



**VILLAGE OF MERRICKVILLE-WOLFORD**

**Agenda for Council  
Council Chambers**

Regular Council Meeting 2:00 p.m.

Monday, September 27, 2021

**\*\*\*IMPORTANT NOTICE: This meeting will be held electronically. To ensure transparency, an audio recording of this meeting will be livestreamed on YouTube on the “Village of Merrickville-Wolford” YouTube channel at [https://www.youtube.com/channel/UC\\_OEkw3yIMarGSHGeNecrQg](https://www.youtube.com/channel/UC_OEkw3yIMarGSHGeNecrQg) and posted on the website following adjournment.\*\*\***

1. **Call to Order**
2. **Disclosure of Pecuniary Interest and the general nature thereof**
3. **Approval of the Agenda**
4. **In Camera**
  1. Personal matters about an identifiable individual, including municipal or local board employees; and
  2. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
  3. A meeting held for the purpose of education or training Council members.
5. **Correspondence:** Girls Incorporated of Upper Canada  
Request from Eco Champs re: awards event
6. **CAO/Clerk:** CAO-07-2021 Re: Process for filling Council vacancy  
National Day for Truth and Reconciliation
7. **Planning:** By-Law 49-2021 re: Designate Heritage Property – Spillway Farm
8. **Building:** By-Law 50-2021 re: appoint Building Official
9. **Public Question Period:** Questions may be emailed to: [mayor@merrickville-wolford.ca](mailto:mayor@merrickville-wolford.ca)
10. **Next meeting of Council:** Tuesday, October 12<sup>th</sup>, 2021 at 2:00 PM
11. **Confirming By-Law:** 51-2021 re: Confirm Proceedings of Council meeting of September 27, 2021
12. **Adjournment.**

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Incorporated  
Wolford 1850  
Merrickville 1860  
Amalgamated 1998



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## VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 21

Date: September 27, 2021

Moved by: Cameron Foster Molloy

Seconded by: Cameron Foster Molloy

**Be it hereby resolved that:**

The Council of the Corporation of the Village of Merrickville-Wolford does hereby approve the agenda of the regular Council meeting of September 27, 2021 as:

\_\_\_ circulated.

\_\_\_ amended.

Carried / Defeated

J. Douglas Struthers, Mayor

For Clerk's use only, if required:

**Recorded Vote Requested By:**

Cameron	Y	N
Foster	Y	N
Molloy	Y	N
Struthers	Y	N

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## VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 21

Date: September 27, 2021

Moved by: Cameron Foster Molloy

Seconded by: Cameron Foster Molloy

### Be it hereby resolved that:

The Council of the Corporation of the Village of Merrickville-Wolford does hereby move to an "In-Camera" session at \_\_\_\_\_ p.m. under Section 239 (2) of the *Municipal Act, 2001*, as amended, to address matters pertaining to:

1. Personal matters about an identifiable individual, including municipal or local board employees; and
2. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
3. A meeting held for the purpose of education or training Council members.

Carried / Defeated

J. Douglas Struthers, Mayor

For Clerk's use only, if required:

Recorded Vote Requested By:

Cameron	Y	N
Foster	Y	N
Molloy	Y	N
Struthers	Y	N

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## VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 21

Date: September 27, 2021

Moved by: Cameron Foster Molloy

Seconded by: Cameron Foster Molloy

**Be it hereby resolved that:**

The Council of the Corporation of the Village of Merrickville-Wolford does hereby rise and report from the "In Camera" session of the regular Council meeting, with staff being given direction, at \_\_\_\_\_ p.m.

Carried / Defeated

\_\_\_\_\_  
J. Douglas Struthers, Mayor

For Clerk's use only, if required:

Recorded Vote Requested

By:

Cameron	Y	N
Foster	Y	N
Molloy	Y	N
Struthers	Y	N

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## VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 21

Date: September 27, 2021

Moved by: Cameron Foster Molloy

Seconded by: Cameron Foster Molloy

**Be it hereby resolved that:**

That the Council of the Corporation of the Village of Merrickville-Wolford does hereby receive correspondence from Girls Incorporated of Upper Canada; and

That Council does hereby proclaim October 11<sup>th</sup> as International Day of the Girl.

