

**By-law 2022-122**

**A By-law of the City of Greater Sudbury to Confirm the  
Proceedings of Council at its Meeting of August 9, 2022**

**Whereas** Section 5 of the *Municipal Act, 2001*, S.O. 2001, Chapter 25, as amended, requires a municipal Council to exercise its powers by By-law except where otherwise provided;

**And Whereas** in many cases, action which is taken or authorized to be taken by Council or by a Committee of Council does not lend itself to an individual By-law;

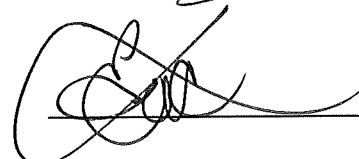
**And Whereas** Council of the City of Greater Sudbury deems it desirable to confirm certain proceedings of Council;

**Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

1. The actions of Council at its regular meeting of August 9, 2022 with respect to each motion, resolution and other action passed and taken by Council at the said meeting, are hereby adopted, ratified and confirmed as if such proceedings and actions were expressly adopted and confirmed by By-law.
2. Where no individual By-law has been or is passed with respect to the taking of any action authorized in or by the above-mentioned minutes or with respect to the exercise of any powers by Council in the above-mentioned minutes, this By-law shall be deemed for all purposes to be the By-law required for approving and authorizing and taking of any action authorized therein or thereby or required for the exercise of any powers therein by Council.
3. The Mayor of Council and the proper officers of the City are hereby authorized and directed to do all things necessary to give effect to the said actions or to obtain approvals where required, and, except where otherwise provided, the Mayor and Clerk are hereby authorized and directed to execute all necessary documents and to affix the corporate seal of the City to all such documents.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

## **By-law 2022-123**

### **A By-law of the City of Greater Sudbury to Prohibit and Regulate the Destruction or Injuring of Street Trees**

**Whereas** Section 135(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 provides that a municipality may prohibit or regulate the destruction or injuring of trees;

**And Whereas** Council of the City of Greater Sudbury deems it advisable to authorize, regulate and protect the planting, care, maintenance, protection, and removal of trees on municipal rights of way;

**Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

#### **Interpretation**

**1. In this By-law:**

- (a) "By-law Enforcement Officer" means a by-law enforcement officer appointed to enforce the By-laws of the City;
- (b) "City" means the City of Greater Sudbury;
- (c) "City Personnel" includes the City's employees, contractors, and agents;
- (d) "Destroy" means any act that renders, or which is likely to render, a Tree unviable or compromises its life processes in such a way that it cannot survive;
- (e) "General Manager" means the City's General Manager, Growth and Infrastructure, and includes their authorized designate;
- (f) "Injury" means any action that causes physical, biological or chemical damage to a Tree;
- (g) "Maintenance" includes all work or operations related to trimming, Pruning, spraying, injecting, fertilizing, treating, cabling, and bracing a tree and "maintain", "maintaining" and "maintained" have similar meaning;
- (h) "Owner" means the Person(s) registered on the title of the land in the Land Titles Office, as owner of the land;
- (i) "Person" means an individual, firm, corporation, association, or partnership;
- (j) "Pruning" means the removal, as appropriate, of the live branches or limbs of a tree and "Prune" or "Pruned" have similar meanings;
- (k) "Remove" means to cut down a tree and "Removal" and "Removed" have similar meanings;

- (l) "Street" means every road, road allowance and laneway under the City's authority or jurisdiction that is opened and includes the travelled portion of the road, shoulders, curb, ditch, boulevard and sidewalks and all other land between the lateral limits;
- (m) "Street Tree" means any Tree, where any part of the diameter of the Tree is within the Street;
- (n) "Street Tree Policy" means the City's policy respecting the City's standards for the planting, care and maintenance, protection, preservation, and removal of all Street Trees, as may be amended from time to time;
- (o) "Tree" means any species of woody perennial plant, including its root system, which has reached or can reach a minimum height of four hundred and fifty (450) centimeters at physiological maturity; and
- (p) "Tree Warden" means the City's certified Tree Warden.

## **Application**

- 2. This By-law applies to all Street Trees within the geographic limitations of the City.

## **Authority of the Tree Warden**

- 3.(1) The Tree Warden:

- (a) is hereby authorized to plan, regulate, supervise, and carry out all planting, removal, Pruning, trimming and all Maintenance activities with respect to all Street Trees in a manner consistent with the Street Tree Policy; and
- (b) may direct the performance of any one (1) or more of the functions described in Section 3.(1)(a) to one (1) or more Persons from time to time as deemed necessary by the Tree Warden in their sole discretion.

- (2) The Tree Warden or each Person supervised by and assisting the Tree Warden, may at any reasonable time, enter upon land abutting the Street to:
  - (a) inspect the Street Trees and conduct tests on the Street Trees; and
  - (b) Remove decayed, damaged, or dangerous Street Trees or branches of Street Trees if, in the opinion of the Tree Warden, the Street Trees or branches pose a danger to the health or safety of any Person using the Street.

## **Prohibited Activities**

- 4. (1) No Person shall:

- (a) injure or engage in an activity likely to Injure a Street Tree;

- (b) Destroy or engage in an activity likely to Destroy a Street Tree;
- (c) remove or caused to be Removed a Street Tree;
- (d) plant or cause to be planted a Tree or any part of a Tree on City land without first having obtained the written permission of the Tree Warden;
- (e) hinder or obstruct or attempt to hinder or obstruct the Tree Warden or any Person supervised by and assisting the Tree Warden, or a By-law Enforcement Officer in the exercise of their role as described herein this By-law;
- (f) affix a poster, notice, or sign to a Street Tree;
- (g) affix any guy line or other fastening or fixture to a Street Tree;
- (h) use a Street Tree to secure or support any object, structure, or animal; or
- (i) remove or interfere with any fence, tree guard or other protective device placed around a Street Tree.

(2) Section 4.1 does not apply to the Tree Warden or any Person supervised by and assisting the Tree Warden.

#### **Removal of Healthy Street Tree**

5. (1) Any Person may request the Removal of a healthy Street Tree by submitting a "Request for Removal of a Healthy Tree Form" as described in the Street Tree Policy.
- (2) The Tree Warden may permit the Removal of a healthy Street Tree by City Personnel if such Removal is warranted and consistent with the criteria set out in the Street Tree Policy.
- (3) Where the Tree Warden refuses a Person's request for the Removal of a healthy Street Tree, the Person may appeal the Tree Warden's decision to the General Manager by submitting an "Appeal of Decision for Removal of a Healthy Street Tree Form" as described in the Street Tree Policy.
- (4) The General Manager may uphold the Tree Warden's decision to refuse the Person's request or permit the Removal of the Street Tree, or approve the request to remove.
- (5) The decision of the General Manager shall be final.
- (6) Where either the Tree Warden or the General Manager approve the Removal of a healthy Street Tree, the Tree Warden and/or City Personnel shall remove the healthy Street Tree.

- (7) Unless otherwise determined by the Tree Warden or the General Manager, as the case may be, in their sole discretion, the City shall replace the Removed healthy Street Tree with another Street Tree pursuant to the criteria described in the Street Tree Policy.
- (8) The Person requesting the Removal of the healthy Street Tree shall pay to the City one half of the cost of said Removal, as determined by the Tree Warden, prior to the City Removing the healthy Street Tree. For clarification, the cost of said Removal, as determined by the Tree Warden, shall include the cost of replacing the healthy Street Tree where applicable.

### **Offences and Penalties**

- 6. (1) Every Person who contravenes any of the provisions of this By-law is guilty of an offence and, upon conviction, is liable to the penalties as prescribed by the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as may be amended or replaced from time to time.
- (2) A director or officer of a corporation who knowingly concurs in the contravention of this By-law by the corporation is guilty of an offence and, upon conviction, is liable to the penalties as prescribed by the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as may be amended or replaced from time to time.
- (3) This By-law may be enforced by any By-law Enforcement Officer.

### **Short Title**

- 7. The short title of this By-law is the "Street Tree By-law".

### **Compliance with Other By-laws and Regulations**

- 8. (1) This By-law shall not be construed to reduce or mitigate any restrictions or regulations lawfully imposed by the City or by any other governmental authority having jurisdiction to make such restrictions or regulations.
- (2) If there is a conflict between a provision of this By-law and a provision of any other City By-law, the provision that establishes the higher standard to protect the health, safety and welfare of the general public shall apply.

### **Repeal**

- 9. By-law 2011-243 of the City of Greater Sudbury and all amendments thereto are hereby repealed.

**Effective Date**

- 10.** This By-law shall come into full force and effect upon passage.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022

  
\_\_\_\_\_ Mayor

  
\_\_\_\_\_ Clerk

## By-law 2022-124

### **A By-law of the City of Greater Sudbury to Authorize the Payment of Grants from the Healthy Community Initiative Fund, Various Wards**

**Whereas** pursuant to Section 107 of the *Municipal Act* 2001, S.O. 2001 c. 25, Council may pass by-laws for grants to certain bodies for purposes in the interest of the municipality;


**And Whereas** Council of the City of Greater Sudbury allocated from the capital envelope, in the year 2022, sums for expenditures from the Healthy Community Initiative Fund in accordance with By-law 2018-129 being a By-law of the City of Greater Sudbury to Adopt a Policy Regarding the Healthy Community Initiative Fund;


**And Whereas** Council of the City of Greater Sudbury wishes to authorize the making of a certain grant in accordance with the guidelines as set out in By-law 2018-129 being a By-law of the City of Greater Sudbury to Adopt a Policy Regarding the Healthy Community Initiative Fund;

#### **Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

1. Council of the City of Greater Sudbury hereby approves the payments made or to be made by way of grant, from the Healthy Community Initiative Fund, up to the maximum amount in Column C, for the purpose identified in Column B, in support of the application for HCI Funds submitted by the group or councillor-led initiative identified in Column A, all as set out in the chart on Schedule "A" attached to and forming part of this By-law. These are one time grants, made from the funds allocated for the ward specified in Schedule A attached for each grant.
2. The Treasurer is hereby authorized to make the payments by way of grants from the Healthy Community Initiative Fund in accordance with Schedule "A" upon the written request of the General Manager of Community Development or such person as they may have authorized to request funds in their place and stead. The General Manager of Community Development is authorized to execute on behalf of the City, any agreement with a grant recipient setting out the terms of the grant.
3. This By-law shall come into full force and effect upon passage.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**Schedule "A"**  
to By-law 2022-124 of the City of Greater Sudbury

<b>Column A Group / Organization</b>	<b>Column B Event / Purpose</b>	<b>Column C Maximum Amount</b>
<b>Ward 5</b>		
Valleyview Community Church	Movie licensing fees, copies of movies and bulb for projector for the Reel Life Summer Drive-In Movie Theatre	\$2,500
<b>Ward 9</b>		
Coniston Community Garden	Refreshments for Weeding Watering Wednesdays and supplies for making jam for Jamin with Seniors	\$1,400
Coniston Community Action Network	Canada Day 2022 activities	1,000
<b>Wards 1, 10, 11 and 12</b>		
Reseau ACCESS Network	Bundle Up in Red Campaign 2021	\$250 from each of wards 1, 10, 11 & 12



**By-law 2022-125**

**A By-law of the City of Greater Sudbury to Authorize the Sale of  
An Easement over Land on Auger Avenue, Sudbury, described as  
Part PIN 73570-0088 (LT) being Lot 32 on Plan M-341, Township of Neelon  
to Rainbow District School Board**

**Whereas** the City of Greater Sudbury owns certain land on Auger Avenue, Sudbury,  
described as PIN 73570-0088 (LT);


**And Whereas** the City of Greater Sudbury has received an offer to purchase an  
Easement for drainage purposes over part of the said lands, being lot 32 on Plan M-341;

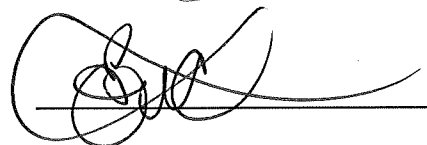
**And Whereas** the City of Greater Sudbury has authority to sell an easement over the  
said lands, in accordance with the *Municipal Act, 2001*, S.O. 2001, c.25. as amended;

**Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

1. The sale of an easement for drainage purposes affecting Part PIN 73570-0088(LT)  
being Lot 32 on Plan M-341 to Rainbow District School Board for \$7,000 plus H.S.T., if  
applicable, is hereby approved.
2. The Director of Assets and Fleet Services is hereby authorized to execute all required  
documents to complete this transaction and the City Solicitor is authorized to electronically sign  
the Transfer of Easement on behalf of the Director of Assets and Fleet Services.
3. The net proceeds of the sale are to be credited to the Capital Financing Reserve Fund -  
General.
4. This By-law shall come into full force and effect upon passage.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**By-law 2022-126**

**A By-law of the City of Greater Sudbury to Amend By-law 2019-16  
being a By-law of the City of Greater Sudbury to Adopt a Code of Conduct for  
Members of Council and Local Boards and Complaint Protocol**

**Whereas** Council of the City of Greater Sudbury deems it desirable to amend By-law 2019-16 being a By-law of the City of Greater Sudbury to Adopt a Code of Conduct for Members of Council and Local Boards and Complaint Protocol;

**Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

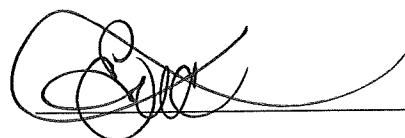
1. Schedule "A" to By-law 2019-16 being a By-law of the City of Greater Sudbury to Adopt a Code of Conduct for Members of Council and Local Boards and Complaint Protocol is amended by:
  - (a) repealing Section 17 and enacting the following section 17 in its place and stead:

**"Social Media**

17. Every Member shall comply with the Social Media Policy annexed hereto as Appendix 1 to this Schedule."; and
  - (b) adopting Schedule "A" attached to and forming part of this By-law, as Appendix 1 to Schedule "A" to By-law 2019-16 being a By-law of the City of Greater Sudbury to Adopt a Code of Conduct for Members of Council and Local Boards and Complaint Protocol,
2. This By-law shall come into full force and effect upon passage.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**Schedule "A"**  
to By-law 2022-126 of the City of Greater Sudbury

**Appendix "1" to Schedule "A"**  
to By-law 2019-16 of the City of Greater Sudbury

**Policy for the Use of Social Media by  
Members of Council and Local Boards**

**Purpose**

Social Media technologies can permit for efficient and direct engagement between members of Council and Local Boards and the community. While Social Media can be a useful tool for communicating and sharing information it can also be the subject of abuse. The purpose of this policy is to provide clarification on the appropriate use and management of Social Media by members of Council and Local Boards ("Members") in order to elevate discourse with and within the community.

**Definitions**

1. The definitions contained in the Code of Conduct shall apply to this Policy.

**Application**

2. The Code of Conduct generally applies to the conduct of members of Council regardless of the medium being utilized including but not limited to activities on social media. This policy applies to members of Council where social media is being used by them or on their behalf. The provisions of this policy are not intended to restrict the application of the Code of Conduct but rather to augment the obligations of members vis-à-vis the use of Social Media.

**Confidentiality and Privacy**

3. Members shall maintain the confidentiality of all Confidential Information as defined in section 1 and further described in section 6 of the Code of Conduct. Members shall not disclose, release or permit the release or disclosure of any Confidential Information on Social Media.
4. Members shall not post or allow the posting of personal information in any form or discuss situations regarding residents, staff, other identifiable individuals, suppliers, vendors or contractors without obtaining their consent. Members shall not use, post or allow the posting of copyrights, trademarks or other elements of intellectual property, including that of the City of Greater Sudbury, without the specific permission of the owners of such property. Members may consult with applicable City staff if they have questions regarding whether specific information is Confidential Information. When in doubt, Members shall, at all times, err on the side of caution and avoid disclosure of information which may be confidential.

**Respect for other Members, Staff and the Public**

- 5.(1) The expectation for conduct of Members on Social Media shall be the same as the decorum that is expected from Members in meetings of the Council. When communicating on Social Media, Members shall act with respect, dignity, courtesy and empathy towards others, and adhere to the same requirements described in the Code of Conduct as they would for any form of communication. Members shall ensure that

**Schedule "A"**  
to By-law 2022-126 of the City of Greater Sudbury

**Appendix "1" to Schedule "A"**  
to By-law 2019-16 of the City of Greater Sudbury

debate is constructive and does not include personal attacks, discrimination, harassment, intimidation or insults. Communications that are not respectful are inconsistent with the Code of Conduct and unbecoming of the office that Members hold as elected representatives.

- (2) The public and permanent nature of Social Media can increase the risk of harming the professional and ethical reputation of municipal staff. When using Social Media, Members shall, at all times, be respectful of the role of staff to provide professional and politically neutral advice. Members shall not use Social Media to make personal attacks or engage in criticism of municipal staff.
- (3) Members shall not disrespect, bully, shame or insult other Members or the public through the use of Social Media.

**Identity of Members**

- 6. Members shall, at all times, ensure that they identify themselves when using social media and shall not disguise their identity in any way.

**Oversight of Social Media**

- 7.(1) The use of Social Media by a Member brings with it the responsibility to manage it in accordance with the Code of Conduct and this Policy. Failure to properly manage Social Media technologies may lead to misuse and content which is not in accordance with the standards for Members described in the Code of Conduct and this Policy.
- (2) Where Members choose to use Social Media technologies which permit other users to post content, they shall monitor such content regularly to ensure that the content is consistent with the Member's obligations under the Code of Conduct and this Policy. Where a Member supports, repeats or fails to monitor and remove content that fails to meet the requirements herein within a reasonable time, the content in question shall be attributed to the Member and subject to the application of the Code of Conduct and this Policy.
- (3) To protect themselves and other users on their Social Media platforms from inappropriate behaviour or content, Members may need to modify a user's access to their content. Social Media applications allow users to do so in several ways up to and including blocking a user's access. In cases where such actions are required, Members should opt with the approach that preserves as much access to information and expression as possible. Members should consider the adoption of a terms of use policy for their Social Media that provides expectations for conduct and a clear process for users should they fail to meet such requirements.

