



**APPLICATION FOR AN AMENDMENT  
TO THE  
TOWN OF FORT ERIE  
ZONING BY-LAW and/or OFFICIAL PLAN**

Community and Development Services  
Department  
"RECEIVED" Stamp Here

FOR OFFICE USE ONLY

Reviewed for completeness \_\_\_\_\_ (Planner)

Date received as complete application with fee paid \_\_\_\_\_ (Date)

**PROPERTY LOCATION:** \_\_\_\_\_  
(Municipal Address)

**NAME OF APPLICANT:** \_\_\_\_\_  
(Agent  or Owner )

**PREAMBLE:**

It is the responsibility of the Applicant or Authorized Agent to complete this form and to supply all of the documents required by the Community and Development Services Department.

The applicant is required to submit a preliminary concept for review by the Planning Department and other key agencies (Region, NPCA etc.). This preliminary submission will determine and confirm official plan policies, zoning requirements, policy information, required studies, and other additional information requirements before making a formal application to the Town. The preliminary fees paid will be discounted from the full application fees.

Date Submitted: \_\_\_\_\_ and Pre-consultation Fee of \$1,000.00 paid.

Date of formal Submission: \_\_\_\_\_

Application Deemed Complete By: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner Permission Form.

An Informal Open House meeting has or will be held with the area residents within 120 metres.  
**Date of informal open house meeting** \_\_\_\_\_. Attach any relevant information regarding this meeting.

Required Studies indicated in Appendix A and B and from other sources are required upon formal submission of the Official Plan and/or Zoning By-law Amendment application. If an EIS is required twenty (20) copies are to be provided in addition to one (1) digital copy. All other studies require five (5) copies and (1) digital copy to be submitted to the Town.

Twenty (20) copies of a metric Site Plan based on an actual survey by an Ontario Land Surveyor showing total holdings of the owner(s) indicating the location, size and use of land and location of existing and proposed buildings or structures on the subject lands; nature of any easements; the location, width and name of any roads; and when applicable, show parking areas, loading spaces and entrances/exits. Also include location and nature of any easement(s) affecting the subject land. Sketch in natural and artificial features on the subject, abutting lands or on lands that may affect the application, i.e. railways, road, watercourses, drainage ditches, wetlands, wooded areas, wells and septic tanks, woodlands (larger plans to be folded to 8 1/2" x 14" size).

- Site plan must also be submitted as an electronic file, in Autocad 2000-2006(.dwg) format
- One (1) copy of survey or reference plans respecting this application.
- One (1) 8 1/2" x 14" photo reduction of the Site Plan.
- One (1) copy of the completed application form.
- The Planning Review Fee required by the Regional Municipality of Niagara and the Niagara Peninsula Conservation Authority.

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, health, safety and welfare of the present and 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.

Due to the nature of some applications, additional support material or other information may be required by the Town.

Please note that prior to formal circulation by the Town, a preliminary review of the application will be undertaken to determine whether or not proper and sufficient information has been provided to appropriately address the relevant issues of the proposal and environs. It shall be the applicant's responsibility to supply additional information if requested (for example: acoustical studies, traffic studies, shadowing diagrams, elevation plans, economic feasibility studies, environmental impact studies, concept plans and/or staging plans as requested by the Municipality). In accordance with the Planning Act the applicant shall be advised in writing within 30 days of paying the required fees if an application is considered complete or incomplete.

All information is to be forwarded to: **TOWN OF FORT ERIE**  
**Community and Development Services**  
**Municipal Centre**  
**Fort Erie, Ontario** **Phone No. (905) 871-1600**  
**L2A 2S6** **Fax No. (905) 871-6411**

**NOTE: APPLICANTS SHOULD REVIEW THIS APPLICATION WITH THE PLANNING DEPARTMENT BEFORE SUBMITTING.**

Pursuant to the provisions of The Planning Act, application is hereby submitted for:

- \*  **OFFICIAL PLAN AMENDMENT** **(FEE \$4,500.00)\*\***  
Under Sections 17 and 21 of The Planning Act, R.S.O. 1990, c.P.13, as amended and other applicable legislation
- ZONING BY-LAW AMENDMENT** **(FEE \$3,500.00)\*\***  
Under Section 34 of The Planning Act, R.S.O. 1990, c.P.13 as amended, Zoning by-law 129-90
- \*  **ZONING BY-LAW AND OFFICIAL PLAN AMENDMENT** **(FEE \$5,000.00)\*\***
- \*  **PRELIMINARY REVIEW AND CIRCULATION FEE** **(FEE \$1,000.00)\*\***  
**(DISCOUNTED FROM FULL APPLICATION)**  
**\*\* plus legal costs.**

**ALL THE ABOVE APPLICATIONS ARE SUBJECT TO A \$10.00 SIGN FEE**

Under Sections 17, 21 and 34 of The Planning Act, R.S.O. 1990, c.P.13 as amended and other applicable legislation, amending Zoning By-law 129-90.

