

DRAFT PLAN APPROVAL FOR SUBDIVISION AND/OR CONDOMINIUM APPLICATION

APPLICATION IS HEREBY MADE TO: The Township of West Lincoln
318 Canborough Street, P.O. Box 400
Smithville, Ontario L0R 2A0
planning@westlincoln.ca

Please submit two (2) hard copies and an electronic copy of the 'Completed Application' and supplemental studies/documents together with the required fees payable to the Township of West Lincoln. If fees are required for the Region of Niagara or the Niagara Peninsula Conservation Authority, please submit the required fees with the Application.

This Application hereby requests the Council of the Corporation to the Township of West Lincoln to consider this Application as it affects the lands and/or premises hereinafter described to the extent and upon the terms and conditions set forth in this Application, including Appendices hereto.

Individuals who make written submissions with respect to a Planning Act Application should be aware that their submission and any personal information in their correspondence will become part of the public record and made available to the Applicant, Committee and Council.

NOTE: PLEASE REFER TO RELEVANT APPENDIXS "A-1", "A-2", "A-3" AND "A-4"

1. TYPE OF APPLICATION (Check One or Both)

- ☒ SUBDIVISION ☐ CONDOMINIUM
- ☐ PRELIMINARY SUBMISSION
- ☐ FORMAL SUBMISSION

2. FEES

In accordance with Township Fee By-law, Appendix "B" Schedule of Fees, the required Application Fee of \$ 23,594 is enclosed in addition to the required security deposit of \$ _____.

3. PROPERTY DESCRIPTION

Former Township: _____ Lot No. _____ Concession No. _____

Registered Plan No. M90 Lots/Blocks 29 to 31

Reference Plan No. _____ Part(s) _____

Street Address: 132 College St

Easements/Restrictive Covenants affecting these lands (description if applicable): _____

4. IS THIS APPLICATION A RESUBMISSION OF AN EARLIER PLAN?

- ☐ Yes ☒ No ☐ Do Not Know

If 'YES', and if known, the file number and the decision on the Application.

5. OWNER, APPLICANT, AGENT, AND SOLICITOR

Complete the following and check the box next to the person or firm to whom the correspondence should be addressed. (In order to avoid delays, please inform the Township’s Planning Department if there is a change in the mailing address below).

Owner:	2853972 Ontario Inc.	Phone:	905-321-0241
Address:	166 Main Street West	Cell:	
	Grimsby ON, L3M 1S3	Email:	jwhyte@phelpshomes.com
Applicant:		Phone:	
Address:		Cell:	
		Email:	
Consultant/Agent:	NPG Planning Solutions	Phone:	289-990-9795
Address:		Cell:	
		Email:	mfedchyshak@npgsolutions.ca
Solicitor:	Bilal Mirza, Simpson Wigle LLP	Phone:	905-528-8411 ext. 370
Address:	P.O. Box 990	Cell:	
	Hamilton Ontario, L8N 3R1	Email:	bilalm@simpsonwigle.com

NOTE: ALL CORRESPONDENCE WILL BE SENT TO THE APPLICANT EXCEPT WHERE AN AGENT IS EMPLOYED, IN WHICH CASE IT WILL BE SENT TO THE AGENT.

APPLICANT'S RELATIONSHIP TO SUBJECT LANDS

☒ Registered Property Owner

☐ Authorized Agent of Registered Owner

☐ Holder of Option to Purchase Subject Lands

☐ Authorized Agent of Person Holding Option to Purchase

☐ Other (specify) _____

6. ENVIRONMENTAL SITE SCREENING QUESTIONNAIRE

The following questionnaire is required in order to properly implement the Potentially Contaminated Site policies as contained in the Township’s Official Plan. These questions are required in order to guide the review of this Application and to help ensure that the Township is implementing its Official Plan.

Previous Use of Property (if applicable)

☐ Residential

☐ Industrial

☐ Commercial

☒ Institutional

☐ Agricultural

☐ Parkland

☐ Vacant

☐ Other

(a) If previous use of the property is Industrial or Commercial, specify use (if known):

(b) Has fill been placed on the subject land?

