

THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY

Special Meeting of Council
In Person for Council – ZOOM for Public Participation
Municipal Council Chambers
March 5th, 2024
5:00 P.M.

PRESENT: MAYOR: Michael Reider

COUNCILLORS: Nikola Grubic Mary Bradbury Robert Campbell
Dave Froats Peggy Roque

ABSENT: Nil

DISCLOSURE: Nil

STAFF: Clerk-Treasurer – Candy Beauvais
Deputy Clerk-Treasurer – Gilles Legault
Administrative Assistant – Angie Nuziale
Project Manager – Kelly Champaigne
Chief Building Official – Andrea Tarini

MEMBERS OF PUBLIC: 3 (in person), 2 (ZOOM)

GUESTS: 1. Matthew Dumont, Director of Planning - Sudbury East Planning Board

**RE: Zoning By-Law Applications – SEPB No. ZBA 24-03KL & ZBA 24-05 KL
Municipality of Killarney**

Mayor Reider called meeting to order at 5:00 P.M., proceeded with roll call and acknowledged meeting on aboriginal land.

The Mayor proceeded to ask Council if there were any declarations of pecuniary interest. Each councillor announced they had no disclosure.

Mayor Reider presented the procedure for public hearing as indicated below:

The Mayor stated that this Special Meeting was scheduled in order to hold a Public Hearing to discuss two (2) Zoning By-law Amendment(s):

1. **Application No. ZBA 24-03KL – Municipality of Killarney**
2. **Application No. ZBA 24-05KL – Municipality of Killarney**

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.

Mayor Reider stated that Mr. Dumont will provide a summary of the applications. From there, the applicant will be requested to make a presentation, followed by questions from the public, either in favor or against the proposal. Council will then have the opportunity to question the applicant, the 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 the Notice of the Public Hearing was posted in the Municipal Office and was sent by Mail to the assessed owners within the Municipality of Killarney 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 February 14th, 2024, (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 Hearing to be a Public Hearing to deal with **Application No. ZBA 24-03KL – Municipality of Killarney** 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.

Mr. Dumont stated that the Sudbury East Planning Board reviewed and compared how other municipalities in Ontario handle enforcement of travel trailer contraventions with respect to their zoning by-laws, specifically in the rural and waterfront communities.

In addition, Mr. Dumont stated he met with the Chief Building Officials (Andrea Tarini) to discuss enforcement with respect to the zoning by-law, particularly re-occurring offences with travel trailers in the Municipality of Killarney. The Chief Building Official agrees that one of the best practices would include, but not limited to, proposing a general amendment to the zoning by-law while establishing a licensing by-law for travel trailers and to use the current resources (By-law Enforcement Officer) within Sudbury East Building and By-law Services (SEBBS) to enforce and regulate these offences on a consistent, day-to-day basis.

With respect to licensing, Mr. Dumont recommended that a policy be included to state that a travel trailer may be licensed by the “Municipality’ under the authority of the *Municipal Act*”. The licensing by-law may specify the period and conditions of occupancy and the fees for recreational trailers. Licensing provisions shall not apply to trailers where they are only stored and not used. A licensing fee would permit the ‘Municipality’ to recuperate revenues that would otherwise be made if the lot were developed for a single detached dwelling. These do not apply on lots where the RV is only stored and not used. Enforcement of a licensing by-law is an important aspect of regulating trailers. A by-law officer may issue a letter demanding voluntary compliance at the first instance of a contravention, after which charges would be laid under the *Provincial Offences Act*.

Below, is an example of a best practice that provides direction as to who is responsible for administering the zoning by-laws and licensing by-law for travel trailers and charges and/or fines for any illegal use that is in contravention to their respective by-law.

Township of McMurrich/Monteith, ON (Clerk Treasurer, Chief Building Officer, and By-law Officer)

The administration and enforcement of zoning by-law is delegated to the Clerk Treasurer, the Chief Building Official and the By-law Officer for the Township of McMurrich/Monteith. The Clerk shall have the authority to issue permits under this by-law; notwithstanding the foregoing, the clerk, in her discretion, may refer applications to Council.

