

By-law 2021-152Z

**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 be and the same is hereby amended as follows:

(1) In Part 3, DEFINITIONS, by adding a new definition for, "Lake" and renumbering all of the existing definition numbers following thereafter:

174.	Lake	All named lakes within the City of Greater Sudbury
------	------	--

(2) In Part 3, DEFINITIONS, by adding a new definition for, "River" and renumbering all of the existing definition numbers following thereafter:

292.	River	The main channels of the Vermilion, Wanapitei, and Onaping Rivers
------	-------	---

(3) In Part 3, DEFINITIONS, by adding a new definition for, "Stream" and renumbering all of the existing definition numbers following thereafter:

336.	Stream	Any permanently flowing, natural watercourse that is not a river. Roadside ditches, small drainage ditches internal to established and proposed development projects and municipal drains are not considered streams.
------	--------	---

(4) In Part 4, GENERAL PROVISIONS, Section 4.41 WATERBODIES – WATER FRONTAGE, SETBACKS AND BUFFERS, by:

(a) Deleting subsection 4.41.2 Setback Requirements for Residential Buildings and Structures and replacing it with the following:

"4.41.2 Setback Requirements for Residential Buildings and Accessory Structures

Notwithstanding any other provisions of this By-law to the contrary, except for *gazebos, boathouses, docks, decks, stairs, water pumps and saunas* and Section 4.41.4:

- a) No person shall erect any *residential building* or other *accessory building* or *structure* closer than 30.0 metres to the *high water mark* of a *lake* or *river*;
 - b) No person shall erect any *residential building* or other *accessory building* or *structure* closer than 12.0 metres to the *high water mark* of a permanently flowing *stream*;
 - c) No person shall construct a leaching bed closer than 30.0 metres from the *high water mark* of a *lake*, *river* or *stream*.
- (b) Deleting the first sentence of subsection 4.41.3 Shoreline Buffer Areas and replacing it with the following:
- “Notwithstanding any other provision of this By-law to the contrary, a *shoreline buffer area* is to remain in a natural vegetated state to a depth of:
- a) 20.0 metres from the *high water mark* of a *lake* or *river*;
 - b) 12.0 metres from the *high water mark* of a permanently flowing *stream*.”
- (c) Deleting the first sentence of subsection 4.41.4 Shoreline Structures and Facilities and replacing it with the following:
- “a) Within 20.0 metres of the *high water mark* of a *lake* or *river*, or 12.0 metres of the *high water mark* of a permanently flowing *stream*, only the following structures shall be permitted within the area permitted to be cleared of natural vegetation in Section 4.4.1.3 above.”

(5) In Part 7, COMMERCIAL ZONES, Section 7.3 ZONE STANDARDS, by amending the provisions of Table 7.3: Standards for Commercial Zones as follows:

- (a) Adding special provision “(11)” to the “Maximum Height” column for the C4 Zone;
- (b) Deleting “50%” from the maximum lot coverage column for the C5 Zone and replacing it with “No maximum”;
- (c) Deleting Special Provision “7.(i) Maximum gross floor area – 100% of the lot area”.

(6) In Part 9, RURAL ZONES, Section 9.3 ZONE STANDARDS, by amending the provisions of Table 9.3: Standards for All Rural Zones as follows:

- (a) Adding special provision “(9)” to the “Other” column for the A Zone.

(7) In Part 9, RURAL ZONES, Section 9.3 ZONE STANDARDS, by amending the Special Provisions for Table 9.3 by adding special provision “9” as follows:

"9. For a new *lot* created for a residence surplus to a farming operation through farm consolidation the minimum *lot area* shall be 0.4 ha and the maximum *lot area* shall be 1.0 ha and the minimum *lot frontage* shall be 45.0 m."

2. 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.

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

Effective Date


4.-(1) Subsections 1(5), 1(6), and 1(7) shall come into effect in accordance with Section 2.

(2) Subsections 1(1), 1(2), 1(3) and 1(4) shall come into effect on the later of February 1, 2022 and the date determined in accordance with Section 2.

Read and Passed in Open Council this 17th day of August, 2021



Mayor



Clerk