



**TOWNSHIP OF MELANCTHON**

**COMMITTEE OF ADJUSTMENT**

**THURSDAY, JANUARY 16, 2020 - 11:00 A.M.**

- 1. APPROVAL OF MINUTES - December 12, 2019**
- 2. BUSINESS ARISING FROM MINUTES**
- 3. APPLICATION FOR CONSENT**
- 4. APPLICATION FOR MINOR VARIANCE**
- 5. APPLICATIONS ON FILE**
  1. B1/19 & B2/19 - Angelo Carnevale - Applications for Consent - Part of the East Part Lot 13, Concession 2 O.S. & East Part Lot 13, Concession 2 O.S.  
Letter from Raymond Sawdy regarding Carnevale Applications
- 6. DELEGATES**
- 7. CORRESPONDENCE**
- 8. ADJOURNMENT**

Raymond Sawdy

Agent for affected properties in Horning's Mills.  
537075 Main St.  
537094 Main St.

Jan 6, 2020.

Township of Melancthon  
Committee of Adjustments

re: Carnevale Applications file no. CAR 27618

attn: Denise Holmes,

Response to COA minutes Oct. 17th 2019.

#### **TOWNSHIP OF MELANCTHON COMMITTEE OF ADJUSTMENT**

**The Committee of Adjustment of the Township of Melancthon held a meeting on the 17th day of October, 2019 in the Council Chambers commencing at 6:00p.m.**

**Members D. White, W. Hannon, M. Mercer and D. Thwaites were present. Member Besley was absent (prior notice given). Secretary-Treasurer D. Holmes, W. Atkinson and Chris Jones, Township Planning Consultant were also present. Member White presided.**

**Applications for Consent B1/19 and B2/19 - Angelo Carnevale**

**A public meeting had been called for 6:00p.m. to consider two applications by Angelo Carnevale to sever approximately 2.8 ha. and 733 ha. from the East Part of Lot 13, Concession 2 O.S.**

**Chris Jones, Municipal Planning Services Ltd., reviewed his report with the Committee.**

**He advised the applications would create two new residential lots in the settlement of Horning's Mills from lands described as the East Part of Lot 13, Concession 2 O.S. with frontage on Main Street as well as County Road 124. The subject lands are considered to be a rural settlement area given that they form part of an area designated in the Township's Official Plan as "Community". The Secretary advised four submissions had been received, from the Nottawasaga Valley Conservation Authority, the County Planning Department, the Niagara Escarpment Commission and Raymond Sawdy.**

#### **Comments**

**To the members of the COA,**

**We have serious objections and issues upon further review of the Carnevale Applications.**

**The Applicant ignores the presence and significance of The Aquifer of Horning's Mills as a functioning natural heritage feature worth protecting. We present a closer look at what's at stake and what's a better plan.**

**Consent to the applications is premature and under investigated.**

## **The Aquifer of Horning's Mills**

The Aquifer of Horning's Mills defines its unique landscape, location and early pioneer homesteads. A hidden treasure in the Township of Melancthon. (see figure 1# - shaded area).

The Aquifer begins at the southern entrance to Horning's Mill at #124 and Main St. The Entrance lands are zoned to be intensely developed and now need solid studies and regulations to avoid harming the Aquifer. The Aquifer is a special communal asset.

## **Applications compromised**

The goal of the Applicant is to create a third lot, the Retained Parcel, for a future subdivision development with access on Main St. supported by a limited Site Evaluation Report (SER) on Lot Parcel A.

The two Applications, in fact, create 3 new lots. The retained parcel is a newly created lot #3 and should be applied for at the same time as Lot 1# and Lot 2#.

Lot 3# requires an EIS to determine whether Access on Main St. is permitted.

The applicant seems to be fast tracking to get a new approved Lot zoned for subdivision development without applying for it.

Is this a loop hole in planning? Apply for two lots and get one free, free of serious oversight. The free lot becomes land worth many times it was before. The applications are confusing and unfair.

## **Access on Main St. not permitted**

The promotion of Access on Main St. has no merit. The applications avoid a comprehensive EIS. A full EIS would not permit Access on Main St. nor consent to permit Lot parcel A.

