PREAPPLICATION

Preapplication is required under By-law No. 2009-170. Preapplication identifies the information required to commence the processing of a development application. Preapplication 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, 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

Proposers 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

- Residential
- Commercial
- Industrial
- Other

Fee: 13,500

Plan of Subdivision

- Plan of Condominium
  - Vacant Land
  - Conversion
  - Standard

- Modification of Draft Plan Approval – Vacant Land Condominium
- Modification of Draft Plan Approval – Standard/Conversion

Total fees payable to the City: __________

Additional Fees:

- Regional Planning Review
- Niagara Peninsula Conservation Authority Review
- 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:

- 20 (twenty) copies of the completed subdivision application. If further copies are needed, the applicant will be notified.
- 20 (twenty) copies of the draft plan, drawn to scale, containing the required information under Section 51 (17) of the Planning Act plus one 8 ½ x 11” reproducible copy.
- The application should be completed by the property owner of his/her authorized agent. Where it is being made by an agent, written authorization by the property owner is required.
- 5 (five) copies of a background report or any other reports required under the Official Plan. 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.
- Copies of all required plans are to be provided on a CD in pdf format.

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 time 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;
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;

the availability and nature of domestic water supplies;

the nature and porosity of the soil;

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;

the municipal services available or to be available to the land proposed to be subdivided; and

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.
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: ___________________________ First Name: ___________________________ Corporation or Partnership: ___________________________
Street Address: ___________________________ Unit No. _________ Lot/Con: ___________
Municipality: ___________________________ Postal Code: ___________ Province: ___________
Telephone Number: ___________ Cell Number: ___________ Email: ___________

Owner (if different from applicant)

Last Name: ___________________________ First Name: ___________________________ Corporation or Partnership: ___________________________
Street Address: ___________________________ Unit No. _________ Lot/Con: ___________
Municipality: ___________________________ Postal Code: ___________ Province: ___________
Telephone Number: ___________ Cell Number: ___________ Email: ___________

Agent

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):

2. Legal Description of the Subject Lands

   Municipal Address: ___________________________
   Lot No(s.): ___________________________ Concession No.: ___________________________
   Reference Plan: ___________________________ Part(s): ___________________________
   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:

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

5. What is the current use of the subject lands?
   If unknown, how long has this use continued?

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

7. Proposed Land Use

<table>
<thead>
<tr>
<th>Proposed Land Use</th>
<th>Number of Units or Dwellings</th>
<th>Number of Lots and/or blocks on the Draft Plan</th>
<th>Area (ha)</th>
<th>Density (Units/Dwellings per ha)</th>
<th>Number of Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Detached</td>
<td>(1)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Semi Detached</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multiple</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Apartment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Proposed Land Use

<table>
<thead>
<tr>
<th>Proposed Land Use</th>
<th>Number of Units or Dwellings</th>
<th>Number of Lots and/or blocks on the Draft Plan</th>
<th>Area (ha)</th>
<th>Density (Units/Dwellings per ha)</th>
<th>Number of Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seasonal</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobile Home</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other (specify)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industrial</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Park, Open Space</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Institutional (specify)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roads</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other (specify)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(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:
_______________________________________________________________________________________________________
_______________________________________________________________________________________________________

8. **Additional Information for Condominium Applications**

**General Information for all types**

4.1 Has a site plan for the proposed condominium been approved  
   □ 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?  
   If “Yes”, specify date of issuance of building permit  
   □ Yes □ No

4.4 Has construction of the development started?  
   If “Yes”, specify the date construction started.  
   □ Yes □ No

4.5 If construction is completed, indicate the date of completion.  
   □ Yes □ No

4.6 If this is a conversion of a building containing rental residential units  
   □ Yes □ No

If “Yes”, please complete the following table:

<table>
<thead>
<tr>
<th>Building Characteristics</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Year Built</td>
<td></td>
</tr>
<tr>
<td>Gross Floor Area</td>
<td></td>
</tr>
<tr>
<td>No. of Storeys</td>
<td></td>
</tr>
<tr>
<td>No. of Units</td>
<td></td>
</tr>
<tr>
<td>No. of Units by Bedroom Type</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>1 bedroom</td>
<td>unit(s)</td>
</tr>
<tr>
<td>2 bedrooms</td>
<td>unit(s)</td>
</tr>
<tr>
<td>3 bedrooms</td>
<td>unit(s)</td>
</tr>
<tr>
<td>4 bedrooms</td>
<td>unit(s)</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Unit type</th>
<th>Price/Unit</th>
<th>Area/Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bedroom</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 Bedroom</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Bedroom</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4 Bedroom</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other (specify)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

**PLANNING INFORMATION**

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

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

3. What were the previous uses of the subject lands? 
   □ Residential □ Industrial □ Commercial

---

Application for Draft Plan Approval of Subdivision or Condominium  
City of Niagara Falls – Planning and Development
Agricultural  Parkland  Vacant
Other

If Industrial Commercial, please specify the use(s) and complete the Environmental Site Screening Questionnaire on Appendix 1, 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.

5. Has the subject land ever been the subject of a previous application for the following?  Yes  No

If “Yes”, please complete the chart.

<table>
<thead>
<tr>
<th>Application</th>
<th>File No.</th>
<th>Status of Application</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minor Variance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consent</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Official Plan Amendment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zoning By-law Amendment</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plan of Subdivision/Condominium</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site Plan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minister’s Zoning Order (including Regulation Number)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

9. 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.

____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________

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.

____________________________________________________________________________________________________
____________________________________________________________________________________________________

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.

____________________________________________________________________________________________________
____________________________________________________________________________________________________

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.

____________________________________________________________________________________________________
____________________________________________________________________________________________________

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.

____________________________________________________________________________________________________
____________________________________________________________________________________________________

OWNERS AUTHORIZATION:

I/We, ________________________________  (Owner’s Name)

(Owner’s Name)

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

Applicant: ___________________________  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: ___________________________

Signature of Owner: _____________________  Signature of Witness: ___________________________

DECLARATION:

I/We ___________________________

APPLICATION FOR DRAFT PLAN APPROVAL OF SUBDIVISION OR CONDOMINIUM

City of Niagara Falls – Planning and Development
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 )
_________________ of_________________ )
in the Regional Municipality of_________________ )
this_________ day of_________________ )
A.D._________________ )

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

___________________________
Signature of applicant(s), solicitor or authorized agent

___________________________
A Commissioner, etc.

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:__________________________________________

Date:______________________ Signature:______________________
## APPENDIX 1

### 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 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?**
   - [ ] 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.*

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.**

### 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 acknowledgment 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: ___________________________  Signature: ___________________________