

Vision: *The City of Greater Sudbury is a growing, world-class community bringing talent, technology and a great northern lifestyle together.*

Vision: *La Ville du Grand Sudbury est une communauté croissante de calibre international qui rassemble les talents, les technologies et le style de vie exceptionnel du Nord.*



Agenda

Policy Committee

meeting to be held

Wednesday, March 23rd, 2011

at 6:00 pm

Council Chamber, Tom Davies Square

Ordre du jour

réunion du

Comité des politiques

qui aura lieu

mercredi 23^e mars 2011

à 18h 00

dans la Salle du Conseil, Place Tom Davies

POLICY COMMITTEE AGENDA

For the 3rd Policy Committee Meeting
to be held on **Wednesday, March 23, 2011**
Council Chamber, Tom Davies Square at 6:00 pm

COUNCILLOR CLAUDE BERTHIAUME, CHAIR

Jacques Barbeau, Vice-Chair

(PLEASE ENSURE CELL PHONES AND PAGERS ARE TURNED OFF)

The Council Chamber of Tom Davies Square is accessible to persons with disabilities. Please speak to the City Clerk prior to the meeting if you require a hearing amplification device. Persons requiring assistance are requested to contact the City Clerks Office at least 24 hours in advance of the meeting if special arrangements are required. Please call (705) 674-4455, extension 2471. Telecommunications Device for the Deaf (TTY) (705) 688-3919. Copies of Agendas can be viewed [at www.greatersudbury.ca/agendas/](http://www.greatersudbury.ca/agendas/).

DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

COMMUNITY DELEGATIONS

1. Report dated March 15, 2011 from the General Manager of Community Development regarding Bicycle Advisory Panel - Bicycling Technical Master Plan. **13 - 13**
(ELECTRONIC PRESENTATION) (FOR INFORMATION ONLY) (REPORT UNDER SEPARATE COVER)

- Nicole Good, John-Wesley McGraw, Russ Thompson - Bicycle Advisory Panel Members

(The Bicycle Advisory Panel (BAP) has recently developed a comprehensive plan for improving bicycling infrastructure in the City of Greater Sudbury, entitled the Greater Sudbury Bicycling Technical Master Plan. This Plan fulfills an important BAP mandate, to assist staff and Council in implementing a vision for a safe and attractive bicycle transportation system that links communities across the City of Greater Sudbury through a network of recreational and utilitarian trails designed to promote alternative non-motorized modes of transport.)

2. National Walk to Fight Arthritis **14 - 15**
(ELECTRONIC PRESENTATION) (FOR INFORMATION ONLY)

- Gerry Lougheed Jr., Walk Leader for 2011
- Jana Schilkie, Community Engagement Specialist-Northeast Ontario

(The Arthritis Society has requested to address the Policy Committee to increase awareness and participation in their National Walk to Fight Arthritis being held on Sunday, May 15, 2011 in Fielding Park in Lively.)

3. Waterpower Development on the Vermilion River
(ELECTRONIC PRESENTATION) (FOR INFORMATION ONLY)

- Mark Holmes, Vice-President, Corporate Affairs, Xeneca LP

(Presentation will outline four green energy projects on the Vermilion River)

PRESENTATIONS

4. Report dated March 9, 2011 from the General Manager of Growth and Development regarding Financial Incentives for Downtown Renewal Pilot Program. **16 - 36**
(ELECTRONIC PRESENTATION) (RECOMMENDATION PREPARED)

- Jason Ferrigan, Senior Planner

(In 2006 and 2007, City Council approved and allocated \$250,000.00 to the Financial Incentives for Downtown (Sudbury) Renewal Pilot Program, the first of its kind in Greater Sudbury. This pilot program was implemented in Downtown Sudbury and has reached substantial completion. This report describes the program and its implementation. It also provides a summary evaluation of its performance as well as

lessons learned to inform the future use of similar financial incentives.)

5. Report dated March 15, 2011 from the General Manager of Growth and Development regarding Draft Brownfield Strategy and Community Improvement Plan for the City of Greater Sudbury. **37 - 46**

(ELECTRONIC PRESENTATION) (FOR INFORMATION ONLY) (REPORT UNDER SEPARATE COVER)

- Jason Ferrigan, Senior Planner

(In 2008, City Council directed staff to prepare a Brownfield Community Improvement Plan for the City of Greater Sudbury. This report provides an update on this initiative, describes the draft Brownfield Strategy and Community Improvement Plan developed by the city's interdepartmental brownfield staff team, and discusses the recommended next steps in the community engagement and Council approval process.)

CORRESPONDENCE FOR INFORMATION

6. Report dated February 18, 2011 from the General Manager of Growth and Development regarding Annual Report 2010 Regreening Program. **47 - 47**

(FOR INFORMATION ONLY) (REPORT UNDER SEPARATE COVER)

(The Regreening Program has operated since 1978 and provides Council with a yearly annual report on behalf of VETAC, the City of Greater Sudbury's Advisory Panel on Regreening.)

REFERRED & DEFERRED MATTERS

MANAGERS' REPORTS

7. Report dated February 2, 2011 from the General Manager of Infrastructure Services regarding Consolidation of Road Fouling, Occupancy and Entrance By-laws. **48 - 53**

(RECOMMENDATION PREPARED)

(Road Fouling By-law Consolidation - Former Sudbury area municipality by-laws for Road Fouling and Road Occupancy have been consolidated into a new Road Fouling By-law and Road Occupancy By-law for ease of enforcement and to provide uniformity. The new Road Occupancy By-law will encompass the former Sidewalk Cafe By-law and will introduce a non-refundable pavement degradation fee component which will be applied to all applicable pavement cuts.

New Entrance By-law - An Entrance By-law is being created to address private entrances. The new Entrance By-law replaces a previously existing Culvert Policy By-law (By-law 2003-88A). All fees associated with the above by-laws will be addressed under the User Fee By-law.)

MOTIONS

8. PRESENTED BY COUNCILLOR BELLI:

WHEREAS the City of Greater Sudbury's Sign By-law 2007-250 restricts the number of portable sign permits commercial properties are permitted based on their frontage;

WHEREAS properties with 76.2 metres (250 feet) of frontage are restricted to two, three month portable sign permits per year which only allows a business to have a portable sign for six months of the year; WHEREAS properties find it difficult to manage the restricted number of permits, especially towards the end of the year during the Holiday season;

WHEREAS large properties with many businesses, but small frontages are particularly affected by this restriction;

WHEREAS businesses rely on portable signs as a cost effective method of advertising;

WHEREAS many municipalities in Ontario use distance as part of the criteria for granting portable sign permits;

THEREFORE BE IT RESOLVED THAT that Compliance and Enforcement Services review criteria for granting portable sign permits and present options to provide a fair, consistent advertising venue for business on all property sizes to the Policy Committee for their consideration at their April or May meeting.

9. PRESENTED BY COUNCILLOR KILGOUR:

WHEREAS Cliffs Natural Resources has acquired chromite deposits in the "Ring of Fire" area of Northern Ontario for the purpose of mining chromite and producing ferrochrome for sale to steel makers in North America and around the world for an estimated 30-year period;

AND WHEREAS the base case location identified by Cliffs Natural Resources for the Ferrochrome Production Facility is located north of Capreol on privately-owned lands within the City of Greater Sudbury;

AND WHEREAS the proposed site has been identified by Cliffs Natural Resources as the most technically feasible site for its large size and relative remoteness, proximity and connection with the CN transcontinental rail line, and existing road and electric power corridors;

AND WHEREAS Cliffs Natural Resources estimates that 500 people will work at the site during construction and up to 500 during operations and that the availability of skilled labour is a significant consideration in selecting the location of the Ferrochrome Production Facility;

AND WHEREAS the construction and on-going operation of the Ferrochrome Production Facility would translate into a significant investment for the community with tremendous long-term economic impact;

AND WHEREAS the City of Greater Sudbury and surrounding area has a long and rich tradition in the mining and mining supply and services sectors with

several mining, milling and smelting operations throughout the community;

AND WHEREAS in addition to having a potential site that meets all of their basic requirements, the City of Greater Sudbury hosts the skilled labour force, educational and research institutions, and supporting business infrastructure to ensure Cliffs Natural Resources' business success in our community;

THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury hereby support the proposed Cliffs Natural Resources' Ferrochrome Production Facility to locate in the City of Greater Sudbury;

AND FURTHER THAT the Council of the City of Greater Sudbury strongly encourage the Province of Ontario to take necessary steps to address infrastructure and energy requirements and direct City staff to proactively and creatively do what is necessary in order to increase our competitive offering to attract Cliffs Resources and ensure that this business opportunity is realized in Greater Sudbury and for the benefit of Northern Ontario.

