



Planning Committee Agenda

Monday, October 21, 2024

Tom Davies Square

Councillor Cormier, Chair

1:00 p.m. Open Session Council Chamber / Electronic Participation

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1. **Call to Order**
2. **Roll Call**
3. **Declarations of Pecuniary Interest and the General Nature Thereof**
4. **Public Hearings**

4.1 0 Bancroft Drive, Sudbury

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This report provides a recommendation for rezoning to permit a future medium density residential development as a result of Council direction to create development-ready parcels of land to assist with housing and funding opportunities.

This report is presented by Stephanie Poirier, Senior Planner.

4.2 0 Municipal Road 35, Chelmsford

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This report provides a recommendation regarding an application for Zoning By-law Amendment in order to permit a mining-related light industrial use in the form of an engineering and fabrication shop, accessory office, and accessory outdoor storage and repair area.

This report is presented by Wendy Kaufman, Senior Planner.

Letter(s) of concern from concerned citizen(s).

4.3 Bill 23, More Homes Built Faster Act, 2022 - Public Hearing Requirements for Plans of Subdivision

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This report provides a recommendation regarding amendments to the City's Official Plan, as amended, in response to legislative changes resulting from Bill 23, More Homes Built Faster Act, 2022.

This report is presented by Stephanie Poirier, Senior Planner.

5. Consent Agenda

For the purpose of convenience and for expediting meetings, matters of business of repetitive or routine nature are included in the Consent Agenda, and all such matters of business contained in the Consent Agenda are voted on collectively.

A particular matter of business may be singled out from the Consent Agenda for debate or for a separate vote upon the request of any Councillor. In the case of a separate vote, the excluded matter of business is severed from the Consent Agenda, and only the remaining matters of business contained in the Consent Agenda are voted on collectively.

Each and every matter of business contained in the Consent Agenda is recorded

separately in the minutes of the meeting.

5.1 Routine Management Reports

5.1.1 Bancroft Drive, Sudbury – Declaration of Surplus Vacant Land

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This report provides a recommendation to declare surplus vacant land on Bancroft Drive, Sudbury and add the land to the City's Affordable Housing Land Bank.

5.1.2 Bayside Estates Subdivision, Azilda

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This report provides a recommendation regarding an application for an extension to the Bayside Estates draft plan of subdivision (File #780-5/06-004) located in Azilda for a period of three years until November 10, 2027.

6. Members' Motions

7. Addendum

8. Civic Petitions

9. Question Period

10. Adjournment

0 Bancroft Drive, Sudbury

Presented To:	Planning Committee
Meeting Date:	October 21, 2024
Type:	Public Hearing
Prepared by:	Stephanie Poirier Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-6/24-010

Report Summary

This report provides a recommendation for rezoning to permit a future medium density residential development as a result of Council direction to create development-ready parcels of land to assist with housing and funding opportunities.

This report is presented by Stephanie Poirier, Senior Planner.

Resolution

THAT the City of Greater Sudbury approves the application to amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury to change the zoning classification from “R1-5” Low Density Residential One Zone to the “H62R3-1” Holding Medium Density Residential Zone on those lands described as PINs 73578-0223, 73578-0573, 73578-0574, & 73578-0576, Lot 12, Concession 3, Township of Neelon, subject to the following condition:

1. A Holding symbol which shall not be removed by the City of Greater Sudbury until the following condition has been addressed:
 - a) The owner shall have entered into an affordable housing agreement with the City of Sudbury to the satisfaction of the Director of Planning Services.

Until such time as the H symbol has been removed, the only permitted uses shall be those legally existing on the date prior to the amending by-law coming into effect.

Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding. The proposal demonstrates conformity with the Strategic Plan and the Community Energy & Emissions Plan to the extent that it represents future residential intensification and housing diversification within a fully serviced settlement area. Additionally, the rezoning aligns with Council’s Strategic Priorities including “Expand Affordable and Attainable Housing Options” and “Develop and Promote Solutions to Support Existing Housing Choices”.

Financial Implications

If approved, staff are unable to estimate taxation revenues as the assessment value of the proposed building (with unknown number of units at this time) would be determined by Municipal Property Assessment Corporation (MPAC).

If there is additional taxation revenue, it will only occur in the supplemental tax year. Any taxation revenue generated from new development is part of the supplemental taxation in its first year. Therefore, the City does not receive additional taxation revenue in future years from new development, as the tax levy amount to be collected as determined from the budget process, is spread out over all properties within the City.

The amount of development charges will be based on final review of the property by the Building Services department at the time of permit issuance.

Report Overview:

The application seeks to rezone the subject lands from the “R1-5” Low Density Residential One Zone to the “H62R3-1” Holding Medium Density Residential Zone in order to accommodate a future housing development proposal.

The application is subject to a two-stage public hearing process. The attached report is a recommendation Planning Report prepared for the stage two public hearing. The stage one hearing took place on September 4 2024. No members of the public were in attendance and no written submissions have been received to date. Three phone calls were received which were for information clarification purposes. Staff are supportive of the application as it is consistent with the Provincial Planning Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest and represents good planning.

Staff Report

Proposal:

The purpose and effect of the Municipally initiated application is to rezone the subject lands from the “R1-5” Low Density Residential One Zone to the “H62R3-1” Holding Medium Density Residential Zone in order to accommodate a future housing development proposal in accordance with the Housing Supply Strategy and Affordable Housing Community Improvement Plan (AHCIP).

The subject lands are designated ‘Living Area 1’ within the City’s Official Plan, are zoned “R1-5” Low Density Residential One Zone within By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury and are located within the ‘Ramsey Lake Intake Protection (IPZ 3) Zone 3’ within the Source Water Protection Plan.

The subject lands are located North-West of the intersection of Bancroft Avenue and First Avenue in Minnow Lake. The subject lands have a frontage of +/- 75 m along Bancroft Drive, +/- 146 m along First Avenue, and a lot area of +/- 6 ac (4.42 ha). The subject lands are in a natural vegetative state and are vacant of buildings and structures. The site is relatively flat, based on a preliminary review of orthophotography and site visit there do not appear to be any development constraints.

The subject lands are serviced by a municipal sanitary connection, and water infrastructure is located within the right of way of Bancroft Drive. Adequate servicing capacity exists for the subject lands based on the maximum units per ha permitted within the Official Plan, being 90 units per ha for medium density developments. Access(es) will be established to the site through the site plan control process once a development proposal has been received.

Surrounding uses are residential and institutional in nature. The subject lands are located adjacent to existing active transportation infrastructure, and are in proximity to both active and passive recreational opportunities, including the Morel Family Foundation Park on Second Avenue; educational and health care facilities as well as a cluster of commercial developments at the corner of Second Ave and Bancroft Ave.

A location map has been attached for reference.

Background

On May 27, 2024 Planning Committee was presented with an update on the Affordable Housing Land Banking Strategy Phase 2, which described the process of municipal land banking and the criteria used to determine suitable lands for the creation of affordable housing units in accordance with the Housing Supply Strategy and in conjunction with the Affordable Housing Community Improvement Plan (AHCIP).

Based on the identified need for purpose-built rentals, the amount of land required for multi-residential developments, and the locational criteria established in the Affordable Housing Community Improvement Plan (AHCIP), two City owned sites were identified as priority properties, one of the sites being 0 Bancroft Drive.

Planning Committee passed a resolution (PC2024-83) that directed staff to initiate the Planning Act processes to rezone 0 Bancroft Drive to the “R3-1” Medium Density Residential Zone. This rezoning application is a result of Council direction to create development-ready parcels of land to assist with affordable housing and funding opportunities.

On September 4, 2024 planning staff provided Committee with an information report as part of the phase one hearing for this rezoning application. Planning Committee passed a resolution (PC2024-129) that directed staff to complete a further review and evaluation of the application and schedule a second public hearing. In response, staff have prepared a recommendation report for Committee’s consideration.

Policy & Regulatory Framework:

The property is subject to the following policy and regulatory framework:

- [2024 Provincial Planning Statement](#)
- [2011 Growth Plan for Northern Ontario](#)
- [Official Plan for the City of Greater Sudbury, 2006](#)
- [Zoning By-law 2010-100Z](#)

Provincial Planning Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

Provincial Planning Statement:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters are consistent with the Provincial Planning Statement (PPS).

Several sections of the PPS are relevant to the application and intended medium density residential use of the lands.

Policy 2.1.6 identifies that planning authorities should support complete communities by accommodating an appropriate range and mix of land uses to meet long term needs, which improves accessibility for people of all ages and abilities, and improves social equity and overall quality of life for people of all ages, abilities, and incomes.

Policy 2.2 speaks to housing and requires planning authorities to provide an appropriate range and mix of housing options to meet social, health, and economic needs of current and future residents by permitting densities for new housing and residential intensification which efficiently use land, resources, infrastructure, public service facilities, and transit.

Policy 2.3 speaks to settlement areas and requires that settlement areas be the focus of growth and development. Land use patterns within settlement areas should be based on densities and a mix of land uses which efficiently use land and resources, optimize existing and planned infrastructure and public service facilities, and are transit supportive. Intensification and redevelopment to achieve complete communities shall be supported.

Policy 2.9 speaks to energy conservation, air quality, and climate change and requires planning authorities to reduce greenhouse gas emissions by supporting compact and complete communities that are transit supportive, conserve and use energy efficiently, protect the environment, and improve air quality.

Policy 3.6 speaks to sewage, water, and stormwater and includes a servicing hierarchy where municipal sewage and water services are the preferred form of servicing within settlement areas to support protection of the environment and minimize potential risk to human health and safety.

Growth Plan for Northern Ontario:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario. The Growth Plan encourages Municipalities to plan communities that achieve accommodation of the diverse needs of all residents, now and in the future, optimize use of existing infrastructure, and result in a high quality of place.

Official Plan for the City of Greater Sudbury:

The subject property is designated as 'Living Area 1' in the City of Greater Sudbury Official Plan.

Section 3.1 contains the objectives of the 'Living Area 1' designation. The objectives applicable to this application are as follows:

- a. meet Greater Sudbury's housing needs, including the special needs of the elderly, handicapped, low-income individuals and families, and students, by encouraging the provision of an adequate supply of affordable, ownership, rental, and special needs housing in Living Areas;
- b. encourage the development of a mix of residential uses;
- c. achieve stability in the City's housing market by ensuring that a sufficient supply of designated and serviceable residential land is available to meet existing and future needs;
- e. focus residential development in areas that have sufficient infrastructure and public service capacity

Areas designated 'Living Area I' in Communities are seen as the primary focus of residential development. Section 3.2.1 contains policies for the 'Living Area I' designation. The following are applicable:

- 2. In medium density developments, all low density housing forms are permitted, including small apartment buildings no more than five storeys in height to a maximum net density of 90 units per hectare.
- 4. Medium and high density housing should be located on sites in close proximity to Arterial Roads, public transit, main employment and commercial areas, open space areas, and community/recreational services.
- 5. Medium and high density housing are to be located in areas with adequate servicing capacity and a road system that can accommodate growth. Sites should be of a suitable size to provide adequate landscaping and amenity features.
- 6. In considering applications to rezone land in Living Area I, Council will ensure amongst other matters that:
 - a. the site is suitable in terms of size and shape to accommodate the proposed density and building form;
 - b. the proposed development is compatible with the surrounding neighbourhood in terms of scale, massing, height, siting, setbacks, and the location of parking and amenity areas;
 - c. adequate on-site parking, lighting, landscaping and amenity areas are provided; and,
 - d. the impact of traffic on local streets is minimal.

Section 2.3 of the Official Plan regarding reinforcement of the urban structure states that growth must continue to be directed to capitalize on existing investments, make the most efficient use of existing infrastructure and public service facilities, protect our rural and agricultural assets and preserve our natural features and areas. Reinforcing the urban structure also creates a more energy efficient land use pattern and supports climate change mitigation. Section 2.3.2 directs that settlement area land use patterns will be based on densities and land uses that make the most efficient use of land, resources, infrastructure and public service facilities, minimize negative impacts on air quality and climate change, promote energy efficiency and support public transit, active transportation and the efficient movement of goods.

Section 17 contains policies in regards to housing and states that adequate and affordable housing for all residents is a fundamental component of Greater Sudbury's Healthy Community approach to growth and development. Housing is also a key contributor to individual success at school, in the workplace, and in the community. Diversity in the housing supply is achieved by providing a range of housing types, maintaining a balanced mix of ownership and rental housing, and addressing housing requirements for low income groups and people with special needs.

A key housing goal of the Official Plan is to maintain a balanced mix of ownership and rental housing, and to encourage a greater mix of housing types and tenure, including encouraging the production of smaller (one and two bedroom) units to accommodate the growing number of smaller households. The Official Plan is intended to provide direction as to how housing needs and issues can be addressed in concert with the CGS Housing and Homelessness Plan.

Zoning By-law 2010-100Z:

The subject lands are proposed to be rezoned to the “R3-1” Medium Density Residential Zone within the City’s Zoning By-law.

The “R3-1” Zone permits the following uses:

- Bed and Breakfast Establishment;
- Convenience Store;
- Day Care Centre;
- Duplex Dwelling;
- Group Home Type 1;
- Multiple Dwelling;
- Personal Service Shop;
- Private Home Daycare;
- Row Dwelling;
- Shared Housing;
- Semi-detached Dwelling;
- Single Detached Dwelling; and
- Street Townhouse Dwelling.

The “R3-1” zoning standards and general provisions vary depending on the proposed use. The applicable zoning standards will be evaluated once a development proposal has been received.

2.6 Holding Zones

Notwithstanding any other provision in this By-law, where a Zone symbol is preceded by, a letter “H” and a number– for example H1M1 – the symbol refers to a Holding provision that applies to the lands noted. No person shall use or permit the land to which the Hold applies for any use other than the use which legally existed on the date the By-law applying the Holding provision came into effect or the use(s) permitted in the By-law enacting the Hold, or expand or replace an existing building or structure as the case may be, until the Hold (H) is removed in accordance with the policies of the Official Plan and Section 36 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

Consultation:

Public Consultation:

The statutory notice of the application was provided by newspaper on March 23, 2024 along with a courtesy mail-out to surrounding property owners and tenants within 122 m of the property on July 10, 2024. The statutory notice of the stage one public hearing was provided by newspaper on August 10, 2024, and courtesy mail-out within 122 m of the property on August 8, 2024. The notice for the stage two public hearing was provided by newspaper on September 28, 2024, and courtesy mail-out within 122 m of the property on September 26, 2024.

At the time of writing this report, three phone calls were received to date and no written submissions with respect to this application have been received by the Planning Services Division. The nature of the phone calls were for information purposes only.

Department/Agency Review:

The application including relevant accompanying materials has been circulated to all appropriate agencies and departments. Responses received from agencies and departments will be used to assist in evaluating the application. Comments received from departments generally had no concerns with the rezoning request. At the time when a development proposal is received, further department and agency review will be completed through the site plan control application process.

Development Engineering confirmed that adequate servicing capacity exists for the subject lands based on the maximum number of units per ha permitted within the Official Plan.

Strategic and Environmental Planning provided advisory comments for the developer to adhere to federal Migratory Birds Convention Act, the provincial Endangered Species Act and the provincial Fish and Wildlife Conservation Act.

Source Water Protection identified that the site will be subject to a permit and further review in order to protect significant drinking water.

Detailed comments can be found in Appendix 1 to this report.

Planning Analysis:

The Provincial Planning Statement (PPS) and Official Plan direct growth to occur within settlement areas with preference for full municipal services. The subject lands are located within an existing residential area in the settlement area of Sudbury and municipal servicing is available subject to engineering and design.

The PPS and Official Plan promote residential intensification and encourage a wide range of housing forms in order to accommodate current and future housing needs. The proposed rezoning from low density to medium density will result in residential intensification of the subject lands and is intended to contribute to diversifying the housing supply by permitting medium density forms of housing with an affordable housing component.

The Official Plan provides location criteria for medium density housing developments. The subject lands has frontage along Bancroft Drive which is classified as an arterial road and is anticipated to be able to accommodate additional growth. The subject lands abut a public transit route with the nearest stops approximately 60 m to the east and 80 m to the west on Bancroft Drive. Adequate municipal water and sanitary services are available, subject to engineering and design. The subject lands are located in close proximity to both active and passive recreational opportunities, including the Morel Family Foundation

Park on Second Avenue, educational and health care facilities, as well as a cluster of commercial developments at the corner of Second Ave and Bancroft Ave. The subject lands are +/- 6 ac (4.42 ha) in area which is considered to be a suitable size to provide adequate landscaping and amenity features. Based on the above, the proposed rezoning is in conformity with the location criteria of the official plan for medium density development.

It is noted that once a development proposal has been submitted staff will undertake a detailed review of the proposal against the policy documents. Should the future development be unable to meet the zoning standards, a subsequent planning application would be required and staff would evaluate the appropriateness of the requested relief at that time.

In order to ensure that the future development contains an affordable housing component, staff recommend that a holding provision be placed on the lands. Removal of the holding provision would be contingent upon the completion of an affordable housing agreement.

The rezoning proposal was initiated through Council's direction to create development-ready parcels of land in accordance with the Housing Supply Strategy and in conjunction with the Affordable Housing Community

Improvement Plan (AHCIP). Overall, staff are of the opinion that the proposed rezoning is consistent with the Provincial and City's direction for establishing increased housing through residential intensification in the form of medium density development with an affordable housing component.

Conclusion:

Staff recommends approval of the application as described in the resolution section on the basis that it is consistent with the Provincial Planning Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest and represents good planning.

Resources:

1. Affordable Housing Land Banking Strategy Phase 2 Update, <https://pub-greatersudbury.escribemeetings.com/filestream.ashx?DocumentId=53497>
2. Land Banking Summary- Minnow Lake/ Bancroft Site, <https://pub-greatersudbury.escribemeetings.com/filestream.ashx?DocumentId=53498>
3. Planning Committee Resolution PL2024-83, <https://pub-greatersudbury.escribemeetings.com/FileStream.ashx?DocumentId=53576>

Appendix 1: Departmental & Agency Comments

a) Building Services

No concerns at this time.

b) Development Engineering

This site currently has a sanitary sewer service to the lot line, and municipal water is available within the Bancroft Drive Road allowance. Any upgrading of the water and/or sanitary sewer, if deemed necessary for proper servicing, will be borne by the owner.

A water and sewer capacity analysis was performed based on a maximum of 218 units on this site and it was determined that there is sufficient water supply and sanitary sewer capacity to support the development.

We have no objection to the rezoning provided that the future development proceeds by way of site plan control agreement to deal with issues such as site grading, stormwater management, and site servicing.

c) Housing Services

Housing Services has no concerns and is supportive of the application.

d) Infrastructure Capital Planning

No concerns.

e) Nickel District Conservation Authority (NDCA)

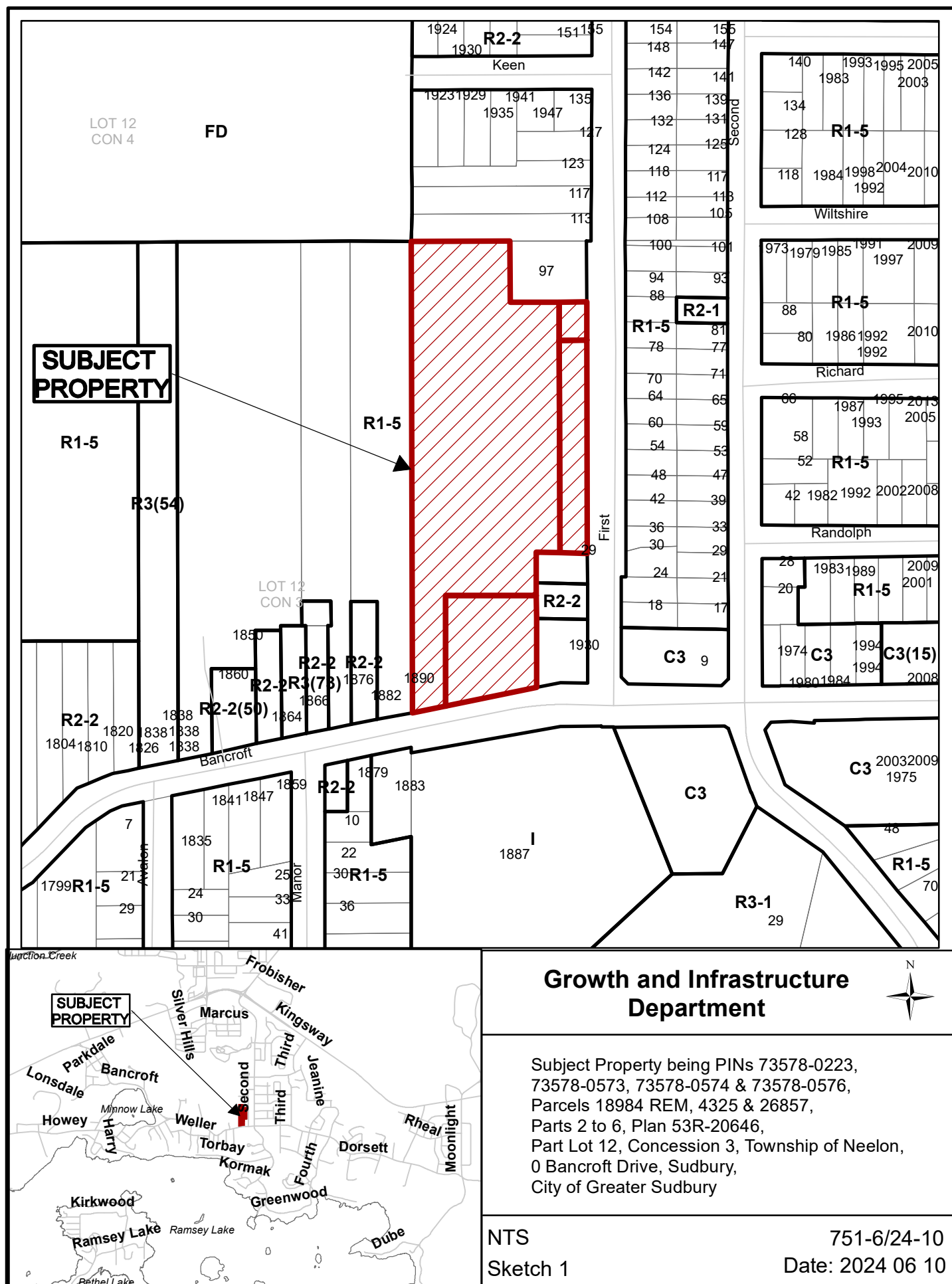
No objection to the rezoning.

f) Strategic and Environmental Planning

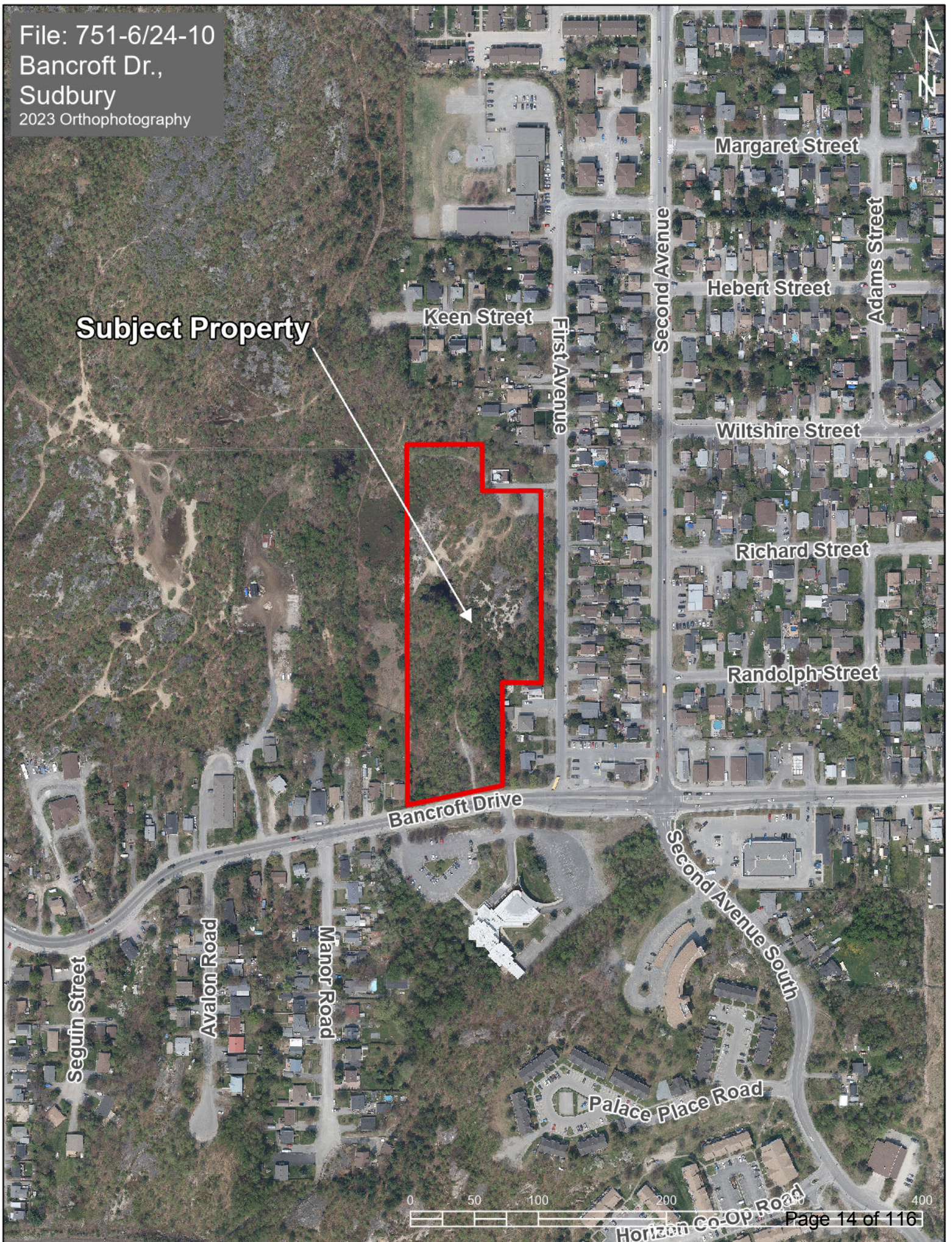
The owner is solely responsible for ensuring that vegetation removal, site alteration, and development undertaken on the subject lands do not result in a contravention of the federal Migratory Birds Convention Act, the provincial Endangered Species Act and the provincial Fish and Wildlife Conservation Act.

g) Source Water Protection

The subject lands are located within the Ramsey Lake Intake Protection Zone three (IPZ 3). A Section 59 application is required. The future development proposal will be reviewed to ensure significant drinking water is not threatened. Depending on the proposal, a Risk Management Plan may be required. The storage of road salt on the subject property would be prohibited in excess of 0.5 tonnes.



