



**THE CORPORATION OF THE TOWN OF LINCOLN
SUBDIVISION & CONDOMINIUM APPLICATION**

FOR OFFICE USE ONLY
CN: 3-5-02-05
Application: _____

APPLICATION IS HEREBY MADE TO:

The Town of Lincoln
4800 South Service Road
Beamsville ON L3J 1L3
Tel: 905-563-8205
Email: planningapplications@lincoln.ca

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

NOTE: REFER TO RELEVANT APPENDIX “A-1”, ‘A-2”, ‘A-3”, AND “A-4” ATTACHED HERETO

1. TYPE OF APPLICATION (check one or both)

SUBDIVISION

CONDOMINIUM

2. FEE

In accordance with the Fees and Charges, found on the Town’s [website](#), the required Application Fee of \$_____ is enclosed.

3. PROPERTY DESCRIPTION

Former Municipality	Lot Number	Date of Registration
	Concession Number	Registered Plan Number

4. RESUBMISSION OF AN EARLIER PLAN:

Yes

No

Do Not know

If Yes, and if known, the file number and the decision on the application

5. OWNER, AGENT AND/OR SURVEYOR

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

	Name	Address, Telephone, Fax Number & Email
Registered Owner		
Agent, Solicitor or Planning Consultant		
Ontario Land Surveyor		

6. MORTGAGEES, RESTRICTIONS, COVENANTS, ETC.

(a) If know, the name and addresses of all mortgagees, holders of charges or other encumbrancer with respect to the subject lands:

Name: _____ (please print)

Mailing Address: _____

Postal Code: _____

NOTE: If more space is required, attach a separate sheet hereto.

(b) Are there any easements, rights of way, restrictions, or other covenants applicable to the subject lands? Yes [] No [] If yes, describe what they are.

7. EXISTING AND PROPOSED LAND USES

(a) Existing uses of the subject lands: _____

(b) Proposed Land Uses: _____

Indicate the intended use of lands in the proposal. Please use the following definitions for residential buildings:

Single Detached residential – a single detached dwelling unit.

Double or Semi-detached – a residential building containing 2 dwelling units.

Block Townhouses – a group of townhouses containing 3 or more units.

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

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

Intended Use	Residential Units	Number of Lots and/or Blocks	Hectares	This Section for Condominium Applications Only			
				Date of Construction	Floor Coverage	Parking Provided	Density Proposed (specify units per Hectare)
Single Detached Residential							
Double or Semi-detached Residential							
Block Townhouses							
Street Townhouses							
Apartments							
Seasonal Residential							
Mobile Home							
Other Residential							
Commercial							

Intended Use	Residential Units	Number of Lots and/or Blocks	Hectares	This Section for Condominium Applications Only			
				Date of Construction	Floor Coverage	Parking Provided	Density Proposed (specify units per Hectare)
Industrial							
Park or Open Space							
Institutional							
Roads							
Other (specify)							
Total							

8. PLANNING INFORMATION FOR SITE

From your discussion with the Regional and Local Planning and Development Departments what is?

- (a) The land use designation of the subject plans in an approved Regional Official Plan or Amendment?

Amendment Number: _____

- (b) The land use designation of the subject lands in an approved Town Official Plan or Amendment?

Amendment Number: _____

- (c) The zoning of the subject lands in approved Zoning By-law?

- (d) If known, whether the subject lands were ever 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 the Official Plan, a Zoning By-law or a Minister's Zoning Order?

Yes No

- (e) If yes, and if known, the file number of the application and the status of the application _____

For Condominium Applications only, complete items (f) & (g) below.

- (f) New Buildings

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

Yes No

Has a site plan agreement been entered into?

Yes No

Has a building permit been issued?

Yes No

Is the building under construction?

Yes No

If the construction has been completed, the date of completion: _____

(g) Existing Buildings

Is this a residential rental building being converted to a condominium dwelling?

Yes No

(h) Is the proposed plan consistent with the Policy Statements issued under subsection 3(1) of the Planning Act?

Yes No

(i) Is the subject lands within an area of land designated under a Provincial Plan or Plans?

