



Committee of Adjustment

Agenda

June 19, 2024 at 6:00 p.m.

317 Brock St. W, Merrickville, ON

Council Chambers

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

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

Online at: <https://us02web.zoom.us/j/88231648420>

Meeting ID: 882 3164 8420

Passcode: 014779

- 1. Call to Order**
- 2. Approval of the Agenda**
- 3. Disclosure of Pecuniary Interest and Nature Thereof**
- 4. Approval of Minutes**
 - a) Committee of Adjustment Meeting - March 6, 2024
- 5. Business**
 - a) File No. A-02-2024: Application for Minor Variance – 147 St. Lawrence Street
- 6. Adjournment**

The Corporation of the Village of Merrickville-Wolford

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

Chaired by: Mayor Michael Cameron, ex officio

Committee of Adjustment

Members: Rory Blaisdell
David Manders
Jack Springer
Councillor Ronnie Maitland

Staff in Attendance: Julia McCaugherty-Jansman, Clerk
Forbes Symon, Senior Planner, Jp2g Consultants

Guests: Kelly-jo Mulrooney, Applicant

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

1. Call to Order

Mayor Cameron called the meeting to order at 5:01 p.m.

2. Disclosure of Pecuniary Interest and the general nature thereof

None.

3. Appointment of Secretary-Treasurer for the meeting

Julia McCaugherty-Jansman was appointed as Secretary-Treasurer for this meeting.

4. Appointment of Chairperson for the meeting

Mayor Michael Cameron was appointed Chairperson for this meeting.

5. New Business

Mayor Cameron indicated that, as required under Section 45 of the *Planning Act R.S.O.* 1990, this public meeting is being held for the purpose of providing the public with information and material related to the minor variance application. This is the public’s opportunity to provide comments on the proposed application, prior to the Committee of Adjustment making a decision on the merits of the applications.

A) File No. A-01-2024: 124 William Street

The Committee reviewed Application A-01-2024. Julia McCaugherty-Jansman provided comment on the notice given for File No. A-01-2024. Forbes Symon provided context to his report dated March 1, 2024. He noted the purpose and effect of the application, being the request to construct a 5.2m x 7.5m carport onto the northeast face of the existing single detached dwelling on the property. He indicated his satisfaction that there will be no dramatic impact to the streetscape. He stated that the application is minor in nature and recommended that the minor variance be looked at favourably by the Committee.

The applicant was afforded an opportunity to provide comments. Kelly-jo Mulrooney thanked the Planner for his comments and noted that the proposed structure should not cause any issues.

Members of the public were afforded an opportunity to provide comments. No members of the public had questions or comments.

The Committee was afforded an opportunity for questions and comments.

Jack Springer requested confirmation that no public comments or concerns were submitted. Julia McCaugherty-Jansman and Forbes Symons both confirmed that they received no comments.

Rory Blaisdell inquired about the concern of stormwater management on the property. Forbes Symon confirmed that the carport being open with no walls will allow for stormwater to be less of a concern. He continued that this would be dealt with more at the Building Permit stage and that the Chief Building Official has been notified of it. The applicant confirmed that they intend to install a permeable surface in the driveway to address the runoff and limit it to the property.

The Committee had no further questions or comments.

All Committee members indicated their support of the application as presented. The Committee of Adjustment granted approval for Minor Variance A-01-2024, as applied for. Mayor Cameron read out the decision sheet granting approval of the application, and the decision sheet was signed by the Committee.

6. Adjournment

The Committee of Adjustment adjourned at 5:19 p.m.

Michael Cameron, Chair

Julia McCaugherty-Jansman,
Secretary-Treasurer, Committee of Adjustment



VILLAGE OF MERRICKVILLE-WOLFORD

NOTICE OF APPLICATION AND PUBLIC HEARING FILE NO. A-02-2024

Section 45 (1) of the Planning Act, 1990

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

Name of Owner(s): Angelina and Christopher Wrona

Location of Property: 147 St. Lawrence Street Street, Village of Merrickville-Wolford
Plan 6 RG 2 PT LOT 4 PT LOT 5; RP 15R331 PART 2 RP; 15R6505 PART 10

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

Date and Time: Wednesday, June 19th, 2024 at 6:00 p.m.

