



PORT COLBORNE

• PLANNING AND DEVELOPMENT DEPARTMENT •

File No. _____

THE CITY OF PORT COLBORNE
THE PLANNING ACT – SECTION 17 & 21.
APPLICATION FOR:

OFFICIAL PLAN AMENDMENT

This application form is to be used by persons wishing to amend the Official Plan for the Port Colborne Planning Area.

The Applicant is required to provide appropriate answers to **all** questions on the application form. If all prescribed information is not provided, the application will not be accepted.

SUBMISSION OF APPLICATION:

Please submit the completed application form together with fees and other information as set out herein to:

City of Port Colborne
Planning & Development Services
City Hall
66 Charlotte Street
Port Colborne, Ontario L3K 3C8
Telephone: 1-905-835-2900
FAX: 1-905-835-2939
Email: planning@portcolborne.ca

PRE-CONSULTATION / OFFICIAL PLAN POLICY AND PROVINCIAL POLICY STATEMENT

To help you complete the application form, please call and make an appointment with the Planning and Development Services Division at City.

In making decisions on planning applications, City Council shall have regard to Official Plan Policy and be consistent with the Province of Ontario's Provincial Policy Statement which came into effect on May 1st, 2020. Both provide policy direction on matters relating to land use planning and development. A Copy of the Provincial Policy Statement can be obtained from the Ministry of Municipal Affairs web site (www.mah.gov.on.ca) and clarification of Official Plan Policy can be received from the Planning & Development Services Division.

To avoid delays, the applicant must be informed of Official Plan Policy and the Provincial Policy Statement and to pre-consult with City, Regional and, if necessary, Provincial planning agencies before submitting an application. Through pre-consultation, agencies will discuss Official Plan Policy and the Provincial Policy Statement.

COMPLETENESS OF APPLICATION:

The information required in this application form complies with the *Planning Act* and will assist in ensuring a complete evaluation. The *Planning Act* allows City Council to refuse to accept or further consider any application that does not provide the information, material and fees prescribed.

An Official Plan Amendment adopted by the Council of the City of Port Colborne must

be approved by the Regional Municipality of Niagara. The Region has additional fees / information requirements.

APPLICATION FEES

The application fee must be submitted at the time of application as cash or as a certified cheque or a money order payable to *The City of Port Colborne*. For a complete list of application fees, see Schedule V on the City of Port Colborne's Planning and Development website.

REGIONAL REVIEW AND APPROVAL FEES

There is a fee for the planning review carried out by Niagara Region. It should be provided to the City to be submitted to the Region at the time of the preliminary review. If this does not occur, then the fee will be due at the time the adopted Amendment is submitted to the Region for approval. The City of Port Colborne is the approval authority for Official Plan Amendments pertaining to properties within the urban boundary. The Regional Municipality of Niagara is the approval authority for Amendments to the Official Plan for properties outside of the urban boundary. Upon adoption of an Official Plan Amendment by City Council, the amendment is sent to the Regional Municipality of Niagara for approval. The applicant is responsible for paying any fees required by Regional Niagara. Failure to pay the Region's fee may result in the Region refusing to consider the Official Plan Amendment until the fee has been received. The Region's fees are available on its web site (www.regional.niagara.on.ca).

SUPPLEMENTARY INFORMATION FOR REGIONAL APPROVAL

As set out in the *Planning Act* and its regulations, a request for Regional Niagara approval of an Official Plan Amendment adopted by City Council, shall include, in addition to the fees noted above, a record of prescribed information and material and such other information as the Region considers it may need. Further, until the Region has received the information, material and fees required, it may refuse to accept or further consider the Official Plan Amendment.