Carried / Defeated

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J. Douglas Struthers, Mayor

For Clerk's use only, if required:

**Recorded Vote Requested By:**

Cameron	Y	N
Foster	Y	N
Molloy	Y	N
Struthers	Y	N

Girls Incorporated®  
of Upper Canada

P.O. Box 791, 1809 Oxford Ave.  
Brockville, Ontario K6V 5W1  
Tel: 613-345-3295  
Website: [www.girlsinc-uppercanada.org](http://www.girlsinc-uppercanada.org)  
E-mail: [admin@uppercanada.girls-inc.org](mailto:admin@uppercanada.girls-inc.org)

Identity Programs

Discovery Leadership®

Economic Literacy®

Friendly PEEReunion®

Media Literacy®

Operation SMART®

Project BOLD®

Allies in Action

September 22, 2021

D. Robertson, CAO & Clerk

Village of Merrickville-Wolford,  
P.O. Box 340  
317 Brock St. W  
Merrickville, ON, K0G 1N0

**girls  
inc.**

Inspiring all girls  
to be strong,  
smart, and bold

Dear Mayor and Council,

The United Nations declared October 11th as the International Day of the Girl. This day will make a difference in the lives of girls and young women as citizens and as powerful voices of change in their families, their communities and their nations. There is growing recognition around the globe that support for girls and equality is the key to healthy communities. Girls Inc. works passionately with hundreds of girls every year to inspire them to be strong, smart and bold leaders and advocates for equality; so girls can live, work and be safe in their communities and their futures. This year to celebrate International Day of the Girl, we will be highlighting the Girls Inc. Difference and its life-changing impact. Local participants will share how Girls Inc. has influenced their lives through a girls-only environment, research-based hands-on programming and adult role models that focus on the development of the whole girl.

Research shows that girls who are supported and have a safe place to have new experiences are more equipped to handle life's challenges. Please show your support for girls in our community by proclaiming October 11th as International Day of the Girl. These official declarations will raise awareness about this important day and the issues facing girls. The Day of the Girl is about highlighting, celebrating, discussing, and advancing girls' lives and opportunities across the globe. Help be a part of this empowering movement that's bigger than one issue, one organization, one municipality, or even one country.

Thank you for your continued support,



Lesley Hubbard  
Executive Director  
Girls Incorporated of Upper Canada  
P: (613)-345-3295 ext 102

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## VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 21

Date: September 27, 2021

Moved by: Cameron Foster Molloy

Seconded by: Cameron Foster Molloy

**Be it hereby resolved that:**

That the Council of the Corporation of the Village of Merrickville-Wolford does hereby approve waiving fees for the use of the Merrickville Community Centre for an awards event in 2022, subject to availability during the pandemic, and approval of a safety plan.

Carried / Defeated

\_\_\_\_\_  
J. Douglas Struthers, Mayor

For Clerk's use only, if required:

**Recorded Vote Requested By:**

Cameron	Y	N
Foster	Y	N
Molloy	Y	N
Struthers	Y	N

## Doug Robertson

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**From:** Robbie Giles <robbie.giles@outlook.com>  
**Sent:** Friday, September 24, 2021 11:35 AM  
**To:** Doug Robertson  
**Cc:** Mary Kate Laphen; Andrea Howard; Vic Weatherall; Anney de Gobeo; Heather Hawkins  
**Subject:** Champions ECO Champions project support ideas for the Municipality

Good morning Doug,

Here's a bit of an update on our **Champions ECO Champions - Protecting Our Species-at-Risk - Protégeons nos espèces en péril** Contest and some thoughts regarding Municipal support.

As of September 23, 2022:

- The Phoenix is ready to run articles and a display ad in the October edition.
- A website is being developed.
- A budget has been developed
- Private financial support has been provided.
- The Lions Club has been approached for additional financial support.
- An introductory video is being prepared for teacher, student, parent and group leader use.
- Cubs and Beavers have included the contest as part of their upcoming activities.
- School Principals and teachers are being contacted and are being provided with resource links and contest contact information.
- The contest is anticipated to run until mid March 2022.