ADDENDUM

CITIZEN PETITIONS

ANNOUNCEMENTS

NOTICES OF MOTION

9:00 P.M. ADJOURNMENT (RECOMMENDATION PREPARED)

(Two-thirds majority required to proceed past 9:00 pm)

Councillor Claude Berthiaume
Chair

Franca Bortolussi
Council Secretary

COMITÉ DES POLITIQUES ORDRE DU JOUR

Pour la 3^e réunion du Comité des politiques
qui aura lieu le **23 mars 2011**
dans la **Salle du Conseil, Place Tom Davies**, à 18h 00

CONSEILLER CLAUDE BERTHIAUME, PRÉSIDENT(E)

Jacques Barbeau, Vice-président(e)

VEUILLEZ ÉTEINDRE LES TÉLÉPHONES CELLULAIRES ET LES TÉLÉAVERTISSEURS)

La salle du Conseil de la **Place Tom Davies** est accessible pour les personnes handicapées. Si vous désirez obtenir un appareil auditif, veuillez communiquer avec la greffière municipale, avant la réunion. Les personnes qui prévoient avoir besoin d'aide doivent s'adresser au bureau du greffier municipal au moins 24 heures avant la réunion aux fins de dispositions spéciales. Veuillez composer le 705-674-4455, poste 2471; appareils de télécommunications pour les malentendants (ATS) 705-688-3919. Vous pouvez consulter l'ordre du jour à l'adresse www.greatersudbury.ca/agendas/.

DÉCLARATION D'INTÉRÊTS PÉCUNIAIRES ET LEUR NATURE GÉNÉRALES

DÉLÉGATIONS DE LA COMMUNAUTÉ

1. Rapport de la directrice générale des Services de développement communautaire, daté du 15 mars 2011 portant sur Comité consultatif sur le cyclisme – plan directeur technique sur le cyclisme. **13 - 13**
(PRÉSENTATION ÉLECTRONIQUE) (A TITRE D'INFORMATION)
(RAPPORT SOUS PLI SÉPARÉ)

- Nicole Good, John-Wesley McGraw, Russ Thompson – membres du Comité consultatif sur le cyclisme

(Le Comité consultatif sur le cyclisme (CCC) a récemment élaboré un plan d'ensemble pour l'amélioration de l'infrastructure cycliste dans la Ville du Grand Sudbury, intitulé Greater Sudbury Bicycling Technical Master Plan (plan directeur technique sur le cyclisme). Ce plan remplit un important mandat du CCC, soit d'aider le personnel et le Conseil municipal à mettre en œuvre une vision en vue d'un système de transport à bicyclette sécuritaire et attrayant qui relie les communautés de toute la Ville du Grand Sudbury par un réseau de pistes récréatives et utilitaires conçues afin de promouvoir les autres modes de transport non motorisés.)

2. **14 - 15**
(PRÉSENTATION ÉLECTRONIQUE) (A TITRE D'INFORMATION)

- Gerry Lougheed Jr., chef de la Marche pour 2011
- Jana Schilkie, spécialiste de la mobilisation communautaire-Nord-Est de l'Ontario

(La Société de l'arthrite a demandé à s'adresser au Comité des politiques afin d'accroître la conscience de sa Marche nationale contre la douleur et la participation à celle-ci. Cette marche se doit se tenir le dimanche 15 mai 2011 au parc Fielding à Lively.)

3. Aménagement hydroélectrique sur la rivière Vermilion
(PRÉSENTATION ÉLECTRONIQUE) (A TITRE D'INFORMATION)

- Mark Holmes, vice-président, Affaires corporatives, Xeneca LP

(Quatre chantiers en vue de la production d'énergie verte sur la rivière Vermilion)

PRÉSENTATIONS ET EXPOSÉS

4. Rapport du directeur général de la croissance et du développement, daté du 09 mars 2011 portant sur Programme pilote d'incitations financières aux améliorations dans le centre-ville. **16 - 36**
(PRÉSENTATION ÉLECTRONIQUE) (RECOMMANDATION PRÉPARÉE)

- Jason Ferrigan, planificateur principal

(En 2006 et 2007, le Conseil municipal a approuvé et affecté 250 000,00 \$ au Programme pilote d'incitations financières aux améliorations dans le centre-ville (Sudbury), premier du genre dans le Grand Sudbury. Ce programme pilote a été mis en œuvre au centre-ville de Sudbury et il est en grande partie achevé. Ce rapport décrit le programme et sa mise en œuvre. Il donne aussi une évaluation sommaire de ses résultats de même que les leçons retenues pour contribuer à l'utilisation à venir d'incitations financières semblables.)

5. Rapport du directeur général de la croissance et du développement, daté du 15 mars 2011 portant sur Ébauche de stratégie et de plan d'amélioration communautaire relativement aux terrains contaminés pour la Ville du Grand Sudbury. **37 - 46**

**(PRÉSENTATION ÉLECTRONIQUE) (A TITRE D'INFORMATION)
(RAPPORT SOUS PLI SÉPARÉ)**

- Jason Ferrigan, planificateur principal

(En 2008, le Conseil municipal a demandé au personnel de rédiger un plan d'amélioration communautaire relativement aux terrains contaminés pour la Ville du Grand Sudbury. Ce rapport donne un compte rendu de cette initiative, décrit l'ébauche de stratégie et de plan d'amélioration communautaire relativement aux terrains contaminés pour la Ville du Grand Sudbury élaborée par l'équipe interservices du personnel sur les terrains contaminés de la Ville et il explique les prochaines étapes recommandés dans la démarche de mobilisation communautaire et d'approbation par le Conseil municipal.)

CORRESPONDANCE À TITRE DE RENSEIGNEMENTS SEULEMENT

6. Rapport du directeur général de la croissance et du développement, daté du 18 février 2011 portant sur Rapport annuel de 2010 sur le Programme de reverdissement. **47 - 47**

(A TITRE D'INFORMATION) (RAPPORT SOUS PLI SÉPARÉ)

(Le Programme de reverdissement fonctionne depuis 1978 et il donne au Conseil municipal un rapport annuel au nom du VETAC, comité consultatif de la Ville du Grand Sudbury sur le reverdissement.)

QUESTION RENVOYÉES ET REPORTÉES

RAPPORTS DES GESTIONNAIRES

7. Rapport du directeur général des Services d'infrastructure, daté du 02 février 2011 portant sur Fusion des règlements sur les salissures, l'occupation et les entrées des routes. **48 - 53**

(RECOMMANDATION PRÉPARÉE)

(Règlement sur les salissures des routes - Les règlements sur les salissures des routes et sur l'occupation des routes des anciennes municipalités de la région de Sudbury ont été fusionnés en un nouveau règlement sur les salissures des routes et en un nouveau règlement sur l'occupation des routes pour avoir plus de facilité à les mettre à exécution et pour assurer l'uniformité. Le nouveau règlement sur l'occupation des routes englobera l'ancien règlement sur les cafés-terrasses et il instaurera un élément de redevance non remboursable de dégradation de la chaussée qui sera appliquée à toutes les découpures applicables de la chaussée.

Nouveau règlement sur les entrées - On est en train de créer un règlement sur les entrées pour aborder la question des entrées privées. Le nouveau règlement sur les entrées remplace un règlement existant sur la politique en matière des ponceaux (règlement 2003-88A). Toutes les redevances associées aux règlements ci-dessus seront abordées dans le cadre du règlement sur les frais d'utilisation.)

MOTIONS

8. PRÉSENTÉE PAR LE COUNSEILLER BELLI :

ATTENDU QUE le règlement sur les panneaux 2007-250 de la Ville du Grand Sudbury limite le nombre de permis de panneaux portables que les terrains commerciaux peuvent avoir en fonction de leur façade;

ATTENDU QUE les terrains de 76,2 mètres (250 pieds) de façade sont limités à deux permis de trois mois par année, ce qui permet seulement à une entreprise d'avoir un panneau portable pendant six mois d'une année donnée;

ATTENDU QUE les propriétaires de ces terrains trouvent difficile de gérer le nombre limité de permis, surtout vers la fin de l'année pendant les Fêtes;

ATTENDU QUE les grands terrains où se trouvent plusieurs entreprises mais qui ont de petites façades sont particulièrement affectés par cette restriction;

ATTENDU QUE les entreprises comptent sur les panneaux portables comme moyen économique de faire de la publicité;

ATTENDU QUE bon nombre de municipalités en Ontario utilisent la distance comme l'un des critères afin d'accorder des permis de panneaux portables;

PAR CONSÉQUENT, IL EST RÉSOLU QUE les Services de conformité et d'exécution examine les critères pour accorder des permis de panneaux portables et présente des options afin de prévoir un lieu de publicité juste et cohérent pour les entreprises sur les terrains de toutes tailles au Comité des politiques pour son étude lors de sa réunion d'avril ou de mai.

