

REMOVAL OF THE HOLDING SYMBOL APPLICATION

INSTRUCTIONS

Verify that you are using the most current application form.

- Section 1: Pre-Submission consultation with a staff Planner is mandatory per By-law 199-2007. The staff Planner will assist you in determining what holding conditions apply to the subject land and who to contact. A staff Planner must sign and date the pre-submission consultation section before the application is accepted as complete.
- Section 2: You are responsible for ensuring that all conditions for removal of the holding symbol have been satisfied prior to submitting this application. Provide the information and documentation listed in this section with this application form. If the subject property consists of part lots, blocks or closed rights-of-way, an up-to-date Registered Plan, 12R Plan or 12M Plan must be submitted with this application. All Plans must be registered.
- Section 2: Provide the full name, address, phone number, fax number, and email address of the applicant, agent, and registered owner. If any of these are a corporation, provide the full corporate name. Include the full name of the contact person.
- Section 3: Provide information about the subject land. This information is used to determine supporting information requirements and to assist in the review of the application.
- Section 4: Complete and sign in the presence of a Commissioner for Taking Affidavits.
- Schedule A: Read, complete in full, and sign.
- Schedule H: Holding Zone Provisions from Zoning By-law 8600. For information purposes only.
- Submit application form, supporting information, and application fee to Senior Steno Clerk at Planning & Development Services, Suite 210, 350 City Hall Square West, Windsor ON N9A 6S1 or planningdept@citywindsor.ca
- Staff will review the application and may return the application if it is incomplete, if required information is not submitted, or if fees are not paid in full. Administration reserves the right to request additional information.
- An application will be terminated without notice after 60 days of inactivity.

FEES

Verify fee before submitting the application. Fee is subject to change and are not refundable when the application is deemed complete. Method of payment: Cash, Mastercard, Visa, or by Certified Cheque or Personal Cheque payable to The Corporation of the City of Windsor. If paying by Mastercard or Visa, contact the Senior Steno Clerk for further direction at planningdept@citywindsor.ca or 519-255-6543.

TOTAL APPLICATION FEE = \$1,536.00 Code 53001

Ontario Land Tribunal (OLT) Appeal Fee \$1,100.00

An appeal is made through the Council Services ([519-255-6211](tel:519-255-6211) or clerks@citywindsor.ca). Fees, forms, and processes are subject to change. Visit <https://olt.gov.on.ca> for additional information.

DATE RECEIVED STAMP

CONTACT INFORMATION

Planning & Development Services
Suite 210
350 City Hall Square West
Windsor ON N9A 6S1

Phone: 519-255-6543
Fax: 519-255-6544
Email: planningdept@citywindsor.ca
Web Site: www.citywindsor.ca

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1. PRE-SUBMISSION CONSULTATION

By-law 199-2007 requires pre-submission consultation with a staff Planner to determine what supporting information is required, to verify fee payable, and to review the process. This application is incomplete until a staff Planner signs below.

Applicable Rezoning File #: _____ No applicable rezoning file

Staff Use Only

Signature of Staff Planner		Date of Consultation	
<input type="checkbox"/> Jim Abbs	<input type="checkbox"/> Kevin Alexander	<input type="checkbox"/> Greg Atkinson	<input type="checkbox"/> Frank Garardo
<input type="checkbox"/> Brian Nagata	<input type="checkbox"/> Justina Nwaesei	<input type="checkbox"/> Simona Simion	<input type="checkbox"/> Laura Strahl
<input type="checkbox"/> Adam Szymczak	<input type="checkbox"/> _____		

2. REQUIRED SUPPORTING INFORMATION (TO BE COMPLETED BY A STAFF PLANNER)

You are responsible for ensuring that all conditions for removal of the holding symbol have been satisfied prior to submitting this application.

Provide the information and documentation listed below with this application form:

The following conditions in Section 5.4.20 of Zoning By-law 8600 (see Schedule H attached):

- Section 5.4.20.1 (Property status)
- Section 5.4.20.2 (Provision of municipal infrastructure)
- Section 5.4.20.3 (Compliance with remediation / mitigation recommendations)
- Section 5.4.20.4 (Registration of Site Plan Control agreement)
- Section 5.4.20.5 Amending By-Law Number: _____ Date: _____
- Deed or Offer to Purchase
- 12R or 12M or Registered Plan
- Proof that the conditions for removal of holding symbol have been satisfied
- Other: _____

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3. APPLICANT, REGISTERED OWNER, AND AGENT INFORMATION

Provide in full the name of the applicant, registered owner and agent, the name of the contact person, and address, postal code, phone number, fax number and email address.