- Municipal Act, 2015, council passed a by-law to appoint a Municipal By-law Enforcement Officer
- Municipal Act, council passed a trailer licensing bylaw in 2016 defining the license and regulations, license application and fees, and administration and enforcement.
- In accordance with Section 34, Planning Act, a comprehensive zoning by-law was adopted on June 23rd, 2016: Reflects specific regulations with respect to travel trailers.

PROPOSED GENERAL AMENDMENTS (ZONING BY-LAW 2014-29):

The Sudbury East Planning Boards Comprehensive Zoning By-law defines a *Travel Trailer* as “an object designed for accommodation intended and used exclusively for travel, recreation and vacation, and which is capable of being drawn or propelled by a motor vehicle or is self-propelled and includes tent trailers or similar transportable accommodation but does not include a mobile home”.

Section 6.35 (h), (i), and (ix) of the Comprehensive Zoning By-law prohibits the use of travel trailers for the purpose of providing temporary or permanent living or eating accommodation on a parcel of land in any Zone (i.e., Rural, Village, and Community designations) unless specifically permitted. Travel trailers would *ONLY* be permitted in two Zones: Commercial Tourist (CT) Zone or Waterfront Commercial Tourist (WCT) Zone.

For example, *Campgrounds* are a permitted use in either a Commercial Tourist (CT) Zone or a Waterfront Commercial Tourist (WCT) Zone, which means travel trailers would be permitted in both zones only if the intended use is to provide temporary sleeping accommodations and recreational enjoyment.

The Sudbury East Planning Boards Comprehensive Zoning By-law defines Campgrounds as a unit operated privately, or by the municipality, or the Province of Ontario on a commercial basis for campers who provide their own temporary sleeping facilities such as a travel trailer, provided that the operator satisfies the requirements set out by the Sudbury District Health Unit, specifically for the disposal of sanitary and wastewater facilities.

Lastly, trailer parks are a permitted use in the Commercial Tourist (CT) Zone or Waterfront Commercial Tourist (WCT) Zone. The Sudbury East Planning Boards Comprehensive Zoning By-law defines *Trailer Parks* as any land in or upon which any travel or tent trailer is used or intended to be used for temporary human occupation by the travelling public and shall not include a mobile home park.

1. By-law 2014-29 of the Municipality of Killarney is hereby amended as follows:

To remove the following:

6.35 (i) “No person shall, except where specifically permitted by this By-law, use any tourist or travel trailer for the purpose of providing temporary or permanent living or eating accommodation.”; and

6.35 (j)(ix) “Travel Trailers: No travel trailer shall be located and used on a parcel of land in any zone other than a zone which specifically lists such travel trailer as being a permitted use.”

To replace with the following:

6.35 (i) Travel Trailers

The provisions of this by-law shall not apply to prevent the use of any travel trailer provided that such travel trailer complies with the By-laws licensing travel trailers within the Municipality.

2. Section(s) 5, “DEFINITIONS” of By-law 2014-29 of the Municipality of Killarney is hereby amended by the addition of the following:

Park Model Trailer shall mean a recreational unit constructed to CSA Standard Z-241 that is built on a single chassis mounted on wheels, is designed to allow relocation from time to time, is designed as living quarters for seasonal camping between May 1 and October 31 and may be connected to those utilities necessary for operation of installed fixtures and appliances, but does not include a travel trailer, mobile home or modular home. Any Park model trailer shall conform to the relevant sections of the Ontario Building Code.

3. Section(s) 5, “DEFINITIONS” of By-law 2014-29 of the Municipality of Killarney is hereby amended by the addition of the following:

- a) Definition of 5.74 **Dwelling- Mobile Home**, is hereby amended by adding “a park model trailer,” directly after “but does not include...”.
- b) Definition of 5.75 **Dwelling – Modular Home** is hereby amended by adding “or a park model trailer” directly after “but does not include a mobile home dwelling”.
- c) Definition of 5.237 **Travel Trailer** is hereby amended by adding “or a park model trailer.” directly after “...but does not include a mobile home”.
- d) Definition of 5.234 **Trailer Park** is hereby amended by adding “or a park model trailer”, directly after “any travel or tent trailer”.

4. Section(s) 5, “DEFINITIONS” of By-law 2014-29 of the Municipality of Killarney is hereby amended as follows:

To remove the following:

Recreational Vehicle shall mean a vehicle designed and built to be carried or towed by a motor vehicle, or a unit designed and built to be transported on its own wheels or on water, for purposes of providing temporary living accommodation or recreational enjoyment and shall include, for example, motor homes, travel trailers, tent trailers, watercraft, personal watercraft, snowmobiles, or other like or similar equipment, but does not include bicycles.

