

Mr. Forbes Symon, MCIP, RPP  
Senior Planner, Jp2G Consultants  
Village of Merrickville-Wolford

Date: February 3, 2025

Our Ref: 132791-D

Subject: Carleys Corners, County Road 15  
Zoning By-law Amendment – Planning Justification Letter  
In relation to Draft Plan of Subdivision 07-T-20234

Arcadis Professional Services  
(Canada) Inc.  
61 Hyperion Court  
Suite 6  
Kingston, Ontario K7K 7K7  
Canada  
Phone: 613 531 4440  
[www.arcadis.com](http://www.arcadis.com)

Dear Mr. Symon,

## 1.0 Introduction

This Planning Justification letter is being provided in support of a Zoning By-law Amendment that is required as a condition of Draft Plan of Subdivision approval for file number 07-T-20234 (Carley's Corners Subdivision). This letter builds upon the previously submitted Planning Justification Report for the Draft Plan of Subdivision application, dated February 6, 2023 and included in an appendix to this letter. The Draft Plan of Subdivision application was approved by the United Counties of Leeds and Grenville on September 9, 2024, subject to the Conditions of Draft Approval.

Rob Thompson Construction Ltd. ("the owner") is the owner of an approximately 16 hectare parcel of land on the west side of County Road 15 south of Kerford Road in the Hamlet of Carley's Corners in the Village of Merrickville-Wolford. The lands are legally described as Part of Lot 13, Concession 4 Wolford, Being Part 2 on Plan 15R11628, Save and Except Part 1 on Plan 15R11699 and Save and Except Parts 1 and 2 on Plan 15R11718 Village of Merrickville-Wolford ("subject lands" or "site"). It is the owner's intention to subdivide the subject lands into 31 residential lots, ranging from 0.38 hectares to 0.52 hectares in size, as well as two public streets, a stormwater management block, and a pedestrian walkway. The subject lands are currently designated 'Hamlet' in the Village of Merrickville-Wolford Official Plan ("OP") and are zoned 'Hamlet' in the Village of Merrickville-Wolford Zoning By-law 23-08. In order to permit the subdivision of land as proposed, a Zoning By-law Amendment application is required. The purpose of the Zoning By-law Amendment is to permit a reduced lot frontage for 3 lots, permit the introduction of an additional residential unit on 12 lots, establish minimum required setbacks from the water or drainage features on the site, and implement the minimum County road setback.

Arcadis was retained by Rob Thompson Construction Ltd. to provide professional planning services with respect to the proposed subdivision of the subject lands and associated Zoning By-law Amendment. This scope includes the preparation of this Planning Justification Letter, which describes the site location and context, as well as the proposed development and provides an independent professional planning opinion, reviewing and analyzing the proposal with regard to the applicable planning legislation and policy.

## 2.0 Site Description and Context

The subject lands are located within the Hamlet of Carley's Corners on the northwest side of County Road 15 south of Kerford Road. The lands are legally described as Part of Lot 13, Concession 4 Wolford, Being Part 2 on

Plan 15R11628, Save and Except Part 1 on Plan 15R11699 and Save and Except Parts 1 and 2 on Plan 15R11718, all in the Village of Merrickville-Wolford. The subject lands are currently occupied by farmland and have an area of approximately 16.04 hectares (39.6 acres) with approximately 360 metres of split frontage on County Road 15. A small watercourse runs along a portion of the northwestern property line while a small dug pond occupies the western corner of the property and is considered part of the Provincially Significant Wetland (PSW) to the west. Another small watercourse runs along the southwestern lot line and a drainage ditch crosses the northern end of the property. **Figure 1** is an aerial photo of the site and surrounding lands. The lands to the east of the site are partially within the settlement area and are generally developed with estate and rural residential dwellings and farmland. The lands to the south are developed with rural residential and farmland. Lands to the west and south-west are occupied by wetlands that make up the Wolford Bog, including PSW. The lands north and northwest of the site are within the settlement area and are developed with rural residential uses and farmland.



**Figure 1:** Aerial view of subject lands outlined in red and the settlement area outlined in light blue (Source: Leeds Grenville Map Viewer)

### 3.0 Proposed Development

It is the owner's intention to subdivide the subject lands into 31 residential lots ranging from 0.38 hectares to 0.52 hectares in size, as well as two public streets, a stormwater management block, and a pedestrian pathway

(Figure 2). It is noted that 32 lots were proposed initially through the Draft Plan of Subdivision application, however, through the review process, previously proposed lot 32 was converted to a stormwater management block to be dedicated to the municipality, and a pedestrian pathway was added, which is also to be dedicated to the municipality. The proposed residential lots are intended for development with single detached houses. Twelve of the proposed lots, Lots 5-10 and 26-31, are intended to support a potential future second residential unit, should a future owner wish to introduce one.

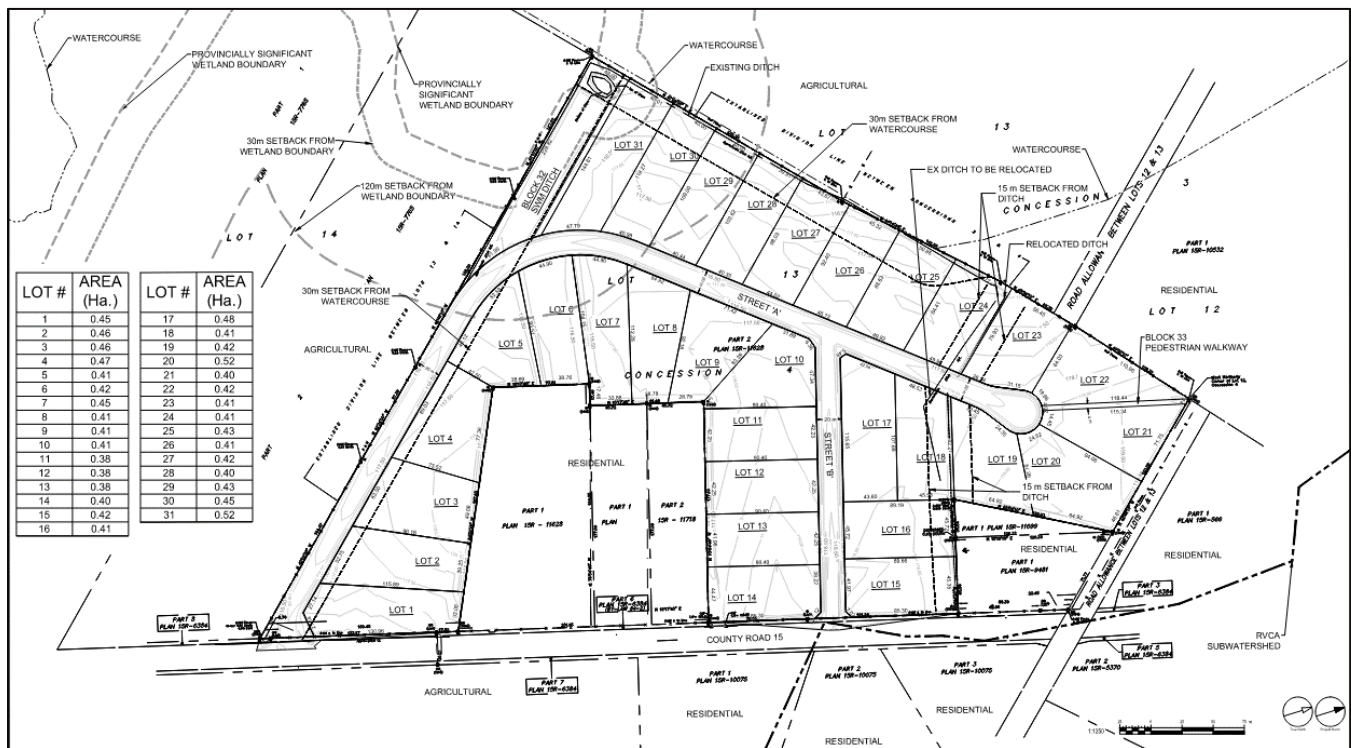


Figure 2: Proposed Draft Plan of Subdivision

### 4.0 Supporting Studies

The following materials have been previously submitted in support of the associated Draft Plan of Subdivision application:

- Draft Plan of Subdivision (Arcadis, July 11, 2024, approved September 9, 2024)
- Planning Rationale (Arcadis, February 7, 2023)
- Hydrogeology and Terrain Analysis (Cambium, January 20, 2023)
  - Supplemental Site Water Balance (Cambium, November 17, 2023)
- Stormwater Management Study (Arcadis, May 21, 2024)
- Drawing set containing Grading Plan, Contour Plan, and Road Profiles (Arcadis, May 23, 2024)
- 2<sup>nd</sup> Unit Viability Drawing (Arcadis, May 23, 2024)
- Archaeology Study – Phase 2 (Abacus Archaeological Services, September 12, 2022)
- Transportation Brief (Arcadis, April 5, 2023)
- Environmental Impact Assessment (Ecological Services, November 7, 2022)
  - First Peer Review Response (Ecological Services, December 1, 2023)
  - Second Peer Review Response (Ecological Services, May 6, 2024)

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- Environmental Site Assessment (Morey Associates Ltd., July 2, 2021)
- Aggregate Resource Assessment (Graeme Bonham-Carter, January 21, 2022)

In addition to the above, the following has been submitted in support of this Zoning By-law Amendment application:

- Draft Plan of Subdivision (Arcadis, July 11, 2024, approved September 9, 2024)
- 2nd Unit Viability Drawing (Arcadis, May 23, 2024)
- Supplemental Hydrogeological Assessment, Secondary Dwellings (Cambium, August 19, 2024)
- Planning Justification Report (this document)
- Draft Zoning By-law (Arcadis, January 29, 2024)
- Application Form + Notarized Signature

## 5.0 Policy Analysis

This policy analysis is scoped to the requested zoning relief. Further policy analysis in regard to the subdivision of lands for residential use is provided in the Planning Justification Report contained within Appendix A.

### 5.1 Provincial Planning Statement (PPS), 2024

The Provincial Planning Statement, 2024 (the “PPS”) provides policy direction on land use planning matters of provincial interest. Land use planning decisions in Ontario should be consistent with the PPS which includes direction on Building Homes, Sustaining Strong and Competitive Communities, Infrastructure and Facilities, Wise Use and Management of Resources, and Protecting Public Health and Safety. The PPS 2024 came into effect on October 20, 2024, changing the way growth planning is undertaken in the province, eliminating intensification targets and providing the ability to expand settlement areas at any time. Below is a summary of the policy direction provided within the PPS applicable to this application.

According to Chapter 1 of the PPS, the vision for Ontario’s land use planning system is to foster strong, sustainable and resilient communities for people of all ages, promote a clean and healthy environment, and contribute to a strong and competitive economy.

Chapter 2 includes policy direction regarding building homes and sustaining strong and competitive communities. Section 2.1 provides direction on planning for people and homes:

*6. Planning authorities should support the achievement of complete communities by:*

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;*
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society;*

Section 2.2 provides direction for housing:

- 1. Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:*

- a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including affordable housing needs*
- b) permitting and facilitating:
  - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and*
  - 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;**
- c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation*
- d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.*

Section 2.3.1 provides general policy direction for Settlement Areas:

- 1. Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.*
- 2. Land use patterns within settlement areas should be based on densities and a mix of land uses which:
  - a) efficiently use land and resources;*
  - b) optimize existing and planned infrastructure and public service facilities;*
  - c) support active transportation;*
  - d) are transit-supportive, as appropriate;**
- 3. Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.*

Section 2.5 provides direction for Rural Areas in Municipalities:

- 1. Healthy, integrated and viable rural areas should be supported by:
  - a) building upon rural character, and leveraging rural amenities and assets;*
  - b) promoting regeneration, including the redevelopment of brownfield sites;*
  - c) accommodating an appropriate range and mix of housing in rural settlement areas;*
  - d) using rural infrastructure and public service facilities efficiently;*
  - e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*
  - f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;*
  - g) conserving biodiversity and considering the ecological benefits provided by nature; and*
  - h) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 4.3.**

*2. In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.*

**Planning Comment:** The proposed development will result in the development of an underutilized site within a rural settlement area. The proposed Zoning By-law Amendment will permit 12 of the 31 lot to accommodate an Additional Residential Unit, which are generally more affordable than single detached dwellings and contribute to a mix of housing types in the rural settlement area of Carley's Corners. This also supports the efficient use of land for private servicing. The proposed reduced frontages for three lots support the inclusion of an active transportation pathway connecting to an unopened road allowance and potential future subdivision in the Hamlet of Carley's Corners, which in turn supports the vitality of the rural settlement area.

Chapter 3 addresses infrastructure and facilities. In particular, Section 3.6 provides direction for sewage, water, and stormwater:

*4. Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.*

*7. Planning authorities may allow lot creation where there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity.*

*8. Planning for stormwater management shall:*

*a) be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;*

*b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;*

*c) minimize erosion and changes in water balance including through the use of green infrastructure;*

*e) maximize the extent and function of vegetative and pervious surfaces;*

*f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development;*

**Planning Comment:** Neither municipal nor private communal services are available for the proposed development, and as such, individual on-site water and sewer services are proposed. The submitted Hydrogeological Assessment and supplementary secondary unit analysis confirms that the proposed 31 single detached dwellings and up to 12 additional residential units can be adequately serviced with no negative impacts. This hydrogeological analysis has been coordinated with stormwater management planning for the subject lands. Stormwater management has been reviewed and approved through the associated Draft Plan of Subdivision application.

Section 4.1 provides direction on Natural Heritage:

*1. Natural features and areas shall be protected for the long term.*

*2. The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.*

*4. Development and site alteration shall not be permitted in:*

*a) significant wetlands in Ecoregions 5E, 6E and 7E1; and*

*b) significant coastal wetlands.*

*7. Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.*

*8. Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*

**Planning Comment:** A portion of the subject lands contain Provincially Significant Wetland. No development or site alteration is proposed on or within 30 metres of Provincially Significant Wetland, except for the establishment of stormwater management facilities approved through the associated Draft Plan of Subdivision, as recommended by the Environmental Impact Study submitted with and reviewed through the Draft Plan of Subdivision application. The proposed Zoning By-law Amendment will establish a minimum 30-metre setback from the watercourses that connect to the PSW. While two threatened species were observed within the subject lands at the time of the Environmental Impact Study, the Study concludes that mitigation recommendations and processes associated with the Endangered Species Act can ameliorate any negative impact that may be caused by the proposed development.