Subject Property



0 Municipal Road 35, Chelmsford

Presented To:	Planning Committee
Meeting Date:	October 21, 2024
Type:	Public Hearing
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-5/24-007

Report Summary

This report provides a recommendation regarding an application for Zoning By-law Amendment in order to permit a mining-related light industrial use in the form of an engineering and fabrication shop, accessory office, and accessory outdoor storage and repair area.

This report is presented by Wendy Kaufman, Senior Planner

Letter(s) of concern from concerned citizen(s)

Resolution

THAT the City of Greater Sudbury denies the application by 1840222 Ontario Limited to change the zoning classification on the subject lands from “RU”, Rural, to “RU(S)”, Rural Special on lands described as 73347-0193, Parcel 1584 SEC SWS SRO, Lot 9, Concession 3, Township of Rayside as outlined in the report entitled “0 Municipal Road 35, Chelmsford”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 21, 2024.

Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

The application to amend the Zoning By-law is an operational matter under the Planning Act to which the City is responding.

The development proposal to permit a general industrial use in the Rural land use designation would negatively impact strategic goals and objectives associated with Climate Change and the adoption of the CEEP that are identified within the City’s Strategic Plan. The proposed development would also impact Asset Management and Service Excellence strategic goals and objectives as the development would contribute further to development that is beyond settlement area boundaries and create undue pressure to upgrade infrastructure, which undermines the City’s ability to implement cost-effective service delivery with the intent being to reduce net costs. The development proposal therefore does not align with the City’s Strategic Plan.

Financial Implications

There are no financial implications for this report, as staff recommends that the application be denied.

Report Overview:

An application for Zoning By-law Amendment has been submitted for a vacant rural parcel in order to permit a mining-related light industrial use in the form of an engineering and fabrication shop, accessory office, and accessory outdoor storage and repair area. The lands are partially serviced by municipal water services and are located outside the settlement area boundary. Staff recommends the application for Zoning By-law Amendment be denied as described in the Resolution section.

Staff Report

Proposal:

The application for Zoning By-law Amendment proposes to amend By-law 2010-100Z being the City of Greater Sudbury Zoning By-law, by changing the zoning classification on the subject lands from “RU”, Rural, to “RU(S)”, Rural Special. The application would additionally permit a mining-related light industrial use in the form of an engineering and fabrication shop, accessory office, and accessory outdoor storage and repair area.

The subject land is undeveloped and contains a portion of municipal drain Soenens Drain G running generally east-west across the northerly extent of the parcel, wetlands and forested areas.

Concept Plan 1 and 2 were submitted with the application showing either one or two proposed buildings, with driveways, parking areas and areas to remain naturally vegetated.

The following materials were submitted in support of the application:

- Preliminary Servicing Options Report including Confirmation of Sewer and Water Capacity
- Planning Justification Report
- Draft Zoning By-law Amendment

The preliminary Servicing Options Report indicates that sufficient municipal water capacity and pressure exist for the proposal in question. The total expected wastewater daily flow rate is 4,423 L/day, and an on-site sewage system is proposed. The expected level of wastewater is below the threshold of 4,500 L/day for which a hydrogeological assessment would be required in support of the application.

Existing Zoning: “RU”, Rural

The permitted uses in the Rural zone include a range of residential and non-residential uses including agricultural use, animal shelter, cannabis production facility, distilling facility, forestry use, hunting or fishing camp, garden nursery, kennel, public utility, small-scale brewing facility, veterinary clinic, and winery, and accessory uses.

Requested Zoning: “RU(S)”, Rural Special

The proposed RU(S) zoning would additionally permit a mining-related light industrial use in the form of an engineering and fabrication shop, accessory office, and accessory outdoor storage and repair area. Draft By-law text was provided by the applicant, as follows:

(xxxx)	RU(XXX)	(RURAL LIGHT INDUSTRIAL USE – MINING-RELATED)
		Rayside Township Maps Lot XX, Con XX

Notwithstanding any provision hereof to the contrary, within any area designated RU(XXX) on the *Zone Maps*, all provisions of this by-law applicable to the RU(XXX) Zone shall apply subject to the following modifications:

- That in addition to those uses permitted in the RU Zone, a *rural light industrial use – mining related* shall also be permitted.
- That a *Rural Light Industrial Use – Mining Related* is defined herein ‘*An industrial use engaged in, or used for the engineered designing of mining industry-related equipment, and a light manufacturing use in the form of a fabrication shop dedicated to the assembly, repair, manufacturing and finishing of mining-related equipment, and includes an outdoor area used for the storage, maintenance and/or repair of material, equipment, and machinery used in*

connection with the light manufacturing use, along with an accessory business office, all of which does not produce wastewater in excess of 4,500 litres per day’.

- (iii) That those lands zoned RU(XXX) are hereby designated as a ‘Site Plan Control Area’, pursuant to Section 41 of the *Planning Act, R.S.O. 1990, Chapter P. 13*.

Location and Site Description:

The subject property is described as 73347-0193, Parcel 1584 SEC SWS SRO, Lot 9, Concession 3, Township of Rayside. The subject lands are located on the north side of Municipal Road 35, approximately 875 m east of the Chelmsford settlement area boundary. The lands have an area of approximately 25.5 ha (63 acres) with approximately 337 m of frontage on Municipal Road 35. Municipal Road 35 is a primary arterial road.

The lands are serviced with municipal water services and development is proposed to connect to this service. Municipal sanitary sewer services are not available, and an individual on-site septic system is proposed. The lands are located on a GOVA transit route with stops on both sides of Municipal Road 35 approximately 375 m to the west of the subject lands.

Surrounding Land Uses:

The lands are located approximately 875 m east of the Chelmsford settlement area boundary. Surrounding land uses include development along Municipal Road 35 in the form of rural residential use and agricultural use, as well as a home industry to the east.

North:	railway and other lands owned by Canadian Pacific Railway
East:	agricultural use with farm residence with special zoning to permit a carpentry shop as a home industry zoned RU(59)
South:	rural residential use, agricultural use with farm residence
West:	agricultural use with farm residence

The existing zoning & location map indicates the location of the subject lands to be rezoned and the zoning in the immediate area.

Orthophotography and site photos show the uses in this area.

Public Consultation:

The statutory notice of the application was provided by newspaper along with a courtesy mail-out to surrounding property owners and tenants within 240 m of the property on July 30, 2024. The statutory notice of the public hearing was provided by newspaper on September 28, 2024, and courtesy mail-out on September 26, 2024. The owner was advised of the City’s policy recommending that applicants consult with their neighbours, Ward Councillor, and key stakeholders to inform area residents on the application prior to the public hearing. At the time of writing this report, one written comment was received by the Planning Services Division with respect to this application, raising concerns regarding potential impacts on abutting residential use and agricultural use and groundwater, impacts of additional large trucks for public transit users and emergency service vehicles, and general impacts to rural character.

Policy & Regulatory Framework:

The property is subject to the following policy and regulatory framework:

- [2024 Provincial Planning Statement](#)
- [2011 Growth Plan for Northern Ontario](#)
- [Official Plan for the City of Greater Sudbury, 2006](#)
- [Zoning By-law 2010-100Z](#)

Provincial Planning Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

Provincial Planning Statement, 2024:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters are consistent with the Provincial Planning Statement (PPS).

The subject lands are designated Rural and are considered rural lands under the PPS (lands located outside settlement areas and prime agricultural areas). The following policies are relevant to the application.

Policy 2.3.1(1) states that settlement areas shall be the focus of growth and development.

Policy 2.5(1) states that healthy, integrated and viable rural areas should be supported by:

- a) building upon rural character, and leveraging rural amenities and assets; and
- d) using rural infrastructure and public service facilities efficiently;

Policy 2.6(1) states that on rural lands located in municipalities, permitted uses are:

- a) the management or use of resources;
- b) resource-based recreational uses (including recreational dwellings not intended as permanent residences);
- c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services;
- d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;
- e) home occupations and home industries;
- f) cemeteries; and
- g) other rural land uses.

Policy 2.6(2) states that development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

Policy 2.6(3) states that development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the uneconomical expansion of this infrastructure.

Policy 2.6(4) states that planning authorities should support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

Policy 2.8.1.1 states that planning authorities shall promote economic development and competitiveness by:

- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses; and
- d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities.

Policy 3.6(5) states that partial services shall only be permitted in the following circumstances:

- a) where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development;
- b) within settlement areas, to allow for infilling and minor rounding out of existing development on partial services provided that site conditions are suitable for the long-term provision of such services with no negative impacts; or
- c) within rural settlement areas where new development will be serviced by individual on-site water services in combination with municipal sewage services or private communal sewage services.

Policy 3.6(6) states that in rural areas, where partial services have been provided to address failed services in accordance with policy 3.6.5.a), infilling on existing lots of record may be permitted where this would represent a logical and financially viable connection to the existing partial service and provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

Growth Plan for Northern Ontario:

Municipalities in the Province of Ontario are required under Section 3 of the *Planning Act* to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario. Chapter 4 of the Growth Plan speaks generally to the idea that well-planned communities will attract investment and support economic development, and recognizes the City of Greater Sudbury as an economic hub. It encourages a significant amount of future employment development to locate in areas identified for intensification and redevelopment. The application will result in site for a business, but staff are of the view that the application does not conform with the Growth Plan in that the City has not planned for this area to become a location for general industrial use, and detracts from the principle of directing development to identified employment areas.

Official Plan for the City of Greater Sudbury:

The subject land is designated Rural in the Official Plan for the City of Greater Sudbury.

Section 5.1 establishes objectives for the Rural designation, including:

- a. provide an efficient and orderly pattern of land use in Rural Areas, reducing land use conflicts and requiring minimal municipal services
- b. ensure that all development is adequately serviced and does not negatively impact the environment
- c. encourage a strong rural economy with a range of rural uses and activities;
- d. recognize the importance of agriculture, silviculture and other rural land uses to the economy;
- e. preserve the cultural and historical attributes of rural areas; and
- f. promote opportunities to support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

Section 5.2(1) establishes that permitted uses in the Rural designation include residential uses, agricultural uses, conservation, open space and natural resource management activities, mineral exploration, rural industrial/commercial uses, resort and shoreline commercial uses and public uses including hydroelectric generation and associated facilities.

Section 5.2.5 outlines that some limited rural industrial/commercial uses are permitted in the Rural land use designation:

1. Rural industrial/commercial uses are generally resource-based and may include agriculture, dry industrial/commercial uses and forestry;
4. Rural industrial/commercial uses are to be located with adequate separation distances to residential areas and provide proper buffering and landscaping along Arterial Road frontages. Entrances are restricted to Secondary Arterial and Local Roads and no temporary structures, outside storage or sales displays are to be visible from the frontage of abutting roads. All such development is subject to rezoning and site plan control; and,
5. New resource-related industries should not impact the natural resource base. Rural industrial/commercial uses must generate limited amounts of wastewater and minimize land use conflicts.

Staff notes that the Official Plan establishes a specific designation 'Mining/Mineral Reserve' for certain rural lands in the City where the principle is established for mining industrial use to be located. Section 4.6.1 of the Official Plan establishes policies for the Mining/Mineral Reserve, and policy 2 states that lands designated Mining/Mineral Reserve may be used for a variety of uses related to the extraction of minerals. Permitted uses may include mining and mining-related uses, mineral aggregate uses, smelting and refining uses, pits and quarries and related uses, and accessory uses and structures associated with mining.

Zoning By-law 2010-100Z:

The development standards for the requested "RU(S)" zone require a minimum lot frontage of 90.0 m and lot area of 2.0 ha. The minimum required front yard is 15.0 m, rear and interior side yard is 10.0 m. The maximum lot coverage is 10%. A maximum height of 21.0 m is permitted for non-residential use.

Site Plan Control:

A site plan control agreement would be required prior to development of the site.

Department/Agency Review:

Roads, Transportation and Innovation Support, Active Transportation, Roads Operations, Drainage, and Transit have advised that they had no concerns.

Transportation & Innovation Support advises for the owner's awareness that, as part of the site plan process, a 4.5-metre strip of property along the entire frontage of Municipal Road 35 will be required by the City for future road improvements, as well as a 0.3-metre reserve across the entire frontage of the property, except for a 10-metre segment for a future driveway.

Drainage Section advises that for the owner's is advised that there is a municipal drain of significance (ie. Soenens Drain G) which traverses the subject lands. Any required alteration to the municipal drain to accommodate the proposed development would require approval from the City. The owner is encouraged to review and familiarize themselves with the Drainage Act, R.S.O. 1990, c. D.17 as the above may require an application to the City made under Sections 65 – Changes In Assessment and/or Section 78 – Improving of the Drainage Act.

Development Engineering advises that municipal water is available on Municipal Road 35, and municipal sewer is not available. A servicing options report was prepared by Tulloch Engineering dated May 7, 2024. This report shows that as proposed, this site meets the requirements for the development of the site. However, if the owner adds employees, then the on-site sewage system may not be appropriate for their development. This severely limits the future usage of the site. Staff is of the opinion that the business is better suited to an industrial area where both water and sanitary sewer are available. Any development of this site is through a Site Plan Control Agreement.

Conservation Sudbury advises of no objection. As part of the Site Plan Control Agreement, all development will be required to be located outside of the regulated area buffer. If stormwater will be outletting directly to the natural system then the stormwater management facility will need to be designed to the greater of the

100-year or Timmins storm, and a Section 28 permit from the Conservation Authority may be required. Please note that any additional development or lot grading within areas regulated by the Conservation Authority requires permission prior to development. 'Development' is defined by the Conservation Authorities Act and includes, but is not limited to, the alteration of a watercourse, grading, placement or removal of fill (even if it originated from the same site), site preparation for construction, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the applicant. Any permit issued may include conditions of development and permits are not guaranteed.

Building Services advises that additional comments will be provided as part of the Site Plan Control Agreement process.

Strategic and Environmental Planning advises that the owner is solely responsible for ensuring that vegetation removal, site alteration, and development undertaken on the subject lands do not contravene the provincial Endangered Species Act, the provincial Fish and Wildlife Conservation Act or the federal Migratory Birds Convention Act.

Planning Analysis:

Planning staff circulated the development application to internal departments and external agencies. The Provincial Planning Statement (2024), the Growth Plan (2011), and Greater Sudbury Official Plan, and other relevant policies and supporting guidelines were reviewed in their entirety. The following section provides a planning analysis of the application in respect of the applicable policies, including issues raised through agency and department circulation.

The application would additionally permit a mining-related light industrial use in the form of an engineering and fabrication shop, accessory office, and accessory outdoor storage and repair area.

The Growth Plan for Northern Ontario speaks generally to the idea that well-planned communities will attract investment and support economic development, and recognizes the City of Greater Sudbury as an economic hub. It encourages a significant amount of future employment development to locate in areas identified for intensification and redevelopment. The application will result in site for a business, but staff are of the view that the application does not conform with the Growth Plan in that the City has not planned for this area to become a location for general industrial use, and the application detracts from the principle of directing development to identified employment areas.

The Provincial Planning Statement establishes general policy direction for the use and development of rural lands. Section 2.6(1) does not expressly permit general industrial uses on rural lands though 'other rural land uses' are permitted. This policy enables municipalities to develop locally-appropriate policy direction through the Official Plan process to define what 'other rural land uses' are and where they should be appropriately located. The PPS outlines considerations for municipalities in this process, which would include protecting resource-related uses and directing non-related development to other areas, focusing growth in settlement areas and promoting their future efficient expansion, building upon and ensuring development is compatible with existing rural character, using rural infrastructure efficiently while ensuring development can be supported by rural service levels and avoiding uneconomical expansion, and promoting the financial well-being of the municipality including economic diversification as well as a range of strategic sites for employment uses.

As recommended by the City's Employment Land Strategy, staff is in the process of working with a consultant to complete a review of the City's Commercial/Industrial Policy Framework including the Official Plan and Zoning By-law. This review will be an opportunity to consider the Provincial Planning Statement direction noted above with respect to permitting 'other rural land uses' on rural lands within the municipality. It is noted that the City has established an extensive Mining/Mineral Reserve land use designation where permitted uses may include mining and mining-related uses, mineral aggregate uses, smelting and refining uses, pits and quarries and related uses, and accessory uses and structures associated with mining.

Staff recommends that the application is not consistent with the PPS and does not conform with the City of Greater Sudbury Official Plan for the following reasons:

- 1. The development is not resource-based and should be directed to other areas:** Section 2.6(1) of the PPS permits uses related to the management or use of resources. Staff is of the opinion that the proposed uses are not resource-based. While the proposed uses are related to the mining sector, they are not proposed in proximity to nor are they necessary to be located in the vicinity of a specific mine site (unlike other resource-based industries). The uses should be considered as general industrial uses. Policy 2.6(4) of the PPS and Policy 5.1(f) of the Official Plan state that agriculture and other resource-related uses should be protected and non-related development should be directed to areas where it will minimize constraints on these uses. Further, the City's Official Plan section 5.2.5 outlines that only limited rural industrial uses are permitted in the Rural land use designation and generally are to be resource-based. Given staff is of the opinion that the proposed uses are not resource-based and do not serve the rural economy, they are not permitted under this policy section and therefore the proposal does not conform to the Official Plan. Similar to other mining service/supply sector industries, these uses are more appropriately directed to Employment Area designations such as the General Industrial land use designation. If the use was truly mineral resource-based, it would be appropriately directed to the City's Mining/Mineral Reserve designation.
- 2. There is no need for additional general industrial lands, nor is it appropriate in this rural location:** The PPS identifies in policy 2.3.1(1) that settlement areas are to the focus of growth and development. Planning authorities are required by Policy 2.8.1.1 to provide suitable sites for employment uses and promote intensification of employment uses to support the achievement of complete communities. Appendix 1 includes an excerpt from the City's Employment Land Strategy, which illustrates the location of serviced industrial land within the City. At an aggregate level, the City has a considerable supply of over 830 gross hectares of industrial lands within settlement areas. As part of the Employment land Strategy, the City is working to ensure there is an adequate supply of serviced "shovel-ready" industrial land that meets a range of location and site needs. Approval of general industrial use in this rural location will undermine the City's goals in directing investment to strategic employment areas.
- 3. The use of partial water services for new rural development of this scale is not appropriate:** PPS policies 2.5(1)(d), 2.6(2), and 2.6(3) promote rural development that can be sustained by rural service levels and where appropriate levels of infrastructure are available. While Policy 3.6(5) does not permit partial services in rural areas except to address failed individual services, Policy 3.6(6) states that infilling on existing lots of record on existing services may be permitted where this would represent a logical and financially viable connection to the existing partial service and provided that site conditions are suitable. Section 5.1 of the Official Plan establishes that development in the Rural designation should require minimal municipal services. Development Engineering advises that, as proposed, this site meets the requirements for the development of the site. However, if the owner adds employees, then the on-site sewage system may not be appropriate for their development. This severely limits the future usage of the site. Staff is of the opinion that the business is better suited to an industrial area where both water and sanitary sewer are available, and is not appropriately serviced by the current rural infrastructure. Staff would caution that in situations such as these, where development is permitted on the basis of inappropriate infrastructure, the City may be faced with future pressure to extend municipal sewage infrastructure to this location.
- 4. The proposal does not maintain an orderly pattern of development in the Rural designation:** Permitting this development on the basis of primary arterial road access does not align with the Official Plan policies 5.1(a) regarding orderly development and policy 5.2.5(4) which states that entrances for rural industrial/commercial uses are to be restricted to secondary arterial and local roads.

In summary, staff recommends that, even though the development is reasonably compatible with surrounding uses and has been demonstrated to be technically feasible, the proposal is not consistent with the PPS and Official Plan principles pertaining to the appropriate location of general industrial use.

Conclusion:

The Planning Division undertook a circulation of the application to ensure that all technical and planning matters have been satisfactorily addressed.

