TWO SISTERS
Resorts
NIAGARA-ON-THE-LAKE

**HAND DELIVERED**

July 10, 2018

**Town of Niagara-on-the-Lake**
Planning and Development Services
1593 Four Mile Creek Road
P.O. Box 100
Virgil, Ontario
L0S 1T0

**Attention:** **Mr. Raymond Tung, BES, MLA, Urban Design Specialist**

Dear Sir,

**RE:** **Re-Submission**
Zoning By-law Amendment Application (D.18.05.ZA-17-133) &
Site Plan Control Application (D.19.05. SP-17-077)
144 & 176 John Street, Town of Niagara-on-the-Lake, Region of Niagara

With reference to the above captioned Planning Act applications, our office is pleased to enclose a re-submission of amended Plans, Response Letters and Reports supporting the proposed development of the Randwood Estate.

**Background**

On July 6th, 2017 a formal Pre-Consultation Meeting was held at the Town to discuss a proposed Hotel Site Plan for the Subject Lands and specifically, to obtain Submission Requirements for a Zoning By-law Amendment and Site Plan Control Application(s).

The following represents the procedural and chronological occurrences related to the filing and processing of the said Applications:

- November 21st, 2017 Applications for a Zoning By-law Amendment and Site Plan Control ("Applications") were filed with the Town.
- December 15th, 2017 additional, requested Submission Items were filed with the Town.
- December 19th, 2017 the Applications were deemed Complete in accordance with the Planning Act and were circulated for Agency review and comment(s).

- January 23rd, 2018 the Town's Urban Design Committee was consulted with regards to the Applications.
- January 25th, 2018 a Public Open House was held with proper Notice.
- February 13th, 2018 the Town's Municipal Heritage Committee was consulted with regards to the Applications.
- May 8th, 2018 the Municipal Heritage Committee again considered the Applications and Heritage Designation of the subject lands but without any Notice to the Applicant or without the Applications or Municipal Report being on the Meeting Agenda.

The Applications have been extensively consulted upon with the Public including being a pilot for the Town's first online engagement platform *(e.g. Join the Conversation)* and accommodations for Public Meetings being made at the local Community Centre.

The Applications have gathered much interest and attention from members of the Public with strong attendance at all Public and Committee Meetings.

The enclosed re-submission represents a comprehensive response to comments received, both from Members of the Public, Agencies and Committees of Council.

**Amended Hotel & Convention Centre Site Plan**

The original Site Plan design, in support of the proposed Hotel and Convention Centre has been amended in response to agency and public consultation comments.

The design amendments include a reduced and 'stepped' height for portions of the proposed Hotel and Convention Centre structure, the relocation of the proposed Maintenance Building and further landscape treatments throughout the proposed development.

One of the prevailing themes arising from Public Consultation of the original Site Plan Control Application was a comparison to a prior Site Plan Application filed in 2011, by the prior Registered Owners of the Subject Lands.

By comparison, the enclosed re-submission, amended Plans and Reports clearly demonstrate the current Site Plan Design will result in:

i. Increased Open Space Area;

ii. Increased Tree Canopy and Tree Preservation;

iii. Increased Building Setbacks to existing Residences and Environmental Features;

iv. Better avoidance of potential Heritage Structure(s) disturbances, potential Heritage Landscape Disturbances and potential Archeological Site(s) disturbances;

It has also been demonstrated the proposed development, as amended, will have no visual impact to the Commons and the Heritage District including the surrounding Community, because of the proposed Building Height and Location.

The amended, proposed development is representative of good land use planning in conformance with Provincial, Regional and Local Plans and Policies.

**Heritage (Part IV) Designation**

In accordance with Official Plan Amendment No. 51, the property shall be designated under Part IV of the Ontario Heritage Act, at the Site Plan Approval stage.

As mentioned, on February 13th, 2018, the Municipal Heritage Committee consulted on the Applications, including a *Heritage Impact Assessment* filed in support of the original Applications.

Along with other recommendations to Town Council, the Committee requested a Peer Review of the submitted *Heritage Impact Assessment* with such a Review to commence once additional analysis and a detailed inventory of the landscape attributes and interior (structure) attributes in support of Designation was undertaken by the Applicant's Heritage Planner.

The Committee also requested the required standard Ontario Regulation 9/06 Form(s) be prepared in support of Designation together with several Perspectives showing how the proposed Hotel will appear from several locations within the subject lands and the surrounding streetscapes of John Street, Niagara River Parkway and the Commons Area.

The Applicant agreed to undertake the additional analysis, Form and Perspectives as per the Recommendations of the Municipal Heritage Committee which were approved, as amended, by Town Council on April 16, 2018.

Subsequently, on May 8th, 2018, the Municipal Heritage Committee acting on an impromptu Application Update and Resident Delegation, proceeded to recommend a Third-Party Designation of the subject lands while also recommending refusing approval of a new (6) storey, precast concrete design based on the same being overwhelming and intrusive to the existing structures and landscape within the site and to the views from the Commons.

There was no Report to accompany the Committee's recommendations to Town Council.

On June 11th, 2018 Town Council approved the Municipal Heritage Committee's recommendations related to Third Part Designation of the subject lands and to also include other lands not forming part this Application(s), as per Recommendations 1.6 and 1.7 of Report CDS-18-028.

Accordingly, the amended *Heritage Impact Assessment* which outlines the interior and exterior attributes and accompanying regulation form is not enclosed with this re-submission, due to Town Council proceeding with a Third-Party Designation process instead.

However, the requested Perspectives have been incorporated into the *Updated Planning Justification Report* which is enclosed.

The Perspectives clearly demonstrate no impact from the Hotel to viewpoints from the existing structures internal to the subject lands and various viewpoints external to the subject lands including John Street, Charlotte Street and the Commons.

The Applicant remains committed to Designation in accordance with the Official Plan policy requiring Part IV Designation, at the Site Plan Approval stage.

**Socio-Economic Benefits**

As part of this re-submission, an *Economic Benefits Analysis* was undertaken by Altus Group regarding the proposed development.

