



**VILLAGE OF MERRICKVILLE-WOLFORD**

**Agenda for Council  
Council Chambers**

Special Council Meeting 6:00 p.m.

Monday April 11, 2022

**IMPORTANT NOTICE:** This meeting will be held electronically. To ensure transparency, a recording of this meeting will be livestreamed on the "Village of Merrickville-Wolford" YouTube channel at [https://www.youtube.com/channel/UC\\_OEkw3yIMarGSHGeNecrQg](https://www.youtube.com/channel/UC_OEkw3yIMarGSHGeNecrQg)

Live comments regarding the proposed by-law amendment may be submitted during the virtual public meeting as follows:

On-line at: <https://us02web.zoom.us/j/89788685400>  
Passcode: 927077

By Phone at: 1-647-558-0588  
Meeting ID: 897 8868 5400  
Participant ID: #  
Passcode: 927077

1. **Call to Order**
2. **Disclosure of Pecuniary Interest and the general nature thereof**
3. **Approval of the Agenda**
4. **Move to Public Meeting:**  
Application to amend Zoning By-Law 23-08, as amended, of the Village of Merrickville-Wolford, File #ZBA-03-2022
5. **By-Laws** By-Law 21-2022: Amend By-Law 23-08, File #ZBA-03-2022
6. **Next meeting of Council:** Monday April 11, 2022 at 7 p.m.
7. **Confirming By-Law:** 22-2022 re: Confirm Proceedings of Council meeting of April 11, 2022
8. **Adjournment.**

Established 1793  
Incorporated  
Wolford 1850  
Merrickville 1860  
Amalgamated 1998



Telephone (613) 269-4791  
Facsimile (613) 269-3095

## VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 22

Date: April 11, 2022

For Clerk's use only, if  
required:

**Recorded Vote Requested  
By:**

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

Moved by: Cameron Foster Molloy Ireland

Seconded by: Cameron Foster Molloy Ireland

**Be it hereby resolved that:**

The Council of the Corporation of the Village of Merrickville-Wolford does hereby  
approve the agenda of the special Council meeting of April 11, 2022, as:

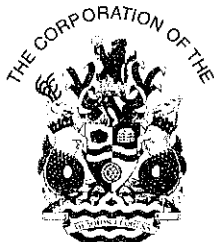
\_\_\_ circulated.

\_\_\_ amended.

Carried / Defeated

J. Douglas Struthers, Mayor

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## VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 22

Date: April 11, 2022

For Clerk's use only, if  
required:

**Recorded Vote Requested  
By:**

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

Moved by: Cameron Foster Molloy Ireland

Seconded by: Cameron Foster Molloy Ireland

**Be it hereby resolved that:**

The Council of the Corporation of the Village of Merrickville-Wolford does hereby move to a Public Meeting under Section 34 of the *Planning Act*, as amended.

Carried / Defeated

J. Douglas Struthers, Mayor



## VILLAGE OF MERRICKVILLE-WOLFORD

### NOTICE OF APPLICATION AND VIRTUAL PUBLIC MEETING FILE NO. ZBA-03-2022

***In the matter of Section 34 (13)  
of the Planning Act, as amended, the Village of Merrickville-Wolford hereby gives  
NOTICE OF THE FOLLOWING:***

- i) Application to amend Zoning By-law No. 23-08, as amended, of the Village of Merrickville-Wolford
  - ii) A virtual public meeting regarding the zoning by-law amendment.
- 

**Subject Lands** 13828 County Road 15, Concession 3 Part Lot 12 in the Village of Merrickville-Wolford, on the west side of County Road 15, northwest at the intersection of County Road 15 and Carleys Corners Road, as shown on the Key Map below.

**Virtual Public Meeting**

A public meeting to inform the public of the proposed zoning amendment will be held (VIRTUALLY) on **April 11, 2022 at 6:00 p.m.**

**Any person** may make written representation in support of or in opposition to the proposal. Written comments shall be submitted to the Clerk by mail to P.O. Box 340, Merrickville, K0G 1N0, or by email to [cao@merrickville-wolford.ca](mailto:cao@merrickville-wolford.ca) **no later than 12:00 p.m., noon, on April 8, 2022**, and the written submissions will be provided to Village representative(s) in advance of the meeting, if possible. All written submissions must clearly indicate "13828 County Rd 15 ZBA" in the subject line of an email or letter submission. In addition, live comments may be submitted during the virtual public meeting **beginning April 11, 2022 at 6:00 p.m. until meeting end**. The Clerk or Village representative(s) will verbally read out written deputations and live comments during the virtual meeting. You are entitled to attend this public meeting virtually.

**If you wish to attend** you must register in advance by email to [cao@merrickville-wolford.ca](mailto:cao@merrickville-wolford.ca) or mail to P.O. Box 340, Merrickville, ON, K0G 1N0 to be received **no later than noon on April 11, 2022**. Upon registration, you will receive details on how to join the Virtual Public Meeting.

**To Observe only, Visit the Village Council's YouTube Channel:**  
[https://www.youtube.com/channel/UC\\_OEkw3yIMarGSHGeNecrQg](https://www.youtube.com/channel/UC_OEkw3yIMarGSHGeNecrQg)

**Purpose and Effect**

The purpose of this amendment is to rezone the subject property to allow for a secondary dwelling on the subject property in the Hamlet Zone, for which an application for zoning by-law amendment has been filed.

