



The Corporation of
THE TOWNSHIP OF MELANCTHON
157101 Highway 10, Melancthon, Ontario, L9V 2E6

MEMORANDUM

To: Mayor White and Members of Council
Copy: Ms. Denise Holmes, CAO/Clerk
From: Liam Morgan, Development Planner
Date: November 21st, 2024
Re: MPC22-801 – 537086 Main Street – Zoning By-law Amendment

Dear Mayor White and Members of Council,

This letter is to provide you with an update on the Zoning By-law Amendment application that was submitted by GSP Group Inc. (herein referred to as the 'applicant') for the lands municipally known as 537086 Main Street and legally described as Melancthon Con 2 OS PT Lot;13 (see *Figure 1*). The intent of the application is to develop a subdivision that will entail 26 single detached residential lots, a stormwater management facility, and a future parkland lot.

Initially this application was brought forth to Council on September 19th, 2024. Township Planning staff provided Council an informational report on the application, which provided an overview of technical materials submitted and next steps Township Planning staff were proceeding with. In addition, a statutory public meeting, as required by Section 34 of the *Planning Act*, was held as a delegation during the Council meeting. During this meeting Township Planning staff and the applicant were able to receive feedback on the proposal and offer clarity on the proposal to members of the public.

As previously mentioned, Township Planning staff provided a list of next steps as part of the informational report that was brought forth at the Council meeting on September 19th, 2024. For the purposes of this report, one of those steps was the circulation of technical materials to the necessary internal and external agencies for their review and comment. During the review and circulation process Township Planning staff received comments from numerous agencies ranging from the County of Dufferin to the Nottawasaga Valley Conservation Authority (NVCA). However, comments received from the Niagara Escarpment Commission (NEC) required Township Planning staff to review whether the correct planning application process had been proceeded with. In short, the comments provided by the NEC stated the following:

*"...the subject lands are within R.R.O. 1990, Regulation 826 Designation of Area of Development Control for the Niagara Escarpment. As a result of being within the area of development control, as identified in regulation 23(a), the Township of Melancthon Zoning By-law **is not in effect** on the subject lands. With the..."*

After an extensive review of these comments, NEC mapping, and Township Zoning By-law figures, Township Planning staff determined that in fact the subject lands are designated as an area of development control. As such, Township Zoning By-law 12-1979 is **not applicable** on the subject lands and the Zoning By-law Amendment application submitted by the applicant



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is null and void. What should be noted is that Township Zoning By-law 12-1979 figures do not indicate that the subject lands fall under the NEC area of development control, which is why a Zoning By-law Amendment application was initially submitted by the applicant.

The following are revised next steps that are to take place now that the planning application process has been adjusted:

1. Township Planning staff will circulate Draft Plan of Subdivision application materials to the necessary internal and external agencies for their review and comment. The Draft Plan of Subdivision was a subsequent application required to be proceeded with as part of the planning process. The applicant has already submitted the technical materials and fee associated with the Draft Plan of Subdivision application.
2. Township Planning staff will receive comments on the Draft Plan of Subdivision from internal and external agencies, which will be circulated to the applicant for their review and update. This step will continue to be undertaken until such time that there are no additional revisions required.
3. Recommendation report on the Draft Plan of Subdivision application will be prepared by Township Planning staff and submitted for review at a future Council meeting.
4. If Council approves the Draft Plan of Subdivision application, the applicant will then be required to proceed with the NEC Development Permit process.

Kind regards,

A handwritten signature in black ink, consisting of the letters 'LM' in a stylized, cursive font.

Liam Morgan

Development Planner

Township of Melancthon



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Figure 1: Aerial of Subject Lands