The following are the principles of the proposed Zoning By-law Amendment:

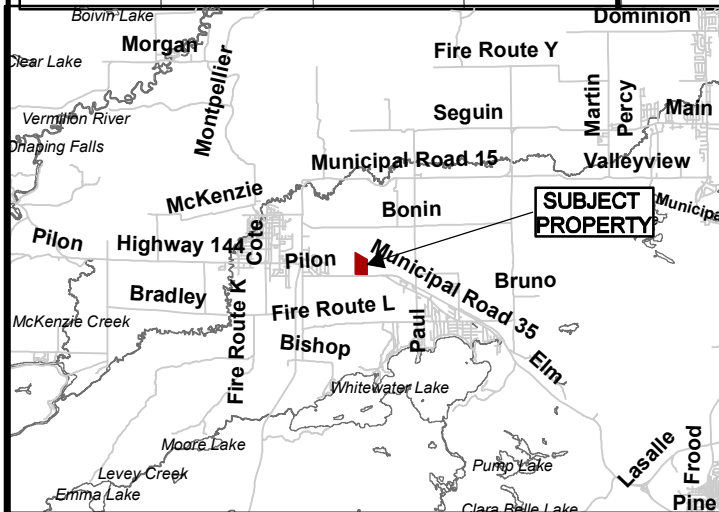
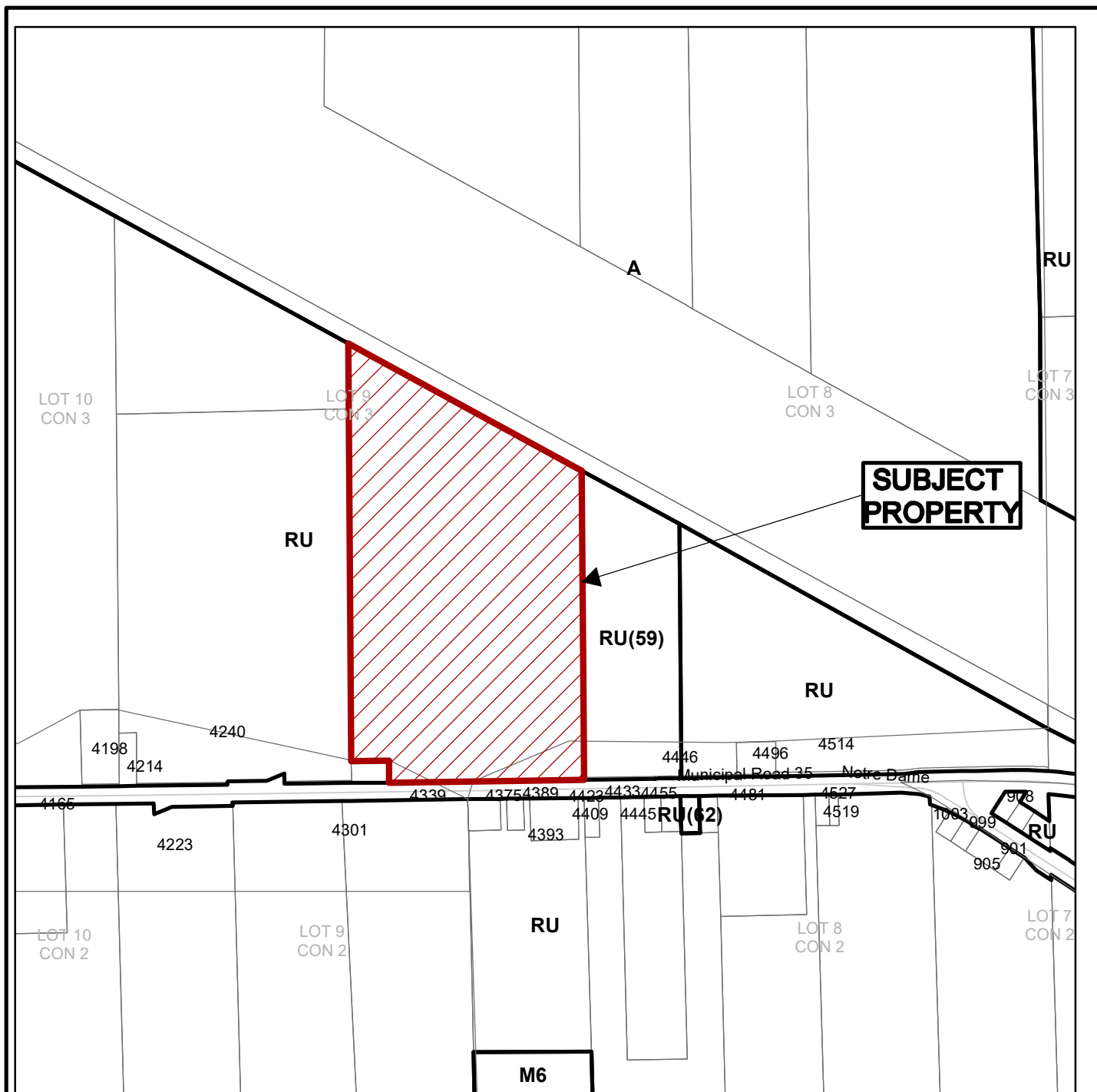
- To permit a mining-related light industrial use in the form of an engineering and fabrication shop, accessory office, and accessory outdoor storage and repair area.

The proposed development of the subject lands is not consistent with or does not conform with a number of policy directives related to the appropriate location of growth and development. Staff has considered, amongst other matters, a full range of factors through a detailed review when forming the recommendation of approval for this application.

Staff is satisfied that the application is not consistent with the PPS and does not conform to the Official Plan. Staff is of the opinion that the proposed Zoning By-law Amendment is not appropriate based on the following:

- The development is not resource-based and should be directed to other areas.
- There is no need for additional general industrial lands, nor is it appropriate in this rural location.
- The use of partial water services for new rural development of this scale is not appropriate.
- The proposal does not maintain an orderly pattern of development in the Rural designation.

Staff recommends the application for Zoning By-law Amendment be denied as described in the Resolution section on the basis that it is not consistent with the Provincial Planning Statement and does not conform to the Official Plan for the City of Greater Sudbury, does not have regard for matters of provincial interest and do not represent good planning.



Growth and Infrastructure Department



Subject Property being PIN 73347-0193,
Parcel 1584 SEC SWS SRO,
Lot 9, Concession 3,
Township of Rayside,
4360 Regional Road 35, Chelmsford,
City of Greater Sudbury

NTS
Sketch 1

751-5/24-07
Date: 2024 06 21



Subject Property



Municipal Road 35



Photo 1. Subject lands at 0 Municipal Road 35 on the left side of the photo, facing east. Photo taken September 13, 2024, CGS File 751-5/24-07.



Photo 2. Lands to the west of the subject lands, showing residential and agricultural use on the north side of Municipal Road 35, facing west. Photo taken September 13, 2024, CGS File 751-5/24-07.



Photo 3. Lands to the west of the subject lands, showing residential and agricultural use on the south side of Municipal Road 35, facing southwest. Photo taken September 13, 2024, CGS File 751-5/24-07.



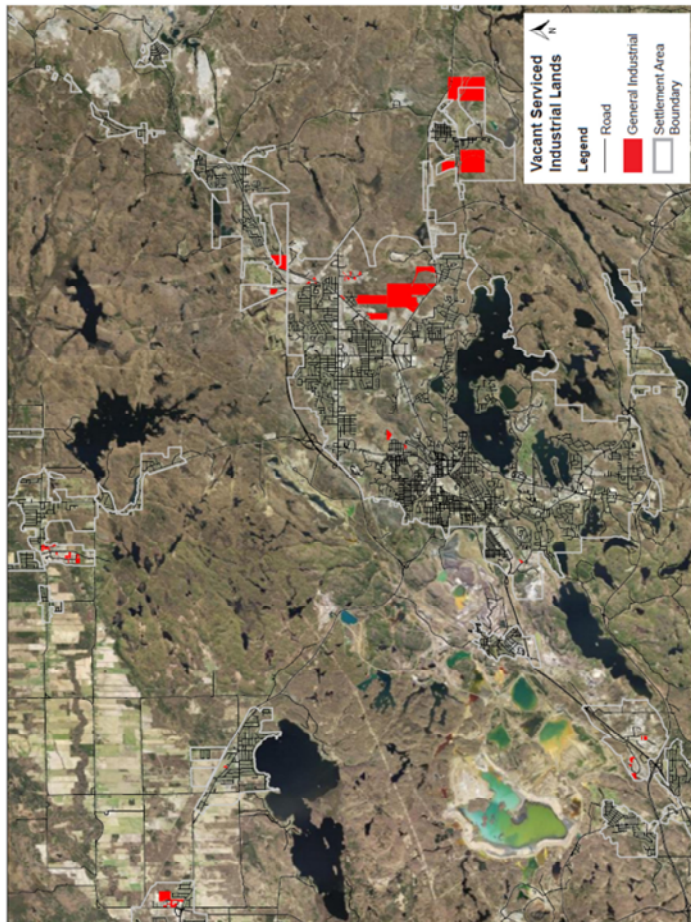
Photo 4. Lands to the south of the subject lands, showing residential use on the south side of Municipal Road 35, facing south. Photo taken September 13, 2024, CGS File 751-5/24-07.

Appendix 1. Excerpt from the City of Greater Sudbury Employment Land Strategy, July 2022 showing vacant serviced industrial land across the City.

EMPLOYMENT LAND STRATEGY – CITY OF GREATER SUDBURY

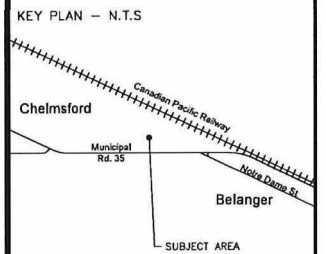
2.2.4 Vacant Serviced Industrial Lands Map

The following map identifies the vacant, serviced industrial lands across the city (all of which are General Industrial).



15

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TULLOCH
T: 705-522-6303
sudbury@tulloch.ca
131 FIELDING ROAD
LIVELY, ONTARIO
P3Y 1L7

DATE	REV.	REVISION	BY	APP'D
29/05/24	4	Add/Correct Dims, Simplify	MDJ	VS
28/02/24	3	Corrected Topo	MDJ	VS
11/01/24	2	AIL Design Concept	MDJ	VS
15/12/23	1	Format Revisions	MDJ	VS

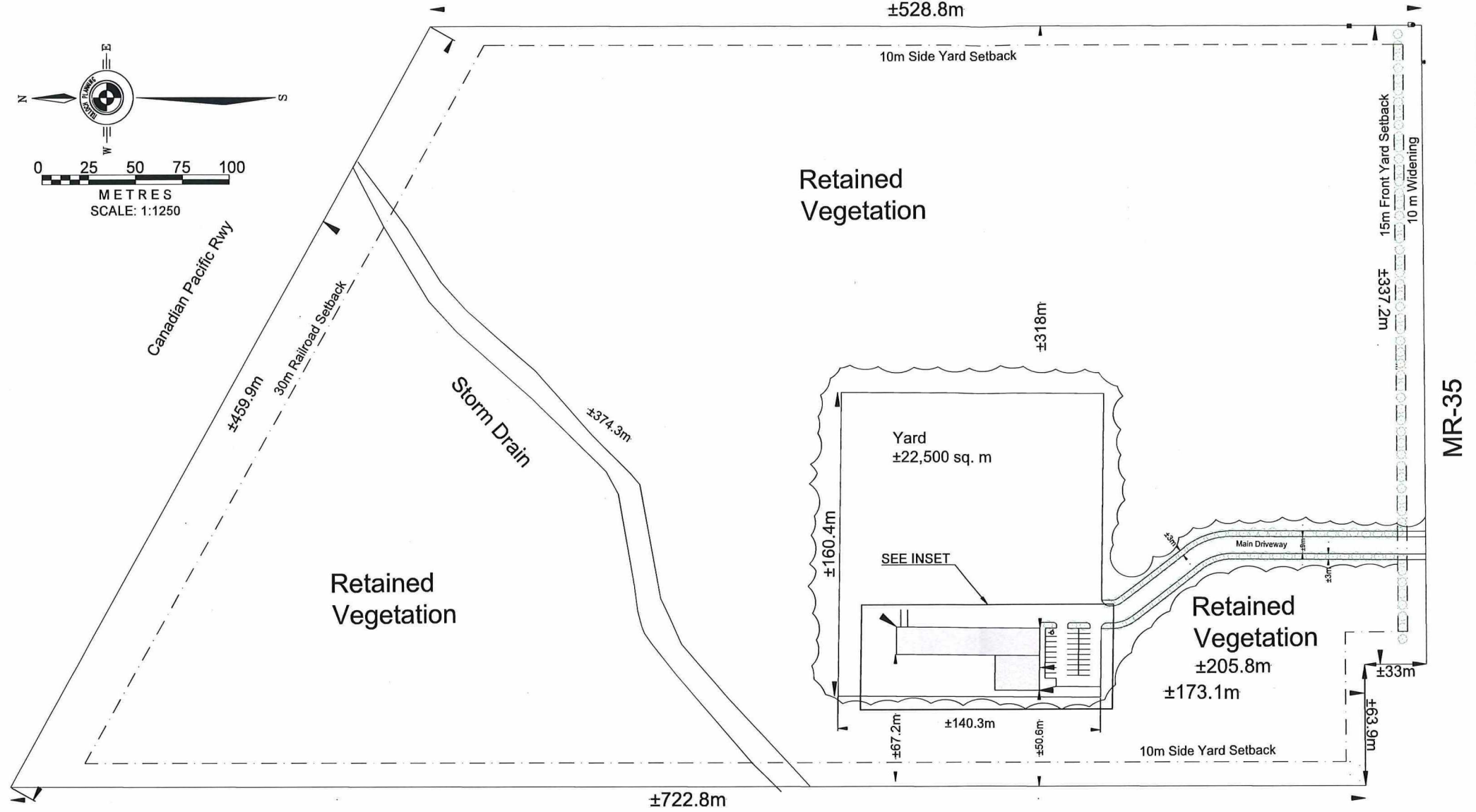
CLIENT:
BMG Engineering, Ltd.

PROJECT TITLE:
Proposed Mining-Related Rural Light Industrial Use
Conceptual Site Plan Alternative 2 (Not a survey - For Rezoning Only)

ADDRESS:
**4360 Municipal Rd. 35
City of
Greater Sudbury**

MDJ	VS
DRAWN	CHECKED
AS NOTED	JUNE 4, 2024
SCALE	DATE

23-0998
PROJECT No.



CAUTION
THE PROPERTY BOUNDARIES ILLUSTRATED ON THIS PLAN HAVE BEEN COMPILED FROM REGISTRY AND ARCHITECTURAL PLANS. ALL MEASUREMENTS HAVE NOT BEEN CONFIRMED.
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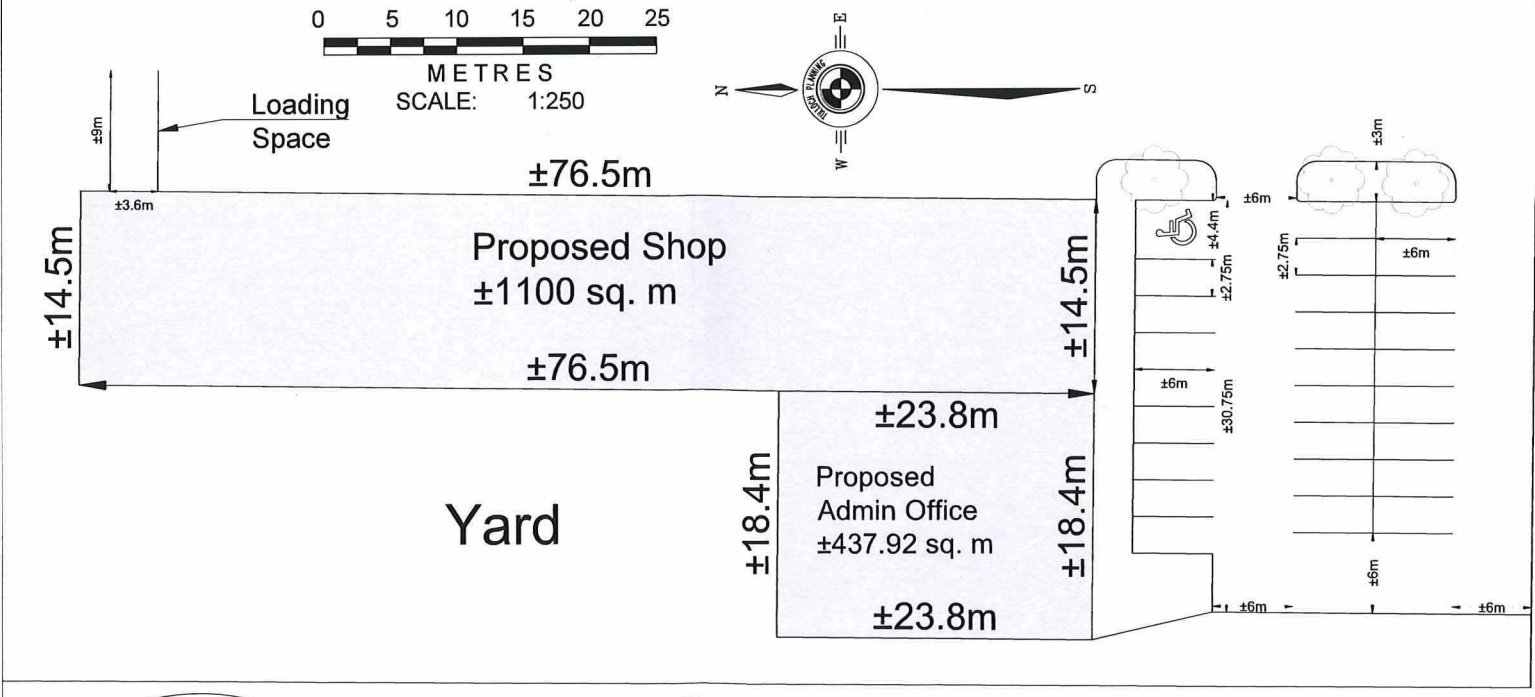
SITE PLAN DATA

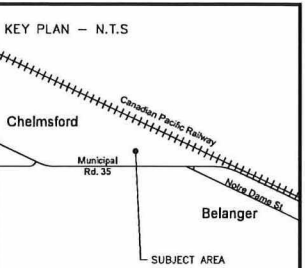
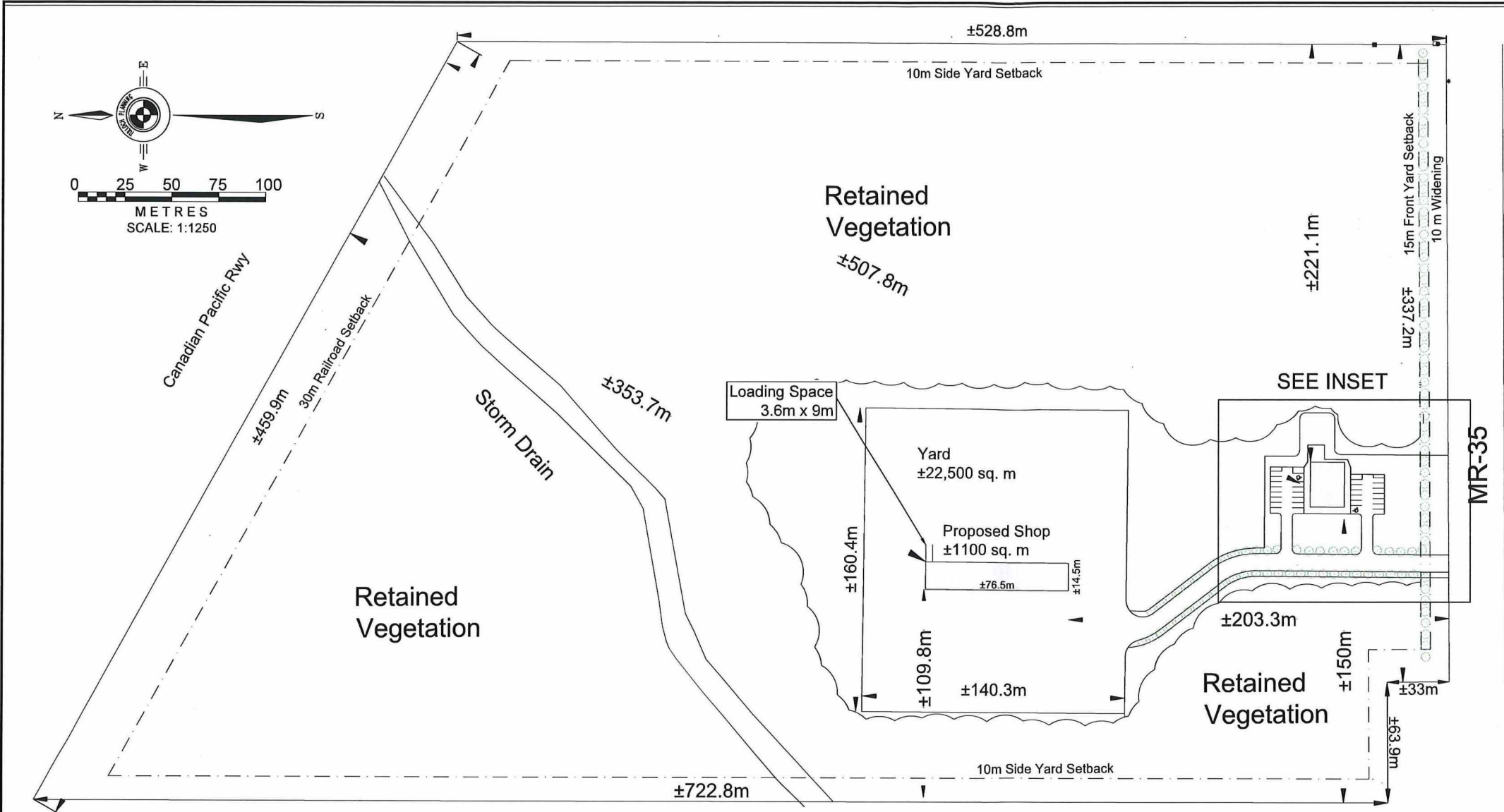
ADDRESS
4360 MUNICIPAL ROAD 35, CHELMSFORD (CITY OF GREATER SUDBURY)

ZONING: RU (EXISTING) / RU(X) (PROPOSED)

USE OF BUILDING: Mining Related Rural Light Industrial Use

	PROVIDED	REQUIRED
PROPERTY AREA:	±25.4ha	MIN. 2ha
SITE FRONTAGE:	±337.2m	MIN. 90m
LOT DEPTH:	±750m (Irreg.)	N/A
LOT COVERAGE:	±0.1538ha	MAX. 2.54 ha (10% of lot area)
BUILDING HEIGHT:	TBD	MAX. 21m
LANDSCAPING:	±87.3%	
SETBACKS:		
FRONT YARD SETBACK:	±173.1m	15m
INTERIOR SIDE YARD SETBACK:	±50.6m	10m
REAR YARD SETBACK:	±374.3m	30m (abutting Railway R.O.W.)
LANDSCAPING:		
LANDSCAPE BUFFER:	5.0m	3.0m
PARKING CALCULATIONS:		
PARKING SPACES:	27	12 (1/90 sq. m net floor area) + 15 (1/30 sq. m net floor area of accessory office)
		27 TOTAL
ACCESSIBLE SPACES:	1	1 (for 10-50 regular spaces provided)





T: 705-522-6303
sudbury@tulloch.ca

131 FIELDING ROAD
LIVELY, ONTARIO
P3Y 1L7

DATE	REV.	REVISION	BY	APP'D
28/02/24	3	Corrected Topo	MDJ	VS
11/01/24	2	New Alternative	MDJ	VS
15/12/23	1	Format Revisions	MDJ	VS

CLIENT:
BMG Engineering, Ltd.

