

NOTICE OF DECISION
Draft Plan of Subdivision 07-T-19003 (Merrickville Grove)
Under Section 51(37) of the Planning Act

Applicant:	Park View Homes	Date of Decision:	November 18, 2020
File:	07-T-19003	Date of Notice:	November 18, 2020
Municipality:	Merrickville-Wolford	Last Date of Appeal:	December 8, 2020
Location:	Lots 178-189, 164-168; Lots 1-4, 7-10, Block 9; Lots 1, 2, 8-10, Block 15; Part of Herbert Street, Registered Plan No. 6 Geographic Village of Merrickville	Lapsing Date:	November 18, 2023

Approval is given to the above noted Draft Plan of Subdivision by the United Counties of Leeds and Grenville. The conditions of draft plan approval are attached and unless otherwise noted must be fulfilled prior to final plan approval.

Right of an Applicant or Public Body to Appeal Conditions:

At any time before the approval of the final plan of subdivision, any of the following may appeal any of the conditions imposed by the approval authority to the Local Planning Appeal Tribunal by filing a notice of appeal with the approval authority:

1. the applicant;
2. any public body that, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority;
3. the municipality in which the subject land is located;
4. the Minister of Municipal Affairs and Housing.

Who Can File an Appeal:

Only individuals, corporations, or public bodies may appeal decisions in respect of a proposed plan of subdivision to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of an association or group on its behalf.

No person or public body shall be added as a party to the hearing of an appeal of the decision of the approval authority, including the lapsing provisions or the conditions, unless the person or public body, before the decision of the approval authority, made oral submissions at a public meeting or written submissions to the council, or made a written request to be notified of changes to the conditions or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

When and How To File an Appeal:

A notice of appeal to the Local Planning Appeal Tribunal must be filed with the Manager of Planning Services of the United Counties of Leeds and Grenville no later than 20 days from the date of this notice as shown as the last date of appeal. The notice of appeal should be sent to the address shown below and it must:

1. set out the reasons for the appeal; and,
2. be accompanied by a certified cheque or money order, payable to the "Minister of Finance", for the fee required by the Local Planning Appeal Tribunal. Currently the fee is \$1,100.00. An Appellant may request a reduction of the filing fee to \$400, if the Appellant is a private citizen or eligible community group. The request for a reduction in the fee must be made at the time of filing the appeal using the appropriate form.

Effect of Written and Oral Submissions on the Decision:

Written submissions were received from twenty-five (25) members the public and one (1) community group (Sustainable Merrickville). Two (2) members of the public made written inquiries on this subdivision application. Twenty-one (21) members of the public provided oral submissions at the statutory public meeting. All comments were reviewed and considered by both the Village and the approval authority.

Some of the comments received effected the decision, by contributing to changes in the draft plan or the inclusion of certain conditions. One change to the draft plan included lot reconfiguration so that road allowances could be retained to prevent land-locking some parcels and preventing negative impacts on future development connectivity. Another change to the draft plan is to develop Alice Street for inward bound traffic to provide an added ingress which would distribute traffic further and to provide frontage on an opened street for the apartment block. There is also an additional walking path agreed to at the north end of the development

which is captured in the draft conditions. These changes were made in response to concerns raised by the public about the need for more ingress and egress points.

Other conditions of approval effected by public input include: regulating construction traffic/hours; placing a height limit on the apartment complex; requiring townhouse front yards depths to be staggered to add interest to the streetscape; requiring fencing along boundary lines between the subdivision and existing residential dwellings; requiring a tree planting/landscaping plan and requiring development of the parkland. Other comments were provided and considered but did not directly impact the decision.

Written submissions were received from nine (9) agencies including the Village. Conditions requested by agencies were reviewed, considered and reflected in the draft plan conditions. The recommendations of the background studies and any peer reviews of the studies are also reflected in the draft plan conditions.

Notice of Changed Conditions:

The conditions of approval of a draft plan of subdivision may be changed at any time before final approval is given. You will be entitled to receive notice of any changes to the conditions of approval of the proposed plan of subdivision if you have made a written request to be notified of the changes to the conditions.

No person or public body shall be added as a party to the hearing of an appeal regarding any changes to the conditions of approval unless the person or public body, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority, or made a written request to be notified of the changes to the conditions or in the Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

Other Related Applications:

Zoning By-law Amendment – File No. Z-02-19



Additional Information:

Additional information about the application is available by contacting Elaine Mallory, Planner I, at (613) 342-3840, extension 2422, during regular office hours (8 a.m. to 4 p.m.) at the United Counties of Leeds and Grenville.

Mailing Address for Filing an Appeal:

United Counties of Leeds and Grenville
25 Central Avenue West, Suite 100
Brockville, ON, K6V 4N6

Attention: Manager of Planning Services