



Committee of Adjustment

Agenda

Wednesday, March 6, 2024 at 5:00 p.m.

317 Brock St. W, Merrickville, ON

Council Chambers

IMPORTANT NOTICE: This meeting will be held in person and will be open to the public in the Council Chambers. It will also be recorded and livestreamed electronically on the “Village of Merrickville-Wolford” YouTube channel accessible by clicking [here](#).

Live comments regarding the proposed minor variances may be submitted in person in Council Chambers or virtually as follows:

Online at: <https://us02web.zoom.us/j/82637868168>

Meeting ID: 826 3786 8168

Passcode: 864312

- 1. Call to Order**
- 2. Disclosure of Pecuniary Interest and Nature Thereof**
- 3. Appointment of Secretary-Treasurer**
- 4. Appointment of Chairperson**
- 5. Business**
 - a) File No. A-01-2024: Application for Minor Variance – 124 William Street
- 6. Adjournment**



VILLAGE OF MERRICKVILLE-WOLFORD

NOTICE OF APPLICATION AND PUBLIC HEARING FILE NO. A-01-2024

Section 45 (1) of the Planning Act, 1990

In the matter of an application for minor variance with respect to the following:

Name of Owner(s): Kelly-jo Mulrooney

Location of Property: 124 William Street, Village of Merrickville-Wolford

TAKE NOTICE that an application under the above file number will be heard by the Committee of Adjustment on the date and time shown below:

Date and Time: Wednesday, March 6th, 2024 at 5:00 p.m.

Location of Hearing: 317 Brock St. W, Merrickville, ON – Council Chambers

Purpose of the Application

The request for minor variance is to build a carport at 3.78m set back from the property line.

Official Plan: Residential

Zoning: Residential Type 1

Any person may make written representation in support of or in opposition to the proposal. Written comments shall be submitted to the Clerk to clerk@merrickville-wolford.ca or by mail to PO Box 340, Merrickville, ON, K0G 1N0 **no later than 12:00pm on Wednesday, March 6th, 2024**, and the written submissions will be provided to Village representatives in advance of the meeting if possible.

All written submissions must clearly indicate **124 William Street, Minor Variance, A-01-2024** in the subject line of an email or letter submission. In addition, comments may be submitted at the appropriate time during the public meeting beginning Wednesday, March 6, 2024 at 5:00 pm until meeting end. The Clerk or Village representative(s) will verbally read out written deputations and comments during the meeting. You are entitled to attend this public meeting.

If you wish to attend, you must register in advance by email to clerk@merrickville-wolford.ca or by mail to be received no later than noon on March 6, 2024. Upon registration, you will receive details of the Public Meeting.

To observe only, please visit the Village Council's YouTube Channel:
https://www.youtube.com/channel/UC_OEkw3yIMarGSHGeNecrQg

Additional Information and Notice of Decision

Additional information regarding the proposed Minor Variance is available for inspection on the Village website at www.merrickville-wolford.ca or by email request to clerk@merrickville-wolford.ca.

If a specified person or public body that files an appeal of a decision of the Committee of Adjustment in respect of the proposed Minor Variance, does not make written submissions to the Committee of Adjustment before a decision is made, the Ontario Land Tribunal may dismiss the appeal.

If you wish to be notified of the decision of the Village of Merrickville-Wolford in respect of the proposed Minor Variance, you must email clerk@merrickville-wolford.ca.