PROJECT TITLE:
Proposed Mining-Related Rural Light Industrial Use
Conceptual Site Plan Alternative 1 (Not a survey - For Rezoning Only)

ADDRESS:
**4360 Municipal Rd. 35
City of
Greater Sudbury**

MDJ	VS
DRAWN	CHECKED
AS NOTED	JUNE 4, 2024
SCALE	DATE

23-0998

PROJECT No.

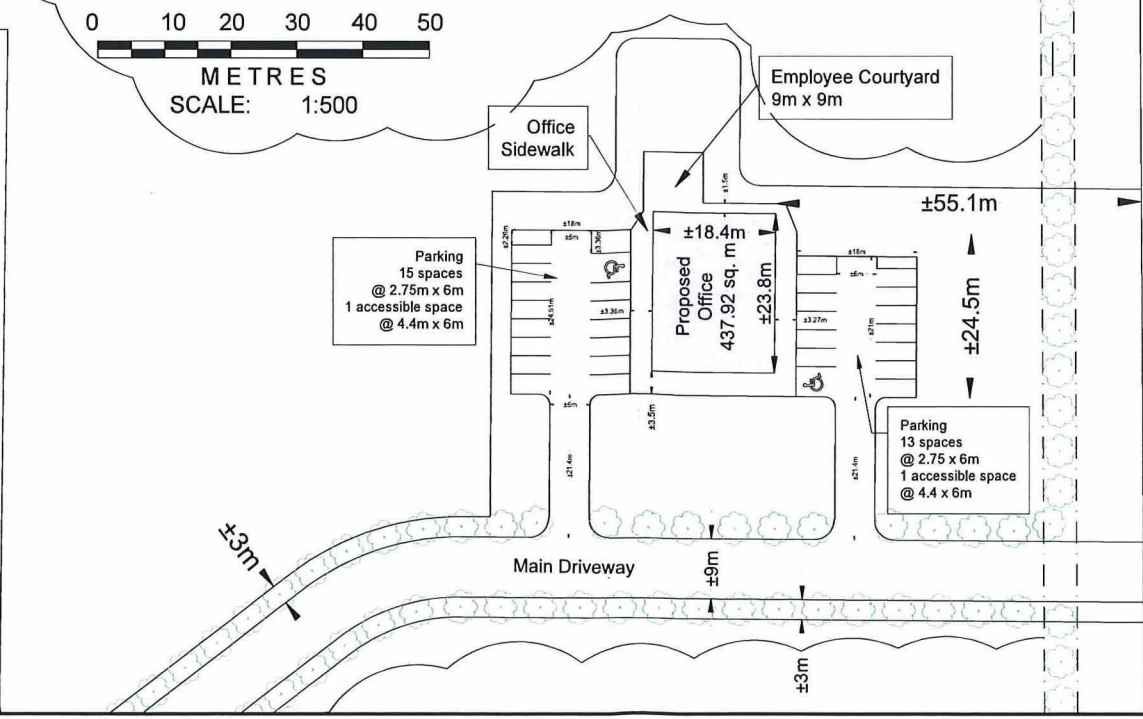
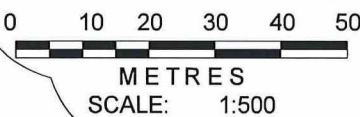
CAUTION

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THIS SKETCH IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE.

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SITE PLAN DATA		
ADDRESS 4360 MUNICIPAL ROAD 35, CHELMSFORD (CITY OF GREATER SUDBURY)		
ZONING: RU (EXISTING) / RU(XX) (PROPOSED)		
USE OF BUILDING: Mining Related Rural Light Industrial Use		
	PROVIDED	REQUIRED
PROPERTY AREA:	±25.4ha	Min. 2ha
SITE FRONTAGE:	±337.2m	Min. 90m
LOT DEPTH:	±750m	N/A
LOT COVERAGE:	±0.1538ha (10% of lot area)	MAX. 2.54 ha (10% of lot area)
BUILDING HEIGHT:	TBD	MAX. 21m
LANDSCAPING:	±88.2%	N/A
SETBACKS:		
FRONT YARD SETBACK:	±55.1m	15m
INTERIOR SIDE YARD SETBACK:	±109.8m	10m
REAR YARD SETBACK:	±353.7m	30m (abutting Railway R.O.W.)
LANDSCAPING:		
LANDSCAPE BUFFER:	5.0m	3.0m
PARKING CALCULATIONS:		
PARKING SPACES:	28	12 (1/90 sq. m net floor area) + 15 (1/30 sq. m net floor area of accessory office)
		27 TOTAL
ACCESSIBLE SPACES:	1	1 (for 10-50 regular spaces provided)



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JUN 17 2024

BMG Engineering Ltd.

Preliminary Servicing Options Report
Chelmsford, Ontario

PLANNING SERVICES

BMG Development
Preliminary Servicing Options Report
4360 Municipal Road #35, Chelmsford,
City of Greater Sudbury, ON

Rev. A
May 07, 2024

131 Fielding Rd.
Lively, ON P3Y 1L7
T +1 705-522-6303 T F +1 800-797-2997
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Planners | Surveyors | Biologists | Engineers

May 07, 2024
23-0998

City of Greater Sudbury
200 Brady Street
City of Greater Sudbury, ON
P3A 5P3

Attention: Robert Webb, P.Eng., Supervisor of Development Engineering

Re: Preliminary Servicing Options Report for the proposed development of
4360 Municipal Road #35, Chelmsford, City of Greater Sudbury, ON

Dear Robert,

Please find enclosed our report outlining the Preliminary Servicing Options Report for the above-noted project in the City of Greater Sudbury, Ontario. This report presents the proposed methods to service the proposed development as per City of Greater Sudbury requirements issued through pre-consultation on March 8, 2023 (File #PC2023-017).

We trust the enclosed is adequate for your needs at this time. If there is anything further we can provide, please contact the undersigned.

Sincerely,

Erin Kennelly, P.Eng.
Project Engineer
Sudbury, ON

Peter Derro, P.Eng.
Project Manager
Sudbury, ON



**BEST
MANAGED
COMPANIES**

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1. INTRODUCTION

1.1. General

BMG Engineering Ltd. has retained Tulloch Engineering Inc. (TULLOCH) to prepare a Preliminary Servicing Options Report for proposed buildings for a mining-related engineering business. The subject land is 4360 Municipal Road #35 (MR 35), ON. This report intends to demonstrate how the proposed development can be serviced based on the availability of nearby municipal infrastructure.

The proposed development will include a mining-related fabrication shop building, an outdoor storage yard, a business office building, parking, and other related accessory uses on the south-westerly portion of the subject lands. The fabrication shop building would have a gross floor area of approximately 1,100 m² and be enclosed by an outdoor storage and maintenance yard area measuring approximately 167 m by 140 m. The business office is proposed to be located south of the fabrication shop building, providing a gross floor area of approximately 440 m². At this preliminary stage, the building's gross floor areas may be subject to change, and these will be confirmed in the detailed design.

The subject property is bounded by CP Rail to the north, MR #35 to the south, and existing residential properties to the east and west. The Chelmsford urban settlement area's easterly boundary is approximately 0.20 kilometres to the west of the lands. The westerly boundary of the Azilda urban settlement area is further situated approximately 2.1 kilometres to the east.

The northern and middle portions of the lands are heavily vegetated, with the southerly portion having some cleared area. An existing drainage ditch of significance, Soenens Drain G, regulated by Conservation Sudbury, bisects the property from the northeast corner to the southwest, outletting along the western property line. The regulated ditch and associated floodplain are to remain undisturbed as part of the proposed development. Existing natural vegetation and topographical features on the lands are proposed to remain undisturbed to the maximum extent possible, with landscaping areas provided on the southerly portions of the land where the proposed buildings would be situated.

The development area is currently zoned RU (Rural) and is comprised of forest and open area. The property is proposed to be re-zoned to RU(S) (Rural Special). The total area of the proposed development is approximately 25.4 ha, as outlined in **Figure 1** below.

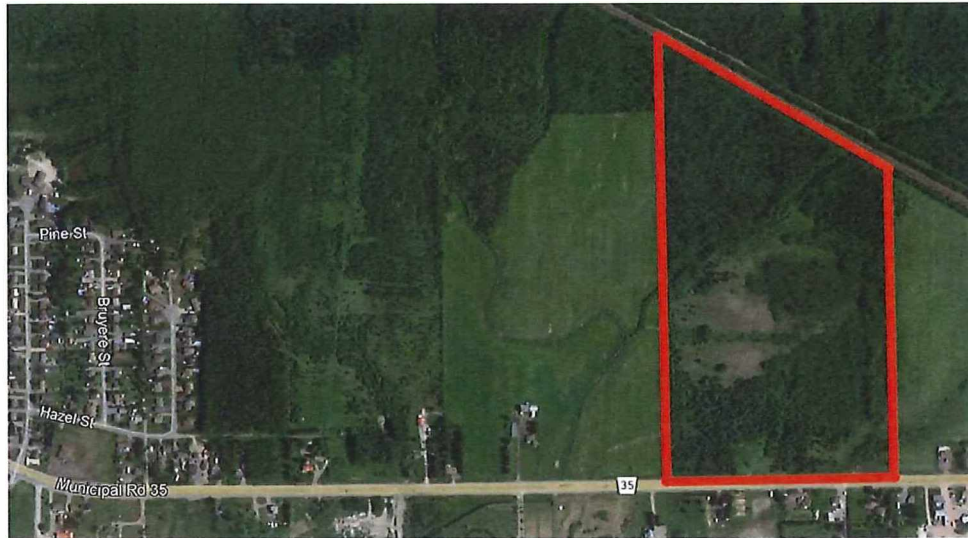


Figure 1: Subject Property

The Memorandum of Understanding issued following the SPART meeting for this project on March 8, 2023, states the following:

- Evaluate options and provide recommendations for water and sanitary services applicable to the development proposal, including reviewing existing infrastructure and estimating proposed demands.
- Confirm sufficient capacity in the existing municipal water infrastructure to accommodate the proposed development.

1.2. Supporting & Reference Documents

The following documents have been referenced in preparation for this design brief:

- City of Sudbury. (June 2001) *Old HWY 144 (MR35) STA 33+50 to STA 36+50*.
- Ministry of Environment. (2008). *Design Guidelines for Sewage Works*.
- Ontario Building Code. (2012). *O Reg. 332/12*.
- City of Sudbury. (November 2012). *Engineering Design Manual*.
- City of Sudbury. (March 2023), *Pre-Consultation Understanding*.

2. SANITARY SERVICING

2.1. Existing Conditions

The subject property has no known existing sanitary infrastructure on-site. The closest municipal sanitary sewer is approximately 700 m west of the site within the MR #35 right-of-way (ROW), per the City's MOU, as-built drawing, and Open Data Portal. An extension of the sanitary sewer network to support this development is not considered economical; therefore, an on-site private sewage disposal system is proposed. The MOU is included in **Appendix C** for reference.

2.2. Proposed Sanitary Flows

The sewage system's design was completed per the Ministry of the Environment, Conservation and Parks (MECP) Design Guidelines and Part 8 of the 2012 Ontario Building Code (OBC).

The information and data used to develop the design flow for the sewage system were based on data collected from a desktop study and information provided by the client. The design of daily sewage flows was developed according to the OBC and MECP guidelines. The daily wastewater volumes were calculated with the following design criteria applied:

- The Office wastewater volume calculations were based on Item 15. b) Office Building - per 9.3 m² of floor space, Table 8.2.1.3.B
- The Factory wastewater volume calculations were based on Item 10. b) Factory (excluding process or cleaning waters) - per employee per 8-hour shift – including showers, Table 8.2.1.3.B
- According to client correspondence, 20 employees are proposed for the office and 7 employees for the factory.

The total wastewater volume generated from the proposed development has been calculated in **Appendix B**, supporting design spreadsheet, and summarized in **Table 1** below.

Table 1: Wastewater Volume Calculation per OBC Part 8

Building	Gross Floor Area	Number of Employees	Wastewater Flow Calculation	Total Daily Wastewater Flow
Office Building	440 m ²	20	440 m ² / 9.3 m ² x 75 L/d	3,548 L/d
Fabrication Shop	1100 m ²	7	7 employees x 125 L/d	875 L/d
Total Wastewater Daily Flow Rate				4,423 L/d
Notes: 1. Where multiple calculations of sanitary sewage volume are permitted, the calculation resulting in the highest flow shall be used in determining the design of daily sanitary flow per Note 3 of Table 8.2.1.3.B.				

2.3. Subsurface Conditions

According to AgMaps Ontario, the subject property comprises poor-draining Azilda Silt Loam. The native soil's percolation rate (T-Time) is assumed to be 50 min/cm, although supporting geotechnical investigations have not been completed yet. The T-time will be confirmed prior to construction in accordance with the OBC. In addition, the seasonal high groundwater table elevation shall be confirmed through in-situ testing prior to construction.

2.4. Proposed Sanitary System

The sewage system is proposed to be located north of the business office to service the office building and the fabrication shop. The proposed private sanitary sewer piping layout internal to the site, pipe slopes, and pipe sizing will be confirmed during detailed design. The layout of the sewage system components is shown in Drawing SD1 in **Appendix A**, and calculations for the required sewage system components are included in **Appendix B**.

The proposed sewage system will comprise of the following:

- One (1) septic tank to provide a minimum total working volume of 13,270 L;
- One (1) effluent filter to be added to the septic tank;
- One (1) distribution box;
- Two (2) filter beds with a total contact area of 90 m² provided, exceeding the minimum required area of 88 m²;
- 72 m in length of 75 mm diameter distribution pipe;

- One (1) expanded contact area of 261 m² provided, exceeding the minimum required area of 260 m²; and,
- One (1) loading area of 1,110 m² provided, exceeding the minimum required area of 1,106 m².

3. WATER SERVICING

3.1. Existing Water Servicing

A review of the City's as-built drawing indicates a 300 mm diameter PVC watermain is present within the MR #35 right-of-way, and multiple fire hydrants are located along the south side of MR #35, as shown in Drawing SD1 in **Appendix A**. There is no known existing water infrastructure on-site.

3.2. Proposed Water Servicing

The servicing capacity assessment results submitted to the City of Greater Sudbury were received via letter dated April 17th, 2024. As per the letter from the City, the City's minimum requirements for pressure and fire flow are available within the water distribution system along the property frontage to support the proposed development.

The closest hydrant is located on the south side of MR #35 across from the property, approximately 80 m south of the proposed business office and 220 m south of the proposed fabrication shop. As per the OBC, a maximum of 90 m is allowed from a hydrant to the building's principal entrance or fire department connection if one is provided. Therefore, on-site fire suppression is required and will be provided during the detailed design.

The water service size shall be determined in conjunction with the Mechanical designer for the buildings based on the water pressures available at the Municipal distribution system and confirmed during detailed design. The Water Capacity Assessment and City's analysis results are included in **Appendix C**.

4. SUMMARY AND RECOMMENDATIONS

This report shows that the proposed buildings at 4360 MR #35 in Chelmsford can be serviced with a private on-site sewage system and the municipal watermain provided along the property frontage. Our analysis of servicing for the buildings is as follows:

- The proposed development appears to be serviceable within the parameters identified herein by a private sewage disposal system with a capacity of less than or equal to 4,500 L/day.

- The existing 300 mm diameter watermain within the MR #35 ROW will provide water servicing and fire suppression. The City confirmed that the water distribution system has the available capacity to support the proposed development.
- The existing hydrants along MR #35 are located too far from the proposed buildings to provide sufficient cover. An on-site fire hydrant is proposed.

5. REPORT LIMITATIONS AND GUIDELINES FOR USE

We have prepared this report for the exclusive use of the Client and their authorized agents for the proposed development. The report is only applicable to the project described herein. Any changes to the project require a review by TULLOCH Engineering to ensure compatibility with the recommendations described in this report.

6. CONCLUSION

We trust that the information and recommendations in this report will be found to be complete and adequate for your consideration. Should further elaboration be required for any portion of this project, we would be pleased to assist.

Sincerely,



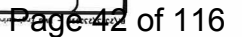
Erin Kennelly, P.Eng.
Project Engineer
Sudbury, ON



Peter Derro, P.Eng.
Project Manager
Sudbury, ON

APPENDIX A

DRAWING



APPENDIX B

DESIGN CALCULATIONS

SEPTIC SYSTEM FLOW CALCULATIONS

CLIENT: BMG Engineering Ltd.

Date: 06-May-24

PROJECT: Septic Schematic for BMG Engineering 4360 Regional Road 35

Designer: EK

FILE: P:\2023\230998 - BMG Engineering Planning Due Diligence\CIVIL\03 DESIGN\03.02 Design Calculations

Checked by: PD

	DESCRIPTION		Employees / Gross Floor Area m ²	Shift length hours	Adjustment factor	Base flow rate per OBC L/cap/day	Adjusted flow rate L/cap/day	Proposed flow rate L/cap/day
Office Building	Office - OBC Table 8.2.1.3.B							
	15 a) per employee per 8 hr shift	Proposed	20	8	1.0	75	75	1500.0
	15 b) per each 9.3 m ² of floor space		440			75		3548.4
Fabrication Shop Building	Factory - OBC Table 8.2.1.3.B							
	10. b) per employee per 8 hr shift- showers	Proposed	7	8	1.0	125	125	875.0
Proposed Total Sanitary Discharge								
	Office building							
	Base			3548 L/day				
	Shop building							
	Base			875 L/day				
	Total Flow			4423 L/day				

Design daily sewage flow
Q = 4423 L/day

Percolation Rate T = 50 min/cm *assumed per AgMaps, to be confirmed prior to construction

Level of Pre-Treatment = primary

SEPTIC TANK WORKING CAPACITY

$$V = 3 \times Q$$

minimum working capacity, non-residential occupancy

$$V = 13270 \text{ L/day}$$

required per OBC 8.2.2.3.(1)

where

Q = the total daily design sanitary sewage flows in litres

FILTER BED

Surface Loading Area

$$A_{stone} = Q/75 \text{ (if } Q < 3000)$$

$$A_{stone} = Q/50 \text{ (if } Q > 3000)$$

$$A_{stone} = 88 \text{ sq.m min.}$$

required contact area filter bed - OBC 8.7.5.2.(3)/ (4)

where

L = total length of distribution pipe in metres

Q = the total daily design sanitary sewage flow in litres

*as per OBC 8.7.5.2(1) and (4)(b) multiple filter beds are required, each of similar size adjacent to each other

Base of Filter Area

$$A_{sand} = Q^2/T/850$$

$$A_{sand} = 260 \text{ sq.m min.}$$

required expanded contact area of filter bed OBC 8.7.5.3.(6)

where

A = the area of contact in square meters between the soil base of the filter medium and the underlying soil

Q = the total daily design sanitary sewage flow in litres

T = the design percolation time in minutes

T = the lesser of 50 and the percolation time of the underlying soil.

Contact Area Calculation (Mantle)

$$A_{sand} = Q/LR$$

$$A_{sand} = 1108 \text{ sq.m min.}$$

Required loading area of filter bed (OBC table 8.7.4.1.)

where

Q = the total daily design sanitary sewage flows in litres

LR = the loading rate in litres / m² / day and is a function of t-time

$$T = 4$$

APPENDIX C

REFERENCE INFORMATION

Pre- Consultation Understanding

Planning Services

200 Brady Street, Tom Davies Square
Sudbury, ON P3A 5P3
T: (705) 674-4455 Ext. 4295
F: (705) 673-2200

January 10, 2019

PRE-CONSULTATION UNDERSTANDING

PRE-CONSULT FILE: PC2023-017					
OWNER: Estate of Pentti Laakso & Risto Laakso (Agent: BMG Engineering c/o Bryan Guse)					
SPART MEETING: March 8, 2023					
PROPERTY DESCRIPTION/ADDRESS: 0 Municipal Road #35, Chelmsford					
REPORTS AND PLANS	OPA	ZBL	SITE PLAN	SUB	CONDO
REPORTS					
Application Form	✓	✓			
Arborist Report					
Archaeological Assessment					
Draft Official Plan Amendment					
Draft Zoning By-law Amendment					
Environmental Impact Study (Full-Site)					
Environmental Impact Study (Scoped)					
Functional Servicing Study					
Geotechnical/Soils Report					
Heritage Impact Assessment					
Hydrogeologic Study					
Mine Hazard Study					
Noise Study					
Parking Study					
Phase I Environmental Site Assessment					
Planning Justification Report	✓				
Public Consultation Strategy	✓	✓			
Risk Management Plan					
Servicing Options Report	✓	✓			
Source Protection Plan Section 59 Application					
Stormwater Management Report					
Sun/Shadow Study (>6 Storeys)					
Traffic Impact Study					
Transportation Demand Management Plan					
Vibration Study					
Wind Study (>6 Storeys)					
PLANS					
Comprehensive Development Plan					
Concept Plan	✓	✓			
Construction Erosion and Sediment Control Plan					
Draft Plan of Condominium					
Draft Plan of Subdivision					
Elevation Plans					
Floor Plans					
Grading Plan					
Landscape Plan					
Legal Survey Plan (RECOMMENDED)	✓	✓			
Off-Site Servicing Plan					
Photometric Exterior Lighting Plan					
Site Plan					
Servicing Plan					
Other Reports/Plans(s) – Specify					
1. CGS Water Capacity Analysis	✓	✓			
2.					
Agencies to be Contacted by Applicant					
	OPA	ZBL	SITE PLAN	SUB	CONDO
Canada Post					
Canadian National Railway					
Canadian Pacific Railway					
Greater Sudbury Utilities					
Hydro One					
Ministry of Municipal Affairs					
Ministry of Natural Resources and Forestry					
Ministry of the Environment, Conservation & Parks					
Ministry of Transportation Ontario					
Nickel District Conservation Authority (Conservation Sudbury)	✓	✓			
Sudbury District Health Unit (SDHU)					
Sudbury East Planning Board					
Others – Specify					
1.					

PRE-CONSULTATION UNDERSTANDING

Planning Services Notes

Building Services:

1. The owner is advised that the Concept Plan submitted as part of this pre-consultation is insufficient for the purposes of giving detailed feedback on the proposed rezoning to permit a light industrial use on the subject lands. The owner should include a zoning compliance chart on a revised Concept Plan as part of complete Official Plan Amendment and Zoning By-law Amendment applications;
2. The owner is therefore strongly encouraged to review the City's Zoning By-law in order to identify all applicable development standards (eg. general provisions, parking and loading provisions, zone provisions, etc.) and to request site-specific relief from said applicable development standards where and if required;
3. The owner is further advised that at the time of building permit application a Geotechnical Report will be required providing an analysis from a qualified professional with respect to soil composition, structural stability and the ability of the subject lands to support the proposed light industrial buildings; and,
4. Should you have any questions, please contact Carol Skanes, Plans Examiner, by email at carol.skanes@greatersudbury.ca.

Conservation Sudbury:

1. Conservation Sudbury notes that the subject lands are partially situated within an area (ie. floodplain) that is regulated by [Ontario Regulation 156/06](#) under the [Conservation Authorities Act](#);
2. The owner is advised that works within an area regulated by Ontario Regulation 156/06 may require a permit pursuant to Section 28 of the [Conservation Authorities Act](#). For information purposes, works include, but are not limited to, alteration of a watercourse, grading, placement or removal of fill, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the applicant. Any permit issued may include conditions of development and permits are not guaranteed;
3. For information purposes, the owner is provided with the following "Permits and Planning" web-link: <https://conservationsudbury.ca/en/permits-planning.html>;
4. Should you have any questions, please contact Danielle Marcoux, Regulations & Planning Officer, by email at danielle.marcoux@conservationsudbury.ca.

