

## Housekeeping Amendments

Presented To:	Planning Committee
Meeting Date:	February 22, 2023
Type:	Public Hearing
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	N/A

## Report Summary

This report provides a recommendation regarding housekeeping amendments to By-law 2010-100Z.

This report is presented by Wendy Kaufman, Senior Planner.

## Resolution

THAT the City of Greater Sudbury's delegated official be directed to amend Zoning By-law 2010-100Z for the City of Greater Sudbury as outlined in the report entitled "Housekeeping Amendments", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of February 22, 2023.

## Relationship to the Strategic Plan, Health Impact Assessment and Community Energy & Emissions Plan (CEEP)

The proposed housekeeping amendments to the Zoning By-law are operational matters under the Planning Act.

## Financial Implications

There are no financial implications associated with this report.

## Report Overview

The housekeeping amendments to By-law 2010-100Z as proposed in this report include changes that clarify how the by-law is being implemented in practice, simplify certain provisions, and recommend new provisions that are minor in nature to address gaps in the by-law. Formatting, numbering, typographical, and mapping amendments have also been identified. The draft amendments to the By-law are set out in Attachment 1 to the report and in the attached maps. Should the Planning Committee concur with the housekeeping amendments as proposed, then the resolution included in this report should be adopted.

# Staff Report

## Proposal:

On September 29, 2010 Council enacted By-law 2010-100Z, being the Zoning By-law for the City of Greater Sudbury. By-law 2010-100Z replaced the eight (8) Zoning By-laws from the former Municipalities and Townships that were amalgamated into the City in 2001. No appeals to the By-law were filed at the end of the appeal period. In accordance with the Planning Act the By-law was deemed to have come into force on the day it was enacted on September 29, 2010.

Since the enactment of Zoning By-law 2010-100Z, matters have been identified that require the need for “housekeeping” amendments respecting typographical, punctuation, mapping errors, along with changes which assist in the interpretation and application of the By-law. Twelve (12) housekeeping amendments have been enacted since 2010 and this report addresses further housekeeping amendments to the By-law.

The draft amendment is set out in detail on Attachment 1 to the report. Several changes to the zone maps are also proposed, which are shown on the attached maps.

Amendments to clarify how the by-law is being implemented in practice or simplify certain provisions were identified and recommended by staff:

- Revision to the definition of ‘filming event’ to clarify and emphasize the difference between a filming event which is temporary and permitted in all zones, in comparison to an ‘audio/visual studio’ which is a permanent use and permitted only in certain zones (C2, C5, C6, M1-1, M1 and M2 zones).
- Revisions to the definition of ‘light industrial use’ to clarify that these are industrial processes that are enclosed within a building and they may include the assembly of products. The revisions also simplify the definition by eliminating the reference to metal products or machinery being ‘light’.
- Simplification of the definition of ‘rear lot line’ to avoid confusion when dealing with irregular lots.
- Clarification of ‘assumed or public road’ to explicitly exclude a public lane.
- Revision of ‘street line’ to include a lot line dividing a lot from an unopened road allowance, to clarify that setbacks apply as though the road allowance were opened.
- Expansion of the definition of ‘veterinary clinic’ to clarify that these include a veterinary crematorium.
- Clarification that secondary dwelling units are excluded from density calculations.
- Clarification that, in residential and commercial zones, fences and hedgerows may exceed 1.0 m in height outside of the required front and/or required corner side yard, rather than the entire front yard and/or corner side yard. Similarly, that a screening device in a planting strip may not exceed 1.0 m in height in the same yards.
- Replacement of ‘and’ with ‘or’ at the end of the list circumstances when shipping and storage containers may be permitted, to clarify that only one of the circumstances needs to be met (rather than all).
- Clarification that accessible parking spaces are counted towards the minimum required parking spaces.

New provisions that are minor in nature to address gaps in the by-law were identified and recommended by staff:

- Expansion of the definition of ‘private home daycare’ to include the temporary care and/or guidance of adults with special needs, in addition to children and senior citizens.
- Inclusion of general provisions for rounding of measurements.
- A shared access aisle may be provided between two accessible parking spaces, rather than each space having its own aisle.
- Permitting adjacent row dwellings buildings to have the same setback along an exterior lot line, rather than having a minimum 1.5 m difference in setback.
- Application of the 150 m setback for automotive body shops from a residential zone to all zones where they are permitted (not just the M3 zone).

- Clarification that the 70 m setback for a cannabis production facility from a lot line that abuts a zone where any residential use is permitted does not apply to any incidental residential uses permitted in the M1-1 zone (e.g. rectory).

Formatting, numbering and typographical amendments were identified and recommended by staff:

- Inclusion of a table of contents for the Exceptions zones (specials) listed in Part 11.
- Updating the definition of 'institutional use' by expressly listing the uses included in the definition of a special needs facility, which is already included in the definition. This revision will eliminate the need to review two definitions to determine all institutional uses.
- Addition of a definition for 'rooming house' to direct the reader to 'shared housing', since the latter definition recently replaced the former through a previous amendment.
- Correction of a minor typo in the definition of 'recreation vehicle' to clarify that it includes a travel trailer.
- Clarifying that for non-complying lots, buildings and structures, that renovations cannot result in an increase in lot coverage (rather than reduction).
- Provisions for yards where parking areas are permitted to provide cross-references and address redundant provisions.
- Typos in the Special Provisions for Table 7.1 and 7.2, Exception paragraph (www) RU(75), and Holding Provision H17.
- Adding map references in Exception paragraph (s) R2-3(19) and correcting a typo.
- Replacing text in Exception paragraph (bb) R3(28) that was deleted in error.
- Eliminating italics from the phrase 'light manufacturing' in C2(111) and I(41).
- Renumbering Exception paragraphs (fff) R3(84), (gggg) C2(112), and (hhhh) C2(113).
- Replacing the map references in Exception paragraph (k) M1-1(11).

Mapping corrections and updates have been identified by staff or the landowner, and are recommended by staff:

- Adding a new column to the Holding Provisions table and reinstating the H3 holding zone on properties where it had been lifted to permit minor developments which have now been completed.
- Renumbering the mapping and by-law to eliminate duplication of the R3(71) zone at 2165 Falconbridge Road and the C2(114) zone at 0 Countryside Drive.
- Rezoning lands at 615 South Shore Lake Panache Road from "OSC", Open Space – Conservation to "SLS", Seasonal Limited Service, as identified by the landowner. The subject property was previously zoned "RU", Rural under By-law 83-303, which should have been carried forward as 'SLS', like all other privately-owned properties in the area. The main use of the property is a seasonal dwelling.
- Rezoning lands at 2631 Desloges Road from "P", Park, to "R1-2", Low Density Residential One, as identified by the landowner. The subject property was previously zoned "R1.D7.5", Single Residential under By-law 95-500Z, which should have been carried forward as R1-2, like the abutting properties to the east and west. The main use of the property is a single detached dwelling.

### **Public Consultation:**

The statutory notice of public hearing was provided by newspaper on February 4, 2023.

### **Conclusion:**

The housekeeping amendments to By-law 2010-100Z as proposed in this report are to clarify how the by-law is being implemented in practice, simplify certain provisions, and recommend new provisions that are minor in nature to address gaps in the by-law. Formatting, numbering, typographical, and mapping amendments have also been identified. The draft amendments to the By-law are set out in Attachment 1 to the report and in the attached maps. Should the Planning Committee concur with the housekeeping amendments as proposed, then the resolution included in this report should be adopted.