☐ Yes

☒ No

☐ Unknown

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

☐ Yes

☒ No

☐ Unknown

- (d) Has there been petroleum or other fuel stored on the subject land or adjacent lands?
- ☐ Yes ☒ No ☐ Unknown
- (e) Are there or have there ever been underground storage tanks or buried waste on the subject land or adjacent lands?
- ☐ Yes ☒ No ☐ Unknown
- (f) 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
- (g) Have the lands or adjacent lands ever been used as a weapons firing range?
- ☐ Yes ☒ No ☐ Unknown
- (h) 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
- (i) 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
- (j) 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 but are not limited to: 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.*

- (k) If current or previous use of the property is Industrial or Commercial, or if 'YES' to any of b) to j) above, a Phase I Environmental Site Assessment may be required.

7. EXISTING AND PROPOSED LAND USES

- (a) Existing uses of the subject lands:

Vacant

If known, date present use commenced: Jan 2025

- (b) Proposed Land Uses. Indicate the intended use of lands in the proposal. Please use the following definitions for residential buildings:

Single Detached Residential – A single detached dwelling unit
Double or Semi-detached – A residential building containing 2 dwelling units
Block Townhouses – A group of townhouses containing 3 or more units

Street Townhouses – A building containing 3 or more units with individual direct access to the street

Apartment – A building containing 5 or more dwelling units each with access to the street via a common corridor

						This Section for Condominium Applications Only		
Proposed Use	No. of Units	No. of Lots and/or Blocks	Area in Hectares (Ha)	Proposed Density (Units per Hectare)	No. Parking Spaces provided	Date of Construction	Floor Coverage	Density Proposed (Units per Hectare)
RESIDENTIAL								
Single Detached								
Double or Semi-detached								
Block Townhouses								
Street Townhouses	13	3	0.2689	48.1	13			
Back to Back (Including Stacked Back to Back)								
Apartments								
Seasonal Residential								
Mobile Home								
NON-RESIDENTIAL								
Neighbourhood Commercial								
Other Commercial								
Industrial								
Park or Open Space								
Trails								
Institutional (specify)								
Other (specify)								
Total								

(c) Use of Abutting Lands:

North Residential South Residential

West Commercial East Woodland

8. PLANNING INFORMATION FOR THE SITE

(a) What is the current designation of the subject lands in the Township’s Official Plan?
Medium Density Residential

Does the proposed development conform with the existing Township Official Plan?

☒ Yes ☐ No

(b) What is the current designation of the subject lands in the Region’s Policy Plan?
Designated Built-Up Area

Does the proposed development conform with the existing Regional Policy Plan?

☒ Yes ☐ No

(c) Is the land subject to a Block Plan Application?

☐ Yes ☒ No

(d) Is the Block Plan Application approved?

☐ Yes ☐ No

(e) What is the current zone classification of the subject lands within the Township's Zoning By-law 2017-70, as amended?

RM2

Does the proposed development conform with the existing Township Zoning By-law 2017-70, as amended?

☒ Yes ☐ No

(f) If known, whether the subject lands are the subject of any other Application under the Planning Act, such as an Application for an Official Plan Amendment, Zoning By-law Amendment, Minor Variance, Consent or Site Plan?

☒ Yes ☐ No

If 'YES', and if known, please give the file number and status of the Application.

File Number: _____

Status of Application: _____

For Condominium Applications Only, complete items (g) & (h) below.

(g) New Buildings

Has the Township approved a site plan for the proposed condominium?

☐ Yes ☐ No

Has a site plan agreement been entered into?

☐ Yes ☐ No

Has a building permit(s) been issued?

☐ Yes ☐ No

Are the buildings under construction?

☐ Yes ☐ No

(h) Existing Buildings

Are the existing residential rental building(s)/unit(s) being converted to a condominium?

☐ Yes ☐ No

Date of construction of the existing residential units: _____

If 'YES', please indicate the number of rental units to be converted: _____

- (i) Is the proposed development consistent with the Provincial Policy Statement (PPS) issued under Section 3(1) of the Planning Act?

☒ Yes ☐ No

- (j) Is the subject lands within an area designated under a Provincial Plan or Plans?

☐ Yes ☒ No

- (k) If 'YES', please provide the name of the Provincial Plan and the designation of these lands contained therein:

Provincial Plan: _____

Designation: _____

If 'YES', does the proposed development conform with the policies of the above noted Provincial Plan or Plans?