To replace with the following:

Recreational Vehicle shall mean a vehicle designed to provide temporary living, sleeping or eating accommodation for travel, vacation, seasonal camping or recreational use and designed to be driven, towed, transported or relocated from time to time on its own wheels or on water, whether or not the vehicle is jacked up or its running gear is removed, and with a size as defined by the Canadian Standards Association (CSA). A recreational vehicle shall not be used as the principal place of residence of the occupant. A recreational vehicle shall include units further described as a motor home, travel trailer, fifth wheel trailer, truck camper, tent trailer, park model trailer and similar mobile vehicles, watercraft, personal watercraft, snowmobiles, or other like or similar equipment, but excludes a mobile home.

PROVINCIAL POLICY STATEMENT, 2020

The 2020 Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Under Section 3 of the Planning Act, where a municipality exercising its authority affecting a planning matter, such decisions “shall be consistent with” all policy statements issued under the Act. The applicant’s proposal seeks to propose a general amendment to the zoning by-law while establishing a licensing by-law for travel trailers and to use the current resources (By-law Enforcement Officer) within Sudbury East Building and By-law Services (SEBBS) to enforce and regulate these offences on a consistent, day-to-day basis. **Planning staff are of the opinion that the applicant’s proposal would appear to be consistent with the Provincial policies regarding the following policies:**

1. *Section (Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land use Patterns) 1.1.1(a) & (b) promoting efficient development and land use patterns which sustain the financial well-being of the province and **municipalities** over the long term; b) accommodating an appropriate recreation, park and open space, and other uses to meet long-term needs.* The proposal is a local interest in which the municipality has and continues to be committed to the financial well-being over the long term. This is an example by providing appropriate recreational opportunities through a general amendment and imposing a licensing agreement.
2. *Section (Rural Areas in Municipalities) 1.1.4 (g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets.* This proposal allows for the expansion of a more diversified tourism for the municipality, but most importantly, the mechanisms being proposed allow for greater protection of the natural assets by having the Sudbury East Building and By-law Services (SEBBS) to enforce and regulate these offences on a consistent, day-to-day basis, whereas presently, the licensing by-law does not exist.
3. *Section (Rural Lands in Municipalities) 1.1.5.3 Recreational, tourism and other economic opportunities should be promoted.* The proposal is an example of the continued challenges that the municipality encounters on a day-to-day basis and as result of these challenges, the municipality hired J.L. Richard & Associates, who specialize in land use matters, and with the assistance the Chief Building Officials (Andrea Tarini) to proposes a solution to the ongoing issue. As part of that process, the proposed general amendments and licensing agreement are to be deemed appropriate from a land use perspective.
4. *Section (Rural Lands in Municipalities) 1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.* The proposed licensing agreement has a checklist of items that require supporting documentation in which property owners must obtained before granting a license for a travel trailer. The Sudbury East Building and By-law Services (SEBBS) would be responsible for this process.
5. *Section (Sewage, Water, and Stormwater) 1.6.6.3 Where municipal sewage services and municipal water services are not available, planned, or feasible, private communal sewage services and private communal water services are the preferred form of servicing for multi-unit / lot development to support protection of the environment and minimize potential risks to human health and safety.* The Sudbury East Building and By-law Services (SEBBS) would be responsible for ensuring that prior to a license being issued, that each license meet the provincial legislation and standards for private services (water & sewer).

6. *Section (Natural Heritage) 2.1.1 Natural features and areas shall be protected for the long term.* By implementing a licensing agreement for travel trailers, it improves the current system that is in place for the municipality by identifying the location of the travel trailers and most importantly, ensuring the criteria set out in the agreement must be obtained prior to issuing a license, thus protecting the natural features of the area.
7. *2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.* The proposal will only impact existing sites in the area. Should a license not be granted to these existing sites in the area, the required departments would be contacted to further provide insight regarding the matter which would ensure the cultural heritage landscapes are protected.

