

TOWN OF PELHAM
APPLICATION FOR SUBDIVISION OR CONDOMINIUM APPROVAL
Under Section 51 of the Planning Act, R.S.O. 1990, c.P. 13

Application Fees (2018 Consolidated Fee Schedule- subject to change)	Application Submission Requirements																										
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Town Application Fee –</td> <td style="width: 40%; text-align: right;">\$8,633</td> </tr> <tr> <td>Plan of Subdivision</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td>Town Application Fee –</td> <td style="text-align: right;">\$4,318</td> </tr> <tr> <td>Condominium</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td>Niagara Region Review Fee</td> <td style="text-align: right;">Subdivision/ Vacant Land Condominium \$5,000 base fee + \$1,100/hectare to a maximum of \$22,500 Standard Condominium \$2,500 Base fee</td> </tr> <tr> <td>Niagara Peninsula Conservation Area (NPCA) Review Fee 2017 Fees →</td> <td style="text-align: right;">New Applications: Less than 100 lots \$570; More than 100 lots \$2,770</td> </tr> <tr> <td>DATE RECEIVED</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td>TOWN FEE RECEIVED</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td>REGION FEE RECEIVED</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td>NPCA FEE RECEIVED</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td>DATE OF COMPLETED APPLICATION</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td>APPLICATION REVIEWD BY</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td>DATE</td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>	Town Application Fee –	\$8,633	Plan of Subdivision		Town Application Fee –	\$4,318	Condominium		Niagara Region Review Fee	Subdivision/ Vacant Land Condominium \$5,000 base fee + \$1,100/hectare to a maximum of \$22,500 Standard Condominium \$2,500 Base fee	Niagara Peninsula Conservation Area (NPCA) Review Fee 2017 Fees →	New Applications: Less than 100 lots \$570; More than 100 lots \$2,770	DATE RECEIVED		TOWN FEE RECEIVED		REGION FEE RECEIVED		NPCA FEE RECEIVED		DATE OF COMPLETED APPLICATION		APPLICATION REVIEWD BY		DATE		<p>The Town of Pelham requires:</p> <ol style="list-style-type: none"> 1. 6 paper prints of draft plan - folded not larger than legal size (8½ "x 14") <u>signed by owner and surveyor.</u> 2. 6 copies of completed Town of Pelham subdivision application form <u>signed by owner and agent (if any).</u> 3. 6 copies of background information report on proposal. 4. 1 legible paper print or mylar of draft plan reduced to letter (8½ "x 11") or legal (8½ "x 14") size. 5. Application fee and deposit, cheque made out to "Town of Pelham" (certified cheque preferred). 6. Regional Municipality of Niagara Processing fee (certified cheque preferred). 7. Niagara Peninsula Conservation Processing Fee (certified cheque preferred). 8. Letter from Regional Municipality of Niagara indicating its awareness of subdivision proposal. 9. Evidence (legible photo) the Public Notice sign has been posted, showing locations (s) on site and date. 10. Supporting studies and information (e.g., preliminary Stormwater Management Report, noise, traffic, etc.) that <u>may</u> be required.
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The undersigned hereby applies for the subdivision/condominium approval.

APPLICATION FOR: Draft Plan of Subdivision Draft Plan of Condominium

Name of Development: _____

Has the proponent met with municipal staff prior to submission of this application Yes No

1. APPLICANT INFORMATION

(a) Registered Owner(s) (if numbered company, give name and address of principal owner)

Name _____
 Address _____ City _____ Province _____ Postal Code _____
 Telephone () _____ Fax () _____ Email _____

(b) Agent / Applicant (written authorization from the owner is required in Section 24, if the applicant is not the owner)

Name _____
 Address _____ City _____ Province _____ Postal Code _____
 Telephone () _____ Fax () _____ Email _____

(c) Ontario Land Surveyor (OLS)

Name _____

Address _____ City _____ Province _____ Postal Code _____
Telephone () _____ Fax () _____ Email _____

(d) To whom is all information to be sent? Owner Agent OLS All

(e) If known, names and addresses of any mortgagees, holders of charges or other encumbrances in respect of the subject land: _____

(f) If known, date subject land was acquired by current owner: _____

(g) Applicant's relationship to subject lands (check one):

- Registered Property Owner Authorized Agent of Person Holding Option to Purchase
 Authorized Agent of Registered Owner Other (specify) _____
 Holder of Option to Purchase Subject Land

* NOTE: If prospective purchaser, attach executed copy of agreement of purchase and sale.