In this regard, the Applicant by claiming Access on Main ST as a given, has mislead and influenced the decisions of the Nottawasaga Valley Conservation Authority, the County Planning Department, the Niagara Escarpment Commission, Chris Jones, Township Planning Consultant by favouring consent.

Loft Planning and the applications promote access on Main St. into a future subdivision as the best and only option when it is one of several viable alternatives. (see figure 3# and 5#).

Access on Main St. is not necessary nor vital to a future sub division, it is just assumed. Access on Main St. has the greatest environmental impact exposure than any other access location. (see fig 2#,3#) Access on Main St. is the worst location.

The claim to have access on Main St. is misinformation.

We request the claim of access on Main St. be retracted from the applications.

We request the COA, MNRF, NVCA, NEC and Chris Jones withhold their consents until a full comprehensive EIS of the Aquifer is undertaken. They need more information on the merits of the aquifer.

**Kristine Loft, Loft Planning Inc., addressed the submission of concerns received from Mr. Sawdy. She stated an EIS had been prepared and submitted by Azimuth Environmental Consulting Inc. and they had received endorsement from the NVCA.**

## Azimuth report

The limited SER report focussed on Lot Parcel A was a one day study. The report is narrowly focused and lacks relevant information.

Relying on the SER report to support the applications gives credibility to the notion that Main St. is a suitable access intersection to a future hi intensity sub division is misleading.

The SER report has lead to an endorsement by NVCA.  
We request NVCA take a second look and withdraw consent.

Loft Planning further claimed that a future sub division development would take place outside the Natural Heritage System. The Access on Main St. is in the Natural Heritage System.

The Applications rely upon maps from old field surveys and are general assumptions on borders in the Heritage Lands. Old field work mapping needs updating to support consent.

Building an Access on Main St. will replace a wetland with a culvert and build a street intersection inside the Natural Heritage Lands. (see figure 2#, 4# ).  
Access on Main St. will replace native white pine and white spruce grove with a paved street with deep ditches.

Loft Planning further claimed that there would be no impact on fish on parcel A.  
The applications will impact fish on adjacent properties by claiming access on Main St. (see figure 3# ).

Access on Main St. will gravely impact the spawning habitat of native brook trout Horning's Mills. (see figure 4# ).

We request the Department of Fisheries study and rule on this claim.

## Parcel A

Loft Planning compares lot size of Parcel A as similar with lot sizes in the adjacent subdivision lots on the east side of Main St. as similar. Not so.

The adjacent subdivision lots are larger on higher ground without water features or water table issues. Parcel A would be the smallest lot size in the area.

Parcel A would alter the aquifer at its beginnings by installing a culvert and building a driveway through the natural heritage lands.

We request hydraulic studies of the aquifer be required before granting consent on parcel A.

**Ms. Loft further advised that the NEC advised the proposal is in the planning area but outside the control area and stated a development permit was required, which has been applied for. The application was deferred until the development permit from the NEC has been approved. Chair White instructed staff to inquire as to why a development permit is required when the application is outside the control area. B12/19**

Please provide the reply from the above inquiry.

## New Vision

"The retained parcel appears to have the potential for a subdivision however the question is whether an ESI should be completed now to have a better understanding of environmental features and limitations to development on the retained and the 2 proposed lots." - Emma Perry NVCA. We agree.

A comprehensive ESI will not permit Access on Main St. into a future sub division.

A comprehensive ESI will not permit the creation of Lot Parcel A.

There are too many complex, costly and time consuming issues to overcome. (see figure 2#, 3#, 4#).

A future plan needs to be reimagined and be compatible with the light industrial lands on the south, the friendly neighbours on the north and the Carnevale property in between while protecting the Aquifer on the east with no access on Main St. permitted. (see figure 5# and 6#).

The Aquifer of Horning's Mills is a gift of the Gods and we are the stewards.

