



# The Corporation of the Town of Kearney

8 Main Street Box 38 Kearney ON P0A 1M0

## MINUTES

**PUBLIC MEETING  
(Pursuant to the Planning Act)  
DURING  
REGULAR COUNCIL MEETING  
Council Chambers  
Wednesday, November 2<sup>nd</sup>, 2022  
1:22 p.m.**

**Council Members Present:** Mayor Carol Ballantyne  
Councillors: Cheryl Philip, Mike Rickward, Liz Stermsek and Paul Ziraldo

**Staff Present:** Brenda J. Fraser, CAO | Clerk | Treasurer  
Cindy Filmore, Deputy Clerk (Virtual)  
Leslie Harvie, Deputy Treasurer  
Brian Horsman, Chief Building Official  
Matt Clouthier, Deputy Chief Building Official

**Town Planner** Jessica Rae Reid, Junior Planner, EcoVue Planning Consultants

**7. Public Hearings (Pursuant to the *Planning Act*)  
(a) Zoning By-law Amendment Application re: RZ-05-22 (Zabi MacEachren)**

Mayor Ballantyne stated that this portion of the Meeting is to hear submissions from the public pursuant to Sections 34 (12), (13) and (14) of the *Planning Act* and declared the Public Meeting open to consider an amendment to our Comprehensive Zoning By-law No. 2022-20.

Mayor Ballantyne noted that if a person or public body did not make oral submissions at the public meeting or make written submissions to the Town of Kearney before the By-law was passed, the person or public body is not entitled to appeal the decision of Council to the Ontario Land Tribunal and may not be added as a party to a hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so. Also, Mayor Ballantyne stated that if anyone wished to be notified of the decision of Council on the proposed amendments, that they must make a written request to the Town of Kearney.

Mayor Ballantyne then turned the meeting over to our Planner to explain the purpose and effect of the proposed By-law amendment.

Town Planner Jessica Reid stated that application RZ-05-22 is to amend Comprehensive Zoning By-law 2022-20 for lands located in Part of Lot 12, Concession 8, in the Geographic Township of Proudfoot, now in the Town of Kearney (ARN#4918-030-001-51300). The lands are known municipally as 359 Loon Lake Road.

The subject property is approximately 0.19 hectares (0.46 acres) with approximately 24.1 metres of road frontage on Loon Lake Road and 28.1 metres of frontage on Loon Lake. The property contains an existing recreational dwelling and two (2) accessory sheds. This application is required to amend the existing Residential Waterfront Exception Sixty (RWF-60) Zone in order to permit the reconstruction and enlargement of the existing recreational dwelling on the subject property, and to acknowledge existing deficient setbacks to existing accessory structures.

The property was the subject of a previous Zoning By-law Amendment application, (Approved Town of Kearney By-law No. 2022-18. However, following the approval of By-law 2022-18, the applicant redesigned the proposed dwelling reconstruction, which resulted in additional deficiencies to the Residential Waterfront Sixty (RWF-60) Zone. In addition to the previously-approved height increase, the proposed development will also create additional deficiencies related to the RWF provisions, including:

1. To permit the reconstruction and enlargement of the existing recreational dwelling with a proposed water yard setback of 14.06 metres where 30.0 metres is required, contrary to Sections 3.2.3 and 4.2.3 of the Town of Kearney Zoning By-law; and
2. To permit the construction of an accessory detached garage with a proposed interior side yard setback of 2.62 metres where 5.0 metres is required, contrary to Sections 4.2.3 and 3.2.5 of the Town of Kearney Zoning By-law.

Property owners to the west had concerns with the survey, and therefore deferral is recommended until the applicant provides a survey to alleviate these concerns.

Mayor Ballantyne asked if Council had any questions. Members of Council spoke to the need to obtain a survey.

Mayor Ballantyne asked if any member of the public had any comments. The applicant noted that they are trying to build an environmental home and spoke to the reasons for locating the garage as proposed. Mrs. Karen Fraser asked if any member of Council had visited the site.

Mayor Ballantyne asked if our Planner had anything further to add, to which Ms. Reid replied that she received a site plan but not an OLS survey and again requested to have the survey without the buildings.

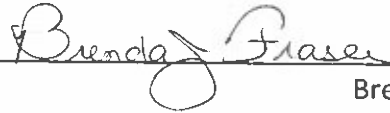
Members of Council agreed that in order to proceed, a survey is needed.

As there was nothing further, Mayor Ballantyne noted that this completes the public input portion of the meeting. Time: 1:46 p.m.

**THE CORPORATION OF THE  
TOWN OF KEARNEY**



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Carol Ballantyne, Mayor



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Brenda J. Fraser, Clerk