In summary, the analysis concluded the following economic benefits as a direct result of the proposed development:

i. **$593,300** in Development Charge revenues for the Region and Town;

ii. **$689,700** in additional annual property tax revenues for the Town, Region and Educational Institutions;

iii. **218-290 Permanent Jobs** in the operation of the Hotel, Restaurant and Conference Centre;

iv. **$493,500** in annual spending within the local (Town's) economy.

The *Economic Benefits Analysis* is included with this re-submission.

The proposed development will also generate social benefits including:

i. Adaptive re-use of the existing structures within the subject lands for amenities associated with the Hotel use;

ii. Public Access to the Randwood Estate;

iii. Maintenance and restoration of the existing structures and cultural landscape.

**Re- Submission Items**

In support of the enclosed Re-Submission, we are pleased to provide the following amended Plans, amended Reports and Response letters:

- Five (5) folded copies of a Tree Survey, prepared by Buchanan Expert Tree Care;
- Five (5) copies of a Corresponding Tree List, prepared by Buchanan Expert Tree Care;
- Six (6) copies of correspondence from Buchanan Tree Care, outlining Tree Maintenance to date and requirements;
- Five (5) folded copies of an amended Site Plan, as prepared by Quartek Group;
- One (1) reduced copy of the Site Plan, as prepared by Quartek Group;
- Five (5) folded copies of a Building Location Plan, as prepared by Quartek Group;

- Five (5) folded copies of amended Building Elevation and Planter Detail Plans, as prepared by Quartek Group;
- Five (5) folded copies of amended Underground Parking Plans (P1 & P2), as prepared by Quartek Group;
- Five (5) folded copies of an amended Ground Floor Plan, as prepared by Quartek Group;
- Five (5) folded copies of an amended Typical and Upper Floor Plan(s), as prepared by Quartek Group;
- Five (5) folded copies of an amended Cross Section Plan, as prepared by Quartek Group;
- Five (5) folded copies of coloured Renderings, as prepared by Klockwerks;
- Five (5) copies of an amended Sun & Shadow Report, as prepared by Quartek Group;
- Five (5) copies of an amended Urban Design Report, as prepared by Quartek Group;
- Five (5) copies of amended Landscape Planting Plan and Details, as prepared by John. A. Morley and Associates and Quartek Group;
- Six (6) copies of an updated Landscape Cost Estimate, as prepared by John A. Morley and Associates;
- Five (5) folded copies of a Site Services and Grading Plan, as prepared by Quartek Group;
- Five (5) folded copies of a Site Services and Grading Plan Details, as prepared by Quartek Group;
- Six (6) copies of a Servicing Brief, as prepared by Quartek Group;
- Six (6) copies of a Stormwater Management Report, as prepared by Quartek Group;
- Six (6) copies of an updated Engineering Cost Estimate, as prepared by Quartek Group;
- Six (6) copies of a Transportation Response letter, as prepared by LEA Consulting;
- Six (6) copies of a Response Letter to NPCA comments, as prepared by Savanta;
- Six (6) copies of an Updated Planning Justification Report, Comment Response Matrix and proposed Zoning By-law, as prepared by SGL Planning and Design Inc.;
- One (1) CDR containing the Drawings and Reports in digital format (PDF).

This concludes the Re-submission Items.

Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Yours truly,

**TWO SISTERS RESORTS CORP.**

Maurizio Rogato, B.U.R.Pl., M.C.I.P., R.P.P.
Land Development

Copy:

Lord Mayor & Members of Town Council (Letter and Front Rendering)
Ms. Holly Dowd, CAO (Letter and Front Rendering)
Mr. Craig Larmour, Director, Community & Development Services (Letter and Front Rendering)
Ms. Leah Wallace (Letter Only)
Ms. Zoi Sotirakos, Klockwerks (Letter Only)
Mr. Tom Richardson (Letter Only)
Mr. David Riley & Mr. Paul Lowes, SGL Planning & Design Inc. (Letter Only)
Mr. Robert Mackenzie & Mr. Doug Peters, Quartek Group (Letter Only)
Mr. John Morley, John A. Morley and Associates (Letter Only)
Mr. Terry Wallace, LEA Consulting Ltd. (Letter Only)
Mr. Bill Buchanan, BUCHANAN Expert Tree Car (Letter Only)
Mr. Rick Hubbard, Savanta (Letter Only)

**Department of Community & Development Services**
1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0
905-468-3266 • Fax: 905-468-0301
www.notl.org

# Official Plan and/or Zoning By-law Amendment Application

| | | |
|---|---|---|
| ☐ Official Plan Amendment | | $7600.00 |
| **Major or Minor** Official Plan Amendment (Minor does not require Regional Approval) | Cost Acknowledgement Fee** | 2500.00<br>$10100.00 |

| | | |
|---|---|---|
| ☒ Zoning By-law Amendment | | $7150.00 |
| | Cost Acknowledgement Fee** | 2500.00<br>$9650.00 |

| | | |
|---|---|---|
| ☐ Minor Zoning By-law Amendment (proposing 3 dwelling units excluding existing units or less than 90m$^2$ (1000ft$^2$) of non-residential floor area, Agricultural Purpose Only (APO), Temporary Use Renewals | | $2500.00 |
| | Cost Acknowledgement Fee** | 2500.00<br>$5000.00 |

| | | |
|---|---|---|
| ☐ Other By-laws - Holding Symbol Removal | | $1800.00 |
| | Cost Acknowledgement Fee** | 2500.00<br>$4300.00 |

| | | |
|---|---|---|
| ☐ Combined Official Plan & Zoning Amendment (Zoning Amendment Major or Minor) | | $10500.00 |
| | Cost Acknowledgement Fee** | 2500.00<br>$13000.00 |

A cost acknowledgement agreement with the Municipality is required for these applications. The purpose if the agreement is to address out of pocket expenses including advertising costs, registration of documents and those costs that go beyond the ordinary processing of an application, such as review of specialized planning, legal, advertising, engineering, other professional studies, or services provided by the Municipality on behalf of the proponent at the Ontario Municipal Board Hearings. Any unused portion of the deposit is returned at the end of the process. Should additional monies be required, these will be requested and paid prior to continuing the process.

The cost of any plans to be submitted with the application is the responsibility of the applicant and similarly the cost of any revisions to those plans is the responsibility of the applicant.