If the applicant or registered owner is a numbered company, provide the name of the principals of the company. If there is more than one applicant or registered owner, copy this page, complete in full and submit with this application.

All communication is with the Agent authorized by the Owner to file the application. If there is no Agent, all communication is with the Applicant.

Applicant

Name: _____ Contact: _____
Name of Contact Person

Address: _____

Address: _____ Postal Code: _____

Phone: _____ Fax: _____

Email: _____

Registered Owner Same as Applicant

Name: _____ Contact: _____
Name of Contact Person

Address: _____

Address: _____ Postal Code: _____

Phone: _____ Fax: _____

Email: _____

Agent Authorized by the Owner to File the Application (Also complete Section A1 in Schedule A)

Name: _____ Contact: _____
Name of Contact Person

Address: _____

Address: _____ Postal Code: _____

Phone: _____ Fax: _____

Email: _____

CONTINUED ON NEXT PAGE

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4. SUBJECT LAND INFORMATION

Municipal Address _____

Legal Description _____

Assessment Roll Number _____

Frontage (m) _____ Depth (m) _____ Area (sq m) _____

5. SWORN DECLARATION OF APPLICANT

Complete in the presence of a Commissioner for Taking Affidavits. If to be administered remotely, you must be able to see, hear and communicate with the Commissioner and show documentation that confirms your identity.

I, _____, solemnly declare that the information required by the Planning Act and the City of Windsor and provided by the applicant is accurate and that the information contained in the documents that accompany this application is accurate, that if this declaration was administered remotely that it was in accordance with Ontario Regulation 431/20, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath.

Signature of Applicant
*Sign in the presence of a Commissioner
For Taking Affidavits*

Location of Applicant at time of declaration

This declaration was administered remotely in accordance with Ontario Regulation 431/20

Declared before me _____ at the _____

*Signature of Commissioner
For Taking Affidavits*

Location of Commissioner

this _____ day of _____, 20____

day month year

PLACE AN IMPRINT OF YOUR STAMP BELOW

COMPLETE SCHEDULE A ON THE NEXT PAGE

REMOVAL OF THE HOLDING SYMBOL APPLICATION

SCHEDULE A – Authorizations & Acknowledgements

A1. Authorization of Registered Owner for Agent to Make the Application

If the applicant is not the registered owner of the land that is the subject of this application, the written authorization of the registered owner that the agent is authorized to make the application must be included with this application form or the authorization below must be completed.

I, _____,
name of registered owner

am the registered owner of the land that is subject of this application to remove the holding symbol and I authorize

_____ to make this application on my behalf.
name of agent

Signature of Registered Owner

Date

If Corporation - I have authority to bind the corporation

A2. Authorization to Enter Upon the Subject Lands and Premises

I, _____, hereby authorize the members of the Development and Heritage Standing Committee or their successor, City Council and staff of The Corporation of the City of Windsor to enter upon the subject lands and premises described in Section 4 of the application form for the purpose of evaluating the merits of this application. This is their authority for doing so.

Signature of Registered Owner

Date

If Corporation – I have authority to bind the corporation

SCHEDULE A CONTINUES ON NEXT PAGE

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SCHEDULE A – Authorizations & Acknowledgements - Continued

A3. Acknowledgements

Receipt and Termination of Application, Conditions Satisfied & Freedom of Information

I acknowledge that receipt of this application by the City of Windsor does not guarantee it to be a complete application. Further review of the application will occur and I may be contacted to provide additional information and/or resolve any discrepancies or issues with the application as submitted.

I further acknowledge that after the application is deemed complete, fees are not refundable, additional information may be requested, and that after 60 days of inactivity the City of Windsor may terminate the application without notice.

I further acknowledge that all the necessary conditions for removal of the holding symbol have been satisfied and that I have submitted proof with this application. The lack of proof may delay processing of this application.

I further acknowledge that pursuant to the provisions of the Planning Act and the Municipal Freedom of Information and Protection of Privacy Act, this application and all material and information provided with this application are made available to the public.

Species at Risk

Ontario's *Endangered Species Act* protects endangered and threatened species — animals and plants in decline and at risk of disappearing from the province by restricting activities that may affect these plants, animals or their habitats.