☐ Yes ☐ No

- (l) Do the subject lands contain any areas of archaeological potential? (see Niagara Region Official Plan Appendix "K")

☐ Yes ☒ No

- (m) If development is permitted on lands that contains known archaeological resources or areas of archaeological potential, has:

- (i) An Archaeological Assessment (e.g., Stage 1, 2, 3, or 4) been prepared by a qualified person who holds a license that is effective with respect to the subject land, issued under Part VI (Conservation of Resources of Archaeological Value) of the Ontario Heritage Act?

☒ Yes ☐ No

- (ii) A conservation plan for any of the archaeological resources identified in the assessment been prepared?

☐ Yes ☒ No

9. SERVICING

Please indicate what services are proposed as part of this proposed development:

- (a) Water Supply (check the appropriate boxes)

☒ Municipal Water ☐ Connected? ☐ Yes ☐ No

☐ Private Well ☐ Communal Well

☐ Other (please specify) _____

- (b) Sanitary Sewer Disposal (check the appropriate boxes)

☒ Municipal Water ☐ Connected? ☐ Yes ☐ No

☐ Private Well ☐ Communal Well

☐ Other (please specify) _____

- (c) Storm Sewer/Water (check the appropriate boxes)
- ☒ Municipal Water ☐ Connected? ☐ Yes ☐ No
- ☐ Private Well ☐ Communal Well
- ☐ Other (please specify) _____
- (d) Are the water, sewage, and road works associated with this development subject to the provisions of the Environmental Assessment Act?
- ☐ Yes ☒ No
- If servicing problems are foreseen, what are they?
- _____
- _____
- What solutions are proposed?
- _____
- _____
- (e) If the proposed development would permit the development of more than five lots or units on privately owned and operated individual wells or communal wells and privately owned and operated individual or communal septic systems and/or if the development or fewer than five lots or units on privately owned and operated individual wells or communal wells and privately owned and operated individual or communal septic systems and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, the following reports must be submitted with this Application:
- (i) Servicing Report, and
- (ii) Hydrogeological Report
- (f) If the proposed development would permit the development of fewer than five lots or units on privately owned and operated wells or communal wells and privately owned and operated individual or communal septic systems and 4,500 litres of effluent or less would be produced per day as a result of the development being completed, the following report must be submitted with the Application:
- (i) Hydrogeological Report

10. ACCESS

- (a) Is there direct access from the subject lands to a publicly maintained road?
- ☒ Yes ☐ No
- If 'NO', what provisions will there be for access to the site?
- _____
- (b) If access to the subject lands will be by water what parking and docking facilities will be provided? And how far away will these facilities be from the subject lands?
- _____
- _____
- How far away is the nearest public road?
- _____

11. SITE DESCRIPTION AND EVALUATION

Give a brief description of the existing land use, vegetation, topography, and drainage on the site.

Current site is flat and vacant land

12. ENVIRONMENTAL EFFECTS

What measures have been taken to eliminate adverse environmental effects from the development on the surrounding area (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.

Silt fence will be installed and regular road cleaning

13. LAND DEDICATION

Please indicate any lands proposed to be dedicated to the Township and if there are any history of contamination or encumbrances?

14. PRE-CONSULTATION

Please indicate all studies required as part of the formal pre-consultation and included with the submission.

Planning justification report, site plan, legal survey, draft zoning by-law amendment, landscape plan, archeology assessment, cultural heritage impact asesessment, environmental impact study, geotechnical report, noise study, transporation impact study, functional servicing report

15. ADDITIONAL INFORMATION (e.g., Affordable housing)

16. AFFIDAVIT

I/We, Jowett Lau of the City of Hamilton
In the Province of Ontario

solemnly declare that all the above statements contained in the within application are true.

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 _____

In the Region of _____

This _____ day of _____, 20____

A Commissioner of Oaths

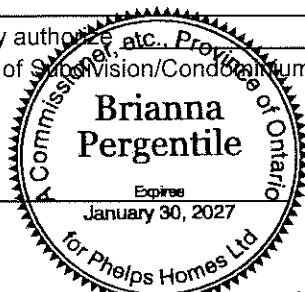
Signature

17. OWNER'S AUTHORIZATION

If an Agent is used, the owner must also complete the following or a similar authorization on the face of the proposed draft plan.