SUPPLEMENTARY INFORMATION REQUESTED TO ASSIST THE CITY

To assist the City of Port Colborne in processing the proposed Official Plan Amendment the following supplementary information / sketches are requested:

1. Depending on the scope of the requested amendment, one or more copies of plan(s) showing the following should be submitted. This requirement can be clarified by the Planning & Development Services Division.
 1. A sketch or sketches showing the following shall be submitted:
 1. The boundaries and dimensions of the land.
 2. The location, size and type of all existing and proposed buildings and structures on the land, indicating the distance of the buildings or structures from the front lot line, rear lot line and the side lot lines.
 3. The approximate location of all natural and artificial features on the land and on adjacent properties that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
 4. The current uses on adjacent properties.

5. The location, width and name of any roads within or abutting the land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way.
 6. If access to the land is by water only, the location of the parking and docking facilities to be used.
 7. The location and nature of any easement affecting the land.
 8. Parking areas, loading spaces, driveway entrance / exits
 9. Existing and proposed servicing [e.g. water, storm and sanitary]
2. The required sketch should be based on an actual survey by an Ontario Land Surveyor or drawn to a useable metric scale [e.g. 1:100, 1:300, 1:500].
 3. One (1) copy of each separate type of plan reduced to legal size.
 4. One (1) copy of an Ontario Land Surveyor's Plan or Reference Plan to describe the subject lands.
 5. One (1) copy of a Registered Deed including full legal description of the subject lands.
 6. A sketch must be provided with this application. Council MAY require (at the discretion of the Manager of Planning and Development Services) that the sketch be signed by an Ontario Land Surveyor.

APPLICATION FORM AND SKETCH

It is required that ONE copy of this application form be filed with the City of Port Colborne Planning and Development Services Division, together with the sketch (referred to above), accompanied by the appropriate fee per application, in cash or by cheque made payable to THE CITY OF PORT COLBORNE.

NIAGARA PENINSULA CONSERVATION AUTHORITY REVIEW

Fees which are payable directly to Authority vary depending on the location and on the type of application. For land: abutting or within 15 metres of a water course; on or within 30 metres of the Lake Erie shoreline; on land identified as "Hazard Land" or "Environmental Protection" by the Port Colborne Official Plan or Zoning Bylaw; or within a groundwater recharge / discharge area, aquifer or headwater on the property or within 30 metres of the property, the Niagara Peninsula Conservation Authority will charge an additional Plan Review Fee. These fees are provided on the Niagara Peninsula Conservation Authority's website.

NOTICE REQUIREMENTS

Notice of Public Hearing of Council MUST be posted on the property where it is clearly visible and legible from a public highway or other place to which the public has access, at every separately assessed property in the area to which the application applies or, where posting on the property is impractical, at a nearby location chosen by the Manager of Planning and Development Services. The notice of public hearing must be posted 20 days prior to the hearing and must remain in that location until after the hearing is held. If the notice is removed during this 20 day period, the public hearing date may be rescheduled.



PLEASE TYPE OR USE BLACK INK

Section 1: APPLICANT INFORMATION

1.1 Registered Owner (s):	
Name:	
Mailing Address:	
City:	Province:
Postal Code:	Telephone:
Fax:	Email:

1.2 Owner's SOLICITOR (if applicable)	
Name:	
Mailing Address:	
City:	Province:
Postal Code:	Telephone:
Fax:	Email:

1.3 Owner's Authorized AGENT (if applicable)	
Name:	
Mailing Address:	
City:	Province:
Postal Code:	Telephone:
Fax:	Email:

1.4 MORTGAGES, Charges & Other Encumbrances:
List the name(s) and address(es) of any mortgages, charges, or other encumbrances in respect of the land.

1.5 Date and Subject Land was acquired by the Current Owner:

1.6 Owner's ONTARIO LAND SURVEYOR (if applicable)	
Name:	
Mailing Address:	
City:	Province:
Postal Code:	Telephone:
Fax:	Email:

1.7 All communications should be sent to the:
<input type="checkbox"/> Owner <input type="checkbox"/> Solicitor <input type="checkbox"/> Agent

Section 2: LOCATION OF PROPERTY

Former Municipality:	
Concession No.	Lot(s):
Registered Plan No.	Lot(s):
Reference Plan No.	Part(s):
Name of Street:	Street No.

