

**BY-LAW 2010-220**

**A BY-LAW OF THE CITY OF GREATER SUDBURY  
TO CONTINUE PARTS OF THE CITY OF GREATER SUDBURY  
AS A SITE PLAN CONTROL AREA**

**WHEREAS** the Council of the City of Greater Sudbury adopted an Official Plan for the City of Greater Sudbury by By-law 2006-200, which was approved by the Minister of Municipal Affairs and Housing on March 7<sup>th</sup>, 2007 and was subsequently approved in part by the Ontario Municipal Board and is in effect in the City of Greater Sudbury;

**AND WHEREAS** Council for the City of Greater Sudbury has since adopted certain Official Plan Amendments;

**AND WHEREAS** the Official Plan designates the entire Plan Area for site plan control pursuant to the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

**AND WHEREAS** the Council for the City of Greater Sudbury deems it desirable to designate parts of the City of Greater Sudbury to continue or to become Site Plan Control Areas pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

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

Designation

1. The whole of the City of Greater Sudbury is hereby designated and continued as a Site Plan Control Area pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, c. P. 13, except for the areas described below:

- (a) in the areas of the City of Greater Sudbury governed by By-law 2010-100Z, the following lands are excluded from Site Plan Control:

- (i) lands zoned R1-1, R1-2, R1-3, R1-4, R1-5 and R1-6, Low Density Residential One, except for the uses permitted in Section 4.40 of Part 4;
- (ii) lands zoned R2-1 and R2-1, Low Density Residential Two, except for uses permitted in Section 4.40 of Part 4;
- (iii) lands zoned P, Park, except for uses permitted in Section 4.40 or Part 4;
- (iv) lands zoned A, Agriculture;
- (v) lands zoned RU, Rural;
- (vi) lands zoned RS, Rural Shoreline;
- (vii) lands that are located in any of the Industrial Zones of part 8 of the Zoning By-law 2010-100Z, located more than 152.4 metres (500 feet) from both the nearest Residential Zone and from the nearest Municipal Road (designated with an "MR" number) or Provincial Highway, except for matters under Section 41 Subsections (7)(a)1, (7)(a)2, and (7)(a)8 of the *Planning Act*; and
- (viii) lands zoned SLS, Seasonal Limited Service except for uses permitted in Section 4.40 of Part 4.

Exclusions

2. Notwithstanding Section 1 of this By-law, the following classes of development are excluded from Site Plan Control:

- (a) single detached dwellings;
- (b) semi-detached dwellings, linked dwellings or duplex dwellings;
- (c) multiple dwellings not exceeding 4 units;
- (d) seasonal dwellings;

and buildings accessory to the above four uses.

Regulate Exterior Design

3. Pursuant to subsection (4) of Section 41 of the *Planning Act*, R.S.O. 1990., c. P.13, the City of Greater Sudbury may use site plan control to address matters relating to the exterior design of new buildings not specifically excluded by Sections 1 and 2 of this By-law including, without limitation, the character, scale, appearance and design features of buildings, and their sustainable design, where appropriate.

Ground Mounted Telecommunications Towers

4. Notwithstanding anything to the contrary above, all new ground mounted telecommunications towers are hereby designated as requiring Site Plan Control, unless exempted by the Director of Planning Services or his or her designate.

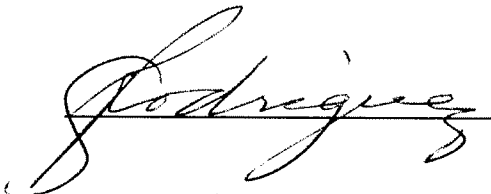
Repeal

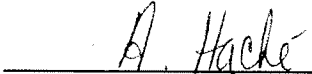
5. By-law 2001-150 as amended is hereby repealed.

Effective

6. This By-law shall come into force and take effect upon the date that By-law 2010-100Z, the Zoning By-law for the City of Greater Sudbury comes into force and takes effect.

**READ AND PASSED IN OPEN COUNCIL** this 29<sup>th</sup> day of September, 2010.

  
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Mayor

  
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Clerk