I/We _____ being registered Owner(s) of the subject lands hereby authorize _____ to prepare and submit a Draft Plan of Subdivision/Condominium for approval.

Signature



Day

Month

Year

18. AUTHORIZATION OF OWNER FOR AGENT TO PROVIDE PERSONAL INFORMATION

If the Applicant is not the Owner of the land that is the subject of this Application, complete the authorization of the Owner concerning personal information set out below.

I/We _____ being registered Owner(s) of the land that is subject of this Application for approval of a Draft Plan of Subdivision/Condominium and for the purposes of the Freedom of Information and Protection of Privacy Act, I/We authorize _____ as my Agent for the Application to provide any of my personal information that will be included in this Application or collected during the processing of the Application.

Signature

Day

Month

Year

19. CONSENT OF THE OWNER TO THE USE AND DISCLOSURE OF PERSONAL INFORMATION

Complete the consent of the Owner concerning personal information set out below.

I/We Jowett Lau being registered Owner(s) of the land that is subject of this Application for approval of a Draft Plan of Subdivision/ Condominium and for the purpose of the Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this Application.

Signature Day Month Year

20. ACKNOWLEDGEMENT CLAUSE

I hereby acknowledge that is my responsibility to ensure that I am in compliance with all applicable laws, regulations, guidelines and the Township’s Official Plan policies pertaining to potentially 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 Township 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 Township of acknowledgement of this Record of Site Condition by the Ministry of Environment.

I further acknowledge that the Township of West Lincoln is not responsible for the identification and/or remediation of contaminated sites, 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 Township of West Lincoln, its officers, officials, employees or agents for or in respect of any loss, damage, injury or costs.

Jowett Lau
Name of Applicant (please print)

Signature of Applicant

Date

Name of Agent (please print)

Signature of Agent

Date

APPENDIX “A-1” SUBDIVISION APPLICATION GUIDE

For applying for approval under Section 51 of The Planning Act

A. APPLYING FOR SUBDIVISION APPROVAL

1. The application form is for use when applying to the Township for subdivision approval.
2. The Region of Niagara has delegated subdivision and condominium authority to a number of local municipalities throughout the Region. Approval authority was delegated to the Township of West Lincoln on May 19, 1997.

B. USING THE APPLICATION FORM

1. The application form should be completed and submitted with **2 hard copies and one electronic copy** to the Township of West Lincoln Planning Department. Please keep a copy for your files. The Applicant is advised to approach the Planning Department for Official Plan, Zoning and policy information before making a formal application to the Township. Please note that circulation of applications cannot be guaranteed unless the Draft Plan of Subdivision/Condominium conforms to the Official Plan or is the subject of an Official Plan Amendment. In cases where a corresponding Official Plan Amendment has been received, the Draft Plan of Subdivision/Condominium and the Official Plan Amendment will be circulated simultaneously.
2. The application should be completed by the registered Owner or their Agent. Where it is being made by an Agent, the written authorization may be shown on the face of the Draft Plan.
3. It is the responsibility of the Owner to research and evaluate the site and the proposal to ensure that the development will conform to the interests of the health, safety and welfare of the future residents, either owners or tenants. Sufficient studies for the completion of the application should be carried out prior to a submission for approval, and should be reflected in the application form. This information will assist in a quick and comprehensive assessment of the application. If further studies are required, the application will be notified. The application must also be accompanied by **2 copies** of a background report, including a statement on affordable housing, a letter advising that the “notice sign” has been installed on the site, and the required application fee. If the form or the draft plans seem incomplete or inaccurate the application will be returned for completion, correction or clarification prior to processing.

C. DRAFT PLANS

1. The Planning Act requires that all applications must be accompanied by copies of the draft plan. The draft plan must be drawn to scale (metric 1:1000) with boundaries certified by an Ontario Land surveyor and must also be signed by the registered Owner of the property.

Subdivision applications require a minimum of **2 hard copies**. If further copies are needed, the applicant will be notified. An 8-1/2 x 11 reproducible copy of the draft plan is also required. A digital copy in AutoCAD shall be submitted.

