



APPLICATION FOR MODIFICATION TO DRAFT APPROVED PLAN OF SUBDIVISION OR VACANT LAND CONDOMINIUM

Development & Housing Approvals
200 King Street West, 6th Floor
Kitchener ON N2G 4V6
519-741-2426; planning@kitchener.ca

USING THE APPLICATION FORM

This application form is to be used by persons or public bodies wishing to modify a draft approved plan of subdivision or vacant land condominium. In this form, the term "subject land" means the land that is the subject of the modification. **The determination of whether the application constitutes a Major or Minor Modification will be at the discretion of the Manager of Development Approvals or the Director of Development & Housing Approvals.**

The application must be completed by the owner or authorized agent. Where the application is being made by an agent, the owner's written authorization is required. If the lands subject to this application are owned by more than one owner, the authorization of all owners is required. Submission of this application constitutes consent for authorized municipal staff to inspect the subject lands.

It is the responsibility of the applicant 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 future residents. Sufficient studies for the completion of the application should be carried out prior to submission and should be reflected in the application form.

COMPLETENESS OF THIS APPLICATION

The information requested by this application form must be provided by the applicant and will be used to process the plan under Section 51 of the Planning Act, and Ontario Regulation 544/06. If the information, including the draft plan or applicable fee are not provided, the City may return the application or refuse to give the application further consideration until the required information and fees have been provided.

A pre-submission consultation is typically not required prior to submission of this application. If additional information and/or materials are required in support of the application, they will be identified by staff. A pre-submission meeting may be requested by staff or arranged at the request of the applicant.

CONCURRENT APPLICATIONS

If the application for modification to draft plan of subdivision is being submitted in conjunction with an Application for Zoning By-law Amendment and/or Application for Official Plan Amendment, all applications must be completed and submitted together.

SUBMISSION REQUIREMENTS AND APPLICATION FEES

Complete applications must be submitted by email to planning.applications@kitchener.ca (maximum 10 MB); for larger files please upload directly to the City's ShareFile account (contact us if you require access) with a corresponding email to advise that the application has been uploaded. Payment is due immediately following the digital submission. Send a cover letter (be sure to include the address of the subject property) along with the cheque (payable to the City of Kitchener) to Kitchener City Hall, Development & Housing Approvals Division, 200 King Street West, 6th Floor, Kitchener ON N2G 4V6.

- ☐ Application form (completed and signed)
- ☐ Copy of proposed draft plan (as described below)
- ☐ Digital files in dwg (AutoCAD)
- ☐ Prescribed fees as noted below (please include a scanned copy of cheque with the digital submission)

Subdivision

- ☐ Major modification - **\$13,304.00**
- ☐ Minor modification - **\$6,652.00**

Vacant Land Condominium

- ☐ Major modification - **\$5,200.00**
- ☐ Minor modification - **\$2,600.00**

A Neighbourhood Meeting fee (**separate cheque** in the amount of **\$1,278.00**) is required to be submitted with this application. The cheque will be returned in the event a meeting is not required. If more than one meeting is required, additional fee(s) will apply for each subsequent meeting.

Additional agency plan review fees may apply. Please see below for more information and forward fees directly to the applicable agency, as required:

- **Region of Waterloo** – Planning and Development Services, Applications
- <https://www.regionofwaterloo.ca/en/doing-business/applications.aspx>; 519-575-4400
- **Grand River Conservation Authority** – Planning & Development, Permit Fees
- <https://www.grandriver.ca/en/Planning-Development/Permit-fees.aspx>; 519-621-2761

DRAFT PLANS

Plans must be drawn on a single sheet, to scale with all measurements in metric units and include:

- All items identified in Subsection 51(17) of the Planning Act, as amended
- Subsection 51(17) of the Planning Act requires submission of a key map, at a scale of not less than 1 cm to 100 metres on the proposed draft plan, showing the matters described in the subsection
- Proposed street names must be shown in order to be deemed a complete application
- The **minimum** and **maximum** density by residential type for all lots and blocks in which residential units may be permitted
- **An area or block measuring not less than 9cm x 7cm** on the title block/information area of the plan that is visible after folding in which the City of Kitchener may affix the draft approval stamp and signature

DIGITAL FILES**File A** (small plan) **must contain:**

- Layers/levels **1 to 11** as outlined below
- Layers/levels **12 to 20**, as outlined below, if applicable
- The title block content on levels **62 and 63**.