9. PRÉSENTÉE PAR LE COUNSEILLER KILGOUR :

ATTENDU QUE la société Cliffs Natural Resources a acquis des gisements de chromite dans la région du "Cercle de feu" du Nord de l'Ontario afin d'extraire de la chromite et de produire du ferrochrome pour le vendre aux aciéristes d'Amérique du Nord et d'autour du monde pendant une période estimée à 30 ans;

ATTENDU QUE l'emplacement selon le scénario de référence choisi par la

société Cliffs Natural Resources pour l'installation de production de ferrochrome se trouve au nord de Capreol sur des terres privées dans la Ville du Grand Sudbury;

ATTENDU QUE l'emplacement proposé a été choisi par la société Cliffs Natural Resources comme lieu le plus faisable sur le plan technique en raison de sa grande taille et de son éloignement relatif, de sa proximité de la ligne de chemin de fer transcontinental CN et des corridors routiers et d'alimentation électrique existants et de son raccordement avec ceux-ci;

ATTENDU QUE la société Cliffs Natural Resources estime que 500 personnes travailleront à cet endroit pendant la construction et jusqu'à 500 autres pendant l'exploitation et que la disponibilité de main-d'œuvre qualifiée est un important facteur quant au choix de l'emplacement de l'installation de production de ferrochrome;

ATTENDU QUE la construction et l'exploitation continue de l'installation de production de ferrochrome se traduiraient par un important investissement pour la communauté avec d'énormes retombées économiques à long terme;

ATTENDU QUE la Ville du Grand Sudbury et les environs ont une longue et riche tradition dans les secteurs de l'extraction minière et des approvisionnements et services miniers par l'entremise de plusieurs exploitations minières et de concentration et de fusion du minerai dans toute la communauté;

ATTENDU QUE, en plus d'avoir un emplacement possible qui réponde à tous les besoins de base de la société, la Ville du Grand Sudbury compte une main-d'œuvre qualifiée, des établissements d'enseignement et de recherche, et une infrastructure de soutien des entreprises assurant le succès commercial de la société Cliffs Natural Resources dans notre communauté;

PAR CONSÉQUENT, IL EST RÉSOLU QUE le Conseil municipal de la Ville du Grand Sudbury soutienne, par les présentes, l'établissement de l'installation de production de ferrochrome Production proposée de la société Cliffs Natural Resources dans la Ville du Grand Sudbury;

ET QUE le Conseil municipal of la Ville du Grand Sudbury encourage fortement la Province d'Ontario à prendre les mesures nécessaires afin d'aborder les exigences en matière d'infrastructure et d'énergie, et qu'il demande au personnel de la Ville de faire, de façon proactive et ingénieuse, le nécessaire afin d'accroître son offre concurrentielle pour attirer la société Cliffs Resources et de veiller à ce que cette possibilité d'affaires se réalise dans le Grand Sudbury et pour le bien du Nord de l'Ontario.

ADDENDA

PÉTITIONS DE CITOYENS

ANNONCES

AVIS DE MOTION

LEVÉE DE LA SÉANCE À 21 H (RECOMMANDATION PRÉPARÉE)

(Une majorité des deux tiers est requise pour poursuivre la réunion après 21h 00.)

Le Conseiller Claude Berthiaume,
Présidente

Franca Bortolussi,
Secrétaire du conseil

For Information Only

Bicycle Advisory Panel - Bicycling Technical Master Plan

Presented To:	Policy Committee
Presented:	Wednesday, Mar 23, 2011
Report Date	Tuesday, Mar 15, 2011
Type:	Community Delegations

Recommendation

For Information Only

Background

The Bicycle Advisory Panel (BAP) has recently developed a comprehensive plan for improving bicycling infrastructure in Greater Sudbury, entitled the Bicycling Technical Master Plan for the City of Greater Sudbury. This Plan fulfills an important BAP mandate, to assist staff and Council in implementing a vision for a safe and attractive bicycle transportation system that links communities across the City of Greater Sudbury through a network of recreational and utilitarian trails designed to promote alternative non-motorized modes of transport.

The needs of the cycling community within Greater Sudbury will continue to be addressed as bicycling representatives will sit as members of the new Sustainable Mobility Advisory Panel for the current term of Council from 2011-14.

Report circulated under separate cover.

Signed By

Report Prepared By

Barb McDougall-Murdoch
Community Development Co-ordinator
Digitally Signed Mar 15, 11

Division Review

Chris Gore
Manager of Community Partnerships
Digitally Signed Mar 15, 11

Recommended by the Department

Catherine Matheson
General Manager of Community
Development
Digitally Signed Mar 15, 11

Recommended by the C.A.O.

Doug Nadorozny
Chief Administrative Officer
Digitally Signed Mar 17, 11

Request for Decision
National Walk to Fight Arthritis

Presented To:	Policy Committee
Presented:	Wednesday, Mar 23, 2011
Report Date	XX-XX-XXXX
Type:	Community Delegations

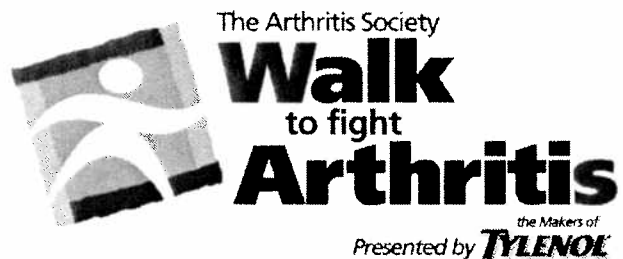
Recommendation

For Information Only

Signed By

No signatures or approvals were recorded for this report.

February 3, 2011



Dear Angie Haché,

The Arthritis Society would like to address the Policy Committee of Council with the purpose of increasing awareness and participation for our National Walk to Fight Arthritis being held on Sunday, May 15th at Fielding Park in Lively. Participants can choose from either a 1 km or 5 km non-competitive route and enjoy a day of healthy lifestyle choices such as mini massages, back scans, healthy snacks, a kid's creative area, etc. The funds raised at the Walk will assist with our community programs and arthritis research. This is an important mission based event and we have a stellar committee that will be working hard on getting bodies out day-of and we need the city's assistance. Our community has the second highest prevalence rate of arthritis close to 25% of our population which is higher than the provincial average of 18%. Our Honourary Chair for the Walk to Fight Arthritis 2011 is adventurer Major Meagan McGrath who cannot stress enough the importance of exercise and following your dreams. Meagan will be assisting with our News Conference/Walk Kick-Off in March during Juvenile Arthritis Awareness Month at the Children's Treatment Centre where there will be a Meet and Greet with Meagan afterwards for the children and families of the centre.

I would like to inform the committee that Gerry Lougheed Jr. and I will present on Wednesday, March 23rd, 2011 at 6 pm to the Policy Committee of Council at Tom Davies Square. We will be incorporating PowerPoint into our 10 minute presentation to the committee. Gerry Lougheed Jr. was our Honourary Chair for the first national Walk to Fight Arthritis 2010 in Greater Sudbury and is the Walk Leader for 2011. The Walk to Fight Arthritis Steering Committee already has creative ideas in motion to gain community support and to break the myth that arthritis is just an older person's disease!

Let me know if you have any questions or concerns and we look forward to presenting to the Policy Committee of Council in March.

Best regards,

A handwritten signature in black ink, appearing to read 'J. Schilkie', written in a cursive style.

Jana Schilkie
Community Engagement Specialist-Northeast Ontario
The Arthritis Society
10 Elm Street, Suite 202
Sudbury, Ontario
P3C 5N3
www.arthritis.ca
www.walktofightarthritis.ca

Request for Decision

Financial Incentives for Downtown Renewal Pilot Program

Presented To:	Policy Committee
Presented:	Wednesday, Mar 23, 2011
Report Date	Wednesday, Mar 09, 2011
Type:	Presentations

Recommendation

It is recommended that: 1. The \$250,000 Financial Incentives for Downtown Renewal Pilot Program be concluded; and, 2. That consideration be given to allocating the \$95,000 of uncommitted funds from this Pilot Program to other historic core areas, through the Town Centre Community Improvement Plan that is being developed.

Finance Implications

If approved, \$95,000 will be committed from the Downtown Renewal Pilot Program for the Town Centre Community Improvement Plan.

Background

The Financial Incentive for Downtown Renewal Program (the Program) is the first program of its kind in the City of Greater Sudbury. The Program was approved and funded by City Council and the Greater Sudbury Development Corporation (GSDC) in 2006 and 2007 as a \$250,000 pilot program.

At that time, it was understood that, based on lessons learned through the piloting of this program in Downtown Sudbury, city staff, in consultation with various community partners, would consider similar programs designed to support and enhance other historic commercial areas in the city.

The Program has reached substantial completion. With this milestone reached, city staff are now in a position to provide a summary evaluation, including lessons learned.

Purpose

This report describes the Program and provides a summary evaluation of its performance, together with lessons for future application.

Signed By

Report Prepared By

Jason Ferrigan
Planner
Digitally Signed Mar 9, 11

Division Review

Paul Baskcomb
Director of Planning Services
Digitally Signed Mar 9, 11

Recommended by the Department

Bill Lautenbach
General Manager of Growth and
Development
Digitally Signed Mar 14, 11

Recommended by the C.A.O.

Doug Nadorozny
Chief Administrative Officer
Digitally Signed Mar 17, 11

The Program

The Program is made available by Council pursuant to Section 28 of the *Planning Act* (the Act), which speaks to community improvement. Section 28 gives Council the ability to identify areas of the city in need of improvement for various reasons (including any environmental, social or community economic development reason) and prepare plans to guide the revitalization of such areas. With such community improvement plans in place, Council may use a number of tools unique to community improvement planning to revitalize the area. Two such tools are grants and loans, which Council may make available to stimulate certain activities, provided that the activity conforms to the plan and its enabling legislation.