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

Purpose of the Application

The request for a minor variance is to permit the construction of a 20 ft (6m) x 35 ft (10.6m) two-storey addition to the existing mixed-use building on the subject property. The application is also seeking a reduction in the number of required parking spaces and proposes 3 parking spaces at the subject property, whereas 5 is otherwise required. There is insufficient area on the property to support the current requirements for parking, and the applicant is therefore seeking relief from the Merrickville-Wolford Zoning By-Law 23-08, as amended, as it relates to Section 3.25.

Official Plan: Core Area within the Special Heritage Policy Area 2, Urban Area Boundary

Zoning: General Commercial (C1)

Any person may make written representation in support of or in opposition to the proposal. Written comments shall be submitted to the Clerk to clerk@merrickville-wolford.ca or by mail to PO Box 340, Merrickville, ON, K0G 1N0 **no later than 12:00pm on Wednesday, June 19th**,

2024, and the written submissions will be provided to Village representatives in advance of the meeting if possible.

All written submissions must clearly indicate **147 St. Lawrence Street, Minor Variance, A-02-2024** in the subject line of an email or letter submission. In addition, comments may be submitted at the appropriate time during the public meeting beginning Wednesday, June 19, 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 clerk@merrickville-wolford.ca or by mail to be received no later than noon on June 19, 2024. Upon registration, you will receive details of the Public Meeting.

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

Additional Information and Notice of Decision

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

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

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

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

Dated at the Village of Merrickville-Wolford this 7th day of June, 2024.



Julia McCaugherty-Jansman, Clerk

KEY MAP



147 St. Lawrence St., Merrickville-Wolford

Subject site outlined in blue

Established 1793
Incorporated
Wolford 1850
Merrickville 1860
Amalgamated 1998



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

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

FOR OFFICE USE ONLY
Date the Application was Received by the Village: _____

- Property Owner's Name: ANGELINA CHRISTOPHER WROSA
Address: 211 LEWIS ST EAST
Postal Code: K0G1N0
e-mail: _____
Telephone: Home: _____ Work: _____
Cell: _____ Fax: _____
- Applicant/Agent Name: _____
Address if different from Owner: _____
Postal Code: _____
e-mail: _____
Telephone: Home: _____ Work: _____
Cell: _____ Fax: _____
- Name and address of any mortgages, holders of charges or other encumbrances of the subject lands:
FRONTLINE FINANCIAL
- Legal Description of Property: Former Municipality MERRICKVILLE WOLFORD
Lot(s): LOT 5, LOT 9 Concession: _____
Lot(s): _____ Registered Plan: 15R-331
Part(s): PART 2, PART 10 Reference Plan: _____
Street Address: _____
Roll Number: _____ Survey Attached: Yes / No
- Are there any easements or restrictive covenants affecting the subject property? Yes / No
- If yes, please describe the easement or covenant:
RIGHT OF WAY TO REAR PARKING
- Dimensions of lands affected: Frontage: 22'
Depth: ~ 100
Area: 2200
Width of Street: _____
- Nature and extent of relief applied for: 3 PARKING SPACES INSTEAD OF 5.



THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD

9. Why is it not possible to comply with the provisions of the By-Law?
THE SIZE OF THE EXISTING LOT WILL NOT ALLOW IT
10. Existing Village of Merrickville-Wolford Official Plan designation of the land:
COMMERCIAL
11. Existing Village of Merrickville-Wolford Zoning of the land:
C1
12. Existing County Official Plan Designation:

13. Other applications submitted with this application:
Official Plan Amendment Consent Zoning Plan Of Subdivision
14. Have the subject lands every been the subject of an application for an official plan amendment, zoning amendment, minor variance or site plan control?
Yes (please provide details below) No
15. Existing use of subject property and length of time this use has continued on the subject property if known please provide length of time that the existing use has continued:
COMMERCIAL RETAIL W SECOND FLOOR ADJUTMENT
16. Description of all buildings and structures on or proposed for the subject lands (specify ground floor area, gross floor area, number of storeys, width, length, height of buildings as well as distance from side, rear and front lot lines):
COMMERCIAL RETAIL STOREFRONT

Existing: STONE 3 STOREY 23' x 40' SIDE TO CLDR ON LOT LINES.