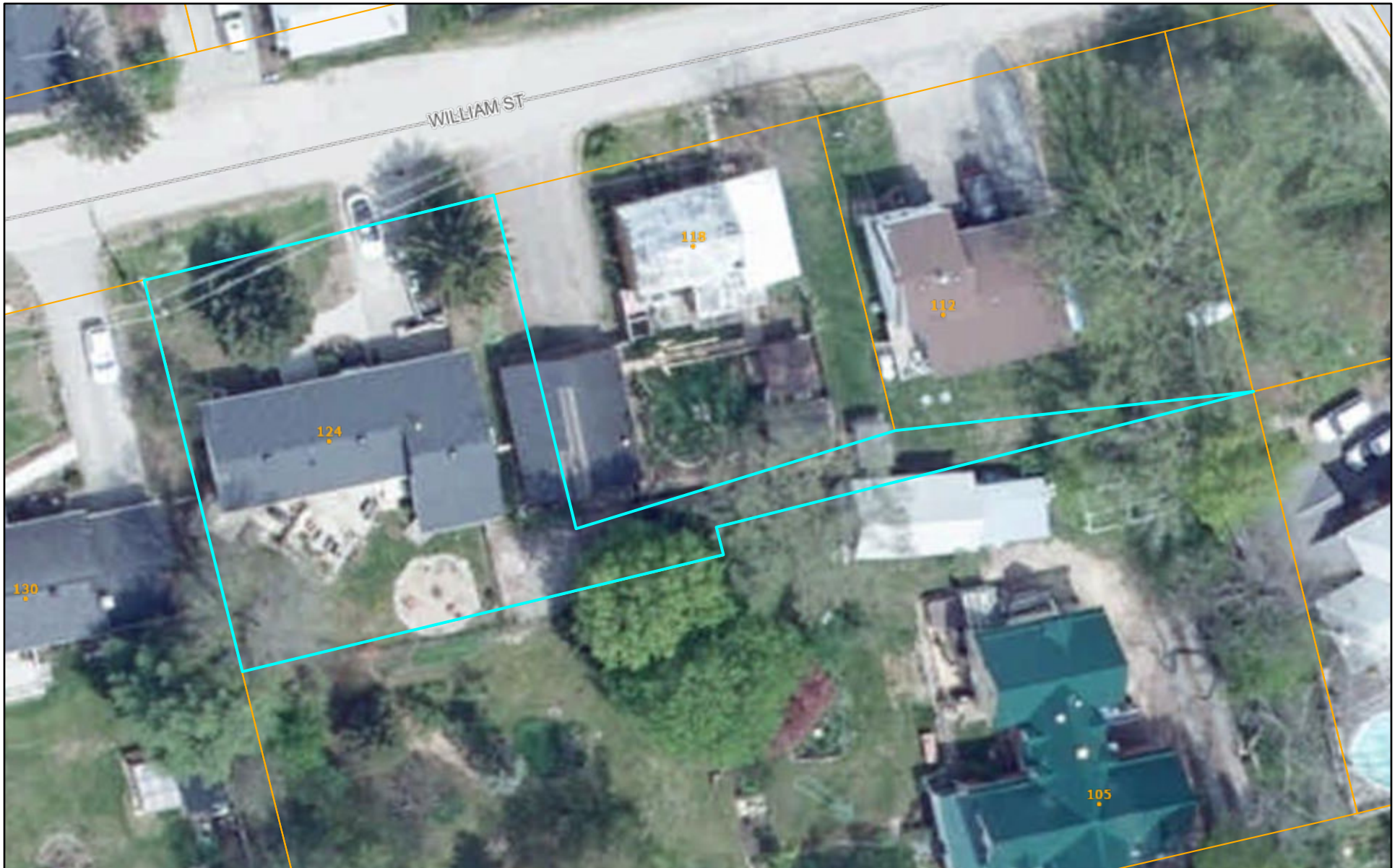
Note: One of the purposes of the Planning Act is to provide for planning processes that are open, accessible, timely and efficient. Accordingly, all written submissions, live comments, documents, correspondence, emails, or other communications (including your name and address) form part of the public record and will be disclosed/made available by the municipality to such persons as the municipality sees fit, including anyone requesting such information. 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 20th day of February, 2024.





Julia McCaugherty-Jansman

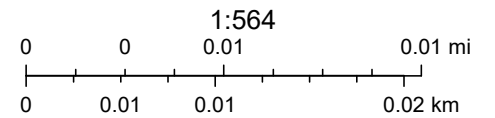
Julia McCaugherty-Jansman, Clerk

Ente124 William Str Map Title



2024-02-20, 1:00:31 p.m.