**The effect of the amendment is to:** Rezone the subject lands from Hamlet (H) to Hamlet - Exception (H-X) to permit the secondary dwelling on the subject property. All provisions of the Hamlet (H) zone in the Merrickville-Wolford Zoning By-Law 23-08, as amended, will apply.

### **Additional Information and Notice of Decision**

Additional information regarding the proposed Zoning By-law amendment is available for inspection on the Village Website at [www.merrickville-wolford.ca](http://www.merrickville-wolford.ca) or by email request to [cao@merrickville-wolford.ca](mailto:cao@merrickville-wolford.ca).

If a person or public body does not make written submissions or live comments to the Village of Merrickville-Wolford in respect of the proposed Zoning By-law amendment, before the approval authority gives or refuses to give approval to the Zoning By-law amendment, the person or public body is not entitled to appeal the decision of the Village of Merrickville-Wolford to the Ontario Land Tribunal.

If a person or public body does not make written submissions or live comments to the Village of Merrickville-Wolford in respect of the proposed Zoning By-law amendment before the approval authority gives or refuses to give approval to the Zoning By-law amendment, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

If you wish to be notified of the decision of the Village of Merrickville-Wolford in respect of the proposed Zoning By-law Amendment, you must make a written request to:

Village of Merrickville-Wolford  
Attention: Clerk  
P.O. Box 340  
317 Brock Street West  
Merrickville, ON, K0G 1N0

**NOTE:** One of the purposes of the Planning Act is to provide for planning processes that are open, accessible, timely and efficient. Accordingly, all written submissions, live comments, documents, correspondence, e-mails or other communications (including your name and address) form part of the public record and will be disclosed/made available by the municipality to such persons as the municipality sees fit, including anyone requesting such information. Accordingly, in providing such information, you shall be deemed to have consented to its use and disclosure as part of the planning process.

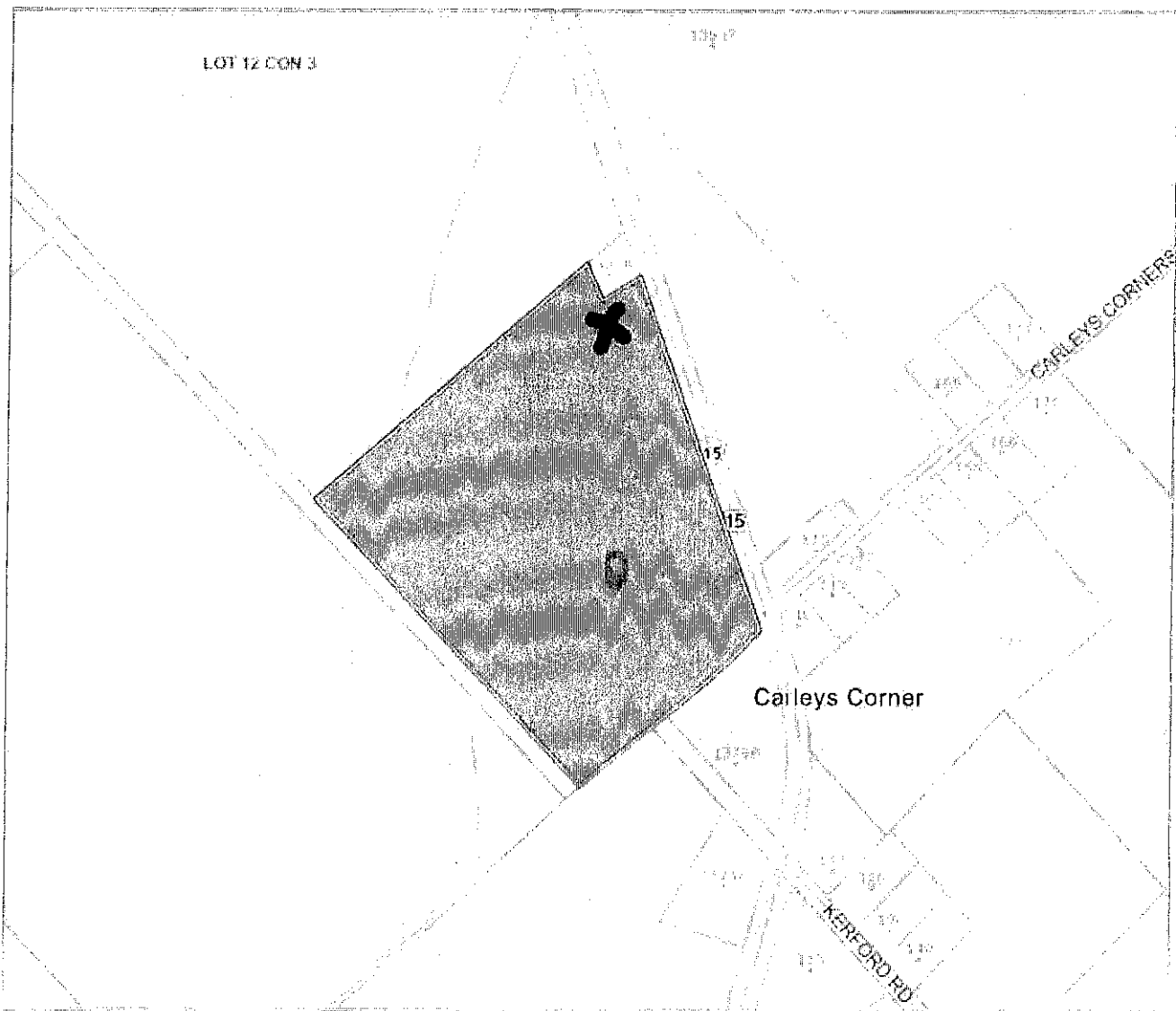
Dated at the Village of Merrickville-Wolford this 22<sup>nd</sup> day of March, 2022.