The Program applies to the Primary and Secondary Downtown Community Improvement Plan Areas (see Attachment 1). The Program is intended to contribute to the ongoing revitalization of the Downtown Sudbury by encouraging the rehabilitation and redevelopment of existing building stock to accommodate new tenants and improve the quality of development in these two areas.

The Program consists of four financial incentives, as follows:

1. Planning Fee Rebate: This incentive is intended to encourage the rehabilitation and redevelopment of existing building stock by providing a grant equal to the municipal fees (e.g. planning application fees, building permit fees) applicable to a rehabilitation, development or redevelopment project.
2. Feasibility Study Grant: This incentive is intended to encourage the private sector to investigate the potential adaptive re-use or redevelopment of buildings or vacant land by providing a grant of up to \$5,000 towards the cost of business plan feasibility studies (e.g. soil studies, structural engineering assessments, etc).
3. Building Improvement Loan: This incentive is intended to encourage the rehabilitation and redevelopment of existing building stock by providing a loan to property owners seeking improvements that would increase the use of the building, adaptively re-use the building or result in the conversion of vacant space. These loans would be equal to 50% of the cost of the improvement up to \$50,000.
4. Façade Improvement Grant: This incentive is intended to encourage improvements to the quality of development by providing a grant to property owners seeking to improve a building façade. These grants would be equal to 50% of the cost of the façade improvement up to \$15,000.
Property owners within the Primary Downtown Community Improvement Plan Area were eligible to receive up to 100% of the incentives described above. Property owners within the Secondary Downtown Community Improvement Plan Area were eligible to receive up to 50% of the incentives described above.

These maximums were seen as a way of focusing the Program and its limited financial resources and recognizing the Business Improvement Area's important contributions towards Downtown revitalization. Property owners could submit one application per property and be eligible to request one or more of the above-four financial incentives.

The Process

Property owners in the Primary and Secondary Downtown Community Improvement Plan Area were provided the opportunity to participate in the Program through three application intake periods, each in 2007, 2008 and 2009.

Generally, these application intakes (and subsequent review and approval processes) followed eight steps:

1. Public Information Session: Public Information Sessions were hosted for interested participants to discuss program objectives and submission requirements, and to review the application evaluation process (including criteria and timing).

2. Application Preparation: During this time, city staff were available to answer questions. A local architect was also retained to conduct a series of one hour “design idea sessions” with interested participants to develop ideas on how to improve their buildings.

3. Application Submission: Applications were submitted to city staff by a prescribed deadline. Applications received after the deadlines were not accepted.

4. Technical review: All applications received by the prescribed deadline were reviewed by city staff relative to certain eligibility criteria (e.g. outstanding tax arrears) and summarized to facilitate a comparison.

5. Eligibility review: The results of this first technical review were shared with an Evaluation Working Group assembled for this Program. This Working Group consisted of a representative from each of the Greater Sudbury Development Corporation, the Downtown Sudbury BIA and the Downtown Village Development Corporation. This Group, with the assistance of city staff, subjected each application to a first round of evaluation to determine their eligibility.

6. Performance review: Eligible applications were subjected to a second round of evaluation to determine their performance relative to approved program goals.

7. Reporting and Decision: Working Group recommendations regarding each application were forwarded to the GSDC Board and City Council for approval.

8. Implementation and Funding: Implementing agreements are prepared and executed. Approved property owners then undertake the approved improvement projects. Upon completion, property owners made an application to the City for funding. These applications included: confirmation that the proposal, as approved by Council, is complete in accordance with applicable laws and regulations; confirmation of the total cost of the works (supported by statements and/or invoices); confirmation that all supplies/consultants/contractors have been fully reimbursed for all invoiced costs (supported by receipts), and, where applicable, before and after photos. These applications were reviewed and approved by city staff. When approved, grants would be provided to the successful property owners.

The Results

Overall:

In total, 19 applications were received in the Primary Downtown Community Improvement Area. No applications were received in the Secondary Downtown Community Improvement Plan Area.

Seventeen of the 19 applications were approved to receive grants and loans under the Program. Of these 17 applications:

- four (21%) included a Planning Fee Rebate component;
- five (26%) included a Feasibility Study Grant component;
- two (10%) included a Building Improvement Loan component; and,
- fourteen (73%) included a Façade Improvement Grant component.

Of these 17 approved projects:

- seven (41%) are complete;
- four (24%) are scheduled for completion by the end of 2011; and,
- six (35%) have withdrawn.

Complete Projects

The seven completed projects include:

1. Façade improvements to 120 Larch Street (Gougeon Insurance Building);
2. Façade improvements to 66-84 Cedar Street (former Capitol Theatre Building);
3. Façade improvements to 206 Elgin Street (Prete Block/Townhouse Tavern);
4. Façade improvements to 11 Elgin Street (Sage Executive Suites and Law Offices);
5. Façade improvements to 135 Durham Street (Roy's Furniture);
6. Feasibility study and façade improvements to 183 Cedar Street (Vardy Building);
7. Feasibility study of the residential re-use potential of 73 Elm Street (Grand and Toy Building).

Together, these seven projects received \$82,361 in grants, which levered approximately (\$203,068) in private investment. This represents a public to private investment ratio of 1:2.5. This ratio is within the range of public to private investment ratios seen in other Ontario municipalities.

In some cases, these façade improvements formed part of a larger building revitalization initiative. The projects at 11 Elgin Street and 206 Elgin Street, for example, also include extensive interior renovations to accommodate new executive suites, dwelling units and office space. In other cases, these façade improvement projects have helped property owners attract new commercial tenants.

The improvements to 11 Elgin Street has helped to encourage neighbouring property owners improve the quality of their buildings, as well. These improvements, together with the recently completed Downtown Shoppers Drug Mart, have positively transformed the character of Beech Street between Froot Road and Elgin Street.

All of the above façade improvement projects have positively contributed to the quality of development in Downtown Sudbury. Attachment 2 includes before and after photos of the six completed façade improvement projects.

Projects Underway:

There are four projects that are currently underway. These projects are expected to be complete by December 31, 2011. These include:

1. Façade improvement project at 139 Durham Street (Village International)
2. Façade improvement project at 10 Elm Street (Rainbow Centre Office Tower)
3. Façade improvement project at 40 Elm Street (Rainbow Centre Mall)
4. Façade improvement project at 62 Froot Road (former INCO Club Building).

These properties are eligible to receive up to \$61,398 in funding, which is expected to lever approximately \$329,778 in private investment. This represents a public to private investment ratio of 1:5.4. This ratio is within the range of public to private investment ratios seen in other Ontario municipalities and will result in the comprehensive improvement to four other facades in the Primary Downtown Community Improvement Plan Area.

Projects Withdrawn:

The remaining seven projects approved by the GSDC Board and City Council have withdrawn from the Program. These properties were eligible to receive \$127,062 in funding, which was expected to lever \$242,750 in private investment. This represents a public to private investment ratio of 1:1.9. Most of these projects withdrew due to lack of funds. In one case, the approved Building Improvement Loan was not utilized by the property owner, who was able to secure more competitive lending terms from a private financial institution.

Program Summary Evaluation

The Program was the first of its kind offered in the City of Greater Sudbury. It met most of its original intent and objectives in the Primary Community Improvement Plan Area.

Through the Façade Improvement Grant incentive, the City of Greater Sudbury was able to encourage several property owners to rehabilitate and improve the exterior quality of their buildings. In some cases, these improvements helped attract new tenants to these buildings, as well. This incentive should be considered for future use in Downtown Sudbury and other historic commercial areas.

Through the Feasibility Study Grant incentive, the City of Greater Sudbury was able to stimulate the residential re-use potential of an existing three storey mixed use building, as well as the study of mechanical improvements to a two storey commercial building that increased the amount of useable commercial floor area. This incentive should be considered for future use in Downtown Sudbury and other historic commercial areas.

Unfortunately, the Program's Building Improvement Loan mechanism did not encourage the rehabilitation or redevelopment within the existing building stock. There was a low level of interest in and demand for this incentive. Only ten percent of the applications received proposed to take advantage of this incentive. This lack of interest could be explained by relatively competitive financing terms offered by private financial institutions both in the lead up to and during the most recent global economic downturn. This incentive should be revised or replaced, before being reintroduced to Downtown Sudbury or introduced to other historic commercial areas.

No applications were received in the Secondary Community Improvement Plan Area. The absence of take up in this latter area could be explained by many factors, such as the relative lower magnitude of incentive being offered. This suggests the need to continue to focus future incentive programs in defined areas, where limited financial resources can be fully maximized.

The Downtown Sudbury Vision, Plan and Action Strategy process provides an opportunity to consider the type and magnitude of incentives offered in Downtown Sudbury in the future.

Lessons Learned

Many valuable lessons were learned during the administration of this pilot program. These lessons translate into several administrative best practices that should be followed for future community improvement plan based incentives offered in Greater Sudbury.

