

**THE CORPORATION OF THE MUNICIPALITY  
OF KILLARNEY**

**Committee of Adjustment**

**August 12, 2015**

**6:30 P.M.**

**PRESENT:**

**MAYOR:** Virginia Rook

**COUNCILLORS:** Debbie Burant Eileen Lewis Pierre Paquette  
Jim Rook Nancy Wirtz

**ABSENT:** Nil

**DISCLOSURE:** Nil

**STAFF:** Clerk Treasurer – Candy Beauvais  
Deputy Clerk-Treasurer – Gilles Legault

**ABSENT:** Director of Planning – Melissa Riou

**APPLICANT /  
REPRESENTATIVE:** Alain McCann Representing Municipality of Killarney  
Minor Variance Application: A/06/at/KL  
Susan Chittle – Minor Variance Application:  
A/07/15/KL

**MEMBERS OF PUBLIC: 9**

---

Chair Nancy Wirtz called meeting to order at 6:34 PM.  
Councillor Lewis arrived at 6:37 PM.

**15-005 BY PIERRE PAQUETTE – NANCY WIRTZ**

**BE IT RESOLVED THAT** the Committee of Adjustment meeting be opened at 6:34 P.M.

**CARRIED**

**15-006 BY PIERRE PAQUETTE – NANCY WIRTZ**

**BE IT RESOLVED THAT** the Committee of Adjustment minutes from the meeting held March 11<sup>th</sup>, 2015 be adopted as circulated.

**CARRIED**

**15-007 BY PIERRE PAQUETTE – NANCY WIRTZ**

**BE IT RESOLVED THAT** the Agenda be accepted as distributed.

**CARRIED**

The Chair stated that this Committee of Adjustment Public Hearing was called to discuss two proposed Minor Variances.

**NOTE:** The Clerk indicated that Ms. Riou advised earlier that day she was held up in Ontario Municipal Board hearings and may not be able to attend the meeting. If unable to be present, Ms. Riou recommended that the committee move ahead with Application No. A/07/15/KL but defer Application No. A/06/16/KL due to recent comments received relating to the application.

The Chair agreed and suggested that the Committee defer the matter until such time as the planner can set an alternate meeting date. The following resolution was passed:

**15-008 BY PIERRE PAQUETTE – NANCY WIRTZ**

**BE IT RESOLVED THAT** the Minor Variance Application No. A/06/15/KL (Municipality of Killarney) – Property Roll No. 5136 000 001 00700 / 00701 in Rutherford Section 32 SPT Part Lot 7 Plan 848 be deferred at this time on the recommendation of our Director of Planning due to concerns recently received regarding the variance application.

**CARRIED**

The Chair then proceeded with the second application before the Committee Application No. A/07/15 KL (Susan Chittle)

**1. Application No. A/07/15/KL (Susan Chittle)**

The Planning Act requires that a Public Hearing be held before a Committee of Adjustment who decides whether or not to approve a Minor Variance Application. The Public Hearing serves two purposes: first, to present to the Committee and the public the details and background to a minor variance application; and second, to receive comments from the public and agencies before a Committee decision is made.

The Chair briefly summarize the procedure to be utilized for the Hearing. With the Director of Planning absent, the Chair advised the Committee as to when, how, and to whom Notice of Public Hearing was circulated.

Notice of the Public Hearing was posted in the Municipal Office and was sent by Mail to the assessed owners within 60 metres of the property subject to the Minor Variance Application, and to those persons and agencies likely to have an interest in the application. The Notices were sent on July 23, 2015 being over ten (10) days prior to this evening's meeting.

Included with each Notice was an explanation of the purpose and effect of the minor variance application and a key map showing the location of the property.

The circulation was provided in accordance with the provisions of The Planning Act, R.S.O. 1990, Chapter P.13.

Further advising of the purpose and effect of the minor variance application. Ms. Riou had advised earlier there was no correspondence on file, no objections received, nor did she have any issues with the application.

The applicant Ms. Chittle explained what the minor variance was proposing. This was followed by questions from the public and Committee prior to consideration by the Committee.

The Chair then declared this portion of the meeting to be a Public Hearing to deal with Application No. A/07/15/KL (Susan Chittle). With the absence of Ms. Riou, Ms. Chittle summarized the proposed variance. The Chair invited questions/comments from members of the Public and the Committee.

The Chair requested the Secretary-Treasurer to read the resolution. Following the reading of the resolution the Chair asked if there were any questions or comments from the Committee to the applicant. The Chair then called for a vote on the resolution.

**15-009 BY PIERRE PAQUETTE – NANCY WIRTZ**

**BE IT RESOLVED THAT** the Minor Variance Application No. A/07/15/KL (Chittle) – Property Roll No. 5136 000 004 56800 Part of Lot 8, Concession 3 in the Township of Allen in the Municipality of Killarney be approved and that the necessary Notice of Decision be prepared.

**CARRIED**

The Chair advised that there is a 20 day appeal period during which time any person or public body may, not later than 20 days after the day that the giving of written notice as required by Section 45 (12) of the Planning Act is completed, appeal to the Ontario Municipal Board by filing with the secretary-treasurer of the committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection, accompanied by the fee prescribed under the Ontario Municipal Board Act. During this appeal period, no building permit may be issued or other work commenced.

Also, in the event there is an appeal, and in order to be kept advised of a possible Ontario Municipal Board Hearing, members of the public must request and be sent a copy of the Committee's decision on the application.

The Chair declared this Public Hearing to be concluded.

**15-010 BY PIERRE PAQUETTE – NANCY WIRTZ**

**BE IT RESOLVED THAT** we adjourn the Committee of Adjustment Public Hearing held August 12<sup>th</sup>, 2015 at 6:45 P.M.

**CARRIED**

*ORIGINAL DOCUMENT SIGNED*

.....

*Nancy Wirtz, CHAIR*

*ORIGINAL DOCUMENT SIGNED*

.....

*Candy Beauvais, SECRETARY*