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Mr. Douglas Robertson, CAO/Clerk  
Village of Merrickville-Wolford  
317 Brock Street West  
P.O. Box 340  
Merrickville, ON K0G 1N0

# **VILLAGE OF MERRICKVILLE-WOLFORD KEY MAP**

**FILE NO. ZBA-03-2022**



**13828 County Road 15, Concession 3 Part Lot 12,**

**in the Village of Merrickville-Wolford, ON.**

**Subject lands highlighted. Red "X" indicates approximate  
location of proposed secondary dwelling**

**Village of Merrickville-Wolford  
United Counties of Leeds-Grenville**  
Application for amendment to Merrickville-Wolford  
Zoning By-Law # 23-08  
Planning Act, R.S.O. 1990, Chapter C.13 (repealed "the Act")

File # \_\_\_\_\_  
OFFICE USE ONLY

*rec'd Mar 18/22  
82*

Name of APPLICANT <u>Chris Morice</u>	Name of AGENT (if the applicant is an agent authorized by the Owner) <input type="checkbox"/> Not applicable
Mailing address <u>33 Kensington Ave Unit 2, K7A2K6</u>	Mailing address _____
Telephone <u>613-295-6447</u>	Telephone _____
Cell _____	Cell _____
email <u>ChrisMorice@aol.com</u>	email _____
If known, name of HOLDER of mortgage, charge or encumbrance <u>Westbass Mortgage Investment</u>	If known, name of HOLDER of mortgage, charge or encumbrance _____
Mailing address <u>367 Richmond RD Ottawa, ON. K1Z 8X2</u>	Mailing address _____

OFFICIAL PLAN: Current designation _____	ZONING: Current designation _____
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**DIMENSIONS OF SUBJECT LAND:**

Frontage <u>1250'</u>	Depth <u>1200'</u>	Area <u>34,299 Acres</u>
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REZONING - Nature and extent of rezoning requested: <u>To build and dwelling</u>	REZONING - Reason why rezoning is requested: <u>To build family home current zoning allows one dwelling only.</u>
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DATE - If known, date subject land was acquired by current owner: May 2021

LEGAL DESCRIPTION of subject land such as the municipality, concession and lot numbers, registered plan and lot numbers, reference plan and part numbers and name of street and number. See page 2 for details of plans required: 13828 county RD 15  
concession 3, Lot 12

ACCESS - Access to the subject land will be by:

<input type="checkbox"/> Provincial Highway	<input type="checkbox"/> Right-of-way	<input checked="" type="checkbox"/> Other public road (specify): <u>county RD</u>
<input type="checkbox"/> Municipal road - year round	<input type="checkbox"/> Water	
<input type="checkbox"/> Municipal road - seasonal		

WATER ACCESS - Where access to the subject land is by water only: ☒ Not applicable

Docking facilities (specify): _____	Parking facilities (specify): _____
Distance from subject land _____	Distance from subject land _____
Distance from nearest public road _____	Distance from nearest public road _____

EXISTING USES of the subject land: <u>Home, farm</u>	If known, length of time the existing uses of the subject land have continued: <u>17 years +</u>
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**Village of Merrickville-Wolford  
United Counties of Leeds-Grenville**

**EXISTING BUILDINGS – STRUCTURES** - Where there are any buildings or structures on the subject land, indicate for each:

Type <u>Single detached</u>	Front lot line setback <u>90 Ft</u>	Height in metres <u>9m</u>
If known, date <u>1900</u>	Rear lot line setback <u>800 Ft</u>	Dimensions <u>34' x 34'</u>
constructed: <u>1900</u>	Side lot setback <u>170 Ft</u>	Floor area <u>2000 sq Ft</u>
	Side lot line setback <u>1150 Ft</u>	
Type <u>Barn</u>	Front lot line setback <u>530 Ft</u>	Height in metres <u>10</u>
If known, date	Rear lot line setback <u>450 Ft</u>	Dimensions <u>70 x 30 Ft</u>
constructed: <u>1950</u>	Side lot setback <u>130 Ft</u>	Floor area <u>2000 sq Ft</u>
	Side lot line setback <u>1200 Ft</u>	

Attach additional page if necessary

**PROPOSED BUILDINGS – STRUCTURES** - Where any buildings or structures are proposed on the subject land, indicate for each:

Type <u>Single detached home</u>	Front lot line setback <u>85.8 m</u>	Height in metres <u>4.87m</u>
	Rear lot line setback <u>246.7 m</u>	Dimensions <u>32' x 35'</u>
	Side lot setback <u>64.8 m</u>	Floor area <u>1214 sq Ft</u>
	Side lot line setback <u>304.275m</u>	

Type _____	Front lot line setback _____	Height in metres _____
	Rear lot line setback _____	Dimensions _____
	Side lot setback _____	Floor area _____
	Side lot line setback _____	