Owner's Authorization (if the applicant is other than the registered owner of the lands included in the application, the affidavit at the end of this application form must be completed by the owner).

2. DESCRIPTION OF SUBJECT LAND

(a) Legal description _____
(lot number, registered plan number, concession, reference plan, etc.). Copy of Deed if available.

(b) Street Address _____

(c) Particulars of subject land: Frontage (metres) _____ Depth (metres) _____ Area (square metres) _____

(d) Are there any easements, restrictions, or other covenants applicable to the land? If so, describe what they are:

Yes No _____

(e) Has the subject land ever been the subject of an application for approval of a plan of subdivision under Section 51 of the Act, for a consent under Section 53 of the Act, for a minor variance, for approval of a site plan, or for an amendment to an official plan, a zoning by-law or a Minister's zoning order?

Yes No File No. _____ Decision _____ Date _____

(f) Has an application been made to place the lands in the Land Titles?

Yes No Application No. _____ Date _____

3. PLANNING COMPLIANCE

(a) What is the current Town Official Plan Designation? _____

Is an amendment required? Yes No

(If an Official Plan Amendment is required, it should be submitted prior to or concurrently with this application).

(b) What is the current Zoning category? _____

Is an amendment required? Yes No

(c) What is the current Regional Niagara Policy Plan Designation? _____

Is an amendment required? Yes No

(If a Regional Policy Plan Amendment is required, it should be submitted prior to or concurrently with the application).

(d) Is the plan consistent with policy statements issued under subsection 3(1) of the Act? Yes No
If yes, does the plan conform to or does not conflict with the applicable provincial plan or plans.

Conforms Does not conform Does not conflict Conflicts

4. STATUS OF OTHER APPLICATIONS UNDER THE PLANNING ACT

(a) Has the subject land ever been the subject of a previous application for approval of a plan of subdivision or a plan of condominium or a consent?

Yes No If yes and if known, indicate the file number and the status of the application.

(b) Is the subject land also the subject of a proposed Official Plan or plan amendment that has been submitted for approval?

Yes No If yes and if known, indicate the file number and the status of the application.

(c) Is the subject land also that land subject of an application for a consent, approval of a site plan, minor variance or Zoning By-law?

Yes No If yes and if known, indicate the file number and the status of the application.

5. EXISTING AND PREVIOUS USES OF THE SUBJECT LANDS

(a) What is the existing use of the subject lands? _____

(b) If known, length of time the existing uses if the subject land have continued? _____

(c) What were the previous uses of the subject lands, if known? _____

(d) Existing adjacent land uses:

North _____

East _____

South _____

West _____

(e) Give a brief description of the existing land use, vegetation, topography, and drainage on site. (Indicate if in the Background Report)

(f) Are the subject lands potentially a contaminated site? Yes No

(i) Has there been an industrial or commercial use or an orchard on the subject land or adjacent land?

Yes No

If yes, specify the uses and indicate the last year of use.

(ii) Has the grading of the subject land been changed by adding earth or other material?

Yes No Unknown

(iii) Has there been petroleum or other fuel stored on the subject land or adjacent land?

Yes No Unknown

(iv) Has a gas station been located on the subject lands or adjacent land at any time?

Yes No Unknown

(v) Is there reason to believe the site may have been contaminated by former uses, either on the site or on adjacent sites?

Yes No Unknown

(g) What information did you use to determine the answers to the above questions?

