

Village of Merrickville-Wolford Special Council Minutes

Date: May 26, 2025
Time: 5:00 pm
Location: Council Chambers

Members Present Mayor Cameron
Deputy Mayor Barr
Councillor Gural
Councillor Ireland
Councillor Maitland

Staff Present Julia McCaugherty-Jansman, Clerk
Darlene Plumley, CAO

Others Present Forbes Symon, Senior Planning Consultant, Jp2g Consultants Inc.

1. Call to Order

The meeting was called to order at 5:00 p.m.

2. Approval of Agenda

Moved By Councillor Maitland

Seconded By Councillor Gural

THAT the Agenda for the Special Council Meeting held on May 26, 2025 be approved as presented.

Carried

3. Disclosure of Pecuniary Interest and the General Nature Thereof

None.

4. Motions for Consideration

Moved By Councillor Gural

Seconded By Councillor Ireland

THAT the Council of the Corporation of the Village of Merrickville-Wolford receive for information the Motions for Consideration document as presented.

Carried

5. Public Meeting

Moved By Councillor Ireland

Seconded By Councillor Gural

THAT the Council of the Corporation of the Village of Merrickville-Wolford enter into a Statutory Public Meeting regarding the Second Draft Zoning By-law.

Carried

5.1 Draft Zoning By-law

Please note that this is not a verbatim report. For the full recording, please visit the Village of Merrickville-Wolford YouTube Channel.

Mayor Cameron called the Public Meeting to order. He provided the explanation of the purpose of the Public Meeting, being to provide a second opportunity for members of the public to learn more about the proposed changes to the second draft Zoning By-law, ask questions, and/or make statements either in favour of, or in opposition to, the proposed changes.

Senior Planner Forbes Symon provided an overview of the Planning report and the second draft Zoning By-law as included in the agenda package. He indicated that there was enough changes to the discussion draft of the By-law to warrant a second Public Meeting. He stated that he is hopeful for consideration of passage of the By-law next month pending comments at the Public Meeting.

Deputy Mayor Barr joined the meeting at 5:07 p.m.

Members of the public were offered an opportunity to provide comments.

Jim Luty, Wolford Drive noted that he lives in an established neighbourhood on Wolford Drive that is about 30 years old made up of single-detached homes. He continued that there are currently 2 vacant lots in the subdivision that have not been developed. He inquired if under these provisions whether anything other than single-detached dwellings could be built on the vacant lots. Senior Planner Forbes Symon stated that Additional Residential Units (ARUs) is a new area of planning in Ontario that is being worked through. He noted that it is discretionary in the rural area. He noted that generally they are a good, low-impact way of

introducing affordable housing options. He continued that wherever there is a residential unit as the principal unit, that an ARU would be permitted subject to the performance criteria set out. Jim Luty sought clarification on what discretionary in a rural area means. Forbes Symon confirmed that it is up to Council to decide whether they wish to allow an ARU as a right to be permitted in the urban area and permitted subject to an amendment to the by-law in the rural area. He noted that the purpose is to have it the same as urban being that they would be permitted as a right where a residential dwelling is a principle unit. Jim Luty asked if subdivision covenants of a neighbourhood override any decision of Council in terms of allowance of an ARU. Forbes Symon noted that planning is governed by subdivision agreements and covenants are private contractual arrangements between developers and original property purchasers. He stated that they do not override planning to best of his knowledge but that it may be worth having the solicitor offer an opinion on the status of covenants.

Jim Luty asked if under current housing program, if could someone apply to put something other than single-detached home in a neighbourhood that has been defined as having this type of dwelling. Forbes Symon noted that the zoning of the rural property would identify this type of dwelling as the principal use but that the ARU would be the exception. Forbes Symon provided a brief explanation of ARUs and how they could be permitted and built on a rural property. Should have that as the primary permitted use. Jim Luty asked if the owner of a vacant lot in this neighbourhood could apply for multi-residential unit or townhouse. Forbes Symon indicated that they could apply to change the zoning to allow that but that the way the by-law is written currently they would be able to apply to the Building Official for up to 2 ARU's on a property where there is a principal dwelling either with one already or as purpose-built.

Jim Luty requested a general explanation of the purpose of the changes to the by-law and what the intent is of the whole zoning by-law. Forbes Symon provided an explanation of how the zoning by-law has to conform with the Official Plan within 2 years in accordance with the Planning Act. He noted that this was the primary instigator for the changes and that they also took the opportunity to review recent planning legislation changes and looked at best in class examples for where the document could be improved as a more comprehensive update. Jim Luty asked if it is to allow for more densification. Forbes Symon stated that densification is happening across the board throughout the province over the last 6 years

with changes to the Provincial Policy Statement (PPS) and the Planning Act. He said that they have to a large extent been focused on addressing the housing crisis and increasing density and streamlining the approval process. He concluded that increasing density is a prominent component of modern day planning.