Attach additional page if necessary

**WATER** is provided to the subject land by:

- |  |   |
|--|---|
| <input type="checkbox"/> Publicly-owned/operated piped water system          | <input type="checkbox"/> Lake or other water body |
| <input checked="" type="checkbox"/> Privately-owned/operated individual well | <input type="checkbox"/> Other means _____        |
| <input type="checkbox"/> Privately-owned/operated communal well              | (specify) _____                                   |

**SEWAGE DISPOSAL** is provided to the subject land by:

- |   |  |
|---|--|
| <input type="checkbox"/> Publicly-owned/operated sanitary sewage system               | <input type="checkbox"/> Other means (specify) _____ |
| <input checked="" type="checkbox"/> Privately-owned/operated individual septic system | <input type="checkbox"/> Privy _____                 |

**STORM DRAINAGE** is provided to the subject land by:

- |                                 |   |                                 |  |
|---------------------------------|---|---------------------------------|--|
| <input type="checkbox"/> Sewers | <input checked="" type="checkbox"/> Ditches | <input type="checkbox"/> Swales | <input type="checkbox"/> Other means (specify) _____ |
|---------------------------------|---|---------------------------------|--|

**OTHER APPLICATIONS** – If known, indicate if the subject land is the subject of an application under the Act for:

- |   |              |              |
|---|--------------|--------------|
| <input type="checkbox"/> Approval of a plan of subdivision (under section 51) | File # _____ | Status _____ |
| <input type="checkbox"/> Consent (under section 53)                           | File # _____ | Status _____ |
| <input type="checkbox"/> Previous application (under section 34)              | File # _____ | Status _____ |

**PLANS REQUIRED**

It will be necessary to submit preliminary site plans for the development at the time of the filing of this application. Minimum requirements will be a sketch showing the following:

- The boundaries and dimensions of the subject land.
- The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front yard lot line, rear yard lot line and the side yard lot lines.
- The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells, and septic tanks.
- The current uses on land that is adjacent to the subject land.
- The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way.
- If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- The location and nature of any easement affecting the subject land.



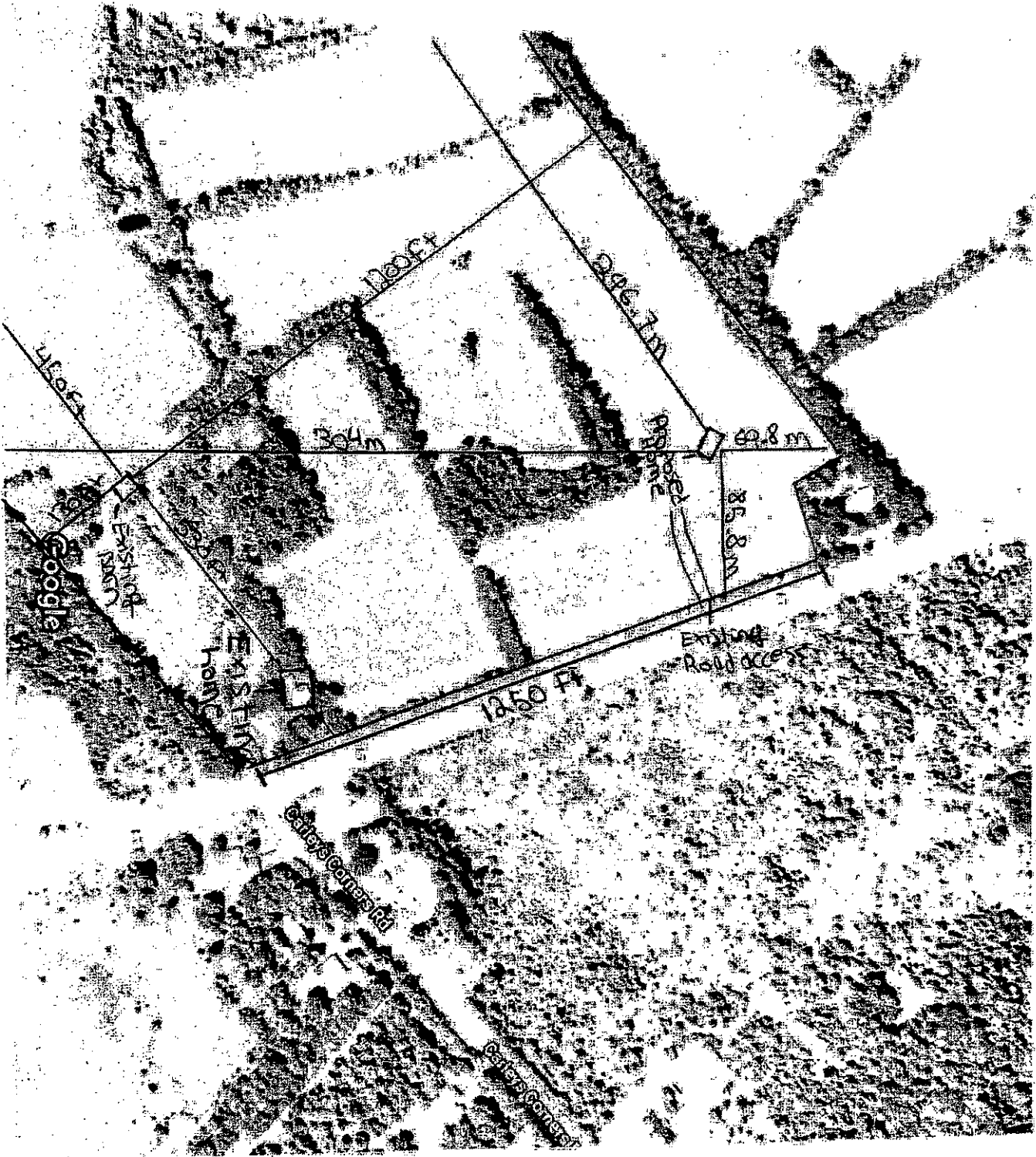
**Village of Merrickville-Wolford  
United Counties of Leeds-Grenville**