(h) If the answer to (f) (iii) is yes, then an Environmental Audit including all former uses of the site and, if appropriate, the adjacent site, to the satisfaction of the Town is required. This study must be prepared by a qualified consultant.

Report attached Yes No

(i) If the answer is no, on what basis did you come to this determination?

6. PROPOSED LAND USE

Indicate the intended use of land in the proposal.

Intended Use	Residential Units	Residential Lots and/or Blocks	Area In Hectares	This section for Condominium Applications Only		
				Floor Coverage	Parking Provided	Density Proposed (specify units per Hectare)
Single Detached Residential						
Semi-detached Residential						
Double Detached Residential						
Row or Town Housing						
Apartment Residential						
Seasonal Residential						
Mobile Home						
Neighbourhood Commercial						
Commercial						
Industrial						
Institutional (specify)						
Park or Open Space						
Roads						
Other						
TOTAL						

For completion on condominium applications only:

(a) **New Buildings**

- Is there an approved site plan for the proposed condominium? _____
- Has a site plan agreement been entered into? _____
- Has a building permit been issued? _____
- Is the building under construction? _____
- If construction is completed, indicate the date of completion? _____

(b) **Existing Buildings**

- Is this a residential rental building converted to a condominium dwelling? Yes No
- If yes, indicate the number of units to be converted? _____
- Are tenants willing to purchase? _____
- What is the rental vacancy rate in the community? _____

NOTE: If the building to be converted includes one or more rental units, the application must be submitted to the Town of Pelham under the **Rental Housing Protection Act**.

7. SERVICING

(a) Indicate what services are proposed:

<u>Water Supply</u>		<u>Sewage Treatment</u>		<u>Storm Drainage</u>	
Municipal water	<input type="checkbox"/>	Municipal sewers	<input type="checkbox"/>	Sewers	<input type="checkbox"/>
Individual wells	<input type="checkbox"/>	Septic tank and tile beds	<input type="checkbox"/>	Open ditches/swales	<input type="checkbox"/>
Other (describe)	<input type="checkbox"/>	Other (describe)	<input type="checkbox"/>	Other (describe)	<input type="checkbox"/>
_____		_____		_____	
_____		_____		_____	

- (b) If septic tanks are proposed, is fill necessary to meet Medical Officer or Health Standards? Yes No
- (c) If yes, specify where it is obtainable? _____
- (d) If other servicing problems are foreseen, what are they? _____
- (e) What solutions are proposed? _____

8. POTENTIAL INFORMATION REPORTS

- (a) A preliminary Stormwater Management Report must be prepared concurrent with any Hydrogeological Reports for submission with the application. A Stormwater Management Plan is required prior to final approval of a plan of subdivision or as a requirement of site plan approval.
- (b) Is the preliminary Stormwater Management Report attached to the application? Yes No

9. ACCESS

- (a) Indicate the type of access to the subject lands:
- Regional Road * Other Public Road
- Municipal Road maintained all year Right-of-way
- Municipal Road maintained seasonally

* NOTE: Application for an Access Permit should be made prior to submitting this application. An Access Permit is required from the Region before any development can occur.

- (b) Name of road (s) _____
- (c) If access to subject land is by water only, describe parking and docking facilities used or to be used and the approximate distance between these facilities and the nearest public road.
- _____
- _____

10. ENVIRONMENTAL ASSESSMENT ACT

- (a) Are water, sewage or road works associated with the proposed development and subject to the provisions of the Environmental Assessment Act?
- Yes No
- (b) If yes, will the notice of the 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?
- Yes No

11. SIGNIFICANT FEATURES CHECKLIST

The table below lists the features or development circumstances of interest to the Town. Complete this table and be advised of the potential information requirements in noted sections. Not all of the features listed apply to the Town of Pelham.

This checklist is intended to assist the Town to determine whether significant provincial features or circumstances may be affected by a plan which proposes to change the specific site. It describes potential information needs.

