Special Meeting of Council Monday, March 11, 2024 6:00 p.m.

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 https://www.youtube.com/channel/UC_OEkw3yIMarGSHGeNecrQg

For those who wish to make comments regarding the proposed by-law amendment, comments may be submitted in-person through the Chair, or online through Zoom, when directed by the Chair.

The log-in information to join virtually is included below:To participate virtually: https://us02web.zoom.us/j/85809925018Passcode: 826677

By Phone at: 1-647-558-0588 Meeting ID: 858 0992 5018 Passcode: 826677

- 1. Call to Order
- 2. Disclosure of Pecuniary Interest and the general nature thereof
- 3. Approval of the Agenda
- 4. Purpose of the Meeting:

To Consider the Application to amend Zoning By-Law 23-08, as amended, of the Village of Merrickville-Wolford, File No. ZBA-01-2024

5. Move to Public Meeting:

Application to amend Zoning By-Law 23-08, as amended, of the Village of Merrickville-Wolford, File No. ZBA-01-2024

- 6. Return to Special Meeting of Council
- 7. By-Law 10-2024: Amend By-Law 23-08, File No. ZBA-01-2024
- 8. **Confirming By-Law:** By-law 11-2024 Special Council Meeting of March 11, 2024
- 9. Adjournment

1.	Call to Order
2.	Adoption of the Agenda
Ζ.	THAT the Agenda for the Special Council Meeting held on March 11, 2024, be approved as amended.
3.	Disclosure of Pecuniary Interest and the General Nature Thereof:
4.	Public Meeting
	THAT the Council of the Corporation of the Village of Merrickville-Wolford enter into a Public Meeting to consider the Application to amend Zoning By-Law 23-08, as amended, of the Village of Merrickville-Wolford, File No. ZBA-01-2024.
5.	Return to Special Meeting of Council
	THAT the Council of the Corporation of the Village of Merrickville-Wolford close the Public
	Meeting component and re-enter into the Special Meeting.
6.	By-law 10-2024: Amend Zoning By-law
	THAT the Council of the Corporation of the Village of Merrickville-Wolford give First, Second, Third and Final Reading to By-law 10-2024, being a By-law to amend Zoning By-law 23-08, as amended;
	AND FURTHER THAT authorization be given to the Mayor and Clerk to sign, seal and place in the By-law Book for the Municipality By-law Number 10-2024.
7.	Confirmation of Proceedings
	THAT the Council of the Corporation of the Village of Merrickville-Wolford give First, Second, Third and Final Reading to By-law 11-2024 Being a By-law to Confirm the Proceedings of Council for the Special Meeting of March 11, 2024;
	AND FURTHER THAT authorization be given to the Mayor and Clerk to sign, seal and place in the By-law Book for the Municipality By-law Number 11-2024.
8.	Adjournment
	THAT the Council of the Corporation of the Village of Merrickville-Wolford adjourn @ XX:XX pm.



VILLAGE OF MERRICKVILLE-WOLFORD

NOTICE OF APPLICATION AND PUBLIC MEETING FILE NO. ZBA-01-2024

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 Bylaw 23-08, as amended, Village of Merrickville-Wolford;
- ii) A public meeting regarding the zoning bylaw amendment.

Subject Lands

991 Kilmarnock Road, described as Wolford Concession B, Pt Lot 25 RP 15R7113; PART 1

Public Meeting

A public meeting to inform the public of the proposed zoning amendment will be held in person and will be open to the public in Council Chambers on Monday, March 11, 2024 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 to <u>clerk@merrickville-</u> wolford.ca or by mail to PO Box 340, Merrickville, ON, K0G 1N0 **no later than 12:00pm on Monday, March 11, 2024,** and the written submissions will be provided to Village representatives in advance of the meeting if possible.

