

## By-law 2020-133Z

### 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, Schedule "A" attached thereto, be and the same is hereby amended by changing the zoning classification of the following lands from "C2(62)", General Commercial Special and "R1-5", Low Density Residential One, to a revised "C2(62)", General Commercial Special.

- (2) Property Description: PIN 02171-0318(LT)  
1stly: Part 2 on Plan 53R-1908, Excepting Part 2 on Plan 53R-15979,  
2ndly: Part Block A, Plan M246, being Part 3, Plan 53R-1908, Excepting Part of Part 2 on Plan 53R-15979

PIN 02171-0320(LT)  
Part of Block A, Plan M-246

Part of PIN 02171-0225(LT)  
SRO Part Lot 19, Plan M-383  
Part 1, Plan 53R-15979

Part of Lot 3, Concession 6  
Township of McKim, City of Greater Sudbury

2. That the current C2(62) General Commercial Special zone in Part 11, Section 2, Subsection (2) be deleted and replaced with the following paragraph:

**(jjj) C2(62) (LIMITED C2 USES)**  
**McKim Township Maps Lot 3, Con 6; Lot 3, Con 5**

Notwithstanding any other provision hereof to the contrary, within any area designated C2(62) on the *Zone Maps*, all provisions of this By-law applicable to C2 *Zones* shall apply subject to the following modifications:

- (i) That the only permitted *uses* shall be three (3) *dwelling units*, a skate and tool sharpening business, *retail stores*, *offices*, *personal service shops* and *service trades*;
- (ii) That the most northerly 18.2 metres of Part 3, Plan SR-1908, shall be used for no purpose other than *landscaped open space*;

- (iii) That the minimum landscaped area *abutting* Lasalle Boulevard shall be a minimum of 2.4 m in width;
- (iv) That the minimum *building setback* from Northway Avenue and Lasalle Boulevard shall be 4.5 m;
- (v) That the minimum northerly *side yard requirement abutting* Lot 19, Plan M-383, excepting Part 1 Plan 53R-15979, shall be 2 metres;
- (vi) That a minimum of 1 *parking space* shall be provided per 23.5 square metres of *net floor area* for a skate and tool sharpening business, *retail stores, offices, personal service shops and service trades*;
- (vii) *Parking areas* shall be permitted with a minimum *setback* of 0.5 metres from a Residential Zone;
- (viii) A *planting strip* 0.5 metres in width shall be *required* along the westerly *side lot line*, together with an opaque or non-opaque *fence*, extending to 18.2 m from the most northerly *lot line*;
- (ix) A *planting strip* 0.5 metres in width shall be *required* along the easterly *side lot line abutting* the westerly *lot lines* of Lot 17 and 18, Plan M-383, the northerly *side lot line abutting* the south *lot line* of Lot 18, Plan M-383, the easterly *side lot line abutting* the westerly *lot line* of Lot 19, Plan M-383, excepting Part 1 Plan 53R-15979, as well as the northerly *side lot line abutting* Lot 19, Plan M-383, excepting Part 1 53R-15979, together with an opaque *fence*.
- (x) A *private garage and retaining wall* greater than 1 m in height shall be permitted with a *setback* of 1.2 m from northerly *side lot line abutting* the south *lot line* of Lot 18, Plan M-383 and 1.2 m from the easterly *side lot line abutting* the westerly *lot line* of Lot 19, Plan M-383, excepting Part 1 Plan 53R-15979;
- (xi) A *retaining wall* greater than 1 m in height shall be permitted with a *setback* of 0 m along the easterly *side lot line abutting* the westerly *lot lines* of Lot 17 and 18, Plan M-383; and
- (xii) A refuse enclosure and *loading space* shall be permitted with a minimum *setback* of 0.5 m from the westerly *lot line*.

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 by Official Plan Amendment #107.

**Read and Passed in Open Council** this 12<sup>th</sup> day of August, 2020

  
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Mayor

  
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Clerk