1. Program availability should be strongly promoted through formal and informal means (e.g. newspaper ads, website, and facebook, twitter, through one-on-one contact with owners in community improvement project area and through any partner communication channels).
2. Program parameters should be clearly articulated to interested participants at the beginning of the process. The Public Information Sessions held at the beginning of each application intake phase were effective in this regard. Regular follow up is also required.
3. Depending on the nature of the application requirements, technical support may need to be provided to interested parties during the application process. The Design Idea Sessions held during the intake phases were effective in this regard for this Program.
4. Regular communication with interested parties, applicants and successful owners is required to ensure a complete understanding of the program, the status of applications and the process, as well as mutual implementation obligations.

Conclusions

The Financial Incentive for Downtown Renewal Program was the first of its kind to be offered in Greater Sudbury. The Program, which was implemented under Section 28 of the *Planning Act*, and approved by City Council and the Greater Sudbury Development Corporation, as a \$250,000 pilot program in Downtown Sudbury is substantially complete.

Seventeen applications were approved to receive a grant and/or a loan under the Program. Seven of these applications are complete and four are expected to be complete by the end of this year. Together these eleven applications have/will receive \$143,759 in funding, which has/will lever approximately \$532,846 in private investment (1:5.4 ratio). This ratio is in line with those seen in other Ontario municipalities.

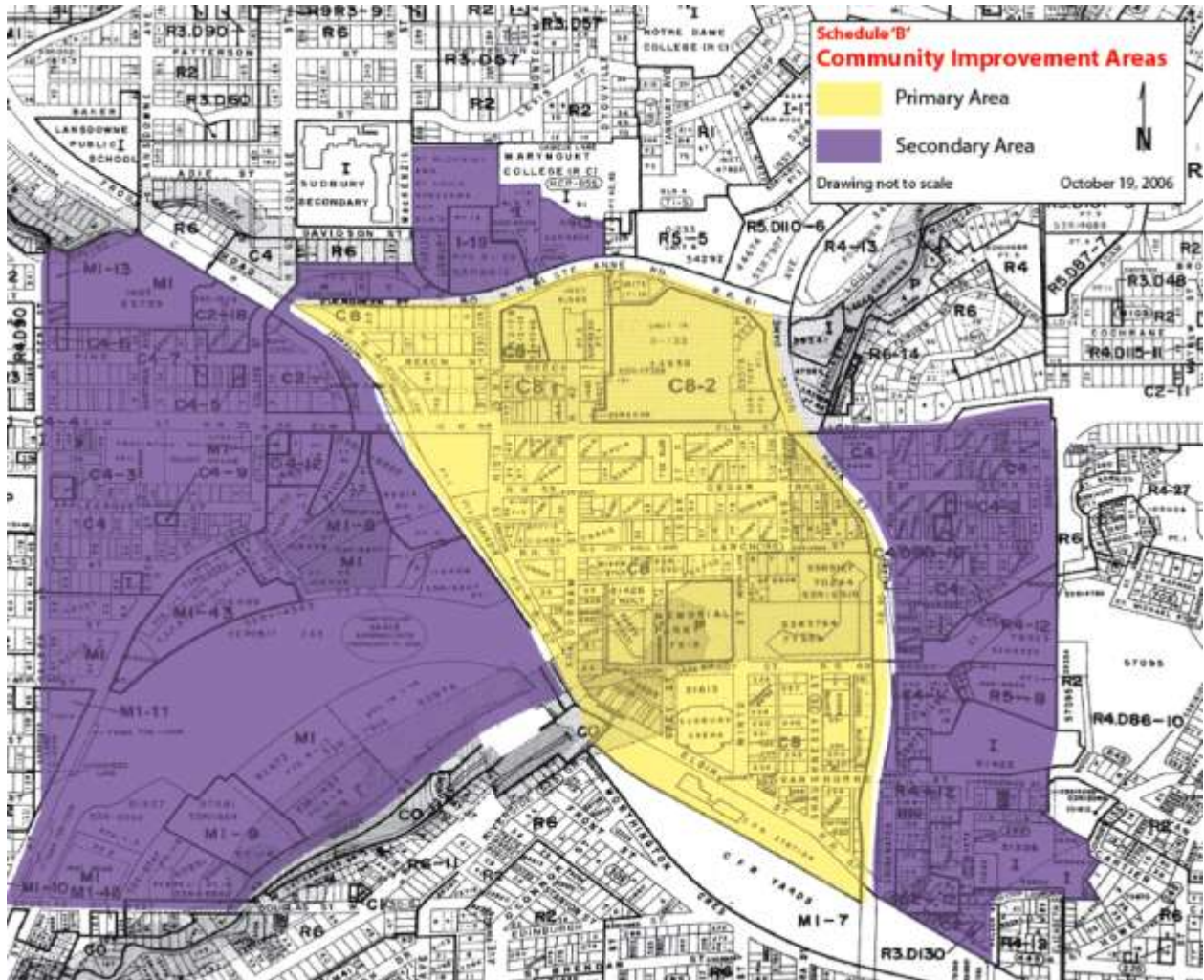
The Program met most of its original intent and objectives in the Primary Community Improvement Plan Area. Through the Façade Improvement Grant, several property owners were encouraged to rehabilitate and improve the exterior quality of their buildings. In some cases, these improvements helped attract new tenants to these buildings as well. Through the Feasibility Study Grant, the City of Greater Sudbury was able to stimulate the residential re-use potential of an existing three storey mixed use building, as well as the study of mechanical improvements to a two storey commercial building that increased the amount of useable commercial floor area.

Now that substantial completion has been reached, this pilot can be concluded. There is a need to reconsider the type and mix of incentives offered in Downtown Sudbury. The Downtown Sudbury Vision, Plan and Action Strategy that is now underway provides an opportunity consider the type and magnitude of incentives that could be offered in Downtown Sudbury in the future.

There is approximately \$95,000 in uncommitted funds remaining from the Program. Council should consider allocating these remaining funds to Greater Sudbury's other historic core areas through the Town Centre Community Improvement Plan that is being developed. Several best practices realized through the administration of this Program should be applied to future comparable programs offered in Greater Sudbury.

These conclusions are supported by the Greater Sudbury Development Corporation Board of Directors (see Attachment 3).

Attachment 1



Attachment 2

120 Larch Street – Before



120 Larch Street – After



66-84 Cedar Street – Before



66-84 Cedar Street – After



206 Elgin Street - Before



206 Elgin Street - After



11 Elgin Street – Before



11 Elgin Street – After



135 Durham Street – Before



135 Durham Street – After



183 Cedar Street – Before



183 Cedar Street – After



Attachment 3



CITY OF GREATER SUDBURY COMMUNITY DEVELOPMENT CORPORATION

GSDC Private Meeting of February 9, 2011
Motion

Moved by: *Mark Penzance*
Seconded by: *[Signature]*

That the Greater Sudbury Development Corporation Board of Directors support the recommendation to conclude the \$250,000 Financial Incentives Initiative for Downtown Renewal and recommend to City Council that \$95,000 of those uncommitted funds from this program be set aside to support other historic core areas through the Town Centre Community Improvement Plan being developed.

For Information Only

Draft Brownfield Strategy and Community Improvement Plan for the City of Greater Sudbury

Presented To:	Policy Committee
Presented:	Wednesday, Mar 23, 2011
Report Date	Tuesday, Mar 15, 2011
Type:	Presentations

Recommendation

For information only.

Background

On June 11, 2008, City Council approved Planning Committee Recommendation #2008-17, as follows:

“THAT City Staff be directed to prepare a Brownfield Community Improvement Plan for Greater Sudbury, as described in the report dated May 21, 2008 from the Manager of Community and Strategic Planning.”

The May 21, 2008 Manager’s Report is included in Attachment A for information. This report recommends that a Brownfield Community Improvement Plan (CIP) be developed over the following five-phase work program:

1. Reconnaissance.
2. Greater Sudbury Brownfield Symposium.
3. Formulate Draft Brownfield Community Improvement Plan.
4. Finalize and Adopt Brownfield CIP.
5. Promote, Implement and Monitor Brownfield CIP.

Purpose:

This report provides an update on the status of the five-phase work program. It also describes the key elements of the draft Brownfield Strategy and CIP developed by the City’s interdepartmental brownfield staff team, and the next steps in the public consultation and council approval process.

Discussion:

1. What is a brownfield and why are they important?

There are many different ways to define a brownfield. The Province of Ontario, through the *2005 Provincial*

Signed By

Report Prepared By

Jason Ferrigan
Planner
Digitally Signed Mar 15, 11

Division Review

Paul Baskomb
Director of Planning Services
Digitally Signed Mar 15, 11

Recommended by the Department

Bill Lautenbach
General Manager of Growth and
Development
Digitally Signed Mar 15, 11

Recommended by the C.A.O.

Doug Nadorozny
Chief Administrative Officer
Digitally Signed Mar 17, 11

Policy Statement, defines a brownfield as:

“an undeveloped or previously developed property that may or may not be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be utilized, derelict or vacant.”

