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The Corporation of the Town of Niagara-on-the-Lake Information Report to Council

SUBJECT: 61 Melville Street – Site Plan Application
DATE: 2024-09-24
REPORT #: CDS-24-145
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DEPARTMENT: Community & Development Services

BACKGROUND INFORMATION

The purpose of this report is to provide information on the Site Plan Application submitted for lands municipally known as 61 Melville Street.

Zoning By-law Amendment (ZBA-04-2023) and Official Plan Amendment (OPA-02-2023) applications were approved by Council on October 24, 2023. Approval of these amendments facilitates the construction of a 3-storey, 12-unit apartment building, with 24 parking spaces, subject to Site Plan Approval.

During the Committee of the Whole – Planning meeting on October 3, 2023, which considered the applications, Staff agreed to provide an Information Report to Council regarding the receipt of Site Plan Approval Application for the subject lands.

Staff acknowledge that the following items were raised during this meeting that will be addressed through the site plan process:

- Site lighting
- Shadowing
- Snow storage
- Landscaping
- Parking layout

The Site Plan Approval Application for 61 Melville Street was deemed complete and circulated for comment to internal Staff and external Agencies on June 28, 2024. The materials submitted with the Application are outlined below:

- Site Plan Approval Application Form
- Cover Letter
- Civil Engineering Drawing Set
- Electrical Drawing Set
- Elevations
- Landscape Plan & Details
- Stage 1-2 Archaeological Assessment Ministry Clearance Letter
- Parcel Register
- Property Index Map

The Site Plan drawing is attached as **Appendix I**, the Elevations are attached as **Appendix II**, and the Landscape Plan and Details are attached as **Appendix III**.

The associated Zoning By-law Amendment Application was approved by Council with a Holding Symbol to require the following prior to the by-law formally being in effect:

- The Holding (H) symbol shall not be removed until such time as the submission of archaeological assessment(s) and acknowledgment letter by the Ministry, and submission of confirmation of the filing of a Record of Site Condition with the Ministry, both to the satisfaction of the Corporation of the Town of Niagara-on-the-Lake and subject to an amendment to the Zoning By-law.

A Stage 3 Archaeological Assessment was recommended through the previous Stage 1-2 Archaeological Assessment. Archaeological works and investigation are ongoing and the finalized Stage 3 Report, and any required subsequent Assessments, is forthcoming. The associated Ministry Clearance Letter(s) will need to be provided to the Town upon completion. The filing of a Record of Site Condition with the Ministry must also be completed prior to lifting the Holding Symbol. The work required to obtain a Record of Site Condition is ongoing.

When all requirements of the development have been addressed through the Site Plan Application review, the Site Plan would receive approval, and the associated agreement would be registered on title.

A subsequent Zoning By-law Amendment Application is required to lift the Holding (H) Symbol and allow the by-law to be in full force and effect. This Application will be submitted once the necessary documents have been prepared and/or filed. Council is the approval authority for this type of Zoning By-law Amendment to lift the Holding Symbol. No development may occur until the Holding Symbol is removed.

NEXT STEP / CONCLUSION

The first round of comments by Town Staff and external Agency Staff have been provided, and the applicant is working to address them through a future resubmission.

Council approved Site Plan Control By-law No. 2024-021 on March 26, 2024, to bring the by-law into conformity with recent Provincial changes and requirements. The updated by-law provides clarity for Town Staff, development proponents, the public, as well as Council. It also delegates approval authority for site plans to Town Staff (Director of Community & Development Services) as required by the *Planning Act*. Accordingly, final approval of the Site Plan Approval application for 61 Melville Street rests with the Director.

As of the date of preparation of this report, the Site Plan Application is still under review and has not been approved.

ATTACHMENTS

- **Appendix I –** Site Plan Drawing
- **Appendix II –** Elevations
- **Appendix III –** Landscape Plan and Details