 Parcel  LG_RoadNetwork  Municipal Road
 County Road

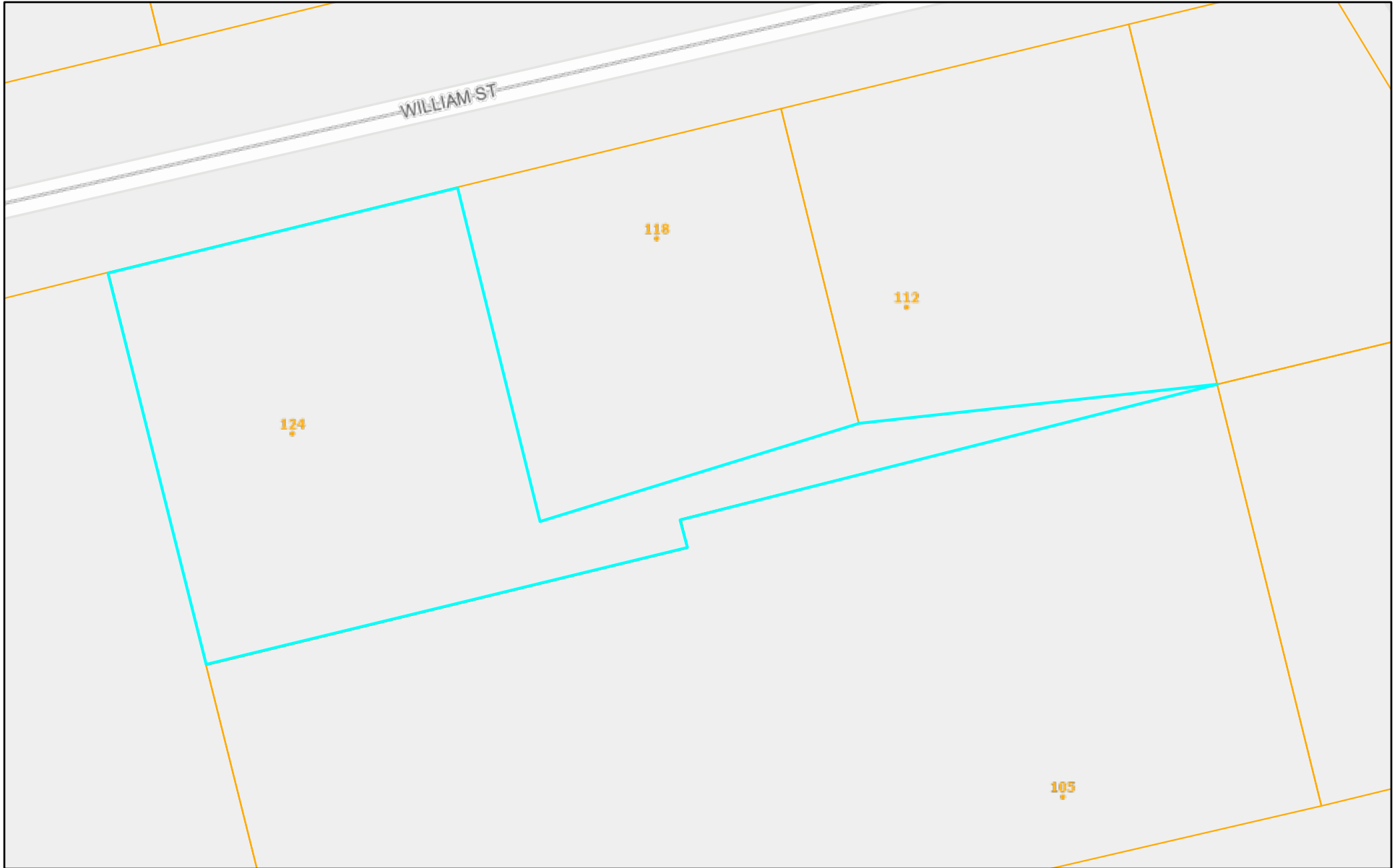


Teranet Inc., Municipal Property Assessment Corporation (MPAC), and Geographic Information System (GIS) the United Counties of Leeds and

Leeds Grenville GIS

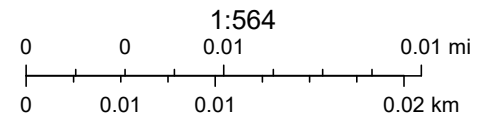
Disclaimer: The data provided is for informational purposes only. UCLG is not liable for positioning inaccuracies, subsequent updates, errors or omissions of data.

Ente124 William Str Map Title



2024-02-20, 12:56:33 p.m.