Refund Policy: A maximum of 60% of the application fee submitted may be refunded when an application is withdrawn by the applicant prior to the preparation of a planning report by Town Community & Development staff. A 20% refund is available when the application is withdrawn after the preparation of a planning report but prior to the consideration of the report by the Community & Development Services Advisory Committee.

The information contained in this application is required to review the proposed amendment. It is important that all the required information be submitted at the time the application is submitted.

**Please Note: An application will not be considered complete unless ALL supporting reports and full size drawings are submitted folded.**

# Other Fees that may be applicable to your Official Plan/Zoning By-law application

**Regional Municipality of Niagara**

**http://www.niagararegion.ca/business/fpr/forms_fees.aspx**

***NOTE:*** *All fees are to be made payable to the* ***Regional Municipality of Niagara***

**Niagara Peninsula Conservation Authority (NPCA)**

**http://www.niagararegion.ca/business/fpr/forms_fees.aspx**

***NOTE:*** *All fees are to be made payable to the* ***Niagara Peninsula Conservation Authority***

# Official Plan and/or
# Zoning By-law Amendment Application

***Registered Owner***

Name: **Two Sisters Resorts Inc.**
Mailing Address: **122 Romina Drive, Concord**
(include Box No. or Rural No)
Province: **ON** Postal Code: **L4K 4Z7**
Telephone: **(905) 660-9222** Facsimile:
Email Address: **mrogato@solmar.ca**

***Applicant***

Name: **Two Sisters Resorts Inc.**
Mailing Address: **122 Romina Drive, Concord**
(include Box No. or Rural No)
Province: **ON** Postal Code: **L4K 4Z7**
Telephone: **(905) 660-9222** Facsimile:
Email Address: **mrogato@solmar.ca**

***Agent*** (unless an agent is authorized, all correspondence with respect to this application will be sent to the owner, see appendix for statement of authorization)

Name
Mailing Address
(include Box No. or Rural No)
Province Postal Code
Telephone Facsimile
Email Address

***Name and Mailing Address of any Mortgagees, Holders of Charges or other encumbrances***:

Name
Mailing Address
Province Postal Code

Name
Mailing Address
Province Postal Code

Name
Mailing Address
Province Postal Code

**A. LOCATION & DESCRIPTION OF PROPERTY**

Municipal Street Address: **John Street East 144 & 176**
Lot Plan

Assessment Roll Number: 26-27- **01000200900** **&** **26-27-01000200800**

Dimensions of the subject lands:

| | | | | | |
|---|---|---|---|---|---|
| Frontage | **305** | m | or | **1,000** | ft |
| Width | **305** | m | or | **1,000** | ft |
| Depth | **195** | m | or | **640** | ft |
| Area | **5.3** | ha | or | **13.1** | ac |

Date the subject lands were acquired by the Owner :

List any existing buildings or structures on the property:

| Building or Structures | All Yard Setback | | | | Number of Stories | Ground Floor Area | Building Height | Date of Construction |
|---|---|---|---|---|---|---|---|---|
| | Front | Rear | Side | Side | | | | |
| **Devonian** | **73** | **39** | **106** | **170** | **2.5** | | | |
| **Randwood H.** | **94** | **59** | **10** | | **3** | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

Existing use of subject lands and length of time uses have continued _____

_____

Previous use(s) of subject lands: _____

_____

Current official plan designation and permitted uses: _____

_____

Current zoning of the subject lands: _____

Is the subject land subject to designation under Part 4 or 5 of the Ontario Heritage Act? yes ☒ no ☐

Are there any easements, restrictions or other covenants applicable to the lands? yes ☐ no ☐
If yes, please describe

_____

_____

_____

_____

Potentially Contaminated Sites
Has there been an industrial or commercial use of the site or adjacent land? yes ☐ no ☒ year _____
Has there been fill placed on the site? yes ☐ no ☒ year _____

Is there reason to believe the site may have been contaminated by former uses, either on the site or from an adjacent site? (e.g. former industrial use, gas station, petroleum or other fuel stored on site or adjacent site, agricultural use) yes ☐* no ☒

*If yes: an environmental audit including all former uses of the site and, if appropriate, the adjacent site, to the satisfaction of the Municipality is required. This study must be prepared by a qualified consultant.

**B. PROPOSED USE**

Proposed use of subject lands **Hotel (and associated uses)**

_____

_____

_____

Existing land uses on abutting properties

North _____
South _____
East _____
West _____

List any proposed buildings or structures

| Building or Structures | All Yard Setback | | | | Number of Stories | Ground Floor Area* | Building Height |
|---|---|---|---|---|---|---|---|
| | Front | Rear | Side | Side | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

**C. PROPOSED AMENDMENT**

Does the proposed amendment change, replace or delete a policy in the Official Plan? □ yes ☒ no

If yes, what is the policy that is being required to be changed, replaced or deleted?

**N/A**

Does the proposed amendment add a policy to the Official Plan? □ yes ☒ no
If yes, please explain

**N/A**

Does the proposed amendment change or replace a designation in the Official Plan? □ yes ☒ no
If yes, please explain

**N/A**

Describe in detail the proposed official plan designation and proposed land uses authorized by the amendment

**N/A**

If the requested official plan amendment changes, replaces, deletes or adds policy, please provide the text of the amendment

**N/A**

If the requested official plan amendment changes or replaces a schedule in the Official Plan, please provide the requested schedule and text to accompany it

**N/A**

If the requested official plan amendment alters all or any part of the urban area boundary or establishes a new urban area, what are the current Official Plan policies dealing with the change of, or establishment of a new urban area

**N/A**

If the requested official plan and/or zoning by-law amendment removes the subject lands from an area of employment, what are the current official plan policies that address the removal of land from an area of employment

**N/A**

Is the requested official plan and/or zoning by-law consistent with the Provincial Policy Statement
☒ yes □ no

Is the subject land within an area designated under any provincial plan(s) ☒ yes □ no

If yes, does the requested official plan amendment conform to or not conflict the provincial plan(s)