We look forward to a better plan,

Kind regards,

Raymond Sawdy

figure 1# The Aquifer of Horning's Mills

figure 2# Wild Life Habitat

figure:3# Fish Habitat

figure 4# Access on Main St.

figure 5# New Vision

figure 6# The Entrance to Horning's Mills

The Aquifer of Horning's Mills - needs protection

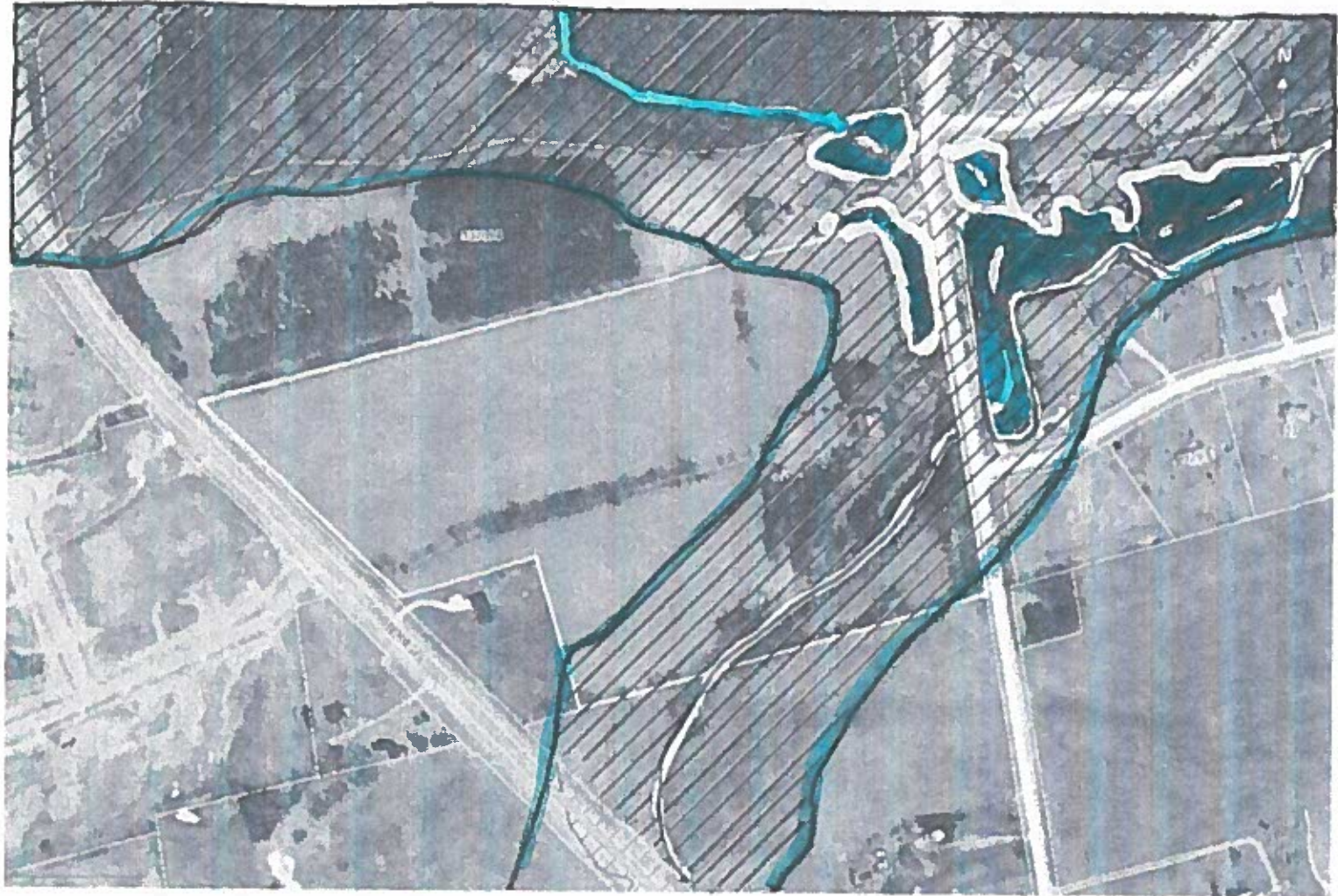


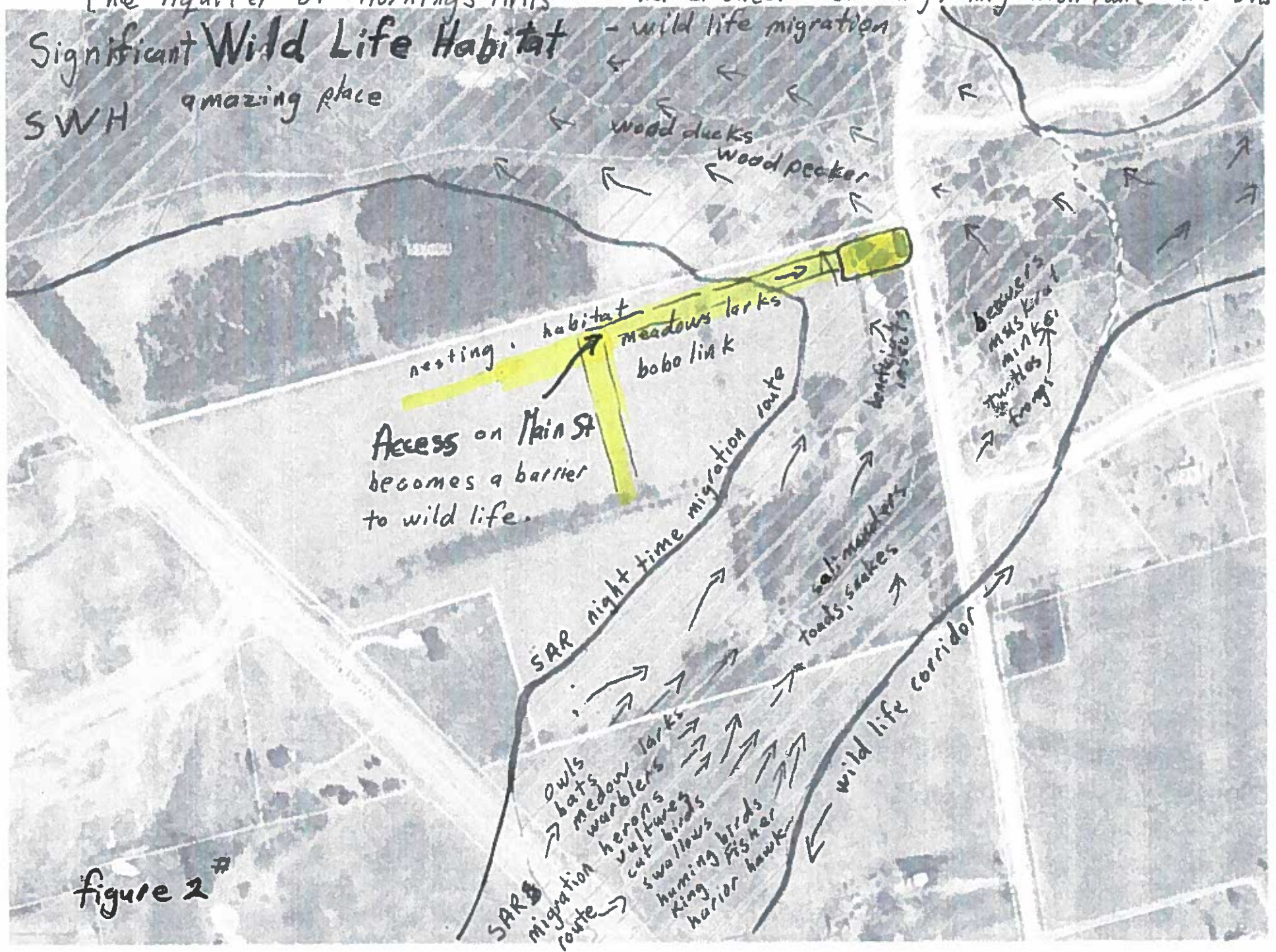
figure 1<sup>#</sup>

The gem of Melancthon Township.  
The Aquifer functions  
as a whole.