File A **must use the title block provided by the City of Kitchener**, and must be specifically formatted to be clear and legible in an 8 ½" x 11" print format. It should be proportionally scaled by the applicant to fit their plan. The title block includes the line type for applicable layers and provides the required format for the Land Use Schedule. Use the **colour-based CTB plot style provided** to ensure legibility of the letter size plan when printed.

File B (large plan) **must contain:**

- Layers/levels **1 to 11** as outlined below
- Layers/levels **12 to 20**, as outlined below, if applicable
- Any other relevant information including those requirements set out in the Plan of Subdivision Application
- Your title block content on levels **62 and 63** (does not have to fit 8.5" x 11" page)

Draft Approval Stage

Both digital plans must be modified to reflect any changes arising out of the circulation and review stage. Such changes are to be electronically transmitted on the small plan to Mapping Services prior to the preparation of the report for draft approval.

File C **must contain:**

- Layers/levels **1 to 10** as outlined below
- Your title block content on levels **62 and 63** (does not have to fit 8.5" x 11" page)
- All other layers/levels are optional.
- Digital filename must start with 58M-

General Notes

- a) The City of Kitchener uses level symbology (ie. assigns colours, line weights, line styles by layer). Any symbology assigned by the applicant to an element will be overwritten by our symbology. Please use common linetypes and fonts (TrueType Fonts).
- b) All files should be in 2 dimensional (2D) format.
- c) All linework should be closed. This means that all lines that meet should be snapped together.
- d) Only content described under “Description of Content” shall be allowed on the outlined layers/levels.

Level/Layer Structure

Level/Layer #	Name	Description of Content	Entity Type
1	BOUNDARY	Legal property boundary of the subject plan. All line work must be closed (snapped together at meeting points)	Line
2	BEARINGS_DIST	Bearings and distances of plan boundary (metric)	Line & text
3	LEGAL	Any relevant background legal lines and text (legal descriptions: lots, concessions, Registered Plans)	Line & text
4	LOT_LINES	Lot and block lines within plan. All line work must be closed (snapped together at meeting points).	Line
5	LOT_DIM	Lot dimensions in metric.	Line & text
6	PLAN_TEXT	Plan text (lot numbers, block numbers)	Text
7	RIGHT_OF_WAY	Right of way boundary lines within plan boundary	Line
8	CENTRELINE	Centreline of right of way	Line
9	STREET_TXT	Street names within plan	Text
10	EX_STREETS	Existing streets & associated text surrounding the subject plan.	Line & text
11	STAGING	Staging boundaries and text. Show all proposed stages	Line & text
12	EX_STRUCT	Existing built form, structures, buildings, utilities	Line & text
13	EX_USE	Existing surrounding land use	Line & text
14	EX_VEGETATION	Existing trees, shrubs, woodlots	Line & text
15	EX_WATER	Existing rivers, streams, lakes, ponds	Line & text
16	WETLANDS	Locally and Provincially significant wetlands (Classes 1-7)	Line & text
17	ESPA	ESPA boundaries	Line & text
18	CONTOURS	Contour lines and text	Line & text
19	FLOODLINE	Floodline boundaries	Line & text
20	PROP_LOTTING	Proposed lotting (i.e. For lotless blocks)	Line
62	TITLEBLOCK_LINE	Titleblock linework (scale as needed)	Line
63	TITLEBLOCK_TXT	Titleblock text	Text

APPLICATION PROCEDURE

A major modification to a plan of subdivision requires a full circulation and public process, while a minor modification does not require full circulation or a public process. Determination of whether the application constitutes a major or minor modification will be made by the Manager of Development Review. In some instances the major modification fee may be applied to an application which does not require public circulation, due to the complexity of the modification and associated staff resources required for processing.