OFFICIAL PLAN (OP):

Currently, in the Sudbury East Planning Board, there are no general policies addressing travel trailers, except for recreational vehicles which will be subject to the provisions of the implementing zoning by-law. The OP defines recreational vehicles *“as travel trailers, motor homes, park model trailer, campers and trailers for the purposes of the Plan, defined as follows: means any vehicle constructed that is suitable for being attached to a motor vehicle for the purpose of being drawn or is propelled by the motor vehicle and is capable of being used for the living, sleeping or eating accommodation of persons on a temporary, transient or short term basis, even if the vehicle is jacked up or its’ running gear is removed”*.

The OP specifically addresses the maintenance and occupancy standards to protect, preserve and sustain the existing and future development in the municipalities and to improve the built-up areas. Policy 4.13.1 refers to the Waterfront Policy Area to prohibit trailers, which may impact the natural heritage features in the surrounding the areas. However, by implementing a licensing by-law agreement, the travel trailers would adhere to minimum lot area, sewage disposal, building setback and other planning requirements to the respective zone, and that such recreational trailers shall only be permitted in the Rural & Waterfront Policy Area designations or where the By-law specifically permits a recreational trailer; thus natural heritage features wouldn’t be negatively impacted because these are new mechanisms that would be adopted to facilitate the protection of these natural heritage features.

Intent of licensing agreements:

- owners of a recreational trailer shall obtain approval for a sewage disposal system prior to placing their recreational trailer on a lot.
- a recreational trailer may be permitted on a shoreline property where it is set back at least 20.0 metres from the high-water mark and where it does not negatively impact the view of the waterfront of adjacent properties.
- That an accessory use to a recreational trailer shall not include a sleep cabin or a second recreational trailer on a lot.

AGENCY REVIEW:

The proposed general amendment was sent to various agencies including Municipality of West Nipissing, Ministry of Transportation (MTO), Ministry of Natural Resources and Forestry (MNR), Ministry of Energy and Environment (MOEE), Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA), Ministry of the Environment, Conservation and Parks (MECP), Anishinabek, Sudbury District Health Unit (SDHU), and several utility companies.

Hydro One: no comments or concerns with respect to the proposal.

No other comments were received of the date this report was written from the above noted agencies.

RECOMMENDATION:

That the Municipality of Killarney Council approve application for Zone Change, File Number ZBA 24-03KL, **for lands within the Municipality of Killarney**, which proposes general amendments to Zoning By-law 2014-29 under the Municipality Killarney:

- a) A general amendment to the Zoning By-law 2014-29, **to regulate** the use of travel trailers. The general amendment would include an attached schedule with set fines which the appointed Zoning By-law Enforcement Officer would administer under the Provincial Statutes and Regulations.
 - a. remove section 6.35(i) & (j)(ix) under *Parking Area Regulations* relating to Travel Trailers and add a new section to 6.35(i) *Travel Trailers*.
 - b. remove Recreational Vehicle definition and replace Recreational Vehicle definition under *Section 5, Definitions*. The proposed general amendments to *Section 5, Definitions*, is to correct inconsistencies between the Sudbury East Planning Boards Official Plan from 2010 and the Municipality of Killarney Zoning by-law 2014-29, and to allow its use only on properties zoned Commercial Tourist (CT) and Waterfront Commercial Tourist (WCT) Zones.

- b) To amend the current Zoning By-law 2014-29 through a general amendment for the Municipality of Killarney. The purpose of the general amendment is to re-structure the zoning by-law for travel trailers, specifically permitted uses, zone requirements, and definitions.
 - a. add Park Model Trailer definition under *Section 5, Definitions*.
 - b. amend the following definitions: Dwelling – Mobile Home, Dwelling - Modular Home, Travel Trailer, and Trailer Park under *Section 5, Definitions*.

- c) The Municipality of Killarney to adopt a licensing by-law, “Trailer License By-law”, requiring the payment of a sum of money for any trailers used for accommodation on temporary use basis for Rural, Residential Rural and Waterfront Residential Zones. This by-law would not apply to a Commercial Tourist Zone, Waterfront Commercial Tourist Zone, a stored trailer, and an assessed trailer (legally located on the property).
 - a. allow for the application of an Annual License (annual fee) of travel trailers in certain zones,
 - b. allow for the application of Special Occasion Licenses (no fee) for the short-term use of travel trailers in certain zones,
 - c. allow for the short-term use of travel trailers up to 14 days in certain zones,
 - d. maintain the prohibition of the use of travel trailers on vacant land.