**N/A - not an Official Plan Amendment**

Nature and extent of the proposed rezoning and reason for the requested rezoning

**Zoning Amendment to reflect revised design of Hotel Site (with previous zoning approval)**

If the subject lands are within an area of minimum and maximum density requirements, or minimum and maximum building height requirements, what are those requirements -

## D. OTHER CONCURRENT APPLICATIONS

1. Are the subject lands the subject of any other planning application as follows:

| Type of Application | Yes | No | Status |
|---|---|---|---|
| Regional Policy Plan Amendment | ☐ | ☒ | |
| Plan of Subdivision | ☐ | ☒ | |
| Site Plan | ☒ | ☐ | **Concurrent Site Plan Application** |
| Consent | ☐ | ☒ | |
| Minor Variance | ☐ | ☒ | |

If yes, please provide the following information

| | |
|---|---|
| File Number | **Concurrent application (no file number yet)** |
| Name of Approval Authority | **Town of Niagara-on-the-Lake** |
| It's purpose | **Site Plan Approval** |
| It's status | **Concurrent Application** |
| Effect of the request | **Site Plan Approval** |

2. Are the lands within 120 metres of the subject lands subject to other planning applications:

| Type of Application | Yes | No |
|---|---|---|
| Official Plan Amendment | ☐ | ☒ |
| Zoning By-law Amendment | ☐ | ☒ |
| Consent | ☐ | ☒ |
| Site Plan Control | ☐ | ☒ |
| Minor Variance | ☐ | ☒ |
| Plan of Subdivision | ☐ | ☒ |

If yes, please provide the following information

| | |
|---|---|
| File Number | |
| Name of Approval Authority | |
| It's purpose | |
| It's status | |
| Effect of the request | |

3. Indicate how the proposed conforms to the Regional Niagara Policy Plan:

**see planning justification report**

4. Servicing

a) Type of water services proposed to service the lands:

- ☒ publicly owned and operated piped water system
- ☐ privately owned and operated individual well
- ☐ privately owned and operated communal well
- ☐ other water body
- ☐ other means

b) Type of sewage disposal system proposed to service the lands:

- ☒ publicly owned and operated sanitary sewage system
- ☐ privately owned and operated individual septic system
- ☐ privately owned and operated communal septic system
- ☐ other

If the requested amendment would permit development on a privately owned and operated individual or communal septic system of more than 4500 litres of effluent/day, please include a servicing options report and hydro geological report (three copies of each).

c) Access to the subject lands will be by

- ☐ provincial highway
- ☒ municipal road maintained all year
- ☐ municipal road maintained seasonally
- ☒ another public road or right of way
- ☐ by water

If access will be by water only, the parking and docking facilities used and distance of these facilities to nearest public road.

d) Storm drainage of the subject lands will be provided by:
□ ditches □ swales ☒ sewers □ other

**PLANNING IMPACT ANALYSIS**

It is policy of the Official Plan for the Town of Niagara-on-the-Lake that a Planning Impact Analysis is required to evaluate applications for an Official Plan and/or Zone change, to determine the appropriateness of the proposed change and to identify ways of reducing any adverse impacts on surrounding land uses. This is a detailed review of the proposed development intended to show how well the project will "fit in" with its neighbours. It is not intended to duplicate policy but to supplement it.

Each of the items listed below must be addressed in the Planning Impact Analysis. The owner or authorized agent may reply in the space provided or submit a separate response if preferable:

a) Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area and on the character and stability of the surrounding neighbourhood

**see planning justification report**

b) The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses

**see planning justification report**

c) The extent to which the proposed development provides for the retention of any desirable vegetation or natural features that, contribute to the visual character of the surrounding area

**see planning justification report**

d) The proximity of any proposal for medium density residential development to public open space and recreational facilities and transit services, and the adequacy for these facilities and services

**see planning justification report**

e) The size and shape of the parcel of land on which a proposed development is to be located and the ability of the site to accommodate the intensity of the proposed use

**see planning justification report**

f) The location of vehicular access points and the likely impact of traffic generated by the proposal on streets, on pedestrian and vehicular safety, and on surrounding properties

**see planning justification report**

g) The servicing capabilities of the area and capacity of municipal services to accommodate the proposed development

**see planning justification report**

h) The exterior design and layout of buildings and the integration of these uses with present and future land uses in the area

**see planning justification report**

i) The location and adequacy of lighting, screening, and parking areas

**see planning justification report**

j) Provisions for landscaping and fencing

**see planning justification report**

k) The location of outside storage, garbage and loading facilities

**see planning justification report**

l) The design and location of all proposed signs on site

**see planning justification report**

(m) The need and desirability of the use

**see planning justification report**

(n) The availability of alternative sites

**see planning justification report**

o) The effect on environmental resources

**see planning justification report**

p) The effect on agricultural lands

**see planning justification report**

q) The identification of heritage resources in the area and how the development will impact on that resource

**see planning justification report**

r) Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the planning impact analysis, including potential impacts to heritage resources

**see planning justification report**

## PLANS REQUIRED

Five (5) folded copies of a plan of the property, to scale, must be submitted with the application. **All information must also be submitted in a digital format**. A reduced plan on 11' X 17' (or smaller) paper is also required and must be clearly legible. All dimensions must be provided in a letter type or mechanical drafting format. The submitted plan must show the following information:

- the location of any existing or proposed buildings or structures and setbacks
- the boundaries of the subject land, with dimensions
- the location, widths and names of the existing highways on which the subject lands abut
- the boundaries of all the land adjacent to the subject land that is owned by the applicant or in which the applicant has an interest (this may be shown on a key map)
- the relationship of the boundaries of the subject lands to the boundaries of the adjoining lots
- the existing uses of adjacent lands
- natural and artificial features such as building, railways, highways, pipelines, watercourses, top of banks, drainage ditches, wetlands, and wooded areas, wells, septic tanks within or adjacent to the subject lands
- the general slope of the land, in order to establish the relationship between the grade of abutting
- highways and the grade of the subject land and to determine the drainage of the land. (This information may be given in the form of contours, spot elevations or written description)
- any right-of-ways or other easements
- Large scale coloured site plan, landscaping and elevation architectural rendering.