All written submissions must clearly indicate **991 Kilmarnock Road ZBA** 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 Monday, March 11, 2024 at 6:00 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 <u>clerk@merrickville-</u> <u>wolford.ca</u> or by mail to be received no later than noon on March 11, 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 OEkw3ylMarGSHGeNecrQg

Purpose and Effect

The proposed application for rezoning relates to Consent Application B-18-23 (Maitland), that involves the creation of a surplus farm dwelling severance on lands owned by Curvue Farms Ltd. located at 991 Kilmarnock Road. The proposal was to sever the existing dwelling located on the property, along with approximately 0.4 ha (1 acre) of land as being surplus to the agricultural operation. The rezoning is a condition of the consent application.

The purpose and effect of the zoning bylaw amendment is the requirement to rezone the balance of the farmland to prohibit any future residential development. The amendment will also recognize the 1-acre lot size of the severed parcel. There is no new development being proposed as a result of this application.

Additional Information and Notice of Decision

Additional information regarding the proposed Zoning Bylaw amendment is available for inspection on the Village website at <u>www.merrickville-wolford.ca</u> or by email request to <u>clerk@merrickville-wolford.ca</u>.

If a person or public body does not make written submissions or comments to the Village of Merrickville-Wolford in respect of the proposed Zoning Bylaw amendment, before the approval authority gives or refuses to give approval to the Zoning Bylaw 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 Bylaw amendment, before the approval authority gives or refuses to give approval to the Zoning Bylaw 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 Bylaw amendment, you must either email <u>clerk@merrickville-wolford.ca</u> or make a written request to:

Village of Merrickville-Wolford Attn: Clerk PO Box 340, 317 Brock Street West Merrickville, ON K0G 1N0

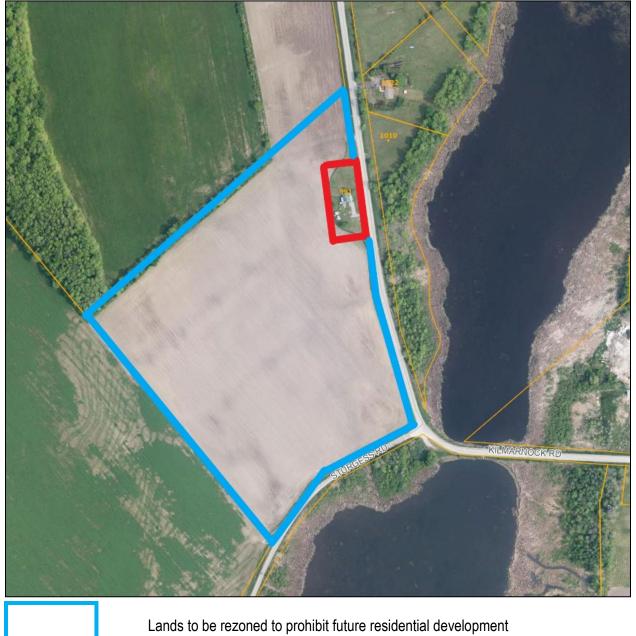
Note: One of the purposes of the Planning Act is to provide for planning processes that are open, accessible, timely and efficient. Accordingly, all written submissions, live comments, documents, correspondence, emails, or other communications (including your name and address) form part of the public 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

Attachment #1 – Location Map



Lands to be rezoned to recognize 1-acre lot size

Village of Merrickville-Wolford United Counties of Leeds-Grenville

AUTHORIZATION OF OWN lot applicable udersigned, being the owner of the subject land of the applicant in the submission of this application	ER for Agent to make the application d, hereby authorize on. <u>Man Man</u> Signature of owner
Signature of witness	Jank 124 Date
	OF APPLICANT
I. <u>Don MAITLAND</u> , of the Village of I Leeds-Grenville, solemnly declare that:	Merrickville-Wolford in the United Counties of
All the statements contained in this applic this solemn declaration conscientiously be same force and effect as if made under out	cation and provided by me are true and I make elieving it to be true and knowing that it is of the th.
DECLARED before me at the Village of Merrick Grenville, this 10 day of $\sqrt{2anualy}$	ville-Wolford in the United Counties of Leeds- $\frac{2024}{1000000000000000000000000000000000000$
Signature of applicant	Signature of commissioner

OFFICE USE ONLY					
\Box Signed copy provided to applicant (or agent).					
Application number	Date of submission				
Checked by					
Official Plan Policies					
Existing Zoning	Proposed Zoning				
Pertinent restrictions and remarks					
Connected services: DWater DSanitary sewer DStorm sewer General comments					

File #

. .