Major Modification

1. Within fifteen (15) days of the application being deemed complete, a "Notice of Application" will be advertised in The Record (local newspaper) and circulated to residents within 240 metres of the subject land, any person or public body that made a written request to be notified of changes to conditions and various departments / agencies for comment. Any major issues arising from this circulation will be brought to the attention of the applicant for review and appropriate action.
2. Following the circulation period and the resolution of any issues that may arise, a staff report containing a recommendation and any conditions of approval will be formulated. This report is sent to any persons who responded to the preliminary circulation outlined above.
3. Once the staff report has been finalized, a notice will be advertised in The Record (local newspaper) twenty (20) days in advance of the statutory public meeting. Notice will also be given directly to any persons that responded to the preliminary circulation outlined above.
4. At the public meeting, opportunity is afforded to the applicant and any other interested parties to make verbal and/or written submissions concerning the application. The committee may choose to recommend approval, refusal or deferral of the application.
5. If recommended for approval or refusal by the committee, the proposed application is then forwarded to city council for consideration.
6. If approved by city council, a notice of the passing of the by-law will be given to any interested property owners and department / agencies. The 20-day appeal period will commence the day after this notice is given, during which time the application may be appealed to the Ontario Land Tribunal (OLT). Should no appeal be filed, the conditions of draft plan approval are final.
7. Subsequent to the final approval a Subdivision Agreement may be registered and the owner may begin to fulfill the conditions of draft approval.

Minor Modification

1. Notice of the modification will be circulated to affected departments and agencies, at the discretion of City Staff. Any issues arising from the circulation will be brought to the attention of the applicant for review and appropriate action.
2. Following the circulation period and resolution of any issues, staff will prepare a KDA report. The KDA report and any mapping changes will be considered by the Manager of Development Review. Subsequent to approval of the proposed modification, a Subdivision Agreement may be registered and the owner may begin to fulfill the conditions of draft approval.



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1. REGISTERED OWNER (list on additional page if required)

Name(s): _____ Company (if applicable): _____
Phone: _____ Email: _____
Street Address: _____
City/Province: _____ Postal Code: _____

2. APPLICANT (if other than registered owner)

Name(s): _____ Company (if applicable): _____
Phone: _____ Email: _____
Street Address: _____
City/Province: _____ Postal Code: _____

3. AGENT

Name(s): _____ Company (if applicable): _____
Phone: _____ Email: _____
Street Address: _____
City/Province: _____ Postal Code: _____

4. LOCATION OF LANDS

Municipal Address: _____ Assessment Roll No.: _____
City: _____ Lot: _____
Concession: _____ Former Twp.: _____
Registered Plan No.: _____ Lot(s)/Block(s): _____
Reference Plan No.: _____ Part(s): _____

5. CURRENT STATUS OF LANDS

5.1 a) Please provide the 30T number of the Draft Approved Plan of Subdivision to which this modification application relates: _____

b) Has a subdivision agreement been registered on any portion of the Draft Approved Plan of Subdivision? If yes, please provide the instrument number and date of registration:

5.2 a) How is the subject land currently designated in the applicable Official Plans?

Regional Official Plan _____

Kitchener Official Plan _____

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- b) Does the proposed modification meet all the requirements of the applicable Official Plan(s)?
- ☐ Yes ☐ No

5.3 a) How is the subject land currently designated in the applicable Community Plan?

Name of plan: _____

Designation(s): _____

- b) Does the proposed modification require an amendment to the applicable Community Plan?
- ☐ Yes ☐ No

5.4 a) How is the subject land currently zoned in the City's Zoning By-law?

- b) Does the proposed development require an amendment to the City's Zoning By-law?
- ☐ Yes ☐ No

NOTE: If an official plan amendment, community plan amendment or zoning by-law amendment is required, it must be submitted prior to or concurrently with this application.

