

BY-LAW 2010-266

**A BY-LAW OF THE CITY OF GREATER SUDBURY
TO AMEND BY-LAW 2004-350, BEING A BY-LAW TO
LICENSE AND REGULATE VARIOUS BUSINESSES**

WHEREAS the Council of the City of Greater Sudbury deems it desirable to amend By-law 2004-350, as amended, being a By-law to Licence and Regulate Various Businesses;

**NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY
HEREBY ENACTS AS FOLLOWS:**

Home Occupations

1. By-law 2004-350 as amended, being a By-law of the City of Greater Sudbury to Licence and Regulate Various Businesses, as amended is hereby further amended by repealing Part VII – Home Occupation – Section 7, and enacting the following in its place and stead:

PART VII

HOME OCCUPATION

Definitions:

7. (1) In this Part:

“Home Occupation” means an occupation, business, trade or craft conducted for gain or profit as an accessory use to a dwelling unit by one or more persons residing therein and may include no more than one person as an employee who does not reside in the dwelling unit.

(2) No person shall, in the City, carry on a home occupation without holding a current valid licence for such business issued under the provisions of this By-law.

(3) Where a person requires a licence for a business under any Part of this By-law, that licence alone shall be required, and an additional home occupation

licence shall not be required, and a home occupation licence shall not replace . ' the licence so required.

(4) Unless specifically allowed by the zoning By-law for a given property, no person shall conduct a home occupation for that property except in accordance with the following provisions:

- a) A home occupation shall be conducted as an indoor accessory use within a permitted dwelling, other than a seasonal dwelling, without changing the primary residential character thereof;
- b) Not more than one person who does not reside in the dwelling unit to which a home occupation is accessory shall be employed on the premises in conjunction therewith;
- c) No goods, wares or merchandise shall be displayed for sale or rent in conjunction with a home occupation;
- d) No retail use of the premises shall be permitted as a home occupation;
- e) No outdoor storage shall be permitted in conjunction with a home occupation and no part of any accessory building or structure shall be used for a home occupation;
- f) The total floor area used primarily for a home occupation shall not exceed the equivalent of 25% of the dwelling unit area of the dwelling unit to which such home occupation is accessory or 100.0 square metres, whichever is less;
- g) No external display or advertising, other than a sign permitted by the City of Sudbury Sign By-law, as amended, or its successor, nor any other external indication that a home occupation is being

conducted on the premises, shall be permitted in conjunction with a home occupation;

- h) No home occupation shall create or become a public nuisance, particularly with regard to noise, odours, traffic, parking, emissions or radio or television interference;
- i) The home occupation shall not involve the use of the premises as a base of operations for persons who are employed by or associated with the home occupation, nor shall the premises be used to assemble or rally such persons for transportation to a work site;
- j) One home occupation only shall be permitted in conjunction with a dwelling unit;
- k) Parking for the home occupation shall be limited to a maximum of four spaces;
- l) No additional commercial vehicles shall be permitted to be parked on a lot in connection with a home occupation;
- m) A pet grooming establishment is permitted as a home occupation, subject to the following:
 - i) the maximum number of dogs and domestic cats allowed on the premises at any one time shall be in conformity with the City of Greater Sudbury By-law for the Control and Regulation of Dogs, Cats and Other Animals;
 - ii) No breeding, boarding or overnight accommodation of dogs or domestic cats shall be permitted on the premises;
 - iii) No dogs or domestic cats that are brought onto the premises for grooming shall be permitted outside of the dwelling.

- n) The following shall not be permitted as a home occupation:
- i) Adult entertainment parlour or use;
 - ii) Dating / escort services;
 - iii) Contractor's yards;
 - iv) Taxi stand service depot / dispatch establishments;
 - v) Any automotive use and any use involving the storage and/or towing of motor vehicles or recreation vehicles;
 - vi) Institutional uses; and,
 - vii) Veterinary clinic.

2. By-law 2004-350 as amended, being a By-law of the City of Greater Sudbury to Licence and Regulate Various Businesses, as amended is further amended by repealing Subsection 8 (1), the definition of "convenience store" and enacting the following Subsection 8 (1) in its place and stead:

" 8 (1) In this Part:

"Convenience Store" means a retail store not exceeding 150 m² net floor area wherein various convenience goods and items of day-to-day personal or household use or necessity including, without limiting the generality of the foregoing, food, beverages, pharmaceutical drugs, light hardware products, tobacco products and periodicals, are offered for sale.

Kennel

3. By-law 2004-350 as amended, being a By-law of the City of Greater Sudbury to Licence and Regulate Various Businesses, as amended is hereby further amended by repealing Subsection 10 (1), the definition of "kennel" and enacting the following Subsection 10 (1) in its place and stead:

"10 (1) In this Part:

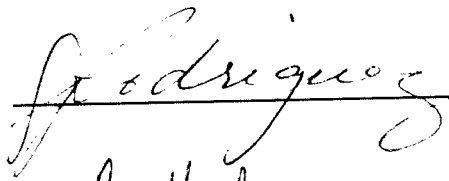
"Kennel" means an establishment where dogs, cats or other small domestic animals or household pets are bred or raised primarily for the purpose of sale, or are trained or boarded for gain or profit, but does not include a veterinary clinic.

Effective Date

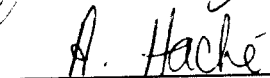
4. This By-law shall come into force and effect upon passage.

READ AND PASSED IN OPEN COUNCIL this 24th day of November,

2010.



Mayor



Clerk