\* **NOTE:**

**PLEASE NOTE THAT ALL OFFICIAL PLAN AMENDMENTS ARE SUBJECT TO A REGIONAL APPROVAL FEE OF \$800 AND A REGIONAL REVIEW FEE OF \$1000 (MINOR AMENDMENT) OR \$1500 (MAJOR AMENDMENT). THESE FEES MUST BE PAID DIRECTLY TO THE REGION FOLLOWING APPROVAL OF THE OFFICIAL PLAN AMENDMENT BY THE TOWN.**

◆  
**PLEASE PRINT ALL INFORMATION**

**1. NAME OF APPLICANT:**

\_\_\_\_\_

**TITLE:**

\_\_\_\_\_

(i.e. Owner, Company President, Agent, etc.)

**MAILING ADDRESS:**

\_\_\_\_\_

\_\_\_\_\_

**TELEPHONE NO.** \_\_\_\_\_ **POSTAL CODE:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**2. AUTHORIZATION:**  
**(Must be filled in if Applicant and/or Agent is not the registered Owner of the lands)**

I/We \_\_\_\_\_

hereby authorize and direct \_\_\_\_\_

to make this application on the property known Municipally as \_\_\_\_\_

\_\_\_\_\_ for which I am/we are the registered owner(s).

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

\_\_\_\_\_  
Corporate Seal required  
of a Company Owner

**NAME OF AUTHORIZED AGENT** \_\_\_\_\_

**Address of Agent** \_\_\_\_\_

**Telephone No.** \_\_\_\_\_ **Postal Code** \_\_\_\_\_

**3. MORTGAGES, CHARGES AND OTHER ENCUMBRANCES:**

If known, list the names and address of all holders of mortgages, charges or other encumbrances with respect to the subject land(s)

\_\_\_\_\_  
\_\_\_\_\_

If known, the date of Acquisition: \_\_\_\_\_

If known, the date Existing Buildings Constructed: \_\_\_\_\_

**4. PROPERTY LOCATION AND DESCRIPTION:**

Municipal Address: \_\_\_\_\_

Legal description of the lands (Lot & Registered Plan or Concession):

\_\_\_\_\_

Present use of the land:

\_\_\_\_\_  
\_\_\_\_\_

Use of abutting land: NORTH \_\_\_\_\_  
SOUTH \_\_\_\_\_  
EAST \_\_\_\_\_  
WEST \_\_\_\_\_

If known, date present use commenced: \_\_\_\_\_

Property Information: (a) Lot (Street) Frontage \_\_\_\_\_ feet \_\_\_\_\_ meters  
(b) Depth \_\_\_\_\_ feet \_\_\_\_\_ meters  
(c) Area \_\_\_\_\_ square feet \_\_\_\_\_ square meters

(d) Water Supply (check appropriate boxes)  
Publicly owned & operated?   
Connected?  YES  NO  
Lake   
Well (Private or Communal)   
Other (specify) \_\_\_\_\_

(e) Sanitary Sewer Disposal (check appropriate boxes)  
Publicly owned & operated?   
Connected?  YES  NO  
Septic System (Private or Communal)   
Other (specify) \_\_\_\_\_

(f) Storm Sewer Available?  YES  NO  
Connected?  YES  NO

Access to Property i) Public Road  YES  NO  
ii) Private Road  YES  NO  
iii) Right-of-Way  YES  NO  
iv) Width of Access Road to Property \_\_\_\_\_ FT.