Based on the analysis above, we are of the opinion that the proposed Zoning By-law Amendment is consistent with the Provincial Planning Statement, 2024.

## **5.2 United Counties of Leeds & Grenville Official Plan**

The Official Plan for the United Counties of Leeds and Grenville was adopted by Council on June 23, 2015 and approved by the Ministry of Municipal Affairs and Housing on February 19, 2016. For the purposes of this report, the version of the Official Plan reviewed is the September 1, 2022 Office Consolidated Text.

The subject lands are designated 'Rural Settlement Area' on *Schedule A – Community Structure and Land Use* of the United Counties of Leeds & Grenville Official Plan.

### **Section 2 Growth Management and Settlement Areas**

#### **Section 2.3 Settlement Structure**

##### *2.3.3 Rural Settlement Areas*

*a) Rural settlement areas are designated on Schedule A, and their boundaries will be established precisely in the local municipal Official Plans.*

*b) Rural settlement areas may continue to experience growth through infilling and development of vacant lands by way of consents or plans of subdivision as appropriate, in addition to limited intensification. It is recognized that certain rural settlement areas may not accommodate additional growth and development, as established in the local municipal Official Plans.*

*c) The range of permitted uses and associated land use policies will be established in the local municipal Official Plans and in accordance with the policies of this Plan.*

*d) Rural settlement areas will generally maintain a rural settlement character and evolve as service and residential centres for their surrounding Rural Area, where appropriate.*

*f) Growth will be accommodated in accordance with the servicing policies of Section 6.3.*

**Planning Comment:** The Carley's Corners rural settlement area can accommodate additional growth and development, as established in the Village of Merrickville-Wolford Official Plan, which is reviewed in Section **Error!**

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## **Section 2.7 Housing and Affordability**

### *2.7.2 Affordable Housing*

*c) The Counties encourages local municipalities to focus the development of affordable housing within urban settlement areas and rural settlement areas which provide the greatest opportunity for a range of housing forms, types and tenures; employment opportunities; and access to community services and facilities.*

*d) The Counties will encourage the provision of affordable housing, where appropriate, through:*

*i. The use of municipal and planning tools available to municipalities under the Municipal Act and Planning Act;*

*ii. supporting increased residential densities in appropriate locations and a full range of housing types and sizes, provision of adequate land supply, and through redevelopment and residential intensification opportunities, where appropriate;*

*iii. providing infrastructure in a timely manner;*

*iv. supporting the reduction of housing costs by streamlining the development approvals process, and encouraging local municipalities to waive (in full or in part) municipal fees to encourage the development of affordable housing;*

*v. negotiating agreements with the public and private sectors to address the provision of affordably priced housing through the draft plan of subdivision and condominium approval process;*

*vi. considering innovative and alternative residential development standards that facilitate affordable housing and more compact urban forms; and*

*vii. considering developing a more detailed housing strategy that outlines annual housing targets, mixes of housing types, affordability thresholds and related data.*

*e) The Counties and local municipalities will encourage proponents of development, where appropriate, to ensure that a portion of new housing is affordable, and available and accessible to a broader range of demographics in the population, including younger workers and families, lower-income seniors, and renters, and that an adequate supply is maintained.*

*f) The Counties and local municipalities will encourage innovative and appropriate housing development that exhibits design, efficiency, and adaptability characteristics, and may represent non-traditional additions to the Counties' housing stock.*

*i) The Counties will encourage local municipalities to develop zoning provisions that are sufficiently flexible to permit a broad and varied range of housing forms, types, sizes and tenures.*

*k) The Counties will encourage the development of affordable housing geared towards seniors, which may include lower maintenance housing types such as condominiums and townhouses.*

**Planning Comment:** While the primary dwellings within the development are not expected to qualify as affordable housing per the definition in the Provincial Planning Statement (2024), it will add 31 dwelling units and up to 12 additional residential units to the County's housing stock and contributes to the range of housing available within the rural settlement area of Carley's Corners and the Village of Merrickville-Wolford. The additional dwelling units may qualify as affordable units.

## **Section 4 Natural Heritage, Water Resources, and Cultural Heritage**



## **Section 4.2 Natural Heritage Features and Functions**

### *4.2.3 Provincially Significant Wetlands and Significant Coastal Wetlands*

*b) Provincially Significant Wetlands and significant coastal wetlands will be protected to ensure that development will not result in negative impacts to the features or their ecological functions. No development or site alteration will be permitted within Provincially Significant Wetlands and significant coastal wetlands. Conservation Authorities are responsible for regulating development and site alteration in Provincially Significant Wetlands and significant coastal wetlands and within 120 metres of these natural features through regulations pursuant to Section 28 of the Conservation Authorities Act, and may require that a permit or clearance be obtained before any works begin.*

*c) The land adjacent to Provincially Significant Wetlands and significant coastal wetlands represents an area where it is possible that development or site alteration would have a negative impact on the feature or area. Development and site alteration will not be permitted on land adjacent to a Provincially Significant Wetland or significant coastal wetland, unless the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological and/or hydrologic functions that cannot be adequately mitigated. For the purposes of this policy, the extent of adjacent land will be defined as 120 metres. An Environmental Impact Study (EIS) will be required for development and site alteration within 120 metres of a Provincially Significant Wetland or significant coastal wetland. Prior to considering development and/or site alteration, the Counties and/or local municipality, in consultation with the Province and/or applicable Conservation Authority as required, will be satisfied that the EIS demonstrates that there will be no negative impacts on the Provincially Significant Wetland or significant coastal wetland and the sustaining ecological and/or hydrologic functions*

### *4.2.11 Watercourses and Waterbodies*

*a) The protection of watercourses and waterbodies in the Counties will be in accordance with Section 4.4.1 of this Plan.*

*b) Interference with a watercourse or waterbody may require a permit from the applicable Conservation Authority, and restrictions could apply.*

*c) Planning for stormwater management will be in accordance with Section 6.3.2 of this Plan*

### *4.2.13 Adjacent Lands*

*a) No development or site alteration will be permitted on adjacent lands unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated, through an EIS, that there will be no negative impact on the natural features or their ecological functions.*

### *4.2.14 Environmental Impact Studies*

*a) Where the policies of this Plan require that an Environmental Impact Study (EIS) is to be prepared, such an EIS will be prepared in accordance with the policies of the local municipal Official Plan and the requirements of this Section. EIS requirements as established in the local municipal Official Plans should generally include: a description of the site (e.g. natural environment, natural heritage features, wildlife and habitat); a description of the proposed project; potential impacts; and mitigation.*

*b) The local municipality, in consultation with the Conservation Authority having jurisdiction, and the Counties, as applicable, may scope the EIS requirements based on a review of the proposed development and/or site alteration and the associated natural heritage features and areas. The local municipal Official Plans will provide policies to address the scoping of and potential to waive EIS requirements.*

*c) The local municipality, in consultation with the Conservation Authority having jurisdiction, and the Counties, as applicable, must be satisfied with an EIS prior to the granting of development approvals. The recommendations of an EIS will be implemented through Official Plan amendments, zoning by-laws, subdivision conditions, site plan control, and/or applicable regulations.*