## OTHER INFORMATION

Is there any other information that may be useful to the region/municipality or other agencies in reviewing this proposed official plan and/or zoning by-law amendment (e.g. efforts made to resolve outstanding objections or concerns)? If so, please explain on a separate page

## ACKNOWLEDGEMENT OF APPLICANT

Personal information on this form is collected under the authority of the Ontario Planning Act and will be used by the municipality in the processing of official plan and zoning by-law amendment applications. The information may be used by other departments and agencies for the purpose of assessing the proposal and preparing comments to the municipality and approval authority. This information may be released to the public.

## RELEASE FORM

I, Benny Marotta (print name) of Two Sisters Resorts Inc. (company name)

grant permission to the Town of Niagara-on-the-Lake to make public any documents prepared by myself or my company, submitted with an application for Zoning By-law Amendment.

Signature

## UNDERTAKING

I, Benny Marotta am the Owner of the land that is the subject of this application and I hereby agree not to remove and/or disturb the soil until final approval is obtained. I further agree that if an archaeological survey is required as a condition of approval not to remove and/or disturb the soil until the archaeological survey is completed and its recommendations are implemented.

Nov 21 /17
Date

Signature of Owner

## AFFIDAVIT OR SWORN DECLARATION

I, Maurizio Rogato of the City of Vaughan

in the Region of York

make oath and solemnly declare that the information contained in this application is true and that the information contained in the documents that accompany this application is true.

Maurizio Rogato
(Print Applicant(s) Name)

(Signature of Owner/Authorized Agent)

Sworn (or declare) before me at the City of Vaughan
in the Regional Municipality of York this 21 day of November
20 17 .

(Commissioner of Oath)

Tais Davis,
Barrister & Solicitor,
Notary Public
Commissioner of Oaths In and
For the Province of Ontario

## OWNER'S AUTHORIZATION

(Required when the Owner is not the Applicant)

I (We) BENN MAROTTA Name(s) of the Owner(s)

being the registered Owner(s) of the subject land, hereby authorize

PAUL LOWES, SGL PLANNING (Name of the Agent)

to prepare and submit an official plan and/or zoning by-law amendment for application for approval.

Signature

Nov. 21/17
Date

Corporate Seal required of a Company owner

Witness

I/We the Owner(s)/Agent of the subject property and the applicant(s) of this subject application, by signing this application agree to allow either staff and/or a Committee Member of the Town of Niagara-on-the-Lake the right to enter onto my property, as necessary, to view & photograph the property for the proposal. Failure to allow access onto the property may result in the application being considered incomplete.

TOWN OF NIAGARA-ON-THE-LAKE

**PROCEDURE**

*PROCEDURE NO.* **PDS-PLG-006**
*SUPERSEDES NO.*_____

TITLE: ***Archaeological Assessment***
EFFECTIVE DATE: **October 24, 2000**

PURPOSE:
To provide guidance to proponents required to undertake an archaeological assessment as part of a planning application

PROCEDURE:

(1) An archaeological resource assessment may be required by the Town in consultation with the Regional Municipality of Niagara (Community and Development Services Department) as the delegated authority as a result of a planning application should any portion of the property fall within a zone of archaeological potential as shown on Schedule "H" to the Official Plan or where an archaeological site has been previously registered on the property.

(2) The assessment should be completed and submitted as part of the planning application.

(3) The Ministry of Citizenship, Culture and Recreation must be provided with a copy of the notice from the delegated authority that an archaeological assessment will be required of the proponent so the Ministry can complete their review of the archaeological resource assessment and provide the proponent with a letter recommending clearance of outstanding archaeological concerns.

(4) The applicant must retain a licensed archaeologist to conduct a Stage 1 and 2 archaeological assessment. All work conducted by the archaeologist must conform to the standards set forth in the most current *Archaeological Assessment Technical Guidelines* authorized by the Ministry of Citizenship, Culture and Recreation.

(5) Once the archaeological resource assessment, consisting of background research and a field survey, has been completed, the archaeological consultant will submit a report to the Cultural Programs Branch of the Ministry of Citizenship, Culture and Recreation. Ministry Staff will review the report to determine if the assessment has met current licensing and technical standards. If this is not the case, the Ministry of Citizenship, Culture and Recreation will require the consultant to carry out additional field work, and/or provide more extensive documentation.

(6) If the assessment complies with current licensing and technical standards and did not result in the documentation of any significant archaeological resources, the Ministry of Citizenship, Culture and Recreation will provide a letter to the development proponent, which will serve to notify the approval authority that all provincial concerns with respect to archaeological resource conservation and archaeological licensing have been met. Upon receipt of this notification of Ministry of Citizenship, Culture and Recreation approval, and supporting documentation from the archaeological consultant, the approval authority may then clear the planning application of any further archaeological concern.

(7) If the assessment does result in the documentation of one or more significant archaeological resources, appropriate mitigation and/or preservation options must be recommended by the licensed archaeologist and approved by the Ministry of Citizenship, Culture and Recreation. Upon completion of the mitigation, the archaeological consultant must provide a report detailing this work and its results to the Ministry of Citizenship, Culture and Recreation, which review the work and recommend to the consultant and the approval authority that there are no further archaeological concerns, or that additional mitigations be undertaken, as the case may be.

(8) Upon receipt of notification that all Ministry of Citizenship, Culture and Recreation archaeological conservation and licensing concerns have been addressed, and receipt of the necessary supporting documentation from the archaeological consultant, the approval authority will clear the planning application of further archaeological concern.

(9) To ensure the long term utility of the potential model developed during the course of this study, all consultants who complete a Stage 2, 3 or 4 archaeological resource assessment within Niagara-on-the-Lake shall submit the following information to the Niagara-on-the-Lake Community & Development Services Department in order that staff may update the archaeological potential GIS:

(a) 1:10,000 scale mapping that clearly outlines the limits of the property subject to assessment so that this information may be transferred to a "surveyed areas" layer of the GIS;
(b) a NOTL archaeological Site Record Form including 1:10,000 scale mapping (see Figure 2) providing site
(c) locations that can be transferred as polygons to the registered sites layer of the GIS;
(d) a copy of each relevant report.

