

## PRECONSULTATION

Preconsultation with City Planning staff is required under By-law No. 2009-170. Preconsultation identifies the information required to commence the processing of a development application. Preconsultation 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.

## COMPLETE APPLICATION

The information requested herein, along with the appropriate fee and a signed preconsultation checklist, is required to constitute a “complete” application. A complete application includes all information required under Schedule 1 of Ontario Regulation 543/06 (Official Plan amendments) or Schedule 1 of Ontario Regulation 545/06 (Zoning By-law amendments) and information required under the City of Niagara Falls Official Plan.

Until all required information has been submitted to standard, the City may refuse to accept or further consider the requested amendment. The timing provisions of the Planning Act do not commence until the applicant has been notified by the City that the application is considered complete.

## OPEN HOUSE

Proponents of applications to amend the City’s Official Plan and/or Zoning By-law are required to attend open houses hosted by City staff to inform surrounding property owners about the development that could result from the proposed amendments. The open houses occur approximately 5 weeks prior to the Public Meeting required by the Planning Act to be held with Council.

## TYPE OF APPLICATION

<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Other
			<b>Fee:</b>
<input checked="" type="checkbox"/> Plan of Subdivision			13,900
<input type="checkbox"/> Plan of Condominium			
<input type="checkbox"/> Vacant Land			
<input type="checkbox"/> Conversion			2,575
<input type="checkbox"/> Standard			1,550
<input type="checkbox"/> Modification of Draft Plan Approval – Subdivision/Vacant Land Condominium			2,600
<input type="checkbox"/> Modification of Draft Plan Approval – Standard/Conversion			1,250
Total fees payable to the City:			<u>\$13,900</u>

### Additional Fees:

<input type="checkbox"/> Regional Planning Review	_____
<input type="checkbox"/> Niagara Peninsula Conservation Authority Review	_____
<input type="checkbox"/> Legal Fees for the review and registration of agreements	_____

Is this a resubmission of an earlier plan?     Yes     No

## REQUIRED INFORMATION:

It is the responsibility of the applicant or authorized agent to complete the particulars required hereunder and to supply all of the requested documents to Planning & Development:

- 6 (six) copies of the completed subdivision application. If further copies are needed, the applicant will be notified.
- 10 (ten) copies of the draft plan, drawn to scale, containing the required information under Section 51 (17) of the Planning Act plus one clear and reproducible 8 ½ x 11” copy.
- 1 (one) copy of the signed preconsultation checklist.
- Copies of a background report or any other reports of the type and the number specified in the preconsultation checklist. It is the responsibility of the owner to research and evaluate the site and the proposal to ensure that the development will conform with the interests of the health, safety and welfare of the future residents, either owners or tenants.
- A photo of the “notice sign” on the site.
- Digital copies of all required plans are to be provided in accordance with the City’s Corporate Submission Standard outlined in Appendix “A”.
- Final Deed from Land Registry Information Ontario confirming the land parcel configuration and current ownership information

They City may refuse to accept or further consider an application until the required information and material, all draft plans and the application fee have been received. Within 30 days of the receipt of the application fee, the City shall notify the applicant/authorized agent of the completeness of the application. The timing provisions contained in the Planning Act for the processing of the application under Section 1(34) do not begin until the City has notified the applicant that the application is complete.