*d) Before development is approved in the area subject to the EIS, the EIS will demonstrate that the relevant policies of this Plan and the local Official Plan are met. The EIS will also demonstrate that the use will not have a negative impact on the natural heritage features and areas, related ecological functions.*

*e) An EIS will be prepared by a qualified professional, and will include identification of the potential impacts from the proposed development and site alteration and will propose mitigation measures to appropriately protect and/or conserve the values of the associated natural features and areas. The EIS should also identify potential linkages between and among natural heritage features and areas, surface water and ground water features to support the implementation of the Counties' Natural Heritage System.*

**Planning Comment:** No development or site alteration within the Wetland designation is proposed. However, given that a portion of the subject lands are within 120 metres of Provincially Significant Wetland and abut a watercourse, an Environmental Impact Study was completed in support of the associated Draft Plan of Subdivision application to determine if significant natural heritage features are present within this area. The EIS was undertaken in accordance with Section 9.5 of the Village of Merrickville-Wolford OP. The EIS concluded that a Special Concern and two Threatened species were observed within the subject lands, but that mitigation recommendations ameliorate any potential negative impact that may be caused by the proposed development. The EIS recommended an extended PSW boundary and a 30-metre naturalized buffer around the extended PSW boundary, which will be implemented through this ZBA. A fence will be installed along (or adjacent to) the 30-metre setback from the Provincially Significant Wetland per recommendation from the EIS Peer Reviewer. The EIS noted that there are three "features" (two watercourses and a drainage ditch) on the property and that none were found to have natural heritage significance, but that obstructions should be removed from watercourses to support better water flow to the PSW. A 30-metre setback from the watercourses at the rear of lots 24-31 and along the southern site boundary will be implemented per recommendation from the EIS Peer Reviewer and RVCA. A minimum 15-metre setback from the drainage ditch that is located between lots 23 and 24 has been requested by RVCA and will be implemented through this ZBA.

## **Section 5 Natural and Human-Made Hazards**

### **Section 5.2 Natural Hazards**

#### *Section 5.2.1 Development, Interference with Wetlands and Alterations to Shorelines and Watercourse Regulation*

*a) Development in a regulated area or the straightening, changing, diverting or interfering in any way with the existing channel or a river, creek, stream, watercourse or changing or interfering with a wetland may require permission or clearance from the applicable Conservation Authority.*

**Planning Comment:** A portion of the subject lands are within a regulated area (within 120 m of the PSW). There is a drainage ditch on the site that is to be re-routed, which has been reviewed by RVCA, and it has been requested that a 15-metre setback be established through this ZBA. It is noted that permission may be required from RVCA with respect to future construction of a dwelling and septic system within the regulated area, as well as any alteration to the watercourses, including the removal of obstructions, as per EIS recommendations.

### **Section 6.3 Water and Wastewater System**

#### *6.3.1. Sewage and Water Services*

*c) Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not provided, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.*

*f) All new development within settlement areas will only occur on the preferred form of servicing applicable to the settlement area, unless there are interim servicing policies provided in the local municipal Official Plan. Consultation with the Province will be required prior to the approval of interim servicing policies.*

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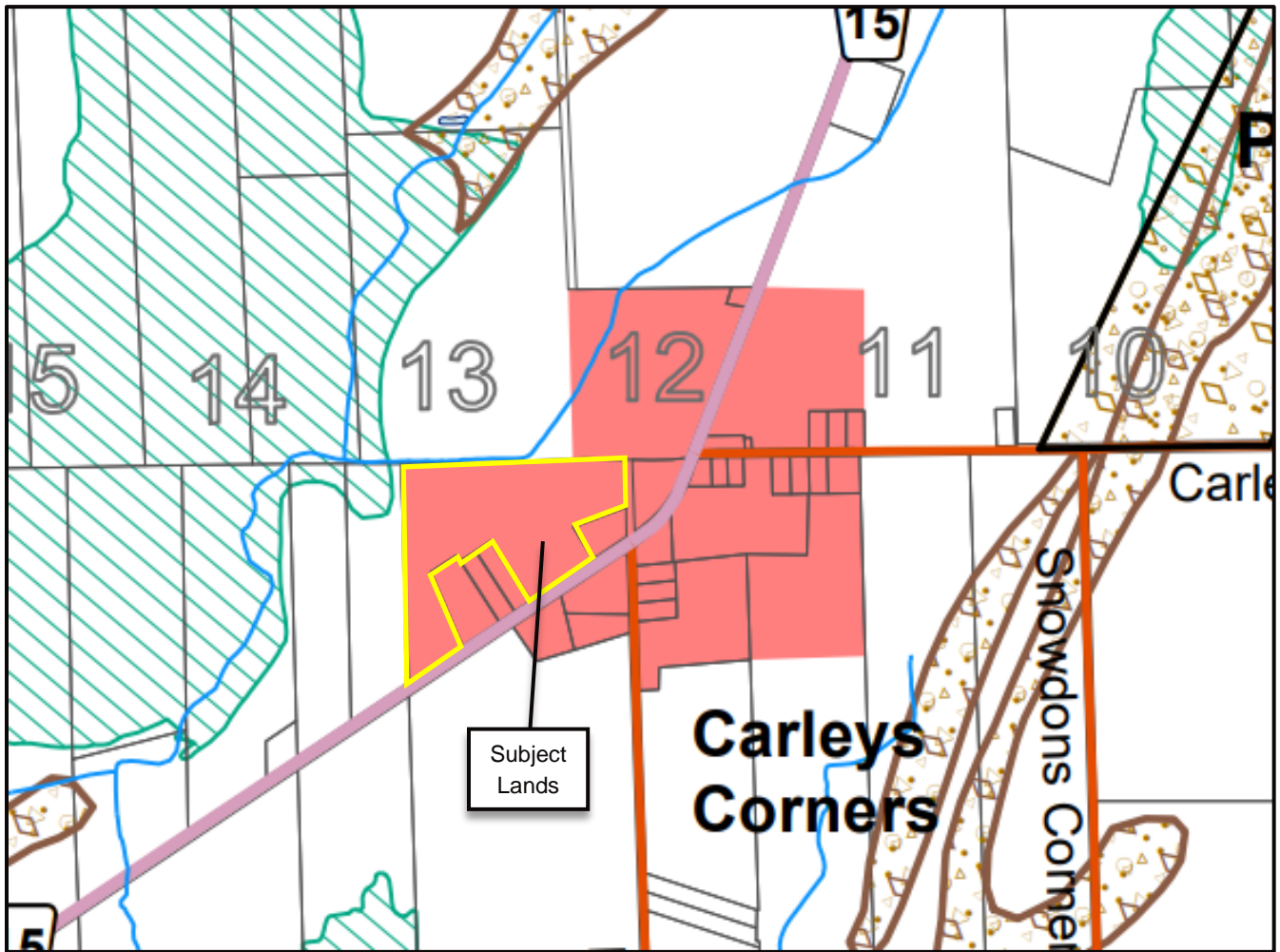
*g) The local municipality must confirm the availability of the required municipal and/or private communal sewage services and municipal and/or private communal water services capacity prior to development being approved, based on acceptance of a servicing analysis study, to the satisfaction of the lower-tier municipality. Provincial guidelines will be used when determining the remaining uncommitted reserve sewage system capacity and reserve water system capacity. The determination of sufficient reserve sewage system capacity will include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services*

**Planning Comment:** Individual on-site sewage services and individual on-site water services are proposed for this development, and it is understood that this is the preferred form of servicing for the Carley's Corners rural settlement area. The Hydrogeological Assessment (including two supplemental reports) submitted with this application confirms that site conditions are suitable for the long-term provision of such services for 31 residential lots (including 12 potential Additional Residential Units) with no negative impacts.