These requirements do not supercede the fact that all archaeological resource assessment reports and supporting documentation in the form of Contract Information Forms, Ministry Site Record Forms ('Borden Forms') must be submitted to the Ministry of Citizenship, Culture and Recreation for the purposes of licensing and development approvals.

The proponent agrees to adhere to the procedures of the "Contingency Plan for the Protection of Archaeological Resources in Urgent Situations" when approved and adopted by the Town.

**REFERENCES:**

-A MASTER PLAN OF ARCHAEOLOGICAL RESOURCES FOR THE TOWN OF NIAGARA-ON-THE-LAKE - Planning Report, prepared by Archaeological Services Inc. dated August 30, 2000.

-TOWN OF NIGARA-ON-THE-LAKE OFFICIAL PLAN Amendment No. 12 *The Master Plan of Archaeological Resources for the Town of Niagara-on-the-Lake*

**Department of Community & Development Services**
1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0
905-468-3266 • Fax: 905-468-0301
**www.notl.org**

# Site Plan Control Agreement Application

| | | |
|---|---|---|
| ☐ For residential developments having <40 dwelling units or developments with less than 90m$^2$ (1000ft$^2$) if non-residential floor area | | $7000.00 |
| | Cost Acknowledgement Fee | 2500.00 |
| | Total | $9500.00 |

| | | |
|---|---|---|
| X For residential developments having more than 40 dwelling units or developments with more than 90m$^2$ (1000ft$^2$) if non-residential floor area | | $7000.00 |
| Plus | $230.00 per dwelling unit x ____units = | $_____.00 |
| Or | $230.00 per 90m$^2$ (1000ft$^2$) x ____m$^2$ = | $ **6000** .00 |
| | (if non-residential floor area over the minimum) | |
| Maximum Charge $13000.00 | | |
| | Cost Acknowledgement Fee | 2500.00 |
| | Total | $ **15,500** .00 |

| | | |
|---|---|---|
| ☐ Site Plan Agreement – not requiring registration (exemption to be approved by Town Council) | | $3600.00 |
| Plus | $230.00 per dwelling unit x ____units = | $_____.00 |
| Or | $230.00 per 90m$^2$ (1000ft$^2$) x ____m$^2$ = | $_____.00 |
| | (if non-residential floor area over the minimum) | |
| | Cost Acknowledgement Fee | $2500.00 |
| | Total | $_____.00 |

| | |
|---|---|
| ☐ Minor Amendments to Existing Site Plan Agreement | $1100.00 |
| ☐ Signed Site Plan & report to Council (not requiring registration) | $900.00 |
| ☐ Technical changes to existing agreement not requiring registration | $250.00 |

A cost acknowledgement agreement with the Municipality is required for these applications. The purpose if the agreement is to address out of pocket expenses including advertising costs, registration of documents and those costs that go beyond the ordinary processing of an application, such as review of specialized planning, legal, advertising, engineering, other professional studies, or services provided by the Municipality on behalf of the proponent at the Ontario Municipal Board Hearings. Any unused portion of the deposit is returned at the end of the process. Should additional monies be required, these will be requested and paid prior to continuing the process.

The cost of preparation of any plans to be submitted with the application is the responsibility of the applicant and similarly the cost of any revision to those plans is the responsibility of the applicant.

## Other Fees that may be applicable to your Site Plan Agreement application (to be determined at the Pre-Consultation Meeting)

**Niagara Peninsula Conservation Authority (NPCA)**

**http://www.niagararegion.ca/business/fpr/forms_fees.aspx**

***NOTE:*** *All fees are to be made payable to the* ***Niagara Peninsula Conservation Authority***

**Town of Niagara-on-the-Lake - Engineering Fees**
**Plan Review**

| | |
|---|---|
| Under 1000 square metres | $1050.00 |
| 1000 square metres - 2000 square metres | $2100.00 |
| 2000 square metres - 3000 square metres | $3150.00 |
| 3000 square metres - 4000 square metres | $4700.00 |
| Over 4000 square metres | $6800.00 |

**NOTE:** Please make a separate cheque payable to the **Town of Niagara-on-the-Lake**

**Region of Niagara**

**http://www.niagararegion.ca/business/fpr/forms_fees.aspx**

***NOTE:*** *Please make your cheque payable to the* ***Regional Municipality of Niagara***

# Application for Site Plan Agreement

**PREAMBLE**
It is the responsibility of the applicant or authorized agent to complete the application and to supply all of the documents to Community & Development Services, as well as any additional information requested such as acoustical studies, traffic studies, lighting plans, shadowing diagrams, and environmental impact studies as requested by the Municipality as determined at the Pre-Consultation Meeting.

Applications for site plan control agreement will be processed upon receipt of all of the following information:

1. The completed application form.

2. Application Fees - as per Page 1 and 2 including Cost Acknowledgement Fee

3. Cost Acknowledgement Agreement must be signed. A cost acknowledgement agreement with the Municipality is required for these applications.

4. Cost estimates for completing off-site and on-site services. Include the number of working days to complete the work.

5. One (1) copy of the legal description for all properties respecting this application. This should be presented on the deeds to the property this description must be included in the Site Plan Agreement.

6. Drawings
Please submit five (5) copies of the statement plans unless otherwise determined at the Pre-Consultation Meeting. All documents and drawings **must** also be submitted in an electronic format.

   a) Five (5) copies of a Site Plan based on an actual survey by an Ontario Land Surveyor.

   b) Five (5) copies of a Landscape Plan with a Landscape Schedule prepared by a Landscape Architect.

   c) Five (5) copies of Building Elevations prepared by a Professional Architect.
   (Floor plans showing the interior layout may be required).

   d) Five (5) copies of Site Servicing Plans prepared by a Professional Engineer.

   e) One (1) 11 x 17 copy of the coloured site plan, landscaping and elevation architectural rendering.

   f) Detail drawings showing signage, garbage enclosures, fence detail and screening of mechanical equipment must be shown on all Site Plans and/or Landscape Plans.

   g) One (1) copy of each drawing submitted in a reproducible format (eg. 11 x 17)

7. The actual approval of sign permits requires sign details and will be approved by the By-law Enforcement Department. If the applicant wishes to pre-clear their signs with respect to the by-law regulations, contact the By-law Enforcement Department at 905 468-3266 ext. 278 for further information.