Parcel LG_RoadNetwork Municipal Road
County Road



Teranet Inc., Municipal Property Assessment Corporation (MPAC), and Geographic Information System (GIS) the United Counties of Leeds and

Leeds Grenville GIS

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



THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD
Application for Minor Variance or Permission

FOR OFFICE USE ONLY

Date the Application was Received by the Village

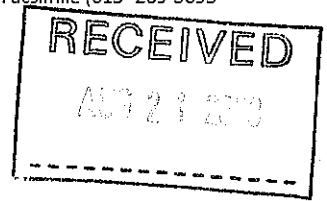
- Property Owner's Name: Kelly-jo Mulrooney
Address: P.O. Box 366, 124 William Street
Postal Code: K0G 1N0
e-mail: [REDACTED]
Telephone: Home: [REDACTED] Work: [REDACTED]
Cell: [REDACTED] Fax: [REDACTED]
- Applicant/Agent Name: Same
Address if different from Owner: _____
Postal Code: _____
e-mail: _____
Telephone: Home: _____ Work: _____
Cell: _____ Fax: _____
- Name and address of any mortgages, holders of charges or other encumbrances of the subject lands:
No mortgage or other encumbrance on property
- Legal Description of Property: Former Municipality
Lot(s): All of lot 18, part of lot4 Concession: _____
Lot(s): _____ Registered Plan: _____
Part(s): _____ Reference Plan: _____
Street Address: 124 William street
Roll Number: 0714 714 010 18100 0000 Survey Attached: Yes / No
- Are there any easements or restrictive covenants affecting the subject property? Yes / No
- If yes, please describe the easement or covenant:

- Dimensions of lands affected: Frontage: ?
Depth: _____
Area: _____
Width of Street: _____
- Nature and extent of relief applied for: Set back relief; require variance to build carport at 3.78m set back from front property line (zoning requires 6m?)

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9. Why is it not possible to comply with the provisions of the By-Law?
By-law would only allow carport to measure 5.28m in length, I need about 7.5m to fit my vehicle
With room to move around it
10. Existing Village of Merrickville-Wolford Official Plan designation of the land:
Residential type 1
11. Existing Village of Merrickville-Wolford Zoning of the land:
R1
12. Existing County Official Plan Designation:
?
13. Other applications submitted with this application:
Official Plan Amendment Consent Zoning Plan Of Subdivision
14. Have the subject lands every been the subject of an application for an official plan amendment, zoning amendment, minor variance or site plan control?
Yes (please provide details below) No
Not since I have owned the property (2006)
15. Existing use of subject property and length of time this use has continued on the subject property if known please provide length of time that the existing use has continued:
Single family residence; unknown how long as such
16. Description of all buildings and structures on or proposed for the subject lands (specify ground floor area, gross floor area, number of storeys, width, length, height of buildings as well as distance from side, rear and front lot lines):

Single storey bungalow, ground floor area = 139m² (original living space = 6.7--m'x 13.7m plus converted garage to living room at 5.2m x 9.1m). Distance from Lot Lines: East side = 1.93m; West side = 3.81m; front line = 8.72m; rear line = 9.5m

Existing:

Proposed:
Same as above but for the proposed carport's distance to front lot line, which would be approx. 3.8m
17. Date of construction of all buildings and structures on subject lands: Unknown

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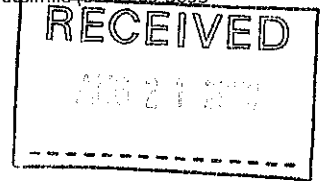
THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD

18. Does this application require demolition of an existing building? Yes No **X**
If yes, please specify: _____

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19. Number of Parking Spaces
 Number of Existing: 4 Number of Proposed: 4

20. Type of access to the lands and name of road:

Provincial Highway	_____	County Road	_____
Year-Round Municipal Road	<u>X</u>	Seasonal Municipal Road	_____
Unopened Road Allowance	_____	Private Right-of-Way	_____
Water Access	_____	Other, please specify	_____

21. Services currently available, or to be available:

	Municipal Water	Communal Water	Private Water	Municipal Sewers	Communal Sewers	Private Septic
Existing	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X
Proposed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

22. Are Stormwater Sewers present? Yes No X Proposed

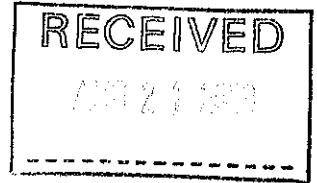
23. Are there any of the following uses or features on the subject lands or within 500 metres of the subject property?