2. The draft plans should indicate all items as required by Section 51(17) of the Planning Act (list attached).

D. DEALING WITH THE APPLICATION

1. After accepting the completed application, the Township will confer with officials of the Region, ministries, commissions, authorities and others who may be concerned, to obtain information and recommendations. With regard to subdivision applications, a public meeting will be held as part of the review process.

2. After an evaluation of the plan and the recommendations from other bodies noted above, conditions may be imposed in granting approval of the draft plan (draft approval).
3. The conditions of draft approval must be fulfilled prior to the approval of the final plan. The agencies affected by the conditions must indicate that they have been fulfilled. In some cases, agencies may require that a copy of the complete subdivision agreement be forwarded to them prior to notifying the Township that the conditions have been fulfilled.
4. Sections 51(34), (43) and (48) of the Planning Act, provide that an application for approval by the Township may be referred to the Ontario Municipal Board for decision.

APPENDIX “A-1” LEGISLATIVE REQUIREMENTS FOR SUBDIVISION/CONDOMINIUM APPROVAL ADAPTED FROM THE PLANNING ACT

Section 51:

1. Subsection 17: Information required to be shown on the draft plans:
 - (a) The boundaries of the land 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 centimetre to 100 metres, all of the land adjacent to the proposed subdivision that is owned by the applicant or in which he 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 such land forms the whole or part;
 - (d) The purpose for which the 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;
 - (k) The municipal services available or to be available to the land proposed to be subdivided; and
 - (l) The nature and extent of any restrictive covenants or easements affecting the land proposed to be subdivided.
2. Subsection 19: The approval authority may refuse to accept or further consider the application until the prescribed information and material, the required fee and the draft plan are received and the time period referred to in subsection (34) does not begin until the day the draft plan, information, material and fee are received.
3. Subsection 24: In considering a draft plan regard shall be had among other matters to the health, safety, convenience and welfare of the present and future inhabitants.
4. Subsection 25: The Township may impose such conditions as deemed reasonable including a condition of that land be dedicated or the requirements met for park or other public recreation purposes under section 51.1 and/or that such highways or road widenings be dedicated as deemed necessary by the approval authority.
5. Subsection 26: The Township may enter into subdivision agreements imposed as a condition of draft approval.

DO NOT RETURN THIS INSTRUCTION SHEET WITH COMPLETED APPLICATION

APPENDIX “A-2” INFORMATION AND PROCEDURES FOR SUBDIVISION/CONDOMINIUM APPLICATIONS

Pre-Consultation

Applicant/Agent ‘must’ set up an appointment for preliminary discussion and review of the proposal with Township Staff prior to application being made (Planning and Public Works).

Applicant should discuss proposal with other review agencies such as the Region, and other applicable agencies such as MOE, CP, MNRF, NPCA, First Nations, etc. These agencies may need to be involved during the Pre-Consultation meeting with Township Staff.

Application

Application will be deemed complete when only when Items 1-9 (below) have been received.

Submission requirements:

1. 2 paper prints of draft plan – folded not larger than legal size (8 ½ x 14”) signed by owner and surveyor. All drawings are to include a key plan, north arrow, and current revision status. All elevations shown are to be geodetic, and related to the Township of West Lincoln datum (NAD 83), unless additional copies are requested at the pre-consultation meeting.
2. 1 copy of completed subdivision application form **signed by Owner and/or Agent**, unless additional copies are requested at the pre-consultation meeting.
3. 2 copies of background information report on proposal, unless additional copies are requested at the pre-consultation meeting.
4. 1 legible paper print or mylar of draft plan reduced to letter (8 1/2” x 11”) or legal (8 1/2” x 14”) size.
5. Application fee cheque made out to “Township of West Lincoln” (certified cheque preferred).
6. The required supporting studies and information that have been identified through the pre-consultation process (e.g., preliminary stormwater management report, noise, traffic, etc.).
7. 1 signed copy of the pre-consultation form.
8. Electronic copies of all studies, reports, drawings, application form, etc. that have been submitted as part of the application.
9. Evidence (written letter) and photograph that Public Notice sign has been posted, indicating location(s) on site and date.

Approval Authority – Submission of Application

Division of a parcel of land into several smaller lots usually requires approval of a Draft Plan of Subdivision/Condominium. In the Township of West Lincoln, the approval authority for all plans of subdivision/condominiums lies with the Township Council. Any application for subdivision/condominium in the Township of West Lincoln must be submitted to the Township’s Planning Department. Pre-consultation with the Township Planning Department and with public agencies like to have an interest in the proposal is mandatory and particularly important where a subdivision/condominium also involves an Official Plan Amendment and/or a Zoning By-law Amendment.

