

# THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY

## Special Meeting of Council

November 26<sup>th</sup>, 2019

4:30 P.M.

**PRESENT: MAYOR:** Virginia Rook

**COUNCILLORS:** Barbara Anne Haitse Michael Reider  
Jim Rook Nancy Wirtz

**ABSENT: COUNCILLOR:** John Dimitrijevic

**DISCLOSURE:** Nil

**STAFF:** Clerk-Treasurer – Candy Beauvais  
Deputy Clerk-Treasurer – Gilles Legault  
Administrative Assistant – Angie Nuziale

**MEMBERS OF PUBLIC:** 2

**DELEGATIONS:** Nil

**GUESTS:** Matthew Dumont, Director of Planning  
Sudbury East Planning Board  
Matt Ryan, Furniture Architecture Design (FAD)

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Mayor Rook called the meeting to order at 4:30 PM.

Mayor Rook presented the procedure for public hearings as indicated below:

The Mayor stated that this Special Meeting was scheduled in order to hold a Public Hearing to discuss a proposed Zoning By-Law Amendment:

Application No. ZBA 19-15KL – Candis Burdekat

The Planning Act requires that a Public Hearing be held before Council decides whether or not to pass a Zoning By-Law Amendment. The Public Hearing serves two purposes: first, to present to Council and the public the details and background to a proposed rezoning; and second, to receive comments from the public and agencies before a Council decision is made.

Mr. Dumont will provide a summary of the application. From there, the applicant will be requested to make a presentation, followed by questions or presentations from the public, either in favour or against the proposal. Council will then have the opportunity to question the applicant, Director of Planning, or anyone giving presentations. The Zoning By-Law Amendment will then be considered by Council later this evening.

The Mayor asked Mr. Dumont to advise how notice was provided.

Mr. Dumont stated that the Notice of the Public Hearing was posted in the Municipal Office and was sent by mail to the assessed owners within 120 metres of the property subject for the proposed Zoning By-law Amendment, and to those persons and agencies likely to have an interest in the application. The Notice was sent on November 6<sup>th</sup>, 2019 (being over twenty (20) days prior to this evening's meeting).

Included with the Notice was an explanation of the purpose and effect of the proposed Zoning By-law Amendment and a key map showing the location of the property.

The Mayor then declared this portion of the meeting to be a Public Hearing to deal with Application No. ZBA 19-15KL (Candis Burdekat) and requested Mr. Dumont to summarize the purpose and effect of the proposed Zoning By-law Amendment and provide any additional information and correspondence relevant to the application.

The subject property consists of one lot (12 Channel Street) with a frontage of approximately 50 feet and a depth of approximately 165 feet. The property located at 12 Channel Street contains a one storey frame dwelling with a covered porch and a detached shed. The property located at 12 Channel Street is currently occupied as a single family home. The applicant proposes to convert the one story frame dwelling into a two storey frame dwelling to permit a four residential units (Fourplex).

With respect to the Official Plan, Section 2.2.5.8, **medium density residential** uses will be permitted including triplex dwellings, **fourplex dwellings**, row or block townhouse dwellings, converted dwellings containing more than two dwelling units, walk-up apartments, and similar medium profile residential buildings, subject to the following criteria:

- a) the density, height and character of the development will be compatible with adjacent uses;
- b) the height and massing of the buildings at the edge of the medium density residential development will have regard to the height and massing of the buildings in any adjacent low density residential area and may be subject to additional setbacks, or landscaping to provide an appropriate transition;
- c) the development will have direct access to and frontage on a local road maintained year-round;
- d) the watermains and sanitary sewers will be capable of accommodating the development, or the proponent will commit to extending services at no cost to the municipality, save and except where private water and sewage systems are proposed;
- e) the development is adequately serviced by parks and school facilities;
- f) the development will be designed and landscaped, and buffering will be provided to ensure that the visual impact of the development on adjacent uses is minimized;
- g) all required parking will be provided on the site in accordance with the policies of Section 3.3.2.33 of this Plan, and unless otherwise stated herein, cash-in-lieu of parking will not be accepted by the municipality except where appropriate and alternative arrangements have been agreed upon by all parties;
- h) in developments incorporating walk-up apartments, block townhouse dwellings and similar medium profile residential buildings, on-site recreational facilities or amenities such as private open space or playground equipment may be required – **not applicable**;
- i) except for a triplex dwelling, fourplex dwelling or other similar small scale developments, a report on the adequacy of the road network to accommodate the expected traffic flows, and the adequacy of water and sewer services may be required to be prepared by the proponent and approved by the municipality; and
- j) triplexes, fourplex, freehold street townhouses or other similar small scale developments, **may be subject to site plan control**, in accordance with the policies of Section 4.7 of this Plan – **Applicable**.