### **5.3 Village of Merrickville-Wolford Official Plan**

The Village of Merrickville-Wolford Official Plan was adopted by Council on February 10, 2020 and approved by the United Counties of Leeds & Grenville with modifications on April 22, 2021. For the purposes of this report, the version of the Official Plan reviewed was the June 2021 Office Consolidation. The current Official Plan's horizon is to the year 2031.

The subject lands are designated 'Hamlet' on Schedule A-1 – Land Use Plan – of the Village of Merrickville-Wolford Official Plan as shown in Figure 3.



**Figure 3:** Excerpt of Schedule A-1 of the Village of Merrickville-Wolford Official Plan, with the subject lands outlined in yellow (Source: Village of Merrickville-Wolford)

### **Section 3 General Provisions**

#### **Section 3.10 Housing and Intensification Policies**

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.*
5. *This Plan establishes alternative design standards in the development of new subdivisions.*
6. *The Village will endeavour to achieve an overall minimum affordable housing target of 25% for all new residential development. It is recognized that the target may not be achievable on a yearly basis; therefore, a five year average shall be used to evaluate the success in meeting the affordable housing objective. For the purpose of this Plan, affordable shall be defined as per the definition in the Provincial Policy Statement (2020).*
7. *The Village may use incentives such as grants or loans through community improvement plans, or other tools as permitted by the Planning Act or Municipal Act, in order to achieve the affordable housing policies in this Plan.*
8. *The Village may consider the use of inclusionary zoning in the future as a tool to achieve affordable housing objectives.*

*9. Council may consider preparing a Municipal Housing Statement in order to more precisely plan for the Village's housing needs. This should have regard for the United Counties of Leeds and Grenville Housing and homelessness Plan.*

**Planning Comment:** The proposed development features twelve properties that can support the servicing needs of an Additional Residential Unit, as reviewed through the submitted Supplemental Hydrogeological Assessment submitted with this application. The pre-zoning of these 12 lots to permit an additional residential unit is intended to support affordability of the overall development by enabling a range of unit types and sizes. It is noted that the Village of Merrickville-Wolford has released a draft new zoning by-law which includes provisions for Additional Residential Units that would apply to all lots within the subdivision. While this ZBA application has been submitted prior to the adoption of the new Zoning By-law, similar provisions to those proposed in the new By-law for ARUs is proposed within the requested site-specific zoning.

It is understood that the design guidelines in Appendix A of the Village of Merrickville-Wolford Official Plan apply to the subject lands. The proposed permission for ARUs, reduction in lot frontage for three lots, and establishment of minimum watercourse and drainage ditch setbacks are not anticipated to hinder the ability of future development to comply with the guidelines.

## **Section 4 Natural and Cultural Heritage**

### **Section 4.1 Natural Heritage**

*4.1.1.1 Provincially Significant Wetlands - Provincially Significant Wetlands are designated Wetland on Schedules A-1 and B-1. The policies governing the Wetland designation and the adjacent land within 120 m (394 ft.) are contained in Section 6.3. of this Plan.*

**Planning Comment:** A portion of the subject lands are within 120 metres of Provincially Significant Wetlands identified on Schedule A-1. The applicable policies of Section 6.3 are addressed below.

## **Section 6 Land Use Designations**

### **Section 6.2 Urban Land Uses**

#### **6.2.1.4 Hamlets**

*1. Existing development in the Hamlets is on private services and all future development is intended to take place on private services. As a consequence, development will take place at much lower densities than is found in Merrickville.*

*2. The areas designated Hamlet are intended to promote extensions to the existing internal road networks and to create new internal roads, rather than extending development along the County Roads.*

*3. Much of the existing development is reflective of the historic architectural styles found throughout the Village, and it is the intent of this Plan that future development be compatible with the existing development. To this end, the applicable Design Guidelines contained in Appendix A apply to future development in the Hamlet designation.*

**Planning Comment:** The proposed development consists of 31 single detached dwellings and 12 potential Additional Residential Units on private services, which is supported by the Hydrogeological Assessment and supplemental analysis submitted with this application. The Hydrogeological Assessment confirms that the proposed density is acceptable for individual on-site well and septic service.

The proposed development, which is located within a designated Hamlet, includes the creation of two new internal roads which provide access from County Road 15 to the proposed lots, rather than extending development along the County Road.

It is understood that the design guidelines in Appendix A of the Village of Merrickville-Wolford Official Plan apply to the subject lands. The proposed permission for ARUs, reduction in lot frontage for three lots, and establishment of

minimum watercourse and drainage ditch setbacks are not anticipated to hinder the ability of future development to be compatible with existing development per the guidelines.

### **6.2.8 Hamlet**

#### **6.2.8.2 Residential Development**

*1. Permitted Uses - The permitted residential uses will be primarily single detached dwellings; however, all types of multiple residential development shall also be permitted.*

*2. Policies*

*1. Development shall be encouraged to take place by plan of subdivision; however, severances may be permitted.*

*5. The implementing Zoning By-law shall contain provisions to regulate parking, landscaping, buffering, setbacks, etc., in order to minimize potential land use conflicts between single detached dwellings and multiple residential dwellings.*

**Planning Comment:** The proposed development is taking place by Plan of Subdivision to allow for the development of single detached dwellings and Additional Residential Units. The amending zoning by-law includes provisions regulating the proposed Additional Residential Units.

#### **Section 6.3.2 Wetland**

*6.3.2.3.1. No development or site alteration is permitted within the Wetland designation, in accordance with the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation of the Conservation Authority.*

*6.3.2.3.2. Development and site alteration within 120 m (393 ft.) of a designated Wetland is also subject to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation of the Conservation Authority. Any proposed development shall require an Environmental Impact Statement in accordance with the policies of Section 9.5 of this Plan to the satisfaction of the Village and Conservation Authority and, in the case where development is adjacent to the Rideau Canal, Parks Canada.*

**Planning Comment:** No development or site alteration within the Wetland designation is proposed. However, given that a portion of the subject lands are within 120 metres of Provincially Significant Wetland and abut a watercourse, an Environmental Impact Study was completed in support of the associated Draft Plan of Subdivision application to determine if significant natural heritage features are present within this area. The EIS was undertaken in accordance with Section 9.5 of the Village of Merrickville-Wolford OP. The EIS concluded that a Special Concern and two Threatened species were observed within the subject lands, but that mitigation recommendations ameliorate any negative impact that may be caused by the proposed development. The EIS recommended an extended PSW boundary and a 30-metre naturalized buffer around the extended PSW boundary, which will be implemented through this ZBA. A fence will be installed along (or adjacent to) the 30-metre setback from the Provincially Significant Wetland, per recommendation from the EIS Peer Reviewer.