Yes No

(j) If yes provide the name(s) of the Provincial Plan(s)

If yes does the proposed plan conform to or does it not conflict with the Provincial Plan or Plans?

Yes No

9. SERVICING

(a) Indicate what services are proposed:

Water Supply	Sewage Treatment	Storm Drainage
<input type="checkbox"/> Public Owned and Operated Piped Water System	<input type="checkbox"/> Public Owned and Operated Piped Sanitary Sewer System	<input type="checkbox"/> Public Owned and Operated Piped Storm Sewer System
<input type="checkbox"/> Individual wells	<input type="checkbox"/> Septic tanks and tile beds	<input type="checkbox"/> Open ditches
<input type="checkbox"/> Other (describe) _____	<input type="checkbox"/> Other (describe) _____	<input type="checkbox"/> Other (describe) _____

(b) If the proposed development would permit development of more than five lots or units on privately owned and operated individual wells or communal wells and privately owned and operated individual or communal septic systems and/or if the development of fewer than five lots or units on privately owned and operated individual wells or communal wells and privately owned and operated individual or communal septic systems and more than 4,500 litres of effluent would be produced per day as a result of the development being completed, the following reports must be submitted with the application:

- (i) A Servicing Report; and
- (ii) A Hydrogeological Report.

(c) If the proposed development would permit development of fewer than five lots or units on privately owned and operated individual wells or communal wells and privately owned and operated individual or communal septic systems and 4,500 litres of effluent or less would be produced per day as a result of the development being completed, the following report must be submitted with the application:

- (i) A Hydrogeological Report

10. ACCESS

Is there direct access from the subject lands to a publicly maintained road?

Yes No

Type of Access _____

If "no", what provision is there for access to the site? _____

If a lakefront is proposed, without road access: _____

(a) What type of docking and parking facilities exist on the lake? _____

(b) What distance are they from the site? _____

(c) How far is the nearest public road? _____

11. ARCHAEOLOGICAL POTENTIAL

(a) Do the subject lands contain any areas or archaeological potential?

Yes No

(b) If the plan permits development on land that contains known archaeological resources or areas of archaeological potential, has

(i) An archaeological assessment been prepared by a person who holds a license that is effective with respect to the subject lands, issued under Part VI (Conservation of Resources of Archeological Value) of the Ontario Heritage Act?

Yes No

(ii) A Conservation Plan for any archeological resources identified in the assessment been prepared?

Yes No

12. SITE APPRAISAL AND EVALUATION

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

13. ENVIRONMENTAL EFFECTS

What measures have been taken to eliminate adverse environmental effects from the development on the surrounding area (e.g., traffic, noise, odours, pollution of nearby water bodies, run-off, etc.) and to eliminate any adverse effects from the adjacent area on the proposed development (e.g., buffering, berms, setbacks, etc.)? In agricultural areas refer to the Agricultural Code of Practice. Where potential adverse environmental effects are foreseen, consultation with the Ministry of Environment is recommended.

14. ADDITIONAL INFORMATION (e.g., affordable housing component)

**APPENDIX "A-1"
GUIDE TO APPLICANTS**

**TOWN OF LINCOLN
APPLICATION FOR DRAFT PLAN OF SUBDIVISION/CONDOMINIUM
INFORMATION AND PROCEDURES**

1. Applying for Subdivision Approval

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

2. Using the Application Form

The attached application form must be completed and submitted with **one (1) copy** to the Town of Lincoln Planning and Development Department. Please keep a copy for your files. The applicant is advised to approach the Planning and Development Department for official plan, zoning and policy information before making a formal application to the Town.

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.

The property owner or his agent should complete the application. Where an agent is making it, 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 to the interests of the health, safety and welfare of the future residents, either owners or tenants. Sufficient studies for the completion of the application must be carried out prior to a submission for approval, and must be reflected in the application form. The required studies and number of copies of each will be identified at the pre-consultation meeting. 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 a letter advising that the "notice sign" has been installed on the site, and the required application fee. If the form or the draft plans seem incomplete or inaccurate the application will be returned for completion, correction or clarification prior to processing.