Development Approvals Section:

1. The subject lands are designated Rural in the City's Official Plan and zoned "RU", Rural in the City's Zoning By-law;
2. For reference purposes, both the City's Official Plan and Zoning By-law are available online at the following web-links: <https://www.greatersudbury.ca/city-hall/reports-studies-policies-and-plans/official-plan/official-plan/op-pdf-documents/official-plan/> and <https://www.greatersudbury.ca/do-business/zoning/>;
3. For the owner's information, the City's Official Plan Amendment Application Form is available at the following web-link: <https://www.greatersudbury.ca/do-business/planning-and-development/start-a-planning-application/official-plan-amendment/>;
4. For the owner's information, the City's Zoning By-law Amendment Application Form is available at the following web-link: <https://www.greatersudbury.ca/do-business/planning-and-development/start-a-planning-application/planning-application-forms/rezoning-application-form/>;
5. With respect to the Provincial Policy Statement 2020 (PPS), it is noted that the subject lands are not within a settlement area or an employment area as defined and described in the PPS. The proposed land use (ie. light industrial uses) would be directed to settlement areas and employment areas. The owner is advised that the PPS does not permit expansions to settlement area outside of a comprehensive Official Plan Review. The owner is advised that the development proposal would generally not be consistent with the land use policy directions identified in the PPS;

6. For reference purposes, the PPS is available at the following web-link: <https://files.ontario.ca/mmah-provincial-policy-statement-2020-accessible-final-en-2020-02-14.pdf>;
7. With respect to the City's Official Plan, the development proposal in general amounts to a light industrial use that is not permitted within the Rural land use designation. The lands are also not situated within an identified Settlement Area or within a Built Boundary on Schedule 3 – Settlement and Built Boundary of the City's Official Plan. For the owner's information, those policies that pertain to rural industrial/commercial land uses are found under Section 5.2.5 of the City's Official Plan;
8. As part of a complete application for Official Plan Amendment, the owner is required to submit a Planning Justification Report (PJR) that has been prepared and provided by a Registered Professional Planner or other related qualified professional. The required PJR must address how the development proposal complies with both provincial land use planning documents (ie. PPS & Growth Plan for Northern Ontario) and the City's Official Plan. The owner is however advised that the Development Approvals Section is likely unable to support the application to amend the City's Official Plan;
9. The owner is further advised that the submitted Official Plan Amendment Application must identify and outline the specific amendment to the City's Official Plan that is proposed. The owner is encouraged to review the City's Official Plan in order to ensure that the amendment that is proposed addresses all applicable policy relief that is required in order to accommodate the development proposal (ie. light industrial land use) on the subject lands;
10. Based on the intended use of the lands and the submitted sketch, staff would recommend that the owner apply to rezone the lands from "RU", Rural to "RU(S)", Rural Special. The owner is however cautioned that the Development Approvals Section is likely unable to support the rezoning application on the basis that the development proposal would not be consistent with the land use planning policy directions identified in the PPS nor would it be in conformity with the land use planning policies contained within the City's Official Plan;
11. As part of a complete Zoning By-law Amendment application, any site-specific relief that is required in order to facilitate the intended development of the lands must be identified both in the rezoning application form and on the required Concept Plan. The owner is encouraged to review the general provisions, parking provisions and zone-specific development standards (ie. "RU") that would be applicable to the development proposal in order to ensure that the Zoning By-law Amendment application seeks all required site-specific relief that would be required. It is strongly recommended that the submitted Concept Plan include a zoning compliance table that demonstrates where compliance is achieved and where site-specific relief is required;
12. As part of complete applications for Official Plan Amendment and Zoning By-law Amendment, the submission of a Concept Plan is required and must depict all required information as indicated in Question #19 b) of the City's Official Plan Amendment Application Form and Question #23 b) of the City's Zoning By-law Amendment Application Form;
13. If available, please also include any Legal Survey Plans which provide an accurate legal description of the subject lands;
14. Staff would encourage the owner to contact the City's Economic Development staff to discuss services available with respect to site-selection and identification of appropriately designated and/or zoned parcels of lands available for light industrial development elsewhere in the City; and,
15. Should you have any questions, please contact Glen Ferguson, Senior Planner, by email at glen.ferguson@greatersudbury.ca.

Development Engineering:

1. The subject lands are presently serviced with municipal water located within the road allowance of Municipal Road #35, however the lands are not serviced with municipal sanitary sewer infrastructure;;
2. As part of complete applications for Official Plan Amendment and Zoning By-law Amendment, a Servicing Options Report will be required that has been prepared by a qualified professional. The Servicing Options Report must evaluate options for water and sanitary services applicable to the development proposal and include a review of existing water service infrastructure, estimation of water demands (ie. domestic and fire flow), confirmation of the capacity of existing infrastructure to supply the required flows, review of options for sewage servicing (ie private septic system), estimation of daily sewage effluent, estimation of area requirements for the sewage system and a recommendation with respect to preferred water and sewer servicing and preliminary infrastructure sizing;
3. The owner is advised that the proposed light industrial buildings would be required to connect to the existing municipal water infrastructure. For reference purposes, the City's By-law Respecting the Supply of Water, the Management and Maintenance of Waterworks Systems is available at this weblink: <https://www.greatersudbury.ca/city-hall/by-laws/by-law-pdfs-en/c-by-law-2010-214/>;
4. As part of complete applications for Official Plan Amendment and Zoning By-law Amendment, a Water Capacity Analysis is required in order to confirm that the capacity of existing municipal infrastructure is sufficient for the purposes of accommodating the required flows of the development proposal. This work must be completed by a qualified engineering professional. The owner is advised that the applicable fee for a Water Capacity Analysis is \$430.00;
5. Should you have any questions, please contact Robert Webb, Supervisor of Development Engineering, by email at robert.webb@greatersudbury.ca.

Drainage Section:

1. The owner is advised that there is a municipal drain of significance (ie. Soenens Drain G) which traverses the subject lands. It appears that the proposed light industrial building (ie. shop building) may require the re-location of the municipal drain, and if this was the case and re-location is proposed then it would require approval from the City;
2. The owner is further advised that in order to accommodate the proposed development, the municipal drain may need to be upsized, and/or multiple drains may need to be installed and/or on-site storm-water management facilities may need to be provided;
3. The owner is advised that the City's Drainage Section has some concerns with the development proposal in light of the above noted observations and certain requirements may need to be satisfied in order to properly accommodate light industrial uses on the subject lands;
4. For reference purposes, the owner is encouraged to review and familiarize themselves with the [Drainage Act, R.S.O. 1990, c. D.17](#) as the above may require an application to the City made under *Sections 65 – Changes In Assessment* and/or *Section 78 – Improving* of the Drainage Act; and,
5. Should you have any questions, please contact Tom Gmyrek, Hydraulic Modeler/Analyst, by email at tom.gmyrek@greatersudbury.ca or Paul Javor, Drainage Engineer, by email at paul.javor@greatersudbury.ca.

Economic Development:

1. The owner's agent is advised that the City's Economic Development staff are available to assist with respect to site-selection and the identification of appropriate locations for light industrial uses; and,
2. Should you have any questions, please contact Liesel Franklin, Business Development Officer, by email at liesel.franklin@greatersudbury.ca.

Fire Services:

1. No concerns at this time; and,
2. Should you have any questions, please contact Doug White, Senior Fire Prevention Officer, by email at doug.white@greatersudbury.ca.

Roads, Transportation & Innovation (RT&T):

1. The owner is advised that the municipal watermain is situated on the south side of Municipal Road #35. This portion of Municipal Road #35 was also recently asphalted and therefore the City's "no cut" policy is in effect for a period of three years. The owner is encouraged to contact RT&T staff to discuss options as it relates to installing municipal water service connections to the lands;
2. For the owner's information, the ultimate right-of-way width for Municipal Road #35 is 61 m (200.13 ft) whereas the existing right-of-way width along this portion of Municipal Road #35 is 35 m (114.83 ft). The owner may wish to design their site in a manner that contemplates future road widenings;
3. Should you have any general questions on the above, please contact David Knutson, Traffic & Transportation Engineering Analyst, by email at david.Knutson@greatersudbury.ca.

Site Plan Control:

1. The owner is advised that site plan control will be applicable to the proposed light industrial use;
2. For the owner's information, the City's Site Plan Control website is available at the following web-link: <https://www.greatersudbury.ca/do-business/planning-and-development/start-a-planning-application/site-plan-control-application/>; and,
3. Should you have any general questions on the above, please contact Jonathan Clark, Site Plan Control Engineer, by email at jonathan.clark@greatersudbury.ca.

Strategic & Environmental Planning:

1. The development proposal does not pose an elevated risk to species protected by the [Endangered Species Act](#) (ESA) or to their habitat. The proposed development is anticipated to either have only minor negative effects on the overall natural environment or to have potential negative effects that are to be adequately mitigated as indicated on the relevant site plans. As such, specific environmental studies are not required beyond those that may have been requested previously. The owner should note that compliance with the ESA is solely their own responsibility; and,
2. Should you have any questions, please contact Bailey Chabot, Senior Planner, Environmental Planning Initiatives, by email at bailey.chabot@greatersudbury.ca or Stephen Monet, Manager of Environmental Planning Initiatives, by email at stephen.monet@greatersudbury.ca.

Name: Glen Ferguson

Date: March 8, 2023

PRE-CONSULTATION UNDERSTANDING

1. Official Plan Designation: Rural

Conformity with Official Plan designation: ☐ YES ☒ NO

If "No" what is the nature of the amendment needed?

To permit light industrial uses on a site-specific basis within the Rural land use designation.

2. Existing Zoning: "RU", Rural

Compliance with the City's Zoning By-law? ☐ YES ☒ NO

If "No" what is the proposed zoning or amendment required?

To permit a light industrial use on the lands in the form of an administrative office, shop building, storage yard, and related accessory uses.

3. Related File No.(s): N/A

4. Additional Information: N/A

Acknowledgement by Owner/Agent

The owner acknowledges that this form in no way confirms support or non-support by the City of the presented proposal, is based on the agreed processing and submission requirements discussed.

By signing below, I acknowledge that, subject to any appeals, the drawings, report(s) and other information requirements indicated on the above chart, must be submitted along with a completed application form, any information or materials prescribed by statute, the required application fees and this executed Pre-consultation Application Form to be considered complete. All comments and direction offered by City staff and outside agencies is preliminary and based solely on the information available at the time of the meeting and is only applicable for up to one year from the date of the Pre-consultation meeting. Once an application has been submitted, deemed complete and circulated for comments additional information or consultation meetings may be required during the processing of the application. In addition, I have read, understood, and agreed to all of the notes listed on this form.

<u>Bryan Guse</u>	<u>Bryan Guse</u>	<u>2023/3/31</u>
Owner/Agent (Print)	Owner/Agent (Signature)	Date
<u>Glen Ferguson</u>	<u>Glen Ferguson</u>	<u>March 9, 2023</u>
CGS Planning Services Staff (Print)	CGS Planning Services Staff (Signature)	Date

GLOSSARY

Application Form

A development planning application form in accordance with the Ontario Planning Act and includes applications for official plan amendment, zoning by-law amendment, draft plan of subdivision, draft plan of condominium and site plan approval.

Arborist Report

A report by a certified arborist identifying the species, size of a tree(s) and evaluating their health and condition, and setting out the nature of the work to be undertaken on the tree(s), tree replacement, replanting information and the arborist's recommendation for treatment of the tree(s), i.e., recommend removal and replacement, recommend preservation, etc.

Archaeological Assessment

An assessment in accordance with Provincial and municipal requirements in or near areas of archeological potential.

Comprehensive Development Plan

A plan that illustrates the subject lands in context with abutting properties and the land uses in the surrounding area.

Concept Plan

A plan drawn to scale showing the proposed development including all existing natural and human elements, including existing buildings and proposed buildings, driveways, parking areas, walkways, landscaped areas, amenities, property limits, natural features including streams, forested areas, wetlands along with descriptions.

Construction Erosion and Sediment Control Plan

A plan that details the measures to control sediment and erosion. Refer to the City's Site Plan Control Guide for further information at: <https://www.greatersudbury.ca/do-business/planning-and-development/application-forms/pdf-documents/site-plan-control-guide/>

Draft Official Plan Amendment

A draft official plan amendment includes all text, maps and appendices required by the City.

Draft Plan of Condominium

The information required on plans to be in accordance with the Planning Act and its regulations. The information required to be shown on the draft plan are:

- a) proposed exclusive use areas of the common element, such as outdoor yards and parking;
- b) driveways and pedestrian access to the proposed private units

Draft Plan of Subdivision

The information required on plans is to be in accordance with the Planning Act and its regulations. The information required to be shown on the draft plan are:

- a) the boundaries of the land to be subdivided as certified by an Ontario Land Surveyor
- b) the locations, widths and names of the proposed highways within the proposed subdivision and of the existing highways on which the proposed subdivision abuts
- c) on a small key plan, at a scale not less than one centimeter to 100 metres, all of the land adjacent to the proposed subdivision that is owned by the applicant or in which the applicant has an interest, every subdivision adjacent to the proposed subdivision, and the relationship of the boundaries of the land to be subdivided to the boundaries of the township lot or other original grant of which such land forms the whole or part
- d) the purpose for which the lots or blocks are to be used
- e) the existing uses of all adjoining lands
- f) the approximate dimensions and layouts of the proposed lots
- g) natural and artificial features such as buildings or other structures or installations, railways, highways, watercourses, drainage ditches, swamps, and wooded areas within or adjacent to the land proposed to be subdivided
- h) the availability and nature of domestic water supplies
- i) the nature and porosity of the soil
- j) existing contours or elevations as may be required to determine the grade of the highways and the drainage of the land
- k) the municipal services available or to be available to the land proposed to be subdivided
- l) the nature and extent of any restrictive covenants or easements affecting the land proposed to be subdivided

Draft Zoning By-law Amendment

A draft zoning by-law amendment includes all text, maps and appendices required by the City.

Elevation Plans

Architectural drawings presenting the external design of all proposed structures within the development, including buildings, retaining walls, fences, loading and garbage collection doors. Refer to the City's Site Plan Control Guide for further information at: <https://www.greatersudbury.ca/do-business/planning-and-development/application-forms/pdf-documents/site-plan-control-guide/>

Environmental Impact Study (Full-Site)

A study prepared by a qualified professional that contains a description of the proposal, the natural environment and an assessment of the environmental impacts of the proposal and a description of mitigating measures and recommendations. A full-site EIS requires a greater level of detail than that included in a scoped-site EIS that is appropriate to the scale of the proposed development and potential environmental impacts.

Environmental Impact Study (Scoped)

A study prepared by the development proponent or an environmental professional which addresses the requirements of an EIS in an abbreviated report or checklist and is usually applied to minor developments, single lot consents, or where negative impacts are known to be minor. The exact requirements of the scoped-site EIS will be established through consultation with municipal staff.

Functional Servicing Study

A report which addresses and ensures that the proposed development may be serviced in accordance with the City of Greater Sudbury Design Standards and Criteria. The report should include the proposed servicing scheme (Water supply and distribution, sanitary and storm drainage), the proposed grading for the site and road/access and right-of-way widths, etc.

Geotechnical/Soils Report

A report that analyses soil composition to determine its structural stability and its ability to accommodate development.

Grading Plan

A plan that details the grading required to facilitate the development of a specific site. Refer to the City's Site Plan Control Guide for further information at: <https://www.greatersudbury.ca/do-business/planning-and-development/application-forms/pdf-documents/site-plan-control-guide/>

Heritage Impact Assessment

A report prepared by a qualified consultant for development on lands located within a designated Heritage Conservation District or where development is proposed on or adjacent to a property or building designated under the *Ontario Heritage Act*. The report shall demonstrate that any development is in conformance with the Heritage Conservation District Plan where one exists, or demonstrates that the proposed development maintains the heritage aspects for which the property was designated and is compatible with the building and its heritage attributes. Compatibility may include building materials, colour, height, scale and design.

Hydrogeologic Study

A study reviewing and summarizing information for the site and surrounding areas including soil and groundwater information from available mapping, well records, monitoring wells and site specific geotechnical studies. The study shall identify the existing groundwater quality and local hydrogeological setting including the site-specific aquifer vulnerability index (ISI) and the rate and direction of groundwater flow, water quality and water budget. The report shall also identify and classify the nature of any predicted adverse impacts and measures that will be taken. Risk management/reduction measures are to be described, including engineering controls, management (emergency response plans) and monitoring programs, if applicable.

Landscape Plan

A plan including details on the location, type and number of planting materials to be located on a development site. The City of Greater Sudbury Site Plan Control Guide provides additional details on the requirements for a landscape plan. Refer to the City's Site Plan Control Guide for further information at: <https://www.greatersudbury.ca/do-business/planning-and-development/application-forms/pdf-documents/site-plan-control-guide/>

Legal Survey Plan

A plan prepared by a licenced member of Ontario Land Surveyors Association that includes the location and nature of any easement affecting the subject lands.

Mine Hazard Study

A study addressing a development proposal on, abutting or adjacent to lands affected by mine hazards or abandoned pits and quarries. The study shall identify potential safety hazards, demonstrate that the site can be rehabilitated to mitigate the known or suspected hazard, establish procedures for site rehabilitation and mitigation of the safety hazard or provides evidence that the potential hazards do not exist.

Noise Study

A noise study determines the impact on adjacent developments resulting from the proposed development or determines the impact on the development site from an existing noise source and recommends mitigation measures. Noise Studies are to be completed in accordance with the most recent guidelines issued by the Ministry of the Environment and Climate Change.

Off-Site Servicing Plan - A plan showing, road improvements, and/or sewer and water main upgrades required within the municipal right of way. Refer to The City's Site Plan Control Guide for further information at: <https://www.greatersudbury.ca/do-business/planning-and-development/application-forms/pdf-documents/site-plan-control-guide/>

Parking Study

A study prepared when a development proposal does not meet the minimum parking standard requirements in the City's zoning by-law. The study shall be prepared by a qualified professional and provide a basis in support of the reduced parking standard.

Phase I Environmental Site Assessment

The first phase of the systematic identification and evaluation of the potential impacts of proposed developments relative to the physical, chemical and biological components of the environment. A Phase II or III Environmental Report may be required depending upon the recommendations of the Phase 1 Report.

Photometric Exterior Lighting Plan

A plan which shows the location of each current and/or proposed outdoor lighting fixture with the projected hours of use measured in lux and the area of the lighting dispersed by each lighting fixture. Refer to the City's Site Plan Control Guide for further information at: <https://www.greatersudbury.ca/do-business/planning-and-development/application-forms/pdf-documents/site-plan-control-guide/>

Planning Justification Report

A report prepared and provided by a Registered Professional Planner or other related qualified professional. A planning justification report must address the development proposal's compliance with Provincial documents (Provincial Policy Statement, Growth Plan for Northern Ontario) and City of Greater Sudbury planning documents.

Risk Management Plan

A report that outlines the risk management actions to be undertaken by the owner, required to address the identified significant drinking water threats for the property. The applicant should contact the City's Source Water Protection Risk Management Office to assist with this report. Refer to the City's Source Water Protection Plan for further information at: <https://www.greatersudbury.ca/live/water-and-wastewater-services/source-water-protection/risk-management-plans/>

Public Consultation Strategy

A statement setting out the applicant's plans for consulting with the public on official plan amendment, rezoning, or plan of subdivision applications.

Servicing Options Report

A report which evaluates options for water and sanitary services applicable to the proposed development and includes a review of existing water service infrastructure; estimation of water demands, (domestic and fire flow); confirmation of the capacity of existing infrastructure to supply the required flows; review of options for sewage servicing; estimation of daily sewage flows; estimation of area requirements for the sewage system; and recommendation with respect to preferred water and sewer servicing and preliminary infrastructure sizing.

Site Plan

A site plan shall be prepared in accordance with the City of Greater Sudbury's Site Plan Guidelines. Refer to the City's Site Plan Control Guide for further information at: <https://www.greatersudbury.ca/do-business/planning-and-development/application-forms/pdf-documents/site-plan-control-guide/>

Servicing Plan

A plan that details the water and sanitary servicing, hydro, lighting and other infrastructure, to facilitate the development of a specific site. Refer to the City's Site Plan Control Guide for further information at: <https://www.greatersudbury.ca/do-business/planning-and-development/application-forms/pdf-documents/site-plan-control-guide/>

Source Protection Plan Section 59 Application

A completed application form for Section 59 Notice, Restricted Land Use Review, for applicants proceeding with a building permit or application under the *Planning Act*, in a "Vulnerable Area" as identified in the Greater Sudbury Source Protection Plan. Copies of the application form are available on the City's web site at: <http://www.greatersudbury.ca/living/sewer-and-water/source-water-protection/>

Stormwater Management Report

A report that presents the data, methods, procedures and predicted results associated with the design of drainage works and erosion protection measures related to a development. The report shall be prepared by a qualified engineer and provide details on the techniques used to control storm runoff to allowable runoff rates, the method and volume of stormwater storage and the techniques used to address water quality requirements.

Sun/Shadow Study (6 Storeys or Greater)

A study showing the effects of a development on sunlight reaching surrounding properties, buildings and adjacent public realm areas by calculating the shadow that will be cast by the development at different times of day in different seasons. Sun/Shadow Studies may be required for official plan amendments, zoning by-law amendments and site plan applications for developments usually 20 metres or 6 storeys and greater in height.

Sun/Shadow tests should be done for March 21 and September 21 between the hours of 9 AM and 6 PM. The Sun/Shadow diagram should identify permanently shaded areas between the start of December to the end of February.

Traffic Impact Study

A study which assesses the traffic impacts of a proposed development on the surrounding road system and identifies any improvements to the road system or mitigating measures to accommodate the development.

Transportation Demand Management Report

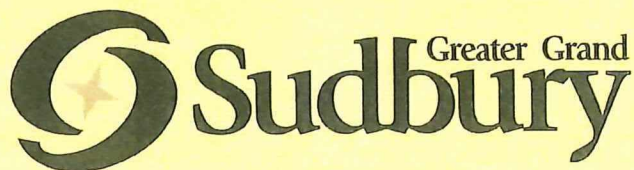
A report which establishes strategies to reduce travel demand from single occupancy private vehicles or to redistribute this demand in space or in time on the surrounding road system.

Vibration Study

A vibration study determines the impact on adjacent developments resulting from the proposed development or determines the impact on the development site from an existing vibration source and recommends mitigation measures.

Wind Study (6 Storeys or Greater)

A pedestrian wind model analysis is required for all six storey or taller buildings. For official plan and zoning by-law amendment applications a preliminary "Wind Impact Statement" by a qualified, registered Professional Engineer to professional standards is required. For site plan applications a detailed wind tunnel impact study shall be prepared by a qualified, registered professional engineer, and shall be based on a scale model simulation analysis, prepared to professional standards.



April 17, 2024

Tulloch Engineering
1942 Regent Street, Unit L
Sudbury, ON
P3E 5V5

Attention: Rebecca Dawson, EIT

**Re: Sewer and Water Capacity Analysis
4360 MR 35
Township of Balfour**

PO BOX 5000 STN A
200 BRADY STREET
SUDBURY ON P3A 5P3

CP 5000 SUCCA
200, RUE BRADY
SUDBURY ON P3A 5P3

705.671.2489

www.greatersudbury.ca
www.grandsudbury.ca

The Development Engineering Section has reviewed your request for a Water Capacity Analysis at the above noted location and have the following to report:

A capacity analysis performed by our WaterCAD model, developed the following results at the 300mm watermain in front of property 4360 MR 35 between stations 33+50 to 33+60.