**DRAFT PLAN REQUIREMENTS UNDER SECTION 51(7) OF THE PLANNING ACT:**

- (a) the boundaries of the land proposed to be subdivided, certified by an Ontario Land Surveyor;
- (b) the locations, widths and names of the proposed highways within the proposed subdivision and of existing highways on which the proposed subdivision abuts;
- (c) on a small key plan, on a scale of not less than one centimeter to 100 metres, all of the land adjacent to the proposed subdivision that is owned by the applicant or in which the applicant has an interest, every subdivision adjacent to the proposed subdivision and the relationship of the boundaries of the land to be subdivided to the boundaries of the township lot or other original grant of which the land forms the whole or part;
- (d) the purpose for which the proposed lots are to be used;
- (e) the existing uses of all adjoining lands;
- (f) the approximate dimensions and layout of the proposed lots;
- (g) natural and artificial features such as buildings or other structures or installations, railways, highways, watercourses, drainage ditches, wetlands and wooded areas within or adjacent to the land proposed to be subdivided;
- (h) the availability and nature of domestic water supplies;
- (i) the nature and porosity of the soil;
- (j) existing contours or elevations as may be required to determine the grade of the highways and the drainage of the land proposed to be subdivided;
- (k) the municipal services available or to be available to the land proposed to be subdivided; and
- (l) the nature and extent of any restrictions affecting the land proposed to be subdivided, including restrictive covenants or easements.

**The City of Niagara Falls is dedicated to ensuring that everyone will be able to access the information they need. 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.**

**For Use by City Staff Only**

Application Number:	Date Received:
Date of Preconsultation Meeting:	Staff/Planner:
Date Application Received Complete:	Staff/Planner:

**CONTACT INFORMATION:**

**Applicant**

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

Last Name: MacFarlane First Name: Robert Corporation or Partnership: Zelinka Priamo Ltd.

Street Address: 20 Maud St Unit No. 305 Lot/Con: \_\_\_\_\_

Municipality: Toronto Postal Code: M5V 2M5 Province: ON

Telephone Number: 416-622-6064 Cell Number: 416-801-6140 Email: robert.m@zpplan.com

**Owner (if different from applicant)**

Last Name: Madeira First Name: David Corporation or Partnership: Branthaven Belmont Oakwood Inc.

Street Address: 720 Oval Court Unit No. \_\_\_\_\_ Lot/Con: \_\_\_\_\_

Municipality: Burlington Postal Code: L7L 6A9 Province: ON

Telephone Number: 905-333-8364 Cell Number: 416-988-6884 Email: dmadeira@branthaven.com

**Agent - Same as Applicant**

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_ Corporation or Partnership: \_\_\_\_\_

Street Address: \_\_\_\_\_ Unit No. \_\_\_\_\_ Lot/Con: \_\_\_\_\_

Municipality: \_\_\_\_\_ Postal Code: \_\_\_\_\_ Province: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Cell Number: \_\_\_\_\_ Email: \_\_\_\_\_

**DESCRIPTION**

1. **Brief Description of Proposal (Including the proposed uses):**  
The applications propose a residential (townhouse) development, consisting of a range of unit sizes/styles, and includes various amenity areas, access points to Oakwood Drive, and surface parking areas.
2. **Legal Description of the Subject Lands (Must meet City validation)**  
Municipal Address: N/A; PIN - 64257-0012(LT)  
Lot No(s): 187 Concession No.: \_\_\_\_\_  
Reference Plan: See Draft R-Plan 36947-LT attached Part(s): PTS 1 - 4  
Registered Plan: \_\_\_\_\_ Lot(s)/Block(s): \_\_\_\_\_
3. Are there any easements or restrictive covenants affecting the subject lands?  Yes  No  
If yes, please describe the easement or covenant and its effect: Servicing - R0260293 and SN268763
4. Names and addresses of mortgages, holders of charges or other encumbrances with respect to the subject land(s):  
Calloway REIT (Niagara Falls) Inc., 3200 Highway 7, Vaughan, ON L4K 5Z5
5. What is the current use of the subject lands? Vacant  
If unknown, how long has this use continued? \_\_\_\_\_
6. On what date was the property acquired by the current owner (if known)? November 24, 2021

7. Proposed Land Use

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	236	1 Lot	5.45	43.3	630 (67 visitor)
Apartment					
Seasonal					

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
Mobile Home					
Other (specify)					
Commercial					
Industrial					
Park, Open Space					
Institutional (specify)					
Roads					
Other (specify)					
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: Townhouses and back-to-back townhouses ranging from 5-14 units per building					