Section 3: ALL EXISTING, PREVIOUS AND ADJACENT USE OF THE LAND

3.1 ALL EXISTING USE
<input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Institutional <input type="checkbox"/> Agricultural <input type="checkbox"/> Parkland <input type="checkbox"/> Vacant <input type="checkbox"/> Other <hr/>

3.2 What is the length of time the existing use(s) of the land have continued?

3.3 Are there any buildings or structures on the subject land?
<input type="checkbox"/> Yes <input type="checkbox"/> No

If Yes, for each existing building or structure, complete the following:

Type of Building or Structure	Setback from the front lot line (in metres)	Setback from the rear lot line (in metres)	Setback from the side lot line (in metres)	Setback from the side lot line (in metres)	Height (in metres & number of stories)	Dimensions or floor area (in metres)	Date of construction

3.4 ALL PREVIOUS USE
<input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Institutional <input type="checkbox"/> Agricultural <input type="checkbox"/> Parkland <input type="checkbox"/> Vacant <input type="checkbox"/> Other <hr/>

3.5 ALL ADJACENT USE(S)	NORTH	SOUTH	EAST	WEST
Residential	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Industrial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Institutional	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Agricultural	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parkland	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3.6 If Industrial or Commercial, specify use

3.7 Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

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

- Yes
- No
- Unknown

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

- Yes
- No
- Unknown

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

- Yes
- No
- Unknown

3.11 Have the lands or adjacent lands ever been used as an agricultural operation where pesticides have been applied to the lands?

- Yes
- No
- Unknown

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

- Yes
- No
- Unknown

3.13 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 landfill or dump?

- Yes
- No
- Unknown

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

- Yes
- No
- Unknown

3.15 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. Any industrial use can result in potential contamination. 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 previous use of property is industrial or commercial or if the answer was YES to any of the above, please attach a previous use inventory showing all former uses of the land, or if applicable, the land(s) adjacent to the land.

3.16 If there has been industrial or commercial uses on the property or if the answer to 3.6 to 3.15 is “Yes”, a previous use inventory is needed. Is a previous use inventory attached?

- Yes
- No

3.17 Are the subject lands (or buildings) designated as architecturally or historically significant under the Ontario Heritage Act?

- Yes
- No
- Unknown

3.18 Are there any existing EASEMENTS OR RESTRICTIVE COVENANTS affecting the land?

- Yes
- No

If “Yes” describe the easement or covenant and its effect:

Section 4: PROPOSED OFFICIAL PLAN AMENDMENT

4.1 DESCRIPTION

Part No. On Sketch: _____

Frontage:	Depth:	Area:
Existing Use:		
Proposed Use:		

4.2 OFFICIAL PLAN & ZONING

What is the current designation of the land in the Official Plan and the Regional Plan?

Port Colborne Official Plan:

Regional Policy Plan:

4.3 What is the Zoning of the land (By-law 6575/30/18)?

DETAILS OF ANY PROPOSED AMENDMENT

4.4 Does the proposed amendment...

- Change

<input type="checkbox"/> Replace <input type="checkbox"/> Delete
a POLICY in the Official Plan?
Describe the policy to be changed, replaced or deleted

4.5 Does the amendment ADD a policy to the Official Plan?
<input type="checkbox"/> Yes <input type="checkbox"/> No

4.6 What is the text of the proposed amendment if a policy is being changed, replaced, deleted or added to the Official Plan?

4.7 If the proposed amendment changes, replaces, deletes or adds a policy, what is the PURPOSE of the proposed Official Plan Amendment?

DETAILS OF ANY PROPOSED DESIGNATION AMENDMENT

4.8 Does the proposed amendment...
<input type="checkbox"/> Change <input type="checkbox"/> Replace
a DESIGNATION in the Official Plan?
If yes, which designation is proposed to be changed or replaced
Describe the policy to be changed, or replaced

Section 5: SCHEDULES

5.1 Does the amendment propose to change or replace any schedule in the Official Plan?
<input type="checkbox"/> Yes <input type="checkbox"/> No

If yes, provide the proposed schedule to the Official Plan and the text that accompanies the schedule.