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 P.13 henceforth "the Act"	OFFICE USE ONLY	,
Name of APPLICANT	Name of AGENT (if the	applicant is an agent	¢
Curvue Farms Ltd	authorized by the Owner)	🗋 Not applicable	
Mailing grai UI II	Mailing		
address 054 Kilmamack Ko	address		
Jasper, On KOGIGO			
Felenhone .	Telephone		
Cell	Cell		
in the second		· · · · · · · · · · · · · · · · · · ·	
mail	email		2
t known, name of HULDER of uprtgage, harge or encumbrance	If known, name of HOLD encumbrance	ER of mortgage, charge or	
Aailing	Mailing		
ddress	– address –	······	
		<u></u>	
DFFICIAL PLAN: Agriculture	ZONING: Ag Current designation	riculture (At	
DIMENSIONS OF SUP IS OF LAND			
DIMENSIONS OF SUBJECT LAND:			
rontage~247 m Depth ~	355 m Area	23.416 ac	
EZONING - Nature and extent of rezoning	REZONING - Reason w	hy rezoning is requested:	
equested:	Severed Surp	Jurs Farm House	
Rezone Retained to prohibit Residential,			-
Rezone Severed to recognize t acre size			
DATE – If known, date subject land was acquire	ed by current owner:	<u> </u>	
EGAL DESCRIPTION of subject land such egistered plan and lot numbers, reference plan an wage 2 for details of plans required.	d part numbers and name of str	eet and number. See	
2+ Lot 25 RP 15R7113 Part	1	· · · · · ·	1
CCESS - Access to the subject land will be by: Provincial Highway □ Right-o Municipal road - year round □ Water Municipal road - seasonal □		road (specify):	
			-
YAIRS ALLESS - Where access to the subject		Not applicable	
	Parking facilities (specify)		
ocking facilities (specify): Distance from subject land	Parking facilities (specify); Distance from subject la	f	
ocking facilities (specify):		ndb	
Distance from nearest public road	Distance from subject la Distance from nearest pu	nd	
Distance from subject land Distance from nearest public road XISTING USES of the subject land:	Distance from subject la	nd ublic road existing uses of the	318-
ocking facilities (specify): Distance from subject land Distance from nearest public road	Distance from subject la Distance from nearest pu If known, length of time the	nd ublic road existing uses of the	318-

Village of Merrickville-Wolford United Counties of Leeds-Grenville

EXISTING BUILDINGS subject land, indicate for eac		Where there are	any buildings or structures on the
Type House	Front lot line setbac	k 9m	Height in metres
If known, date	Rear lot line setback		
constructed:	Side lot setback	40 m	Floor area
	Side lot line setback		
Туре	Front lot line setbac	k	- Height in metres
If known, date	Rear lot line setback	a de la companya de l	
constructed:	Side lot setback		Floor area
	Side lot line setback		
			Attach additional page if necessary
PROPOSED BUILDING the subject land, indicate for	S - STRUCTURES - each:	Where any buil	dings or structures are proposed on
Type None	Front lot line setbacl	c	Height in metres
	Rear lot line setback		
	Side lot setback		Floor area
	Side lot line setback		
Туре	Front lot line setback	·	Height in metres
	Rear lot line setback	n an	
	Side lot setback		Floor area
	Side lot line setback		
			Attach additional page if necessary
WATER is provided to the s Publicly-owned/operated pi Privately-owned/operated in Privately-owned/operated c	ped water system ndividual well	□ Lake or oth □ Other mean (specify)	
SEWAGE DISPOSAL is p Dublicly-owned/operated sa KPrivately-owned/operated ir	nitary sewage system	und by: □ Other mear □ Privy	ns (specify)
STORM DRAINAGE is pu		nd by: ner means (speci	fy)
OTHER APPLICATIONS under the Act for: Approval of a plan of subdiv Consent (under section 53)			is the subject of an application Status ————————————————————————————————————
D Previous application (under s	ection 34)	File #	Status
·····	· · · · · · · · · · · · · · · · · · ·		······