****Please print all information****

## 1. Applicant Information

Registered Owner(s) of Property: **Two Sisters Resorts Inc.**

Mailing Address: **122 Romina Drive, Concord, ON L4K 4Z7**
(please include P.O. Box Numbers and Rural Route Numbers)

Contact if a Numbered Company: _____

Telephone Number: **(905) 660-9222** Cell Number: _____

Fax Number: _____

E-mail Address: **mrogato@solmar.ca**

## 2. Agent Information

Company and/or Name: _____

Mailing Address: _____

Telephone Number: _____ Cell Number: _____

Fax Number: _____

E-mail Address: _____

## 3. Mortgages, Charges, and Other Encumbrances

List the names and address of all mortgages, holders of charges and other encumbrances with respect to the subject lands(s).

_____

_____

_____

## 4. Property Location and Description

Municipal Address: **144 & 176 John Street East**

Legal Description
- Lot: **N/A**
- Plan: **N/A**
- Concession: **N/A**

Assessment Roll Number: 26-27-**01000200900** & **26-27-01000200800**

Dimensions of subject property

| | Feet | Metres |
|---|---|---|
| i) Lot (Street) Frontage | **1,000** | **305** |
| ii) Depth | **640** | **195** |
| iii) Area | **570,487 sq. ft.** | **53,000 sq. m.** |

Present use of lands:

## 5. Type of Proposed Development

Be as specific as possible in describing how the land and proposed structure will be used. In the case of a restaurant, please indicate the number of seats proposed. Please advise if the proposed development is to be a condominium development

**Proposed Hotel (currently approved for a hotel - application required to reflect revised design)**

## 6. Plan Details

Be as specific as possible in describing how the land and proposed structure will be used (example: floor plan). Where additional space is required please use the back page.

Total No. of units in Plan (if residential) _____

☐ Residential ☒ Commercial ☐ Institutional ☐ Industrial ☐ Other

| Coverage Table | | |
|---|---|---|
| | Metres Squared | Percentage of Lot Area |
| Total Building Coverage | | |
| Total Parking Coverage (including driveways) | | |
| Total Landscaped Area | | |
| Building Height (in storeys & metres) | | |
| Gross Floor Area (measured from outside walls but excluding basement) | | |
| Gross Floor Area (measured from outside walls but including basement) | | |

| Number of Parking Spaces | |
|---|---|
| Underground | |
| Above ground | |
| Surface | |
| Minimum required by By-law | |

Details of exterior finish of building(s): (materials, coloration, etc.)

## 7. Other

Any concurrent applications? ☒ Yes ☐ No

Type of concurrent applications?(Check as applicable)

Land Division ☐ _____

Minor Variance ☐ _____

Official Plan Amendment ☐ _____

Zoning By-law Amendment ☒ **(File No. not yet known)**

Subdivision Approval ☐ _____

Condominium Approval ☐ _____

## 8. Release Form

I, BENNY MAROTTA (print name) of **Two Sisters Resorts Inc.** (company name)

grant permission to the Town of Niagara-on-the-Lake to make public any documents prepared by myself or my company, submitted with an application for SITE PLAN CONTROL.

_____

Signature

## Affidavit or Sworn Declaration

I, MAURIZIO ROCATO of the CITY OF VAUGHAN in the Regional Municipality of YORK make oath and solemnly declare that the information contained in this application is true and that the information contained in the documents that accompany this application is true.

MAURIZIO ROCATO
Applicant(s) Name - Please print

Signature

Authorized Agent

Signature

I/We the Owner(s)/Agent of the subject property and the applicant(s) of this subject application, by signing this application agree to allow either staff and/or a Committee Member of the Town of Niagara-on-the-Lake the right to enter onto my property, as necessary, to view & photograph the property for the proposal. Failure to allow access onto the property may result in the application being considered incomplete.

## Owner's Authorization - (Required when the Owner is not the Applicant)

I/We BENNY MAROTTA (Name(s) of the Owners(s)), being the registered Owner(s) of the subject lands, hereby authorize PAUL LOWES - SGL PLANNING (Name of Agent) to act as my/our agent(s) in the submission and processing the attached Site Plan Agreement Application.

Signature

Nov. 21/17
Date

Corporate Seal

Witness

## Undertaking

I/We, BENNY MAROTTA owner(s) of the lands that is the subject of this application and I/we agree not to remove and/or disturb the soil until final approval is obtained. I/We further agree that if an archaeological survey is required as a condition of approval not to remove and/or disturb the soil until the archaeological survey is completed and its recommendations are implemented.

Owner(s) Signature

Nov. 21/17
Date

## GENERAL REQUIREMENTS FOR SITE PLAN DRAWINGS

**Please refer to the Sample Site Plan Drawings attached to this Schedule**

| PLAN FORMAT | |
|---|---|
| **All site plan drawings are to be provided in hard copy and electronic disk (Autocad) format using metric measurement.** | |
| Drawing Size | A-1 – 841mm x 594mm (36" X 24") |
| Scale for General Plans | Maximum - 1:200 Minimum - 1:1000 |
| Scale for Plans & Profiles | Horizontal - 1:500, 1:250 Vertical - 1:50, 1:23 |
| Key Plan<br>(Scale – 1:50,000) | Showing:<br>i) The location of the property in relation to:<br>. major roads<br>. adjacent properties<br>. natural/constructed features<br>ii) Any adjacent property owned by the applicant or in which the applicant has a monetary interest.<br>iii) North Arrow |
| Title Block | . Name and location of the development<br>. Owners Name<br>. Title of the drawing<br>. Name of the company preparing the drawing<br>. Scale of the drawing<br>. Date the drawing was prepared<br>. Date of any revisions, if applicable |
| Revisions Block | Showing date of revisions made to the drawings |
| Signing Block | As per Town Standard |
| North Arrow | |
| Engineer's, Architect's or Landscape Architect's Stamp | |

**SITE PLANS**

1) Land use on the subject lands and abutting properties.

