



PORT COLBORNE

· PLANNING AND DEVELOPMENT DEPARTMENT ·

File No. _____

THE CITY OF PORT COLBORNE
THE PLANNING ACT – SECTION 36.
APPLICATION FOR:

REMOVAL OF HOLDING 'H' PROVISION

This application form is to be used by persons wishing to amend the Zoning By-law (By-law 6575/30/18, as amended) for the City of Port Colborne.

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 Division
City Hall
66 Charlotte Street
Port Colborne, Ontario L3K 3C8
Telephone: 1-905-835-2900
Fax: 1-905-835-2939

PRE-CONSULTATION / OFFICIAL PLAN POLICY AND PROVINCIAL POLICY STATEMENT:

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, 2021. 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 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, Regional Plan and the Provincial Policy Statement.

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

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.

A Zoning By-law Amendment application received by the Council of the City of Port Colborne may be reviewed by the Regional Municipality of Niagara and several other regional or provincial agencies.

The appropriate application fee must be submitted at the time of application as cash, certified cheque or money order payable to *The City of Port Colborne*.

SUPPLEMENTARY INFORMATION REQUESTED TO ASSIST THE CITY

To assist the City of Port Colborne in processing the application the following supplementary information / sketches are requested:

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 Division.

1. A sketch or sketches showing the following shall be submitted:
 - (a) The boundaries and dimensions of the land.
 - (b) 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.
 - (c) 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.
 - (d) The current uses on adjacent properties.
 - (e) 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.
 - (f) If access to the land is by water only, the location of the parking and docking facilities to be used.
 - (g) The location and nature of any easement affecting the land.
 - (h) Parking areas, loading spaces, driveway entrance / exits
 - (i) 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) digital copy of each separate type of plan in .pdf format.
5. One (1) copy of an Ontario Land Surveyor's Plan or Reference Plan to describe the subject lands.
6. One (1) copy of a Registered Deed including full legal description of the subject lands.
7. A sketch must be provided with this application. Council MAY require (at the discretion of the Director of Planning and Development) that the sketch be signed by an Ontario Land Surveyor.



PORT COLBORNE

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APPLICATION FOR REMOVAL OF HOLDING 'H'

PLEASE TYPE OR USE BLACK INK

Section 1: APPLICANT INFORMATION

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

1.5 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: EXISTING USED OF THE SUBJECT LANDS

3.1 Are there any existing buildings on the lands?
<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, please describe their use:

3.2 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:

3.3 What is the Zoning of the land (By-law 1150/97/81)?

Section 4: NATURE OF PROPOSAL

4.1 This application is being made for the purposes of permitting:

4.2 The removal of the Holding 'H' Provision is not completed until certain conditions have been satisfied. Please indicate how the conditions have or will be satisfied in order to allow for removal of the 'H'.

4.3 If there was an Agreement required in order to remove a Holding 'H' Provision has the agreement been completed?
<input type="checkbox"/> Yes <input type="checkbox"/> No

4.4 If yes, the date that it was registered:
4.5 If no, is the Agreement in preparation?

<input type="checkbox"/> Yes <input type="checkbox"/> No

Section 5: STATUS OF OTHER APPLICATIONS

5.1 Are the subject lands also the subject of an application for Subdivision, Consent, Minor Variance or Site Plan?
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown

5.2 If the answer to the above is yes, and if know, provide the following for each application noted:
File Number of the Application:
Status of the Application:

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

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*.