Examples of brownfields include former gas station sites, former automotive repair sites and former dry cleaning sites, to name a few.

Brownfields have a unique set of economic, environmental and social challenges.

- Economically, brownfields have a negative effect on property values, assessment, taxation and municipal revenues. As commercial or industrial properties that are not being used, brownfields represent a lost opportunity in terms of jobs and productivity. They also contribute to the underutilization of existing infrastructure.
- Environmentally, the type nature and extent of contamination can pose risks to human health and the natural environment.
- Socially, the condition and quality of brownfields can detract from a neighbourhood's quality of place. Those brownfields situated in key and highly-visible locations can also negatively affect the image and appearance of the city.

Brownfields also have a unique set of market barriers, which can prohibit them from being brought back into full productive urban use. These can include:

- the presence of outstanding financial obligations tied to the land (e.g. unpaid property taxes and provincial and federal liens);
- the stigma created by the presence or the perceived presence of contamination;
- the up-front cost required for environmental investigations and clean-up;
- the difficulty in securing the capital required to undertake these necessary pre-development activities;
- ongoing regulatory and civil liability concerns;
- accessing the necessary insurance vehicles to mitigate risk;
- regulatory approvals and the possibility for delays;
- legal difficulties in obtaining title from the owners of abandoned properties; and,
- lack of awareness.

In recent years, the federal and provincial governments have focused a substantial amount of attention on the issue of brownfields to encourage their revitalization. At the provincial level, this work is led by the Ministry of Municipal Affairs and Housing, and the Ministry of the Environment.

In recent years, the province has enacted a series of changes that are designed to:

- establish a consistent land use planning policy framework to guide the revitalization of brownfields, through the new *2005 Provincial Policy Statement*.
- create a new legislative framework for brownfield remediation and redevelopment through the *Brownfield Statute Law Amendment Act*, which requires that a Record of Site Condition be filed whenever a building permit application is made to change the use of a property from an industrial or commercial use to a more sensitive use (e.g. residential and parkland).
- clarify the science behind brownfields and issues relating to liability and risk, through amendments to the *Environmental Protection Act* and related regulations; and,
- provide municipalities with new financial tools to encourage the remediation and revitalization of brownfields, through amendments to the *Municipal Act* and *Planning Act*.

These initiatives are further supported through the new Northern Ontario Growth Plan, which requires that

economic and service hubs develop strategies to encourage a significant portion of future residential and employment development to locate on brownfield sites, strategic core areas, downtowns, and intensification corridors.

Utilizing these new tools and addressing key market barriers can have a number of benefits. These can include:

- the creation and retention of employment opportunities;
- the increasing of assessment and tax revenue;
- the strengthening of economic competitiveness;
- the enhancement of environmental quality, health and safety; and,
- the intensification and revitalization of neighbourhoods and communities.

2. What is the city's current role on brownfields?

The City of Greater Sudbury has an important role with respect to brownfields.

The City has evolved its policy framework in response to this changing legislative framework. The Official Plan, Healthy Community Strategy, Community Economic Development Strategy and EarthCare Action Plan, all speak to brownfields. Administratively, the City has implemented the necessary legislative reforms as they have been rolled out by the province. Brownfield considerations are taken into account during the land use planning and building permit approval application processes. Brownfield considerations are also taken into account on during the failed tax sale process, as well as property acquisitions and dispositions.

3. What is the status of this initiative?

The first three phases of the recommended work program are complete and a city-wide draft Brownfield Strategy and CIP has been prepared. Key highlights include:

The creation of an interdepartmental brownfield staff team. This team is made up of Planning, Building, Finance, Real Estate, Legal, Economic Development, Housing, Environmental Initiatives and Environmental Services Staff. This team regularly met during the first three phases of the work program to survey and analyze brownfields across the city. Team members continue to collaborate on brownfield revitalization opportunities and brownfield issues, as the need arises.

The survey of all communities to identify potential brownfields. Brownfield staff team members surveyed all communities in the city to identify vacant and abandoned commercial and industrial properties. This process involved the collection of relevant data for each potential brownfield including physical property characteristics, (e.g. lot area, frontages, etc), ownership, official plan designation, zoning, assessment and municipal tax revenue. It also involved interviews with stakeholders (e.g. developers, builders, lawyers, architects, appraisers, community organizations) to better understand various perspectives on this issue.

The review of other precedents in Ontario. Brownfield staff team members also examined the approach that other municipalities in Ontario are taking with respect to brownfields, with a special emphasis on the approach taken in other Northern Ontario cities, including North Bay, Timmins and Sault Ste. Marie.

The hosting of a day-long symposium to raise awareness of brownfields and possible revitalization approaches with the local development community. In March 2009, the City in partnership with the Canada Mortgage and Housing Corporation, the Province of Ontario, the Greater Sudbury Development Corporation and the Northwest Ontario Development Network, held a day-long Symposium with the development

community to discuss brownfield and brownfield development. The approximately 75 people who attended this session heard leading experts in the fields of public policy, law, environmental remediation and finance speak about the opportunities and challenges associated with brownfield development.

4. What does the draft Brownfield Strategy and CIP Propose?

The draft Brownfield Strategy and CIP developed by city staff is included in Attachment B. It proposes a comprehensive set of actions that the City of Greater Sudbury can take to help address select key market barriers that currently inhibit the revitalization and rejuvenation of brownfields across the city.

The draft Brownfield Strategy and CIP proposes that the City:

1. continue to work with its partners to further build local brownfield awareness and capacity;
2. make use of the financial incentive mechanisms available to it under the *Planning Act* and *Municipal Act* to help reduce the cost of eligible brownfield projects. The four financial incentive mechanisms proposed are a tax assistance program, a landfill tipping fee rebate program, a planning and building fee rebate program, and a tax increment equivalent grant program;
3. attract investment to select brownfield properties through a new brownfield marketing strategy; and,
4. create and implement a new procedure for failed tax sale properties.

The draft Brownfield Strategy and CIP would apply to brownfields across the City of Greater Sudbury on lands designated Living Area 1, Mixed Use Commercial, Downtown and Town Centre. The proposed financial incentive mechanisms would be targeted towards brownfields that are contaminated, vacant, derelict, or at risk, but could be re-used or redeveloped for residential purposes.

5. What are the next steps?

The draft Brownfield Strategy and CIP would be shared with the community for comment. The draft would be adjusted and brought back to Council for approval later this year. The key steps and possible timing in this process are:

Key Step	Possible Timing
Release Draft Brownfield Strategy and CIP	End of March
Public Open Houses	Early May
Revise Brownfield Strategy and CIP	May
Policy Committee to consider revised Brownfield Strategy and CIP	June
Planning Committee to hold statutory Public Meeting on CIP	September
Brownfield Strategy and CIP to come into effect	Late October

6. Conclusion

In 2008, City Council directed staff to prepare a Brownfield Strategy and Community Improvement Plan for the City of Greater Sudbury. A draft strategy and plan has been developed. Public consultations on the draft will be held this Spring.

Reclaiming our Urban Places - Greater Sudbury Brownfield Community Improvement Plan Presentation
circulated under seperate cover.



Request for Recommendation

City of Greater Sudbury Proposed Brownfield Community Improvement Plan

Presented To:	Planning Committee
Presented:	Tuesday, Jun 03, 2008
Report Date	Wednesday, May 21, 2008
Type:	Delegations / Presentations

Recommendations

That City Staff be directed to prepare a Brownfield Community Improvement Plan for Greater Sudbury, as described in this Report.

Finance Implications

Any funds required for the report will be directed from the Official Plan Capital Envelope. Any budget impacts will be identified through the CIP process and prior to any costs being incurred.

Signed By

Report Prepared By

Jason Ferrigan
Planner
Digitally Signed May 23, 08

Recommended by the Division

Paul Baskcomb
Manager of Community and Strategic Planning
Digitally Signed May 23, 08

Reviewed By

Bill Lautenbach
Director of Planning Services
Digitally Signed May 23, 08

Recommended by the Department

Doug Nadorozny
General Manager of Growth and Development
Digitally Signed May 23, 08

Recommended by the C.A.O.

Mark Mieto
Chief Administrative Officer
Digitally Signed May 23, 08

STAFF REPORT

Purpose:

This report proposes that the City of Greater Sudbury prepare a city-wide Community Improvement Plan (CIP) to help facilitate the redevelopment of "brownfields".

There are many different ways to define a "brownfield". The National Round Table on the Environment and Economy defines a brownfield as "... abandoned, idle or underutilized commercial or industrial properties where past actions have caused known or suspected environmental contamination, but where there is an active potential for redevelopment." The Province of Ontario defines a brownfield as "an undeveloped or previously developed property that may or may not be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be utilized, derelict, or vacant."

There are many properties in the City that meet these definitions (e.g. old gas stations, old industrial sites). The proposed Brownfield CIP will build on the commonalities in these and other examples to best define what a brownfield means within the varying contexts of the Greater City.

The report also describes a phased process for the implementation of the CIP.