The EIS noted that there are three “features” (two watercourses and a drainage ditch) on the property and that none were found to have natural heritage significance, but that obstructions should be removed from watercourses to support better water flow to the PSW. A 30-metre setback from the watercourses at the rear of lots 24-31 and along the southern site boundary will be implemented per recommendation from the EIS Peer Reviewer and RVCA. A minimum 15-metre setback from the drainage ditch that is located along the north side of Lots 16 and 17, between Lots 18 and 19, and between Lots 23 and 24 has been requested by RVCA and will be implemented through this ZBA.

### **Section 8 Servicing**

#### **Section 8.4 Private Water and Wastewater Services**

1. Individual on-site sewage and water services shall be used for a new development of five or less lots or private residences where municipal or communal services are not provided and where site conditions are suitable for the long term provision of such services

6. A private septic system or any use in all land use designations which will handle more than 10,000 litres/day requires Ontario Water Resources Act (OWRA) approval for sewage works. A report will be required providing justification that the undertaking meets the criteria of the Ministry of Environment, Conservation and Parks policy on the reasonable use of groundwater. This report should demonstrate soil suitability, sufficient area for effluent treatment and site suitability, and shall be reviewed and approved by the Ministry of Environment, Conservation and Parks.

7. All applications for approval of plans of subdivision which are intended to be developed on individual private services shall be supported by a servicing options report, a preliminary stormwater quality and quantity management plan and, where individual wells and septic systems are proposed, by a hydrogeological and terrain analysis study.

**Planning Comment:** There are no municipal or communal services available in Carley's Corners, therefore the proposed development will be serviced by individual on-site sewage and water services. Each proposed lot is anticipated to generate an average discharge 1000 litres/day of sewage effluent, which is well below the 10,000 litre/day cut-off. The twelve lots permitted to contain an Additional Residential Unit could add approximately an additional 490 litres/day of sewage flow per day, per lot. A Hydrogeological Assessment and two supplemental reports, including the latest, titled "Supplemental Hydrogeological Assessment, Secondary Dwellings", have been provided in support of the proposed development. The Assessment determined that the site could be developed to accommodate the proposed 31 lots including up to 12 secondary dwellings without exceeding a nitrate concentration limit of 10 mg/L at the property boundary. The Assessment also concludes that the bedrock aquifer has enough water quantity to support the proposed 12 secondary dwellings for the site. A Stormwater Management Report and associated plans have been submitted through the associated Draft Plan of Subdivision application.

## **Section 9 Implementation and Administration**

### **Section 9.3 Division of Land**

#### **9.3.1 General**

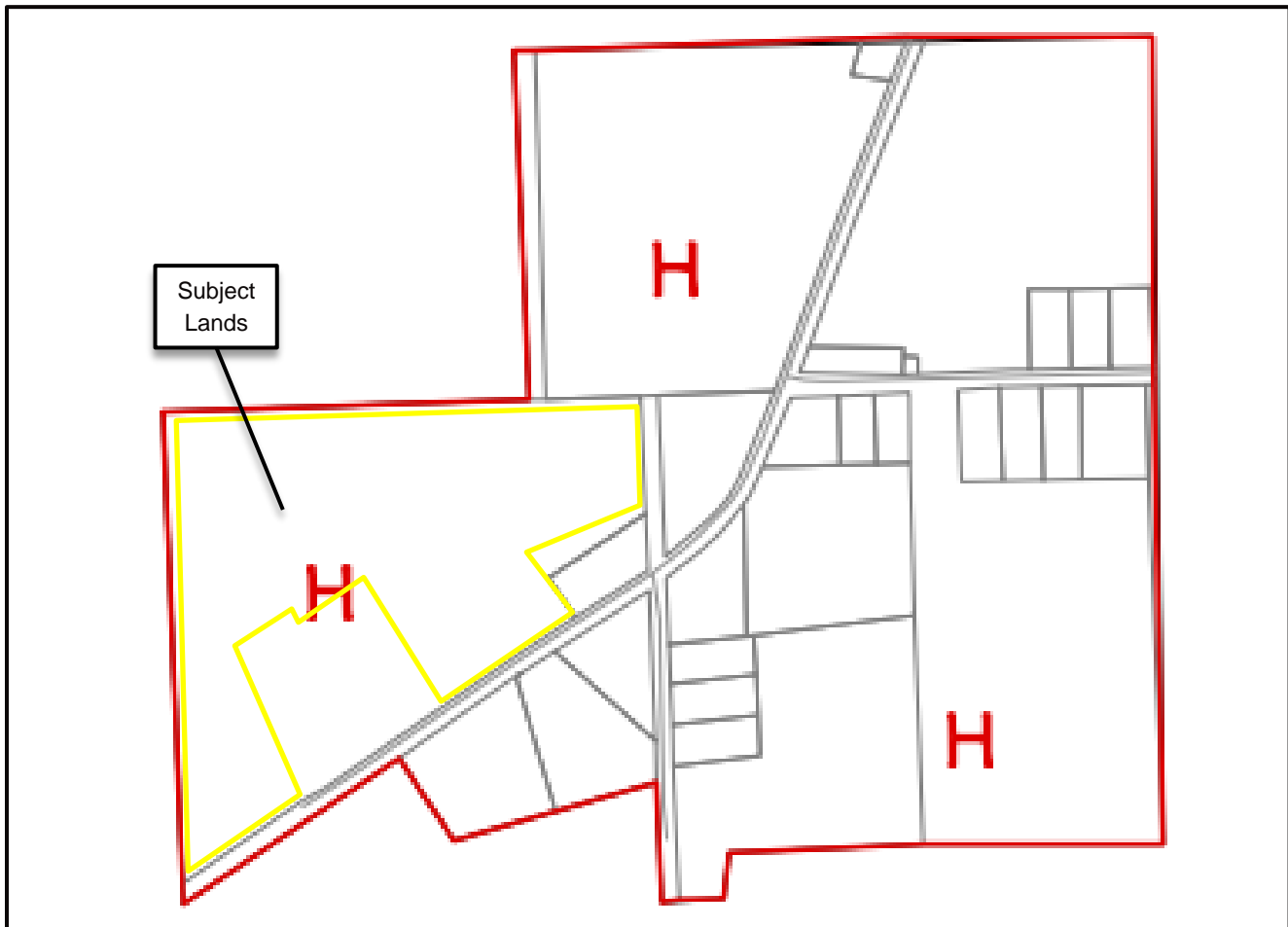
2. The size of any lot that is created should be appropriate for the proposed use. Where the lot is to be serviced by an individual well and/or septic system, such lots should generally have a minimum size of 0.4 ha (1 acre), depending on soil conditions. In no case, should any parcel be created which does not conform to the provisions of the Zoning By-law. [...]

6. Where a potential natural hazard exists due to unstable soils, steep slopes, flooding or similar characteristics, lots should not be created unless the lots and any retained or remnant parcels contain sufficient area to accommodate the proposed use outside the limits of the potential hazard.

**Planning Comment:** All but three proposed lots are 0.4 hectares in size or greater, and the three 0.38 hectare lots (lots 11-13) are supported by the Hydrogeological Assessment, which confirms adequate soil conditions for all 31 lots. These lots are greater in area than the minimum of 0.2 ha required by the Zoning By-law. Three lots are proposed to have a frontage below the minimum required in the Zoning By-law due to their irregular frontage on a cul-de-sac, which is addressed through this Zoning By-law Amendment. All residential access will be via the two proposed public roads that connect to County Road 15.

