



**PORT COLBORNE**

# SITE PLAN CONTROL / DEVELOPMENT AGREEMENT

THE CITY OF PORT COLBORNE

DEVELOPMENT AND LEGISLATIVE SERVICES

The Planning Act – Section 41

**For Office Use Only**

Date Received: \_\_\_\_\_  
Date of Completion: \_\_\_\_\_

**Application Complete:**  
 Yes     No

## SUBMISSION OF APPLICATION

Completed applications can be sent to:

City of Port Colborne  
Diana Vasu  
Secretary Treasurer of the Committee of Adjustment  
City Hall  
66 Charlotte Street  
Port Colborne, Ontario L3K 3C8

Telephone: 1-905-835-2900 ext. 204  
Fax: 1-905-835-2939  
Email: diana.vasu@portcolborne.ca

## 2023 APPLICATION FEES

Site Plan Control Approval (agreement)	<b>\$4,934</b>
Amendment to Site Plan Agreement	<b>\$2,036</b>
Development Agreement	<b>\$2,777</b>

## COMPLETENESS OF APPLICATION

A complete application includes all required forms, fees, sketches, and additional information identified by the Secretary-Treasurer in accordance with the *Planning Act, R.S.O. 1990, c.P. 13*, as amended. Additional information may be required after planning staff complete a full review, which may prevent deferral of your application. **To be considered complete, submitted applications must include:**

- One fully completed Site Plan Control/Development Agreement Application, signed by the applicant(s) and/or authorized agent, and properly witnessed by a Commissioner for the taking of affidavits. A fully completed application includes **two (2) copies of a completed drawing**.
- A letter of authorization from the property owner, if applicable.
- One copy of the pre-consultation meeting notes, provided by City of Port Colborne staff after the required pre-consultation meeting. **A pre-consultation meeting is required for the submission of a Site Plan Application.**
- Payment of the appropriate fee submitted at the time of application through cash, credit, debit, or cheque payable to the City of Port Colborne.
- Payment of the appropriate Regional Review & Approval fee(s) if required by the Region, submitted at the time of the preliminary review. Payment can be submitted to the City of Port Colborne or to the Niagara Region. If payment is submitted to the Region directly, please submit the receipt to the City of Port Colborne. Failure to pay the Region's fee may result in an incomplete application.
- Payment of the appropriate NPCA fee, if required, submitted at the time of the preliminary review. Payment can be submitted to the City of Port Colborne or to the NPCA. If payment is submitted to the NPCA directly, please submit the receipt to the City of Port Colborne. Failure to pay the NPCA's fee may result in an incomplete application.



**SECTION 1: CONTACT INFORMATION**

<b>1.1 Registered Owner (s):</b>	
Name:	
Mailing Address:	
City:	Province:
Postal Code:	Telephone:
Fax:	Email:
<b>1.2 Owner's SOLICITOR (if applicable)</b>	
Name:	
Mailing Address:	
City:	Province:
Postal Code:	Telephone:
Fax:	Email:
<b>1.3 Owner's Authorized AGENT (if applicable)</b>	
Name:	
Mailing Address:	
City:	Province:
Postal Code:	Telephone:
Fax:	Email:
<b>1.4 Owner's ONTARIO LAND SURVEYOR (if applicable)</b>	
Name:	
Mailing Address:	
City:	Province:
Postal Code:	Telephone:
Fax:	Email:
<b>1.5 All communications should be sent to the:</b>	
<input type="checkbox"/> Owner <input type="checkbox"/> Solicitor <input type="checkbox"/> Agent	