**5. PRESENT ZONING OF PROPERTY:**

**PRESENT OFFICIAL PLAN DESIGNATION:**

\_\_\_\_\_

- 6. **DESCRIBE, IN DETAIL, THE PROPOSED USE/DEVELOPMENT OF THE PROPERTY FOR WHICH THE ZONING / OFFICIAL PLAN AMENDMENT IS REQUESTED, INCLUDING REASON FOR REQUEST.**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**NOTE: IF AN OFFICIAL PLAN AMENDMENT IS NOT REQUIRED, GO TO QUESTION 11**

- 7. **IF AN OFFICIAL PLAN AMENDMENT IS REQUIRED, DOES THE AMENDMENT CHANGE:**

a) **The Designation?**       YES       NO

b) **The Policies?**       YES       NO

- 8. **IF THE ANSWER TO 7 a) IS “YES”, PLEASE COMPLETE:**

**Amendment to designation from** \_\_\_\_\_

**Permitting the following uses:** \_\_\_\_\_

\_\_\_\_\_

**to:** \_\_\_\_\_

**Permitting the following land uses:** \_\_\_\_\_

\_\_\_\_\_

**9. IF THE ANSWER TO 7 b) IS “YES”, PLEASE COMPLETE THE FOLLOWING:**

a) **What policy is to be changed?:** \_\_\_\_\_  
\_\_\_\_\_

b) **If approved, would this policy amendment,**

**Alter Existing?**

**Replace Existing?**

**Delete Existing?**

**Add to Existing?**

**10. DESCRIBE PROPOSED POLICY CHANGE**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**11. EXTENT TO WHICH THE ZONING BY-LAW IS INTENDED TO BE AMENDED TO ACCOMMODATE THE PROPOSED DEVELOPMENT**

**Amendment to the Zoning By-law zoning classification:**

**From:** \_\_\_\_\_

**Permitting the following uses:** \_\_\_\_\_

\_\_\_\_\_

**to:** \_\_\_\_\_

**Permitting the following land uses:** \_\_\_\_\_

\_\_\_\_\_

**WHEN CHANGES TO THE EXISTING ZONING BY-LAW REGULATIONS ARE REQUIRED TO ACCOMMODATE EITHER THE EXISTING OR PROPOSED BUILDING, THE FOLLOWING COLUMNS ARE TO BE COMPLETED**

ZONING REGULATIONS	ZONING REQUIREMENTS	MODIFICATIONS	
		Existing Building	Proposed Building
Minimum Lot Area			
Minimum Lot Frontage			
Minimum Lot Depth			
Minimum Front Yard			
Minimum Rear Yard			
Minimum Side Yard			
Minimum Flankage Yard			
Maximum Lot Coverage			
Minimum Landscaped Area			
Maximum Height of Building or Structure			
Number of Storeys			
Maximum Number of Dwelling Units			
Maximum Number of Buildings			
Minimum Distance Between Buildings on Same Lot			
Minimum Number of Parking Spaces or Maximum Parking Area Coverage			
Loading Area Requirements			
Floor Area of Building			
Other			

**PROPOSED TYPE OF BUILDING** \_\_\_\_\_

**12. IF KNOWN, (CHECK WITH TOWN STAFF), IS THE SUBJECT LAND OR LAND WITHIN 120 METRES OF THE SUBJECT LAND, THE SUBJECT OF AN APPLICATION BY THE APPLICANT UNDER THE PLANNING ACT FOR:**

- a) A Minor Variance?  File No. \_\_\_\_\_
- b) A Plan of Subdivision?  File No. \_\_\_\_\_
- c) A Consent (Land Division)?  File No. \_\_\_\_\_
- d) A Site Plan?  File No. \_\_\_\_\_

**13. If known, has the subject land ever been the subject of:**

- a) Zoning By-law Amendment  File No. \_\_\_\_\_
- b) Official Plan Amendment  File No. \_\_\_\_\_

**INFORMATION ON THIS FORM IS COLLECTED UNDER THE AUTHORITY OF THE ONTARIO PLANNING ACT AND WILL BE USED BY THE TOWN OF FORT ERIE IN THE PROCESSING OF THIS APPLICATION. THE INFORMATION AS WELL AS SUPPORTING STUDIES AND REPORTS MAY BE USED BY OTHER DEPARTMENTS AND AGENCIES FOR THE PURPOSE OF ASSESSING THE PROPOSAL AND PREPARING COMMENTS. THIS INFORMATION MAY ALSO BE RELEASED TO THE PUBLIC UPON WRITTEN REQUEST.**

**14. INTEREST IN ADJOINING LANDS**

**Does the applicant/agent or owner have a legal interest in any adjoining lands, (i.e. lands that share a common boundary with the subject lands)? If so, describe to what extent.**

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\_\_\_\_\_  
I, \_\_\_\_\_ of the \_\_\_\_\_ of

\_\_\_\_\_, solemnly declare that all the statements contained in this application are true and I 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 \_\_\_\_\_, 19\_\_\_

\_\_\_\_\_  
Signature of Applicant or Authorized Agent

\_\_\_\_\_  
A Commissioner, etc.