Values Obtained from Model

C.G.S. Minimum Requirements

Max Hour: 76 psi
Max Day: 77 psi
Fire Flow: 144 l/s

- 40 psi
- 50 psi
- 75 L/s R1, 100 L/s R3

The results of the WaterCAD analysis indicate that sufficient water capacity and pressure exist for the proposal in question.

It should be noted that these results are derived at by using a theoretical computer model based on our best available data. In the event that these developments do not proceed within a one (1) year period, then you should make the necessary arrangements to have a current analysis carried out to take into account any changes made in our sewer or WaterCAD models and to ensure that there is sufficient Sewage, Fire Flows and/or Domestic Pressures available for your proposal(s).

Should you have any questions or concerns please contact me at 671-2489 ext 2409.

Yours truly,

David Longarini
Development Engineering Technician

DVL/ds

cc: Akli BenAnteur, Wastewater Project Engineer, (Kelly Lake)



Planners | Surveyors | Biologists | Engineers

March 18, 2024
P23-0998

City of Greater Sudbury
200 Brady Street
City of Greater Sudbury
Ontario, P3A 5P3

Attention: Robert Webb, P.Eng., Supervisor of Development Engineering

Memo Report: Water servicing demand calculation for the proposed development of 4360 Municipal Road #35, Chelmsford, City of Greater Sudbury, ON

TULLOCH Engineering Inc. (TULLOCH) has been retained to evaluate the water servicing demand associated with the proposed development of 4360 Municipal Road #35, City of Greater Sudbury, Ontario. This memo will identify the anticipated servicing demand needed to support the proposed development and is intended to be reviewed by the City to confirm adequate capacities/flows are available within the existing municipal infrastructure.

The development area is currently zoned RU (Rural) and consists of forested and open areas. The property has an approximate area of 25.4 ha. It is proposed to re-zone the property to RU(S) (Rural Special) and develop two buildings, one office building and one shop building.

A demand scenario has been evaluated for the proposed development by considering the proposed development as light industrial use for the office building and shop building, in accordance with section 3.4.4 Industrial Water Demands of the MOE 2008 Design Guidelines for Drinking-Water Systems, where the preliminary industrial water demand is estimated based on a rate of $35 \text{ m}^3/(\text{ha} \cdot \text{d})$. At this preliminary stage, we have estimated the proposed development area to be about 2.0ha in size. We note in accordance with the MOE Design Guidelines referenced above, these demands will vary greatly with the type of industry and expect that these preliminary demands be refined during the design stage of the project. The preliminary water demands outlined herein are prepared solely for the purpose of the City's capacity assessment application.

The development scenario proposes to utilize existing water services from Road #35. A review of the City's as-built drawing (Old HWY 144 (MR35) STA 33+50 to STA 36+50) dated June 26, 2001, indicates a 300mm diameter PVC water main is present.

The peak water demand for this development scenario has been calculated as per the MOE 2008 Design Guideline for Drinking-Water systems and the City of Greater Sudbury's Engineering Design Manual and is outlined herein.

Water Demand

The peak water demands for the proposed development scenario are calculated in the attached design spreadsheet and outlined in the table below.

Facilities	Development Category	Peaking Factor	Average Daily Flow (L/s)	Max. Hour Flow (L/s)
Office Building & Shop Building	Light Industrial	4	0.81	3.24

Closure

We trust the above is satisfactory; however, should you have any questions, please do not hesitate to contact the undersigned.

Sincerely,



Rebecca Dawson, EIT.
Civil Engineering Intern
Sudbury, ON



TULLOCH ENGINEERING
PROPOSED DEVELOPMENT - 4360 ROAD 35, CHELMSFORD, ON
WATER DEMAND CALCULATION

DATE: 2024-03-18
DESIGN | CHECK: RD | PD
PROJECT NO: 23-0998

SHEET
1

Equations and Constants	
Flow Criteria	Peaking Factors
35 m³/(ha-d) Light Industrial	Peak usage rates will generally be 2 to 4 times the average rate depending on factors such as the type of industry and production schedule.
Maximum daily domestic flow from Section 3.4.3 and 3.4.4, MOE 2008 Design Guidelines for Drinking Water Systems	Industrial Water Demands Section 3.4.4 Peaking Factors MOE 2008 Design Guidelines for Drinking-Water Systems

DEVELOPMENT CATEGORY	POPULATION			DESIGN FLOWS			NOTES
	Building Use	AREA	PEAK FACTOR	AVERAGE DAILY FLOW	AVERAGE FLOW	PEAK HOUR FLOW	
		Ha	Factor	L/d	l/s	l/s	
Light Industrial	Office Building, Shop Building	2.00	4	70000.0	0.81	3.24	
Total	-	-	-	70000	0.81	3.24	

RECEIVED
JUNE 21 2024
PLANNING SERVICES

PLANNING JUSTIFICATION REPORT

4360 MUNICIPAL ROAD 35
APPLICATION FOR ZONING BY-LAW AMENDMENT

JUNE 2024

Prepared by: **TULLOCH**

Prepared for: BMG ENGINEERING LTD.

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1.0 INTRODUCTION

TULLOCH has been retained by 1840222 ONTARIO LIMITED. as the owner of those lands known municipally as 4360 Municipal Road 35 in the City of Greater Sudbury to prepare a Planning Justification Report in support of an amendment to the *City of Greater Sudbury Zoning By-law 2010-100Z* in order to permit a mining-related rural light industrial use.

This report provides a planning analysis and justification for amending the City's Zoning By-law based on a full review of the following applicable provincial and municipal planning documents and policies:

- 2020 Provincial Policy Statement (PPS);
- Growth Plan for Northern Ontario (GPNO);
- City of Greater Sudbury Official Plan (CGS OP);
- City of Greater Sudbury Economic Development Strategic Plan 2015-2025 (CGS EDSP);
- City of Greater Sudbury Zoning By-law 2010-100Z (CGS ZBL);

This Planning Justification Report is structured as follows:

Section 1.0 Introduction: Introduces the proposed development and describes the purpose of this report.

Section 2.0 Subject Site and Surrounding Context: Provides a site description of the lands and surrounding land use planning context.

Section 3.0 Proposed Development and Applications: Describes the proposed development in detail.

Section 4.0 Supporting Technical Studies: Summarizes any technical studies undertaken in support of the application.

Section 5.0 Policy Overview and Analysis: Describes the land use planning policy context applicable to the lands including provincial and municipal planning documents and a review of how the proposed development conforms to these policies.

Section 6.0 Conclusion: Provides a summary of the land use planning rationale for amending the City's Zoning By-law to accommodate the proposed development. The author of this report also summarizes their professional land use planning opinion and recommendation as it relates to the development proposal.

2.0 SUBJECT SITE AND SURROUNDING CONTEXT

This section describes the subject site including its topography and other site features, the surrounding neighbourhood context, and adjacent transit and transportation network access.

SUBJECT SITE

The subject lands are located on the north side of Municipal Road 35 (MR35) between the urban communities of Azilda to the east and Chelmsford to the west in the City of Greater Sudbury. The lands have a total lot area of ± 25.4 hectares along with a lot frontage of approximately ± 337 metres on Municipal Road 35 (See *Figure 1*).



Figure 1: Location of Subject Lands

The property can legally be described as follows:

PIN 73347-0193, PCL 1584 SEC SWS SRO; PT LT 9 CON 3 RAYSIDE AS IN LT9035 EXCEPT LT7154, LT60738, LT68209, LT84824, LT85863; S/T LT126424, LT502457 CITY OF GREATER SUDBURY

The northerly and middle portions of the lands are vegetated with the southerly portion having several areas that have been cleared of vegetation. There is also an existing municipal drain (i.e., Soenens “Drain G”) that bisects the lands.

The subject lands are partially situated within an area (i.e., floodplain) that is regulated by Ontario Regulation 41/24 under the Conservation Authorities Act.

SURROUNDING NEIGHBOURHOOD CONTEXT

The immediate area is characterized by rural lands, vacant open spaces, and a range of commercial and industrial uses (e.g., service trade, auto glass shop, contractor's yard, and heavy equipment sales and rental) along Municipal Road 35. The easterly boundary of the Chelmsford urban settlement area is located approximately 0.20 kilometres to the west of the lands. The westerly boundary of the Azilda urban settlement area is further situated approximately 2.1 kilometres to the east. It is noted that the larger surrounding area further contains a more diverse range of land uses. The GOVA public transit system also operates along the Municipal Road 35 corridor thereby providing access to the larger regional area.

Surrounding land uses can be described as follows:

NORTH: Railroad right-of-way, several large tracts of rural lands containing open space and mature vegetation, and Bonin Street.

EAST: Single-detached dwellings along Municipal Road 35, several large tracts of vacant and heavily vegetated rural lots, an automotive glass shop (i.e., Thibert Auto Glass), a service trade (i.e., carpentry shop), two construction and/or forestry heavy equipment sales and rental uses (i.e., CEC Equipment, Theriault Equipment Rentals), and Notre Dame Street West (i.e., Azilda).

SOUTH: Single-detached dwellings along Municipal Road 35, and several larger rural lots further to the south containing heavy and natural, mature vegetation.

WEST: Single-detached dwellings along Municipal Road 35, Automotive Use (i.e., Al's Automotive), urban residential lands uses along Elizabeth Street, Pilon Street, and a number of other local residential streets, a Retail Store (i.e., Trapper John's Bait & Tackle) at St. Jean Baptiste Street and Municipal Road 35, a cluster of industrial uses (e.g., Belanger Construction, CarStar Collision & Glass Centre, a municipal depot and yard), and the intersection of Municipal Road 15 and Highway 144.

3.0 PROPOSED DEVELOPMENT & APPLICATIONS

This section describes the proposed use, site design and the *Planning Act* applications required to facilitate the development.

PROPOSED DEVELOPMENT

The development proposal involves the establishment of a mining-related rural light industrial use (i.e., mining equipment engineering and fabrication shop) along with an accessory business office, outdoor storage, and associated parking and loading areas.

More specifically the property owner completes engineered design and fabrication services critical to supporting the efficient extraction of ore and critical minerals from surrounding mines including the fabrication of shafts, cages, hoists, raises, manways, ventilation, ore circuit, and level infrastructure etc.

The lands would be accessed via a private driveway entrance onto Municipal Road 35. Most of the existing natural vegetation and topographical features on the lands are proposed to remain undisturbed with enhanced landscaping areas being provided on the southerly portions of the land where the proposed buildings would be situated and framing the driveway entrance.

The desired built-form of the development could take the form of either 1 or 2 buildings. The below provides a comparison of both options in addition to conceptual development designs shown in *Figures 1* and *2*.

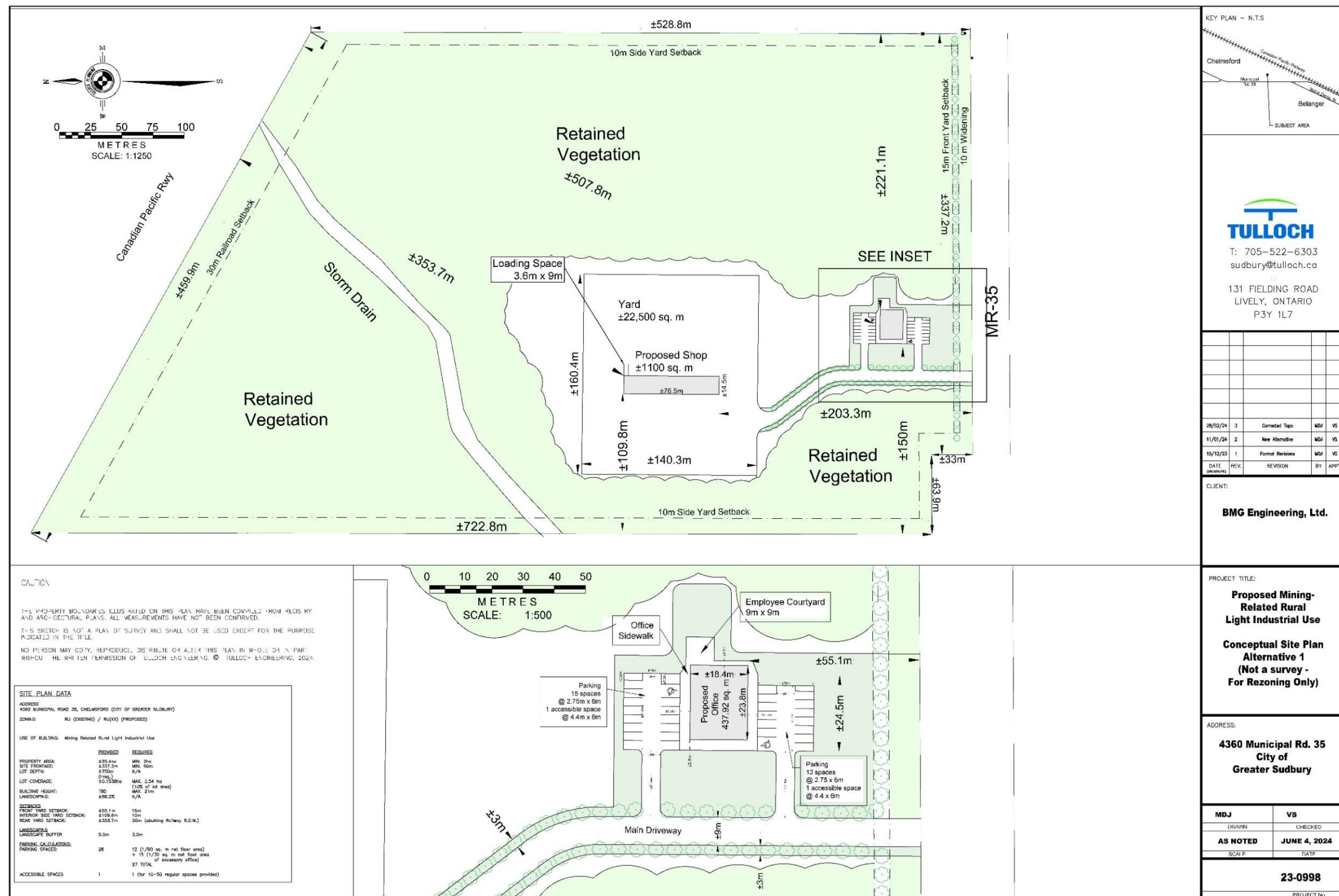
Option 1: Two Building Design.

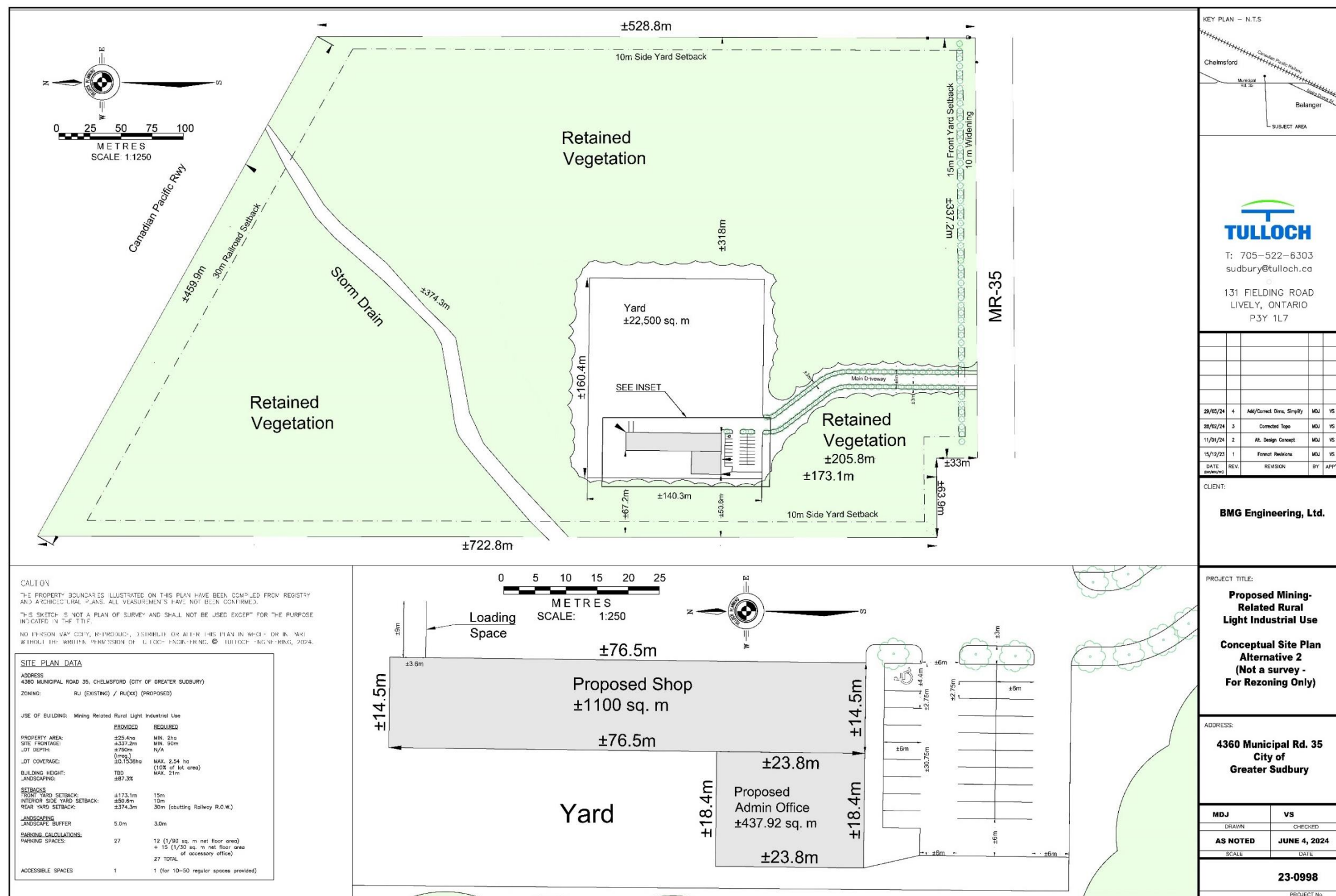
The mining-equipment engineering and fabrication shop building would have a gross floor area of approximately 1,100 m² with approximately 22,500m² of outdoor storage and maintenance yard.

The accessory business office would be situated to the south of the engineering and fabrication shop building closer to the Municipal Road 35 street-line and would provide a gross floor area of approximately 440 m² (See *Figure 2*). The accessory business office would be enclosed by two parking areas with 28 parking spaces. The accessory business office would also feature an outdoor courtyard area immediately to the east of the building. No site-specific zoning relief is required from the general provisions, parking and loading provisions or the development standards.

Option 2: One Building Design

The mining-equipment engineering and fabrication shop building would have a gross floor area of approximately 1,100 m² with approximately 22,500m² outdoor storage and maintenance yard. The accessory business office would be attached to the fabrication shop building and would provide a gross floor area of approximately 440 m² (See *Figure 3*). The development would feature one parking area in-front of the building with 28 parking spaces. No site-specific zoning relief is required from the general provisions, parking and loading provisions or the development standards.





PLANNING ACT APPLICATIONS

The following details the various Planning Act applications necessary to facilitate the development.

ZONING BY-LAW AMENDMENT

A zoning by-law amendment application is required to rezone the lands from “RU”, Rural to “RU(S)”, Rural Special under Zoning By-law 2010-100Z in order to permit a mining-related rural light industrial use.

The proposed definition of which is provided below:

Rural Light Industrial Use (Mining-Related):

An industrial use engaged in, or used for the engineered designing of mining industry-related equipment, and a light manufacturing use in the form of a fabrication shop dedicated to the assembly, repair, manufacturing and finishing of mining-related equipment, and includes an outdoor area used for the storage, maintenance and/or repair of material, equipment, and machinery used in connection with the light manufacturing use, along with an accessory business office, all of which does not produce wastewater in excess of 4,500 litres per day.

The application further proposes to introduce a definition of the proposed use of the lands in the proposed zoning by-law amendment to avoid or prevent any non-mining-related industrial or commercial uses from utilizing the lands in the future for a more generalized, industrial use, should that opportunity present itself.

It is proposed that existing permitted uses within the standard “RU” zone be retained to afford future land use flexibility, including the currently permitted range of non-residential land uses. The existing non-residential rural land uses permitted in the City’s Zoning By-law would remain as viable options in the event that the defined additional land use was no longer operating on the lands

It is also proposed that the following development provision be included in the amending Zoning By-law to ensure that the defined and permitted land use proceeds in an orderly and appropriate manner:

- That those lands zoned “RU(S)” are hereby designated as a ‘Site Plan Control Area’, pursuant to Section 41 of the *Planning Act, R.S.O. 1990, Chapter P. 13*.

It is also important to note that no site-specific relief from zoning by-law development standards are proposed to accommodate the proposed development. The balance of the development proposal is therefore anticipated to fully comply with existing “RU” Rural development standards, as well as applicable general provisions and parking and loading provisions in the City’s Zoning By-law.

SITE PLAN CONTROL

The City’s *Site Plan Control By-law 2010-220*, as amended, under Section 1(a)(v) specifically excludes the “RU” Zone from site plan control. The City’s Official Plan under Section 5.2.5(4) does however note that rural industrial/commercial uses located within a Rural Area are subject to both the rezoning and site plan

control processes. It was noted during pre-consultation with the City that site plan control would be made applicable to the proposed light industrial use (CGS File # PC2023-017). This would result in a site plan control agreement being registered on-title of the lands that addresses detailed site-specific matters, ensuring that the use is well-designed (e.g., servicing, grading, site layout, etc.), and is compatible with surrounding uses.

This method of designating properties as being subject to site plan control has been utilized by the City in many site-specific zones found under *Part 11: Exceptions of the City's Zoning By-law*, including the following examples under *Part 11, Section 4: Special Rural Zones*:

- RU(7) to permit a "Power Line Contracting Business";
- RU(15) to permit a "Landscape Contractor's Yard & Single-Detached Dwelling";
- RU(21) to permit a "Contractor's Yard";
- RU(47) to permit "Mobile Home Maintenance/Storage";
- RU(78) to permit a "Day Spa/Wellness Centre";
- RU(80) to permit a "Contractor's Yard"; and,
- RU(101) to permit a "Wrecking & Salvage Yard".

It is noted that further pre-consultation will be necessary with the City in the future to assess the detailed requirements of a Site Plan application. However, the principle of such is supported by the authors of this planning justification report as an appropriate land use planning tool for ensuring the development proceeds in an orderly manner.

4.0 SUPPORTING TECHNICAL STUDIES

The following technical studies and documents were prepared in support of the application and include information that was identified by the City as being required on the pre-consultation understanding document issued by the City of Greater Sudbury.

SERVICING OPTIONS REPORT

TULLOCH was retained to complete a Servicing Options Report (SOR), which was identified as a submission requirement for a rezoning application during pre-consultation with the City. The SOR notes that there is no known existing private sanitary sewer infrastructure on the lands and the closest municipal sanitary sewer is situated approximately 700-metres to the west along Municipal Road 35.