The Aquifer of Hornings Mills  
Significant Wild Life Habitat  
SWH amazing place

- watershed - SAR night migration route owls & bats  
- wild life migration



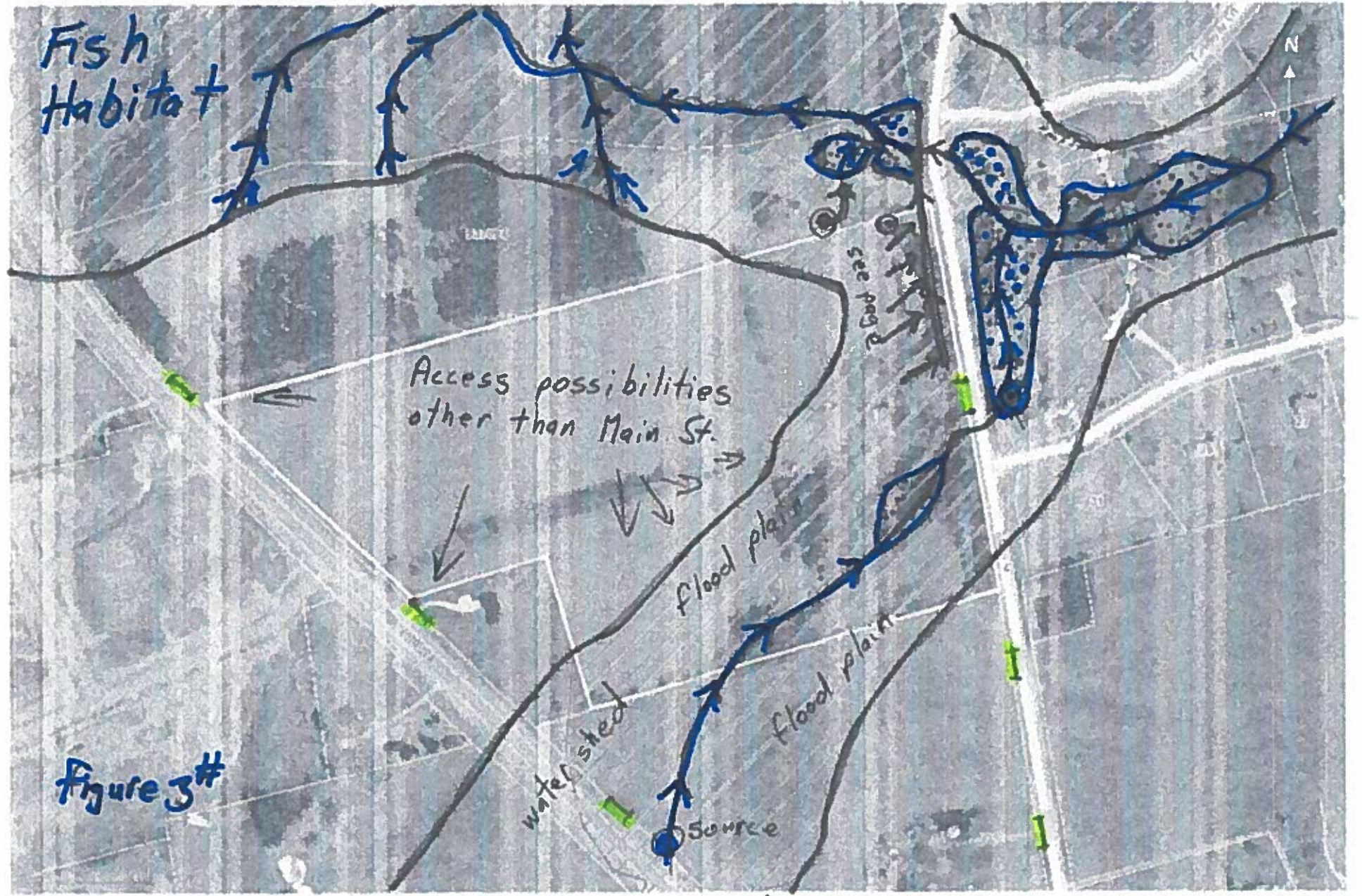
Access on Main St  
becomes a barrier  
to wild life.

figure 2 #



# The Aquifer of Horning's Mills

- headwaters of the Pine River
- spawning habit of the wild brook trout



- optional access points to future subdivision development
- ⊙ artesian springs

- ⊙ - brook trout spawning
- ⊙ - artesian ponds
- ⊙ - artesian springs



The Aquifer of Horning's Mills ○ - artesian springs, ponds, streams  
 Access on Main St. fig 4\* - wetlands approx 4-5 acres  
 - spawning habitat for native brook.