**Support for Decisions of Council**

- 8. It is essential that residents understand and trust the decision-making process of their elected representatives. While Members in their individual capacity are not required to agree with all decisions made by the Council they shall accurately and adequately communicate information regarding such decisions when using Social Media. Members

**Schedule "A"**  
to By-law 2022-126 of the City of Greater Sudbury

**Appendix "1" to Schedule "A"**  
to By-law 2019-16 of the City of Greater Sudbury

shall not malign a debate or decision or otherwise erode the authority of Council. Members shall clearly identify where they are expressing personal views, and not necessarily the views of the City.

**Compliance with Legislation, By-Laws and Policies**

9. Members shall, at all times, comply with applicable legislation, regulations, by-laws and policies of the City and shall not recommend or counsel non-compliance by others through Social Media or litigation against the City.

**Accuracy of Information**

10. Information posted to Social Media creates a permanent record. Members shall ensure that the content they post on Social Media is accurate and factual. Members shall not post or allow the posting of any content which they know or ought to know is misleading or false.

## **By-Law 2022-127**

### **A By-Law of the City of Greater Sudbury to Designate Strategic Core Areas of the City of Greater Sudbury as a Community Improvement Project Area**

**Whereas** Subsection 28(2) of the *Planning Act*, R.S.O. 1990, c.P.13 provides that the Council of a Municipality that has an Official Plan containing provisions relating to community improvement may, by by-law, designate the whole or any part of an area covered by the Official Plan as a Community Improvement Project Area;

**And Whereas** the Official Plan of the City of Greater Sudbury contains provisions relating to community improvement;

**And Whereas** the Council for the City of Greater Sudbury deems it desirable to replace the existing Downtown Sudbury Community Improvement Plan and the Town Centre Community Plan with a Strategic Core Areas Community Improvement Plan;

**And Whereas** Council for the City of Greater Sudbury deems it desirable to establish new Community Improvement Project Areas for the purposes of the Greater Sudbury Strategic Core Areas Community Improvement Plan;

**Now Therefore the Council of the City of Greater Sudbury hereby enacts as follows:**

#### **Designation of Community Improvement Project Areas**

1. The City of Greater Sudbury hereby designates those lands outlined by heavy lines on each of Schedules "A-1" to "A-8" attached to and forming part of this By-law as Community Improvement Project Areas in accordance with Subsection 28(2) of the *Planning Act*, R.S.O. 1990, c.P.13.

#### **Repeal of By-laws Designating Certain Community Improvement Project Areas**

2.(1) Each of the following By-laws is hereby repealed:

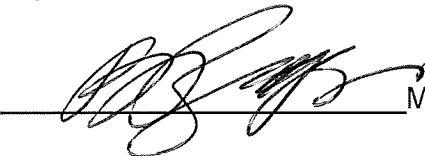
- (a) By-law 2006-277A being a By-law of the City of Greater Sudbury to Designate Certain Lands as the Downtown Sudbury Community Improvement Plan Project Area as amended by By-law 2013-94;

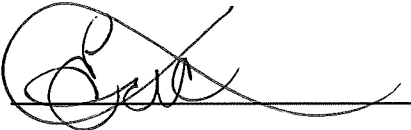
- (b) By-law 2012-166 being a By-law of the City of Greater Sudbury to Designate Areas of the City of Greater Sudbury as Town Centre Community Improvement Project Areas as amended by By-law 2018-31 and By-law 2019-37.
- (2) Where a by-law is repealed by this By-law, the repeal does not:
- (a) revive any by-law not in force or existing at the time of which the repeal takes effect;
  - (b) affect the previous operation of any by-law so repealed;
  - (c) affect any right, privilege, obligation or liability acquired, accrued, accruing, or incurred under the by-law so repealed;

**Effective Date**

3. This By-law shall come into full force and effect upon passage.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

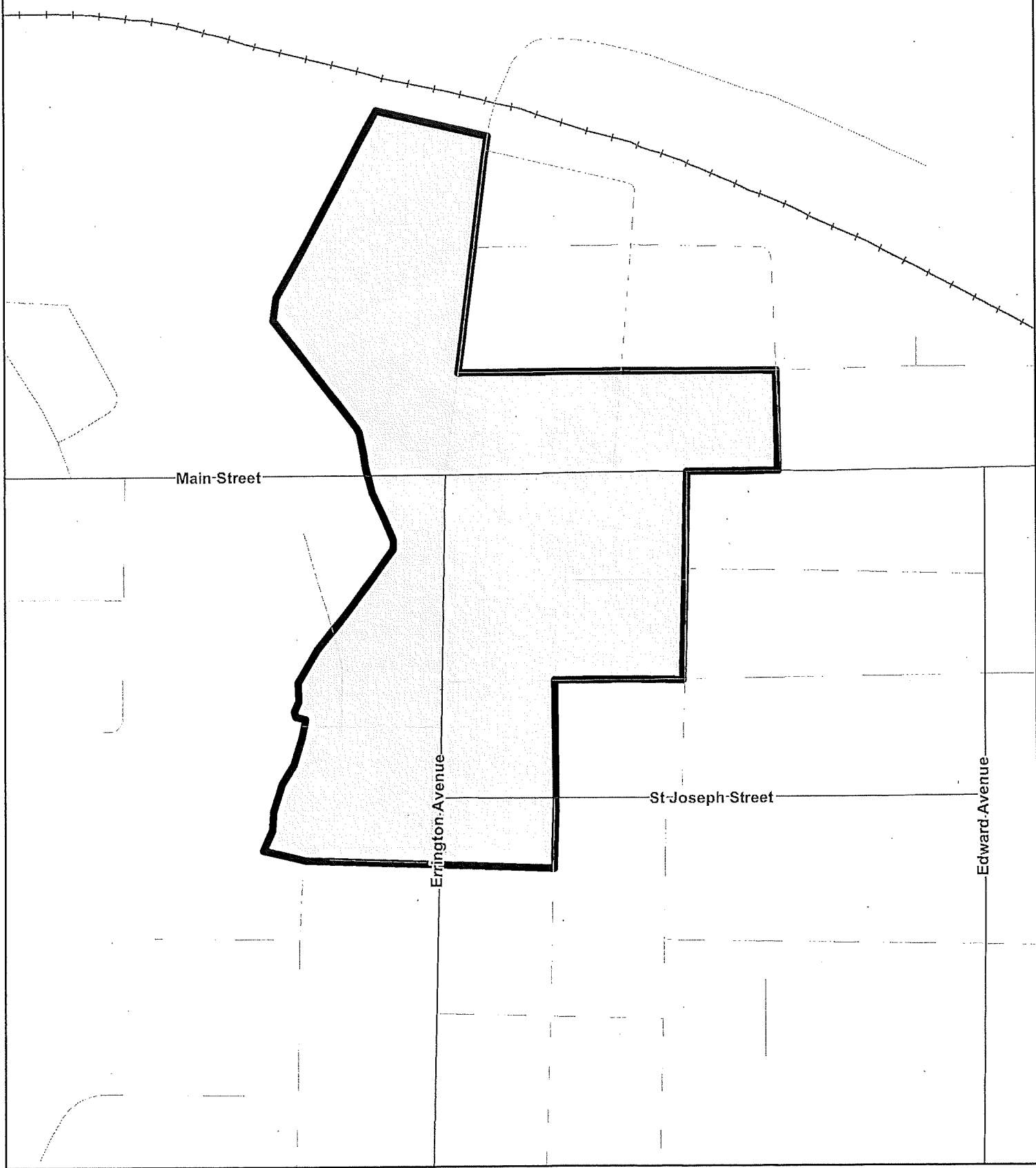
**Schedule "A"**  
to By-law 2022-127 of the City of Greater Sudbury  
**(Attached)**



Schedule "A-1" to By-law 2022-127  
of the City of Greater Sudbury  
Capreol  
Strategic Core Areas CIP



Schedule "A-2" to By-law 2022-127  
of the City of Greater Sudbury  
Chelmsford  
Strategic Core Areas CIP

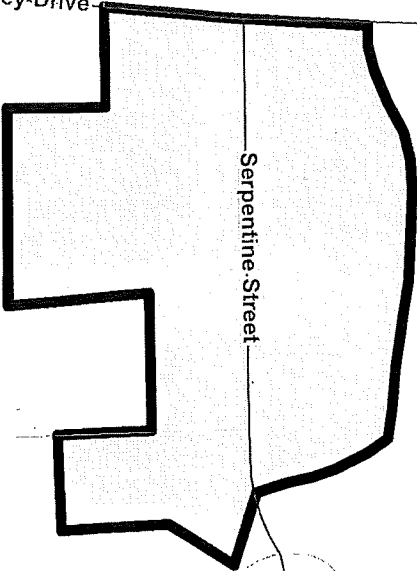


Schedule "A-3" to By-law 2022-127  
of the City of Greater Sudbury  
Copper Cliff  
Strategic Core Areas CIP

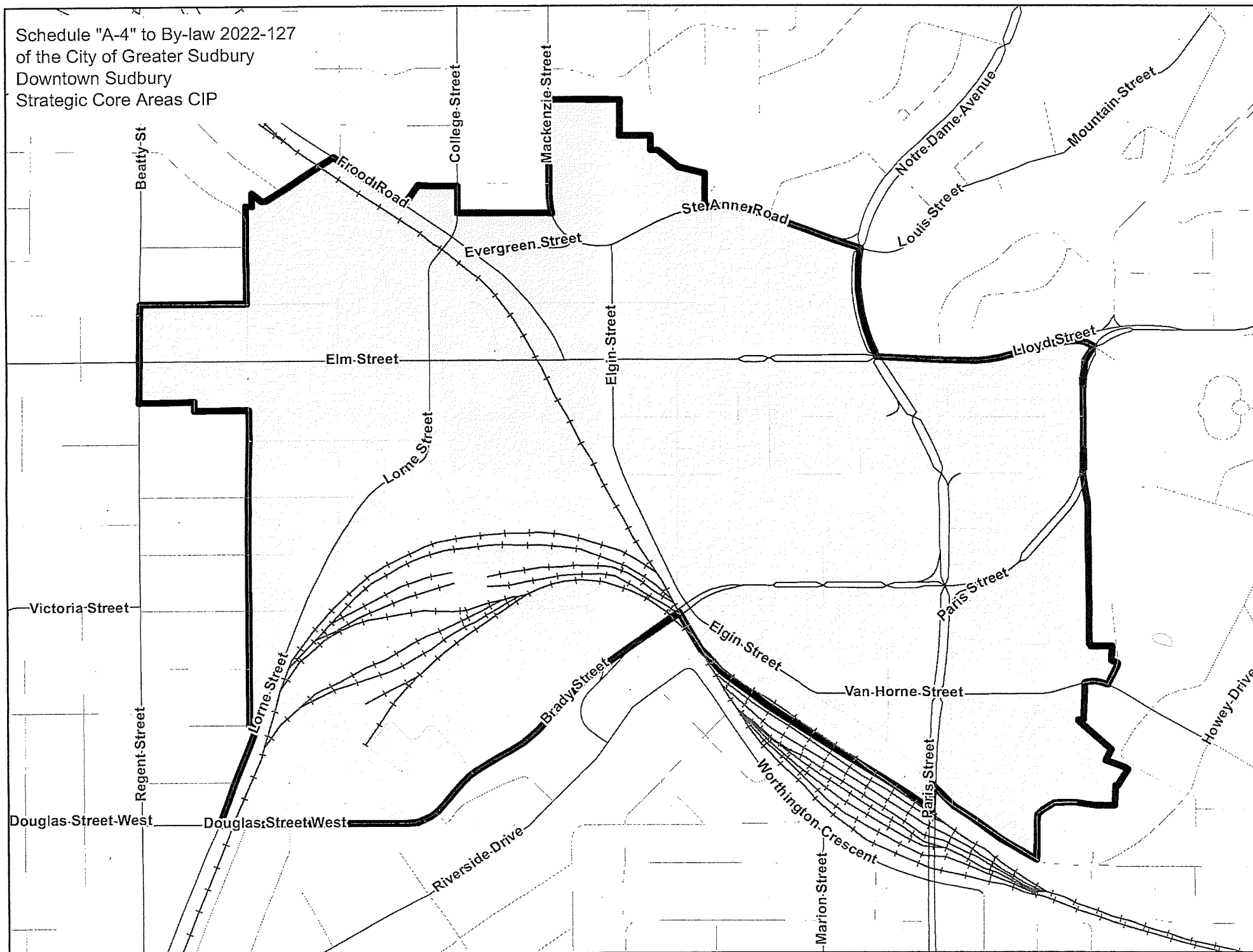
Godfrey Drive

Serpentine Street

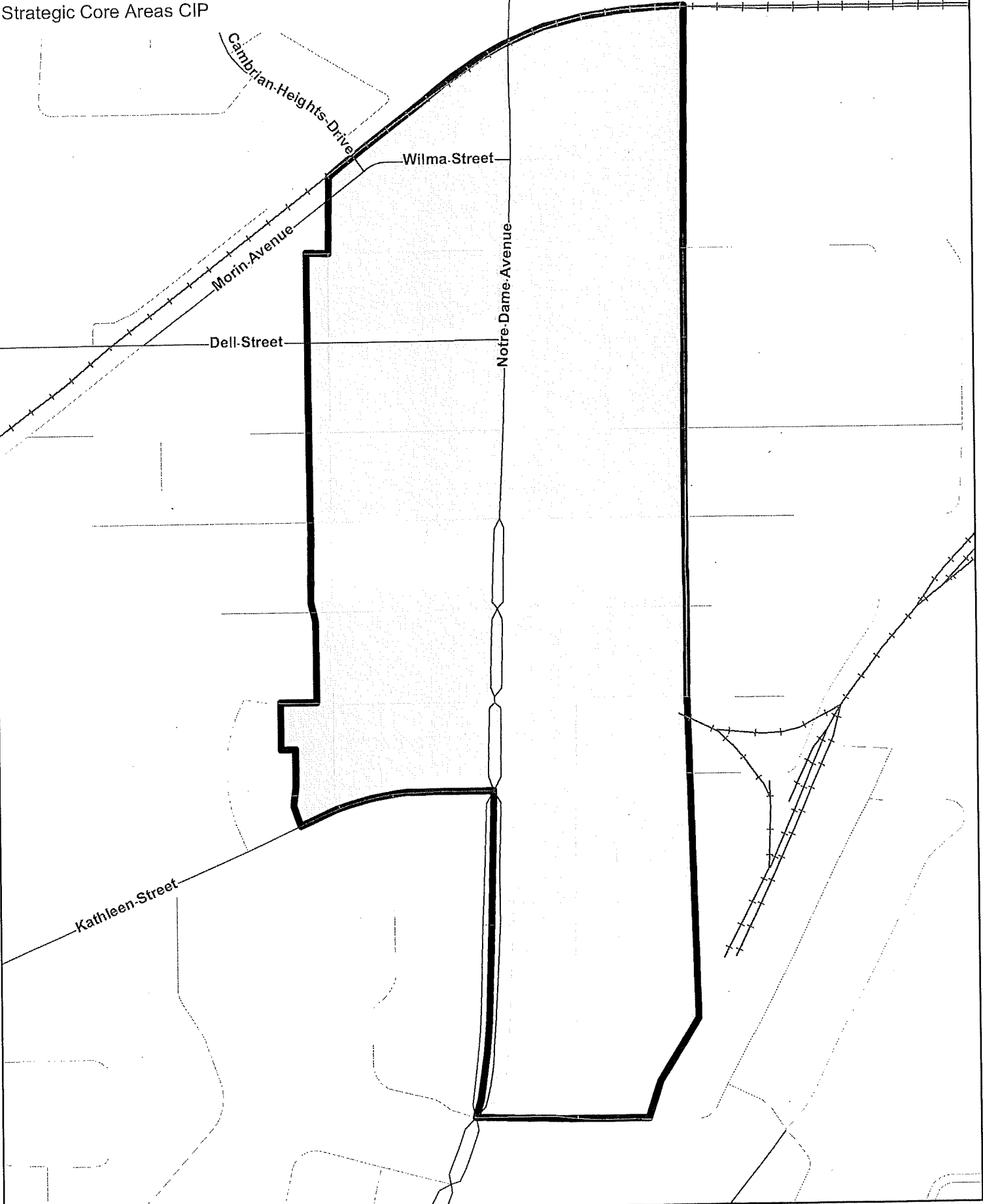
Subway Street



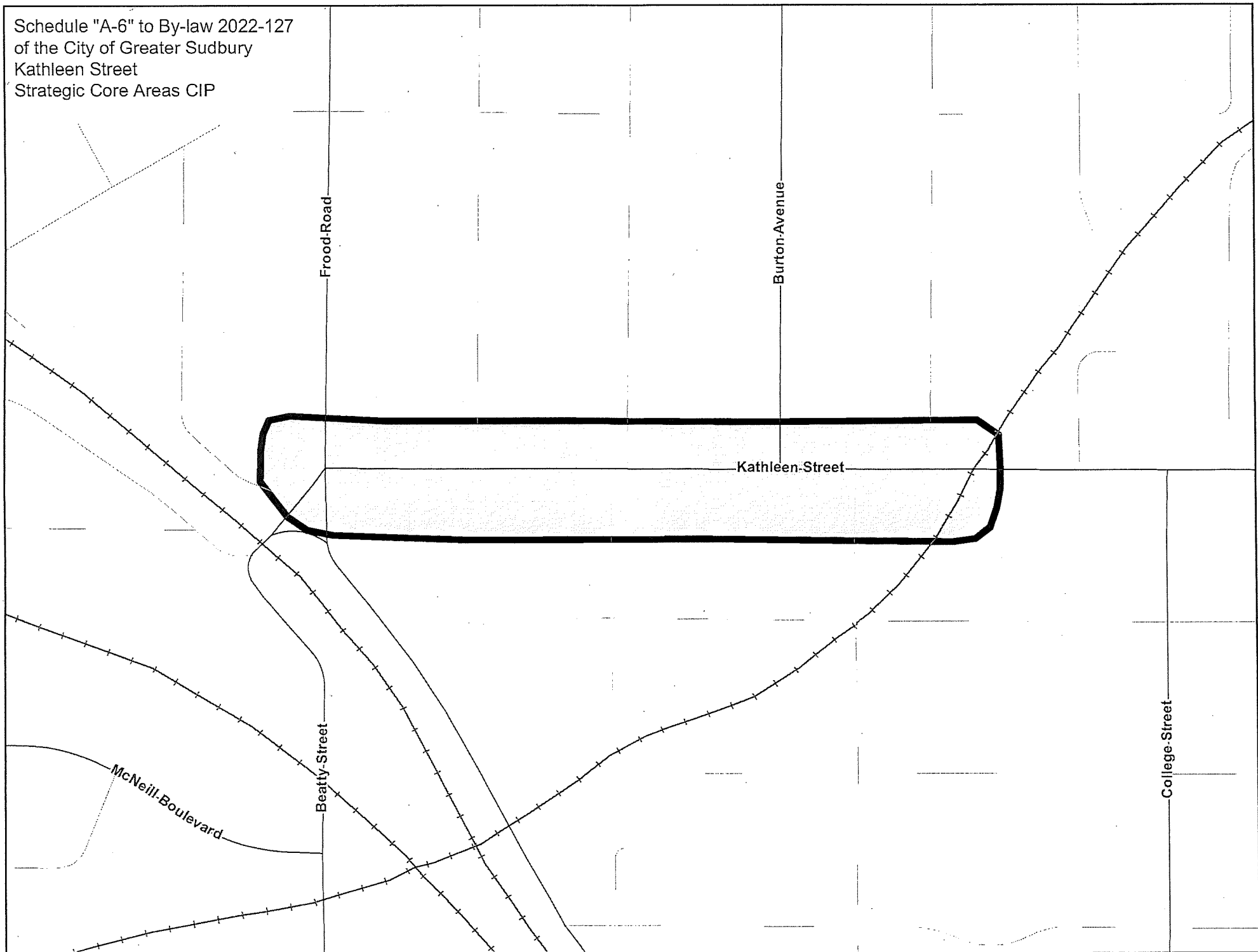
Schedule "A-4" to By-law 2022-127  
of the City of Greater Sudbury  
Downtown Sudbury  
Strategic Core Areas CIP