<b>AUTHORIZATION OF OWNER</b> for Agent to make the application	
<input checked="" type="checkbox"/> Not applicable	
I, the undersigned, being the owner of the subject land, hereby authorize _____ to be the applicant in the submission of this application.	
_____ Signature of witness	_____ Signature of owner
	_____ Date

<b>DECLARATION OF APPLICANT</b>	
I, <u>Chris Moizer</u> , of the Village of Merrickville-Wolford in the United Counties of Leeds-Grenville, solemnly declare that:	
All the statements contained in this application and provided by me are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.	
DECLARED before me at the Village of Merrickville-Wolford in the United Counties of Leeds- Grenville, this <u>17<sup>th</sup></u> day of <u>March</u> , <u>2022</u>	
_____ Signature of applicant	_____ Signature of commissioner

**Kirsten Rahm  
Treasurer, Commissioner  
The Village of Merrickville-Wolford**

<b>OFFICE USE ONLY</b>	
<input type="checkbox"/> Signed copy provided to applicant (or agent).	
Application number _____	Date of submission _____
Checked by _____	Date of acceptance _____
Official Plan Policies _____	
Existing Zoning _____	Proposed Zoning _____
Pertinent restrictions and remarks _____	
Connected services: <input type="checkbox"/> Water <input type="checkbox"/> Sanitary sewer <input type="checkbox"/> Storm sewer	
General comments _____	
_____	
_____	



March 23, 2022

Stacie Lloyd  
Manager, Community Development  
Village of Merrickville-Wolford  
317 Brock St W, Box 340  
Merrickville ON K0G 1N0  
[edo@merrickville-wolford.ca](mailto:edo@merrickville-wolford.ca)

Dear Ms. Lloyd:

Re: Zoning By-Law Amendment Application ZBA-03-2022  
Applicant: Moizer  
Location: 13828 County Road 15  
Our File: 14325

Please be advised that our office has no objection to the proposed Zoning amendment as per sewage system permit #14325, copy attached.

If you have any questions, please do not hesitate to contact me.

Your Partner in Public Health,



Penny Cheung, BAsC, CPHI(C)  
Public Health Inspector  
613-283-2740 Office/ 613-283-6017 Fax

PC/lm  
Encl.



3889 Rideau Valley Drive  
PO Box 599, Manotick ON K4M 1A5  
T 613-692-3571 | 1-800-267-3504  
F 613-692-0831 | www.rvca.ca

April 5, 2022  
22-MWO-ZBA-11  
ZBA-03-2022

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

Attention: Dan Halliday/Stacie Lloyd

**Subject: Application for Zoning By-Law Amendment  
Chris Moizer  
PT LOT 12 CON 3 Wolford  
Village of Merrickville-Wolford  
(Civic Address: 13828 County Road 15)**

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Dear Mr. Halliday/Ms. Lloyd,

The Rideau Valley Conservation Authority has reviewed the noted within the context of:

- Section 2.1 Natural Heritage and 3.1 Natural Hazards of the Provincial Policy Statement under Section 3 of the Planning Act,
- Rideau Valley Conservation Authority Regulations – Section 28 of the Conservation Authorities Act,
- 2015 Middle Rideau Subwatershed Report

## **PROPOSAL**

The purpose of this amendment is to rezone the subject property to allow for a secondary dwelling on the subject property in the Hamlet Zone, for which an application for zoning by-law amendment has been filed.

**The effect of the amendment is to:** Rezone the subject lands from Hamlet (H) to Hamlet - Exception (H-X) to permit the secondary dwelling on the subject property. All provisions of the Hamlet (H) zone in the Merrickville-Wolford Zoning By-Law 23-08, as amended, will apply.

## **PROPERTY CHARACTERISTICS**

The subject property is approximately 35.2 acres in size and square shaped. It is flat, agricultural land with hedgerows and small woodlot area. There is an existing house and axillary building at the south-east corner of the property. There is a watercourse that runs along the western lot line.

## **RVCA COMMENTS AND RECOMMENDATIONS**

### **Natural Hazards**

There have been no natural hazards identified on this property which would preclude this application.

### **Natural Heritage**

There have been no natural heritage features identified on this property which would preclude this application. A minimum setback of 30 metres from the watercourse should be respected for future development of any new structures. Please note that any proposed alterations to watercourses/waterbodies requires a permit (with fees) from RVCA under Ontario Regulation 174/06 (this includes repairs to existing water crossings and new water crossings).

### **Conclusion**

*In conclusion, the RVCA does not object to the approval of the Zoning By-Law Amendment as presented.*

Thank you for the opportunity to comment. Please do not hesitate to contact the undersigned should you have any questions.