Use or Feature	On a Subject Land?	Within 500 m of Subject Land?
An agriculturally designated area		
A livestock facility (ie. Barn) or manure storage facility		
A landfill site (active or closed)		
A sewage treatment plant/lagoon		
An industrial use		
A licensed pit or quarry or an area designated for aggregate extraction		
A mining hazard		
An active railway line		X
A flood plain or other natural hazard		?
A natural gas or oil pipeline		
A hydro easement		
A contaminated site		
A well head protection zone		
A provincially significant wetland		
An area of natural and scientific interest (ANSI)		
Fish/Wildlife Habitat		
A designated heritage property		Ruins?

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MUST BE COMPLETED IN THE PRESENCE OF A "COMMISSIONER". THE MUNICIPAL CLERK IS AN AUTHORIZED COMMISSIONER.

I, Kelly Mulroney of the Village of Merrickville, in the United Counties of Leeds Grenville, hereby solemnly declare that the information contained in this application are on the attached plan and any associated information submitted with this application are, to the best of my belief and knowledge, a true and complete representation of the purpose and intent of this application.

There is a minimum NON-REFUNDABLE fee of \$500.00 (Charges incurred or disbursements over this amount shall be charged to the applicant, plus the costs charged by outside agencies.)

Date: August 21/23.

Signature of Owner: [Signature]

Signature of Agent or Applicant: _____

DECLARED BEFORE ME AT THE Village OF Merrickville-Wolford IN THE United Counties of Leeds & Grenville, THIS 21st DAY OF August, 2023.

Julia McCaugherty-Jansman
Deputy Clerk, Commissioner COMMISSIONER, ETC.
The Village of Merrickville-Wolford

[Signature]

FREEDOM OF INFORMATION/ACCESS TO PROPERTY CONSENT OF OWNER

I, Kelly Mulroney, being the registered owner of the lands subject of this application for minor variance, and for the purposes of the Freedom of Information and Protection of Privacy Act, hereby authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application. I also authorize and consent to representatives of the Village of Merrickville-Wolford, and the persons and public bodies conferred with under Section 45 (5) of the Planning Act, entering upon the lands subject of this application for the purpose of conducting any site inspections as may be necessary to assist in the evaluation of this application.