In terms of municipal support, the organizers of the initiative believe that the following would be greatly appreciated:

- The Mayor or his designate being present and participating at any final awards event.
- The municipality providing any "swag" it may have. (We are currently planning awards for up to 100).
- The municipality waiving fees related to Community Centre space for an awards event. Although a date is yet to be determined and our COVID situation is still in flux we are thinking of tying any recognition event and showcase of participants' work to either Earth Day, April 22, 2022 or Endangered Species Day, May 20, 2022.

If you would take these ideas forward in response to the Mayor's request for ideas on how the municipality could further support the initiative it would be most appreciated.

Please connect if you have any questions.

Cheers for now,  
Robbie

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## VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 21

Date: September 27, 2021

Moved by: Cameron Foster Molloy

Seconded by: Cameron Foster Molloy

**Be it hereby resolved that:**

The Council of the Corporation of the Village of Merrickville-Wolford does hereby receive report CAO-07-2021, being a report regarding the process for filling a Council Vacancy.

Carried / Defeated

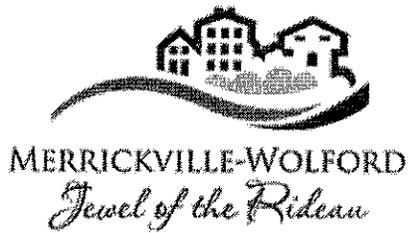
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J. Douglas Struthers, Mayor

For Clerk's use only, if required:

**Recorded Vote Requested By:**

Cameron	Y	N
Foster	Y	N
Molloy	Y	N
Struthers	Y	N



**Village of Merrickville - Wolford**

**Report CAO-07-2021**

**Information Report to Council**

**Date of Council Meeting: September 27, 2021**

**RE: Council Vacancy**

**OBJECTIVE:** To provide Council with an overview of the process for filling a Council Vacancy and receive direction from Council.

**RECOMMENDATION:**

**THAT: Council does hereby receive report CAO-07-2021, being a report to describe the process for filling a vacant seat on Council; and,**

**THAT the Council of the Corporation of the Village of Merrickville-Wolford does hereby decide to fill the current Council vacancy by:**

**\_\_\_\_\_ appointing a person who has consented to accept the office if appointed;**

**OR**

**\_\_\_\_\_ require a by-election be held to fill the vacancy in accordance with the Municipal Elections Act, 1996.**

**BACKGROUND:**

In accordance with the *Municipal Act, 2001, c.25*, when the seat of a member of Council becomes vacant during the term of Council, Council may fill a vacancy by appointing a person who has consented to accept the office if appointed or requiring that a by-election be held to fill a vacancy in accordance with the *Municipal Elections Act*.

A person appointed or elected to fill a vacancy must be:

- a Canadian citizen;
- at least 18 years of age;
- a resident of the Village of Merrickville-Wolford, or be the owner or tenant of land, or the spouse of the owner or tenant of land;
- not prohibited from voting in a municipal election by any legislation; and
- not prohibited from holding the office under the Municipal Act or any other legislation.

## **ANALYSIS:**

Section 259 (1) of *The Municipal Act, 2001, c.25* addresses the issue of Vacant Seats. The section specifically states that the office of a member of council of a municipality becomes vacant if the member:

- (a) becomes disqualified from holding the office of a member of council under section 256, 257 or 258;
- (b) fails to make the declaration of office before the deadline in section 232;
- (c) is absent from the meetings of council for three successive months without being authorized to do so by a resolution of council;
- (d) resigns from his or her office and the resignation is effective under section 260;
- (e) is appointed or elected to fill any vacancy in any other office on the same council;
- (f) has his or her office declared vacant in any judicial proceeding;
- (g) forfeits his or her office under this or any other Act; or
- (h) dies, whether before or after accepting office and making the prescribed declarations.**

On August 16, 2021, the Village of Merrickville-Wolford was advised of the unfortunate passing of Councillor Don Halpenny. At the Council meeting of September 13, 2021, Council declared the seat held by Councillor Halpenny to be vacant as required by section 259(h) of the *Municipal Act*.