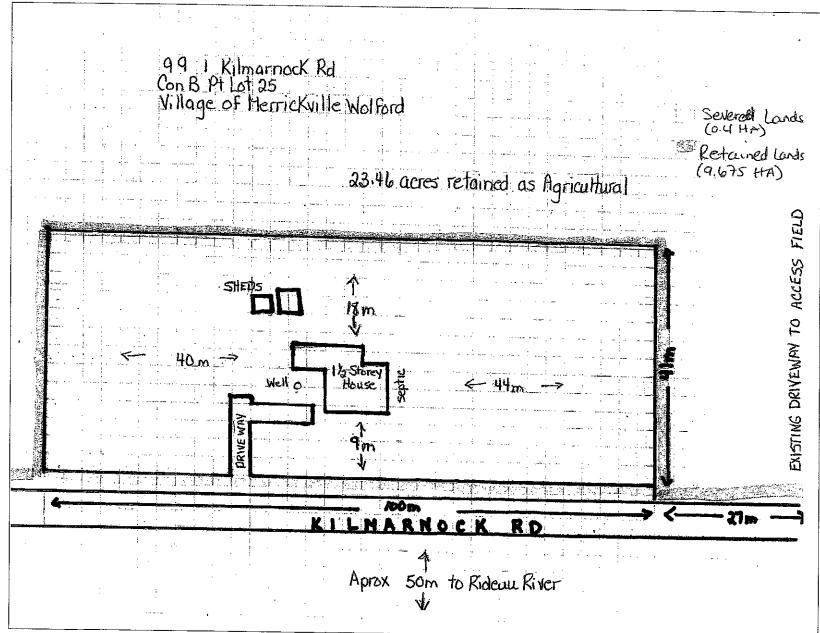
PLANS REQUIRED



Lands to be rezoned to prohibit future residential development



Lands to be rezoned to recognize 1 acre lot size



From: Municipal Planning <MunicipalPlanning@enbridge.com>
Sent: Friday, February 23, 2024 1:54 PM
To: Julia McCaugherty-Jansman <clerk@Merrickville-wolford.ca>
Subject: RE: Notice of ZBA Public Meeting - Merrickville-Wolford - March 11, 2024

Thank you for your circulation.

Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions. This response does not signify an approval for the site/development.

Please always call before you dig, see web link for additional details: https://www.enbridgegas.com/safety/digging-safety-for-contractors

Please continue to forward all municipal circulations and clearance letter requests electronically to <u>MunicipalPlanning@Enbridge.com</u>.

Regards,

Jasleen Kaur Municipal Planning Coordinator Engineering

ENBRIDGE TEL: 437-929-8083 500 Consumers Rd, North York, ON M2J1P8 enbridge.com Safety. Integrity. Respect. Inclusion.

From: Julia McCaugherty-Jansman <<u>clerk@Merrickville-wolford.ca</u>> Sent: Tuesday, February 20, 2024 4:03 PM To: <u>Clerk@uclg.on.ca</u>; Weidenaar, Krista <<u>Krista.Weidenaar@uclg.on.ca</u>>; Mallory, Elaine <<u>elaine.mallory@uclg.on.ca</u>>; Mills, Cherie <<u>Cherie.Mills@uclg.on.ca</u>>; planification@ecolecatholique.ca; UCDSB Contact <<u>planning@ucdsb.on.ca</u>>; Planning@cdsbeo.on.ca; RVCA-Planning (<u>planning@rvca.ca</u>) <<u>Planning@rvca.ca</u>>; Tom Green <<u>tom.green@pc.gc.ca</u>>; <u>executivevp.lawanddevelopment@opg.com;</u> Municipal Planning <<u>MunicipalPlanning@enbridge.com</u>>; landuseplanning@hydroone.com; jmeness@tanakiwin.com; cbo <<u>cbo@Merrickville-wolford.ca</u>>; Darlene Plumley <<u>cao@Merrickville-wolford.ca</u>>; Forbes Symon <<u>ForbesS@jp2g.com</u>> Subject: [External] Notice of ZBA Public Meeting - Merrickville-Wolford - March 11, 2024