Section 6: PROVINCIAL POLICY PLAN CONFORMITY

6.1 Is this application consistent with the Policy Statements issued under Section 3(1) of the Planning Act?

- Yes
- No

If no, indicate which section of the Policy Statement will not be conformed with:

Section 7: SERVICING

7.1 What Type of ACCESS

- Provincial Highway
- Regional Road
- Municipal Road maintained all year
- Other Public Road
- Municipal Road maintained **seasonally**
- Right-of-Way
- Water Access
- Private Road

7.2 What type of WATER SUPPLY is proposed?

- Publicly owned and operated piped water supply
 - Lake
 - Well (private or communal)
 - Other (specify)
- _____

7.3 What type of SEWAGE DISPOSAL is proposed?

- Publicly owned and operated sanitary sewage system
 - Septic system (private or communal)
 - Other (specify)
- _____

7.4 What type of STORMWATER DISPOSAL is proposed?

- Publicly owned and operated stormwater system
 - Other (specify)
- _____

7.5 Are the water, sewage or road works associated with the proposed development subject to the provisions of the <i>ENVIRONMENTAL ASSESSMENT ACT</i>?
<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, will the notice of public meeting for this application be modified to state that the public meeting will address the requirements of both the Planning Act and the Environmental Assessment Act?
<input type="checkbox"/> Yes <input type="checkbox"/> No

Section 8: STATUS OF OTHER APPLICATIONS

8.1 If known, identify whether the subject land or any land within 120 metres of the subject land is the subject of an application made by the applicant for approval of:		
Official Plan Amendment	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Zoning By-Law Amendment	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Minor Variance	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Plan of Subdivision	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Consent	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Site Plan	<input type="checkbox"/> Yes	<input type="checkbox"/> No
8.2 If the answer to the above is yes, and if known, provide the following for each application noted:		
File number of the application:		
Name of the approval authority considering the application:		
Lands affected by the application:		
Purpose of the application:		
Status of the application:		
Effect of the application on the proposed amendment:		

8.3 Has the land ever been the subject of an application under Section 45 of the Planning Act (Committee of Adjustment for MINOR VARIANCE OR PERMISSION)?
<input type="checkbox"/> Yes <input type="checkbox"/> No
If the answer is yes, describe briefly: (include file number, if known):

ACKNOWLEDGMENT CLAUSE

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable laws, regulations and standards pertaining to contaminated sites. I further acknowledge that the City of Port Colborne is not responsible for the identification and /

or remediation of contaminated sites, and I agree, whether in (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 Port Colborne, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

X

Date

X

Signature of Owner

Section 9: NIAGARA PENINSULA CONSERVATION AUTHORITY

Pre-screening Criteria

9.1 Is there land on the property identified in the Official Plan and / or Zoning By-law as “hazard lands”?

- Yes
- No
- Unknown

9.2 Is there a watercourse or municipal drain on the property or within 15 metres of the property?

- Yes
- No
- Unknown

9.3 Is the property located on or within 30 metres of the Lake Erie shoreline?

- Yes
- No
- Unknown

9.4 Is there a valley slope on the property?

- Yes
- No
- Unknown

9.5 Is there known localized flooding or a marsh / bog area on or within 30 metres of the property?

- Yes
- No
- Unknown

X

 Date

X

 Signature of Applicant(s)

Please note: If the applicant is not the owner of the subject land or there is more than one owner, written authorization of the owner(s) is required (Complete Form 1) indicating that the applicant is authorized to make application.

I/We _____

Of the City/Town/Township of _____

In the County/District/Regional Municipality of _____

solemnly declare that all 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 _____ of _____

This _____ day of _____

A.D 20 _____

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

X

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

A Commissioner, etc.