**SECTION 2: LOCATION OF SUBJECT LAND**

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

<b>3.1 ALL EXISTING USE</b>				
<input type="checkbox"/> Residential	<input type="checkbox"/> Institutional	<input type="checkbox"/> Vacant		
<input type="checkbox"/> Industrial	<input type="checkbox"/> Agricultural	<input type="checkbox"/> Other (specify):		
<input type="checkbox"/> Commercial	<input type="checkbox"/> Parkland	_____		
<b>3.2 What is the length of time the existing use(s) of the land have continued?</b>				
<b>3.3 Are there any buildings or structures on the subject land?</b>				
<input type="checkbox"/> Yes		<input type="checkbox"/> No		
If Yes, briefly describe and indicate their use.				
<b>3.4 Are any of these buildings designated under the Ontario Heritage Act?</b>				
<input type="checkbox"/> Yes		<input type="checkbox"/> No		<input type="checkbox"/> Unknown
<b>3.5 ALL PREVIOUS USE</b>				
<input type="checkbox"/> Residential	<input type="checkbox"/> Institutional	<input type="checkbox"/> Vacant		
<input type="checkbox"/> Industrial	<input type="checkbox"/> Agricultural	<input type="checkbox"/> Other (specify):		
<input type="checkbox"/> Commercial	<input type="checkbox"/> Parkland	_____		
<b>3.6 ALL ADJACENT USE(S)</b>				
	<b>NORTH</b>	<b>SOUTH</b>	<b>EAST</b>	<b>WEST</b>
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:				
<b>3.7 If Industrial or Commercial, specify use:</b>				
<b>3.8 Has the grading of the subject land been changed by adding earth or material? Has filling occurred on the subject land?</b>				
<input type="checkbox"/> Yes		<input type="checkbox"/> No		<input type="checkbox"/> Unknown
<b>3.9 Has a gasoline station and/or automobile service station been located on the subject land or adjacent lands at any time?</b>				
<input type="checkbox"/> Yes		<input type="checkbox"/> No		<input type="checkbox"/> Unknown
<b>3.10 Has there been petroleum or other fuel stored on the subject land or adjacent lands?</b>				
<input type="checkbox"/> Yes		<input type="checkbox"/> No		<input type="checkbox"/> Unknown
<b>3.11 Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?</b>				
<input type="checkbox"/> Yes		<input type="checkbox"/> No		<input type="checkbox"/> Unknown
<b>3.12 Have the lands or adjacent lands ever been used as an agricultural operation where pesticides have been applied to the lands?</b>				
<input type="checkbox"/> Yes		<input type="checkbox"/> No		<input type="checkbox"/> Unknown

<b>3.13 Have the lands or adjacent lands ever been used as a weapon firing range?</b>		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
<b>3.14 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?</b>		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
<b>3.15 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)?</b>		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
<b>3.16 If there has been industrial or commercial uses on the property, a previous use inventory is needed. Is a previous use inventory attached?</b>		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
<b>3.17 Is there reason to believe the subject lands may have been contaminated by existing or former uses on the site or adjacent sites?*</b>		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
<p>If previous use of property is industrial or commercial or if the answer was <b>YES</b> 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.</p> <p>*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.</p>		

## SECTION 4: SUBJECT LAND INFORMATION

### Part No. On Sketch:

<b>4.1 DESCRIPTION</b>		
Frontage:	Depth:	Area:
Existing Use:		
<b>4.2 What is the current designation of the land in the Official Plan and the Regional Plan?</b>		
Port Colborne Official Plan:		
Regional Policy Plan:		
<b>4.3 What is the Zoning of the land (By-law 6575/30/18)?</b>		
<b>4.4 Date the Subject Land was acquired by the Current Owner:</b>		
<b>4.5 Are there any existing EASEMENTS OR RESTRICTIVE COVENANTS affecting the land?</b>		
<input type="checkbox"/> Yes	If "Yes" describe the easement or covenant and its effect:	
<input type="checkbox"/> No		
<b>4.6 MORTGAGES, Charges &amp; Other Encumbrances:</b>		
List the name(s) and address(es) of any mortgages, charges, or other encumbrances in respect of the land.		
_____		
_____		

## SECTION 5: PROPOSED USE

<b>5.1 Describe the proposed use of the property:</b>		
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/>		
<b>5.2 Number of Units (if residential)?</b>		
<hr/>		
<b>5.3 Number of Parking Spaces Provided?</b>		
<hr/>		
<b>5.4 Driveway Access Width (in Metres)?</b>		
<hr/>		
<b>5.5 Regional Access Permit Required?</b>		
<input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>5.6 MTO Access Permit required?</b>		
<input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>5.7 If Commercial, will signage be installed on the site?</b>		
<input type="checkbox"/> Yes* <input type="checkbox"/> No		* If "yes" you must provide construction details for all signage and file a separate sign permit application with the Building Department. <b>Contact the Chief Building Official at (905) 835-2900 ext. 201.</b>
<b>5.8 Has an application been made to place the lands into LAND TITLES?</b>		
<input type="checkbox"/> Yes* <input type="checkbox"/> No		
* If <b>YES</b> , Application Number:		*Date of Application:
<b>5.9 Type of ACCESS</b>		
<input type="checkbox"/> Provincial Highway <input type="checkbox"/> Regional Road <input type="checkbox"/> Right-of-Way	<input type="checkbox"/> Water Access <input type="checkbox"/> Municipal Road maintained <b>all year</b> <input type="checkbox"/> Municipal Road maintained <b>seasonally</b>	<input type="checkbox"/> Private Road <input type="checkbox"/> Other Public Road
<b>5.10 What type of WATER SUPPLY is proposed?</b>		
<input type="checkbox"/> Publicly owned and operated piped water supply <input type="checkbox"/> Lake <input type="checkbox"/> Well (private or communal) <input type="checkbox"/> Other (specify): <hr/>		
<b>5.11 What type of SEWAGE DISPOSAL is proposed?</b>		
<input type="checkbox"/> Publicly owned and operated sanitary sewage system <input type="checkbox"/> Septic system (private or communal) <input type="checkbox"/> Other (specify): <hr/>		
<b>5.12 What type of STORMWATER DISPOSAL is proposed?</b>		
<input type="checkbox"/> Publicly owned and operated stormwater system <input type="checkbox"/> Other (specify): <hr/>		