Please advise the RVCA on the committee's decision regarding this application or of any changes in its status.

Yours truly,

A handwritten signature in black ink that reads "Michael Yee". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Michael Yee  
Environmental Planner & Biologist, RVCA  
613-692-3571 X 1176

Cc: Chris Moizer (Owner)  
Emma Bennet, RVCA  
Nick Fritzsche, RVCA



**Jp2g Consultants Inc.**

**ENGINEERS • PLANNERS • PROJECT MANAGERS**

12 International Drive, Pembroke, ON, K8A 6W5  
T 613-735-2507, F 613-735-4513, www.jp2g.com

April 6, 2022

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

Attention: Doug Robertson, CAO/Clerk

Dear Mr. Robertson:

**Re: Planning Report – Zoning By-law Amendment ZBA-03-2022 (Moizer)  
13828 County Road 15, Concession 3, Part Lot 12 in the Former Wolford  
Township, Hamlet of Carleys Corners, Village of Merrickville-Wolford**

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I have now had an opportunity to review the ZBA Application ZBA-03-2022 as it relates to the Village of Merrickville Wolford Official Plan (2021), the Village of Merrickville Wolford Zoning By-law 23-08, the United Counties of Leeds and Grenville Official Plan, and the Ontario Planning Act and provide the following comments for your consideration.

The zoning by-law amendment application has been submitted to obtain approval to permit a secondary dwelling on the subject property within the "Hamlet (H)" zone.

The proposal involves the establishment of a secondary dwelling on the subject property which was prior to May 25/21 approximately 56.10 ha (138.56 ac) in size, composed of the western portion of the property approximately 42.20 ha (104.27 ac) zoned "Rural" and the eastern portion of the property approximately 13.9 ha (34.29 acres) zoned "Hamlet", until transfer of title occurred with respect to the eastern portion (Received as GC69817 on May 21, 2021).

The lands subject to the amendment are approximately 13.9 ha (34.29 acres) in size, with roughly 381 m (1250 ft) of frontage on County Road #15 in the Hamlet of Carleys Corners and represent the eastern portion of the property. The subject property is currently occupied by a house, barn and several outbuildings located in the southeast corner of the subject property. The proposed secondary dwelling will be located in the northeastern portion of the subject property.

The subject lands are designated "Hamlet" in the Merrickville-Wolford Official Plan and zoned "Hamlet (H)" in the Merrickville-Wolford Zoning By-law 23-08. All existing and proposed development are serviced by private wells and septic systems. The proposed secondary dwelling will be located in the Hamlet zone.

The subject property is characterized as having agricultural fields and in proximity to a provincially significant wetland. The proposed development is over 700 m from the wetland feature.

#### **Local Official Plan Policies**

The Village Official Plan places the subject property within the Hamlet designation which is where residential development is encouraged to be located. The Hamlet designation recognizes that the predominate form of residential development is single detached, however all forms of multiple residential uses are permitted.



Section 3.10 (3), Housing & Intensification Policies specifically states:

- "3. The Zoning By-law shall include provisions which permit second dwellings and second dwelling units on all lands which are zoned to permit single-detached, semi-detached and townhouse dwellings as a principal use."

It is understood that the Village has not yet updated its Zoning By-law to be consistent with the Official Plan with regards to this policy. As a result, individual property owners wishing to establish secondary dwellings must proceed by way of a site-specific zoning by-law amendment.

In summary, the proposed development conforms to the policies of the Village Official Plan for secondary dwellings within the Hamlet designation.

#### **Merrickville-Wolford Zoning By-law 23-08**

The Village Zoning By-law 23-08 identifies the subject property as being within the "Hamlet (H)" zone. The proposed secondary dwelling is to be located within the "Hamlet" zone. The Hamlet zone provisions are found in Section 10 of the Zoning By-law and indicate that residential development within the Hamlet zone is in accordance with the "Residential Type 2 (R2)" zone provisions. The R2 zone provisions are set out in Section 5.2 of the Zoning By-law and permit single detached, semi-detached and townhouse type development.

The Hamlet zone would qualify for permitting secondary dwellings as set out in the Official Plan. The proposed zoning by-law amendment would add a secondary dwelling as a permitted use within the Hamlet zone for the subject property. It is worth noting that the Zoning By-law currently does not have a definition of a secondary dwelling. A definition should be included with the site-specific zoning by-law amendment for the subject property.

#### **United Counties Official Plan Policies**

The Official Plan for the United Counties of Leeds and Grenville, Schedule A, recognizes the subject property as being located within the "Hamlet" designation. The proposed development is to be located within the Hamlet designation. The Official Plan permits residential development within the Hamlet area.

Section 2.7.4 Second Residential Units and Garden Suites, contains specific policies which permit second residential units where appropriate as a means to provide a greater diversity of housing types and housing affordability. Specifically, the policy state that:

- "a) Local municipalities will develop policies in accordance with the Planning Act, to permit second residential units within single detached, semi-detached, and townhouse dwelling units, where an accessory residential unit is currently not permitted in a structure which is accessory to those dwelling units, subject to appropriate servicing. Local municipalities will permit the second residential unit to be located within a residential accessory structure, subject to the policies and regulations of the local municipal Official Plan and zoning by-law.
- b) Local municipal Official Plans and implementing zoning by-laws will contain detailed policies and requirements relating to second residential units which support their creation and may have consideration for such matters as: parking requirements, servicing, and compliance with other relevant municipal and provincial requirements including the Ontario Building Code."