Good afternoon,

Please see attached the notice of public meeting for File No. ZBA-01-2024 for the Village of Merrickville-Wolford. The public meeting is scheduled for Monday, March 11th beginning at 6:00 p.m. at the Municipal Office at 317 Brock St. W, Merrickville.

If you have any questions or concerns, please let me know.

Thank you.

Julia McCaugherty-Jansman Clerk Village of Merrickville-Wolford 317 Brock St W, Box 340 Merrickville ON K0G 1N0 Phone (613) 269-4791 Ext 257 <u>clerk@merrickville-wolford.ca</u>



March 6, 2024



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

Attention: Darlene Plumley, Interim CAO/DeputyClerk

Re: Zoning By-law Amendment – ZBA-01-2024 991 Kilmarnock Road, former Township of Wolford, Concession B, Pt Lot 25 (Maitland)

I have now had an opportunity to review the ZBA Application ZBA-01-2024 as it relates to the Village of Merrickville Wolford Official Plan (2021), the Village of Merrickville Wolford Zoning Bylaw 23-08 and the United Counties of Leeds and Grenville Official Plan and provide the following comments.

The zoning by-law amendment application has been submitted in order satisfy a condition of B18-23 which was intended to allow for the severance of a surplus farm dwelling located at 991 Kilmarnock Road. The consent application received conditional approval from the United Counties and one of the conditions of the approval required a Zoning By-law amendment to achieve two functions:

- 1. Recognize the reduced lot area of the severed parcel from the minimum 1 ha of the "Agriculture (A)" zone to 0.4 ha; and,
- 2. Prohibit new residential development on the retained parcel, consistent with Section 9.3.2.1, Additional Policies for Consents of the Official Plan which establishes the policies for surplus farm dwelling severances within the Agricultural designation.

The proposal involves the creation of a surplus farm dwelling severance on lands owned by Curvue Farms Ltd (Don Maitland) located at 991 Kilmarnock Road. The applicant's home farm is located at 864 Kilmarnock Road. The proposal is to sever the existing dwelling located on the property, along with approximately 0.4 ha (1 acre) of land as being surplus to the agricultural operation.

The subject lands are designated "Agriculture" in the Merrickville-Wolford Official Plan and zoned "Agriculture (A)" and in the Merrickville-Wolford Zoning By-law 23-08. The existing dwelling is located along the eastern boundary of the subject property, abutting the Kilmarnock Road. The balance of the property is under agricultural production (i.e. roughly 9.5 ha). The property is located approximately 75 m +/- west of the Rideau River. There are no identified natural or cultural constraints associated with the property. There are no identified natural hazards identified with the property.

The surrounding land uses consists primarily of agricultural lands with some scattered rural residential houses.

The creation of surplus farm dwelling lots is the only form of residential lot creation permitted under the PPS, United Counties Official Plan and the Village Official Plan. The policies are consistent across the province.



Local Official Plan Policies

The Village Official Plan places the subject property within the "Agriculture" designation. The consent policies related to agriculture severances are found in Section 9.3.2.1 of the OP. Specifically, policy #3 states:

"3. A farmer who enlarges his farm holding by acquiring an additional farm may sever a parcel of land upon which an existing farmhouse is made surplus. Such a parcel may include the barn and/or other outbuildings where their inclusion in the severed parcel results in a more logically or effectively shaped parcel. Where such severances are granted, a new dwelling shall not be permitted on the remnant agricultural parcel which shall be re-zoned to prohibit a new dwelling."