The SOR notes that extending municipal sanitary sewer infrastructure to the lands would be uneconomical, however, the author of this planning justification report would further note that the City's Official Plan is supportive of and permits the locating of dry industrial/commercial land uses on lands designated Rural provided that the use otherwise conforms with applicable policies for rural industrial/commercial uses. The SOR has considered the proposed uses (i.e., mining equipment fabrication shop and office use) and has calculated a total wastewater daily flow rate of 4,423 litres per day (L/d) would be

5.0 POLICY OVERVIEW AND ANALYSIS

The following section sets out the relevant land use planning policy framework to assess the appropriateness of the proposed application within the context of applicable Provincial and Municipal policies and regulations. Each sub-section will outline relevant policies and provide a planning analysis with respect to how the development is consistent with or conforms to such policies.

PROVINCIAL POLICY STATEMENT, 2020

The *2020 Provincial Policy Statement* (PPS) provides high-level provincial policy direction for planning approval authorities in preparing municipal planning documents, and in making decisions on *Planning Act* applications. Policies applicable to the proposed development are outlined and discussed below.

Section 1.1 includes policies which seek to manage and direct land use in a manner that achieves efficient and resilient development and land use patterns.

1.1.1 *Healthy, liveable and safe communities are sustained by:*

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

...

e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

...

g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;

RESPONSE

Per **Section 1.1.1**, the proposed development promotes an efficient development and land use pattern that is appropriate to the local market base, thus contributing to the financial well-being, and range and mix of employment uses in the area to meet long-term needs of the Province and the City of Greater Sudbury. The proposed development amounts to a rural light industrial use that does not require access to full municipal infrastructure services, which can otherwise be made available to heavier and more infrastructure-intensive industrial uses within fully serviced areas. The development proposal would however utilize existing municipal water infrastructure along Municipal Road 35, and sufficient water capacity to sustain the use was confirmed through the City's Development Engineering Department. Further, the development proposal does not require any upgrades or extensions to infrastructure which is further illustrative of the development meeting the intent to ensure that infrastructure and public service facilities are available to meet current and projected needs, per **Section 1.1.1(g)**.

The development supports the integration of land use planning, infrastructure, and cost-effective servicing and development patterns by locating this dry industrial use on a primary arterial road in close proximity to the markets it supports and is optimally located between two of the City's settlement areas Chelmsford and Azilda as **1.1.1(e)** promotes.

Section 1.1.4 outlines policies to support the health, integration, and viability of Rural Areas, which include the following:

- 1.1.4.1** *Healthy, integrated and viable rural areas should be supported by:*
- a) upon rural character, and leveraging rural amenities and assets;*
 - ...*
 - e) using rural infrastructure and public service facilities efficiently;*
 - f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*

RESPONSE

Section 1.1.4 of the PPS outlines a policy framework for Rural Areas in municipalities, which encourages leveraging rural assets and amenities and protecting the environment as a foundation for a sustainable economy.

The proposed development is consistent with **1.1.4.1(a)** of the PPS as it is compatible with the surrounding character of the area, and leverages rural amenities and assets given that the use will be in close proximity to its supporting rural uses (i.e., mines, and mineral extraction operations), whilst still being appropriately separated from residential areas, and provides for adequate buffering and landscaping. The proposed

development provides for a more optimal use of existing infrastructure (municipal water and transit) along MR 35 while being a dry industrial use that does not require full municipal services. Also, the proposed development supports the diversification of the economic base and employment opportunities through goods and services, via the production of value-added products (equipment/materials) for the more efficient extraction of ore and critical minerals and the mining-industry related support it provides.

Section 1.1.5 of the PPS outlines policies applicable to the development of Rural Lands in municipalities, and states the following:

- 1.1.5.2** *On rural lands located in municipalities, permitted uses are:
 - a. the management or use of resources;
 - g. other rural land uses.*
 - 1.1.5.4** *Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.*
 - 1.1.5.5** *Development shall be appropriate to the infrastructure, which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure*
 - 1.1.5.6** *Opportunities should be retained to locate new or expanding land uses that require separation from other uses.*
 - 1.1.5.7** *Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.*
-

RESPONSE

The development proposal seeks to establish a mining-related rural light industrial use (i.e., mining equipment and fabrication shop) along with an accessory business office, outdoor storage, and associated parking and loading areas. Given that the proposed development engages in the fabrication of value-added goods that are directly related to, and result in, the more efficient extraction of ore and critical minerals, the proposed development is a resource-related use which would be appropriately located on rural lands near its market sector.

The proposed development provides a use that is suitable in the context of the surrounding area, as was generally outlined in Section 2.0 of this report. Further the development can maintain compatibility through the ability to provide enhanced setbacks, buffering, and landscaping as seen in *Figures 2 and 3*.

Although the development will connect to the City's water servicing along MR 35, the proposed development is a dry light industrial use which has lesser demand on municipal infrastructure than heavier

industrial uses that are more appropriately directed to fully serviced urban employment lands where full services are available. Further, the development will be situated along a Primary Arterial Road with easy access to the larger primary and secondary municipal road networks, as well as a Provincial Highway network (i.e., Highway 144).

The development proposal would contribute positively toward achieving a diversified rural economy given that the proposed development will provide direct and close-to-market support to one of the City's identified main economic engines, per **Section 1.1.5.7**.

Section 1.6.6 of the PPS outlines policies related to sewage, water and stormwater infrastructure, and states in part that:

1.6.6.1 *Planning for sewage and water services shall:*

a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing:

1. municipal sewage services and municipal water services;

b) ensure that these systems are provided in a manner that:

1. can be sustained by the water resources upon which such services rely;

2. prepares for the impacts of a changing climate;

3. is feasible and financially viable over their lifecycle; and

c) promote water conservation and water use efficiency;

d) integrate servicing and land use considerations at all stages of the planning process.

1.6.6.2 *Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.*

1.6.6.7 *Planning for stormwater management shall:*

a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;

c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;

- d) mitigate risks to human health, safety, property and the environment;*
- e) maximize the extent and function of vegetative and pervious surfaces; and;*
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

RESPONSE

The development proposal will have access to municipal water infrastructure located and available within the road allowance of Municipal Road 35. Although the proposed development is a dry light industrial use, the City's By-law 2010-214 regarding the supply of water, the management and maintenance of waterworks systems in the municipality will require that an application to connect to the municipal water infrastructure. This matter will be addressed in further detail during the site plan control process. As part of a complete zoning by-law amendment application a Water Capacity Analysis has been completed, which demonstrates that capacity to service the development is currently available. Further, the on-site servicing and stormwater design for the site will be prepared in accordance with the City's Site Plan Control guideline requirements and finalized as part of the site plan approval process.

Section 1.6.7 of the PPS outlines policies regarding transportation systems, and states, in part:

- 1.6.7.1** *Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.*
- 1.6.7.4** *A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.*

RESPONSE

The subject lands are located along Municipal Road 35, between the communities of Azilda and Chelmsford and are in proximity to the Provincial highway network (i.e., Highway 144). The location of the proposed development provides for an appropriate location for the use, close to the resource-based market that it supports (i.e., Coleman Mine, Craig Mine, Totten Mine, Fraser Mine etc.), thus enabling the more efficient movement of people and goods and decreasing the length and numbers of vehicle trips needed to deliver finished products to surrounding mining industry per **Section 1.6.7**.

The subject lands benefit from Gova Transit Route 104, and bicycle lanes along Municipal Road 35, connecting the lands to Azilda, Chelmsford, as well as the Downtown. Thus, supporting the use of transit and active transportation, per **Section 1.6.7.4**.

Section 1.7 of the PPS establishes a policy direction that ensures the longer-term economic prosperity of the Province is supported by:

1.7.1 *Long-term economic prosperity should be supported by:*

a) promoting opportunities for economic development and community investment-readiness;

.....

c. optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;

...

g) providing for an efficient, cost-effective, reliable multimodal transportation system that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;

RESPONSE

The proposed development supports the long-term economic prosperity of both the City of Greater Sudbury and the Province of Ontario by being a resource-related use that supports the efficient extraction of subgrade resources/ materials, one of Northern Ontario's largest global resources. The City's OP and related EDSP both in part identify and promote the mining and supply services cluster as being of paramount importance in the municipality with the EDSP specifically referring to this cluster as one of the "economic engines" of the City of Greater Sudbury.

The development proposal offers an opportunity to support community investment-readiness by facilitating the rezoning of the lands to permit a rural industrial land use which is optimally located to support its intended markets, appropriately optimizes services along MR 35, and the City's/Province's transportation network.

By nature of the use being a dry land use, the development does not require access to full municipal infrastructure services. However, it will connect to the City's water infrastructure within the road allowance of Municipal Road 35 despite not requiring such access based on the calculated 4,423 L/d per day. The servicing capacity assessment results revealed that adequate pressure and fire flows are available within the water distribution system along the property frontage to support the proposed development.

Further, locating the development in this location will allow for general and heavy industrial land uses requiring full municipal infrastructure services to be properly directed to the City's designated serviced Employment Areas (e.g., General Industrial & Heavy Industrial) thereby protecting the available supply of lands for heavier wastewater generating uses, which contributes positively to the notion of promoting opportunities for economic development and demonstrating community-investment readiness.

Section 3.1 of the PPS establishes policies for managing natural hazards.

3.1.1 *Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:*

...

b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards; and

c) hazardous sites.

RESPONSE

Conservation Sudbury noted that the subject lands are partially situated within an area (i.e. floodplain) that is regulated by Ontario Regulation 41/24 under the Conservation Authorities Act. The proposed development has been situated outside of the flood plain associated with Soenens Drain G and no development is proposed within regulated areas.

GROWTH PLAN FOR NORTHERN ONTARIO

The *Growth Plan for Northern Ontario* (GPNO) is a 25-year plan that provides guidance in aligning provincial decisions and investment in Northern Ontario. It contains policies to guide decision-making surrounding growth that promotes economic prosperity, sound environmental stewardship, and strong sustainable communities that offer northerners a high quality of life.

The GPNO states that:

2.3.8 Minerals Sector and Mining Supply and Services

1. Efforts by the Province, industry and, where appropriate, other partners, to grow and diversify the minerals and mining supply and services sectors should include:

- a. ...*
- b. creating new value-added resource sector opportunities through research, development and application of advanced processing and manufacturing technologies;*
- c. expanding the mining supply and services industry, increasing exports, and supporting particular areas of competitive advantage including deep mining techniques and clean technologies;*
- d. ...*
- e.*
- f. investing in research and innovation that improves the efficiency of industry operations, with an emphasis on extraction and exploration technologies, environmental technologies, and mine closure and rehabilitation processes;*
- g. enabling new mining opportunities;*
- h. facilitating partnerships among communities and industry to optimize community employment and benefits; and,*
- i. facilitating the entry of new participants and entrepreneurs, including Aboriginal businesses, co-operatives and commercial developers.*

RESPONSE

There are no specific policies applied to rural lands within municipalities under the GPNO. In general, the GPNO encourages a diverse mix of land uses, including those uses that service the rural economy including the mineral sector, mining supply services and valued-added resource sector as the development proposes.

Moreover, the proposed development supports many of the policies under **Section 2.3.8** of the GPNO in that the proposal enables the development of a mining-supportive use in the City of Greater Sudbury which:

- Value-adds to the resource sector and the entry of new participants by enabling the establishment of a local manufacturing business that can respond to local mining industries' needs and provide a resource competitive advantage by manufacturing extractive equipment locally (as opposed to being outsourced from outside of Northern Ontario);
 - Improves the efficiency of mining industry operations with an emphasis on supporting timely extraction through the fabrication of mining-related products near where they are needed (i.e., cages, shafts, manways, hoists etc.);
 - Enables the establishment of a business which represents a value-added resource-sector opportunity that support local employment and the resource sector;
 - Supports Ontario's Critical Minerals Strategy 2022-2027 by assisting in the creation of resilient local supply chains, building production capacity, economic development opportunities and growing a skilled labour force; and,
 - Which represents an investment in industry that is involved in the production of technologies and equipment that improves the efficiency of mining extraction and exploration operations.
-

CITY OF GREATER SUDBURY OFFICIAL PLAN

The 2006 *City of Greater Sudbury's Official Plan* (OP) is the principal land use planning policy document for the City of Greater Sudbury. The Official Plan establishes objectives and policies that guide both public and private development/decision-making.

The subject lands are designated Rural as per *Schedule 1a – Land Use Overview* and more clearly seen on *Schedule 1c – Land Use - Community Insets* (See *Figure 4*). The lands have public road frontage on Municipal Road 35, which is an identified Primary Arterial road that is intended to provide a road right-of-way width of 61-metres as per *Schedule 7 – Transportation Network* and *Schedule 8 – Road Right of Way Widths* of the City's OP. The lands are also situated along a portion of Municipal Road 35 with proposed and/or identified bicycling paths as per *Schedule 9 – Trails*. The lands are serviced by existing municipal water infrastructure within the road allowance of Municipal Road 35, which is depicted on *Schedule 10 – Sewer and Water Serviced Areas*.

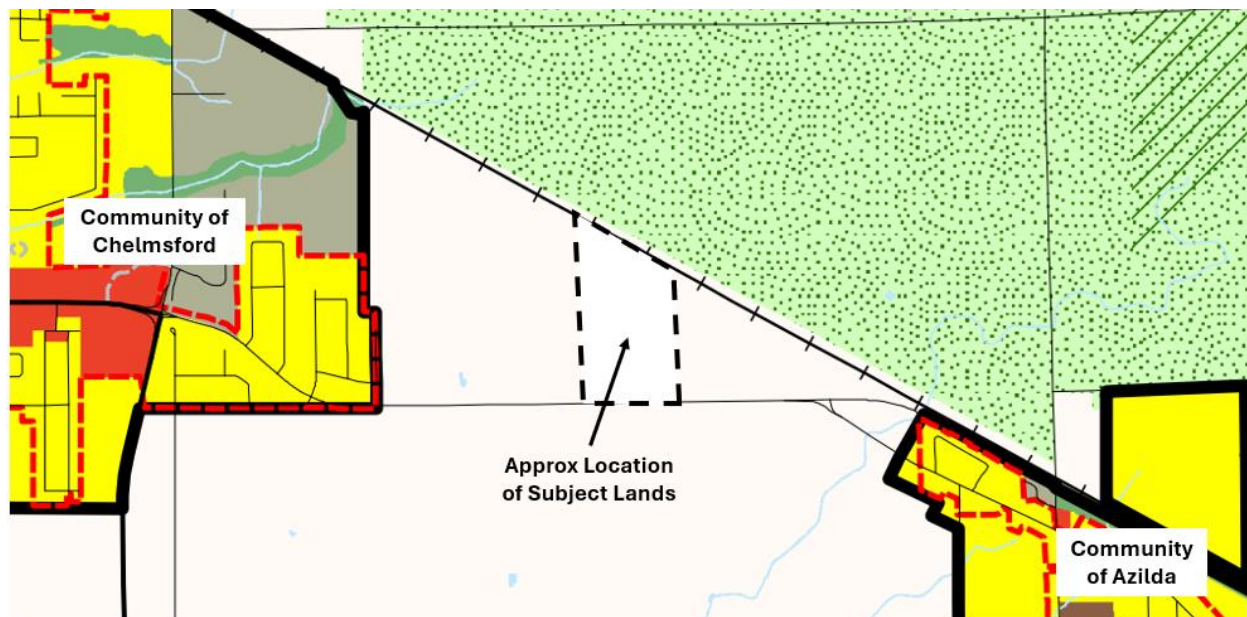


Figure 4: Subject Lands OP Designation

Section 1.3.4 of the OP notes the importance of building upon the City's strengths and recognizing where opportunities exist to improve the community. The City's *Economic Development Strategic Plan* identifies several "economic engines" as the focus of potential growth in the municipality. It is noted in the OP that the mining and supply services cluster in particular offers tremendous potential for the development of products, services and expertise that can be exported globally.

RESPONSE

The lands proposed to be developed are uniquely situated between the urban communities of Chelmsford and Azilda along a Primary Arterial. The proposed development is for that of a mining-related rural light

industrial use. The proposed amendment to the City's Zoning By-law presents an opportunity to strengthen one of the City's identified "economic engines" by permitting the establishment of a mining-related, dry industrial land use along a Primary Arterial road that will provide access to both the local mining industry and its needs, as well as having adequate access to the larger regional transportation network in a location where such rural industrial use is compatible with the surrounding context.

The proposed development in this location would involve an approximate 3.11 hectares portion of the land, which represents approximately 12% of the overall lot area. It is noted that the balance of the land accounts for approximately 22.29 hectares of the overall lot area and these lands are not proposed to be developed, which represents approximately 88% of the overall lot area.

The undisturbed land is responsive to desire to balance the protection of the natural environment while at the same time allowing for a limited and reasonable amount resource-based rural industrial development.

Section 1.4 of the City's OP includes a vision statement that the City is open to business providing an economic environment that grows industrial enterprises and acknowledges that natural resources form the basis of the local economy.

RESPONSE

The proposed dry rural industrial use takes the form of a mining-related rural light industrial use (i.e., engineering and fabrication shop with accessory office and outdoor storage). The lands provide an economic and operational advantage to the proposed mining-related land use given closer proximity to the Mining/Mineral Reserve land use designations that they support, as well as to the larger regional and provincial market. The proposed development represents an investment and commitment to both the local mining industry and the human capital that supports one of the City's most important economic engines.

Section 5.0 of the City's OP outlines that a significant portion of the municipality is comprised of Rural Areas with some areas being partially serviced by municipal water infrastructure. There is however no intention of expanding services into Rural Areas. The Rural land use designation is intended to accommodate a variety of land uses that are appropriate for a rural location, especially those that provide rural economic benefits that are balanced with protection of the natural environment and the agricultural resource base.

Section 5.1 outlines the following Rural Area policy objectives:

- a) *Provide an efficient and orderly pattern of land use in Rural Areas, reducing land use conflicts and requiring minimal municipal services;*

- b) Ensure that all development is adequately serviced and does not negatively impact the environment;*
- c) Encourage a strong rural economy with a range of rural uses and activities;*
- d) Recognize the importance of agriculture, silviculture and other rural land uses to the economy;*
- e) ...*
- f) Promote opportunities to support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.*

RESPONSE

With respect to **Section 5.1** of the City's OP, the proposed development does not require the extension of any municipal infrastructure into the Rural land use designation as it will utilize existing municipal water available within the road allowance of Municipal Road 35. The proposed development does not propose or require any extension or connection to municipal sanitary sewer infrastructure, which is available to both the east and the west in the urban communities of Chelmsford and Azilda.

The proposed development has not been identified as being in an area of natural heritage constraints. It is noted that the lands are partially within a regulated area governed by the Nickel District Conservation Authority (NDCA) and are subject to any requirements under Ontario Regulation 41/24 and Section 28 of the Conservation Authorities Act.

The lands are sufficiently large enough that any potential land use conflicts are minimized or mitigated and site plan control under Section 41 of the *Planning Act* can be utilized to further ensure that a good site design achieves the objective of reducing conflict and requiring minimal municipal infrastructure services. The proposed development would also not impact any identified cultural and/or historical attributes of the surrounding rural area.

With respect to the rural economy, the proposed rezoning of the lands would permit a dry resource-based light industrial use. The proposed development will contribute positively to the rural economy by utilizing a partially serviced and otherwise underutilized rural lot along a Primary Arterial road to accommodate a dry light industrial use which directly serves the needs of the local mining industry. Therefore, the proposed development should not be directed elsewhere in the municipality on the basis that it is a resource-related rural land use that will act to promote and be supportive of a diversified rural economy. This report will later outline appropriate development standards that should be included in an amending Zoning By-law to ensure that any future land uses do not negatively impact or detract from the intended objective of diversifying the rural economy.

Section 5.2.5 of the City's OP permits for some limited rural industrial/commercial uses are permitted in Rural Areas, particularly those activities that provide rural economic benefits that are balanced with protection of the natural environment and the agricultural resource base. In such instances it requires that:

5.2.5 *Industrial/Commercial*

1. Rural industrial/commercial uses are generally resource-based and may include agriculture, dry industrial/commercial uses, and forestry.

4. Rural industrial/commercial sites are to be located with adequate separation distances from residential areas, and provide proper buffering and landscaping along Arterial Road frontages. Entrances are restricted to Secondary Arterial and Local Roads, and no temporary structures, outside storage or sales displays may be visible from the frontage of abutting roads. All such development is subject to rezoning and site plan control.

5. New resource-related industries should not impact the natural resource base. Rural industrial/commercial uses must generate limited amounts of wastewater and minimize land use conflicts.

RESPONSE

Per Section 5.2.5, the City allows for the limited development of some rural industrial/commercial uses in Rural Areas. The City's OP is supportive of new resource-related industries that do not impact the natural resource base provided that limited amounts of wastewater and minimal land use conflicts would be generated. The proposed development achieves this as it is a dry rural light industrial use, which is included in the rural industrial/commercial uses set out in **Section 5.2.5.1**. Additionally, the proposed development conforms to Rural Zone standards and all other requirements for rural industrial sites.

CITY OF GREATER SUDBURY ECONOMIC DEVELOPMENT STRATEGIC PLAN (EDSP)

Section 2.1 of the City's EDSP refers to an economic heritage that is "rooted" underground in the extraction of ore by a few large mining companies. The EDSP acknowledges that the City is built on a foundation of natural resources with each successive generation having added value to this economic base. The mining industry continues to be a driver of the City's success and the EDSP gives special attention to this industrial history and focuses strategically on the continued growth of the local mining economy. The "trunk" of the City's economic vision supports the core elements of the local economy with a focus on a welcoming and open community and the fostering of a highly skilled and creative workforce. The "branches" of this economic vision acknowledge thriving sectors that have emerged to complement the City's strength in the mining sector. The notion of "branching" out includes focusing on becoming a global leader in mining supply and service.

RESPONSE

The development proposal will strengthen the resource-based economic foundation identified in the EDSP's vision. In particular, the development can be expected to attract or continue to support a highly skilled and creative workforce in a location close to the resource-based market it supports, as well as contribute to the continued growth of the mining supply and service sector.

CITY OF GREATER SUDBURY ZONING BY-LAW 2010-100z

The lands are presently zoned “RU”, Rural under the City’s Zoning By-law with applicable Section 9.2, Table 9.1 – Permitted Residential Uses and Table 9.2 – Permitted Non-Residential Uses establishing the range of land uses permitted in the “RU” Zone. Permitted non-residential uses are summarized and depicted as follows:

Table 9.2 – Permitted Non-Residential Uses

(By-laws 2012-67Z, 2019-181Z, 2020-146Z)

USE	A	RU	RS	SLS
<i>Agricultural Use</i>	X (5)	X (5)		
<i>Animal Shelter</i>	X	X		
<i>Cannabis Production Facility</i>	X(10)	X(10)		
<i>Distilling Facility</i>		X		
<i>Forestry Use</i>	X (6)	X (6)		
<i>Hunting or Fishing Camp</i>		X (8)		
<i>Garden Nursery</i>	X	X		
<i>Kennel</i>	X (6)	X (6)		
<i>Public Utility</i>	X	X		
<i>Small-Scale Brewing Facility</i>		X		
<i>Veterinary Clinic</i>	X	X		
<i>Winery</i>		X		

Figure 3 – Excerpt of Permitted Non-Residential Uses from CGS Zoning By-law

The rezoning application seeks to rezone the lands from “RU”, Rural to “RU(S)”, Rural Special in order to permit a rural light industrial use in the form of a mining-related rural light industrial use (i.e., mining equipment engineering and fabrication shop) along with an accessory business office, outdoor storage and associated parking and loading areas.