Background:

In recent years, the federal and provincial government have focussed a substantial amount of attention on the issue of "brownfields" and their redevelopment. For example:

- In 2001, the Federal Government of Canada asked the National Round Table on the Environment and the Economy to prepare a National Brownfield Redevelopment Strategy. This Strategy, which was released in 2003 and is called *Cleaning up the Past Building the Future*, is designed to support brownfield redevelopment through three strategic directions: apply strategic public investments to address upfront costs; establish an effective public policy regime for environmental liability and risk management; and, build capacity for and community awareness of, brownfield redevelopment.
- In recent years, the Province of Ontario has enacted a series of changes that are designed to: establish a consistent land use planning policy framework for brownfield redevelopment; clarify the science behind brownfields; clarify issues relating to liability and risk; and, to provide municipalities with new financial tools that can be used through a CIP to stimulate the revitalization of brownfields.

Municipalities across Ontario are responding to this evolving policy and legislative framework, by preparing Brownfield CIPs, suited to their own particular needs. Many municipalities, including Hamilton, Brantford, Kingston, Toronto, North Bay and Sault Ste Marie have developed a CIP to facilitate brownfield redevelopment.

The new Official Plan, which recently came into effect, after receiving approval from the Ontario Municipal Board, provides a policy platform to guide the redevelopment of brownfields across the City.

- The Official Plan recognizes the opportunities for brownfield redevelopment, and the connection between brownfield redevelopment and other key objectives such as intensification. Policy 10.5, for example, states "The redevelopment of abandoned or underutilized industrial and commercial sites is consistent with policies encouraging increased intensification in built up areas." Brownfield redevelopment is also linked to commercial area revitalization and heritage conservation.

- The Official Plan also recognizes CIPs as the vehicle to address brownfield redevelopment. Policy 15.3.e, for example, states that "brownfield redevelopment" is a community improvement project.
- The Official Plan also anticipates that the City may use a CIP to make financial incentives available to stimulate brownfield redevelopment. Policy 10.5.1, for example, states "The City may consider financial and other incentives to promote the redevelopment and reuse of brownfield properties that are subject to environmental constraints." Furthermore, Policy 15.4.k states "in order to effectively implement ... Community Improvement Plans, a variety of initiatives will be used. These initiatives may include, but are not limited to: ... the use of financial incentives to achieve objectives of the CIP...".

With these Official Plan policies in place, the City is well-positioned to move forward with the preparation of a Brownfield CIP that facilitates the redevelopment of brownfields across the entire City.

Brownfields:

What are some of the challenges associated with brownfields?

Brownfields can present many economic, social and environmental challenges.

- Economically, brownfields can have a negative effect on property values, assessment and taxation. In some cases, this effect can be felt beyond the brownfield itself. As vacant or underused commercial or industrial sites, brownfields represent lost economic opportunities in terms of productivity and jobs. Brownfields also contribute to the underutilization of existing hard and soft services.
- Socially, the derelict nature of brownfields detracts from a neighbourhood's quality of place and can affect the quality of life of neighbourhood residents. Those brownfields situated in key locations can also have negative effects on the quality and image of the City.
- Environmentally, the type, nature and extent of contamination can pose risks to human health and the environment.

What benefits could be realized through brownfield redevelopment?

The redevelopment of brownfields in Greater Sudbury has the potential to generate many economic, social and environmental benefits.

- Economically, brownfield redevelopment results in increased assessment, increased property value and increased tax revenue. For example, in Guelph, the redevelopment of four industrial sites for residential/commercial uses resulted in \$26.7 million increase in assessment (from \$1,801,116 to \$28,534,580) and a corresponding \$569,000 increase in tax revenue (from \$58,718 to \$627,704).
- Socially, brownfield redevelopment can help to repair the fabric of existing communities, improving quality of place and life.
- Environmentally, brownfield redevelopment can help to remove threats to human health and safety, temper pressures for development of the Living Area 1 land supply, and, in urban areas, improve air quality and reduce greenhouse gas emissions by providing increased opportunities for closer live-work relationships, especially if the brownfield is situated on a public transit line.

What are the barriers to brownfield redevelopment?

The experience of other communities suggests that there can be numerous barriers to brownfield redevelopment. These include:

- lack of awareness of brownfields;
- threat of real or perceived contamination;
- concerns regarding liability and risk;
- substantial and/or prohibitive clean up costs;
- tax arrears; and,
- not in my back yard attitudes.

What can the City do to help stimulate brownfield redevelopment?

The City of Greater Sudbury can pro-actively address some of the above barriers by initiating a comprehensive city-wide Brownfield CIP.

- The proposed Brownfield CIP would help to raise the level of awareness for brownfields and approaches to brownfield redevelopment. A key element in this awareness raising could be a "Brownfields Symposium" which could be held in the Fall of 2008. This symposium could be targeted towards those involved in developing Greater Sudbury (i.e. Council, staff, developers, lawyers, lenders, appraisers and other professionals and stakeholders) and bring together an array of relevant experts, who would speak of their experience with successfully redeveloping brownfields.
- The proposed Brownfield CIP would provide the City with a unique vehicle to stimulate brownfield clean up and redevelopment, thus helping to level the playing field between already developed and undeveloped sites. Properties across the City meeting certain criteria (e.g. contaminated, in a town centre) would be eligible for incentives to help offset the cost of remediation and redevelopment. The incentives offered would be similar to the Downtown Tax Increment Financing Program. With the proposed Brownfield CIP, the brownfield redevelopers would also be able to access the provincial Brownfield Financial Tax Incentive Program, which allocates matching education property tax assistance for the rehabilitation and development of eligible brownfield properties.
- The proposed Brownfield CIP would also provide the City with additional policy and financial tools to facilitate the sale and redevelopment of former commercial and industrial properties through the municipal tax sale process.

How should the City prepare a brownfield redevelopment strategy?

The Brownfield CIP for the City of Greater Sudbury would be developed and implemented through a five phase process that would begin in June 2008. This process, which is described below, would be led by Planning Services and involve an interdepartmental staff team.

Phase 1. Reconnaissance (June to October, 2008)

- Create interdepartmental staff team (e.g. planning, economic development, finance, property).
- Review provincial legislation, regulations, policies and programs.
- Review comparable municipal precedents.
- Conduct key stakeholder interviews.
- Characterise the scope and nature of brownfields in Greater Sudbury.

Phase 2. Greater Sudbury Brownfield Symposium (October 2008)

- This day-long event would be designed to raise the level of awareness of brownfields in Greater Sudbury, as well as successful approaches to their redevelopment. All relevant stakeholders would be invited to this event including Council, key City Staff, key community stakeholders, developers, lawyers, lenders, insurers and other relevant technical specialists.

Phase 3. Formulate Draft Brownfield CIP (November 2008 to March 2009)

- Based on the results of Phases 1 and 2, City Staff would create a draft Brownfield CIP for Greater Sudbury. The draft Brownfield CIP would be circulated to key stakeholders for comment. Public open houses would also be held to solicit feedback on the draft Brownfield CIP. The location, number and timing of the public open houses would be tailored to the scope the draft Brownfield CIP.

Phase 4. Finalize and Adopt Brownfield CIP (April to June 2009)

- Based on the feedback received during Phase 3, City staff would finalize the draft Brownfield CIP. It is anticipated that the Brownfield CIP would be adopted by City Council according to the provisions of Sections 28 and 17 of the Planning Act, which provides for a formal public meeting and establishes appeal rights.

Phase 5. Promote, Implement and Monitor Brownfield CIP (June 2009 to Ongoing)

- Once in effect, the Brownfield CIP would be promoted using new brochures and through the City website. The administration of the plan would be undertaken by Staff, who would provide Council with annual reports regarding the implementation of the plan. The plan would also be monitored during implementation to determine the need for any future adjustments. All major adjustments would require Council approval.

Conclusion:

The City of Greater Sudbury should prepare a Community Improvement Plan to help stimulate the revitalization of brownfields across the entire City. This plan should be developed following the above-described work program.

For Information Only

Annual Report 2010 Regreening Program

Presented To: Policy Committee

Presented: Wednesday, Mar 23, 2011

Report Date Friday, Feb 18, 2011

Type: Correspondence for
Information

Recommendation

For Information Only

Background

For the past 30 years, the City of Greater Sudbury's Regreening (Land Reclamation) Program has been active planting over 9 million tree seedlings and reclaiming over 3,400 hectares of barren land. This Program has won local, provincial, national and international awards and recognition for its achievements. More importantly, this Program has profoundly altered the image of Sudbury and has given our citizens a renewed sense of community pride and optimism. Locally, the Program is enhancing our lakes and rivers through watershed improvement and is creating new wildlife habitat that will eventually result in a diverse and self-sustaining environment.

The Program engages in tree and shrub planting, spreading crushed agricultural limestone on barren land, and a new initiative in 2010; transplanting forest floor vegetation into older reclamation sites to increase forest biodiversity. The Program also hosted and assisted with numerous opportunities for the public to engage in biodiversity initiatives in 2010.

A copy of the Annual Report 2010 Regreening Program has been circulated to Council under separate cover. The report is also available online at www.greatersudbury.ca/VETAC under the Reports/Publications section.