It must be recognized that the direction from the Planning Act regarding secondary dwellings and secondary dwelling units has evolved and is now more permissive than the County policies. The



Planning Act permits up to two "additional residential units" within an existing residential dwelling and one "additional residential unit" within an accessory detached structure. The proposed development is seeking permission for a secondary dwelling as an accessory detached structure in accordance with the Planning Act.

In summary the proposed development maintains the intent and purpose of Official Plan for the United Counties of Leeds and Grenville.

### **Ontario Planning Act**

Although not typically assessed with planning applications, the Planning Act, as amendment, has direct relevance to the proposed development. Section 16(3) of the Planning Act states that Official Plans shall contain policies which authorize the use of "additional residential units (ARU)" (this is the new term used instead of secondary dwelling). The policies specifically permit ARUs in detached dwelling, semi-detached dwellings and rowhouses (i.e. townhouses).

Section 35.1 of the Planning Act contains specific reference to ARU and zoning by-laws. It states that Council shall ensure that the zoning by-law has been updated to implement the policies of the Official Plan which authorize additional residential units. It is further noted that the zoning by-law may establish requirements and standards for ARUs. Finally, it is noted in Section 34(19.1) that there can be no appeals to a by-law which implements the Official Plan policies regarding additional residential units.

### **Public & Agency Comments:**

The RVCA provided a comment that they do not object to the approval of the ZBA as presented.

The LGLHU provided a comment that they have no objection to the proposed ZBA.

The United Counties provided comment and suggested that the use of the term secondary is a concern. They noted that secondary dwellings are intended as a form of affordable housing that cannot be severed in the future. Secondary dwellings are typically limited in size and require a shared development feature such as septic, well and/or driveway. They also suggested that the secondary dwelling be placed in a location to ensure it does not interfere with the value of the remaining lands for future development.

### **Summary and Recommendation**

The proposed development is to establish a secondary dwelling (detached ARU) in accordance with the policies of the Village Official Plan. The property is located within the Hamlet of Carleys Corners which is the location that such development should be directed towards. The proposed development is consistent with the direction in the United Counties Official Plan and authorized through Section 35.1 of the Planning Act. It should be noted that the site-specific zoning by-law amendment will include a definition for "secondary dwelling". Finally, it must be stressed that a decision to approve the secondary dwelling on the subject property cannot be appealed to the Ontario Lands Tribunal (OLT).

With regards to the comments from the United Counties, the proposed development is to be considered a secondary dwelling. In the absence of specific zoning provisions or direction in the Village or Counties Official Plan it is difficult to require the type of locational standards suggested by the Counties. It is worth noting that the location of the proposed secondary dwelling will not impact the future development of the property.

It is the position of this report that the proposed zoning by-law amendment to permit a secondary dwelling conforms to the Village's Official Plan, conforms to the United Counties of Leeds and





Grenville Official Plan, and is consistent with the Ontario Planning Act. The proposed by-law amendment represents good land use planning and is recommended for approval.

All of which is respectfully submitted.

Sincerely,  
Jp2g Consultants Inc.  
ENGINEERS • PLANNERS • PROJECT MANAGERS

A handwritten signature in black ink, appearing to read 'F. Symon', with a long horizontal flourish extending to the right.

Forbes Symon, MCIP, RPP  
Senior Planner

## Appendix A



**CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD**  
**BY-LAW No. 21-2022**

**Being a By-law to amend Zoning By-law No. 23-08, as amended.**

13828 County Road #15, Concession 3, Part Lot 12 in the Former Woford Township,  
Hamlet of Carleys Corners, Village of Merrickville-Wolford

PURSUANT TO SECTION 34 OF THE PLANNING ACT, 1990, THE VILLAGE OF  
MERRICKVILLE-WOLFORD HEREBY ENACTS AS FOLLOWS:

1. THAT By-law Number 23-08 being the Zoning By-law for the Village of Merrickville-Wolford, as amended, is hereby further amended as follows:
  - a) Schedule "A" to By-law 23-08 is amended by rezoning those lands described as 13828 County Road #15, Concession 3, Part Lot 12 in the Former Woford Township, Hamlet of Carleys Corners, Village of Merrickville-Wolford, from "Hamlet (H)" to "Hamlet -2 (H-2)" as shown on Schedule "A" attached hereto.
  - b) Notwithstanding their "Hamlet (H)" zoning designation, those lands identified as "Hamlet - 2 (H-2)" on Schedule "A" to this By-Law, may be used in accordance with the "Hamlet (H)" zone provisions contained within this By-Law, excepting however that:

"10.2.2 H-2: "A secondary dwelling may be permitted. For the purpose of the H-2 zoning, a secondary dwelling shall be defined to mean an accessory building which contains one or more habitable rooms designed and occupied as an independent dwelling in which living, kitchen and bathroom facilities are provided, and which is located on the same lot as a single dwelling, semi-detached dwelling or townhouse dwelling, as defined herein."
2. THAT save as aforesaid all other provisions of By-law 23-08, as amended, shall be complied with.
3. This By-law shall come into force and take effect on the day of final passing thereof.

This By-law given its FIRST and SECOND reading this 11 day of April 2022.