No comments or questions were received from the public.

Mayor asked if Council had any questions or comments.

Comments and questions were received from Council and addressed by Mr. Dumont and the Chief Building Official, Andrea Tarini.

Since there were no further comments or questions, the Mayor declared the Public Hearing to be concluded and that Council consider the application to amend the by-law.

24-062 BY PEGGY ROQUE – ROBERT CAMPBELL

BE IT RESOLVED THAT By-Law #2024-05 being a by-law to amend Zoning By-Law 2014-29, as amended (Municipality of Killarney) be read a first and second time.

Resolution Result	Recorded Vote		
	Council Members	YES	NO
<input checked="" type="checkbox"/> CARRIED	Mary Bradbury		
<input type="checkbox"/> DEFEATED	Robert Campbell		
<input type="checkbox"/> TABLED	Dave Froats		
<input type="checkbox"/> RECORDED VOTE (SEE RIGHT)	Nikola Grubic		
<input type="checkbox"/> PECUNIARY INTEREST DECLARED	Michael Reider		
<input type="checkbox"/> WITHDRAWN	Peggy Roque		

24-063 BY NIKOLA GRUBIC – DAVE FROATS

BE IT RESOLVED THAT By-Law #2024-05 being a by-law to amend Zoning By-Law 2014-29, as amended (Municipality of Killarney) to include park model trailers and their regulations be considered read a third time and passed in Open Council this 5th day of March 2024.

Resolution Result	Recorded Vote		
	Council Members	YES	NO
<input checked="" type="checkbox"/> CARRIED	Mary Bradbury		
<input type="checkbox"/> DEFEATED	Robert Campbell		
<input type="checkbox"/> TABLED	Dave Froats		
<input type="checkbox"/> RECORDED VOTE (SEE RIGHT)	Nikola Grubic		
<input type="checkbox"/> PECUNIARY INTEREST DECLARED	Michael Reider		
<input type="checkbox"/> WITHDRAWN	Peggy Roque		

The Mayor 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 Ontario Lands 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 Ontario Lands Tribunal. During this appeal period, no building permit may be issued or other work commenced.

The Mayor then declared this portion of the Hearing to be a Public Hearing to deal with **Application No. ZBA 24-05KL – Municipality of Killarney** 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.

Mr. Dumont stated that in accordance with the provisions of the Planning Act, this is to advise that the Sudbury East Planning Board has received a municipally initiated zoning by-law amendment for short term rentals in the Municipality of Killarney. The purpose of this municipally initiated by-law amendment is to update the Municipality’s Zoning By-law to recognize Short-Term Rentals in residential and commercial areas and that other definitions be updated as necessary, to provide clarity in the Zoning By-laws to support enforcement of applicable zoning provisions. Amendments include defining Short-Term Rentals in the Municipality’s Zoning By-law, requiring a license for Short Term Rental uses and including minimum parking requirements on private property.

With respect to OP:

The primary goal of the Official Plan is to support economic development initiatives consistent with the principles of good land use planning.

The Sudbury East Planning Board and local municipalities recognize the tourism potential of the planning area and support the promotion of existing features and amenities to develop of high-quality attractions and recreational facilities which are primarily oriented to the waterfront and rural areas. This plan supports the establishment of new tourism and business development opportunities, including shortterm rentals, particularly those related to local and regional tourism and the travelling public.

While the current Official Plan does not contain specific policies regarding this form of short-term rental accommodations, recently a New Official Plan was adopted by the Municipality of Killarney (waiting approvals from the province) does outline specific policies regarding this form of short-term rental accommodations.

Section 2.6 Short term rentals are all or part of a dwelling unit or an accessory structure that is used to provide temporary sleeping accommodation for a rental period that is generally less than 30 days. This excludes bed and breakfasts and motels/hotels. Short term rentals are considered to be a commercial use and can support tourism opportunities in the planning area by providing a wider selection of accommodations, allowing a visitor to live like a local, and can make travel more affordable.

Section 2.6.1.1 Each local municipality will address short term rentals in their Zoning By-laws, including determination of Zones where such uses are permitted and provisions to regulate placement and other site-specific features.