Aug 21/23
Date

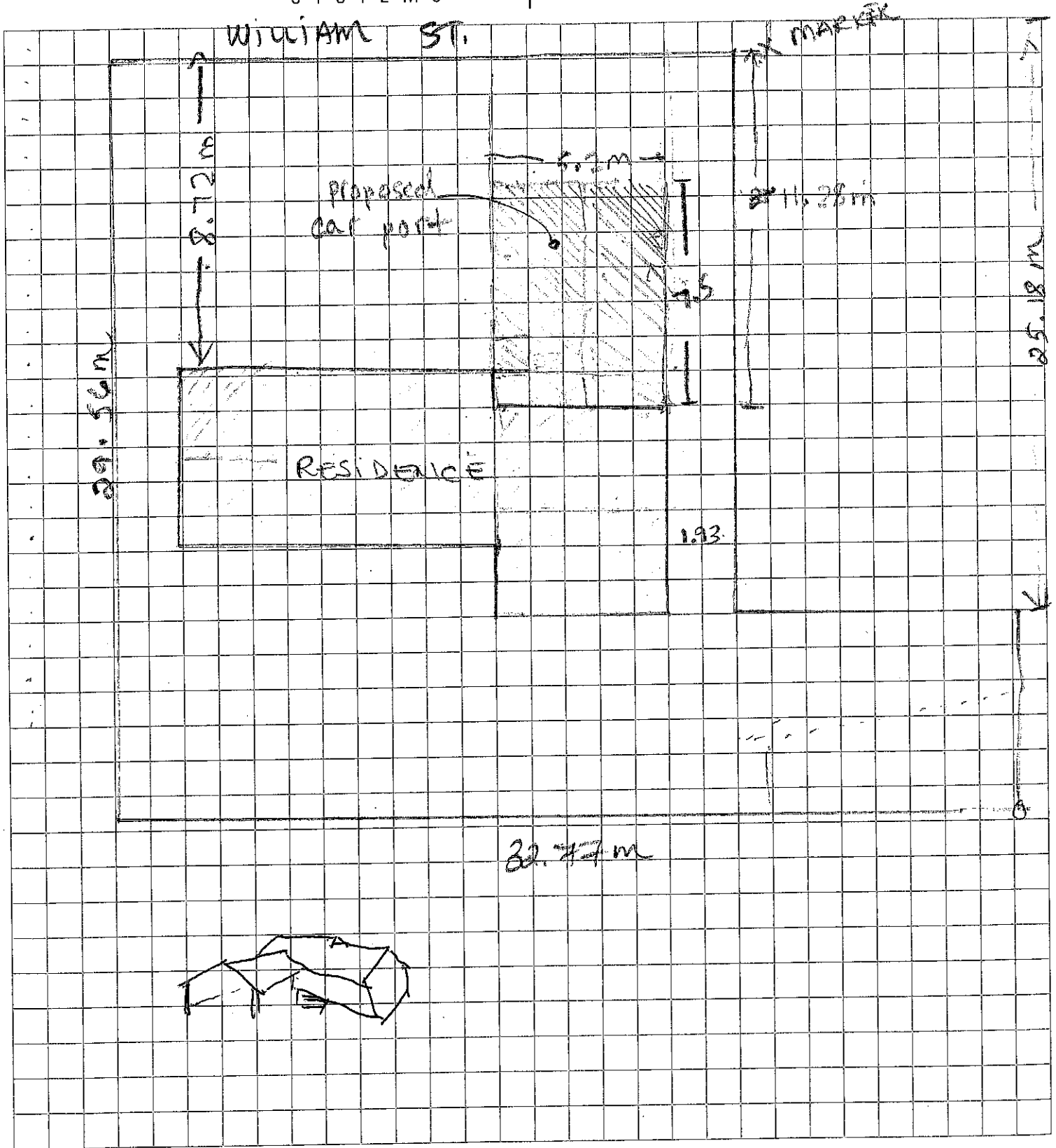
[Signature]
Owner's Signature



GEO SYNTHETIC
SYSTEMS

3543 Conroy Rd.
Ottawa ON K1T 3S6
1 (866) 490-4GEO (4436)
info@geosyn.ca
GEO SYN.CA

RECEIVED
10/2/07



The Down to Earth People



March 1, 2024

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

Attention: Darlene Plumley, CAO

**Re: Planning Report: Minor Variance A-01-2024 (Mulrooney)
124 William Street, Former Village of Merrickville, Village of
Merrickville-Wolford**

Please accept the following Planning Report summarizing the nature and effect of the minor variance application before the Committee of Adjustment for 124 William Street in the former Village of Merrickville. The Report also summarizes relevant planning policy and provides a professional planning opinion on the merits of the application.

Purpose and Effect

The request is to construct a 5.2m X 7.5m carport onto the northeast face of the existing single detached dwelling on the property. The proposed carport is to have a front yard setback of 3.78 m and a side yard setback of 1.6 m. The Zoning By-law places the subject property within the "Residential Type One (R1)". Section 5.1.2 of the Zoning By-law requires a front yard setback of 6 m and a side yard setback of 1.2 m in the R1 zone. The proposed location of the carport will not meet the required 6 m front yard setback and Owner has requested that the Committee of Adjustment provide relief from this provision of the Zoning By-law to allow the construction of the carport in the stated location.

Description of Development

The applicant owns a single detached dwelling property on the north side of the Rideau River in the former Village of Merrickville, located at 124 William Street. The existing dwelling does not appear to have an attached garage or carport and the owner wishes to construct a carport attached to the northeast portion of the existing dwelling at the end of the existing driveway. The existing dwelling is 8.7 m from the front lot line. The proposed carport is to be 5.2 m wide and 7.5 m deep. The portion of the existing dwelling where the carport is to be erected is recessed and approximately 11.5 m from the front lot line. The result is the carport being roughly 3.78 m from the front lot line.



Site and Surrounding Land Use

The subject property is located in an established residential neighbourhood on the north side of the Rideau River, within the former Village of Merrickville. The property is surrounded by existing single detached residential development and is typical of the properties in the neighbourhood. The surrounding land use consists of similar size properties and structures and can be best described as a mature single detached neighbourhood.