When a vacancy on Council does occur, Council is faced with the decision on how to fill the vacant seat for the remainder of the term. The *Municipal Act, 2001, 263(1)* provides the following two options:

### 263(1) Filling Vacancies

If a vacancy occurs in the office of a member of council, the municipality shall, subject to this section:

- a) fill the vacancy by appointing a person who has consented to accept the office if appointed; or
- b) require a by-election to be held to fill the vacancy in accordance with the *Municipal Elections Act*.

The new Councillor will serve from the time their oath of office is taken to the end of the current term of Council.

Council has 60 days from the declaration of vacancy to either appoint a person to fill the vacancy or pass a by-law requiring a by-election be held to fill the seat. A by-election requires Council to pass a by-law ordering the election. The clerk must then set nomination day within 60 days after the by-election was ordered by Council. Voting day will be 45 days after nomination day.

Based on the fact there is only one year remaining in the current term and Ontario municipalities are in the midst of a very serious, deadly global pandemic with growing fears associated with a pending fourth wave of cases, it is recommended that appointment occur as opposed to a by-election. A by-election is likely to incur significant costs, similar to a regular election.

**BUDGET/LEGAL IMPLICATIONS:**

Budget implications will vary depending on which method is chosen to fill the Council vacancy. The 2018 municipal election expenses were \$12,220.

**LINKS TO STRATEGIC PLANS:**

On January 23, 2017, the Council of the Corporation of the Village of Merrickville-Wolford passed By-Law 10-17, being a by-law to adopt the Merrickville-Wolford Strategic Plan 2017-2025.

The priorities of the strategic plan that can be linked to this report are as follows:

Ensuring efficient, effective services and civic engagement.

**CONCLUSION:**

This report is for information purposes.

**ATTACHMENTS:**

None.

Submitted by:

---

Doug Robertson, MBA  
CAO/Clerk/Director, Economic Development

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## VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 21

Date: September 27, 2021

Moved by: Cameron Foster Molloy

Seconded by: Cameron Foster Molloy

**Be it hereby resolved that:**

**WHEREAS** at the Council meeting of September 13, 2021, Council declared the seat held by Don Halpenny to be vacant;

**NOW THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of the Village of Merrickville-Wolford does hereby decide to fill the vacancy by:

\_\_\_\_\_ appointing a person who has consented to accept the office if appointed; or

\_\_\_\_\_ require a by-election by held to fill the vacancy in accordance with the Municipal Elections Act, 1996. 2001, c.25, s. 263(1).

Carried / Defeated

\_\_\_\_\_  
J. Douglas Struthers, Mayor

For Clerk's use only, if required.

**Recorded Vote Requested By:**

Cameron	Y	N
Foster	Y	N
Molloy	Y	N
Struthers	Y	N

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## VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 21

Date: September 27, 2021

Moved by: Cameron Foster Molloy

Seconded by: Cameron Foster Molloy

### Be it hereby resolved that:

The Council of the Corporation of the Village of Merrickville-Wolford does hereby pass By-Law 49-2021, being a by-law to designate Spillway Farm as a Heritage Property.

Carried / Defeated

---

J. Douglas Struthers, Mayor

For Clerk's use only, if required:

Recorded Vote Requested By:

Cameron	Y	N
Foster	Y	N
Molloy	Y	N
Struthers	Y	N

THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD

BY-LAW 49-2021

Being a By-Law to Designate Spillway Farm, located at 437 County Road 23 in the Village of Merrickville-Wolford, as being of Cultural Heritage Value and Interest.

**WHEREAS** Section 29 of the Ontario Heritage Act, R.S.O., Chapter 0.18, authorizes the Council of a municipality to enact by-laws to designate real property within the municipality, including all buildings and structures thereof, to be of cultural heritage value and interest.