Schedule "A-5" to By-law 2022-127  
of the City of Greater Sudbury  
Flour Mill  
Strategic Core Areas CIP



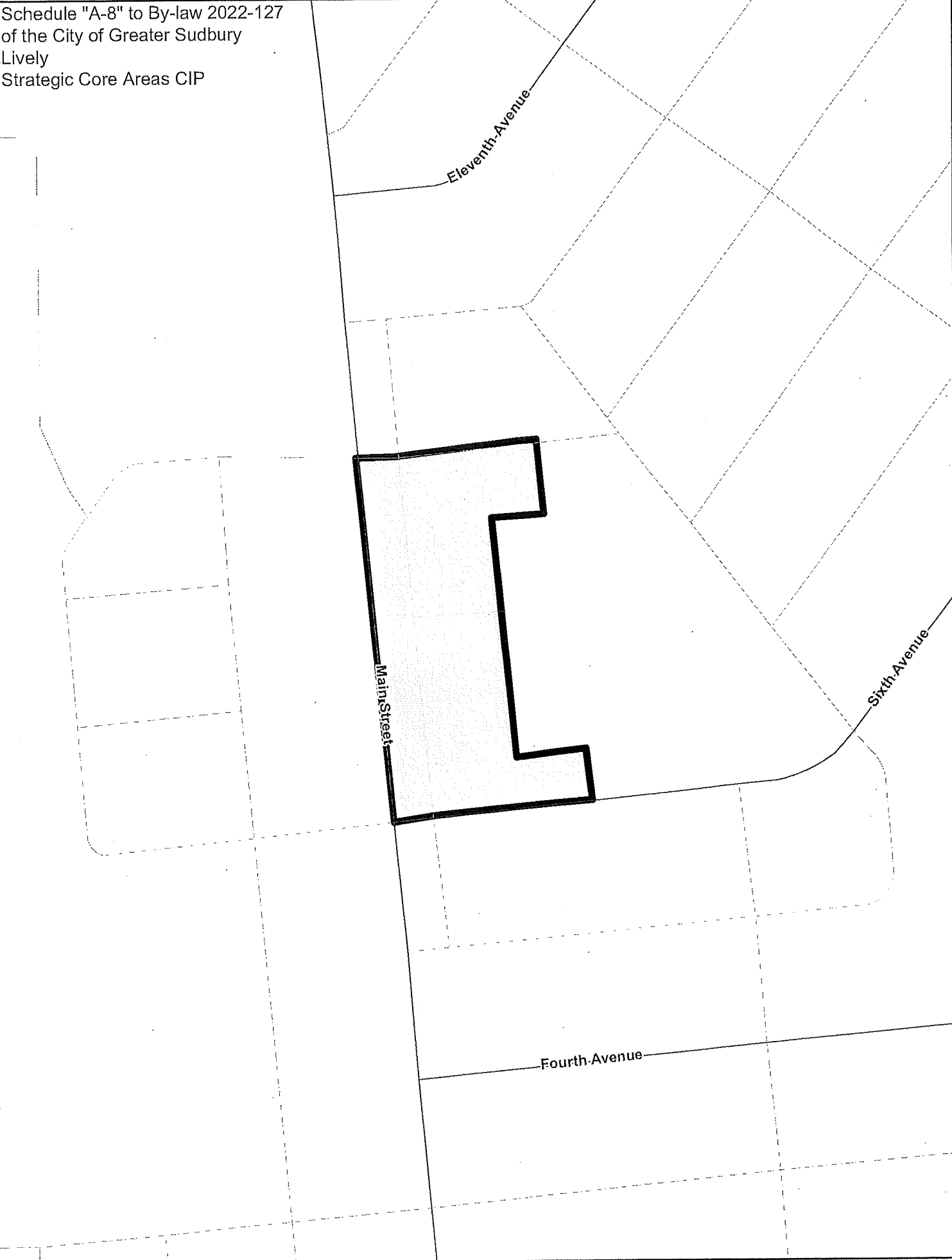
Schedule "A-6" to By-law 2022-127  
of the City of Greater Sudbury  
Kathleen Street  
Strategic Core Areas CIP



Schedule "A-7" to By-law 2022-127  
of the City of Greater Sudbury  
Levack  
Strategic Core Areas CIP



Schedule "A-8" to By-law 2022-127  
of the City of Greater Sudbury  
Lively  
Strategic Core Areas CIP





## **By-law 2022-128**

### **A By-law of the City of Greater Sudbury to Adopt the Strategic Core Areas Community Improvement Plan**

**Whereas** by By-law 2022-127, the Council for the City of Greater Sudbury designated certain lands as a Community Improvement Plan Project Area;

**And Whereas** Sections 28(4) and 17(22) of the *Planning Act*, R.S.O. 1990, c.P.13 authorize the Council of a municipality to adopt a Community Improvement Plan identifying measures that the municipality may take to facilitate and accelerate community improvement within a designated community improvement area;

**And Whereas** the City of Greater Sudbury has engaged in such public consultation and held such public meetings as are required under the *Planning Act*, prior to adopting the Strategic Core Areas Community Improvement Plan for the area identified in By-law 2022-127;

**And Whereas** the Council of the City of Greater Sudbury deems it advisable to adopt the Strategic Core Areas Community Improvement Plan for the purposes of the community improvement of the designated Strategic Core Areas identified by By-law 2022-127;

**And Whereas** the Strategic Core Areas Community Improvement Plan conforms to the City of Greater Sudbury's Official Plan

**Now therefore the Council of the City of Greater Sudbury hereby enacts as follows:**

#### **Adopt Plan**

1. The Strategic Core Area Community Improvement Plan attached hereto as Schedule "A" and forming part of this By-law is hereby adopted, for the Community Improvement Plan Project Area identified in By-law 2022-127.

#### **Repeal of Certain By-laws Designating Areas**


- 2.(1) Each of the following By-laws is hereby repealed:
  - (a) By-law 2016-246 being a By-law of the City of Greater Sudbury to Adopt a Downtown Sudbury Community Improvement Plan and;
  - (b) By-law 2012-167 being a By-law of the City of Greater Sudbury to Adopt a Town Centre Community Improvement Plan as amended by By-law 2018-32 and By-law 2019-38;

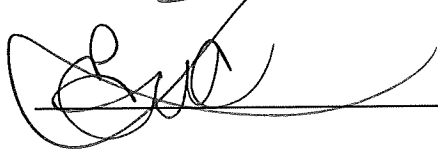
- (2) Where a by-law is repealed by this By-law, the repeal does not:
- (a) revive any by-law not in force or existing at the time of which the repeal takes effect;
  - (b) affect the previous operation of any by-law so repealed;
  - (c) affect any right, privilege, obligation or liability acquired, accrued, accruing, or incurred under the by-law so repealed;
  - (d) affect any offence committed against any by-law so repealed or any penalty or forfeiture or punishment incurred in respect thereof; or affect any investigation, legal proceeding or remedy in respect of such privilege, obligation, liability, penalty, forfeiture or punishment.

**Effective Dates**

3. This By-law shall come into full force and effect upon passage.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

## **STRATEGIC CORE AREAS COMMUNITY IMPROVEMENT PLAN**

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### **1.0 PLAN BACKGROUND**

#### **1.1 Introduction**

Greater Sudbury has several strategic core areas, including Downtown Sudbury and the Town Centres.

Downtown Sudbury is the heart of Greater Sudbury. It forms the historic core of the City of Greater Sudbury (henceforth "the City"), retaining its important function as a local and regional centre of government services, business services, retail, sport and entertainment uses, arts and culture, and community and institutional uses. Downtown Sudbury services a large catchment area that extends beyond Greater Sudbury. It is also a place where people live. Compact, walkable and transit-supportive, Downtown Sudbury possesses a distinct built form that sets it apart from other urban areas, offering unique opportunities to protect, develop and sustain its role as the vibrant hub of a dynamic city.

The City of Greater Sudbury also has a diverse collection of Communities spread across a wide geographic area. Linked to the historical development of the region, each area has developed a distinct character, providing a range of housing options for residents. The existing and historic commercial centres of Communities are recognized as Town Centres.

The Strategic Core Areas Community Improvement Plan (CIP) has been prepared to allow the City of Greater Sudbury to use powers afforded through section 28 of the *Planning Act* to make grants, loans and tax increment financing available to registered owners, assessed owners, and tenants of lands and buildings within the designated areas.

### **2.0 Official Plan Conformity**

Section 15 of "The City of Greater Sudbury Official Plan" provides for the use of Community Improvement Plans within the City. Additionally, section 15.2 of the Official Plan designates the entire City of Greater Sudbury as a Community Improvement Project Area. The Official Plan states that the objectives of Community Improvement Plans are to:

- a. Enhance the quality of the physical and social environment through the development, redevelopment, preservation and rehabilitation of certain areas of the City;
- b. Undertake comprehensive community improvement programs with respect to identified projects or designated community improvement areas; and,
- c. Increase employment, economic activity and investment in the City.

This CIP meets all the objectives set out in the Official Plan.

#### **2.1 Project Area Description and Boundaries**

The Community Improvement Plan Project Areas are shown on the attached Appendices 1 to 8 as adopted by By-law 2022-127.

The areas in the Schedules to By-law 2022-127, being a By-Law of the City of Greater Sudbury

to Designate Strategic Core Areas of the City of Greater Sudbury as a Community Improvement Project Area, have been identified by the City as having the maximum potential to achieve the CIP goals outlined in the Official Plan and benefit from the programs outlined in this plan. Specifically, these areas were found to be pedestrian friendly, have older mixed use building stock and are experiencing commercial and residential vacancy issues.

Community Improvement Project Area Boundaries are established by municipal by-law. To be eligible for the financial programs outlined in this plan, properties must be within the CIP boundary at the time of application. Ineligible properties will not be brought forward for Council's consideration.

The City will make use of the provisions of Section 2.4 of the City's Zoning By-law, as amended from time to time, and with necessary modifications, to determine the boundaries of a Community Improvement Project Area. Where none of the provisions apply, the CIP boundary shall be scaled from the schedules attached to By-law 2022-127.

### **3.0 Our Strategic Core Areas Plan**

Section 28 (7) of the *Planning Act*, and Section 106 (3) of the *Municipal Act, 2001*, provides municipalities the following authority: for the purpose of carrying out a community improvement plan that has come into effect, "the municipality may make grants or loans to registered owners, assessed owners and tenants of lands and buildings within the community improvement project area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the cost of rehabilitating such lands and buildings in conformity with the community improvement plan".

In summary, the only tools available are either a grant or a loan. However, there are many applications of this grant or loan which can be used on a case-by-case basis to encourage development or redevelopment within the project area.

### **3.1 Overall concept**

The City of Greater Sudbury 2019-2028 Strategic Plan sets out several strategic objectives, including Business Attraction, Development and Retention. This goal speaks to The City's priorities to foster economic activity within the private sector, with a focus on job creation and assessment growth. Objective 2.4 specifically seeks to revitalize Downtown Sudbury with public investment that supports and leverages private investment. Through this objective, Council has directed staff to update the City's Community Improvement Plans.

Several barriers currently prevent Strategic Core Area development and redevelopment from moving forward. The City can help overcome some of these barriers by using financial mechanisms (grants and loans) to reduce the cost of development and redevelopment in these areas.

The objectives of these efforts are to:

1. Revitalize Strategic Core Areas of the City.
2. Increase the residential population of the Strategic Core Areas.
3. Create and retain employment opportunities, including new commercial and office spaces.

4. Grow the municipal assessment base.
5. Grow the municipal property tax revenue.
6. Repair and intensify the existing urban fabric with compatible projects.
7. Take advantage of existing infrastructure.
8. Enhance the quality of the public realm.
9. Increase the energy efficiency and climate readiness of the existing building stock.

### **3.2 Encouraging Strategic Core Area Development and Redevelopment**

The City of Greater Sudbury may use its legislative authority pursuant to Section 28 of the *Planning Act* to pass by-laws designating the strategic core areas included in Appendices 1 to 8 as community improvement plan areas and adopting this strategy as the community improvement plan for the community improvement project areas. In doing so, the City is making the following financial incentives available to approved eligible properties:

1. Tax Increment Equivalent Grant Programs (Standard, Superstack, and Parking Structure).
2. Façade Improvement Program.
3. Planning and Building Fee Rebate Program.
4. Residential Incentive Program.
5. Commercial Vacancy Leasehold Improvement Program.
6. Business Improvement Areas Tenant Attraction Program.
7. Feasibility Grant Program.

These programs, which are described in the following pages, represent a comprehensive series of actions for Strategic Core Area revitalization.

These incentive programs can also be used in conjunction with new or existing financial incentive programs, such as the Affordable Housing Community Improvement Plan, and the Brownfield Strategy and Community Improvement Plan.

The following table describes where the financial incentives programs are available:

**Schedule "A"**  
to By-law 2022-128 of the City of Greater Sudbury

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	Town Centres	Downtown Sudbury	Business Improvement Areas Only
Standard TIEG	X	X	
Superstack TIEG	X	X	
Parking Structure TIEG		X	
Façade Improvement Program	X	X	
Planning and Building Fee Rebate Program	X	X	
Residential Incentive Program	X	X	
Commercial Vacancy Leasehold Program	X	X	
Business Improvement Areas Tenant Attraction Program			X
Feasibility Study	X	X	

### 3.2.1 General Requirements Applying to all Programs

All financial incentive programs described herein are subject to the following general requirements. These requirements are not intended to be exhaustive. The City reserves the right to include other reasonable requirements and conditions on a project-specific basis.

1. Works commenced prior to submitting an application are ineligible. Works commenced after submitting an application, but prior to application approval, do so at the applicant's risk.
2. The financial incentives described herein may be used in combination with any other municipal financial incentive program including, but not limited to, development charge exemptions for development in the City's Nodes and Corridors, the Affordable Housing Community Improvement Plan, and the Brownfield Strategy and Community Improvement Plan.

3. The financial incentives described herein may be used in combination with any other program offered by the City and/or any other level of government and/or association.
4. Approved grants and loans may be made to the registered owner, assessed owner or tenants of land and buildings within the community improvement plan areas and, subject to City approval, are assignable to a third party to whom such an owner or tenant has assigned the right to receive a grant.
5. To be eligible, properties must be within the CIP boundary at the time of application. Ineligible properties will not be brought forward for Council's consideration.
6. At its sole discretion, Council may sell municipal property within a community improvement plan area at below fair market value to achieve the goals of the Community Improvement Plan.
7. The City may consider phasing incentives for large, multi-phase redevelopment projects, where it can be clearly demonstrated that the provision of the phased incentive does not exceed the eligible costs associated with any particular phase of development and/or redevelopment.
8. The total amount of all municipal financial incentives provided to an approved eligible property will not exceed the eligible costs for that property. Per the *Planning Act*, as amended from time to time, eligible costs may include the costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities.
9. The City may receive applications that exceed the maximum program amounts outlined in this Community Improvement Plan. At its sole discretion, Council may provide incentives that are greater than the amounts outlined herein, provided that all other applicable criteria are met.
10. In the case of a conflict of the provisions outlined in this CIP, the most stringent provision shall apply, unless otherwise permitted in the CIP.
11. All approved works and improvements shall conform to all relevant provincial legislation including, but not limited to, the *Environmental Protection Act* and the Ontario Building Code.
12. All approved works and improvements shall conform to all relevant municipal by-laws, standards, policies and procedures including, but not limited to, the Official Plan and the Zoning By-law.
13. The City encourages the application of Crime Prevention Through Environmental Design principles. The City will not provide grants or loans, however, to those elements reasonably considered to be hostile architecture.
14. For the purposes of clarity, approval for one or more of the financial incentive programs included herein does not relieve a proponent from the need to obtain any other required municipal, federal, provincial and/or public agency approval associated with the proposed project.