Personal information contained in this form is collected under the authority of the Planning Act R.S.O. 1990 c.P.13 and will be used for the processing of Zoning By-law Amendments and/or Official Plan Amendments. Questions about the collection should be directed to:

Community and Development Services Department  
TOWN OF FORT ERIE  
Municipal Centre  
Fort Erie, Ontario  
L2A 2S6

Phone No. (905) 871-1600 (ext. 245)

## APPENDIX A SITE SCREENING QUESTIONNAIRE

1. Is there reason to believe that the lands may be contaminated based on historical land use? \*

*\* Possible offending uses may include: disposal of waste materials, raw material storage, residues left in containers, such as gas 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 like uses upon a site could potentially increase the number of chemicals which are present.*

YES  NO  UNCERTAIN

2. Has land filling occurred on the property or lands adjacent to the property?

YES  NO  UNCERTAIN

3. Has a gas station been located on the subject land or adjacent land at any time?

YES  NO  UNCERTAIN

4. Has petroleum or other fuel been stored on the subject lands or adjacent land?

YES  NO  UNCERTAIN

5. If the property has in the past or is currently being used for a non-residential use, what is the nature of the use?

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6. Is the nearest boundary line of the subject lands within 500 m (1,640 ft) of an operational or non-operational landfill or dump?

YES  NO  UNCERTAIN

7. Have previous agriculture operations ever included the application of cyanide-based pesticide products or sewage sludge on the lands?

YES  NO  UNCERTAIN

8. Are you aware of any underground storage tanks, or other buried waste on the property?

YES  NO  UNCERTAIN

9. If there are any existing or previously existing buildings, are there building materials remaining, which are potentially hazardous to health (asbestos, PCBs)?

YES  NO  UNCERTAIN

10. Is there a current Environmental Site Assessment for the site or has one been prepared within the last five years? If yes, please submit it with your application.

YES  NO  UNCERTAIN

11. Has an Environmental Site Assessment been submitted to the Town of Fort Erie in the past in support of a planning application on the subject lands? If yes, indicate the type of planning application(s) and file number(s)

YES  NO  UNCERTAIN

Official Plan Amendment # \_\_\_\_\_  
 Zoning By-law Amendment # \_\_\_\_\_  
 Site Plan # \_\_\_\_\_  
 Plan of Subdivision # \_\_\_\_\_  
 Other # \_\_\_\_\_

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### THIS SECTION IS TO BE COMPLETED BY TOWN OF FORT ERIE DEVELOPMENT PLANNING DEPARTMENT

Does the completed Site Screening Questionnaire (Questions 1-9) include any YES or UNCERTAIN responses?

YES  NO

Is there a change in use proposed to a more sensitive use?

YES  NO

Does the proposal include any lands to be conveyed in the Town?

YES  NO

#### **ENGINEERING DEPARTMENT**

Does the proposal require any lands to be conveyed to the Town or for the Town to acquire and interest in any lands for such purposes as but not limited to road widenings, stormwater management, servicing, etc. ?

YES  NO

Is a Phase 1 ESA required to be submitted with the application?