3. Draft Plans

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

Subdivision applications require **one (1) copy** of the plan. If further copies are needed, the applicant will be notified. An 8-1/2 x 11 reproducible copy of the draft plan is also required. An electronic copy in AutoCAD must also be submitted. The draft plans must indicate all items as required by Section 51(17) of the Planning Act (list attached).

4. Dealing with the Application

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

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).

The conditions of draft approval must be fulfilled prior to the approval of the final plan. The agencies affected by the conditions must indicate that they have been fulfilled. In some cases, agencies may require that a copy of the complete subdivision agreement be forwarded to them prior to notifying the Town that the conditions have been fulfilled.

Sections 51(34), (43) and (48) of the Planning Act, provide that an application for approval by the Town may be referred to the Ontario Land Tribunal for decision.

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

Section 51:

1. Subsection 17; Information required to be shown on the draft plans:
 - (a) The boundaries of the land to be subdivided, certified by an Ontario Land Surveyor;
 - (b) The locations, widths and names of the proposed highways within the proposed subdivision and of existing highways on which the proposed subdivision abuts;
 - (c) On a small key plan, on a scale of not less than one centimetre to 100 metres, all of the land adjacent to the proposed subdivision that is owned by the applicant or in which he has an interest, every subdivision adjacent to the proposed subdivision and the relationship of the boundaries of the land to be subdivided to the boundaries of the township lot or other original grant of which such land forms the whole or part;
 - (d) The purpose for which the lots are to be used;
 - (e) The existing uses of all adjoining lands;
 - (f) The approximate dimensions and layout of the proposed lots;
 - (g) Natural and artificial features such as buildings or other structures or installations, railways, highways, watercourses, drainage ditches, wetlands and wooded areas within or adjacent to the land proposed to be subdivided;
 - (h) The availability and nature of domestic water supplies;
 - (i) The nature and porosity of the soil;
 - (j) Existing contours or elevations as may be required to determine the grade of the highways and the drainage of the land;
 - (k) The municipal services available or to be available to the land proposed to be subdivided; and
 - (l) The nature and extent of any restrictive covenants or easements affecting the land proposed to be subdivided.
2. Subsection 19; The approval authority may refuse to accept or further consider the application until the prescribed information and material, the required fee and the draft plan are received and the time period referred to in subsection (34) does not begin until the day the draft plan, information, material and fee are received.
3. Subsection 24: In considering a draft plan regard shall be had among other matters to the health, safety, convenience and welfare of the present and future inhabitants.
4. Subsection 25; The 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 widening be dedicated as deemed necessary by the approval authority.
5. Subsection 26; The Town may enter into subdivision agreements imposed as a condition of draft approval.

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

1. Prior Consultation

The applicant/consultant must discuss the proposed development in detail with the Town’s Planning and Development Department and other agencies to determine the requirements of the complete application.

2. Application

Applications will be accepted only when Items 1-5 (below) accompany submission. Application will be considered complete and will be circulated for technical review and comment only when Items 1-7 (below) has been received.

Submission requirements:

- (a) One (1) hardcopy and one (1) digital copy for a draft plan of subdivision and one (1) paper print for a draft plan of condominium – folded not larger than legal size (8 ½ x 14”) **signed by owner and surveyor.**
- (b) One (1) hardcopy and one (1) digital copy of completed subdivision application form **signed by owner and agent** (if any).
- (c) One (1) legible hardcopy or mylar of draft plan reduced to letter (8 1/2” x 11’) or legal (8 1/2” x 14”) size.
- (d) Application fee cheque made out to “Town of Lincoln” (certified cheque preferred). For fee schedule see the Town of Lincoln [website](#).
- (e) Evidence (written letter) that Public Notice sign has been posted, indicating location(s) on site and date.
- (f) Supporting studies and information that have been identified at the pre-consultation meeting that are required to consider the application complete.
- (g) Completed pre-consultation form.