Significant Features					
Features or Development Circumstances	(a)	If a feature, is it on site or within 500 metres		If a feature, specify distance in metres	Potential Information Needs
	(b)	If a development circumstance, does it apply?			
		Yes	No		
Non-farm development near designated urban areas or rural settlement area					Demonstrate sufficient need within 20-year projections and that proposed development will not hinder efficient expansion of urban or rural settlement areas
Class 1 Industry ¹				___ Metres	Assess development for residential and other sensitive uses within 70 metres
Class 2 Industry ²				___ Metres	Assess development for residential and other sensitive uses within 300 metres
Class 3 Industry ³				___ Metres	Assess development for residential and other sensitive uses within 1000 metres
Land Fill Site				___ Metres	Assess possible leachate, odour, vermin and other impacts
Sewage Treatment Plant				___ Metres	Assess the need for a feasibility study for residential and other sensitive land uses
Waste Stabilization Pond				___ Metres	Assess the need for a feasibility study for residential and other sensitive land uses
Active Railway Line				___ Metres	Evaluate impacts within 100 metres

Significant Features					
Features or Development Circumstances	(a)	If a feature, is it on site or within 500 metres		If a feature, specify distance in metres	Potential Information Needs
	(b)	If a development circumstance, does it apply?			
	Yes	No			
Controlled access highways or freeways, including designated future ones				___ Metres	Evaluate impacts within 100 metres
Operating mine site				___ Metres	Will development hinder continuation or expansion of operations
Non-operating mine site within 1000 metres				___ Metres	Have potential impacts been addressed? Has mine been rehabilitated so there will be no adverse effects?
Airports where noise exposure forecast (NEF or noise exposure projection (NEP) is 28 or greater)					Demonstrate feasibility of development above 28 NEF for sensitive land uses. Above the 35 NEF/NEP contour, development of sensitive land uses is not permitted.
Electric transformer station				___ Metres	Determine possible impacts within 200 metres
High Voltage electric transmission line				___ Metres	Consult the appropriate electric power service
Transportation and infrastructure corridors					Will the corridor be protected?
Prime agricultural land					Demonstrate need for use other than agricultural and indicate how impacts are to be mitigated.
Agricultural operations				___ Metres	Development to comply with the Minimum Distance Separation Formulae
Mineral aggregate resource areas					Will development hinder access to the resource or the establishment of new resource operations?
Mineral aggregate operations				___ Metres	Will development hinder continuation of extraction?
Mineral and petroleum resource areas					Will development hinder access to the resource or the establishment of new resource operations?
Existing pits and quarries				___ Metres	Will development hinder continued operation or expansion?
Significant wetlands				___ Metres	Demonstrate no negative impacts.
Significant portions of habitat of endangered and threatened species				___ Metres	Development is not permitted.
Significant: fish habitat woodlands, valley lands, areas of natural and scientific interest, wildlife habitat				___ Metres	Demonstrate no negative impacts.
Sensitive ground water recharge areas, headwaters and aquifers					Demonstrate that ground water recharge areas, head-waters and aquifers will be protected.
Significant built heritage resources and cultural heritage landscapes					Development should conserve significant built heritage resources and cultural heritage landscapes.
Significant archaeological resources					Assess development proposed in areas of medium and high potential for significant archaeological resources. These sources are to be studied and preserved, or where appropriate, removed, catalogued and analyzed prior to development.
Erosion hazards					Determine feasibility within the 1:100 year erosion limits of ravines, river valleys and streams.
Flood plains					Development is not permitted within the floor plain.
Hazardous sites ⁴					Demonstrate that hazards can be addressed.
Contaminated sites					Assess an inventory or previous uses in areas of possible soil contamination.

Significant Features					
Features or Development Circumstances	(a)	If a feature, is it on site or within 500 metres		If a feature, specify distance in metres	Potential Information Needs
	(b)	If a development circumstance, does it apply?			
	Yes	No			
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 truck traffic.				
3	Class 3 Industry – indicate if within 1000 metres - processing and manufacturing with frequent and intense off-site impacts and a high probability of fugitive emissions.				
4	Hazardous Sites – property or lands that could be unsafe for development or alteration due to naturally occurring hazard. These hazards may include unstable soils (sensitive marine clays (Leda, organic soils) or unstable bedrock (Karst topography).				