YES  NO

## APPENDIX B –SIGNIFICANT FEATURES

## CHECKLIST

Feature or Development Circumstance	Development or Special Feature		If feature specify distance in metres	Potential Information Needs
	Yes (X)	No(X)		
Consistent with Provincial Policy Statement	<input type="checkbox"/>	<input type="checkbox"/>		Development must be consistent
Non-Farm development near designated urban area or rural settlement area	<input type="checkbox"/>	<input type="checkbox"/>		Demonstrate insufficient land supply available for development within the 20 year timeframe.
Class 1 Industry <sup>1</sup>	<input type="checkbox"/>	<input type="checkbox"/>		Assess development for residential and other sensitive land uses within 70 metres.
Class 2 Industry <sup>2</sup>	<input type="checkbox"/>	<input type="checkbox"/>		Assess development for residential and other sensitive land uses within 300 metres.
Class 3 Industry <sup>3</sup>	<input type="checkbox"/>	<input type="checkbox"/>		Assess development for residential and other sensitive land uses within 1000 metres.
Land Fill Site	<input type="checkbox"/>	<input type="checkbox"/>		Address possible leachate, odour, vermin and other impacts.
Sewage Treatment Plant	<input type="checkbox"/>	<input type="checkbox"/>		Assess he need for a feasibility study for residential and other sensitive land uses
Waste Stabilization Pond	<input type="checkbox"/>	<input type="checkbox"/>		Assess he need for a feasibility study for residential and other sensitive land uses
Active Railway Line	<input type="checkbox"/>	<input type="checkbox"/>		Evaluate impacts within 300 metres
Controlled access highways including designated future routes	<input type="checkbox"/>	<input type="checkbox"/>		Evaluate impacts within 100 metres
Agricultural operations	<input type="checkbox"/>	<input type="checkbox"/>		Development to comply with the Minimum Distance Separation Formulae
Existing Pits and Quarries	<input type="checkbox"/>	<input type="checkbox"/>		Will development hinder continued operation or extraction
Mineral and petroleum resource areas	<input type="checkbox"/>	<input type="checkbox"/>		Will development hinder access to the resource or the establishment of new resource operations
Provincially Significant wetland	<input type="checkbox"/>	<input type="checkbox"/>		No development is permitted.
Locally Significant Wetland or a Provincially Significant Wetland within 120 metres	<input type="checkbox"/>	<input type="checkbox"/>		An Environmental Impact Study (EIS) must be prepared to determine impacts and mitigative measures.
Significant portions of habitat of endangered species and threatened species	<input type="checkbox"/>	<input type="checkbox"/>		Development is not permitted.
Significant fish habitat, woodlands, valley land, areas of natural and scientific interest, wildlife habitat	<input type="checkbox"/>	<input type="checkbox"/>		An Environmental Impact Study (EIS) must be prepared to determine impacts and mitigative measures.
Significant archeological resources	<input type="checkbox"/>	<input type="checkbox"/>		Assess development proposed in areas of medium and high potential for significant archeological resources. See Official Plan Schedule D and D1.
Great Lakes System: A-Within defined portions of the dynamic beach and 1:100 year flood level along connecting channels B-On lands subject to flooding erosion	<input type="checkbox"/>	<input type="checkbox"/>		A-Development is not permitted.  B-Development may be permitted; demonstrate that hazards can be safely addressed

NOTE: IT MAY BE DETERMINED DURING THE REVIEW OF THE APPLICATION THAT ADDITIONAL STUDIES OR INFORMATION WILL BE REQUIRED AS A RESULT OF ISSUES ARISING DURING THE PROCESSING OF THE APPLICATION.

1.CLASS 1 INDUSTRY: SMALL SCALE, SELF CONTAINED PLANT, NO OUTSIDE STORAGE, LOW PROBABILITY OF FUGITIVE EMISSIONS AND DAYTIME OPERATIONS ONLY.

2. CLASS 2 INDUSTRY:MEDIUM SCALE PROCESSING AND MANUFACTURING WITH OUTDOOR STORAGE, PERIODIC OUTPUT OF EMISSIONS, SHIFT OPERATIONS AND DAYTIME TRACK TRAFFIC.

3.CLASS 3 INDUSTRYPROCESSING AND MANUFACTURING WITH FREQUENT AND INTENSE OFF SITE IMPACTS AND HIGH PROBABILITY OF FUGITIVE EMISSIONS.

**CERTIFICATE** (to be signed by Owner and Applicant)

I/We \_\_\_\_\_ the owner \_\_\_\_\_ and the applicant \_\_\_\_\_ of the above-noted lands hereby acknowledge that it is my/our responsibility to ensure the I/We are in compliance with all applicable legislative enactments, guidelines and other government directives pertaining to contaminated sites, including, but not limited to, the Ministry of Environment's Guideline for Use at Contaminated Sites in Ontario, in June 1996 as amended. I/We further acknowledge that the Town of Fort Erie are not responsible for the identification and/or remediation of contaminated sites and in any action or proceeding for losses or damages related to environmental contamination or clean-up of contamination will not sue or claim over against the Town of Fort Erie.

Affix Corporate Seal of registered owner of property. Proceeding will not commence until this is provided.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
SIGNATURE OF OWNER

\_\_\_\_\_  
(please print name)  
(AFFIX Corporate Seal if applicable)

Date at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

**SITE ACCESS**

**ACCESS CERTIFICATE** (to be signed by Owner and Applicant)

I/We \_\_\_\_\_ the owner \_\_\_\_\_ and the  
applicant \_\_\_\_\_ of the above-noted lands hereby grant Town of Fort Erie staff and/or  
Members of a Town Committee to enter the subject site ( \_\_\_\_\_ ) to review and confirm the  
information provided with the application.

Affix Corporate Seal of registered owner of property. Proceeding will not commence until this is provided.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
SIGNATURE OF OWNER

\_\_\_\_\_  
(please print name)  
(AFFIX Corporate Seal if applicable)

Date at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.