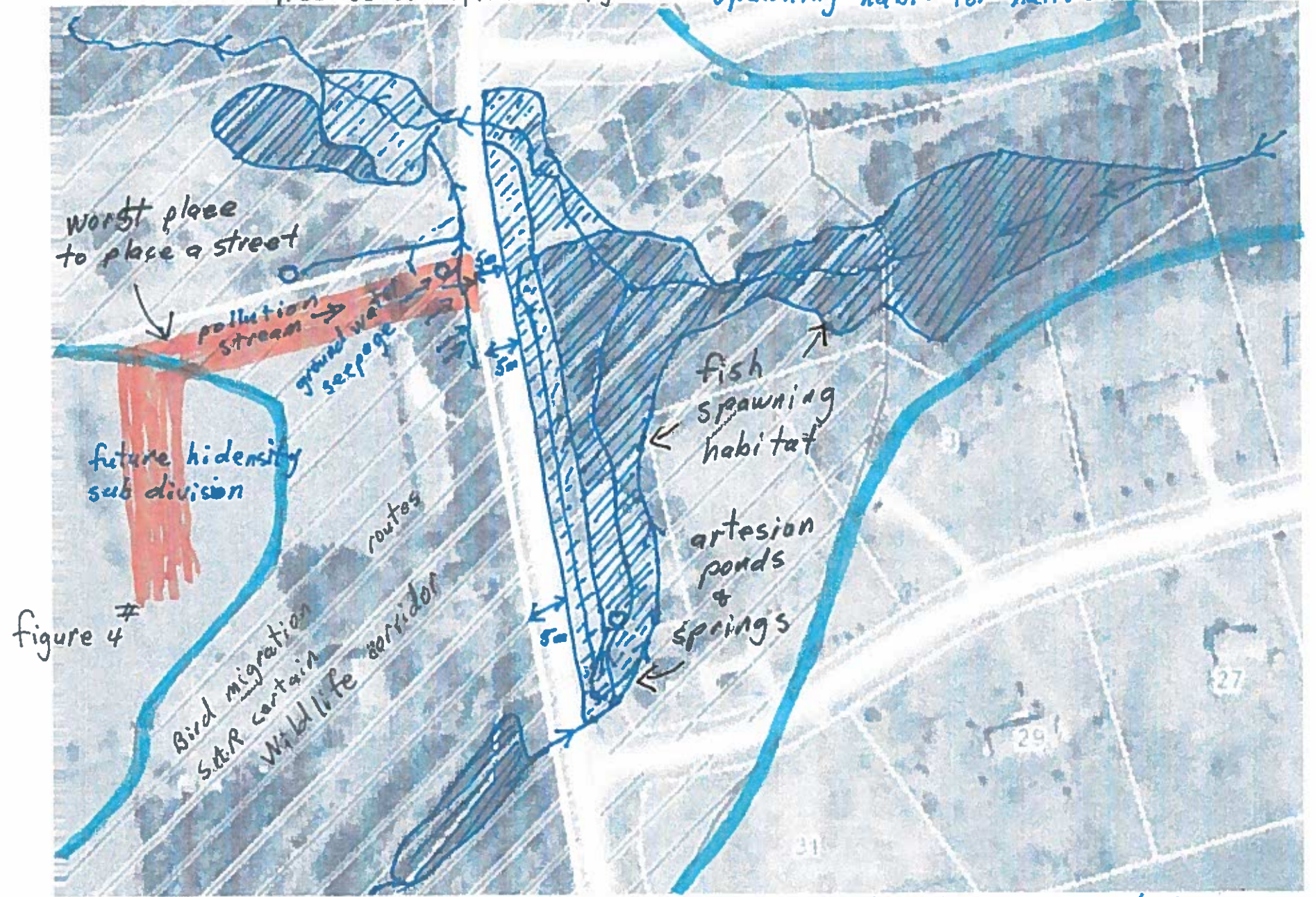


figure 4 #

Access on Main St. for future subdivision will not be permitted due to water issues.



New submission  
2 Applications

A - future sub division lot #1  
B - estate residential lot #2

No retained  
Lands



Figure 1 - Aerial View  
537080 Main Street,  
Melancton, (Hornings Mills)

Agent	New Vision	
File #	Sheet	figure 5 #
Date	Scale	

➤ Access locations options  
other than Main St.