15. City staff, officials and/or agents of the City may inspect any approved eligible property that is subject of a financial incentive program application.
16. The City reserves the right to peer review/audit any studies and/or works approved under a financial incentive program, at the expense of the applicant.
17. The City is not responsible for any costs incurred by an applicant in relation to any of the above financial incentive programs.
18. The eligible property will not be in a position of tax arrears at the time of application.
19. If the applicant is in default of any program requirement, or any other requirement of the City, the City may delay, reduce or cancel its financial incentive program approval. Should the owner or tenant of the approved eligible property default on any condition in the by-law or agreement, the grants, plus interest, will become payable to the City in full.
20. Outstanding work orders and/or orders or requests to comply, and/or other charges from the City (including tax arrears) must be satisfactorily addressed prior to the issuing of any financial incentive.
21. The City may discontinue any financial incentive program at any time. Notwithstanding this, approved eligible properties will continue to receive approved municipal financial incentives, subject to compliance with the requirements set out herein and any associated by-law and/or agreement.
22. The City of Greater Sudbury is not bound to accept any application. The City of Greater Sudbury reserves the right to consider any, none or all of the applications, to accept applications in whole or in part, and to elect not to proceed with this process at any given time.
23. Eligibility to programs does not guarantee funding of projects.
24. Applications will be evaluated according to adopted policies and by-laws of the City of Greater Sudbury. The City will have regard to its Climate Emergency Declaration and also reserves the right to evaluate applications based on additional criteria developed from time to time, including the right to require applicants to submit a more in-depth second phase evaluation. Applicants may be contacted by the City of Greater Sudbury during the evaluation process to clarify their application or to provide further information.
25. Applicants may be required to provide the City of Greater Sudbury with additional information to demonstrate their creditworthiness and business track record.
26. At the City's discretion, proponents may be subject to a Second Phase Evaluation where the estimated total project costs exceed \$1,000,000, and/or where the financial request includes Tax Increment Equivalent Grants.

#### **3.2.1.1. General Implementation Applying to CIP Approvals**

1. CIP Approvals shall be implemented by municipal by-law, outlining the recipient, the general description of project, the financial incentives and maximum amounts of grants.
2. CIP Approvals shall be further implemented by agreement or other document necessary to set out the terms on which the grants and/or loans will be provided.



3. The agreement or other necessary document shall be signed by the recipient within 6 months of the passing of the implementing by-law. The expiration of this timeline shall constitute a lapsing of the City's approval.
4. Projects, where approved, shall be completed within 18 months of the signing of the agreement. The General Manager of Growth and Infrastructure may extend the agreement, by one year only.
5. Notwithstanding paragraph 4, the General Manager of Growth and Infrastructure may approve a longer timeline for larger projects. Once this agreement is executed, the General Manager of Growth and Infrastructure may extend said agreement, by one year only.
6. The City will not accept applications from same applicant for same program and address, unless 5 years has elapsed since the last grant payment associated with the program for said property. This time frame is retroactive and includes any other CIP in effect within a 5-year period.

### **3.3.1 Tax Increment Equivalent Grant Program**

#### **Purpose:**

To encourage the development and redevelopment of eligible properties by providing grants equivalent to the incremental increase in municipal property tax assessment and revenue resulting from property improvements such as, but not limited to, new construction.

#### **Description:**

The City may provide grants to the owner or tenant of an eligible property to help offset costs associated with its rehabilitation, reuse, development and redevelopment of the property, provided that the improvements to the property result in an increase in assessment and taxation.

The grants can be provided after the improvements to the property are complete and after the reassessment of the property by the Municipal Property Assessment Corporation has demonstrated an increase in the assessed value of the property.

The value of the grant provided is equal to the incremental increase in property assessment and municipal property tax resulting from the improvements. The grant is provided to the owner (registered or assessed), tenant or assigned third party, after the taxes have been paid in full for the calendar year to which the application for the annual instalment applies.

The pre and post improvement assessment and tax values will be used to calculate the incremental increase in municipal property tax revenue and the total value of the grant.

#### **3.3.1.1 Standard TIEG**

The maximum number of years that any individual project can benefit from under the standard TIEG is 5 years. In years one through three of the program, the grant to the property owner/tenant is equal to 100% of the tax increment. In years four and five, the grant decreases to 50% of the tax increment. The grant ceases thereafter.

### 3.3.1.2 Superstack TIEG

The City of Greater Sudbury offers a 10-year grant only where redevelopment includes brownfield redevelopment and/or affordable housing. In this situation only, the Strategic Core Areas TIEG is stackable with the applicable TIEG of another CIP program, for a maximum of 10 years. To be eligible, the project must meet the requirements of the applicable CIP.

#### **Requirements for Standard TIEG and Superstack TIEG:**

1. Standard TIEG and Superstack TIEG applications must be accompanied by:
  - A Post-development reassessment value prepared by the Municipal Property Assessment Corporation (MPAC)
  - photos in the required format depicting the current condition of the eligible property;
  - plans, reports, estimates, contracts and other information in the required format necessary to understand the proposed development concept for the eligible property, and to ensure conformity with the Official Plan and the objectives of the CIP;

See Section 3.2.1 for further general financial incentive requirements.

### 3.3.1.3 Parking Structure Tax Increment Equivalent Grant (PSTIEG)

The City of Greater Sudbury offers a 20-year Tax Increment Equivalent Grant for the development of a new Parking Structure containing approximately 200 parking spots in Downtown Sudbury. Staff and Council will consider all vertical parking solutions that increase parking availability and density in Downtown Sudbury, and will consider scaling the program to support smaller capacity vertical parking solutions.

#### **Description:**

In years one through ten, the PSTIEG will be equal to 100 percent of the incremental increase in municipal property tax revenue associated with improvements to the eligible property. The grant decreases to 50% for years eleven to twenty. The grant will be provided every year for up to 20 years, after taxes have been paid in full each year.

#### **Requirement for PSTIEG:**

Applications to this program will be subject to an evaluation in two phases. The first phase will evaluate the applications based on the information requirements under the Standard and Superstack TIEG Program. Subject to Council direction, those applications proceeding to a second phase evaluation will be required to submit additional information, including but not limited to:

1. An executive summary
2. Company information, including a description of the Applicant's organizational structure, how long in business, names of individuals holding key managerial positions and information on their roles and responsibilities
3. Experience and financial capability

- Proof of experience with similar development projects, key anticipated project personnel, their prior project experiences, and education/certifications;
  - Firm independent evidence from a recognized reputable source as to the developer's creditworthiness and ability to obtain financing; and,
  - Indication of the primary sources of funding for the project.
4. Proposed Service Delivery Model(s)
5. Proposed Parking Structure, including the details on the following:
- a. Location within the downtown core (with a preference being within the boundary of the CP Railway to the south and west, Paris Street to the east and Elm Street to the North)
  - b. Conceptual design drawings describing the location, siting and the massing of building(s); the location and number of parking spaces; and, access and internal circulation.
  - c. Outline of any expectations of the City, including financial expectations and the form it would take (e.g. leasing space, assisting with capital, etc.) and any other role envisioned for the City, if any.
  - d. The Development Strategy, including an outline schedule of the critical phases and deadlines to deliver such a project to a status of ready for occupancy and use.

See Section 3.2.1 for further general financial incentive requirements.

### **3.3.2 Façade Improvement Program**

#### **Purpose:**

The Façade Improvement Grant program would provide grants to owners or tenants who rehabilitate and improve façades (including signs, lighting and other security features) of buildings within the Community Improvement Project Area. The purpose is to achieve aesthetic improvements to the streetscapes and grant applications will be required to demonstrate how the proposed will achieve this goal. To this end, outdoor patios and decks may be eligible for Façade Improvement Grants.

Façade Improvement Grants may also be used to achieve greater energy efficiency of buildings. In these cases, applicants will be required to demonstrate how the proposed improvements and retrofits achieve greater energy efficiencies. Applicants are encouraged to apply to the Feasibility Study Grant program to help offset any costs associated with energy audits.

#### **Description:**

1. A grant of 50% of the cost to improve a building's facade, to a maximum of \$20,000 is available. Payment will be made only upon the completion of the work. Signage and lighting improvements will only be considered as part of a comprehensive façade improvement project.

2. The total amount of funding allocated to the signage component of a comprehensive façade improvement project will be limited to \$3,000.
3. The total amount of funding allocated to an eligible outdoor patio is 50% of the costs, to a maximum of \$5,000.
4. For greater certainty, a façade is defined as a face of the building visible from the public realm.
5. The project must be deemed to be in conformity with all applicable City policies, including but not limited to matters of zoning, heritage matters, site plan matters and matters of urban design. Applications that are not deemed to be in conformity shall not be approved;

See Section 3.2.1 for further general financial incentive requirements.

### **3.3.3 Planning and Building Fee Rebate Program**

#### **Purpose:**

To encourage the development and redevelopment of eligible properties by rebating fees associated with *Planning Act* and Ontario Building Code applications.

#### **Description:**

The City may rebate fees for *Planning Act* and Ontario Building Code applications associated with improvements to eligible properties. These include: Zoning By-law Amendments; Minor Variances; Site Plan Control; Subdivisions; Consents; Demolition Permits; Building Permits; and, Occupancy Permits.

#### **Requirements:**

1. It should be noted that although these fees are rebated within the project area, this does not mean that they are not required. Applicants are expected to adhere to the requirement of the respective application processes and will receive a grant where applicable. Fees are to be paid in advance and are to be reimbursed upon successful completion and approval of an application;
2. Fees associated with any outside agencies will be required to be paid and are not subject to a rebate, including, but not limited to the Sudbury and District Health Unit, Greater Sudbury Hydro, Conservation Sudbury, etc.;
3. An application to the Director of Planning Services must be received and deemed to be eligible prior to the rebating of any fees;
4. This fees-rebate program does not apply to any required performance securities (i.e., letters of Credit) posted by the proponent, required professional studies, rebated fees associated with the *Planning Act* processes, to expenses incurred by the applicant as a result of an Ontario Land Tribunal Hearing, or to any required newspaper notices;
5. For planning fees, the City will request the payment of fees at the application stage. Upon release of the building permit for the improvements to the eligible property, all collected fees will be refunded.

6. For building permit fees, the City will request the payment of fees at the application stage. Upon final inspection approval of the completed and occupied project, all fees will be refunded.
7. The maximum amount of incentive provided under the planning fee component of this program to any approved eligible property will not exceed \$5,000.
8. The maximum amount of incentive provided under the building fee component of this program to any approved eligible property will not exceed \$30,000.

See Section 3.2.1 for further general financial incentive requirements.

#### **3.3.4 Residential Incentive Program (Per-door grant)**

**Purpose:**

The purpose of program is to encourage residential development in the strategic core areas.

**Description:**

1. A grant of \$20 per sq foot of newly-created, or newly-habitable residential space, or \$20,000 per dwelling unit, whichever is lesser, is available. Payment will be made only upon the occupancy permit being issued.
2. The maximum amount of incentive provided under the program to any approved eligible property will not exceed \$200,000.

See Section 3.2.1 for further general financial incentive requirements.

#### **3.3.5 Commercial Vacancy Assistance Program**

**Purpose:**

The Commercial Vacancy Assistance (CVA) Program is intended as a 2-year, time-limited program that is a direct response to minimize potential commercial vacancies arising during, and/or in the immediate recovery from, the pandemic and its impact on the local, provincial, and national economy.

This Program will provide financial assistance in the form of a grant to new permanent or 'pop-up' commercial tenants of a presently vacant at, or below grade, commercial space to make permanent interior improvements for the purposes of improving the attractiveness and usability of the space for the intended commercial use.

To be eligible, the intended commercial use must be accessible to the public/customers and may include, but not be limited to, retail uses, artists' studios/galleries containing a retail component and/or dine-in or take-out restaurants but shall not include office uses, medical clinics, financial institutions, any residential use or any vehicle-oriented commercial service uses.

This Program is not intended to provide support for temporary or non-permanently affixed improvements such as, but not limited to, indoor/outdoor furniture.

This Program will cease two years from the date this Plan is adopted by City Council unless an extension is provided by City Council via resolution. Such an extension shall not require an amendment to this Plan.

**Description:**

1. 50% of eligible costs or \$5,000, whichever is lesser, where the applicant has entered into a lease term of no less than three months and no longer than six months less a day for the space where improvements will be undertaken
2. 50% of eligible costs or \$10,000, whichever is lesser, where the applicant has entered into a lease term of no less than six months for the space where improvements will be undertaken

Eligible improvements include:

- Interior drywall, painting and wallpaper
- Interior permanent flooring replacement or refurbishment
- Construction or alteration of stairs, guardrails, handrails
- Improvements or installation to electrical, ventilation, heating, cooling and plumbing supply systems
- Installation or alteration of required window openings
- Fixed lighting
- Installation or alteration of interior fire protection systems; fire separations; fire doors, fire shutters and other fire protection devices
- Interior improvements for barrier-free accessibility including elevators; and
- Other improvements deemed health, safety and accessible issues eligible at the sole discretion of the General Manager of Growth and Infrastructure.

Ineligible costs/improvements include:

- Any temporary or non-permanently affixed improvement such as, but not limited to, outdoor patio furniture, interior furniture, plexiglass partitions or display case equipment;
- Non-permanent interior decoration;
- Outdoor patios/decks
- Professional fees;
- City permit and/or application fees;
- Business interruption expenses;
- Business equipment;

- Tools; and
- Any other cost/improvement deemed not to meet the intent of this Program at the sole discretion of the General Manager of Growth and Infrastructure.

### **3.3.6 Business Improvement Areas Tenant Attraction Program**

#### **Purpose:**

This program seeks to support the creation of new office space and improve the marketability and attractiveness of existing office space within Business Improvement Areas. The program offers interest free loans for eligible leasehold improvements to office space.

Loans provided under the Program, where approved, shall be provided to the Applicant who is the Owner registered on title for the property, or an authorized commercial tenant of the subject property and who will be undertaking the improvement.

#### **Description:**

1. The maximum Loan amount shall be the lesser of:
  - a. 90% of estimated eligible leasehold improvement costs;
  - b. As follows:
    - i. in the case of applications by an owner or tenant involving a lease, the square foot area multiplied by the appropriate \$ amount based on the term of the lease, as indicated in the table below;

<b>Term of Lease</b>	<b>\$ Amount</b>
12 to 35 months	\$10
36 to 47 months	\$15
48 to 59 months	\$20
60 months or longer	\$25

The lease must be for a minimum of one year.

- ii. in the case of applications by an owner not involving a lease (i.e. owner-occupied spaces), the square foot area multiplied by \$25.
  - c. \$250,000;
2. If approved, the City's funding will be advanced in the following stages
  - i. 50% of the total loan amount at the 50% completion stage, less any applicable holdbacks;
  - ii. 25% of the total loan amount at the 75% completion stage, less any applicable holdbacks; and,

- iii. Remaining 25% of the total loan amount at the substantial completion stage, less any applicable holdbacks;
- 3. Loan payments will commence six months following the substantial completion advance. Repayment of loans will be on a monthly basis, with the monthly amount to be calculated based on five-year amortization period. Full repayment may be made at any time without penalty.
- 4. At Council's discretion, a portion of the loan may be forgivable in an amount equal to 10% of the total loan commitment approved and utilized by the applicant, to a maximum of \$25,000 in the form of a grant, where the applicant is:
  - a. A start-up business emerging from a regional, national or international startup/business incubator program, and
  - b. Seeking to establish their first permanent office location.
- 5. A Forgivable Loan will be provided on the same terms and conditions as the Loan except or the following:
  - a. If the Applicant is not otherwise in default of the Loan Agreement, Loan forgiveness will occur at the end of the term of the Loan in the form of a grant;
  - b. Forgiveness shall not be pro-rated if the Applicant vacates the space to which the Loan was used for leasehold improvements prior to the end of the Loan term; and,
  - c. In order to earn the forgiveness, the Applicant must occupy the space to which the Loan was used for leasehold improvements for the entire term of the Loan. Subletting of the space shall not be permitted;
- 6. All applications for the Business Improvement Areas Tenant Attraction Program are subject to Council approval and the availability of funding.
- 7. If, during the course of the work the scope of the work changes or actual costs are greater or lesser than the estimated costs, the City of Greater Sudbury reserves the right to increase or decrease the total amount of the loan associated with the Business Improvement Areas Tenant Attraction Program.
- 8. Program commitments will expire if leasehold improvements do not commence within 1 year of the City of Greater Sudbury's approval. In the event of such an occurrence, applicants may reapply, and will be subject to Council approval and the availability of funding at that time.
- 9. Leasehold improvements shall be completed within four months from the First Advance. The four-month period can be extended at the sole discretion of the General Manager of Growth and Infrastructure.
- 10. Assistance granted under this program to a particular property is not transferable to any other property.
- 11. The maximum loan is 90% of the Cost to Construct Budget prepared by a professional architect/engineer and addressed to the City of Greater Sudbury and dated within 6 months of the date of application.



12. Loans will be approved at the sole discretion of the City of Greater Sudbury.

### **3.3.7 Feasibility Grant Program**

#### **Purpose:**

The intent of this program is to stimulate private sector investigation of the potential adaptive re-use or redevelopment of buildings or vacant land within the project area. Financial assistance for feasibility studies, building renovation design, energy efficient improvements, and business plans will be provided through this program.

#### **Description:**

1. A grant up to a maximum of \$5,000 can be applied for;
2. Fifty (50%) of the grant approved under this program will be provided to the applicant following submission of the final completed study with the original invoice indicating that the study consultant's have been paid in full. The remaining 50% will be paid to the applicant upon the building being available for occupancy;
3. One copy of the study will be provided to the City for its retention. The applicants agree to provide the City with permission to share the findings with any other subsequent project proponents and/or related government agencies;
4. Feasibility studies shall be for the purpose of improving the energy efficiency of a building, or a business plan for matters such as but not limited to, structural analysis, soil studies, evaluation of mechanical systems, concept or design plans and market analysis;

See Section 3.2.1 for further general financial incentive requirements.

### **4.0 Monitoring, Review and Amendments:**

The Plan will be monitored on an ongoing basis to track progress relative to its goals and objectives. The monitoring program could be structured around a number of indicators, as outlined below. Information on these indicators would be collected at the individual project level and aggregated. This aggregated information would be used as the basis for an annual report to Council. To the extent possible, these annual reports would also address the environmental and social effectiveness of the Plan. It is envisaged that the annual reports would also be used to inform decisions relating to adjustments to this Plan, as well as any budget decisions relating to any of the financial incentive programs described herein.