Signed By

Report Prepared By

Tina McCaffrey
Supervisor of Land Reclamation
Digitally Signed Feb 18, 11

Division Review

Paul Baskcomb
Director of Planning Services
Digitally Signed Feb 18, 11

Recommended by the Department

Bill Lautenbach
General Manager of Growth and
Development
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Recommended by the C.A.O.

Doug Nadorozny
Chief Administrative Officer
Digitally Signed Mar 1, 11

Request for Decision

Consolidation of Road Fouling, Occupancy and Entrance By-laws

Presented To: Policy Committee

Presented: Wednesday, Mar 23,
2011

Report Date Wednesday, Feb 02,
2011

Type: Managers' Reports

Recommendation

That the Road Fouling By-law, the Road Occupancy By-law and the Private Entrance By-law be passed and that the User Fee By-law be amended to incorporate the necessary fees associated with these by-laws all in accordance with the report from the General Manager of Infrastructure Services dated February 2, 2011.

Finance Implications

If approved, the pavement degradation fees will be adjusted in the 2011 operating budget during budget deliberations.

BACKGROUND

A large number of by-laws from the former Sudbury area municipalities

Signed By

Report Prepared By

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Division Review

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General Manager of Infrastructure
Services
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Recommended by the C.A.O.

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still exist which address various issues regarding municipal highways. The Road Fouling and Road Occupancy By-Laws typically address such topics as road fouling, use, maintenance and occupation of roads which also includes items such as roadside ditches and culverts under entrance ways. In some cases an area municipality has had a single by-law which addressed a number of topics. In other instances separate by-laws exist to deal with singular items. These by-laws are currently in effect within the boundaries of the former Sudbury area municipalities. Unfortunately, this has created a patchwork of inconsistent guidelines affecting City roads and made enforcement extremely difficult if at all possible.

In the process of developing new by-laws for the City of Greater Sudbury, staff have revisited the various former Sudbury area municipalities' by-laws in addition to reviewing by-laws of several other municipalities (Ottawa, Winnipeg, Toronto, Montreal, Mississauga, Brampton, North Bay, Pickering, London, Timmins, Sault Ste. Marie, etc.). Staff have also added in their understanding of current issues and concerns facing the City, based on the experiences since amalgamation.

It is proposed to deal with road related issues (other than Traffic and Parking matters) by way of three separate by-laws. All three of these by-laws essentially consolidate provisions in existing by-laws and standard operating procedures. The short titles of these by-laws are: Road Fouling By-Law, Road Occupancy By-Law and Private Entrance By-Law. Each of these by-laws is summarized below:

Road Fouling Bylaw	- Governs all aspects of road fouling associated with the entire road right of way
Road Occupancy Bylaw	- Road Closure Permits - Road Occupancy Permits - Sidewalk Café Permits - Non Refundable Pavement Degradation Fee
Private Entrance Bylaw	- Private Entrance Permits - Culvert Policy

Road Fouling By-Law

The full title of this by-law, "A By-Law to Regulate the Fouling, Obstruction, Use and Care of Highways within the City of Greater Sudbury" provides a summary of the issues dealt within the by-law. This by-law consolidates the prohibitions of former area by-laws that currently exist within the former Sudbury area municipalities and has been updated to address current issues, and to be consistent with a view of securing public safety uniformly across the City in the use of municipal highways.

The portion of the by-law dealing with fouling addresses the deposit of snow, waste, debris and such matters on the highway. The provisions of the bylaws in the former City of Sudbury requiring downtown businesses to address snow and ice on City streets and the obstruction of ditches along highways have been carried forward. Various forms of obstruction of the highway have been prohibited, where this interferes with the intended use of the highway. Examples of such obstructions include, but are not limited to, dumping soil / snow on to the roadway, breaking curbs, scarring the pavement with heavy equipment and obstructing sidewalks. Flexibility can be achieved for special circumstances through encroachment agreements where applicable, or by securing appropriate permits under the other roads by-laws. Actions which damage the sidewalks, boulevards or other parts of the highway continue to be prohibited. As is typical of our by-laws, provisions exist which allow the City to remedy defaults if necessary and recover all costs from property owners.

Road Occupancy By-Law

The full title of this by-law is, "A By-Law to Regulate Road Occupancy Including Road Activity, Road Cuts, Temporary Closures and Sidewalk Cafes". This by-law establishes a permit process to be followed where there is a request to occupy any part of a road. This may be necessary when a utility firm or contractor is installing utilities or service connections to private property within the road allowance whether or not a 'road cut' or cut to the pavement is required. Standards for conduct of the work and road reinstatement are carried forward from the existing by-laws. The new by-law does not address work tendered by the municipality, as this is dealt with in the contract process.

Moreover, the permit system will extend to authorizing the operation of a Sidewalk Café. This incorporates what is currently a 'stand alone' by-law governing Sidewalk Cafés. The by-law also addresses the permit

process for road closures for parades or other special purposes. These items are also governed under existing by-laws. While the new by-law sets standards addressing safety and traffic issues, the giving of notice, indemnity requirements, road restoration and the like, the permit system also provides flexibility to allow the municipality to set additional requirements as necessary based on each individual situation.

While much of the content of the by-law draws on and modifies existing by-laws, and reflects current practice there is one main area of change. Although an internal policy has existed for a "three (3) year no-cut policy" on new pavements, it is desirable to formalize this prohibition. Therefore, the new by-law requires Council approval before a permit can be issued to allow a pavement cut to be made to a road where there has been road construction, reconstruction or resurfacing in the past three (3) years.

It is further proposed that a new 'Pavement Degradation Fee' be created. This non refundable Pavement Degradation Fee is being sought for any pavement cuts or excavations that encroach onto the paved area of the road. The fee structure is derived from similar Pavement Degradation Fees utilized in other municipalities in the province. It reflects the fact that once the uniform integrity of the road structure has been disturbed, it reduces the service life of the roadway and therefore will require more maintenance. It is proposed that the Pavement Degradation Fee be accrued in an account that can be utilized to upgrade the road at a later date under an annual 'Shave and Pave' Program. The Pavement Degradation Fee will vary in accordance with the age of the pavement being cut. The older roadways with shorter remaining useful life will have a lower charge than newer roadways with long life expectancies.

The Auditor General recommended a similar approach in his report titled 'Audit for Roads - Miscellaneous Winter Maintenance' prepared in 2010. Following is an outline of the proposed Pavement Degradation Fee structure:

Pavement Age	2011 Pavement Degradation Fees (per square metre)
≤ 3 Years	\$30.60
> 3 to ≤5 Years	\$25.40
> 5 to ≤7 Years	\$20.40
> 7 to ≤ 10 Years	\$12.70
> 10 Years +	\$5.10

The Pavement Degradation Fee will have a budget impact on most Utility Firms such as Greater Sudbury Hydro Plus, Hydro One, Bell Canada, Vianet, Union Gas as well as some City departments, primarily Water/Wastewater Services. Based on a five (5) year average of pavement cuts, it is estimated that Water/Wastewater Services will need to pay an annual average Pavement Degradation Fee of \$80,000. Additional fees of \$10,000 is anticipated from Pavement Degradation Fees charged to external Utility Companies. Two separate notices regarding the pending Pavement Degradation Fees have been provided to all the locally operating Utility Companies and City Departments at the 2010 annual Utilities Coordination Meeting and by letter in September of 2010.

Private Entrance By-law

While the former area municipalities did not have by-laws in place to control the location and requirements for entrances from private property onto municipal roads, they did have unofficial processes in place to regulate this function. Formalization of this process has become an increasingly important issue. The proposed new by-law incorporates the existing Culvert Policy By-law (established in 2003) as well as existing provisions required for either new or altered private entrances.

In many instances, private entrances have been created without consultation with the City. This has led to broken barrier curbs, installation of extremely long culverts, installation of under sized culverts and positioning of entrances at blind spots to name a few. These types of incidents typically have led to poor drainage due to improperly installed and/or sized culverts, reduction in the life of curbs and roadways due to sawcutting and/or breaking of curbs, creation of water ponding due to altered road drainage and ice build-up during the winter months at ponding locations. Such actions have resulted in increased maintenance costs, undue duress to the travelling public and neighbours, as well as to create liability for both the municipality and the perpetrators. It is desirable to have a separate by-law that deals directly with the primary item, private entrances.

Managing the width, type, location, and number of entrances that each property is allowed is crucial to providing safety for the traveling public as well as the property owners. Sight lines, speed and alignment of the road, snow storage requirements and traffic interruptions will be taken into account when assessing an application under this new by-law. The private property owner requesting an entrance will receive a road occupancy permit at the same time that they apply for a private entrance permit. The system is streamlined in this way to make it

simpler for a private developer to acquire the necessary permits to proceed with the creation of new or modified entrances.

Summary

It is recommended that the Road Fouling By-law, the Road Occupancy By-law and the Private Entrance By-law be passed and that the User Fee By-law be amended to incorporate the necessary fees associated with these by-laws all in accordance with the attached report from the General Manager of Infrastructure Services dated February 2, 2011.