## SECTION 6: STATUS OF OTHER APPLICATIONS

<b>6.1 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:</b>		
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
<b>6.2 If the answer to the above is yes, and if known, provide the following for each application noted:</b>		
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:		
<b>6.3 Has the land ever been the subject of an application for a MINOR VARIANCE or CONSENT?</b>		
<input type="checkbox"/> Yes		
<input type="checkbox"/> No		
If 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

# NIAGARA PENINSULA CONSERVATION AUTHORITY

## Pre-Screening Criteria

<b>Is there land on the property identified in the Official Plan and / or Zoning By-law as “hazard lands”?</b>		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
<b>Is there a watercourse or municipal drain on the property or within 15 metres of the property?</b>		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
<b>Is the property located on or within 30 metres of the Lake Erie shoreline?</b>		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
<b>Is there a valley slope on the property?</b>		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
<b>Is there known localized flooding or a marsh / bog area on or within 30 metres of the property?</b>		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
<b>Is the property on a Regional Road?</b>		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown

AUTHORIZATIONS

SIGNATURE OF APPLICANT(S)

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 \_\_\_\_\_  
20 \_\_\_\_.

TO BE SIGNED IN THE PRESENCE OF A COMMISSIONER FOR TAKING AFFIDAVITS  
  
X  
\_\_\_\_\_  
Signature of applicant(s), solicitor, or authorized agent

X  
\_\_\_\_\_  
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 the City Clerk at 66 Charlotte Street, Port Colborne, Ontario L3K 3C8 (905) 835-2900 Ext. 106.



AUTHORIZATIONS

AUTHORIZATION FOR AGENT / SOLICITOR (IF APPLICABLE)

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 this 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.

## NOTE TO THE APPLICANT

The City of Port Colborne's By-law 5752/08/12 requires pre-consultation with City Planning staff prior to submitting an application for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, Draft Plan of Condominium, Site Plan Control Approval/Development Agreement, and/or Consent to Sever/Boundary Adjustment. A list of agencies that may be involved in reviewing your application has been included for your use. Questions can be directed to the contacts below.

1. Port Colborne Planning and Development Department  
66 Charlotte Street, Port Colborne, Ontario L3K 3C8  
General Planning Department  
(905) 835-2900, Ext. 286  
Information on the Port Colborne Official Plan and Zoning Bylaw
2. Port Colborne Planning and Development Department  
66 Charlotte Street, Port Colborne, Ontario L3K 3C8  
Engineering Technologist  
(905) 835-2900, Ext. 226  
Information on Servicing, Lot Grading and Drainage
3. Port Colborne Building Division  
66 Charlotte Street, Port Colborne, Ontario L3K 3C8  
Building Clerk  
(905) 835-2900, Ext 229  
Information about the Building Code
4. Region of Niagara Public Works Department  
Planning and Development Department  
1815 Sir Isaac Brock Way, Thorold, Ontario L2V 4T7  
(905) 980-6000, Ext. 3727  
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, Ext 272  
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, 7<sup>th</sup> Floor, Toronto, Ontario M3M 1J8  
For information about sight plan applications for lands fronting onto provincial highways
7. Ministry of Transportation of Ontario  
Corridor Management Section  
1201 Wilson Avenue, Bldg D, 7<sup>th</sup> Floor, Downsview, ON, M3M 1J8  
1-866-636-0663  
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) available for download (On-line) at: <http://www.mah.gov.on.ca>  
Under "Your Ministry" – Land Use Planning – Provincial Policy Statement