8. Additional Information for Condominium Applications

General Information for all types

- 4.1 Has a site plan for the proposed condominium been approved and signed  Yes  No
- 4.2 Has a site plan agreement been entered into?  Yes  No
- 4.3 Has a building permit for the proposed condominium been issued?  Yes  No  
If "Yes", specify date of issuance of building permit \_\_\_\_\_
- 4.4 Has construction of the development started?  Yes  No  
If "Yes", specify the date construction started. \_\_\_\_\_
- 4.5 If construction is completed, indicate the date of completion. \_\_\_\_\_
- 4.6 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)

What is the anticipated sale price of each type of condominium unit proposed?

Unit type	Price/Unit	Area/Unit
1 Bedroom		
2 Bedroom		
3 Bedroom		
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? SC-833
3. What were the previous uses of the subject lands?
- Residential                       Industrial                       Commercial  
 Agricultural                       Parkland                       Vacant  
 Other

If Industrial Commercial, please specify the use(s) and complete the Environmental Site Screening Questionnaire on Appendix B, attached to this application.

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. Study underway - to be submitted at a later date.

5. Has the subject land ever been the subject of a previous application for the following?                       Yes    No  
 If "Yes", 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 type="checkbox"/> Zoning By-law Amendment		
<input type="checkbox"/> Plan of Subdivision/Condominium		
<input type="checkbox"/> Site Plan		
<input type="checkbox"/> Minister's Zoning Order (including Regulation Number)		

6. What is the planning rationale and justification for this application? (citing how the proposal is consistent with the Provincial Policy Statement, whether the proposal conforms with or does not conflict with the Growth Plan for the Greater Golden Horseshoe or any other applicable Provincial Plan and the City's Official Plan). *\*Note: the planning rationale and justification, can be attached to this application in a separate report.*

See planning justification report and supporting studies

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**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: servicing options statement 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 system  
 \*Report requirements for the development of:  
 - **more than 5 lots/units:** a servicing options agreement and a hydrogeological report  
 - **5 or less lots/units and generating more than 4,500 litres per day effluent:** a hydrogeological report and servicing options report  
 - **5 or less lots/units and generating less than 4,500 litres per day effluent:** a hydrogeological report  
 privately owned and operated individual septic system  
 \*Report requirements for the development of:  
 - **more than 5 lots/units:** a servicing options agreement and a hydrogeological report  
 - **5 or less lots/units and generating more than 4,500 litres per day effluent:** a hydrogeological report and servicing options report  
 - **5 or less lots/units and generating less than 4,500 litres per day effluent:** a hydrogeological report  
 other (privy)

2. Storm Drainage, Road Access and 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 exiting land use, vegetation, topography and drainage on the site.

Vacant - see storm water management report and plan

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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 Ministry of Environment and Energy is recommended.

See planning justification report and supporting studies (EIS underway - to be submitted at a later date).

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5. Affordable Housing Component

If the application involves affordable housing, please provide details on housing type (e.g., semi-detached, row or townhouse, apartment block), the number of units, unit size or frontage and estimated selling price or rental.

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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.

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**OWNERS AUTHORIZATION:**


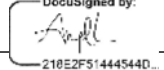
I/We, Branthaven Belmont Oakwood Inc.  
(Owner's Name)

David Madeira  
(Owner's Name)

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

Applicant: Zelinka Priamo Ltd.      Agent: \_\_\_\_\_

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 of Witness:   
210E2F51444544D...