The above noted policies with regard to section 2.2.5.8 conform to the proposed fourplex for the following reasons; the density, height and characters of the development will be maintained based on the 3D renderings and cross sections received by Fad Architects. The proposal has direct access from Channel Street which is a local road that is maintained year-round. Watermains and sanitary sewers are capable of accommodating the development. The proponent will enter into site plan control in order to ensure that the visual impact of the development on adjacent uses is minimized and a minor variance application will be required to address the regulations set out in the zoning bylaw 2014-29. As part of Site plan control, parking will be provided in accordance with policies of Section 3.3.2.33.

**With respect to zoning**, the proposed amending Zoning By-law would establish a Fourplex. The proponent wishes to convert an existing single detached dwelling in to a Fourplex. Sections **6.35 Parking Area Regulations**, **6.36 Planting Strips**, and **7.2 Residential Two Zone** for a dwelling unit and an accessory structure will require a minor variance for relief to the above noted sections which will be addressed as part of the Site Plan process. The lot does not conform to the minimum lot area and the minimum lot frontage requirements of the Residential Two Zone.

Agency Comments:

The Clerk-Treasurer for the Municipality of Killarney advised the Planning Board that if this structure has four self-contained units it will be assessed as four water/sewer units.

Chief Building Official: no comment or objection.

Public Works Superintendent: no comment or objection.

Fire Department: no comment or objection.

No other Comments were received as of the date this report was written.

The application for ZBA is consistent with the 2014 Provincial Policy Statement and does comply with the Official Plan for the Sudbury East Planning Area, therefore it is recommend that application be supported from planning perspective.

The Mayor invited any presentations from the applicant that he/she may want to make.

The architect, Matt Ryan (agent for the architect), was present and showed Council the drawings of the existing structure and the new proposed structure. The applicants want to preserve the character of the existing building except it will be two stories instead of a one and half storey building. There will be 4 one-bedroom units approximately 900 sq feet each.

The Mayor asked if there were any questions from members of the Public and if so, stand give your name and full mailing address to the Clerk and follow with your comments.

A member of public asked about parking and snow removal for the fourplex. The architect mentioned there would be room in behind the building for both.

Mayor asked if Council had any questions or comments.

It was asked if the existing garage on the property would remain. The Director of Planning indicated a new garage was currently being constructed and relocated so it would not have to be included in the minor variance application.

It was also asked if the existing structure was being completely demolished or only part of it. The architect stated it would be completely replaced.

Will these be luxury apartments and will they be affordable?

The architect mentioned this hasn't been decided as yet by the owners. It would depend on construction costs, taxes, utilities etc. There hasn't been any amounts decided on as yet as far as he knows. The units are one bedroom apartments and of basic design.

There were no further comments or questions, the Mayor declared the Public Hearing to be concluded and the amendment would be considered by Council later in the evening.

The Mayor also 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 34(18) of the Planning Act is completed, appeal to the Local Planning Appeals Tribunal by filing with the Clerk of the Municipality a notice of appeal setting out the objection to the by-law and the reasons in support of the objection, accompanied by the fee prescribed under the Local Planning Appeals Tribunal. During this appeal period, no building permit may be issued or other work commenced.

**19-363 BY JIM ROOK – BARBARA ANNE HAITSE**

**BE IT RESOLVED THAT** By-Law #2019-34 being a by-law to Amend Zoning By-Law 2014-29, as amended (Candis Burdekat) be read a first and second time.

**CARRIED**

**19-364 BY JIM ROOK – BARBARA ANNE HAITSE**

**BE IT RESOLVED THAT** By-Law #2019-34 being a by-law to Amend Zoning By-Law 2014-29, as amended (Candis Burdekat) be considered read a third time and passed in Open Council this 26<sup>th</sup> day of November 2019.

**CARRIED**

**19-365 BY JIM ROOK – BARBARA ANNE HAITSE**

**BE IT RESOLVED THAT** the Special Meeting of Council held November 26<sup>th</sup>, 2019 be adjourned at 4:59 P.M.

**CARRIED**

***ORIGINAL DOCUMENT SIGNED***

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*Virginia Rook, Mayor*

***ORIGINAL DOCUMENT SIGNED***

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*Candy Beauvais, Clerk Treasurer*