3. Approval Authority – Submission of Application

Division of a parcel of land into several smaller lots usually requires approval of a plan of subdivision. In the Town of Lincoln, the approval authority for all plans of subdivision lies with the Town Council. Any application for subdivision in the Town of Lincoln must be submitted to the Town’s Planning and Development Department. Pre-consultation with the local Planning and Development Department and with public agencies likely to have an interest in the proposal is required.

4. Evaluation of Applications

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

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

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

APPENDIX “A-2”

5. Major Stages in Processing an Application

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

- Submission of “complete” application;
- Circulation and public notification;
- Review of comments/recommendations on draft approval;
- Dispute resolution or referral/appeal to OLT;
- Draft approval with conditions;
- Clearance of conditions by applicant; and
- Final approval and registration.

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

6. Circulation, Review and Public Notification

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

7. Town Decision

Council makes a decision to grant draft approval to a subdivision subject to a list of conditions, which must be fulfilled by the applicant. Notice of this decision is then given to the applicant, the public, and review agencies. However, the decision to grant draft approval is not effective until after a 20-day appeal period expires. If no appeals are received, draft approval is formally granted. If an appeal is lodged with the Town, the application is automatically forwarded to the OLT for a ruling. Once draft approval is granted, the applicant may proceed with the subdivision subject to the conditions applied, prepare the site for development, and enter into agreements to sell lots once they are registered.

The Town grants final approval once the applicant has fulfilled all the conditions of approval. The plan may then be registered and individual lots within the subdivision may be sold.

8. Fees

Fees established by the Town for processing subdivision applications are set out in the Schedule of Fees found on the Town of Lincoln’s [website](#). The fee is an administration charge associated with the initial review of the application which is payable upon submission of an application. The fee does not include administration, engineering, legal and other costs incurred by the Town in preparing subdivision agreements.

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

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

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

**APPENDIX “A-4”
TOWN OF LINCOLN
SIGN REQUIREMENTS FOR PROPOSED SUBDIVISION APPLICATIONS**


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

“This proposed plan of subdivision has been submitted to Town Council for approval. Your municipal Council has been requested to comment on the development. Persons wishing to express an opinion **OR TO MAKE FURTHER INQUIRIES** should write or phone the Town Planning and Development Department, 4800 South Service Road, Beamsville, Ontario L3J 1L3, Telephone 905-563-8205. Written replies are encouraged”.
 - (g) The sign must be dated prominently. The date to be used should be on or about the date of posting. Revised signs must include a revision date.
4. The following colour scheme shall be used on all signs:

<u>Residential</u>	
Single Detached	- yellow
Semi-detached	- orange
Townhouses	- dark orange
Apartments	- brown
<u>Commercial</u>	- red
<u>Industrial</u>	- purple
<u>Park/Open Space</u>	- green
<u>Institutional</u>	- blue
5. The sign must be prominently displayed on the property and legible from abutting roadways. If the property abuts more than one major roadway, and the subdivision is of substantial size, a sign will be required for each frontage on a major roadway.

Staff of the Planning and Development Department will assist in choosing a suitable location or locations if requested.
6. Prior to the proposed plan being circulated, the Planning and Development Department must be in possession of a written letter indicating that the sign or signs have been posted on the property.