I acknowledge that it is my sole responsibility as the Applicant to comply with the provisions of the *Endangered Species Act, 2007, S. O. c.6*. This could require me to register an activity, get a permit or other authorization from the Ministry of the Environment, Conservation and Parks (MECP) prior to conducting an activity that could impact an endangered or threatened plant or animal or its habitat. I further acknowledge that any *Planning Act, R.S.O. 1990, c.P. 13* approval given by the City of Windsor does not constitute an approval under the *Endangered Species Act*, nor does it absolve me from seeking the necessary authorization, approvals or permits from the MECP prior to conducting any activity that may affect endangered or threatened plant or animal or its habitat.

Additional information can be found at:

<https://www.ontario.ca/page/development-and-infrastructure-projects-and-endangered-or-threatened-species>

or by contacting MECP at SAROntario@ontario.ca

Acknowledgement

I acknowledge that I have read and understand the above statements:

Signature of Applicant or Agent

Date

END OF SCHEDULE A – SEE SCHEDULE H ON NEXT PAGE

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SCHEDULE H – Zoning By-law 8600 - Holding Zone Provisions

The following excerpt from Zoning By-law 8600 is provided for information purposes only and is subject to change.

You are responsible for ensuring that all conditions for removal of the holding symbol have been satisfied prior to submitting this application.

SECTION 5 – GENERAL PROVISIONS

5.4 HOLDING ZONE PROVISIONS

- 5.4.1 The purpose of the holding zone is to defer development or redevelopment until such time as specified conditions have been satisfied. A holding zone may supplement, alter, add, or remove any of the By-law provisions affecting the use of the land.
- 5.4.10 Where the H symbol precedes any *zoning district* symbol or a specific zoning exception, a *use, building, or structure* is prohibited except:
- .1 For any *use, building or structure* erected, operated, or maintained by the *City of Windsor, a public authority, or a public utility;*
 - .2 For an *existing use, building or structure* that is permitted by the applicable *zoning district* or a specific zoning exception that the H symbol precedes, additions or alterations to *existing buildings* are permitted and/or structures and accessory buildings may be erected, provided such additions, alterations, structures, or accessory buildings are in accordance with the provisions of the *zoning district, specific zoning exception* and all other provisions of this by-law.
- 5.4.15 It is the responsibility of the property owner or their designate to satisfy the conditions of the holding zone and to make application to remove the H symbol.
- 5.4.20 Where the H symbol precedes a *zoning district* symbol or a specific zoning exception, the H symbol may be removed when the following conditions are satisfied:
- .1 The property is on a registered plan of subdivision or condominium, subject to a part lot control exemption by-law or subject to an approved consent to sever by the Committee of Adjustment;
 - .2 A street paved to the satisfaction of the City Engineer, municipal storm water outlet, municipal sanitary sewer, municipal electrical service and municipal water service are available or an agreement to provide the aforementioned items is registered on title to the property;
 - .3 Where required by legislation, full compliance with remediation/mitigation recommendations in a required study, report or plan to the satisfaction of the appropriate approval authority, or an agreement registered on title to the property to comply with the remediation/mitigation recommendations;
 - .4 Where required, a site plan control agreement is registered on title to the property; and
 - .5 Other holding zone conditions contained within an approved amending zoning By-law.

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DO NOT COMPLETE BELOW – STAFF USE ONLY

Receipt and Assignment of Application	Date Received Stamp
This application has been assigned to:	
<input type="checkbox"/> Adam Szymczak (AS)	<input type="checkbox"/> Brian Nagata (BN)
<input type="checkbox"/> Frank Garardo (FG)	<input type="checkbox"/> Greg Atkinson (GA)
<input type="checkbox"/> Jim Abbs (JA)	<input type="checkbox"/> Justina Nwaesei (JN)
<input type="checkbox"/> Kevin Alexander (KA)	<input type="checkbox"/> Laura Strahl (LS)
<input type="checkbox"/> Simona Simion (SS)	<input type="checkbox"/> _____

Complete Application		
This application is deemed complete on _____ <i>Date</i>		
_____ <i>Signature of Delegated Authority</i>		
<input type="checkbox"/> Neil Robertson, MCIP, RPP Manager of Urban Design	<input type="checkbox"/> Michael Cooke, MCIP, RPP Manager of Planning Policy	<input type="checkbox"/> Thom Hunt, MCIP, RPP City Planner & Executive Director

Internal Information			
Fee Paid: \$ _____	Receipt No: _____	Date: _____	
Payment Type: <input type="checkbox"/> Cash	<input type="checkbox"/> Certified Cheque	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Personal Cheque
NEW File No. HRM/ _____	Previous File No.: _____		
Related HRM Files: _____	Related Zoning File: _____		
Other File Numbers: _____			
Notes: _____			

THIS IS THE LAST PAGE OF THE APPLICATION FORM