Minor and technical amendments (e.g. correcting typographical errors) may be made without Council approval. Major and substantive amendments may be made by amendment, subject to the statutory process under the *Planning Act*, which includes public consultation and Council approval. Notwithstanding this, the City may discontinue any of the programs contained in this Plan without amendment. The addition of new programs not expressly referenced herein requires an amendment.

PROGRAM	INDICATOR
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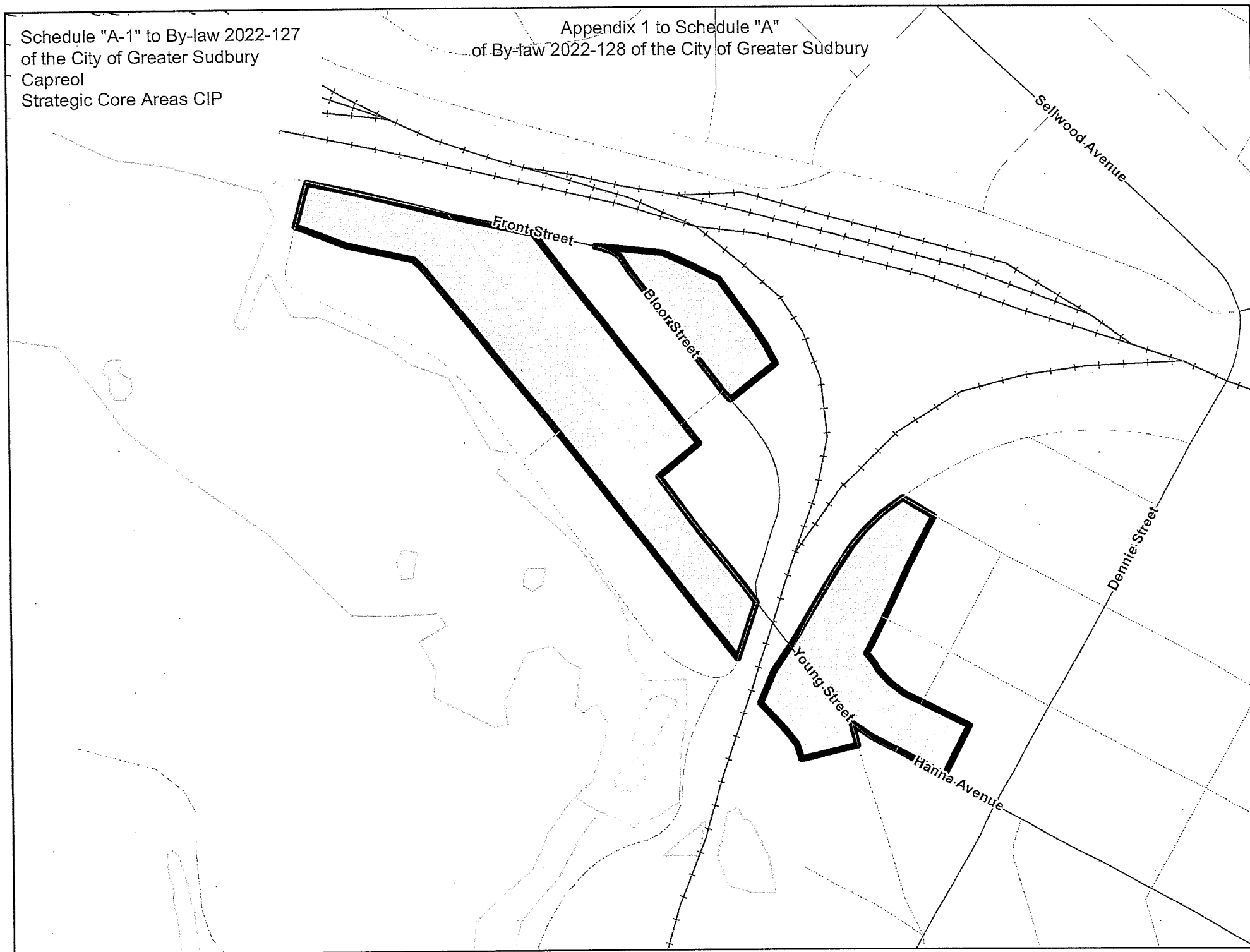
**Schedule "A"**  
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Page 16 of 16

TIEG Program	Number of applications received Increase in assessment value of participating properties Estimate and actual amount of municipal tax assistance/grants provided Hectares/acres of land redeveloped Residential/Industrial/commercial space (sq.ft.) rehabilitated or constructed Residential units/sq.ft. rehabilitated or constructed \$ value of private sector investment leveraged
Planning and Building Fees Refund Program	Number, type and \$ value of planning application fees refunded Number and \$ value of demolition and building permit fees refunded Residential/Industrial/commercial space (sq.ft.) rehabilitated or constructed Residential units/sq.ft. rehabilitate or constructed \$ Value of building permit fees paid \$ value of building permits issued
Residential Incentive Program	Number of applications received Number of new residential units created \$ Value of total grants \$ of private sector investment leveraged
Façade Improvement Program	Number of applications received \$ Value of total grants \$ of private sector investment leveraged
Commercial Vacancy Assistance Program	Number of applications received Number of short-term leases Number of long-term leases Total Sq. Footage of Leased Space \$ Value of total grants
Business Improvement Areas Tenant Attraction Program	Number of applications received Number of long-term leases Total Sq. Footage of Leased Space \$ Value of total loans \$ Value of total loan forgiveness \$ Value of private sector investment leveraged
Feasibility Study Grant Program	Number of applications received Number of Energy Audits Completed \$ Value of total grants \$ of private sector investment leveraged

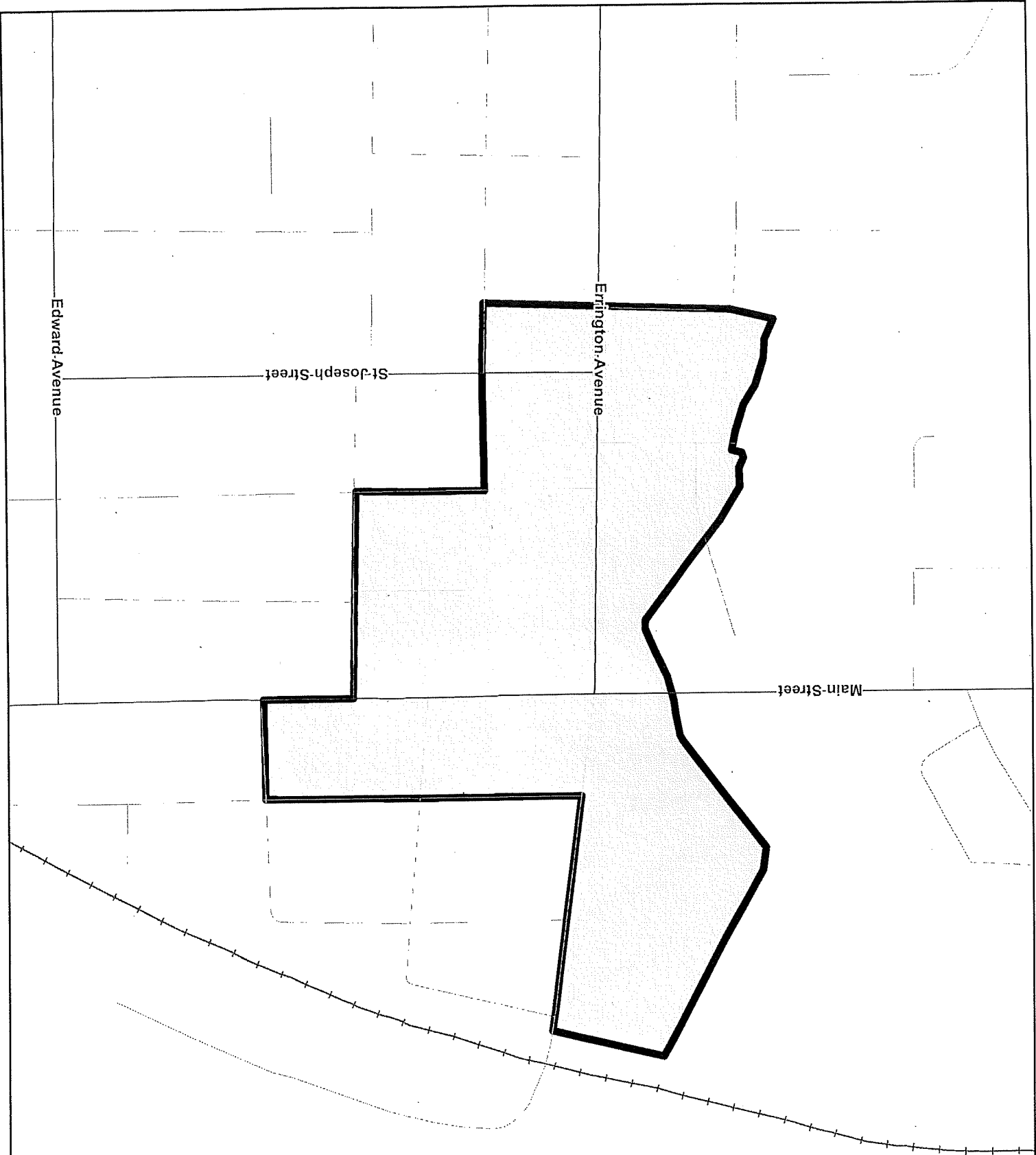
Schedule "A-1" to By-law 2022-127  
of the City of Greater Sudbury  
Capreol  
Strategic Core Areas CIP

Appendix 1 to Schedule "A"  
of By-law 2022-128 of the City of Greater Sudbury



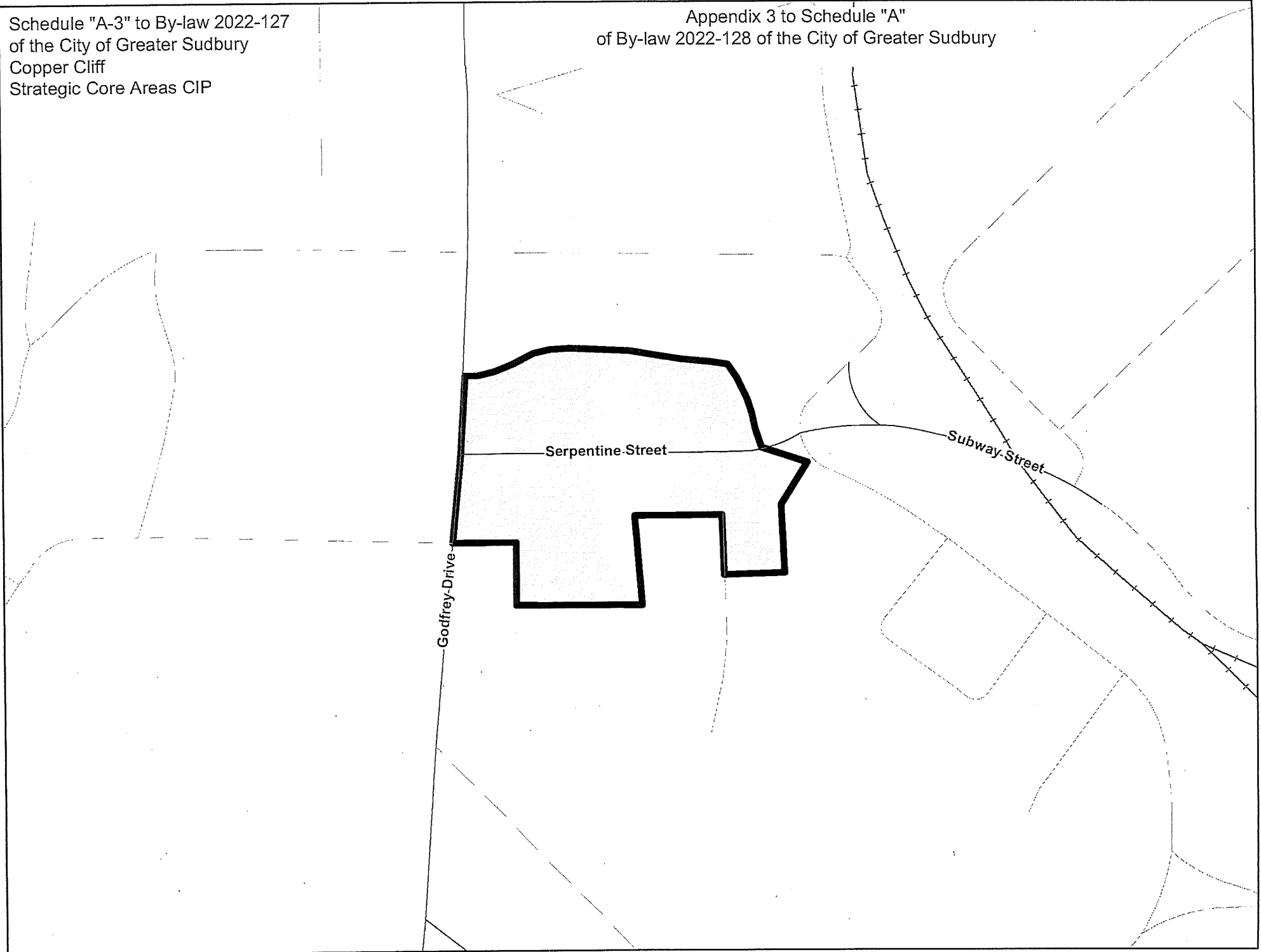
Schedule "A-2" to By-law 2022-127  
of the City of Greater Sudbury  
Chelmsford  
Strategic Core Areas CIP

Appendix 2 to Schedule "A"  
of By-law 2022-128 of the City of Greater Sudbury



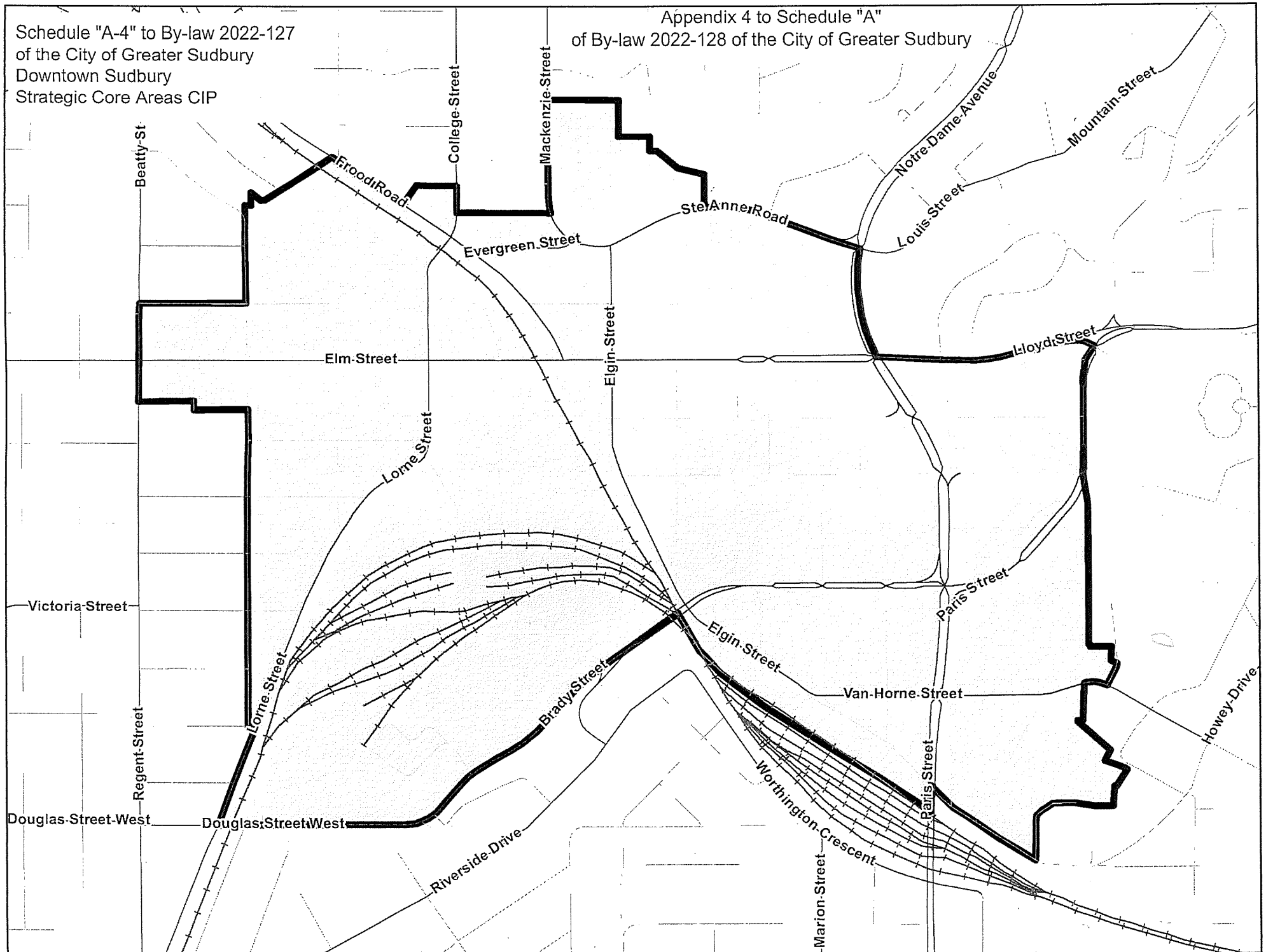
Schedule "A-3" to By-law 2022-127  
of the City of Greater Sudbury  
Copper Cliff  
Strategic Core Areas CIP