Section 2.6.1.2 Local municipalities may regulate short term rentals through other tools such as Site Plan Control and Licensing By-laws under the Municipal Act.

It is important that the Municipality of Killarney continue to ensure that adequate housing options are available while also promoting economic development and competitiveness within the Municipality.

It is my professional planning opinion that the application, as proposed, generally conforms to the intent and the policies of the Official Plan.

ZONING BY-LAW AMENDMENT (BY-LAW 2014-29)

A Zoning By-law Amendment is required to establish where STRs are permitted in the Municipality of Killarney and to properly define the uses. There are clear differences between a principal dwelling unit STR and a non-principal dwelling unit STR and therefore they should be held to different standards by using a Zoning By-law Amendment as the primary regulatory tool.

Summary of the Proposed Amendments to Zoning By-law 2014-29:

Applicable Section of Zoning By-Law 2014-29	Proposed Amendment
Section 5: Definitions	“Short-Term Rental” (STR) means the use of any legal occupancy in a building, structure or any part thereof that is used to provide sleeping accommodation, including all or part of a dwelling unit or accessory structure related to a dwelling unit, which may or may not include cooking facilities, with or without on-site management throughout all or part of the year. STRs shall not include residential accommodation that is rented for in excess of thirty (30) consecutive days, a bed and breakfast, motel, hotel, tourist establishment, campground, group home, rooming house or similar commercial or institutional accommodation uses. A short-term rental accommodation use must be licensed with the Municipality of Killarney.
Section 6: General Provisions (6.35 Parking Area Regulations)	Type of Building xixi. Short-Term Rental Accommodation Minimum Parking Required 1.0 parking space per guest room
Section 7: Zones	
7.2.1 Permitted Residential One Uses	Include short-term rentals as a permitted use in the following low density residential zone: Residential One
7.3.1 Permitted Residential Two Uses	Include short-term rentals as a permitted use in the following medium density residential zone: Residential Two.
7.6.1 Permitted Residential Rural Uses	Include short-term rentals as a permitted residential use in the following zone: Residential Rural

7.7.1 Permitted Waterfront Residential Uses	Include short-term rentals as a permitted residential use in the following zone: Waterfront Residential
7.8.1 Permitted Residential Uses in Commercial Zones	Include short-term rentals as a permitted residential use in the following commercial zone: Commercial Community
7.22.1 Permitted Rural Uses	Include short-term rentals as a permitted residential use in the following zone: Rural

AGENCY REVIEW:

This application was circulated to those agencies that were considered to have an interest in the proposal. The following comments were received:

Hydro One: no comments or concerns with respect to the proposal.

Bell Canada: no comments or concerns with respect to the proposal.

No other comments were received of the date this report was written from the above-mentioned agencies.

RECOMMENDATION:

That the Municipality of Killarney Council approve application for Zone Change, File Number ZBA 24- 05KL, for lands within the Municipality of Killarney, which proposes general amendments to Zoning Bylaw 2014-29 under the Municipality of Killarney.

Comments and questions were received from the public in attendance and addressed by Mr. Dumont and the Chief Building Official, Andrea Tarini.

Mayor asked if Council had any questions or comments.

Comments and questions were received from Council and addressed by Mr. Dumont and the Chief Building Official, Andrea Tarini.

Since there were no further comments or questions, the Mayor declared the Public Hearing to be concluded and that Council consider the application to amend the by-law.

24-064 BY DAVE FROATS – MARY BRADBURY

BE IT RESOLVED THAT By-Law #2024-06 being a by-law to amend Zoning By-Law 2014-29, as amended (Municipality of Killarney) be read a first and second time.

Resolution Result	Recorded Vote		
	Council Members	YES	NO
<input checked="" type="checkbox"/> CARRIED	Mary Bradbury		
<input type="checkbox"/> DEFEATED	Robert Campbell		
<input type="checkbox"/> TABLED	Dave Froats		
<input type="checkbox"/> RECORDED VOTE (SEE RIGHT)	Nikola Grubic		
<input type="checkbox"/> PECUNIARY INTEREST DECLARED	Michael Reider		
<input type="checkbox"/> WITHDRAWN	Peggy Roque		

24-065 BY ROBERT CAMPBELL – NIKOLA GRUBIC

BE IT RESOLVED THAT By-Law #2024-06 being a by-law to amend Zoning By-Law 2014-29, as amended (Municipality of Killarney) to recognize Short-Term Rentals in residential and commercial areas be considered read a third time and passed in Open Council this 5th day of March 2024.