Evaluation of Applications

The subdivision/condominium review and approval process plays a key role in the land development process. It establishes the conditions under which land may be divided and sold, future street and neighborhood patterns, parks and other community facilities, community housing, and commercial and employment opportunities.

The purpose of the subdivision/condominium review and approval process is to ensure that:

- The land is suited to its intended use;
- The subdivision/condominium conforms with applicable planning legislation;
- Municipal services are or can readily be made available;
- The community and individual citizens are protected from inappropriate development which could detract from the community; and
- The lot purchasers obtain undisputed title to their new property.

Major Stages in Processing an Application

The processing of most subdivision/condominium applications usually involves the following major stages:

- Preliminary submission;
- Staff and agency review of Preliminary Submission;
- Re-submission by Agent/Applicant;
- Township provide “complete” application letter;
- Agency circulation and public notification;
- Public meeting;
- Review of comments/recommendations on draft approval;
- Dispute resolution or referral/appeal to OLT by Applicant (if required);
- Draft approval with conditions;
- Clearance of conditions by Applicant; and
- Final approval and registration.

All applications may not go through each of these stages. Each stage usually involves many steps depending on the complexity of the application and the response of government agencies, special interest groups, consultants, and the public.

Circulation, Review and Public Notification

A complete application may require several months to obtain draft approval depending on its complexity. Much of this time is devoted to review of the proposal by numerous public agencies, analysis of comments submitted to the Township and negotiations between interested parties where a problem emerges. During this period, property owners within 120 metres of the subject lands/site are notified of the application and a public meeting is held to discuss the proposal. Finally, a staff report on the proposal is submitted to the General Committee and Council for consideration. Usually, that report recommends that draft approval be granted subject to a list of conditions recommended by the agencies reviewing the application plus any revisions recommended by the Township Departments and the public.

Township Decision

Council makes a decision to grant draft approval to a subdivision/condominium subject to a list of conditions which must be fulfilled by the Applicant. Notice of this decision is then given to the Applicant, the public, and review agencies. However, the decision to grant draft approval is not effective until after a 20 day appeal period expires. If no appeals are received, draft approval is formally granted. If an appeal is lodged with the Township, the application is automatically forwarded to the OLT for a ruling. Once draft approval is granted, the Applicant may proceed with the subdivision/condominium

subject to the conditions applied, prepare the site for development, and enter into agreements to sell lots once they are registered.

Final approval is granted by the Township once the applicant has fulfilled all the conditions of approval. The plan may then be registered and individual lots within the subdivision/condominium may be sold.

Fees

Fees established by the Township for processing subdivision/condominium applications are set out in the Township's Fee By-law/Booklet. The fee is an administration charge associated with the initial review of the application which is payable upon submission of an application. The fee does not include administration, engineering, legal and other costs incurred by the Township in preparing subdivision/condominium agreements.

**APPENDIX “A-3”
BACKGROUND INFORMATION REQUIRED TO BE SUBMITTED BY
THE APPLICANT WITH THE SUBDIVISION/CONDOMINIUM
APPLICATION**

1. Local Official Plan policy for the site and encompassing neighborhood or community.
2. Status of adjacent lands, subject to development or redevelopment through zoning or subdivision, etc.
3. Proposed integration of roadways within subdivision and vehicular circulation pattern in surrounding area.
4. Inventory of physical features (watercourses, tree stands, etc.) on the site and on adjacent lands.
5. Inventory of existing and proposed utilities and water, sanitary and storm facilities serving uses proposed in the subdivision.
6. Location of parklands and other public lands (other than traveled roadways) in the vicinity of the site.
7. Likely uses of all lots and blocks within the subdivision/condominium and the number of people to be accommodated.
8. Existing public transportation serving the site.
9. Whether the Official Plan and/or Zoning By-law need to be amended.
10. All information provided by agencies and departments consulted by applicant.
11. Location of schools serving the subdivision and access routes to those schools.
12. Opportunities for affordable housing provided in the proposed subdivision.