6. PROPOSED MODIFICATION

Please describe the proposed modifications to the Draft Approved Plan of Subdivision or the associated Conditions of Approval. For any mapping changes, a red-line plan may be attached for information.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

7. SUPPORTING REPORTS, STUDIES, ETC.

a) Please indicate whether any supporting documentation has been submitted with this application:

- | | |
|--|---|
| ☐ Planning Report | ☐ Servicing Options |
| ☐ Stormwater Management | ☐ Hydrogeological |
| ☐ Environmental | ☐ Soils/Geotechnical |
| ☐ Noise Study (Rail/Road) | ☐ Water Pressure |
| ☐ Noise Study (Stationary) | ☐ Tree Management |
| ☐ Traffic Impact (Local) | ☐ Environmental Impact Statement |
| ☐ Traffic Impact (Regional) | ☐ Environmental Assessment |
| ☐ Traffic Impact (Highway) | ☐ Other _____ |
| ☐ Archaeological | ☐ Other _____ |

b) Is there any other information that may be useful to the City and other agencies in support of this application?

MORTGAGEES OF THE PROPERTY FOR WHICH APPLICATION IS BEING MADE

List all persons or institutions who have any mortgage charge or encumbrance on the property:

Name: _____	Name: _____
Street Address: _____	Street Address: _____
City/Province: _____	City/Province: _____
Postal Code: _____	Postal Code: _____
Phone: _____	Phone: _____
Signature: _____	Signature: _____

AUTHORIZATION OF OWNER FOR AGENT TO MAKE THE APPLICATION

If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner is required, as below:

I, _____, am the owner of the land that is the subject of this application. I have disclosed to my agent and the City of Kitchener all agreements or encumbrances that apply to the subject lands and I authorize _____ to make this application on my behalf.

Signature of Owner: _____ Date: _____

ACKNOWLEDGEMENT

- ☐ I acknowledge that submission of this application constitutes consent for authorized municipal staff to enter upon the subject property for the purpose of conducting site visits, including photographs, which are necessary for the evaluation of this application.
- ☐ I acknowledge that the information requested on this form, and submitted with this application, is collected under the authority of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, and the provisions of the Municipal Freedom of Information and Protection of Privacy Act. The information is required in order to process this application and forms part of the public record. I understand and agree that the information provided within this application may be published on the City of Kitchener website and therefore be publicly accessible. Questions about this collection can be made to City of Kitchener Planning Division at 519-741-2426.
- ☐ I acknowledge that, to facilitate the City's compliance with O. Reg. 191/11 *Integrated Accessibility Standards* under the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11., the Consultant/Contractor shall provide any final report and any other document identified by the Project Manager/City Representative as intended City/Client website content in an accessible format that complies with the World Wide Web Consortium Web Content Accessibility Guidelines 2.0 AA [other than success criteria 1.2.4. Captions (Live) and success criteria 1.2.5 Audio Descriptions (Pre-Recorded)]. However, this requirement shall not apply to drawings, photos, maps, site plans, or other documents that the Project Manager/City Representative agrees cannot practicably be converted to an accessible format. For detailed information about AODA requirements and to find training resources, visit <https://aoda.ca/>.

Signature of Owner/Applicant: _____ Date: _____

AFFIDAVIT (to be completed *in person* in the presence of a Commissioner of Oaths)

I, _____, of the City/Town/Township of _____,
in the County/Region of _____, solemnly declare that the information contained in
this application is true, the information contained in the documents that accompany this application is true and
that the owner as of the day on which this application is made has unconditional ownership of the subject lands
and has disclosed any agreements or encumbrances that apply to the subject lands.

Signature of Owner/Applicant: _____

Declared before me at the

City/Town/Township of _____ in the County/Region of _____
this _____ day of _____, 20 _____.

Commissioner of Oaths: _____

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The personal information contained on this form is collected pursuant to the Planning Act and will be used for the purpose of responding to your application. If you have any questions on the gathering of personal information, please contact the Manager of Corporate Records & Archive Services at 519-741-2200 ext. 7766.

STAFF USE ONLY – COMPLETE APPLICATION REVIEW

- ☐ Complete application form received and reviewed
- ☐ Applicable fees submitted
- ☐ Plans are properly labelled and drawn to scale in metric units – proposed street names **must** be included
- ☐ Digital Plan is provided, if required
- ☐ "Staff Use Only" fields completed on form
- ☐ Any additional information and materials provided, as required
- ☐ Confirmation of ownership, address & legal description
- ☐ Affidavit completed and signed by applicant & commissioner
- ☐ Authorization provided, if required

Deemed as a complete application by: _____ Date: _____