Proposed: 20' x 35' ADDITION. 2 STOREYS.
17. Date of construction of all buildings and structures on subject lands: ~ 1850-1880. GRG.
18. Does this application require demolition of an existing building? Yes No
If yes, please specify: _____

Established 1793
 Incorporated
 Wofford 1850
 Merrickville 1860
 Amalgamated 1998



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

THE CORPORATION OF THE VILLAGE OF MERRICKVILLE-WOLFORD

19. Number of Parking Spaces
 Number of Existing: 2 Number of Proposed: 3 TOTAL

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

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

21. Services currently available, or to be available:

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

22. Are Stormwater Sewers present? Yes X No Proposed

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

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



June 19, 2024

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

Attention: Darlene Plumley, CAO

**Re: Planning Report: Minor Variance A-02-2024 (Wrona)
147 St. Lawrence Street, Village of Merrickville
Village of Merrickville-Wolford**

Please accept the following Planning Report summarizing the nature and effect of the minor variance application before the Committee of Adjustment for 147 St. Lawrence Street in the Village of Merrickville. The Report also summarizes relevant planning policy and provides a professional planning opinion on the merits of the application.

Purpose and Effect

The request for a minor variance is to permit the construction of a 20 ft (6m) x 35 ft (10.6m) two-storey residential addition to the existing mixed-use building on the subject property. The application is also seeking a reduction in the number of required parking spaces and proposes 3 parking spaces at the subject property, whereas 5 is otherwise required. There is insufficient area on the property to support the current requirements for parking, and the applicant is therefore seeking relief from the Merrickville-Wolford Zoning By-Law 23-08, as amended, as it relates to Section 3.25.

Description of Development

The subject property is approximately 2,852.6 sqft (265 sqm) in size with roughly 6.7 m (22 ft) of frontage on St. Lawrence Street. The property is currently occupied by a two storey downtown commercial retail building with a second floor apartment (one unit in total) and is serviced via municipal sewer and water.

The application proposes to construct a 65 sqm (700 sqft) two-storey addition to the rear of the existing building in order to establish two additional dwelling units. The application also proposes a reduction in parking allocation from 5 spaces to 3, establishing 1 parking space for each of the residential units. The rationale for not being able to meet the minimum number of parking spaces required is due to the relatively small size of the existing lot, which will not allow for more than 3 parking spaces on the subject lands.



Site and Surrounding Land Use

The subject property is located on the east side of St. Lawrence Street (Village Main Street). The property is a two-storey mixed-use building with existing storefront retail on the ground floor and one (1) residential apartment on the second floor.

The property is part of the built form of the historic downtown core of the Village of Merrickville. The abutting uses in all directions are mixed commercial and residential uses.

Existing Official Plan

The subject property is designated “Core” in the Village of Merrickville-Wolford Official Plan (2006). Section 6.2.3.2, Core, Permitted Uses, states that “the Core Area is intended to include the institutional, public and residential uses, as well as the commercial uses, that are typically found in a downtown.”

One of the more significant OP policy for the downtown commercial core is found in Section 6.2.3.3 (6) which reads as follows:

“In order to create a vibrant Core Area, Council will encourage residential uses in addition to the permitted commercial and public uses by permitting mixed-use commercial/residential buildings, by encouraging the rehabilitation and renovation of upper storeys of existing buildings for residential use, and by permitting residential development including intensification and redevelopment on the periphery of the Core Area. In the case of mixed-use commercial and residential buildings, commercial uses should generally not be located above residential uses.”

This policy establishes the proposed development as desirable intensification within the downtown core. This policy would suggest that the staff and Council need to work with proponents looking at investing in the downtown core and introducing much needed rental accommodations within the upper stories of the downtown.

The Core Area policies also contains policies related to parking. Section 6.2.3.3 (9) states that:

“Council shall determine an appropriate standard for private off-street parking in the Core Area and may accept cash-in-lieu of parking where there is insufficient land to provide on-site parking. Where Council accepts cash-in-lieu of parking, the money collected shall be used exclusively to provide additional public parking.”