**AND WHEREAS** the Council of The Corporation of Merrickville-Wolford deems it desirable to designate Spillway Farm located at 437 County Road 23 in the Village of Merrickville-Wolford, legally described as Part Lot 3, Con B, former Township of Wolford, Part 1, 15R8244, as being of Cultural Heritage Value and Interest;

**AND WHEREAS** Notice of Intention to Designate Spillway Farm was served on the owner of the property and on the Ontario Heritage Trust and such notice was published in the Kemptville Advance newspaper having general circulation in the municipality in accordance with Section 29 (3) & (4) of the *Ontario Heritage Act, R.S.O. 1990*;

**AND WHEREAS** the reasons for designation are set out in Schedule 'B' attached to and forming part of this By-Law;

**AND WHEREAS** no notice of objection to the proposed designation has been served on the Clerk of the municipality.

**NOW THEREFORE** the Council of The Corporation of the Village of Merrickville-Wolford hereby enacts as follows:

1. That Spillway Farm located at 437 County Road 23 in the Village of Merrickville-Wolford, legally described as Part Lot 3, Con B, former Township of Wolford, Part 1, 15R8244, is hereby designated as a building being of cultural heritage value and interest.
2. That the Village Clerk is hereby authorized and instructed to register a copy of this By-Law against the property described in Schedule 'A', attached hereto, in the Registry Office of the Land Registry Division of Leeds & Grenville, at the expense of the property owner.
3. That the Village Clerk/or his/her designate, is hereby authorized to amend the parcel designation noted in this By-Law, if necessary, upon registration of this By-Law
4. That the Village Clerk is hereby authorized to cause a copy of this By-Law to be served on the owner of the aforesaid property and on the Ontario Heritage Trust and to cause notice of this By-Law to be published in the Kemptville Advance.

This by-law shall come into force and take effect immediately upon the final passing thereof.

Read a first, second and third time and passed on the 27<sup>th</sup> day of September, 2021.

\_\_\_\_\_  
J. Douglas Struthers, Mayor

\_\_\_\_\_  
Doug Robertson, CAO/Clerk

Schedule A to By-Law 49-21

**Part Lot 3, Con B, former Township of Wolford, Part 1, 15R8244, Village of Merrickville-Wolford**

## Schedule B to By-Law 49-21

### **Reasons for Designation Under the Ontario Heritage Act, R.5.O. 1990, Chapter 0.18**

#### **Spillway Farm**

##### **Description of Property:**

Spillway Farm is a 1-1/2 storey stone house, located on the Rideau River, opposite Clowes Lock and across the road from McGuigan Cemetery, located at 437 County Road 23 in the Village of Merrickville-Wolford, legally described as Part Lot 3, Con B, former Township of Wolford, Part 1, 15R8244

##### **Design/Physical Value**

Key exterior attributes that encompass the heritage value of Spillway Farm as an excellent example of a c1835 stone house in the Rideau Corridor include its:

- semi-elliptical fanlike wooden transom above the front door with overhead arched stonework;
- wide front and back doorway openings, with side lights, surrounded by painted wooden paneling at the front door;
- wooden eaves with moldings, without eaves troughs, and returns on adjacent walls;
- limestone exterior with quoins at each corner of the house;
- symmetrically placed window openings, double hung windows with real or simulated muntin bars, stone sills, and arched stonework above each window throughout the stone house;
- chimneys at each of the gabled ends; and,
- low-medium pitch of the roof.

##### **Historical/Associative Value**

The property's historical associations include: the Rideau River and Canal, Clowes Lock, and the abandoned McGuigan Cemetery, which are all permanent features of the broader setting and will continue to be linked to Spillway Farm. Added to this, Spillway Farm stone house embodies the heritage attributes of the many stone houses along the Rideau Corridor.