Personal information collected on this application will become part of a public record. Any questions regarding this collection should be directed to: Amber LaPointe, Freedom of Information and Privacy Officer: 66 Charlotte Street, Port Colborne, Ontario L3K 3C8 (905) 835-2900 Ext. 106.

AUTHORIZATIONS

LOCATION OF SUBJECT LANDS:

I/We, the undersigned, being the registered owner(s) of the above lands hereby authorize

(name of agent)
of the _____ of _____

to make an application on my/our behalf to the Council or the Committee of Adjustment for the City of Port Colborne for transaction concerning an application for Official Plan Amendment / Zoning By-law Amendment / Consent to Sever / Minor Variance or Permission / Draft Plan of Subdivision or Condominium / Site Plan Control Approval (please circle the appropriate application) in accordance with the *Planning Act*.

Dated at the _____ of _____
in the _____ of _____
this _____ day of _____ 20____

X

Signature of Witness

X

Signature of Owner

X

Signature of Witness

X

Signature of Owner

X

Signature of Witness

X

Signature of Owner

This form is only to be used for applications which are to be signed by someone other than the owner or where more than one owner giving authorization to another owner.

If the registered owner is a corporation, in addition to the signatures of the authorized signing officers, the corporate seal must be affixed.

Where the Owner is without a spouse, common-law or legally married, the Owner is required to sign only once. Where the spouse of the Owner is not an owner, the spouse is required to sign. Spouse shall include a common-law spouse as defined within the *Family Law Reform Act*.

SUGGESTION TO THE APPLICANT

Council is required to serve notice of your application for an official plan amendment on a number of agencies. All written responses will be taken into account by Council in reaching a decision on your application.

Although you are under no obligation to do so, we suggest that you discuss your intentions with the appropriate agencies from the list below, before submitting an application. This pre-consultation could provide you with information about: the City of Port Colborne Official Plan, the minimum requirements and permitted uses of Zoning By-law 6575/30/18, the Regional Policy Plan, the concerns of various Provincial Ministries and other relevant information which may have a direct effect upon the final decision on your application.

1. Port Colborne Planning and Development Department
66 Charlotte Street, Port Colborne, Ontario L3K 3C8
Director of Planning & Development
(905) 835-2901, Ext. 203

Information on the Port Colborne Official Plan and Zoning Bylaw

2. Port Colborne Engineering & Operations Department
66 Charlotte Street, Port Colborne, Ontario L3K 3C8
Director of Engineering & Operations (905)
835-2901, Ext. 223

Information on Servicing, Lot Grading and Drainage

3. Port Colborne Building Division
66 Charlotte Street, Port Colborne, Ontario L3K 3C8
C.B.O. (905)
835-2901, Ext 201

Information about the Building Code

4. Region of Niagara Public Works Department
Development Services Division
2201 St. David's Road, P.O. Box 1042, Thorold,
Director
(905) 984-3630
1-800-263-7215

Information about the Regional Policy Plan, Agriculture, Public Works & Regional Health AND For Concerns regarding Provincial Policy and Ministry responsibilities

5. The Niagara Peninsula Conservation Authority
250 Thorold Road West, Welland, Ontario L3C 3W2
Watershed Planner
(905) 788-3135

For information about lands which may be zoned as "Hazard" in the local zoning by-law, lands adjacent to watercourses, Lake Erie or flood plains

6. Ministry of Transportation of Ontario
Corridor Management Section
159 Sir William Hearst Ave., 7th Floor,
Downsview, Ontario M3M 1J8

For information about sight plan applications for lands fronting onto provincial highways

7. Ministry of Transportation of Ontario
Corridor Management Section
Wilson Avenue, Bldg D, 7th Floor
Ontario M3M 1J8
1201
Downsview,

For information about official plan amendments, consents, re-zonings, and other inquiries for lands fronting onto provincial highways

8. Ministry of Municipal Affairs and Housing. [Provincial Policy Statement \(PPS\)](https://www.ontario.ca/page/provincial-policy-statement-2020) available for download at: <https://www.ontario.ca/page/provincial-policy-statement-2020>