12. HOUSING AFFORDABILITY

For applications that include permanent housing (e.g., not seasonal) complete the following table. For each type of housing and unit size, provide the appropriate information. If lots are to be sold as vacant lots, indicate the lot frontage. Information should be based on the best information available at the time of the application. If additional space is needed attach on a separate page.

For example: Semi-detached - 10 units, 100 sq. metres, \$110,000

Housing	Number of Units	Unit Size (sq. metres) and/or Lot Frontage	Estimated Selling Price/Rent
Single Detached			
Semi-Detached			
Row or Townhouse			
Apartment Block			
Other types or Multiples			

(a) Is there any other information which may relate to the affordability of the proposed housing, or the type of housing needs served by the proposal?

Yes No

(b) If there are any existing buildings on site, briefly describe them and indicate their proposed use.

(c) Are any buildings designated under the Ontario Heritage Act?

Yes No

13. PROVINCIAL POLICY STATEMENT

(a) Briefly explain how this proposal has regard to the principles of the Provincial Policy Statement issued under the Planning Act?

14. ENVIRONMENTAL EFFECTS

(a) 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) and to eliminate any adverse effects from the adjacent area on the proposed development (e.g., buffering, berms, setback)?

In agricultural areas refer to the Provincial Policy Statement and the Minimum Distance Formula.

Where potential adverse environmental effects are foreseen, consultation with the Niagara Region and Niagara Peninsula Conservation Authority is recommended. Please note that this information may be provided in the Background Report, please indicate.

15. OTHER INFORMATION

- (a) Is there any other information that may be useful to the Town in reviewing this development proposal (e.g., efforts made to resolve outstanding objections or concerns)? If so, explain below, attach on a separate page or may be provided in the Background Report. Please indicate.
-

- (b) Has the Niagara Region been informed of this proposal?

Yes No

If yes, a letter from the Region acknowledging the application must be included with the application.

16. DECLARATION OF APPLICANT OR AUTHORIZED AGENT

I, _____ of the _____ of _____
in the _____ of _____ solemnly declare that
the information contained in this application and the information contained in the documents that accompany 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 _____
this _____ day of _____ 20 _____

Signature of Commissioner, etc.

Signature of Registered Owner, Applicant, Agent or Solicitor

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

Consent of the Owner to the Use and Disclosure of Personal Information

I, _____, am the Owner for the land that is the subject of this application for approval of Draft Plan of Subdivision or Condominium Description and for the purposes of the Freedom of Information and Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under authority of the Planning Act for the purposes of processing this application.

Date

Signature of Owner

Authorization for Agent

(Complete only if Applicant is not the Registered Owner)
(If multiple owners, an authorization from each owner is required, attach additional authorization)

I / We, _____
Name (s) of Owner (s)

being the registered owner(s) of the subject land, hereby authorize _____
Name of Agent

to prepare and submit a draft plan of subdivision/condominium for approval.

Signature of Owner (s)

Signature of Agent

Name of Witness

Signature of Witness

Date

Date

NOTE: SUBMISSION OF THE APPLICATION CONSTITUTES CONSENT FOR AUTHORIZED MUNICIPAL STAFF TO INSPECT THE SUBJECT LANDS OR PREMISES.

INSTRUCTION SHEET

APPLICATION FOR SUBDIVISION OR CONDOMINIUM APPROVAL

The application form and guide are intended to assist applicants and agencies involved in the approval of subdivision and condominium applications. All questions must be completed by the applicant.

A. APPLYING FOR SUBDIVISION APPROVAL

1. The attached application form is for use when applying to the Town of Pelham for subdivision or condominium approval. It has been designed based on the provisions of Section 51 of The Planning Act and Regulations made under The Planning Act.
2. The Regional Municipality of Niagara has delegated subdivision approval authority to the Town of Pelham effective July 1, 1997.

