

## By-law 2021-13Z

### 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 further amended in Part 5, PARKING AND LOADING PROVISIONS, Section 5.3, NON-RESIDENTIAL PARKING REQUIREMENTS, TABLE 5.4: Non-Residential Parking Requirements, by:

- (a) deleting and replacing "*Convenience Store - 1/20m<sup>2</sup> net floor area*" with "*Convenience Store - 1/33 m<sup>2</sup> net floor area*";
- (b) deleting and replacing "*Personal Service Shop - 1/20m<sup>2</sup> net floor area*" with "*Personal Service Shop - 1/33 m<sup>2</sup> net floor area*";
- (c) deleting and replacing "*Restaurant - 1/10m<sup>2</sup> net floor area or 1/3 persons seating capacity, whichever is greater*" with "*Restaurant - 1/12.5 m<sup>2</sup> net floor area*";
- (d) deleting and replacing "*Retail Store - 1/20m<sup>2</sup> net floor area*" with "*Retail Store - 1/33 m<sup>2</sup> net floor area*"; and
- (e) deleting and replacing "*Shopping Centre - 1/20m<sup>2</sup> net floor area*" with "*Shopping Centre - 1/25 m<sup>2</sup> net floor area*".

2. 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 further amended, in Part 5, PARKING AND LOADING PROVISIONS, Section 5.3 NON-RESIDENTIAL PARKING REQUIREMENTS, by adding the following provisions and note after Table 5.4: Non-Residential Parking Requirements as follows:

"5.3.1 Notwithstanding Table 5.4, where a *commercial use* is permitted and the *lot* is directly *abutting* GOVA Routes, the number of *required parking spaces* associated with *commercial uses* are permitted to be reduced by 10% of the minimum *required parking spaces*.

- 5.3.2 For a *commercial use*, where bicycle parking is provided in addition to the minimum bicycle parking requirements set out in Table 5.10, the number of *required parking spaces* may be reduced by up to 5 *parking spaces* on a 1:1 ratio, not to exceed a maximum of 20% of the minimum *required parking spaces*.

Note: provisions 5.3.1 and 5.3.2 may be used in combination."

3. 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 further amended in Part 7:

COMMERCIAL ZONES, Section 7.2, PERMITTED USES, TABLE 7.1, by:

- (a) adding "*Long Term Care Facility*" after "*Group Home Type 1*" in the Use column;
- (b) adding "*Retirement Home*" after "*Private Home Daycare*" in the Use column;
- (c) adding "*Multiple Dwelling*", "*Long Term Care Facility*" and "*Retirement Home*" as permitted uses in the Shopping Centre Commercial (C5) Zone column by indicating with an "X" symbol; and
- (d) adding special provision "(19)" after the "X" symbol for the "*Multiple Dwelling*", "*Long Term Care Facility*" and "*Retirement Home*" uses in the C5 Zone column.

4. 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 further amended in Part 7:

COMMERCIAL ZONES, SPECIAL PROVISIONS FOR TABLES 7.1 AND 7.2, by adding special provision "19" as follows:

"19. Parking for "*Multiple Dwelling*", "*Long Term Care Facility*" and "*Retirement Home*" in the C5 Zone will be calculated using the residential *parking requirements* as set out in Table 5.5 Residential Parking Requirements For All Zones Except the Downtown Commercial (C6) Zone."

5. 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 further amended in Part 7:

COMMERCIAL ZONES, Section 7.3, ZONE STANDARDS, TABLE 7.3, by adding a special provision to Table 7.3 as follows:

"7. (iii) Maximum ground *floor area* for *Multiple Dwelling*, *Long-Term Care Facility* and *Retirement Home* – 25% of the total ground *floor area* of the *structures* on the property."

6. 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.

7. 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