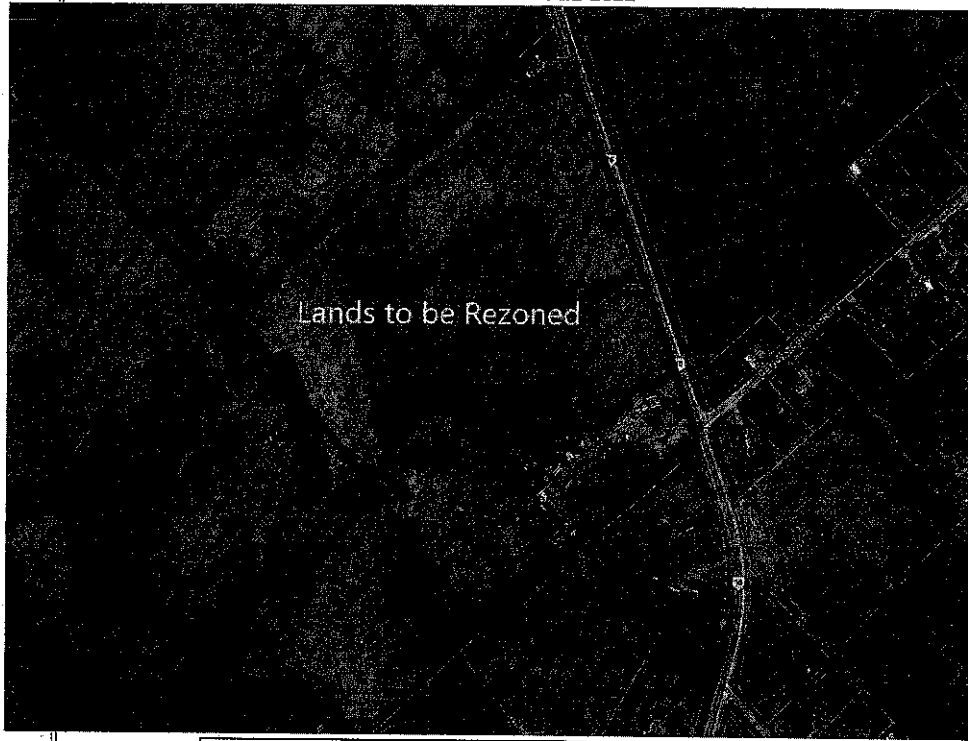
This By-law read a THIRD time and finally passed this 11 day of April 2022.

\_\_\_\_\_  
MAYOR

CORPORATE  
SEAL OF  
MUNICIPALITY

\_\_\_\_\_  
CLERK

SCHEDULE A TO BY-LAW 21-2022



Lands to be rezoned from "Hamlet  
(H)" to "Hamlet -2 (H-2)"



Established 1793  
Incorporated  
Wolford 1850  
Merrickville 1860  
Amalgamated 1998



Telephone (613) 269-4791  
Facsimile (613) 269-3095

## VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 22

Date: April 11, 2022

For Clerk's use only, if  
required:

**Recorded Vote Requested  
By:**

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

Moved by: Cameron Foster Molloy Ireland

Seconded by: Cameron Foster Molloy Ireland

**Whereas** the Council of the Corporation of the Village of Merrickville-Wolford now closes the statutory public meeting held this 11<sup>th</sup> day of April, 2022, under Section 34 of the *Planning Act* to consider zoning by-law amendment application for land described as:

13828 County Rd 15, Concession 3, Part Lot 12 in the former Wolford Township, Hamlet of Carleys Corners, in the Village of Merrickville-Wolford.

**Now Be it hereby resolved that:**

The Council of the Corporation of the Village of Merrickville-Wolford pass By-Law 21-2022 to rezone the lands described as 13828 County Rd 15, Concession 3, Part Lot 12 in the former Wolford Township, Hamlet of Carleys Corners, in the Village of Merrickville-Wolford, from Hamlet to Hamlet-2 (H-2).

Carried / Defeated

---

J. Douglas Struthers, Mayor

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Incorporated  
Wolford 1850  
Merrickville 1860  
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Facsimile (613) 269-3095

## VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 22

Date: April 11, 2022

For Clerk's use only, if  
required:

**Recorded Vote Requested  
By:**

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

Moved by: Cameron Foster Molloy Ireland

Seconded by: Cameron Foster Molloy Ireland

**Be it hereby resolved that:** By-law 22-2022, being a by-law to confirm the proceedings of the special Council meeting of April 11, 2022, be read a first and second time, and that By-law 22-2022 be read a third and final time and passed.

Carried / Defeated

J. Douglas Struthers, Mayor

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

**BY-LAW 22-2022**

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD AT ITS SPECIAL MEETING HELD ON APRIL 11, 2022

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 April 11, 2022 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 April 11, 2022 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 11<sup>th</sup> day of April 2022.

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

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

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Merrickville 1860  
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## VILLAGE OF MERRICKVILLE-WOLFORD

Resolution Number: R - - 22

Date: April 11, 2022

For Clerk's use only, if  
required:

**Recorded Vote Requested  
By:**

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

Moved by: Cameron Foster Molloy Ireland

Seconded by: Cameron Foster Molloy Ireland

**Be it hereby resolved that:**

This special meeting of the Council of the Corporation of the Village of Merrickville-Wolford does now adjourn at p.m. until the call of the Mayor subject to need.

Carried / Defeated

J. Douglas Struthers, Mayor