

## By-law 2021-11Z

### 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 by changing the zoning classification of the following legally described lands from “C3(17)”, Limited General Commercial Special to an amended “C3(17)”, Limited General Commercial Special.

- (2) Property Description: PINs 02132-1282(LT), 02132-1284(LT) and 02132-0179(LT)  
Parts 2 & 4-18, Plan 53R-17879  
Part of Lot 5, Concession 4  
Township of McKim, City of Greater Sudbury

2. That Part 11, Section 2, Subsection (3), Paragraph (q) be deleted and replaced with the following:

- (q) **C3(17) (MULTIPLE DWELLING & INSTITUTIONAL, OFFICE & PERSONAL SERVICE SHOPS)**  
**McKim Township Maps Lot 5, Con 4; Lot 5, Con 3; Lot 4, Con 4;**  
**Lot 4, Con 3**

Notwithstanding any other provision hereof to the contrary, within any area designated C3(17) on the *Zone Maps*, all provisions of this By-law applicable to C3 Zone shall apply subject to the following modifications:

- (i) That the only permitted *uses* on the lands be a *multiple dwelling* containing a total of 38 residential *dwelling units* along with *institutional, office, and personal service shop uses* on the main floor;
- (ii) That *institutional, office, and personal service shop uses* on the main floor be limited to a maximum *gross floor area* of 575 square metres;
- (iii) That a minimum of 29 *parking spaces* including 6 *accessible parking spaces* be required;
- (iv) That a maximum *building height* of 16 metres and/or five-storeys be permitted;
- (v) That the *front lot line* be deemed to be situated along the Pearl Street *street line* from the westerly *interior side lot line* to Montebello Street;

(vi) That the *rear lot line* be deemed to be situated along the Fairview Avenue *street* line from the westerly *interior side lot line* for a length of 50 metres in a north-easterly direction; and

(vii) That minimum *front yard* and *corner side yard* setbacks of 0 metres be required.

3. 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 Local Planning Appeal 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 *Local Planning Appeal Tribunal Act, 2017*.

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.

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

**Read and Passed in Open Council** this 26<sup>th</sup> day of January, 2021

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Mayor

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Clerk