Robbie Giles noted that he finds that there is a significant absence of emphasis on other priority areas as articulated in the Official Plan and Strategic Plan and in the Merrickville submission to the composite Official Plan, most notably the goal to preserve natural environments and cultural environments. He asked how these zoning by-laws fit with the achievement of the overall priorities and pillars in the Strategic Plan and Official Plan. Forbes Symon stated that the Official Plan is a policy document and zoning is more regulatory in nature. He highlighted the wetland preservation included in the Official Plan that has policy protection and the mapping identified in the zoning by-law that focuses more on the natural preservation with the inclusion of setback protection of 120m as prescribed by the PPS and natural heritage. He continued that there is also shoreline protection measures and a 30m setback for all development from water. He noted that should there be a need that is triggered by new lot creation to assess impact on natural environment, there is the ability through the Official Plan to trigger environmental studies specific to that property and the boundaries of the natural areas. Forbes Symon noted his opinion that the municipality is implementing the environmental policies of the Official Plan through mapping and setbacks. He noted that on a day to day basis as new lots are being created they are being assessed against the policies of Official Plan to make sure they are meeting environmental standards.

Robbie Giles noted that we keep creating divisiveness around development in the last 4-5 years. He asked if proponents have an obligation to look at the Official Plan or Strategic Plan to review and address the priorities of the plans as part of their submissions. Forbes Symon confirmed that there is an expectation within the planning world that developers do so in conformance with the Official Plan and Strategic Plans. He continued that recently in various municipalities it is being seen that large developers come in and impose their will on a community on how they are going to develop with the empowerment of having to build houses. He highlighted that there is a concern that this will become a dominant approach from the development industry in general. He stated

that it is an expensive approach for developer to ignore local policies and would typically be adjudicated through the Ontario Land Tribunal.

Peter Szmidt expressed appreciation to Council and staff for the efforts undertaken to change and update by-laws. He noted support around changes specifically regarding property standards and illumination. He asked how the Village plans to address property owners who refuse to comply with the by-law. Forbes Symon provided a brief explanation that by-law enforcement in this municipality is based on complaint driven basis and that typically the approach is to work with the property owner to seek compliance. He continued that there are situations where enforcement has to go to the next level including a charge under enforcement sections in the Planning Act or under the Zoning By-law. He highlighted that municipalities have historically not had a level of success enforcing by-laws with judge's as hoped. He concluded that the most success communities have is seeking compliance to address concerns. Peter Szmidt encouraged Council to continue enforcing by-laws.

Gina Jelmini asked how the Strategic Plan taken in to consideration at this stage and how it is tied into the current zoning by-law amendment process. Forbes Symon stated that the focus is on planning and that the Strategic Plan is not a document under the Planning Act. He noted that it is up to staff and Council to bring forward the priorities they would like to see included in zoning. He confirmed that the effort has mostly been focused on the local Official Plan, the County Official Plan, and the PPS. He confirmed that the Strategic Plan is not directly considered when making changes to the zoning by-law or Official Plan. Forbes Symon explained that the Strategic Plan is an a shorter, action-oriented document for a specific period of time to address community needs whereas the Official Plan is a policy document that is more aspirational in nature. He noted that there can be correlation between Strategic Plans and Official Plans but that typically the purpose and intent of Strategic Plans are very different than the intent of planning documents. If there are issues they are general in nature. He highlighted that a Strategic Plan is not often considered closely for planning documents but that he realizes it's an important document and that it is a part of an annual budget operation and contributes to the overall work plan.

Members of the public were offered a final opportunity to provide comments. No further comments were provided.

Mayor Cameron closed the Public Meeting portion of the Special Meeting.

6. Resume Special Meeting

Moved By Councillor Gural

Seconded By Deputy Mayor Barr

THAT the Council of the Corporation of the Village of Merrickville-Wolford close the Public Meeting and resume the Special Meeting of Council.

Carried

7. Confirmatory By-law 29-2025

Moved By Councillor Maitland

Seconded By Councillor Gural

THAT the Council of the Corporation of the Village of Merrickville-Wolford give First, Second, Third and Final Reading to By-law 29-2025, being a By-law to Confirm the Proceedings of Council for the Special Meeting of May 26, 2025;

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 29-2025.

Carried

8. Adjournment

Moved By Councillor Gural

Seconded By Councillor Ireland

THAT the Council of the Corporation of the Village of Merrickville-Wolford adjourn at 5:33 p.m.

Carried

Mayor Michael Cameron

Clerk Julia McCaugherty-Jansman