Note: Where possible, the above should be shown on the plan as well as being included in a report. Information which is supplementary to a question on the application form should be referenced on that form and need not be repeated on the form.

APPENDIX “A-4” TOWNSHIP OF WEST LINCOLN SIGN REQUIREMENTS FOR PROPOSED SUBDIVISION/CONDOMINIUM APPLICATIONS

1. Prior to a proposed draft plan of subdivision/condominium being circulated by the Planning Department, the owner/developer is required to erect at least one sign on the property to be subdivided. This sign is intended for the information of interested persons.
2. The sign must have a minimum display area of 5 square metres. Larger signs may be used for large developments or where visibility is a problem.
3. The sign shall have the following components:
 - (a) Municipality identification;
 - (b) The words “Public Notice” in bold lettering;
 - (c) The words “Proposed Subdivision/Condominium” and the name, if any, of the subdivision, name of developer and/or agent;
 - (d) A subdivision map, coloured and drawn to show subdivision/condominium pattern, proposed land uses, roadways, pedestrian ways, prominent natural features;
 - (e) A legend and an arrow indicating the north direction;
 - (f) At the bottom of the sign, the following must be included:

“This proposed Draft Plan of Subdivision/Condominium has been submitted to Township Council for approval. Your municipal Council has been requested to comment on the development. Persons wishing to express an opinion OR to make further inquiries should write or phone the Township Planning Department, 318 Canborough Street, Smithville, Ontario L0R 2A0, Telephone (905) 957-3346. Written replies are encouraged. Email to planning@westlincoln.ca”

- (g) The sign must be dated prominently. The date to be used should be on or about the date of posting. Revised signs must include a revision date.
4. The following colour scheme shall be used on all signs:

Residential

Single Detached - yellow
Semi-detached - orange
Townhouses - dark orange
Apartments - brown

Commercial

- red

Industrial

- purple

Park/Open Space

- green

Institutional

- blue

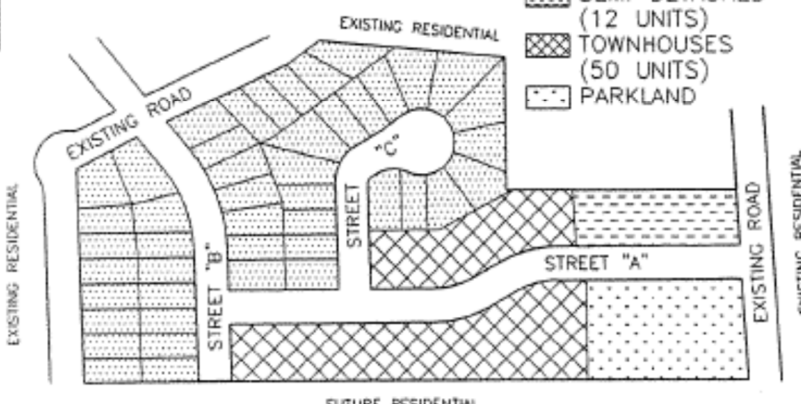

5. The sign must be prominently displayed on the property and legible from abutting roadways. If the property abuts more than one major roadway, and the subdivision/condominium is of substantial size, a sign will be required for each frontage on a major roadway. Staff of the Planning Department will assist in; choosing a suitable location or locations if requested.
6. Prior to the proposed plan being circulated, the Planning Department must be in possession of a written letter and photo indicating that the sign or signs have been posted on the property.

SUGGESTED SIGN FORMAT

PUBLIC NOTICE

PROPOSED SUBDIVISION

SUBDIVISION NAME



LEGEND

- SINGLE-DETACHED (45 UNITS)
- SEMI-DETACHED (12 UNITS)
- TOWNHOUSES (50 UNITS)
- PARKLAND

This proposed plan of subdivision has been submitted to the Township of West Lincoln for approval. Your municipal Council has been requested to comment on the development. Persons wishing to express an opinion OR TO MAKE FURTHER INQUIRIES should write or phone the Planning Department, 318 Canborough Street, P.O. Box 400, Smithville, Ontario, LOR 2A0 (957-3346). Written replies are encouraged. Note: The Planning Act provides for the referral of subdivision plans by individuals to the Ontario Municipal Board only if such a request is received by the Township prior to Council's decision.