## **5.4 Village of Merrickville-Wolford Zoning By-law No. 23-08**

The subject lands are regulated by the Village of Merrickville-Wolford Zoning By-law No. 23-08. For the purposes of this report, the version of the by-law referenced is the original version dated November 2008. The subject lands are zoned 'Hamlet' (Figure 4) under which residential uses are to be in accordance with the Residential Type 2 (R2) Zone. The R2 Zone permits single detached dwellings in accordance with the Residential Type 1 (R1) zone. The R2 Zone does not permit Additional Residential Units.



**Figure 4:** Excerpt from Schedule A of Village of Merrickville-Wolford Zoning By-law 23-08 with the subject lands outlined in yellow

The proposed Zoning By-law Amendment seeks to establish five site-specific exception zones ('H-x1' to 'H-x5') to permit reduced lot frontage for three lots, permit an Additional Residential Unit on 12 lots and prohibit them on all other lots, to establish site-specific watercourse setbacks, and to establish the required setback from County Road 15. It is noted that the Village of Merrickville-Wolford has released a draft new zoning by-law which includes provisions for Additional Residential Units that would apply to all lots within the subdivision. While this ZBA application has been submitted prior to the adoption of the new Zoning By-law, similar provisions to those proposed in the new By-law for ARUs is proposed within the requested site-specific zoning. Table 1 details the applicable existing zone provisions and where relief is required in support of the approved subdivision.

**Table 1: Zoning Matrix indicating existing and proposed zoning**

Zone Provision	Section	Required	Proposed	Relief Required?
Permitted Uses	5.2.1 10.1	Residential uses: Single detached Dwelling Semi-detached dwelling Duplex dwelling	Single detached dwelling  Additional Residential Unit on lots 5-10 and 26-31	Yes, for Additional residential Units (Lots 5-10 and 26-31)



Zone Provision	Section	Required	Proposed	Relief Required?
		Converted dwelling Boarding/rooming house Street townhouse dwelling Planned unit townhouse dwelling  Commercial uses Institutional uses Open Space uses		
Lot area (minimum)	5.1.2.1	Partial or private services: 2000 m <sup>2</sup>	Varies (3,800 m <sup>2</sup> to 5,200 m <sup>2</sup> )	No
Lot frontage (minimum)	5.1.2.2	Partial or private services: 30 m	14.4 m	Yes (Lots 20-22)
Front yard depth (minimum)	5.1.2.3	6 m (19.7 ft)	As required	No
Exterior side yard width (minimum)	5.1.2.4	3 m (9.8 ft)	As required	No
Interior side yard width (minimum)	5.1.2.5	3 m (9.8 ft) on one side with a total of 4.2 m (13.8 ft) for both yards, except where a garage or carport is attached to the main building, in which case the minimum shall be 1.2 m (3.9 ft) for each yard	As required	No
Rear yard depth (minimum)	5.1.2.6	6 m (19.7 ft)	As required	No
Dwelling unit area (minimum)	5.1.2.7	85 m <sup>2</sup> (915 ft <sup>2</sup> )	As required	No
Landscaped open space (minimum)	5.1.2.8	80%	55% (Lots 5-10 and 26-31)	Yes (Lots 5-10 and 26-31)
Building height (maximum)	5.1.2.9	11 m (36.1 ft)	As required	No

Zone Provision	Section	Required	Proposed	Relief Required?
Accessory Building Location	3.2.2.1	Accessory buildings and structures shall not be built closer to the front lot line or exterior side lot line than the minimum distance required by this By-law for the main building on the lot	As required	No
	3.2.2.2	Accessory buildings and structures shall not be built closer to a street line than the main building or closer than 15 m (49.2 ft) to the street line, whichever is the lesser, where the main building is set back more than the minimum distance required by this By-law.	As required	No
	3.2.2.5	In the case of accessory buildings or structures in all other zones, accessory buildings and structures shall not be built closer than 3 m (9.8 ft) to any interior side or rear lot line	As required	No
Accessory Building – Maximum Height	3.2.3.	5 m (16.4 ft)	5 m, except in the case of a detached private garage containing an Additional Residential Unit (ARU), in which	Yes (Lots 5-10 and 26-31)

Zone Provision	Section	Required	Proposed	Relief Required?
			<p>case the maximum height of the garage shall be 6.1 metres (20 feet) and shall not exceed 1.5 storeys.</p>	
<p>Accessory Building – Lot Coverage</p>	<p>3.2.4.1</p>	<p>In the case of a building or structure accessory to a residential use, the lot coverage shall not exceed 10% of the lot area or 140m<sup>2</sup> (1,507 ft<sup>2</sup>), whichever is the lesser, and shall be included in the calculation of the total lot coverage permitted in the zone in which the residential use is located.</p>	<p>As required</p>	<p>No</p>
<p>Accessory Building – Separation</p>	<p>3.2.5</p>	<p>No accessory building or structure shall be located closer than 2 m (6.6 ft) to the main building</p>	<p>As required</p>	<p>No</p>
<p>One Dwelling per Lot</p>	<p>3.22</p>	<p>Except where second farm dwellings are permitted, where group building projects are permitted and except in the MHP Zone, not more than one dwelling house shall be located on a lot.</p>	<p>2 dwelling houses on lots 5-10 and 26-31</p>	<p>Yes (Lots 5-10 and 26-31)</p>

Zone Provision	Section	Required	Proposed	Relief Required?
Occupancy Restrictions	3.2.4	Human habitation shall not be permitted in any of the following buildings, structures or parts thereof;  1. any private garage or other building which is accessory to a residential use	Human habitation permitted in a private garage or other building which is accessory to a residential use where such habitation is part of an ARU	Yes (Lots 5-10 and 26-31)
Parking Requirement (minimum)	3.25.1	Single-detached Dwelling: 1 space per dwelling unit  (no ARU provisions)	Single-detached Dwelling: 1 space per dwelling unit  Additional Residential Unit: 1 space per dwelling unit	Yes
Parking Area Location and Setbacks	3.25.7	Single detached Dwelling: Required parking spaces are permitted in all yards, except the required front and exterior side yards, wherein a driveway may be located provided the minimum length of the driveway from a private garage or carport to the edge of pavement or to an existing or planned sidewalk, as the case may be, is 6 m (19.7 ft)	As required	No
Attached Garage or Carport and Driveway Widths	3.25.9	Lot width more than 10.5 m (34.4 ft) and less than or equal to 19.5 m (64 ft):	As required	No

Zone Provision	Section	Required	Proposed	Relief Required?
		Maximum attached garage or carport width: 6.4 m (21 ft)  Maximum driveway and/or parking space width: 6 m (19.7 ft)		
		Lot width more than 19.5 m (64 ft):  Maximum attached garage or carport width: 9.5 m (31.2 ft)  Maximum driveway and/or parking space width: 9 m (29.5 ft)	As required	No
Setbacks - Streets	3.27.1.1	All buildings and structures located along County Roads shall comply with the specific setback requirements established by the County (4 metres)	As required	No
	3.27.1.1	All buildings and structures located along a street under the jurisdiction of the Corporation shall be set back a minimum distance of 8 m (26.2 ft) in the urban area of Merrickville and in the Hamlet Zone ..., plus the required front yard depth of	As required	No