B. USING THE APPLICATION FORM

1. The attached application form should be completed and submitted with six (6) copies to the Town of Pelham Planning Services. Please keep a copy for your files. The applicant is advised to contact municipal planning staff to obtain the official plan, zoning and policy information before submitting a formal application. (Prior consultation with Regional Planning staff is also recommended.)
2. Please note that circulation of applications cannot be guaranteed unless the draft plan of subdivision 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 plan of subdivision and the official plan amendment will be circulated simultaneously.
3. The application should be completed by the property owner or his authorized agent. Where it is being made by an agent, the written authorization may be shown on the face of the draft plan. 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 of the health, safety and welfare of the future residents, whether 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 applicant will be notified. The application must also be accompanied by six (6) copies of a background report, including a statement on affordable housing, a photo of the "notice sign" on the site (sample sign requirements and sign format are attached as Section "G" and "H"), and the required application fee and the planning review fee required by the Regional Municipality of Niagara. 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, with boundaries certified by an Ontario Land Surveyor and must also be signed by the registered owner of the property.
2. Subdivision applications require a minimum of six (6) copies. If further copies are needed, the applicant will be notified.
3. An 8½ by 11 reproducible copy of the draft plan is also required.
4. The draft plans should indicate all items as required by Section 51(17) of the Planning Act (listed in Section F of this guide).

D. DEALING WITH THE APPLICATION

1. After accepting the completed application, the Town will confer with officials of the Region, municipalities, 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 in writing that their requirements have been fulfilled.
4. In some cases, agencies may require that a copy of the completed subdivision agreement be forwarded to them prior to notifying the Town that the conditions have been fulfilled.
5. Section 51(34), (43) and (48) of the Planning Act, provide that an application for approval by the Town may be referred to the Ontario Municipal Board for decision, upon receipt of such a request with the reasons for the objection and required fee.

E. BACKGROUND INFORMATION REPORT

A "Background Information Report" is required to be submitted by the applicant with the subdivision application. The purpose of this report is to outline existing local conditions in relation to the following criteria:

1. Proposed integration of roadways within subdivision and vehicular circulation pattern in surrounding area.
2. Inventory of physical features (watercourses, vegetation, topography, etc.) on the site and adjacent lands.
3. Inventory of existing and proposed utilities and water, sanitary and storm facilities serving uses proposed in the subdivision.
4. Location of parklands and other public lands (other than travelled roadways) in the vicinity of the site.
5. Likely uses of all lots and blocks within the subdivision and the number of people to be accommodated.
6. Existing public transportation serving the site.
7. Whether the Official Plan and/or Zoning By-law need to be amended.
8. All information provided by Agencies and Departments consulted by applicant.
9. If a residential development is proposed, location of schools serving the subdivision and access routes to those schools.
10. Opportunities for affordable housing provided in the proposed subdivision.
11. Cultural heritage features (check with Town staff).
12. All information required to satisfy the needs of the Provincial Policy Statement (please check with Regional Planning staff).

Note: Any supporting information or studies (e.g. preliminary stormwater management, soil investigation, traffic noise, etc.) that may be required should also be submitted for review. Where possible, the above should be shown on the draft plan as well as being included in this report.

F. LEGISLATIVE REQUIREMENTS FOR SUBDIVISION APPROVAL ADAPTED FROM THE PLANNING ACT

Section 51:

- a) Subsection 17; Information required to be shown on the draft plans:
 - i. the boundaries of the land to be subdivided, certified by an Ontario Land Surveyor;
 - ii. the locations, widths and names of the proposed highways within the proposed subdivision and of existing highways on which the proposed subdivision abuts;
 - iii. 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;
 - iv. the purpose for which the lots are to be used;
 - v. the existing uses of all adjoining lands;
 - vi. the approximate dimensions and layout of the proposed lots;
 - vii. natural and artificial features such as buildings or other structures or installations, railways, highways, watercourses, drainage ditches, swamps and wooded areas within or adjacent to the land proposed to be subdivided;
 - viii. the availability and nature of domestic water supplies;
 - ix. the nature and porosity of the soil;
 - x. existing contours or elevations as may be required to determine the grade of the highways and the drainage of the land;
 - xi. the municipal services available or to be available to the land proposed to be subdivided; and
 - xii. the nature and extent of any restrictive covenants or easements affecting the land proposed to be subdivided.
- b) Subsection 19; The approval authority may refuse to accept or further consider the application until the prescribed information and material, the required fees 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 fees are received.
- c) Subsection 24; In considering a draft plan regard shall be had among other matters to the health, safety, convenience and welfare of the future inhabitants.

- d) Subsection 25; The Town 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.
- e) Subsection 26; Every municipality and the Region may enter into subdivision agreements imposed as a condition of draft approval.
- f) All applications under the Planning Act are subject to review for consistency with the Provincial Policy Statement adopted by the Province of Ontario. It is the responsibility of the applicant to explain how the proposal has regard to the Provincial Policy Statement. This may require the preparation of background information and studies by the applicant addressing the Provincial Policy Statement as part of the required justification studies. This information should be provided at the time the application is made. **IT IS VITAL THAT APPLICANTS MEET WITH LOCAL, REGIONAL AND PROVINCIAL PLANNING OFFICIALS PRIOR TO MAKING AN APPLICATION TO DETERMINE THE NATURE AND CONTENTS OF THIS REQUIRED INFORMATION.**

G. SIGN REQUIREMENTS FOR SUBDIVISION APPLICATIONS

- 1. Prior to a proposed draft plan of subdivision being circulated by the Town of Pelham, 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 be prominently displayed on the property and legible from abutting roadways. If the property abuts more than one major roadway, and the subdivision is of substantial size, a sign will be required for each frontage on a major roadway.
- 3. Staff of the Planning Services Division will assist in choosing a suitable location or locations if requested.
- 4. Prior to the proposed plan being circulated, the Planning Services Division must be in possession of a coloured photograph which shows the sign or signs on the property.
- 5. The sign must have a minimum display area of 50 square feet. Larger signs may be used for large developments or where visibility is a problem.
- 6. The sign shall have the following components:
 - i. Town of Pelham identification;
 - ii. The words "Public Notice" in bold lettering
 - iii. The words "Proposed Subdivision" and the name, if any, of the subdivision
 - iv. A subdivision map, coloured and drawn to show subdivision pattern, proposed land uses, roadways, pedestrian ways, prominent natural features;
 - v. at the bottom of the sign, the following must be included:

"This proposed plan of subdivision has been submitted to the Town of Pelham for approval. Persons wishing to express an opinion OR MAKE FURTHER ENQUIRIES should write (preferred) or phone:

Planning Services Division, Town of Pelham
 20 Pelham Town Square, P. O. Box 400, Fonthill, Ont. L0S 1E0
 (905) 892-2607, ext. 16 - Office Hours: 8:30 a.m. to 4:30 p.m.