2) Dimensions and area of the property showing:
   a. road widenings and right-of-way widths
   b. easements
   c. parks

3) The location of all existing and proposed buildings and structures including:
   a. exterior dimensions
   b. gross floor area
   c. building height
   d. Setback to property lines
   e. Building separation

4) Natural features including:
   a. watercourses and wetlands
   b. wooded areas
   c. drainage ditches
   d. existing trees and other vegetation

5) Artificial features including:
   a. berms
   b. swales
   c. ponds
   d. ditches

6) Top of Bank and/or 100 Year Floodline, where applicable

7) Existing and proposed:
   a. Contours and/or spot elevations
   b. Benchmarks
   c. Elevations of roads and adjacent property boundaries

8) Parking Areas including:
   a. surface treatment and curbing
   b. numbered parking stalls
   c. typical parking stall dimensioned
   d. aisle widths
   e. handicapped spaces

9) Loading Bays with dimensions, if required

10) Location and dimensions of existing and proposed:
   a. entranceways
   b. access driveways
   c. sidewalks
   d. retaining walls
   e. protective railings
   f. emergency access routes including centre line radii

11) Location of existing and proposed fences including enlarged detail

12) Location of existing and proposed site signage including enlarged detail

13) Lighting Plan showing the location, height and type of all exterior site lighting

14) Location of garbage enclosures including screening and buffering including enlarged detail

15) Location of mechanical equipment including screening and buffering including enlarged detail

16) Phasing of the development, if applicable.

17) Site Summary Chart including the following information:
   a. Total site area
   b. Total gross floor area
   c. % of site to be covered by buildings
   d. % of site to be landscaped
   e. Total number of parking spaces required for per the Zoning By-law
   f. Total number of parking spaces provided
   g. Total number of units, if applicable
   h. Site density (net/gross), if applicable

18) Location of sidewalks (1.5 metres width) along frontage of property

## LANDSCAPE PLANS

1) In addition to the information provided on the Site Plan Drawing, the Landscape Plan shall show the following:
   i) location, quantity and type of all existing and proposed vegetative plantings

ii) grassed areas
iii) existing trees and vegetation to be maintained or removed
iv) vegetative buffering
v) patios and decks
vi) ornamental ponds
vii) berms
viii) sidewalks (1.5 metres width) along frontage of property

2) Landscaping Schedule including:
i) Botanical and Common name of each species
ii) Quantity of each plant type
iii) Height when planted and at maturity
vi) Caliper

3) Walkways including dimensions and materials to be used

**NOTE: Please refer to Landscape Guidelines for development applications for recommended site landscape standards and specifications.**

## BUILDING ELEVATIONS

The Building Elevations shall provide the following information:
1) Four building faces of the existing and proposed buildings
2) Building Height
3) Exterior finish including type, colour and finish
4) Roof treatment
5) Finished grade, floor and roof elevations
6) Window treatment, doors and entranceways
7) Special features

***Floor Plans showing the interior layout of each floor of the building may be required.***

## SERVICING PLANS

The Servicing Plans shall show the following information:
1) Existing and proposed grades and floor elevations, including top of foundation and apron elevations.

2) Existing and proposed sanitary sewer system, including:
a. Sizing
b. Grades
c. Invert elevations

3) Land drainage and stormwater management including:
a. Catchbasins
b. Soakaways
c. Ponding areas
d. Impediments to the free flow of water
e. The intended direction of surface flows
f. A Stormwater Management Report, if applicable
g. On-site stormwater management facilities for quantity and quality controls
h. Overland Flows

4) Water Distribution System, including:
a. Location of watermains including sizes
b. Location of existing and proposed fire hydrants
c. Firefighting connections

5) Utility Servicing arrangements, including:
   a. Location of underground aerial utility lines
   b. Existing hydro poles
   c. Location and size of meters
   d. Transformers
   e. Vaults
   f. Valves

6) Road widenings
7) Easements
8) Right-of-Ways
9) Entranceways
10) Emergency Access routes
11) Fire routes including dimensions and centre line turning radii

12) Surface treatment and grading of;
   a. Driveways
   b. Ramps
   c. Walkways
   d. Edging or curbs
   e. Proposed retaining walls

13) Sidewalks - (1.5 metres width) along frontage of property
14) Catchbasins and manholes
15) Location of septic bed, if applicable

## DETAIL DRAWINGS

Information to be shown on the Site Plan and/or Landscape Drawings

Signage Detail including ground signs, pylon signs and wall mounted signage
- Type of sign, Dimensions, Graphics including colour, lettering

Garbage Enclosures
- Buffering and/or vegetative screening, Dimensions, Platform

Screening for Mechanical Equipment
- Buffering and/or vegetative screening, Architectural detail for roof mounted mechanical equipment

Fencing Detail
- Typical Fence Section, Materials, Dimensions

## COLOUR PERSPECTIVE DRAWING

Every application shall require a colour perspective drawing showing:

a) the façade of the building from the street
b) the parking area
c) landscaping
d) signage
e) fencing
f) natural and/or artificial features

**TOWN OF NIAGARA-ON-THE-LAKE**
**PROCEDURE**

*PROCEDURE NO.* **PDS-PLG-006**
*SUPERSEDES NO.*_____

TITLE: ***Archaeological Assessment***

EFFECTIVE DATE: **October 24, 2000**

PURPOSE:
To provide guidance to proponents required to undertake an archaeological assessment as part of a planning application

PROCEDURE:

(1) An archaeological resource assessment may be required by the Town in consultation with the Regional Municipality of Niagara (Community & Development Services Services Department) as the delegated authority as a result of a planning application should any portion of the property fall within a zone of archaeological potential as shown on Schedule "H" to the Official Plan or where an archaeological site has been previously registered on the property.

(2) The assessment should be completed and submitted as part of the planning application.

(3) The Ministry of Citizenship, Culture and Recreation must be provided with a copy of the notice from the delegated authority that an archaeological assessment will be required of the proponent so the Ministry can complete their review of the archaeological resource assessment and provide the proponent with a letter recommending clearance of outstanding archaeological concerns.

(4) The applicant must retain a licensed archaeologist to conduct a Stage 1 and 2 archaeological assessment. All work conducted by the archaeologist must conform to the standards set forth in the most current *Archaeological Assessment Technical Guidelines* authorized by the Ministry of Citizenship, Culture and Recreation.

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