SUGGESTED SIGN FORMAT







PUBLIC NOTICE

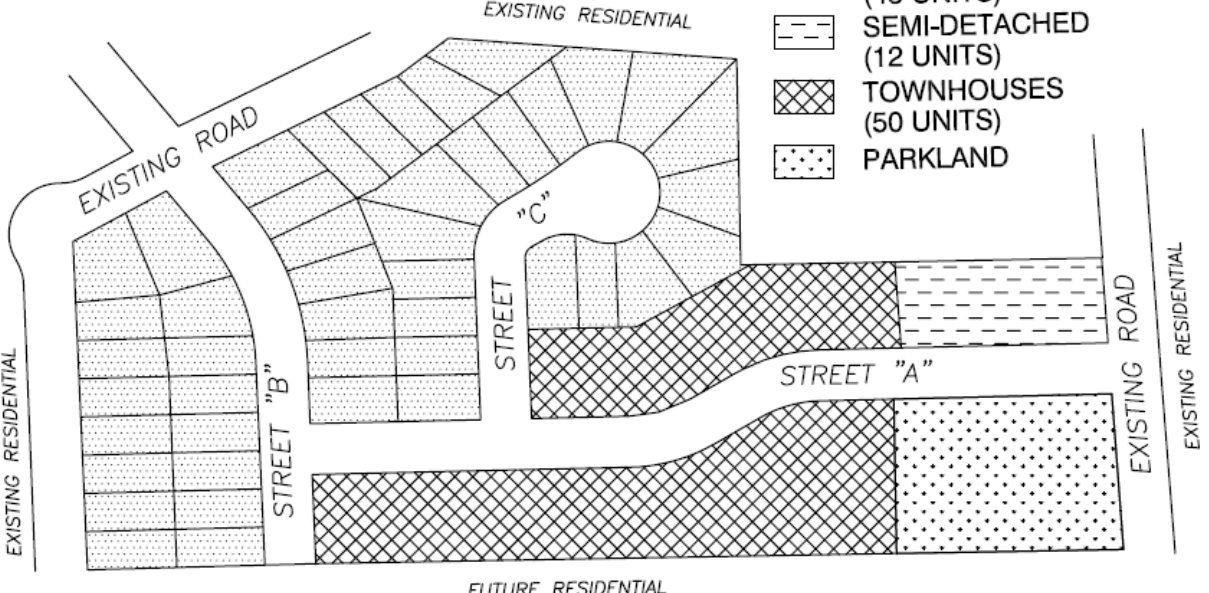
PROPOSED SUBDIVISION

SUBDIVISION NAME



LEGEND

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



This proposed plan of subdivision has been submitted to the Town of Lincoln for approval. Your municipal Council has been requested to comment on the development. Persons wishing to express an opinion **OR TO MAKE FURTHER INQUIRIES** should write or phone the Planning and Development Department, 4800 South Service Road, Beamsville ON L0R 1B1 (905-563-8205). Written replies are encouraged.

13

June 2022

NOTE: TO BE FILLED OUT AND RETURNED TO NIAGARA PENINSULA ENERGY INC.

NIAGARA PENINSULA ENERGY INC.
7447 Pin Oak Drive, P.O. Box 120, Station Main
Niagara Falls ON L2E 6S9
Telephone: (905) 356-2681 Fax: (905) 356-0118

ELECTRICAL PLANNING REQUIREMENTS

It is essential that the following information be provided to:

- a) Enable an assessment to be made on the impact of the proposed project on our Electrical Distribution System;
- b) Enable Niagara Peninsula Energy Inc. Department to prepare pertinent information for the developer;
- c) Ensure timely delivery of required material. **Please note that all materials are ordered site specific, and may require up to several months lead-time. Receipt of payment by Niagara Peninsula Energy Inc. is required prior to the ordering and/or installation of any material.**

Please supply answers to the following questions as soon as possible as Site Planning approval cannot be authorized until our staff has received this information.

Electrical drawings are to be submitted to Niagara Peninsula Energy Inc. for approval prior to any related job tenders or the commencement of any electrical construction.

Development Location: _____

Name of Development: _____

Mailing Address of Developer: _____

Name of Developer: _____

Contact Name: _____

Address of Contact: _____

Telephone: _____ **Fax:** _____

Service Classification ("x" as many as apply):

Capacity of Main Service (in Amperes):

Low Density Residential

Maximum rated capacity: _____

Freehold Townhouses

Protected capacity: _____

Townhouse Corporation

Apartments

Non-Residential

What Service Voltage is Required ("x" one only):

Capacity of Main Service (in Amperes):

120/240 Volt Single Phase

Bulk metering (Non-residential Only)

120/208 Volt Three Phase

Individual metering

347/600 Volt Three Phase

Number of sub-services

100A or less: _____

101A to 200A: _____

More than 200A: _____

Comments: _____

Signed: _____ **Date:** _____
(Representative of Developer)

Name: _____ **Title:** _____
(Please Print)