Appendix 3 to Schedule "A"  
of By-law 2022-128 of the City of Greater Sudbury



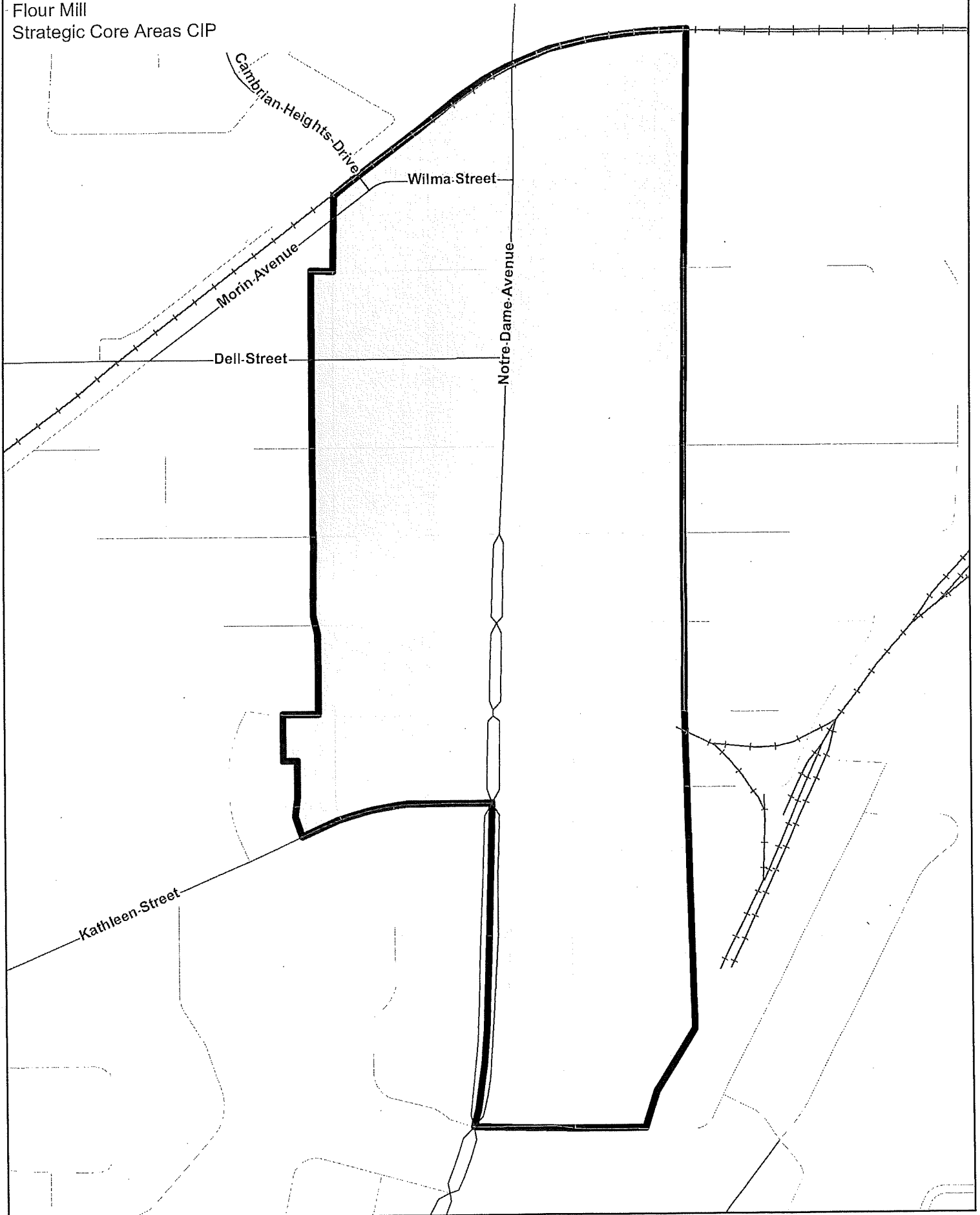
Schedule "A-4" to By-law 2022-127  
of the City of Greater Sudbury  
Downtown Sudbury  
Strategic Core Areas CIP

Appendix 4 to Schedule "A"  
of By-law 2022-128 of the City of Greater Sudbury



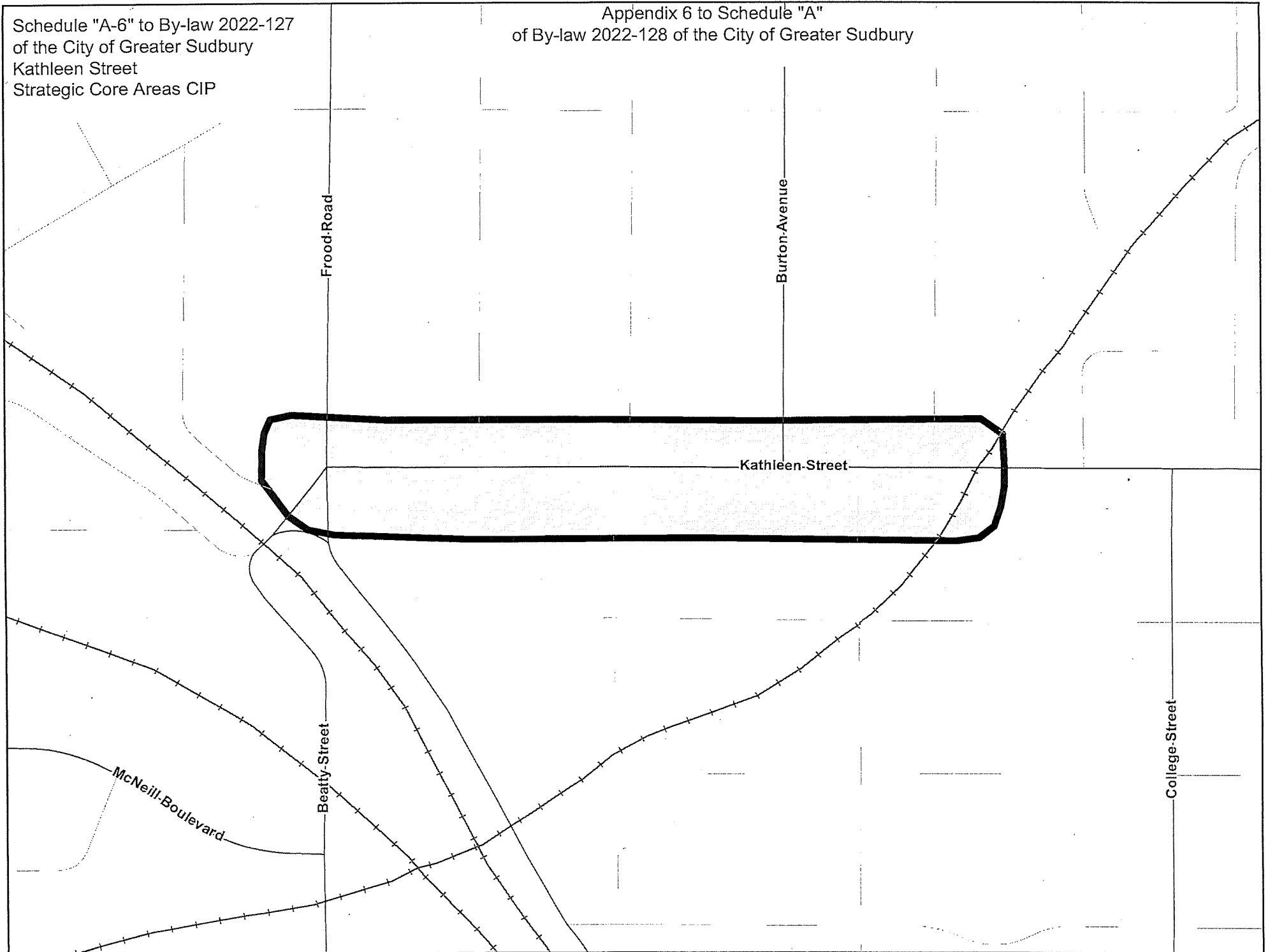
Schedule "A-5" to By-law 2022-127  
of the City of Greater Sudbury  
Flour Mill  
Strategic Core Areas CIP

Appendix 5 to Schedule "A"  
of By-law 2022-128 of the City of Greater Sudbury



Schedule "A-6" to By-law 2022-127  
of the City of Greater Sudbury  
Kathleen Street  
Strategic Core Areas CIP

Appendix 6 to Schedule "A"  
of By-law 2022-128 of the City of Greater Sudbury





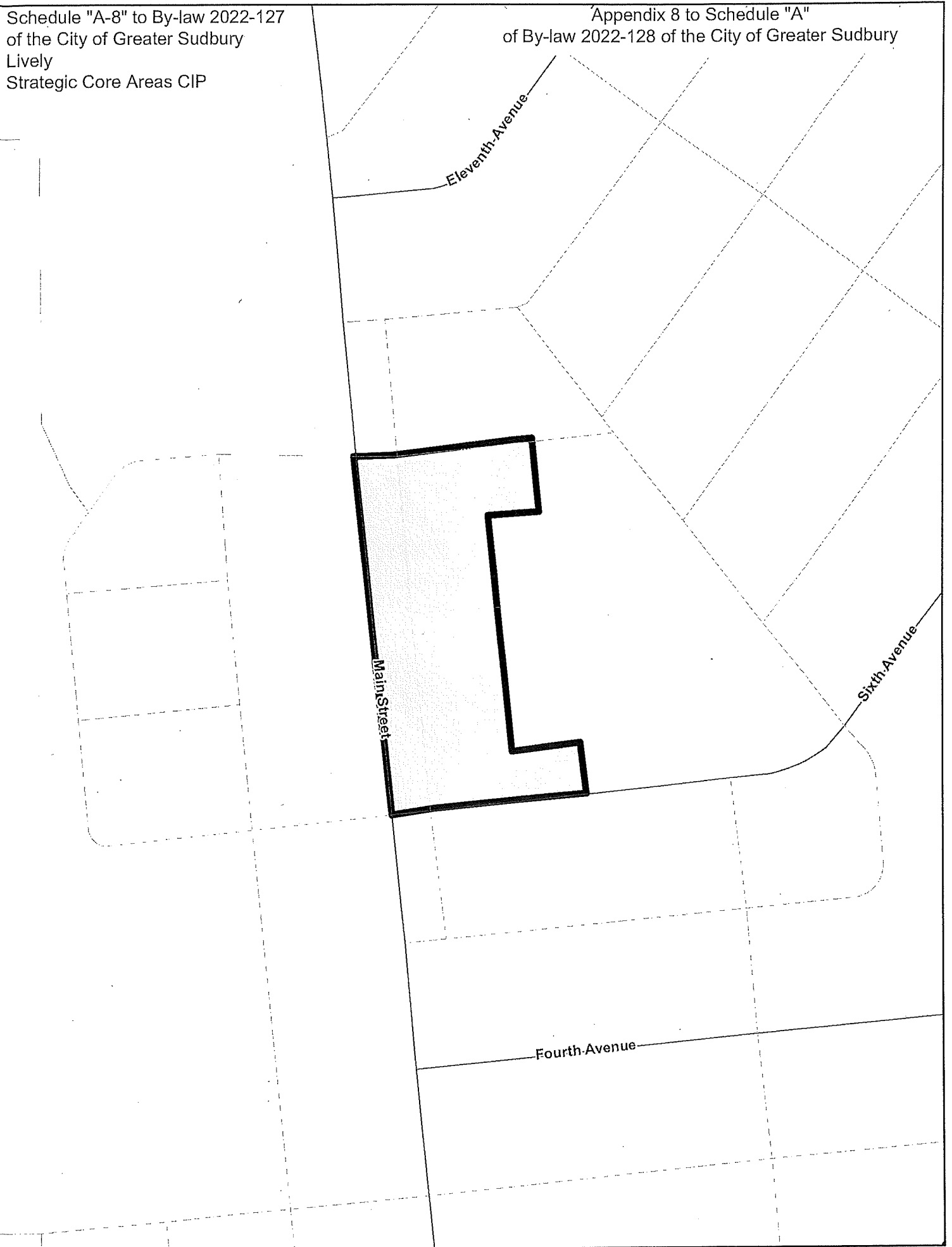
Schedule "A-7" to By-law 2022-127  
of the City of Greater Sudbury  
Levack  
Strategic Core Areas CIP

Appendix 7 to Schedule "A"  
of By-law 2022-128 of the City of Greater Sudbury



Schedule "A-8" to By-law 2022-127  
of the City of Greater Sudbury  
Lively  
Strategic Core Areas CIP

Appendix 8 to Schedule "A"  
of By-law 2022-128 of the City of Greater Sudbury



## **By-law 2022-129**

### **A By-law of the City of Greater Sudbury to Amend By-law 2010-1 being a By-law of the City of Greater Sudbury to Regulate Traffic and Parking on Roads in the City of Greater Sudbury**

**Whereas** the Council of the City of Greater Sudbury deems it desirable to amend By-law 2010-1 being a By-law of the City of Greater Sudbury to Regulate Traffic and Parking in the City of Greater Sudbury, as amended;

#### **Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

1. By-law 2010-1 being a By-law of the City of Greater Sudbury to Regulate Traffic and Parking on Roads in the City of Greater Sudbury, as amended, is hereby further amended by repealing Section 31 and enacting the following section 31 in its place and stead:

#### **"Prescribed Rates of Speed**

**31.(1)** Where authorized signs to that effect are displayed, the maximum rate of speed on any of the highways named and described in Columns 1, 2 and 3 of Schedule "U" to this By-law shall be the rate of speed prescribed in Column 4 of the said Schedule "U".

(2) Subject to subsection 31(3), the maximum rate of speed on any of the highways within the area bounded by the highways identified in Column 1 of Schedule "U-1" shall be the rate of speed prescribed in Column 2 of the said Schedule "U-1". For clarity, the Highways identified in Column 1 of Schedule "U-1" as forming the Boundaries of the affected geographic area shall be considered to be outside the area created.

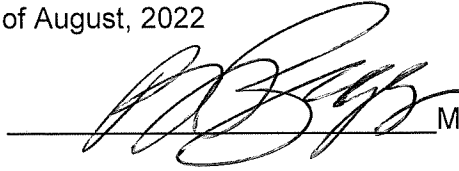
(3) Despite subsection 31(2), where a highway or part thereof within the area identified in Column 1 of Schedule "U-1", is subject to a lower or a higher speed limit as set out in another Schedule to this By-law, then the rate or speed in that other Schedule shall prevail."

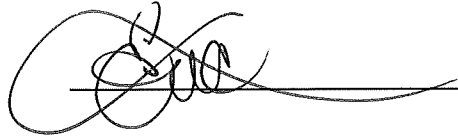
2. By-law 2010-1 being a By-law of the City of Greater Sudbury to Regulate Traffic and Parking on Roads in the City of Greater Sudbury is hereby further amended by enacting, immediately after Schedule "U" and before Schedule "V", Schedule "U-1", attached hereto as Schedule "A" and forming part of this By-law.

3. Schedule "U" of By-law 2010-1 being a By-law of the City of Greater Sudbury to Regulate Traffic and Parking on Roads in the City of Greater Sudbury is hereby further amended in accordance with Schedule "B" attached hereto and forming part of this By-law.

4. This by-law shall come into full force and effect upon passage.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**Schedule "A"**  
to By-law 2022-129 of the City of Greater Sudbury

**Schedule "U-1"**  
to By-law 2010-1 of the City of Greater Sudbury

**Gateway Speeds**

Column 1	Column 2
Boundary Highways to Geographic Area subject to Gateway Speeds identified in Column 2	Maximum Speed within the Boundaries identified in Column 1 Unless a different maximum rate of Speed is provided for in another Schedule
Barry Downe Road, LaSalle Boulevard, Falconbridge Road and Kingsway	40 kilometers per hour

**Schedule "B"**  
to By-law 2022-129 of the City of Greater Sudbury

**Schedule "U"**  
to By-law 2010-1 of the City of Greater Sudbury

**Higher or Lower Rates of Speed Than  
that Prescribed by the Highway Traffic Act**

(1)	(2)	(3)	(4)
<u>Highway</u>	<u>From</u>	<u>To</u>	<u>Maximum Rate of Speed In Kilometres Per Hour</u>
<b>Delete</b>			
Fielding Street (Sudbury)	Auger Avenue	Delaware Ave	40
Hawthorne Drive (Sudbury)	West Leg of Claudia Court	East End	40
Westmount Avenue (Sudbury)	20m East of Barry Downe Road	20 m north of Kingston North leg	40
Auger Avenue (Sudbury)	Hawthorne Drive	Huntington Drive	40
<b>Add</b>			
Fairburn Street	Barry Downe Road	East End	50
Fielding Street (Sudbury)	Auger Avenue	Delaware Avenue	30
Westmount Avenue (Sudbury)	20m East of Barry Downe Road	20m north of Kingston North leg	30
Hawthorne Drive (Sudbury)	West Leg of Claudia Court	East End	30

**By-law 2022-130**

**A By-law of the City of Greater Sudbury to Authorize the Transfer of  
Part of the Closed Road Shore Allowance of Lake Wanapitei on Plan M-137,  
Described as Part PIN 73513-0476(LT) being Part 1 on Plan 53R-21645, Township of  
MacLennan to Robert Gervais and Candice Walton**

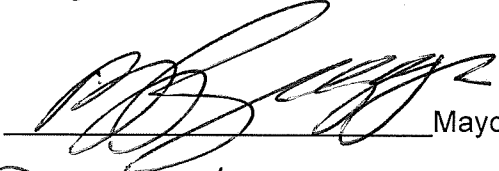
**Whereas** in accordance with the *Municipal Act, 2001*, S.O. 2001, c.25. as amended, the City of Greater Sudbury has authority to sell part of the closed road shore allowance of Lake Wanapitei on Plan M-137, legally described as Part of PIN 73513-0476(LT), being Part 1 on Plan 53R-21645, Township of MacLennan, and closed under By-law 83-10 of the former Town of Nickel Centre,

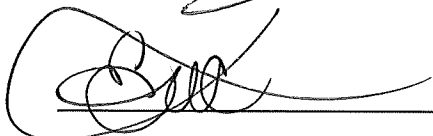
**And Whereas** the City of Greater Sudbury has received an offer to purchase these lands;

**Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

1. A sale of vacant land being part of the closed Road Shore Allowance on Lake Wanapitei, legally described as Part of PIN 73513-0476(LT) being Part 1 on Plan 53R-21645, Township of MacLennan to Robert Gervais and Candice Walton for nominal consideration plus all associated legal and survey expenses and payment of the City's processing fee in the amount of \$2,805.13 plus H.S.T., in accordance with By-law 2001-214A, is hereby approved.
2. The Director of Assets and Fleet Services is hereby authorized to execute all required documents to complete this transaction and the City Solicitor is authorized to electronically sign the Transfer of the said property on behalf of the Director of Assets and Fleet Services.
3. This By-law shall come into full force and effect upon passage.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**By-law 2022-131**

**A By-law of the City of Greater Sudbury to Close an  
Abandoned Part of Fairbanks East Road, Walden described as  
Part of PIN 73382-0836(LT) being Parts 8 and 10 on Plan 53R-21504, Township of Denison**

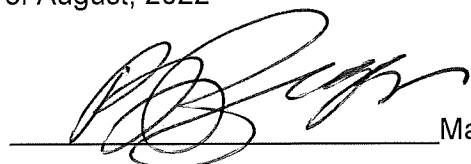
**Whereas** in accordance with the provisions of Section 34 of the *Municipal Act, 2001*, S.O. 2001, c. 25, the Council of every municipality may pass by-laws for permanently closing a highway or part of a highway;

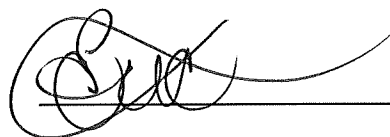
**And Whereas** Council of the City of Greater Sudbury deems it desirable that a by-law be passed closing an abandoned part of Fairbanks East Road in Walden legally described as Part PIN 73382-0836(LT), Part of Lot 8, Concession 4, being Parts 8 and 10 on Plan 53R-21504, Township of Denison;

**Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

1. That abandoned part of Fairbanks East Road in Walden legally described as Part PIN 73382-0836(LT), Part of Lot 8, Concession 4, being Parts 8 and 10 on Plan 53R-21504, Township of Denison is hereby permanently closed.
2. This By-law shall come into force and take effect when registered in the Land Registry Office for the Land Registry Division of Sudbury (No. 53) pursuant to Section 34 of the *Municipal Act, 2001*.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



**By-law 2022-132**

**A By-law of the City of Greater Sudbury to Authorize the Transfer of  
Part of Closed Fairbanks East Road, Walden described as  
Part of PIN 73382-0836(LT) being Parts 8 and 10 on Plan 53R-21504,  
Township of Denison to FNX Mining Company Inc.**

**Whereas** FNX Mining Company Inc. has proposed that it convey to the City Parts 8 and 10 on Plan 53R-21504 on which an abandoned portion of Fairbanks East Road is situate, with the intent that the City close the abandoned road and reconvey to FNX Mining Company Inc.;

**And Whereas** Council for the City of Greater Sudbury has closed the said Parts 8 and 10 on Plan 53R-21504, Part of Lot 8, Concession 4, Township of Denison by By-law 2022-131;

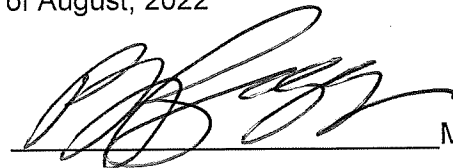
**And Whereas** the City of Greater Sudbury has authority to sell the abandoned part of closed Fairbanks East Road, lands legally described as Part PIN 73382-0836(LT) being Parts 8 and 10 on Plan 53R-21504, Part Lot 8, Concession 4, Township of Denison in accordance with the *Municipal Act, 2001*, S.O. 2001, c.25. as amended;

**And Whereas** the City of Greater Sudbury is prepared to reconvey the said lands to FNX Mining Company Inc.

**Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

1. A Transfer of the abandoned part of closed Fairbanks East Road, lands legally described as Part PIN 73382-0836(LT) being Parts 8 and 10 on Plan 53R-21504, Part 8, Concession 4, Township of Denison to FNX Mining Company Inc., for nominal consideration, is hereby approved.
2. The Director of Assets and Fleet Services is hereby authorized to execute all required documents to complete this transaction and the City Solicitor is authorized to electronically sign the Transfer of the said property on behalf of the Director of Assets and Fleet Services.
3. This By-law shall come into full force and effect upon passage.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022

 Mayor

 Clerk

## **By-law 2022-133**

### **A By-law of the City of Greater Sudbury to Prohibit Front Yard and Side Yard Parking in the City of Greater Sudbury Except as Otherwise Expressly Permitted**

**Whereas** Sections 8, 9 and 10 of the *Municipal Act, 2001* authorize a municipality to pass by-laws necessary or desirable for municipal purposes;

**And Whereas** Subsection 8(3) of the *Municipal Act, 2001* provides that a by-law made under Section 10 of the *Municipal Act, 2001* respecting a matter may regulate or prohibit the matter;

**And Whereas** Section 100.1(1) of the *Municipal Act, 2001* provides that a municipality may, in respect of land not owned or occupied by the municipality, regulate or prohibit the parking or leaving of motor vehicles without the consent of the owner of the land;

**And Whereas** Section 128 of the *Municipal Act, 2001* provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council are or could become public nuisances;

**And Whereas** in the opinion of Council for the City of Greater Sudbury, the act of parking, standing or stopping a vehicle in a front yard or side yard of a lot is or could become a public nuisance;

**And Whereas** Section 425 of the *Municipal Act, 2001* authorizes a municipality to pass by-laws providing that a person who contravenes a by-law of the municipality passed under the *Municipal Act, 2001* is guilty of an offence;

**And Whereas** section 428 of the *Municipal Act, 2001* provides that the owner of a vehicle is guilty of an offence even if the owner is not the driver of the vehicle, where a vehicle has been left parked, stopped or standing in contravention of a by-law;

**Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

#### **Terminology**

1. In this By-law:

“City” means the City of Greater Sudbury;

"Front Yard" means a yard extending across the full width of a Lot between the front Lot Line of such Lot and the nearest part of any main building or structure on such Lot as defined the City's Zoning By-law 2010-100Z, as amended;

"Lot" means an area of land under one ownership, other than a road, which may be used as the site of one or more main buildings, structures or uses, together with any building, structure or uses accessory thereto, regardless of whether or not such area of land constitutes a registered lot as defined the City's Zoning By-law 2010-100Z, as amended;

"Motor Vehicle" includes an automobile, motorcycle, motor assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power, but does not include a streetcar, or other motor vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of the *Highway Traffic Act*, R.S.O. 1990, c. H.8;

"Municipal By-law Enforcement Officer" includes any Municipal By-law Enforcement Officer appointed by Council for the City of Greater Sudbury and all duly sworn members of the Greater Sudbury Police Service;

"Person" includes an individual, a sole proprietorship, a partnership, an unincorporated association, a trust and a corporation;

"Side Yard" means an interior Side Yard, or a corner Side Yard as defined in the City's Zoning By-law 2010-100Z, as amended; and

"Unauthorized Area" means the Front Yard or Side Yard of a Lot.

## **Prohibitions**

2.-(1) No Person shall park, stand or stop a Motor Vehicle in an Unauthorized Area, except as permitted by the City's Zoning By-law 2010-100Z, as amended.

(2) No Person shall permit the parking, standing or stopping of a Motor Vehicle in an Unauthorized Area, except as permitted in the City's Zoning By-law 2010-100Z, as amended.

## **Enforcement**

3.-(1) This By-law may be enforced by a Municipal By-law Enforcement Officer.

(2) No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Person exercising a power or performing a duty under this By-law.

(3) A Municipal By-law Enforcement Officer acting pursuant to this By-law may, at any reasonable time, enter and inspect any Lot, for the purpose of determining whether there is compliance with requirements of this By-law.

### **Offence**

4.-(1) Every Person who contravenes any provision of this By-law and any director or officer of a corporation who knowingly concurs in such contravention is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act*.

(2) For the purposes of Subsection 4(1), each day on which a Person contravenes any of the provisions of this By-law shall be deemed to constitute a separate offence under this By-law.

(3) For the purposes of this By-law, an offence is a second or subsequent offence if the act giving rise to the offence occurred after a conviction has been entered for the same offence at an earlier date.

(4) Where a Motor Vehicle has been left parked, stopped or standing in contravention of this By-law, the owner of the Motor Vehicle, notwithstanding that they were not the driver of the Motor Vehicle at the time of the contravention of the By-law, is guilty of an offence and is liable to the fine prescribed for the offence unless, at the time of the offence, the Motor Vehicle was in the possession of some Person other than the owner without the owner's consent.

(5) The levying and payment of a fine as provided for under the *Provincial Offences Act* shall not relieve a Person from the necessity of compliance with the obligations under this By-law.

### **Short Title**


5. This By-law shall be known as the "Unauthorized Area Parking By-law".

### **Effective Date**

6. This By-law shall come into full force and effect upon passage.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August 2022

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

## **By-law 2022-134**

### **A By-law of the City of Greater Sudbury to Authorize a Grant to the Conseil scolaire public du Grand Nord de l'Ontario**

**Whereas**, pursuant to Section 107 of the *Municipal Act, 2001*, S.O. 2001, c. 25, Council may pass by-laws for grants to certain bodies for purposes in the interest of the City;

**And Whereas** various organizations have formed a Population Health Safety Well-Being Panel which serves as an advisory body to Council;

**And Whereas** this advisory panel supports the employment of a Violence Threat Risk Assessment co-ordinator to provide advice to the panel regarding trends and issues which negatively impact the health, safety and well-being of the residents of the City;

**And Whereas** a request has been made to the City of Greater Sudbury to contribute funds by way of grant to the Conseil scolaire public du Grand Nord de l'Ontario as the school board which has hired the Violence Threat Risk Assessment co-ordinator and which serves as the banker for the Population Health Safety Well-Being Panel;


**And Whereas** Council of the City of Greater Sudbury deems a grant to the Conseil scolaire public du Grand Nord de l'Ontario for this purpose to be in the public interest;


#### **Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

1. Council of the City of Greater Sudbury hereby authorizes a grant to the Conseil scolaire public du Grand Nord de l'Ontario in an amount not to exceed \$40,000 as a contribution towards the expenses of employing a Violence Threat Risk Assessment co-ordinator to advise the Population Health Safety & Well-Being Panel for the period from July 1<sup>st</sup>, 2022 to June 30<sup>th</sup>, 2023.
2. The General Manager of Community Development is authorized to execute any agreement, amendment thereto or other documentation to set out the terms and conditions of the grant to the Conseil scolaire public du Grand Nord de l'Ontario.
3. The Treasurer may advance all or part of the grant at such time or from time to time, as they determine to be appropriate, upon written request from the General Manager of Community Development provided, however, that in the event the recipient is indebted to the City for any reason as of the date of any advance of the grant, the Treasurer is authorized to first apply the grant amount to reduce any such debt and advance only any amount then remaining.

4. This is a one-time grant.
5. This By-law shall come into full force and effect upon passage.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk



## **By-law 2022-135Z**

### **A By-law of the City of Greater Sudbury to Amend By-law 2010-100Z Being the Comprehensive Zoning By-law for the City of Greater Sudbury**

**Whereas** Council of the City of Greater Sudbury deems it desirable to amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury;

**Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

1. That By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury, and Schedule "A" attached thereto, be and the same is hereby amended as follows:
  - (a) Amending the Symbol T2 on Parcel 49981 S.E.S., Part 1, Plan 53R-14091 in Lot 2, Concession 3, Township of Hanmer by deleting Expiring Date "May 12, 2022" and replacing it with "May 12, 2025".
  - (b) That Part 12, Table 12.1 - Temporary Uses, Row T2 be amended as follows:
    - i) By revising Col. 5: Date Enacted to "August 9, 2022."
    - ii) By revising Col. 6: Expiry Date to "May 12, 2025."
2. The applicant, a person or public body who, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council, or the Minister may appeal the passage of this By-law to the Ontario Land Tribunal by filing with the City Clerk, within 20 days of the giving of notice of passage of the By-law by the City Clerk:
  - (a) a Notice of Appeal;
  - (b) an explanation of how the by-law is inconsistent with a policy statement issued under subsection 3(1) of the *Planning Act*, fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan; and
  - (c) the fee prescribed under the *Ontario Land Tribunal Act, 2021*.

If these materials and fees have not been filed with the City Clerk within this period, this By-law shall be deemed to have come into force on the day it was passed.

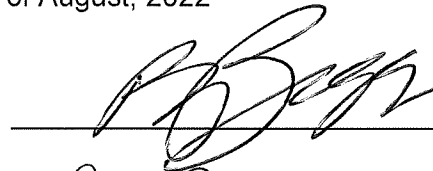
If these materials have been received within that time, this By-law shall not come into force until all appeals have been withdrawn or finally disposed of and except for those parts



repealed or amended, and in such case it shall be deemed to have come into force on the day it was passed.

3. This By-law is in conformity with the City of Greater Sudbury Official Plan, as amended.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022

 Mayor

 Clerk

**By-law 2022-136P**

**A By-law of the City of Greater Sudbury to  
Adopt Official Plan Amendment No. 118 to  
the Official Plan for the City of Greater Sudbury**

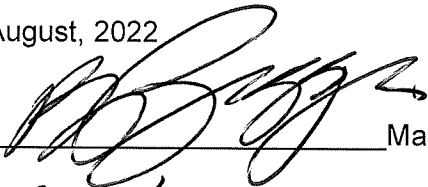
**Whereas** the Official Plan for the City of Greater Sudbury was adopted by City Council on June 14, 2006 by By-law 2006-200 and partly approved by the Ontario Municipal Board on December 17, 2007, January 22, 2008 and April 10<sup>th</sup>, 2008;

**And Whereas** Council of the City of Greater Sudbury deems it desirable to adopt Amendment No. 118 to the Official Plan for the City of Greater Sudbury pursuant to subsection 17(22) of the *Planning Act*, as amended;

**Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

1. Amendment No. 118 to the Official Plan for the City of Greater Sudbury attached hereto as Schedule "A" is hereby adopted.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**Schedule "A"**  
to By-law 2022-136P of the City of Greater Sudbury

**AMENDMENT NUMBER 118**  
**TO THE CITY OF GREATER SUDBURY OFFICIAL PLAN**

**Components of  
the Amendment:**

Part A, the Preamble, does not constitute part of this Amendment.

Part B, the Amendment, constitutes Amendment 118 to the City of Greater Sudbury Official Plan.

**PART A - THE PREAMBLE**

**Background:**

The Planning Act, as amended by Bill 109, *the More Homes for Everyone Act, 2022*, established a process for site plan control applications to provide developers with recourse if an application has not been deemed complete within 30 days of receipt by the City. The City may require that an applicant provide information or material as part of a complete application, if the official plan contains provisions relating to these requirements. The proposed amendment will update the list of information and material that may be required as part of any planning application made to the City, thereby providing greater certainty to the development sector. Updates pertain to requirements currently listed in the City's site plan control guide, as well as other updates and minor clarifications to ensure the list is clear and comprehensive for all application types.

The Planning Act, as amended by Bill 13, *the Supporting People and Business Act, 2021*, enabled further streamlining of decision-making through delegation of authority to staff. Council may delegate authority to pass by-laws that are minor in nature under section 34, Zoning By-laws, of the Planning Act to a City employee, provided enabling Official Plan policy is in place. The proposed amendment would enable delegation of authority to pass by-laws under section 34 of the Planning Act to remove holding "H" symbols (holding by-laws), authorize the temporary use of land, buildings or structures (temporary use by-laws), and to pass housekeeping by-laws for the purpose of making clerical or other changes to assist in the interpretation of the zoning by-law.

**Purpose:**

This amendment implements certain changes to the Planning Act with respect to complete application requirements and the delegation of authority.

**Location:**

All lands within the City of Greater Sudbury.

**Basis:**

Bill 109, *the More Homes for Everyone Act, 2022*, established a process for site plan control applications to provide developers with recourse if an application has not been deemed complete within 30 days of receipt by the City. The City may require that an applicant provide information or material as part of a complete application, if the official plan contains

**Schedule "A"**  
to By-law 2022-136P of the City of Greater Sudbury

provisions relating to requirements under subsection 41(3.4) of the *Planning Act*.

The Planning Act, as amended by Bill 13, the *Supporting People and Business Act, 2021*, enabled further streamlining of decision-making through delegation of authority to staff.

