

**By-law 2018-134Z**

**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 "M1-1", Business Industrial to "H47M1-1(21)", Holding Business Industrial Special.

(2) Property Description: PINs 02123-0095  
Parcel 49975 SES  
Parts 1 – 8, Plan 53R-13785  
Lot 4, Concession 5  
Township of McKim, City of Greater Sudbury

2. That the following paragraph be added to Part 11, Section 3, Subsection (2):

(u) **M1-1(21) (OUTDOOR STORAGE OF VEHICLES)**  
**McKim Township Maps Lot 4, Con 5; Lot 5, Con 5**

Notwithstanding any other provision hereof to the contrary, within any area designated M1-1(21) on the *Zone Maps*, all provisions of this by-law applicable to the "M1-1", Business Industrial zone shall apply subject to the following modifications:

(i) In addition to the *uses* permitted in the M1-1 Zone, the *outdoor storage of vehicles accessory to a vehicle repair shop* shall be permitted.

3. That the following row be added to Part 13, Section 3.3, Table 13.1 as follows:

Symbol	Application	Property/Legal Description	Conditions for Removal	Date Enacted	Date Removed
H47	Wetland boundary re-delineation	1. Parts 1-8, Plan 53R-13785, Lot 4, Concession 5, Township of McKim 2. PIN 02123-	The only permitted use of the subject property until such time as the "H" Holding designation has been removed by <i>Council</i> shall be uses which legally existed on the date the By-law applying the "H" Holding symbol. The "H47" Holding Symbol in this By-law shall only be removed by <i>Council</i> of the City of	July 10, 2018	

		0420, Parcel 573, Lot 4, Concession 5, Township of McKim located between a line connecting the south east corner of Lot 3, Plan M1059 and the north east corner of Lot 4, Plan M1059, and a line drawn due south between Lots 3 and 4, Plan M1059 from a point located 30 m west of the south west corner of Part 7, Plan 53R-13785, Lot 4, Concession 5, Township of McKim	Greater Sudbury pursuant to Section 36 of the Planning Act, R.S.O. 1990, C.P. 13, provided that the following conditions are first satisfied: <ol style="list-style-type: none"> <li>1. Approval from the Ministry of Natural Resources and Forestry of a re-delineation of a portion of the Ponderosa Provincially Significant Wetland (PSW) boundary such that lands are located outside of the PSW to the satisfaction of the City's Director of Planning Services.</li> <li>2. The submission of an Environmental Impact Study (EIS) to the satisfaction of the Director of Planning Services that demonstrates that there will be no negative impacts on the Ponderosa PSW or its ecological functions, including habitat for species at risk.</li> </ol>		
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4.-(1) That By-law 2010-100Z being the City of Greater Sudbury Zoning By-law, Schedule "A" attached thereto, be and the same is hereby amended by changing the zoning classification of the following lands from "OSP", Open Space Private to "OSP(6)", Open Space Private Special.

(2) Property Description: That part of PIN 02123-0420, Parcel 573, Lot 4, Concession 5, Township of McKim located between the south west corner of Lot 3, Plan M-1059 and the north west corner Lot 4, Plan M-1059, and a line connecting the south east corner of Lot 3, Plan M-1059 to the north east corner of Lot 4, Plan M-1059, Lot 4, Concession 5, Township of McKim.

5. That the following paragraph be added to Part 11, Section 5, Subsection (4):

(f) **OSP(6) (ACCESS DRIVEWAY)**  
**McKim Township Maps Lot 4, Con 5; Lot 5, Con 5**

Notwithstanding any other provision hereof to the contrary, within any area designated OSP(6) on the *Zone Maps*, all provisions of this by-law applicable to the "OSP", Open Space Private zone shall apply subject to the following modifications:

- (i) In addition to the *uses* permitted in the OSP Zone, an access *driveway* shall be permitted.

6.-(1) That By-law 2010-100Z being the City of Greater Sudbury Zoning By-law, Schedule "A" attached thereto, be and the same is hereby amended by changing the zoning classification of the following lands from "OSP", Open Space Private to "H47OSP(6)", Open Space Private Special.

(2) Property Description: That part of PIN 02123-0420, Parcel 573, Lot 4, Concession 5, Township of McKim located between a line connecting the south east corner of Lot 3, Plan M-1059 and the north east corner of Lot 4, Plan M-1059, and a line drawn due south between Lots 3 and 4, Plan M-1059 from a point located 30 m west of the south west corner of Part 7, Plan 53R-13785, Lot 4, Concession 5, Township of McKim.

7. 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:

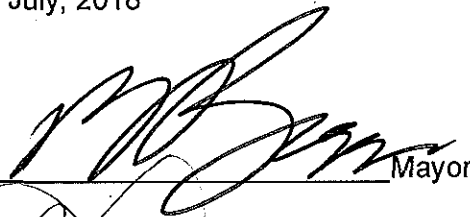
- (a) a Notice of Appeal;
- (b) an explanation of how the by-law is inconsistent with a policy statement issued under subsection 3(1) of the *Planning Act*, fails to conform with or conflicts with a provincial plan or fails to conform with an applicable official plan; and
- (c) the fee prescribed under the *Local Planning Appeal Tribunal Act, 2017*.

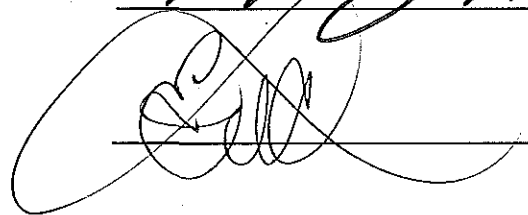
If these materials and fees have not been filed with the City Clerk within this period, this By-law shall be deemed to have come into force on the day it was passed.

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.

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

**Read and Passed in Open Council** this 10<sup>th</sup> day of July, 2018

  
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Mayor

  
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Clerk

