



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, December 14th, 2022
2:35 p.m.**

Council Members Present: Mayor Cheryl Philip
Councillors: Keven Beaucage, Heather Pateman, Mike Rickward and Jill Sharer

Staff Present: Brenda J. Fraser, CAO | Clerk | Treasurer
Cindy Filmore, Deputy Clerk
Leslie Harvie, Deputy Treasurer
Scott McKay, Public Works Working Foreperson

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 (MacEachren)**

Mayor Philip 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 Philip 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 Philip 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 Philip 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 this is the second time Application RZ-05-22 has come before Council. It is to amend the site-specific Residential Waterfront Exception-60 (RWF-60) Zone of Comprehensive Zoning By-law 2022-20, to include the additional site-specific provisions of the reconstruction and enlargement of the existing recreational dwelling with a proposed water yard setback of 14.06 metres and to permit the construction of an accessory detached garage with a proposed interior side yard setback of 2.62 metres, as well as to acknowledge the interior side yard setback of an accessory shed with an existing interior side yard setback of 0.87 metres. Ms. Reid also noted that comments were received from adjacent neighbours voicing concerns related to the accuracy of the completed Survey regarding the proposed location of the detached garage which resulted in Council deferring the application pending confirmation from an Ontario Land Surveyor confirming the lot boundaries and proposed garage location. Confirmation has been received that the dimensions and setbacks related to the application are accurate.

Mayor Philip asked if Council had any questions. Councillor Jill Sharer asked why the setback for a garage is 5 metres but only 1.5 metres for an accessory shed. Discussion noted that in the RWF zone, the minimum side yard requirement is 5 metres which would be required for the new garage.

Mayor Philip asked if any member of the public had any comments. Jim Skeleton spoke to recognizing the existing deficiency, that the garage was a new build and the importance of a survey for property lines. Karen Fraser asked if any member of Council had seen the OLS survey and cautioned Council with respect to addressing comments received from neighbouring public members.

Mayor Philip asked if there were any further comments or questions from Council. Councillor Sharer stated that the Town should have a copy of the survey and the line can't be followed from the road. Deputy Mayor Rickward suggested that a condition be added that the OLS survey the line to make sure the setbacks are followed during construction.

Mayor Philip asked if our Planner had anything further to add, to which Ms. Reid replied, 'no, she did not'.

As there was nothing further, Mayor Philip noted that this completes the public input portion of the meeting.

Time: 3:06 p.m.

**THE CORPORATION OF THE
TOWN OF KEARNEY**

Cheryl Philip, Mayor

Brenda J. Fraser, Clerk