Resolution Result	Recorded Vote		
	Council Members	YES	NO
<input checked="" type="checkbox"/> CARRIED	Mary Bradbury		
<input type="checkbox"/> DEFEATED	Robert Campbell		
<input type="checkbox"/> TABLED	Dave Froats		
<input type="checkbox"/> RECORDED VOTE (SEE RIGHT)	Nikola Grubic		
<input type="checkbox"/> PECUNIARY INTEREST DECLARED	Michael Reider		
<input type="checkbox"/> WITHDRAWN	Peggy Roque		

The Mayor 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 Ontario Lands 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 Ontario Lands Tribunal. During this appeal period, no building permit may be issued or other work commenced.

24-066 BY ROBERT CAMPBELL – NIKOLA GRUBIC

BE IT RESOLVED THAT the VON Memorandum of Understanding be returned to the Killarney Health Centre Board for action.

Resolution Result	Recorded Vote		
	Council Members	YES	NO
<input checked="" type="checkbox"/> CARRIED	Mary Bradbury		
<input type="checkbox"/> DEFEATED	Robert Campbell		
<input type="checkbox"/> TABLED	Dave Froats		
<input type="checkbox"/> RECORDED VOTE (SEE RIGHT)	Nikola Grubic		
<input type="checkbox"/> PECUNIARY INTEREST DECLARED	Michael Reider		
<input type="checkbox"/> WITHDRAWN	Peggy Roque		

24-067 BY ROBERT CAMPBELL – PEGGY ROQUE

BE IT RESOLVED THAT Council go into Closed Session at 6:24 P.M. in accordance with Section 239 of the *Municipal Act, 2001*, c. 25 regarding the following:

- 1) Update on Statement of Claim [Municipal Act 239 (2) (f)]
Deferred to Future Meeting
- 2) To Discuss Project Co-Ordinator Position [Municipal Act 239 (2) (d)]

Resolution Result	Recorded Vote		
	Council Members	YES	NO
<input checked="" type="checkbox"/> CARRIED	Mary Bradbury		
<input type="checkbox"/> DEFEATED	Robert Campbell		
<input type="checkbox"/> TABLED	Dave Froats		
<input type="checkbox"/> RECORDED VOTE (SEE RIGHT)	Nikola Grubic		
<input type="checkbox"/> PECUNIARY INTEREST DECLARED	Michael Reider		
<input type="checkbox"/> WITHDRAWN	Peggy Roque		

24-068 BY NIKOLA GRUBIC – PEGGY ROQUE

BE IT RESOLVED THAT Council rise and report from closed session at 6:50 P.M.

Resolution Result	Recorded Vote		
	Council Members	YES	NO
<input checked="" type="checkbox"/> CARRIED	Mary Bradbury		
<input type="checkbox"/> DEFEATED	Robert Campbell		
<input type="checkbox"/> TABLED	Dave Froats		
<input type="checkbox"/> RECORDED VOTE (SEE RIGHT)	Nikola Grubic		
<input type="checkbox"/> PECUNIARY INTEREST DECLARED	Michael Reider		
<input type="checkbox"/> WITHDRAWN	Peggy Roque		

24-069 BY ROBERT CAMPBELL – DAVE FROATS

BE IT RESOLVED THAT the Special Meeting of Council held March 5th, 2024 to be adjourned at 6:53 P.M.

Resolution Result	Recorded Vote		
	Council Members	YES	NO
<input checked="" type="checkbox"/> CARRIED	Mary Bradbury		
<input type="checkbox"/> DEFEATED	Robert Campbell		
<input type="checkbox"/> TABLED	Dave Froats		
<input type="checkbox"/> RECORDED VOTE (SEE RIGHT)	Nikola Grubic		
<input type="checkbox"/> PECUNIARY INTEREST DECLARED	Michael Reider		
<input type="checkbox"/> WITHDRAWN	Peggy Roque		

ORIGINAL DOCUMENT SIGNED

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Michael Reider, Mayor

ORIGINAL DOCUMENT SIGNED

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Candy Beauvais, Clerk-Treasurer