Zone Provision	Section	Required	Proposed	Relief Required?
		the zone in which the use is located.		
Watercourse Setback	3.27.3	All buildings and structures including septic tanks and tile fields shall be set back a minimum horizontal distance of 20 m (65.6 ft) from the top-of-bank of a watercourse as herein defined	No development or site alteration is permitted within 30 m of the watercourse that abuts the rear of lots 24-31, the watercourse that abuts the southwestern lot line, or the provincially significant wetland boundary located on and adjacent to Block 32, with the exception of stormwater management facilities.	Yes (Lots 1-5, Lots 24-31, and Block 32)
	N/A	N/A	All buildings and structures, including septic tanks and tile fields, shall be set back a minimum horizontal distance of 15 m from the centreline of the drainage ditch that abuts lots 15, 16, 18, 19, 23, and 24.	Yes (Lots 15, 16, 18, 19, 23, and 24)
Sight Triangles	3.28.1	In a sight triangle, as herein defined, no uncovered surface parking lot or loading space may be constructed or used and no building or structure,	As required	No

Zone Provision	Section	Required	Proposed	Relief Required?
		landscaping or finished grade shall be constructed or located thereon which exceeds 0.8 m (2.5 ft) in height above the centreline of the street		

**Zoning By-law Amendment Justification**

**Introduction of Additional Residential Units, Permission for Two Dwelling Houses on a Lot, Occupancy Restrictions, Accessory Building Height, Parking, and Landscaped Open Space**

The subject application proposes the introduction of Additional Residential Units on twelve properties in the subdivision, whereas Additional Residential Units (ARUs) are currently not permitted by the Zoning By-law. The potential for inclusion of Additional Residential Units was investigated at the request of the Municipality through the Draft Plan Subdivision application as a way to address policies related to housing affordability, identified in Sections 5.2 and 5.2 of this report. Section 3.10 of the Village of Merrickville-Wolford Official Plan states that “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.” The Village of Merrickville-Wolford has released a draft new Zoning By-law which includes provisions for Additional Residential Units. As this proposed site-specific ZBA is likely to proceed ahead of the new Zoning By-law approval, language from the draft new Zoning By-law was used in the draft amending by-law for consistency. The Draft New By-law reduces the landscaped open space requirement from 80% to 55% for all uses on private services in the R2 zone (which would apply to single detached dwellings in the Hamlet zone). Accordingly, the proposed Zoning By-law Amendment seeks to reduce Landscaped Open Space from 80% to 55% for lots proposed to contain ARUs. Only one ARU is permitted on each of the twelve lots and is permitted within the single detached dwelling or in an accessory building, including within the upper storey of a detached garage. One parking space will be required for each additional residential unit and the driveway must be shared between the single detached dwelling and the ARU. Hydrogeological analysis submitted with this application confirms that 12 lots can support ARUs without exceeding a nitrate concentration of 10mg/L at the property boundary, and while maintaining adequate water quantity in the bedrock aquifer.

As such, the proposed amendments to introduce ARUs as a permitted accessory use on 12 lots and permit reduced landscaped open space on such properties meets the intent of the zoning by-law.

**Lot Frontage**

The subject application proposes a reduced minimum frontage of 14 metres for three lots, Lots 20-22, whereas the by-law requires a minimum frontage of 30 metres. Lot 20 has a frontage 24.5 metres, Lot 21 has a frontage of 14.4 metres, and Lot 22 has a frontage of 18 metres, measured between the two site lot lines at the minimum front setback (6 m). These three lots are located on a cul-de-sac and as such, the frontage represents the narrowest point of the lot, which then widens towards the rear. There is a 4-metre-wide pedestrian path between Lots 21 and 22, which also impacts the frontage available to those lots. Despite the proposed reduction in required lot frontage, these lots exceed the minimum lot area requirements, and will be able to adequately

accommodate a driveway and parking spaces, a single detached dwelling, and septic system. As such, the proposed reduction in required lot frontage meets the intent of the zoning by-law and no negative impacts are anticipated.

### **Watercourse Setback and Drainage Ditch Setback**

As identified through the Environmental Impact Study submitted and reviewed through the associated Draft Plan of Subdivision application, there is Provincially Significant Wetland and three water features on or directly adjacent to the site: one watercourse that runs along a portion of the northwestern lot line and connects to the Provincially Significant Wetland, one watercourse that abuts the southwestern lot line, and a drainage ditch that traverses a portion of the property but does not meet the definition of a watercourse. None of these features (besides the PSW itself) were identified as having natural heritage significance. The Zoning By-law requires a minimum setback of 20 metres from a watercourse whereas a 30 metre “no development, no site alteration” setback (with the exception of stormwater management facilities) is proposed from the PSW and the watercourse that connects to the PSW, at the request of the EIS Peer-reviewer and RVCA. A standard 30-metre setback is proposed from the watercourse along the southern lot line. A 15-metre setback from the relocated drainage ditch is being introduced at the request of RVCA. These proposed setbacks are more generous than what is required by the Zoning By-law and are intended to mitigate any impacts related to natural hazards and the natural heritage system.

### **County Road Setback**

The Zoning By-law indicates there is a required setback from a County road, however it does not indicate what that setback is. The United Counties of Leeds & Grenville have indicated the required setback is 4 metres, which will be implemented through the site-specific by-law.

## **6.0 Summary and Conclusion**

Rob Thompson Construction Ltd. is the owner of an approximately 16-hectare parcel of land on the west side of County Road 15 south of Kerford Road in the rural settlement area of Carley’s Corners. It is the owner’s intention to subdivide the subject lands into 31 residential lots ranging from 0.38 hectares to 0.52 hectares in size for the construction of single detached dwellings and potential additional residential units. The proposed Zoning By-law Amendment is required as a condition of Draft Plan approval.

It is our professional opinion that the proposed Zoning By-law Amendment:

- Is consistent with the policies of the Provincial Planning Statement, 2024;
- Conforms with and implements the policies of the United Counties of Leeds and Grenville Official Plan, as amended;
- Conforms with and implements the policies of the Village of Merrickville-Wolford Official Plan, as amended;
- Provides the appropriate land use permission and controls within the Village of Merrickville-Wolford Zoning By-law No. 23-08; and
- Enables development that will be compatible with the existing and planned future uses on adjacent lands.

Based on our analysis of the subject application, surrounding uses, supporting studies, the applicable planning policy framework and the expressed vision of the Village, this application facilitates an appropriate form of land development, constitutes good land use planning and is in the public interest.



Mr. Forbes Symon  
Village of Merrickville-Wolford  
February 3, 2025

Sincerely,  
Arcadis Professional Services (Canada) Inc.



Holly Crawford  
Planner

Email: [holly.crawford@arcadis.com](mailto:holly.crawford@arcadis.com)  
Direct Line: 613-531-4440 x 63313



Mark Touw, MCIP, RPP  
Principal - Location Lead, Kingston

Email: [mark.touw@arcadis.com](mailto:mark.touw@arcadis.com)  
Direct Line: 613-531-4440 x 63301