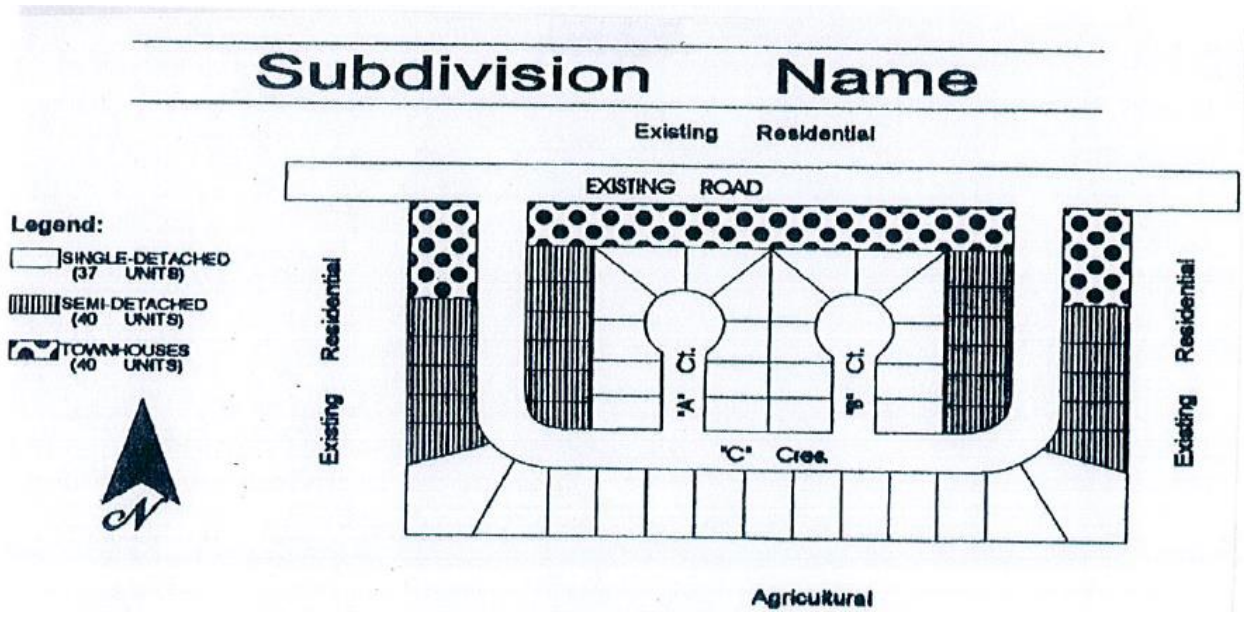
A copy of the application may be obtained from the Town of Pelham, Planning Services Division."

- vi. 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.
- 7. The following colour scheme should be used on all signs:

Residential		Commercial	- Red
Single-family detached	- Yellow	Park-Open Space	- Green
Semi-detached	- Orange	Institutional	- Blue
Townhouses	- Dark orange	Industrial	- Purple
Apartments	- Brown	Mixed-Use	- Turquoise



**PUBLIC NOTICE
PROPOSED SUBDIVISION**



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Town of Pelham
 Planning Services Division
 P. O. Box 400, 20 Pelham Town Square
 Fonthill, Ontario. L0S 1E0
 Telephone: 905-892-2607, Ext. 316

A copy of the application may be obtained from the Town of Pelham, Community Planning and Development Services.

APPLICANT'S CHECKLIST: HAVE YOU REMEMBERED TO ATTACH THE FOLLOWING	Yes
1. 6 paper prints of draft plan - folded not larger than legal size (8½ x 14") <u>signed by owner and surveyor.</u>	<input type="checkbox"/>
2. 6 copies of completed Town of Pelham subdivision application form <u>signed by owner and agent</u> (if any).	<input type="checkbox"/>
3. 6 copies of background information report on proposal.	<input type="checkbox"/>
4. 1 legible paper print or mylar of draft plan reduced to letter (8½ x 11") or legal (8½ x 14") size.	<input type="checkbox"/>
5. Application fee and deposit, cheque made out to "Town of Pelham" (certified cheque preferred).	<input type="checkbox"/>
6. Regional Municipality of Niagara Processing fee (certified cheque preferred).	<input type="checkbox"/>
7. *Confirm with the Niagara Peninsula Conservation Authority (NPCA) if a Processing fee is required.	<input type="checkbox"/>
8. Letter from Regional Municipality of Niagara indicating its awareness of subdivision proposal.	<input type="checkbox"/>
9. Evidence (legible photo) that Public Notice sign has been posted, showing location (s) on site and date.	<input type="checkbox"/>
10. Supporting studies and information that may be required. (e.g., preliminary Stormwater Management Report, Noise, Traffic)	<input type="checkbox"/>

**DO NOT RETURN THESE INSTRUCTION SHEETS
WITH COMPLETED APPLICATION**