New Plan  
- has support & merit.  
- no mitigation no litigation.  
- lot #1 becomes zoned D + mendas

# Entrance to Horning's Mills

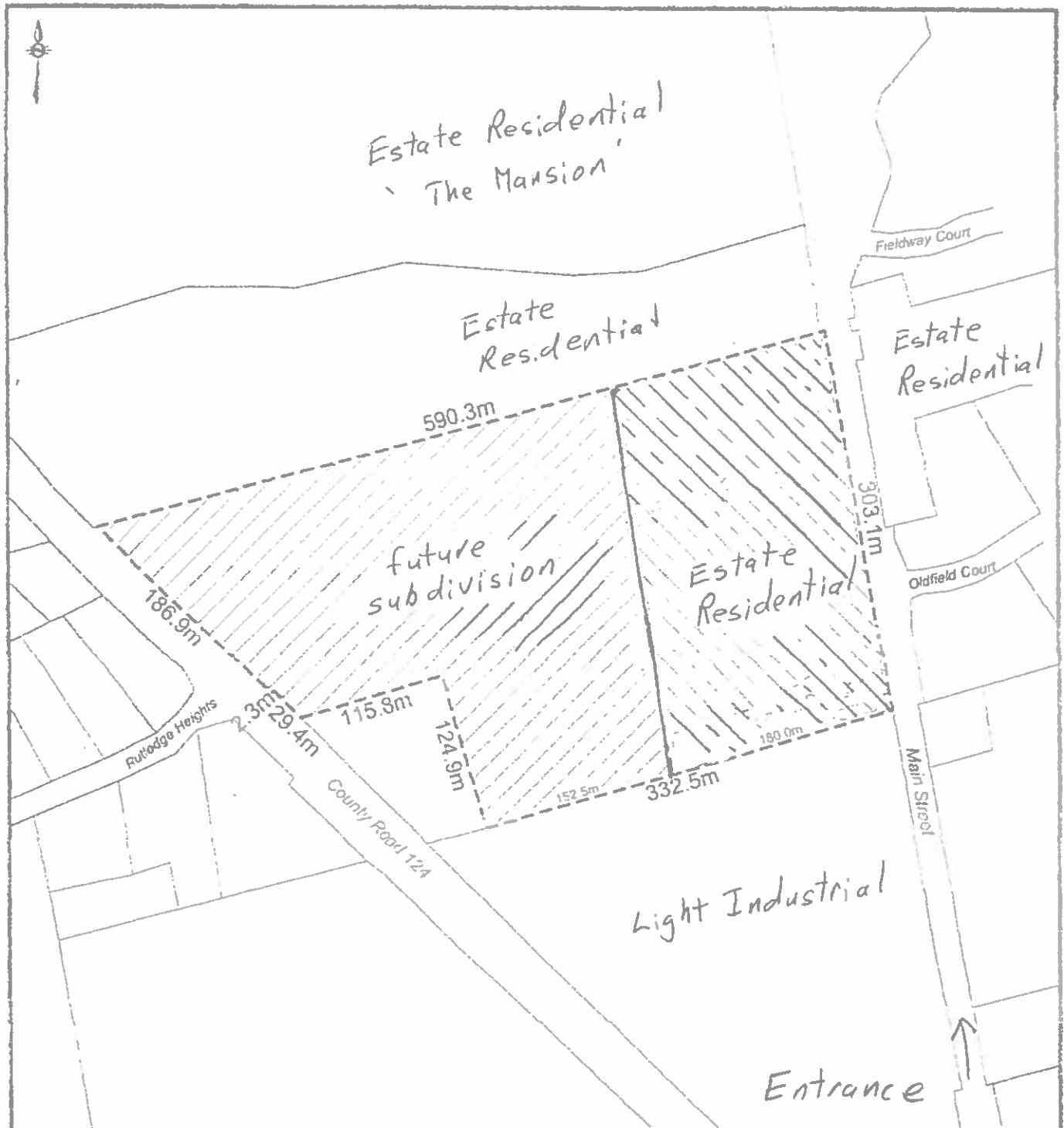


Figure 6 #  
 537080 Main Street,  
 Meianchton, (Hornings Mills)

Agent:	New Vision	
File #:	#CAR 27618	Sheet:
Date:		Scale:
		1:4,000