/We hereby declare that the information on this application and the supporting plans and documents are correct.

Signature of Owner: [Signature] Signature of Witness: [Signature]
John Georgakakos A.S.O

Signature of Owner: _____ Signature of Witness: _____

DECLARATION:

I/We Carmela Agro
Of the City Town/Township of Hamilton
In the ~~County/District/Regional Municipality~~ of Ontario
Province

solemnly declare that all of the statements contained in this application are true, and I/We make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED before me at the _____)
City _____ of _____)
Province _____)
in the ~~Regional Municipality~~ of _____)
this 16th day of May)
A.D. 2023)

TO BE SIGNED IN THE PRESENCE OF A COMMISSIONER FOR TAKING AFFIDAVITS

[Signature]
Signature of applicant(s), solicitor or authorized agent

[Signature]
A Commissioner, etc.

Jared Vail Marcus, a Commissioner, etc.
Province of Ontario,
for IBI Group.
Expires December 5, 2023.

Appendix A

In order to assist in determining if the subject lands are potentially contaminated, please complete the following. It should be acknowledged that if there is reason to suspect contamination, further studies and plans will be required and that a Record of Site Condition will also be required in the event of remediation.

Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?

Yes No Unknown

Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?

Yes No Unknown

Has there been petroleum or other fuel stored on the subject land or adjacent lands?

Yes No Unknown

Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?

Yes No Unknown

Have the lands or adjacent lands ever been used as an agricultural operation where cyanide products may have been applied as pesticides and/or sewage sludge applied to the lands?

Yes No Unknown

Have the lands or adjacent lands ever been used as a weapons firing range?

Yes No Unknown

Is the nearest boundary line of the application within 500 metres (1,640 feet) of the boundary line of an operational/non-operational public or private waste disposal site, landfill or dump?

Yes No Unknown

If there are existing or previously existing buildings on the subject lands, are there any building materials remaining on the site which are potentially hazardous to public health (e.g., asbestos, PCB's)?

Yes No Unknown

Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?*

Yes No Unknown

*Possible uses that can cause contamination include: operation of electrical transformer stations, disposal of waste minerals, raw material storage, and residues left in containers, maintenance activities and spills. Some commercial properties such as gasoline stations, automotive repair garages, and dry cleaning plants have similar potential. The longer a property is under industrial or similar use, the greater the potential for site contamination. Also, a series of different industrial or similar uses upon a site could potentially increase the number of chemicals which are present.

If current or previous use of property is industrial or commercial, or if the answer is YES to any of the above, please attach a previous use inventory showing all former uses of the subject land, or if applicable, the land(s) adjacent to the subject lands.

ACKNOWLEDGEMENT CLAUSE:

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable laws, regulations, guidelines and the City's Official Plan policies pertaining to contaminated sites, and to use all reasonable effort to identify the potential for contamination on the subject property. I acknowledge that as a condition of approval of this application that the City may require me to file a Record of Site Condition signed by a qualified person in the provincial Environmental Site Registry, and provide verification to the City of acknowledgement of this Record of Site Condition by the Ministry of Environment. I acknowledge that the City may require the qualified person signing the Record of Site

Condition to submit to the City a Declaration acknowledging that the City may rely on the statements in the RSC. I further acknowledge that the City of Niagara Falls is not responsible for the identification and/or remediation of contaminated site, and I agree, whether in, through, or as a result of any action or proceeding for environmental clean-up of any damage or otherwise, I will not sue or make claim whatsoever against the City of Niagara Falls, its officers, employees or agents for or in respect of any loss, damage, injury or costs.

May 16, 2023

Date: _____ Signature: _____



John Georgakakos A.S.O