The subject property has 24.7m of frontage on William Street and a depth of 29.6. The subject property is generally found to be a square lot however there is a long narrow extension of the lot to the east running behind 118 and 112 William Street.

The house is serviced with a private septic system and municipal water system. There does not appear to be any other buildings or structures on the subject property (Map 1).

Existing Official Plan and Zoning

The subject property is designated “Residential” in the Village of Merrickville-Wolford Official Plan. This designation permits a wide range of residential uses including the existing single detached dwelling on the subject property. It is also worth noting Section 3.10 of the Official Plan which encourages the intensification of existing residential development. Section 3.10.2 of the Official Plan sets out the policies for consideration of minor variance requests. The policies read:

- “1. Section 45 of the Planning Act concerns applications to the Committee of Adjustment. The Committee may authorize minor variances from the provisions of the Zoning By-law, provided the minor variance(s) is desirable for the appropriate development or use of the land building or structure, and provided the general intent and purpose of the Official Plan and Zoning By-law are maintained.”

The Village of Merrickville-Wolford Zoning By-law 23-08 zones the subject property “Residential Type One (R1)” which permits the single detached use of the property. The R1 zone does require a 6 m front yard setback. The existing dwelling is 8.7 m from the front lot line, although the area where the carport is to be located is setback further under the existing roofline.

Comments

As has been noted with previous similar applications, the management of stormwater is important in this area, and it is anticipated that through the building permit process there will be a need to ensure proper drainage from the roof of the carport so that it does not negatively impact the neighbouring property.

At the time of the writing of this report there were no comments received.



Planning Opinion – Four Test for Minor Variance

As expressed in the Village Official Plan, the Ontario Planning Act sets out four tests in the consideration of Minor Variance applications:

1. Does the development proposed maintain the general intent of the Official Plan?
2. Does the development proposed maintain the general intent of the Zoning By-law?
3. Is the variance desirable for the appropriate development or use of the land?
4. Is the variance requested minor?

The following is a review of these four tests against the requested relief 2.22 m relief from the front yard setback.

Test 1: Official Plan

The Village of Merrickville-Wolford clearly supports the residential use of the subject lands. Provided the minor variance application can satisfy the four tests, the proposed development is deemed to conform to the Official Plan.

The proposed Minor Variance maintains the general intent and purpose of the Village Official Plan.

Test 2: Zoning By-law

The Village of Merrickville-Wolford Zoning By-law 23-08 identifies the property as being zoned for residential development. The only provision of the Zoning By-law not satisfied is the front yard setback of 6 m abutting William Street. The existing dwelling is 8.7 m back from the front lot line. The front yard setback of neighbouring properties varies with the house to east being significantly closer and the house to the west being slightly further back. The houses on the opposite side of the street appear to be located very close to the front lot line.

The existing dwelling plus the carport will maintain a 3.78 m front yard setback which does not appear to be out of character for the neighbourhood and does not appear to present any adverse effects or public safety concerns.

The proposed Minor Variance maintains the general intent and purpose of the Village Zoning By-law.

Test 3: Desirable for the Appropriate Development or Use of the Land

The residential use of the subject property is desirable. Although not stated in the Official Plan, it is generally desirable for the retention and upgrading of existing dwellings as a means of maintaining an affordable housing stock. It is also desirable to



intensify the use of existing property as stated in Section 3.10 of the Official Plan. Both these principles will be advanced with this proposed minor variance application.

The proposed Minor Variance is desirable for the appropriate development of the subject land.

Test 4: Variance is Minor

The impact of the 3.78 m front yard setback with the carport does not appear to be out of character for the neighbourhood and does not appear to present any adverse effects or public safety concerns. The carport will not be close to existing structures on neighbouring properties and does not appear to result in limitations on the use of abutting properties.

The proposed Minor Variance is minor in terms of its impact.

For these reasons, it is my opinion that the proposed Minor Variance to construct a carport with a front yard setback of 3.78 m on the lands described as 124 William Street, Village of Merrickville, meets the four tests set out in the Planning Act and represents good land use planning.

Sincerely,

Jp2g Consultants Inc.

ENGINEERS • PLANNERS • PROJECT MANAGERS

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'F. Symon', with a long, sweeping horizontal line underneath.

Forbes Symon, MCIP, RPP
Senior Planner

Map 1: Location of Subject Property