It is a generally accepted planning practice to keep the size of surplus dwellings lot as small as possible and to include as much land as possible with the farming operation. The OP is silent on the size of surplus lots but elsewhere suggests a minimum lot size of 0.4 ha for rural lots.

The proposed zoning by-law amendment is deemed to conform to the policies of the Official Plan.

Merrickville-Wolford Zoning By-law 23-08

The Village Zoning By-law 23-08 identifies the subject property as being within the "Agriculture (A)" zone. Section 11.2(1) of the Agriculture zone requires a minimum lot size of 1 ha. It is important to appreciate that the Zoning By-law has not been updated to be consistent with the new Official Plan and as a result, it is common to require a zoning by-law amendment to recognize the 0.4 ha rural lots created under the Official Plan policies.

The Zoning By-law Amendment will restrict residential development on the retained parcel and will recognize the 0.4 ha lot size for the severed lot.

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 Agricultural designation. Section 3.2.5(c), Agricultural Area lot Creation and Adjustment states that:

- "c) Where a previous or current farm acquisition has rendered a residence surplus to a farming operation, a consent may be permitted subject to the following conditions:
 - i. the retained farm parcel will be zoned so as to prohibit the construction of any additional dwellings;
 - ii. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
 - iii. the surplus dwelling parcel will be zoned to recognize the non-farm residential use, as required."

In summary the proposed development appears to conform to the Official Plan for the United Counties of Leeds and Grenville.

Summary and Recommendation

The application is to satisfy a condition of consent for the creation of a surplus farm dwelling lot. The application is deemed to conform to the Official Plan for the United Counties of Leeds and Grenville, the Official Plan for the Village of Merrickville-Wolford and is found to represent good land use planning.



There have been no comments of concern or objection received at the time of the writing of this report.

Given the above it is recommended that Council look favorably on the proposed zoning amendment to permit the surplus farm dwelling severance.

All of which is respectfully submitted.

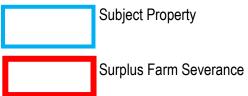
Sincerely, Jp2g Consultants Inc. ENGINEERS • PLANNERS • PROJECT MANAGERS

Forbes Symon, MCIP, RPP Senior Planner



Map 1: Subject property – 991 Kilmarnock Road





CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD BY-LAW 10-2024

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

991 Kilmarnock Road, Former Village of Merrickville, Now 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 991 Kilmarnock Road, Former Village of Merrickville, Now Village of Merrickville-Wolford, from "Agriculture (A)" to "Agriculture – Exception Two (A-2)" and "Agriculture – Exception Three (A-3)" as shown on Schedule "A" attached hereto.
 - b) Notwithstanding their "Agriculture (A)" zoning designation, those lands identified as "Agriculture-2 (A-2)" on Schedule "A" to this By-Law, may be used in accordance with the "A" zone provisions contained within this By-Law, excepting however that:

"11.4 (2) The minimum lot size shall be 0.4 ha."

c) Notwithstanding their "Agriculture (A)" zoning designation, those lands identified as "Agriculture-3 (A-3)" on Schedule "A" to this By-Law, may be used in accordance with the "A" zone provisions contained within this By-Law, excepting however that:

"11.4 (3) All residential development shall be prohibited."

- 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 11th day of March 2024.

This By-law read a THIRD time and finally passed this 11th day of March 2024.

MAYOR

CORPORATE SEAL OF MUNICIPALITY

CLERK

SCHEDULE A TO BY-LAW 10-2024



		_

Lands to be rezoned from "Agriculture (A)" to "Agriculture -2 (A-2)"



Lands to be rezoned from "Agriculture (A)" to "Agriculture -3 (A-3)"

THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD

BY-LAW 11-2024

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 MARCH 11, 2024

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 March 11, 2024 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 March 11, 2024 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 11th day of March 2024.

Michael Cameron, Mayor

Julia McCaugherty-Jansman, Clerk