**PART B - THE AMENDMENT**

The Official Plan is hereby amended, as follows:

- 1) In Part 19 Implementation, 19.12 Pre-Consultation and Complete Applications, 19.12.2 Complete Applications, by:
  - a. Replacing 'h. Functional Servicing Study' with '**h. Function Servicing Study & Peak Flow Analysis**';
  - b. Replacing 'k. Stormwater Grading' with '**k. Stormwater Grading and Drainage Plan**';
  - c. Replacing 'u. Phase 1 and Phase 2 Environmental Site Assessment' with '**u. Phase 1 and Phase 2 Environmental Site Assessment, Record of Site Condition**';
  - d. Adding the following to the end of the list:
    - bb. Site Plan;**
    - cc. Construction Erosion & Sediment Control Plan;**
    - dd. Architectural Elevation Plan;**
    - ee. Off-Site Servicing Plan;**
    - ff. Photometric Exterior Lighting Plan;**
    - gg. Details/Cross Section Plan;**
    - hh. General Notes Plan;**
    - ii. View Corridor Study;**
    - jj. Design Analysis;**
    - kk. Servicing Options Report;**
    - ll. Parking Study;**
    - mm. Rock Blasting Report;**

**Schedule "A"**  
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**nn. Rock Face Stability Report;**

**oo. Sewer and Water Capacity Assessment (based on Peak Flow Rate);**

**pp. Sight Line Analysis; and**

**qq. Other reports required by external agencies."**

- 2) In Part 19 Implementation, by adding a new section 19.13 Delegated Authority as follows:

**"19.13 Delegated Authority**

- 1. The City may, by by-law, delegate the authority to pass by-laws under section 34 of the *Planning Act*, that are of a minor nature, to a committee of Council or an individual who is an officer or employee of the municipality.**
- 2. Delegation of authority to pass by-laws under section 34 of the *Planning Act* shall be limited to:**
  - a. a by-law to remove a holding "H" symbol;**
  - b. a by-law to authorize the temporary use of land, buildings, or structures; and**
  - c. a housekeeping by-law for the purpose of making clerical or other changes to assist in the interpretation of the zoning by-law.**
- 3. The delegation of authority authorized under 19.13(2) may be subject to conditions of Council.**
- 4. Delegation of authority may be withdrawn, by bylaw, in respect of any by-law for which a final disposition was not made before the withdrawal."**

## **By-law 2022-137**

### **A By-law of the City of Greater Sudbury to Amend By-law 2017-5 being a By-law of the City of Greater Sudbury Respecting the Delegation of Authority to Various Officials of the City**

**Whereas** pursuant to s. 34 of the Planning Act, R.S.O. 1990, c. P.13, municipalities are authorized to pass zoning bylaws as provided for therein;

**And Whereas** pursuant to s. 39.2 of the Planning Act, council of a local municipality may, by by-law, delegate the authority to pass by-laws under section 34 that are of a minor nature, such as the removal of a holding symbol and authorizing the temporary use of land, buildings or structures in accordance with subsection 39(1);

**And Whereas** the authority to pass such bylaws may be delegated to an individual who is an officer, employee or agent of the municipality, provided that there is an official plan in effect that specifies the types of bylaws in respect of which there may be a delegation of authority;

**And Whereas** Official Plan Amendment 118, adopted by by-law 2022-136P authorizes such delegation;

**And Whereas** Council for the City of Greater Sudbury deems it advisable to amend By-law 2017-5 being a By-law of the City of Greater Respecting the Delegation of Authority to Various Officers of the City of Greater Sudbury to authorize certain staff to pass minor zoning by-laws as contemplated by Official Plan Amendment 118;

#### **Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

1. By-law 2017-5 being a By-law of the City of Greater Respecting the Delegation of Authority to Various Officers of the City of Greater Sudbury, as amended, is hereby further amended by:

- (a) enacting a new section 19A in Schedule "D", Growth and Infrastructure Department, immediately after section 19 and before section 20 as follows:


**"19A.-(1)** The General Manager of Growth and Infrastructure, the Director of Planning Services and the Manager of Development Approvals individually are authorized to pass zoning amendment by-laws authorized pursuant to section 34 of the Planning Act, only for the purpose of:

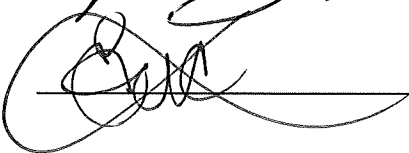
- (a) Removing a holding symbol;

- (b) Authorizing the temporary use of land, buildings or structures in accordance with section 39 of the Planning Act; or
- (c) Making amendments of a housekeeping nature for the purpose of correcting clerical errors or changes to clarify the meaning of or otherwise assist in interpretation of the City's Zoning By-law."

2. This By-law shall come into full force and effect upon the date that the By-law approving Official Plan Amendment 118 comes into effect.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022.

  
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Mayor

  
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Clerk

**By-law 2022-138**

**A By-Law of the City of Greater Sudbury to Authorize the Payment of Grants from the Healthy Community Initiative Fund, Various Wards**

**Whereas** pursuant to Section 107 of the *Municipal Act* 2001, S.O. 2001 c. 25, Council may pass by-laws for grants to certain bodies for purposes in the interest of the municipality;


**And Whereas** Council of the City of Greater Sudbury allocated from the capital envelope, in the year 2022, sums for expenditures from the Healthy Community Initiative Fund in accordance with By-law 2018-129 being a By-law of the City of Greater Sudbury to Adopt a Policy Regarding the Healthy Community Initiative Fund;

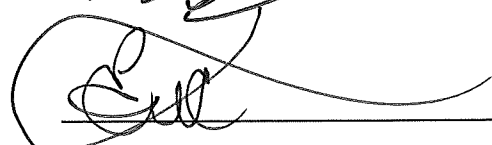
**And Whereas** Council of the City of Greater Sudbury wishes to authorize the making of a certain grant in accordance with the guidelines as set out in By-law 2018-129 being a By-law of the City of Greater Sudbury to Adopt a Policy Regarding the Healthy Community Initiative Fund;

**Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

1. Council of the City of Greater Sudbury hereby hereby approves the payments made or to be made by way of grant, from the Healthy Community Initiative Fund, up to the maximum amount in Column C, for the purpose identified in Column B, in support of the application for HCI Funds submitted by the group or councillor-led initiative identified in Column A, all as set out in the chart on Schedule "A" attached to and forming part of this By-law. These are one time grants, made from the funds allocated for the ward specified in Schedule A attached for each grant.
2. The Treasurer is hereby authorized to make the payments by way of grants from the Healthy Community Initiative Fund in accordance with Schedule "A" upon the written request of the General Manager of Community Development or such person as they may have authorized to request funds in their place and stead. The General Manager of Community Development is authorized to execute on behalf of the City, any agreement with a grant recipient setting out the terms of the grant.
3. This By-law shall come into full force and effect upon passage.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022

  
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Mayor

  
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Clerk



**Schedule "A"**  
to By-law 2022-138 of the City of Greater Sudbury

<b>Column A Group / Organization</b>	<b>Column B Event / Purpose</b>	<b>Column C Maximum Amount</b>
<b>Ward 1</b>		
Delki Dozzi Bocce Association	Tournament Prizes	\$500
<b>Ward 8</b>		
Ward 8 Community Action Network	Advertising and promotion, assistance with the purchase of food, honorariums, fireworks and children's activities for New Sudbury Days	\$3,000

**By-law 2022-139**

**A By-law of the City of Greater Sudbury to Authorize the Purchase of 496 Kingsway, Sudbury described as PIN 02132-0139(LT) being Lot 111 on Plan M-103 from the Estate of Jack Eric Rautian**

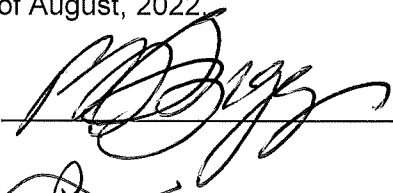
**Whereas** the City of Greater Sudbury wishes to purchase certain lands municipally known as 496 Kingsway, Sudbury and legally described as PIN 02132-0139(LT) being Lot 111 on Plan M-103 as part of the future Kingsway road improvement project; and intends to demolish the building;

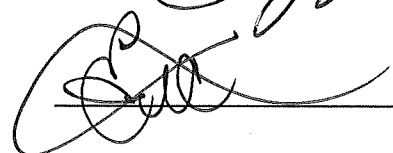
**And Whereas** the property owner and the City have entered into an agreement of purchase and sale for such purpose, conditional upon approval of the Council of the City of Greater Sudbury;

**Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

1. The acquisition and demolition by the City of Greater Sudbury of property legally described as PIN 02132-0139(LT) being Lot 111 on Plan M-103 municipally known as 496 Kingsway, Sudbury from the Estate of Jack Eric Rautian as Represented by Wendi Morrison, Estate Trustee for the sum of \$180,000; and H.S.T., if applicable, is approved.
2. The acquisition and demolition will be funded from the Capital Financing Reserve Fund – General.
3. The Director of Assets and Fleet Services is hereby authorized to execute all required documents to complete this transaction and the City Solicitor is authorized to electronically approve the registration of the Transfer of the said property.
4. This By-law comes into full force and effect upon passage.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022.

  
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Mayor

  
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Clerk

**By-law 2022-140**

**A By-law of the City of Greater Sudbury to Close Part of  
Unopened St. Raphael Street, Sudbury described as  
Part PIN 73583-0058(LT) and Part PIN 73583-0603(LT) being  
Parts 1 and 4 on Plan 53R-21249**

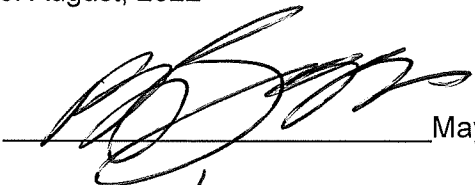
**Whereas** in accordance with the provisions of Section 34 of the *Municipal Act, 2001*, S.O. 2001, c. 25, the Council of every municipality may pass by-laws for permanently closing a highway or part of a highway;


**And Whereas** Council of the City of Greater Sudbury deems it desirable that a by-law be passed closing that part of unopened St. Raphael Street in Sudbury legally described as Part PIN 73583-0058(LT) and Part PIN 73583-0603(LT) being Parts 1 and 4, on Plan 53R-21249;

**Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

1. That part of unopened St. Raphael Street in Sudbury legally described as Part of PIN 73583-0058(LT) and Part PIN 73583-0603(LT) being Parts 1 and 4 on Plan 53R-21249 is hereby permanently closed.
2. This By-law shall come into force and take effect when registered in the Land Registry Office for the Land Registry Division of Sudbury (No. 53) pursuant to Section 34 of the *Municipal Act, 2001*.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022

  
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Mayor

  
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Clerk

**By-law 2022-141**

**A By-law of the City of Greater Sudbury to Authorize the Sale of Part of Unopened St. Raphael Steet, Sudbury and Vacant Land East of Brady Street, Sudbury described as Part PINs 73583-0043(LT), 73583-0600(LT), 73583-0058(LT) and 73583-0603(LT) being Parts 1, 3, 4 and 11 on Plan 53R-21249 to 2356268 Ontario Limited**

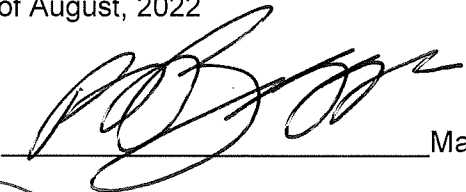
**Whereas** the City of Greater Sudbury has authority to sell the lands legally described as, Part of Unopened St. Raphael Steet in Sudbury and Vacant Land East of Brady Street Described as Part PINs 73583-0043(LT), 73583-0600(LT), 73583-0058(LT) and 73583-0603(LT) being Parts 1, 3, 4 and 11 on Plan 53R-21249, in accordance with the *Municipal Act, 2001*, S.O. 2001, c.25. as amended;


**And Whereas** the City of Greater Sudbury has received an offer to purchase these lands;

**Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

1. A sale of part of Part of Unopened St. Raphael Steet in Sudbury closed by By-law 2022-140 and Vacant Land East of Brady Street Described as Part PINs 73583-0043(LT), 73583-0600(LT), 73583-0058(LT) and 73583-0603(LT) being Parts 1, 3, 4 and 11 on Plan 53R-21249 to 2356268 Ontario Limited for \$20,000 plus H.S.T., if applicable, is hereby approved.
2. The Director of Assets and Fleet Services is hereby authorized to execute all required documents to complete this transaction and the City Solicitor is authorized to electronically sign the Transfer of the said property on behalf of the Director of Assets and Fleet Services.
3. The net proceeds of the sale are to be credited to the Capital Financing Reserve Fund – General.
4. This By-law shall come into full force and effect upon passage.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022

  
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Mayor

  
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Clerk

**By-law 2022-142Z**

**A By-law of the City of Greater Sudbury to Amend By-law 2010-100Z  
Being the Comprehensive Zoning By-law for the City of Greater Sudbury**

**Whereas** Council of the City of Greater Sudbury deems it desirable to amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury;

**Now therefore Council of the City of Greater Sudbury hereby enacts as follows:**

**1.-(1)** That By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury, and Schedule "A" attached thereto, be and the same is hereby amended as follows:

- a. Adding a symbol "T118" to part of PIN 73507-1677(LT), Remainder of Parcel 22660A SES, Part of Lot 10, Concession 6, Township of Capreol; and
- b. That in Part 12, Table 12.1 – Temporary Uses be amended by adding the following row:

Symbol	Zone Designation	Property/Legal Description	Temporary Uses Permitted	Date Enacted	Expiry Date
T118	P(3)	Part of PIN 735071677, Remainder of Parcel 22660A SES, Part of Lot 10, Concession 6, Township of Capreol	A film production studio within the existing <i>arena</i> building;  There shall be no outdoor storage of equipment or materials, and;  No additional parking, beyond the existing <i>parking area</i> , shall be required for the temporary use.	August 9, 2022	August 9, 2025

**2.** The applicant, a person or public body who, before the by-law was passed, made oral submissions at a public meeting or written submissions to the council, or the Minister may appeal the passage of this By-law to the Ontario Land Tribunal by filing with the City Clerk, within 20 days of the giving of notice of passage of the By-law by the City Clerk:


- (a) a Notice of Appeal;
- (b) an explanation of how the by-law is inconsistent with a policy statement issued under subsection 3(1) of the *Planning Act*, fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan; and
- (c) the fee prescribed under the *Ontario Land Tribunal Act, 2021*.


If these materials and fees have not been filed with the City Clerk within this period, this By-law shall be deemed to have come into force on the day it was passed.

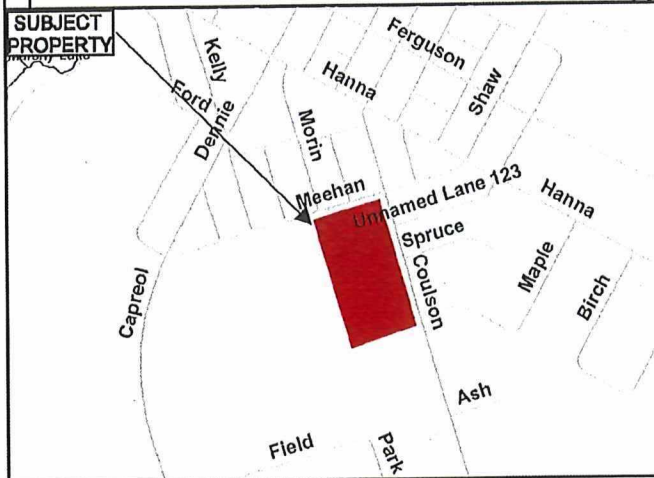
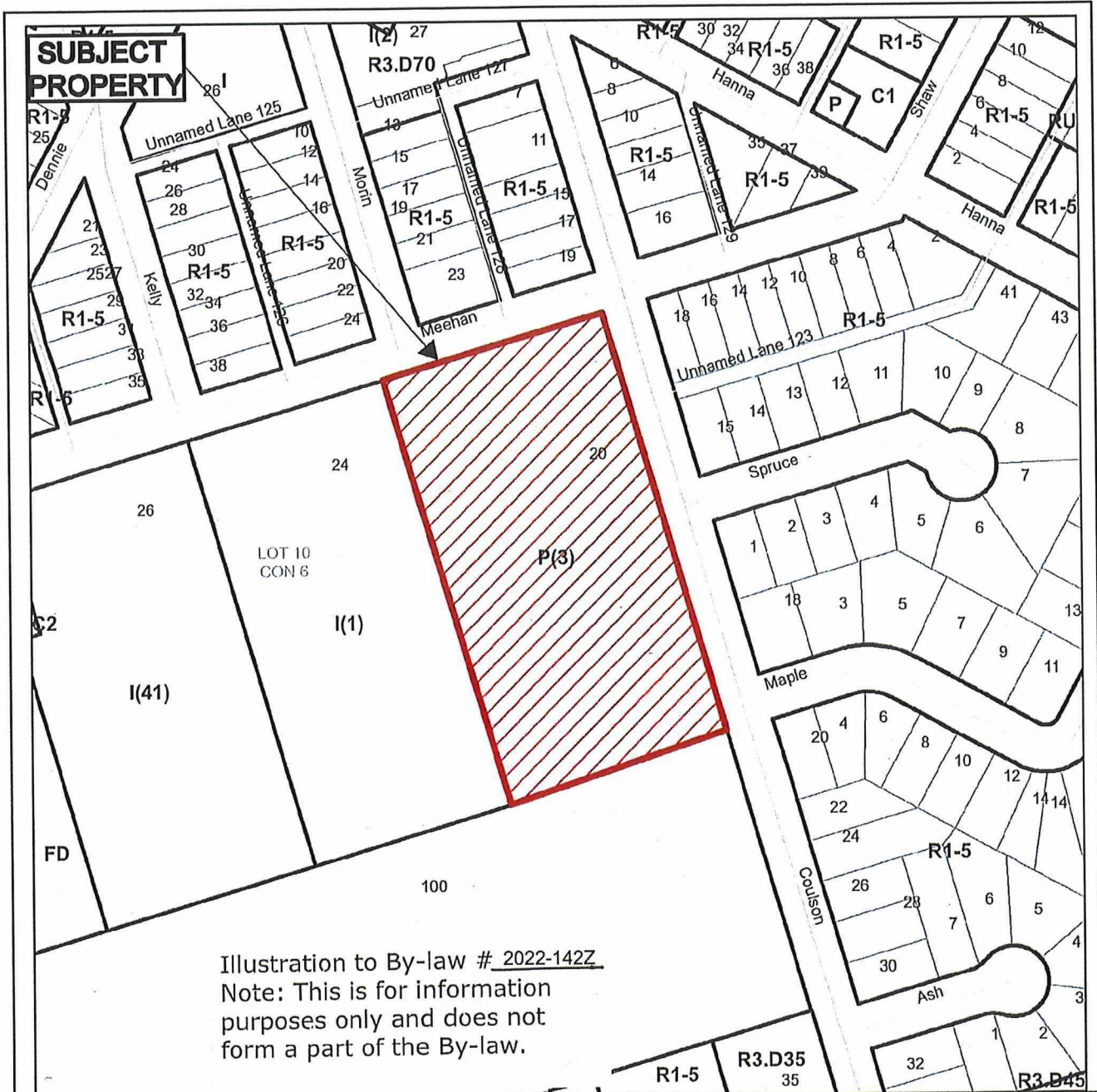
If these materials have been received within that time, this By-law shall not come into force until all appeals have been withdrawn or finally disposed of and except for those parts repealed or amended, and in such case it shall be deemed to have come into force on the day it was passed.

3. This By-law is in conformity with the City of Greater Sudbury Official Plan as amended.

**Read and Passed in Open Council** this 9<sup>th</sup> day of August, 2022.

  
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Mayor

  
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Clerk



## Growth and Infrastructure Department



Subject Property being  
 PIN 735071677,  
 Remainder of Parcel 22660A SES,  
 Part of Lot 10, Concession 6,  
 Township of Capreol  
 20 Meehan Ave, Capreol,  
 City of Greater Sudbury

NTS  
 Sketch 1

751-2(21-001)  
 Date: 2021 10 01