Signature of Owner: \_\_\_\_\_      Signature of Witness: \_\_\_\_\_

**DECLARATION:**

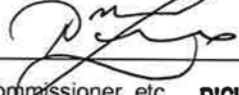
I/We Robert MacFarlane (Zelinka Priamo Ltd.)  
of the City/Town/Township of Toronto  
In the County/District/Regional Municipality of \_\_\_\_\_

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 London of \_\_\_\_\_ )  
in the County of Middlesex )  
this 1<sup>ST</sup> day of September )  
A.D. 2022 )


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

  
\_\_\_\_\_  
Signature of applicant(s), solicitor or authorized agent

  
\_\_\_\_\_  
A Commissioner, etc. **RICHARD HENRY ZELINKA, a Commissioner, etc.,**  
**County of Middlesex, for Zelinka Priamo Ltd.**  
**Expires March 28, 2024**

**AGENT'S ACKNOWLEDGEMENT:**

I note that as the applicant or their authorized agent, I must be in attendance at all public meetings for which notice has been given regarding any and all matters of this application.

Name: Robert MacFarlane  
Date: September 1, 2022 Signature: 

**NOTE:** By signing this application, the applicant acknowledges and gives permission to staff of the City of Niagara Falls to enter onto the property for the purpose of a site visit in conjunction with the review of this application and to provide opportunity for said staff to photograph the property as necessary.

## Appendix A

### Corporate Submission Standard

The following are standards required by applicants/consultants for submissions to the City.

The City reserves the right to deem a development application or project submission “Incomplete” if these standard submission requirements are not met.

#### Digital Delivery:

Digital submissions will be delivered to The City either by Secure Dropbox, Secure FTP or by portable drive submission directly to the applicable municipal staff

#### Ownership Confirmation:

“Final Deed” from the land registry office will be the only acceptable proof of ownership accepted by City staff. A detailed PIN and associated PIN Map may also be required upon request.

(Preliminary or In-Progress deeds or Transfers are not proof of ownership and unfulfilled conditions may revert ownership modifications.)

#### Address Validation:

Civic addressing must meet internal validation rules and match the corporate addressing database.

Addressing is implemented by Information Systems – GIS division, and adheres to the most current “Civic Addressing Policy”

#### Photos/Pictures:

The standard format for photos and pictures without data will be .tif or .jpeg

#### Graphical Images:

Graphical images will be accepted in .pdf format but are not considered true digital plans.

Preliminary or conceptual plans may be in this format where indicated in writing by City staff

#### Plans/Drawings:

All digital plans transferred to The City are to be supplied in true spatial format as outlined below:

- Projected and tied to Geographic Coordinate System\_North American Datum\_1983\_CSRS\_Universal Transvers Mercator\_Zone 17N
- Be provided in one of three acceptable formats including ESRI file geodatabase, shape file (.shp) version 10.3 or higher or AutoCAD drawing file (.dwg) version 2016 or higher, for compatibility purposes.
- Meet the corporate CAD standard template available from <https://niagarafalls.ca/pdf/municipal-works/cad-manual/cad-standards-manual.pdf>
- Follow proper topology rules (closed polygons, snapped lines etc)
- Ensure unique Identification links between the graphics and data attributes (hovers, labels, annotation and text layers do not qualify as identifying links)
- Include all support files or customizations necessary to defend and reprint the submission
- Be accompanied by MetaData and include at least the following six attributes:  
Last Modification Date, File Format, Data Source, Technical Contact Info,  
Project or File Reference Number, Unique ID Field Name

All exceptions or allowances must be agreed upon by City management staff and be stated in writing within the file.



**APPENDIX B**

**Environmental Site Screening Questionnaire**

In order to assist in determining if the subject lands are potentially contaminated, applicants are to 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.

- 1. Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?  
 Yes  No  Unknown
- 2. Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?  
 Yes  No  Unknown
- 3. Has there been petroleum or other fuel stored on the subject land or adjacent lands?  
 Yes  No  Unknown
- 4. Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?  
 Yes  No  Unknown
- 5. 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
- 6. Have the lands or adjacent lands ever been used as a weapons firing range?  
 Yes  No  Unknown
- 7. 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
- 8. 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
- 9. Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?\*

\*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.

- 10. If current or previous use of property is industrial or commercial, or if the answer is YES to any of 1 to 9 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.

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**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.

Date: August 24, 2022

Signature: 

Date: 2022.08.24  
14:56:37-04'00'