

THE CORPORATION OF THE MUNICIPALITY OF KILLARNEY

Special Meeting of Council
In Person/ZOOM
Municipal Council Chambers
February 11th, 2026
4:45 P.M.

PRESENT: MAYOR: Michael Reider
COUNCILLORS: Mary Bradbury Dave Froats
Robert Campbell Nikola Grubic

ABSENT: COUNCILLOR: Peggy Roque

DISCLOSURE: Nil

STAFF: Clerk-Treasurer – Candy Beauvais
Deputy Clerk-Treasurer – Gilles Legault
Public Works Superintendent – Tony Nuziale
Administrative Assistant – Angie Nuziale
Project Coordinator – Sanket Shinde
Director of Sudbury East Building & By-Law Services – Andrea Tarini

MEMBERS OF PUBLIC: 0 (In Person)/1 (ZOOM)

GUESTS: Matthew Dumont, Director of Planning - Sudbury East Planning Board
RE: Zoning By-Law Application – SEPB Nos. B/01/26/KL and
ZBA 26-01 KL (Narasimha Katary)

Mayor Reider called the 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 the public hearing as indicated below:

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

Application Nos. B/01/26/KL and ZBA 26-01 KL (Narasimha Katary)

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 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 January 23rd, 2026 (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 Nos. B/01/26/KL and ZBA 26-01 KL (Narasimha Katary)** 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 the purpose of the application is to facilitate a lot addition to address an existing encroachment affecting the neighbouring property municipally known as 10 West Ham Lake Road. A two-storey detached garage on a concrete foundation, including lean-to structures on both ends, currently encroaches onto Roll No. 5136-000-004-020-00. Two travel trailers are also located on the portion of land proposed to be severed.

The proposed severance consists of the following:

- Severed Parcel: approximately 0.75 ha with 56 m of road frontage
- Retained Parcel: approximately 2.59 ha with 313.4 m of road frontage (vacant)

The benefitting property at 10 West Ham Lake Road is zoned Waterfront Residential, has a lot area of approximately 0.28 ha, and 32.7 m of water frontage and 35.97 m of road frontage, and is legally non-complying.

A Zoning By-law Amendment is required to rezone the severed lands from Rural to Waterfront Residential to align the zoning with the benefitting lot. The retained lands will remain zoned Rural, which can be addressed through the same Zoning By-law Amendment application.

OFFICIAL PLAN:

3.7 Waterfront Area: The Waterfront Designation is shown on Schedule B and shall be defined as those lands, extending inland 300 metres from any standing waterbody greater than 8 hectares in area or any substantive river, except as further provided herein: Ham Lake is approximately 41.27 hectares in area.

- (a) to correct lot boundaries.

The subject property is located 300 metres of Ham Lake and is designated Waterfront in the Official Plan. The proposal represents a technical lot boundary adjustment intended to correct an existing encroachment affecting the neighbouring property at 10 West Ham Lake Road, where a two-storey detached garage partially encroaches onto the subject lands. The Official Plan supports consents for lot boundary adjustments and technical severances, and the proposal conforms to these policies. The presence of two travel trailers on the severed lands has been identified through agency circulation and will be addressed separately through municipal by-law enforcement and permitting processes.

ZONING BY-LAW:

Current Zoning: Rural (RU)
Proposed Zoning: Waterfront Residential (WR) Zone – proposed severed lot
Residential Rural (RR) Zone – proposed retained lot

The proposed severed lands are currently zoned Rural (RU), while the retained lands are also zoned Rural (RU). A Zoning By-law Amendment is required to rezone the severed lands to Waterfront Residential (WR) to align the zoning with the benefitting lot at 10 West Ham Lake Road. The retained lands will also be rezoned through the same application to ensure zoning conformity.

The Waterfront Residential (WR) Zone requires a minimum lot area of 0.8 hectares and a minimum lot frontage of 60 Metres and the Residential Rural (RR) Zone requires a minimum lot area of 0.8 hectares and a minimum lot frontage of 60 metres, whereas the Rural (RU) Zone requires a minimum lot area of 5.0 hectares and a minimum road frontage of 100 metres.

The severed parcel has an area of 0.75 hectares and a frontage of 56 metres and does not meet the requirements of either zone on its own. However, once added to the benefitting property at 10 West Ham Lake Road, the enlarged lot will have an area of approximately 1.03 hectares and a frontage of 91.97 metres, thereby conforming to the WR zone. To avoid split zoning, the severed lands are proposed to be rezoned entirely to Waterfront Residential.

The retained lands will have an area of approximately 2.59 hectares with 313.4 metres of frontage and are proposed to be rezoned to Residential Rural. Although the retained lands do not have direct waterfront frontage, the proposed zoning is appropriate given that the lot no longer meets Rural zone standards and is located within 300 metres of Ham Lake. The Residential Rural zone significantly reduces the range of permitted uses compared to the Rural zone, thereby limiting potential land use impacts in close proximity to the lake.

AGENCY REVIEW:

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

Chief Administrative Officer/Clerk/Treasurer: no issues.

Public Works Superintendent: no issues.

Fire Department: no issues.

Building Department: no issues.

No other comments were received as of the date this report was written. The application for consent is consistent with the 2024 Provincial Planning Statement, conforms with the intent of the Official Plan for the Sudbury East Planning Area and the Zoning By-law for the Municipality of Killarney, therefore can be supported from planning perspective.

Mayor asked if the applicant's agent had a presentation that he wanted to make.

The applicant's agent was present via ZOOM. He reiterated the purpose of the by-law.

Mayor asked if the public had any questions or comments.

No public was present.

Mayor asked if Council had any questions or comments.

Questions and comments from Councillor Bradbury were addressed by the applicant's agent and the Planner.

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

The Mayor advised that **A SPECIFIED PERSON, PUBLIC BODY, OR REGISTERED OWNER** may appeal the by-law to the Ontario Land Tribunal by filing a notice of appeal with the Clerk of the Municipality of Killarney no later than **April 2nd, 2025**. The notice of appeal must set out the reasons for the appeal, and must be accompanied by the required fee, which is prescribed under the Ontario Land Tribunal Act, 2017. This fee should be made payable to the Minister of Finance. All comments will be treated as public records and given out upon request.

26-039 BY DAVE FROATS – ROBERT CAMPBELL

BE IT RESOLVED THAT the Special Meeting of Council held February 11th, 2026 to consider a zoning by-law for Application Number B/01/26/KL and ZBA26-01KL (Narasimha Katary) be adjourned at 5:19 P.M.

FURTHER THAT the by-law will be addressed at the Regular Meeting later this evening.

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

.....
Michael Reider, Mayor

ORIGINAL DOCUMENT SIGNED

.....
Candy Beauvais, Clerk-Treasurer