This policy anticipates that the provision of parking spaces for redevelopment within the downtown core can be challenging and provides an option to Council to permit development without sufficient parking to pay into a community parking fund and permit development to proceed.



Existing Zoning

The Village of Merrickville-Wolford Zoning By-law 23-08 zones the subject property “General Commercial (C1)”. As such Section 6.1.1 of the C1 zone permits residential units in the upper story of non-residential buildings, consistent with the Official Plan policies noted above.

The regulations for residential development within the C1 zone triggers the need to provide 161.5 sqft (15 sqm) of landscaped open space per residential unit.

Further, Section 3.25 establishes the parking standards and requires retail uses to have a minimum of 1 parking space per 25 sqm of gross floor area, and further requires residential use to establish 1 parking space minimum per dwelling unit. The application will be able to meet the minimum requirement of 1 parking space per dwelling unit with a total of 3 parking spaces as proposed, though will not be able to meet the required parking spaces required for the retail store.

Comments

No other comments were received at the time of the writing of this report.

Planning Opinion – Four Test for Minor Variance

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

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

The following is a review of these four tests against the requested variance to section 3.25 of the Village Zoning By-law to reduce the required number of parking spaces from 5 to 3 in order to accommodate a second residential unit in the existing mixed-use building on the subject property, having a proposed area of 65 sqm (700 sqft).

Test 1: Official Plan

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

The proposed Minor Variance would appear to maintain intent and purpose of the Village Official Plan.



Test 2: Zoning By-law

The Village of Merrickville-Wolford Zoning By-law 23-08 identifies the property as being zoned for commercial use and residential uses within existing buildings or units in the upper storey of a commercial/ mixed-use building. It is recognized that the property would be able to accommodate the required parking space allocations for the existing and proposed dwelling units, though the retail store/ commercial use would not be able to meet the minimum requirements. Staff are of the opinion that a reduction in the number of required parking spaces is reasonable given the existing size of the property and the fact that each residential unit will have the minimum required 1 parking space each and do not anticipate any adverse effects in reducing the number of parking allocation for the commercial retail store, given the abundance of nearby public parking options. Furthermore, the property is able to meet the minimum landscaped open space requirement of 15 sqm (161.5 sqft) for each residential unit.

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

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

The establishment of a new 65 sqm (700 sqft) residential addition in the existing mixed-use building on the subject property is expected in the Village downtown core. Given that each residential unit will be able to maintain the requirement of 1 parking space each, staff believe that the proposed request is reasonable as it is expected that the public will be able to utilize off-site parking or other modes of transportation to visit the retail store.

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

Test 4: Variance is Minor

The application proposes to reduce the number of required parking spaces on the subject lands from 5 to 3. It is recognized that each parking space will be approximately 19 ft x 8 ft in size and located towards the rear of lot. The impact of reducing the required parking spaces for the retail store is negligible given that no overnight parking would be required, and that public off-site and street parking is available through the Village downtown core. It is recognized that the existing dwelling unit and proposed dwelling unit will have 1 allocated parking space each.

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

For these reasons, it is my opinion that the proposed Minor Variance to permit a reduction of required parking spaces at the property located at 147 St. Lawrence Street from 5 to 3 meets the four tests set out in the Planning Act and represents good land use planning.



It is recommended that the Committee APPROVE Minor Variance A-02-2024 to permit the construction of a 65 sqm (700 sqft) two-storey addition to the existing mixed-use building on the subject property and a reduction in required parking spaces from 5 to 3.

It is recommended that the Committee's Decision include the following conditions:

1. That the proponent provide cash-in-lieu of parking, at a rate determined by the Village, for 2 commercial parking spaces (3 proposed, whereas 5 is required).
2. That the owner be required to pay any outstanding taxes owing to the property.

All of which is respectfully submitted,

Jp2g Consultants Inc.
ENGINEERS ▪ PLANNERS ▪ PROJECT MANAGERS

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'F. Symon', written over a horizontal line.

Forbes Symon, MCIP, RPP
Senior Planner

Map 1: Location of Subject Property



147 St. Lawrence St., Merrickville-Wolford
Subject site outlined in blue above



Map 2: Development Plan of Subject Property