##### **Contextual Value**

- The property is important in defining, maintaining and supporting the character of the Rideau Canal landscape and period architecture.
- The property is historically linked to its surroundings and the Rideau Canal

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## VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 21

Date: September 27, 2021

Moved by: Cameron Foster Molloy

Seconded by: Cameron Foster Molloy

### Be it hereby resolved that:

By-Law 50-21, being a by-law to appoint Jonathan Proulx as Building Official for the Village of Merrickville-Wolford be read a first and second time, and that By-Law 50-21 be read a third and final time and passed.

Carried / Defeated

---

J. Douglas Struthers, Mayor

For Clerk's use only, if required.

Recorded Vote Requested By:

Cameron	Y	N
Foster	Y	N
Molloy	Y	N
Struthers	Y	N

**THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD**

**BY-LAW 50-2021**

**BEING A BY-LAW TO APPOINT A BUILDING OFFICIAL**

WHEREAS section 5(3) of the Municipal Act, 2001 states that municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law, unless the municipality is specifically authorized to do otherwise;

AND WHEREAS Section 3(2) of the Ontario Building Code Act, 1992, S.O. 1992, c. 23, as amended, states that the council of each municipality shall appoint a chief building official and such inspectors as are necessary for the enforcement of this Act in the areas in which the municipality has jurisdiction;

AND WHEREAS it is deemed in the best interests of the Village of Merrickville-Wolford to appoint a Building Official to carry out the enforcement of the Ontario Building Code Act, 1992, S.O. 1992, c. 23, as amended;

NOW THEREFORE the Council of the Corporation of the Village of Merrickville-Wolford hereby enacts as follows:

1. Jonathan Proulx is hereby appointed as Building Official for the Village of Merrickville-Wolford and shall perform the duties of the Building Official as set out in the Building Code Act, 1992, S.C. 1992, c. 23, as amended.
2. This by-law shall come into force and take effect immediately upon the final passing thereof.

Read a first, second and third time and passed on the 27<sup>th</sup> day of September, 2021.

\_\_\_\_\_  
J. Douglas Struthers, Mayor

\_\_\_\_\_  
Doug Robertson, CAO/Clerk



**THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD**

**BY-LAW 51-2021**

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD AT ITS MEETING HELD ON SEPTEMBER 27, 2021

WHEREAS section 5(3) of the Municipal Act, 2001 states that municipal power, including a municipality's capacity, rights, powers and privileges, shall be exercised by by-law, unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed prudent that the proceedings of the Council of the Corporation of the Village of Merrickville-Wolford (hereinafter referred to as "Council") at its meeting held on September 27, 2021 be confirmed and adopted by by-law;

NOW THEREFORE the Council of the Corporation of the Village of Merrickville-Wolford hereby enacts as follows:

1. The proceedings and actions of Council at its meeting held on September 27, 2021 and each recommendation, report, and motion considered by Council at the said meeting, and other actions passed and taken by Council at the said meeting are hereby adopted, ratified and confirmed.
2. The Mayor or his or her designate and the proper officials of the Village of Merrickville-Wolford are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required and, except where otherwise provided, the Mayor and Clerk are hereby directed to execute all documents necessary in that regard, and the Clerk is hereby authorized and directed to affix the Corporate Seal of the Municipality to all such documents.

This by-law shall come into force and take effect immediately upon the final passing thereof.

Read a first, second and third time and passed on the 27<sup>th</sup> day of September, 2021.

\_\_\_\_\_  
J. Douglas Struthers, Mayor

\_\_\_\_\_  
Doug Robertson, CAO/Clerk

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## VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 21

Date: September 27, 2021

Moved by: Cameron Foster Molloy

Seconded by: Cameron Foster Molloy

### Be it hereby resolved that:

This regular meeting of the Council of the Corporation of the Village of Merrickville-Wolford does now adjourn at \_\_\_\_\_ p.m. until the next regular meeting of Council on Tuesday, October 12<sup>th</sup>, 2021 or until the call of the Mayor subject to need.

Carried / Defeated

\_\_\_\_\_  
J. Douglas Struthers, Mayor

For Clerk's use only, if required:

Recorded Vote Requested  
By:

Cameron	Y	N
Foster	Y	N
Molloy	Y	N
Struthers	Y	N