With respect to the definition of land use, it is proposed that the following be included in the amending zoning by-law and added as a site-specific non-residential permitted use:

Rural Light Industrial Use (Mining-Related):

An industrial use engaged in, or used for the engineered designing of mining industry-related equipment, and a light manufacturing use in the form of a fabrication shop dedicated to the assembly, repair, manufacturing and finishing of mining-related equipment, and includes an outdoor area used for the storage, maintenance and/or repair of material, equipment, and machinery used in connection with the light manufacturing use, along with an accessory business office, all of which does not produce wastewater in excess of 4,500 litres per day.

It is also proposed that existing land use permissions under Tables 9.1 and 9.2 of the City's Zoning By-law be retained to ensure future land use flexibility.

While no site-specific relief is required from the general provisions, parking and loading provisions or the development standards within the standard "RU" Zone, it is proposed that the following development standard be included in the amending Zoning By-law:

- That those lands zoned "RU(S)" are hereby designated as a 'Site Plan Control Area', pursuant to Section 41 of the *Planning Act, R.S.O. 1990, Chapter P. 13*.

6.0 CONCLUSION

The proposed amendment to the City's Zoning By-law presents an opportunity to support one of the City's identified 'economic engines' by permitting the establishment of a mining-related (resource-based), dry industrial use that will support mineral extraction through the value-added mining equipment it supplies.

The development will further promote the diversification of the rural economic base and employment opportunities in addition to being optimally located between two of Sudbury's settlement areas with adequate access to the larger local and provincial transportation network.

Given the analysis provided herein, it is the author's opinion that the proposed application to rezone the lands from 'Rural', to 'Rural Special' to permit the development of a mining-related rural light industrial use is consistent with the 2020 PPS, conforms with the Growth Plan for Northern Ontario, conforms with the Official Plan for the City of Greater Sudbury, and represents good land use planning.

Respectfully submitted,

Prepared By:



Vanessa Smith, M.Pl., RPP.
Project Manager | Land Use Planner

Reviewed By:



Kevin Jarus, M.Pl., RPP
Planning Manager | Senior Associate

By-law 2024-#XXXZ

A By-law of the City of Greater Sudbury to Amend By-law 2010-100Z being the Comprehensive Zoning By-law for the City of Greater Sudbury

Whereas Council of the City of Greater Sudbury deems it desirable to amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury;

Now therefore Council of the City of Greater Sudbury hereby enacts as follows:

1. (1) That By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury, and Schedule “X” attached thereto, be and the same is hereby amended by changing the zoning classification of the following legally described lands from “RU”, Rural to “RU(XXX)”, Rural (XXX) Special.

(2) Property Description: PIN 73347-0193
Parcel 1584, Part of Lot 9, Concession 3,
Township of Rayside, City of Greater Sudbury
2. That By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury be and the same is hereby amended by adding the following paragraph to Part 11, Section 4, Subsection (2):

**(xxxx) RU(XXX) (RURAL LIGHT INDUSTRIAL USE – MINING-RELATED)
Rayside Township Maps Lot XX, Con XX**

Notwithstanding any provision hereof to the contrary, within any area designated RU(XXX) on the *Zone Maps*, all provisions of this by-law applicable to the RU(XXX) *Zone* shall apply subject to the following modifications:

- (i) That in addition to those *uses* permitted in the RU *Zone*, a *rural light industrial use – mining related* shall also be permitted.
- (ii) That a *Rural Light Industrial Use – Mining Related* is defined herein ‘*An industrial use engaged in, or used for the engineered designing of mining industry-related equipment, and a light manufacturing use in the form of a fabrication shop dedicated to the assembly, repair, manufacturing and finishing of mining-related equipment, and includes an outdoor area used for the storage, maintenance and/or repair of material, equipment, and machinery used in connection with the light manufacturing use, along with an accessory business office, all of which does not produce wastewater in excess of 4,500 litres per day*’.
- (iii) That those lands zoned RU(XXX) are hereby designated as a ‘Site Plan Control Area’, pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, Chapter P. 13.

3. 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 Ontario Land 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 *Ontario Land Tribunal Act, 2021*.

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.

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

Read and Passed in Open Council this XX^{st/nd/th} day of <Month>, 2024.

_____ Mayor

_____ Clerk

Connie Rossi

From: Mathieu Laforge <[REDACTED]>
Sent: Monday, September 16, 2024 8:36 AM
To: Alex Singbush
Cc: [REDACTED]
Subject: Rezoning Proposal Objection
Attachments: Screenshot_20240916-082722.png

You don't often get email from [REDACTED]. [Learn why this is important](#)

Mathieu Laforge
4240 Regional Road 35
Chelmsford, Ontario
P0M1L0
[REDACTED]
[REDACTED]

September 16, 2024

City of Greater Sudbury
Alex Singbush - Manager of Development Approvals
Planning Services Division

Hi Alex,

My name is Mathieu Laforge and I am the owner of 4240 Regional Road 35 in Chelmsford.

I received a letter from planning services today dated July 30th regarding a Notice of Application for an amendment by-law 2010-100z for 73347-0193, parcel 1584 SEC SWS SRO, Lot 9, Concession 3, Township of Rayside (0 Municipal Road 35, Chelmsford).

For many reasons, I wanted to express my strong opposition to this proposal which would permit mining-related industrial use for the property directly adjacent to my own.

My wife and I purchased our property in October 2022 with its zoning and the zoning of adjacent properties specifically in mind. We own horses, ducks, geese, dogs and cats. Our intention when purchasing this property was to continue to use it for agricultural purposes.

The proposed change in use poses a distinct threat to the health and safety of our animals, and our land, and will hinder our ability to execute our plans.

Our water is sourced from a well, which may be subjected to possible contaminants with this proposed project.

Not only would our water be at risk, but the water that runs through the municipal drainage ditch that runs through my property would be at risk as well, which may flow any contaminants downstream. This ditch is connected to the property next door, so I am distinctly affected by this. (See attached picture)

Our property is very close to a municipal bus stop, which has very low lighting and visibility. An increase in large vehicles poses a risk to the safety of those using public transportation.

There are many families and children (including my own) who live on our road, we often see young children riding their bikes. Having heavy equipment coming in and out on a daily basis would be putting them in danger as well.

The road is also an arterial road to Chelmsford, where many emergency vehicles go by. Again, any heavy equipment coming in and out of the property could be compromising those emergency services.

Finally, any industrial use properties would take away from the natural beauty of the countryside, which is becoming rarer every day. This may seem like a minor point, but it is certainly still important to most of us who live in the community.

Bill 23, More Homes Built Faster Act, 2022 - Public Hearing Requirements for Plans of Subdivision

Presented To:	Planning Committee
Meeting Date:	October 21, 2024
Type:	Public Hearing
Prepared by:	Stephanie Poirier Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	701-6/24-07

Report Summary

This report provides a recommendation regarding amendments to the City's Official Plan, as amended, in response to legislative changes resulting from Bill 23, More Homes Built Faster Act, 2022.

This report is presented by Stephanie Poirier, Senior Planner.

Resolution

THAT the City of Greater Sudbury approves the Official Plan Amendment to implement Bill 23, More Homes Built Faster Act, 2022 with respect to changes to public hearing requirements for plans of subdivision, as outlined in the report titled "Bill 23, More Homes Built Faster Act, 2022- Public Hearing Requirements for Plans of Subdivision", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 21, 2024.

Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

This report is an operational matter under the Planning Act to which the City is responding

Financial Implications

There are no financial implications associated with this report.

Report Overview

This report will focus on examining the changes to statutory public meeting requirements for plans of subdivision within the Planning Act and the implications from a public consultation perspective.

Staff Report

Background:

Bill 23 - More Homes Built Faster Act received Royal Assent on November 28, 2022 and is intended to support Ontario's Housing Supply Action Plan with a stated aim of increasing the supply of housing in the Province. Bill 23 made several legislative changes to various Acts, including the Planning Act. One of the Planning Act changes in effect as of November 28 2022 is that public meeting requirements for plans of subdivision applications have been removed. It is noted that the requirement for public circulation of the notice of application has not been removed or altered and would continue to allow for written public comments to be received and included as part of a Committee decision. The opportunity for oral comments, however, is no longer a mandated requirement of the Planning Act. That being said, the legislation does not prevent Municipalities from having public meetings, making the decision to have one optional. It is noted that there have been no changes to appeal rights for plans of subdivision as a result of Bill 23, meaning a member of the public will not be permitted/able to appeal. Bill 108, which received Royal Assent on June 6, 2019 removed the ability for a member of the public to appeal plans of subdivision.

At the June 24, 2024 Planning Committee Meeting, staff brought forward a report regarding these changes. Planning Committee Resolution PL2024-100 stemming from that report states:

THAT staff be directed to initiate the process to amend the Official Plan to remove the requirement of a public hearing for Plan of Subdivision Applications in accordance with the Planning Act, as outlined in the report entitled "Bill 23, More Homes Built Faster Act, 2022-Public Hearing Requirements for Plans of Subdivision", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 24, 2024.

This report is to address the required changes to the Official Plan to comply with Bill 23 and as directed by Planning Committee in Resolution PL2024-100 and Council Resolution CC2024-140.

Policy and Framework:

City of Greater Sudbury Official Plan

Section 19.11 of the Official Plan speaks to citizen participation and public meetings. More specifically, Section 19.11.1 contains policies on public notification requirements for planning act applications. In terms of plans of subdivision the current standard is as follows:

"Where the City proposes to approve a draft plan of subdivision, a public meeting will be held no sooner than 14 days after the requirements for the giving of notice have been complied with."

It is recommended that Section 19.11.1 be amended to delete the above text. Removing the above would have the effect of being consistent with the *Planning Act* and provincial direction. The detailed amendment can be found in Appendix A.

Public Consultation:

Notice of the Application was published in the September 14, 2024 Newspaper and Notice of Public Hearing was published in the September 28, 2024 Newspaper in accordance with the Planning Act. At the time of writing the subject report no written or oral submissions were received from the public.

Analysis:

Should Committee be favorable to an Official Plan Amendment to remove the requirement for public hearings for plans of subdivision it is anticipated that minor process changes would occur that would increase the efficiency while maintaining public input as part of the decision-making process. Notice of Application would still be circulated in the newspaper, to landowners within the buffer radius, and to departments and agencies. Comments received would continue to be included with the staff recommendation report. Reports would be considered as Manager Reports on the agenda rather than under the Public Meeting section. Members of the public currently are unable to appeal plans of subdivision, this would remain unchanged.

It is noted that more often than not, plans of subdivision are accompanied by an official plan amendment and/or zoning by-law amendment, which do legislatively require a public meeting under the Planning Act.

Conclusion:

It is recommended that the amendment to the Official Plan to implement the required changes from Bill 23, More Homes Built Faster Act, 2022 with respect to public hearing requirements for plans of subdivision be approved as described in the resolution.

**AMENDMENT NUMBER 137
TO THE CITY OF GREATER SUDBURY OFFICIAL PLAN**

**Components of
the Amendment:**

Part A, the Preamble, does not constitute part of this Amendment.

Part B, the Amendment, constitutes Amendment 137 to the City of Greater Sudbury Official Plan.

PART A - THE PREAMBLE

**Purpose of the
Amendment:**

The proposed amendment is to remove the requirement for a public hearing for plans of subdivision and condominium, in accordance with the changes to the *Planning Act* through Bill 23, the *More Homes Built Faster Act, 2022*.

Location:

All lands within the City of Greater Sudbury.

Basis:

In effect as of November 28, 2022, through Bill 23, public meeting requirements for plans of subdivision applications have been removed from the *Planning Act*. A City initiated Application for Official Plan Amendment (File #701-6/24-07) has been submitted for consideration by Planning Committee and Council in order to implement the policy change.

PART B - THE AMENDMENT

The Official Plan is hereby amended, as follows:

- 1) In Part 19.0 Implementation, 19.11 Citizen Participation and Public Meetings, 19.11.1 Public Notification by deleting 'Where the City proposes to approve a draft plan of subdivision, a public meeting will be held no sooner than 14 days after the requirements for the giving of notice have been complied with.'

Bancroft Drive, Sudbury – Declaration of Surplus Vacant Land

Presented To:	Planning Committee
Meeting Date:	October 21, 2024
Type:	Routine Management Reports
Prepared by:	Tanya Rossmann-Gibson Real Estate
Recommended by:	General Manager of Corporate Services
File Number:	N/A

Report Summary

This report provides a recommendation to declare surplus vacant land on Bancroft Drive, Sudbury and add the land to the City's Affordable Housing Land Bank.

Resolution

THAT the City of Greater Sudbury declares surplus to the City's needs vacant land on Bancroft Drive, Sudbury, legally described as part of PIN 73578-0579(LT), being part of Parts 1-6 on Plan 53R-20646, part of Lot 12, Concession 3, Township of Neelon, City of Greater Sudbury;

AND THAT the land be added to the Affordable Housing Land Bank, as outlined in the report entitled "Bancroft Drive, Sudbury – Declaration of Surplus Vacant Land", from the General Manager of Corporate Services, presented at the Planning Committee meeting on October 21, 2024.

Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

The Land Banking Strategy aligns with Council's Strategic Priorities including "Expanding Affordable and Attainable Housing Options" and "Develop and Promote Solutions to Support Existing Housing Choices". The Land Banking Strategy is one of the actions of the Housing Supply Strategy and addresses actions outlined in the Housing goal of the Strategic Plan, which reflect Council's desire for all citizens, especially vulnerable populations, to have access to safe, affordable, attainable, and suitable housing options in the City of Greater Sudbury.

The Land Banking Strategy aligns with the Climate Action Plans, creation of compact, complete communities.

Financial Implications

There are no financial implications associated with this report.

Background

The subject land measures approximately six acres (2.42 ha) in size and is zoned Low Density Residential One (R1-5). The location of the subject land is identified on the attached Schedule 'A.'

In 2015, the City purchased the southerly portion of the subject land from the Sudbury Catholic District School Board for future municipal purposes and in January 2024, the City purchased the remainder of the subject land from the Board as part of the City's Affordable Housing Land Banking Strategy.

On May 27, 2024, a report entitled Affordable Housing Land Banking Strategy Phase 2 Update was presented to the Planning Committee which included a recommendation that the City initiate the required process to declare the subject land surplus and add the subject land to the City's Affordable Housing Land Bank. Planning Committee passed a resolution (PL2024-83), ratified by City Council (CC2024-127) directing staff to proceed with the recommendations.

The proposal to declare the subject land surplus to the City's needs was circulated to all City departments and outside agencies in accordance with Property By-law 2008-174. No objections were received. The following comments and requirements were identified:

- Linear Infrastructure Services advised the City should retain a 5-metre strip of land along Bancroft Drive for future road expansion. And advised there may be a need for an easement for drainage purposes depending on the development of the property which should be included in any future drainage permits.
- Greater Sudbury Hydro requested a 4-metre-wide easement be transferred to them to protect existing facilities along the frontage of Bancroft Drive and First Avenue.

No further comments or objections were received.

The City will survey and retain the 5-metre strip of land along Bancroft Drive for future road expansion as requested. The 4-metre-wide easement requested by Greater Sudbury Hydro will be surveyed and transferred to Hydro in its standard form. The need for an easement for drainage purposes depends on the future development of the property and will form conditions in any future development proposal and/or agreement of purchase and sale.

If approved, the land will be declared surplus to the City's needs and added to the City's Affordable Housing Land Bank. A further report will follow with respect to any future transfer of the property.

Resources Cited

Affordable Housing Land Banking Strategy Phase 2 Update

<https://pub-greatersudbury.escribemeetings.com/filestream.ashx?DocumentId=53497>

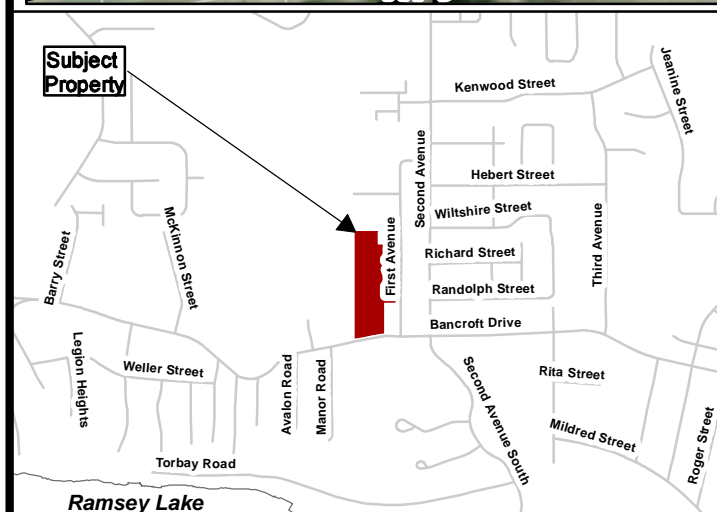
Planning Committee Resolution PL2024-83, page 23

<https://pub-greatersudbury.escribemeetings.com/FileStream.ashx?DocumentId=53576>

Property By-law 2008-174, as amended

<https://www.greatersudbury.ca/do-business/available-lands-and-buildings/general-procedures/bylaw-2008-174/>

SCHEDULE 'A'



Bancroft Drive and First Avenue in Minnow Lake



Part of PIN 73578-0579(LT),
being part Parts 1-6 on Plan 53R-20646,
part of Lot 12, Concession 3, Township of Neelon,
City of Greater Sudbury

NTS

Date: 2024 09 19

Bayside Estates Subdivision, Azilda

Presented To:	Planning Committee
Meeting Date:	October 21, 2024
Type:	Routine Management Reports
Prepared by:	Stephanie Poirier Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	780-5/06004

Report Summary

This report provides a recommendation regarding an application for an extension to the Bayside Estates draft plan of subdivision (File #780-5/06-004) located in Azilda for a period of three years until November 10, 2027.

Resolution

THAT the City of Greater Sudbury's delegated official be directed to amend the conditions of draft approval for a plan of subdivision on those lands described as PIN 73347-1821 & Part of PIN 73347-1804, Parts 1, 2 & 56, Plan 53R-21017, Part of Part 2, Plan 53R-13972, Part of Block 3, Plan 53M-1429, Lot 6, Concession 1, Township of Rayside, File # 780-5-06-004, in the report entitled "Bayside Estates Subdivision, Azilda Extension" from the General Manager of Growth and Infrastructure, presented at the meeting of October 21, 2024, as follows:

1. Revise Condition #10 to state:

The proposed roadways are to be built to urban standards, including curbs, gutters, sidewalk, storm sewers and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of Submission. This includes the allowance for a 13.5-meter radius on the Cul-de-Sac with a 17.5-meter radius to the property line.

2. By deleting Condition #29 and replacing it with the following:

#29. That this draft approval shall lapse on November 10, 2027.

3. By deleting Condition #32 and replacing with the following:

#32. The existing natural watercourse on Blocks 72 and 73 shall be rerouted to the Drain to Block 71 to the satisfaction of the General Manager of Infrastructure Services and Conservation Sudbury. A permit pursuant to Section 28.1 of the Conservation Authorities Act is required prior to undertaking any work on the watercourse.

4. By deleting Condition #34 and replacing with the following:

A stormwater management report and associated plans must be submitted by the Owner's Consulting Engineer for approval by the City. The report must address the following requirements:

- i. The underground storm sewer system within the plan of subdivision must be designed to accommodate and/or convey the minor storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 2 year design storm. The permissible minor storm discharge from the subject development must be limited to the existing pre-development site runoff resulting from a 2 year design storm. Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;
- ii. The overland flow system within the plan of subdivision must be designed to accommodate and/or convey the major storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 100 year design storm or Regional storm event, whichever is greater, without causing damage to proposed and adjacent public and private properties. The permissible major storm discharge from the subject development must be limited to the existing pre-development runoff resulting from a 100 year design storm or Regional storm event, whichever is greater;
- iii. A hierarchical approach to stormwater management must be followed as described by the Ministry of the Environment, Conservation and Parks and as amended by City of Greater Sudbury most recent Storm Water Management Guide and Engineering Design Standards;
- iv. "enhanced" level must be used for the design of stormwater quality controls as defined by the Ministry of the Environment, Conservation and Parks;
- v. Stormwater management must further follow the recommendations of the Whitewater Lake Subwatershed Study;
- vi. The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any stormwater management plan;
- vii. The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the General Manager of Growth and Infrastructure;
- viii. Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties; and,
- ix. Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted.

The owner shall be responsible for the design and construction of any required stormwater management works to the satisfaction of the General Manager of Growth and Infrastructure as part of the servicing plans for the subdivision and the owner shall dedicate the lands for stormwater management works as a condition of this development.

5. By adding the following to the end of Condition #41:

"That the geotechnical engineer will be required to address On-site and Excess Soil Management in accordance with O. Reg. 406/19."

6. By adding the following new condition:

#45 The wetland(s) must be mapped by a qualified professional (OWES-certified with experience in wetland mapping) to the satisfaction of Conservation Sudbury. The wetlands must be mapped within

the location of the proposed subdivision and within 30 metres of the proposed subdivision. All mapping must include the wetland boundary and areas of potential interference shown at 12 metres and 30 metres from the wetland boundary. Development must comply with Conservation Sudbury's Wetland Guidelines and proponent must demonstrate that loss of wetlands will not aggravate flooding or erosion to downstream parcels to the satisfaction of Conservation Sudbury.

7. By adding the following new condition:

#46 That the owner complete a Traffic Impact Study and agree to participate in the cost of any upgrades or improvements identified in the study to the satisfaction of the General Manager of Growth and Infrastructure.

Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

The application to extend this draft plan of subdivision approval is an operational matter under the Planning Act to which the City is responding. The application contributes to the 2019-2027 City of Greater Sudbury Strategic Plan goals related to housing by adding to the housing available in this area. The application aligns with the Community Energy and Emissions Plan (CEEP) by supporting the strategy of compact, complete communities.

Financial Implications

If approved, staff estimates approximately \$632,400 in taxation revenue, based on the assumption of 110 single detached dwelling units based on an estimated assessed value of \$400,000 at the 2024 property tax rates. This excludes any potential development from remaining vacant medium density block as units to be developed are unknown at this point.

Additional taxation revenue will only occur in the supplemental tax year. Any taxation revenue generated from new development is part of the supplemental taxation in its first year. Therefore, the City does not receive additional taxation revenue in future years from new development, as the tax levy amount to be collected as determined from the budget process, is spread out over all properties within the City.

The amount of development charges will be based on final review of the property by the Building Services department at the time of permit issuance.

Once development has occurred and the subdivision infrastructure has been transferred to the City, there will be additional on-going costs for future annual maintenance and capital replacement of the related infrastructure (ie. roads, water/wastewater linear pipes, etc).

Report Overview:

The owner has requested an extension to the draft plan of subdivision (File #780-5/06-004) located in Azilda for a period of three years until November 10, 2027. Planning Services Division is recommending approval of the extension request.

Planning Services Division has reviewed the request to extend the draft approval and has no objections to the requested extension for a period of three years. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval.

Amendments to the conditions of draft approval where necessary have been identified and are included in the Resolution and Planning Analysis sections of the report.

STAFF REPORT

Applicant:

Walden Lands Inc.

Location:

PIN 73347-1821 & Part of PIN 73347-1804, Parts 1, 2 & 56, Plan 53R-21017, Part of Part 2, Plan 53R-13972, Part of Block 3, Plan 53M-1429, Lot 6, Concession 1, Township of Rayside (Bayside Estates)

Application:

To extend the draft approval which was extended most recently in 2021 and is set to expire November 10 2024, for a draft plan of subdivision on those lands known as PIN 73347-1821 & Part of PIN 73347-1804, Parts 1, 2 & 56, Plan 53R-21017, Part of Part 2, Plan 53R-13972, Part of Block 3, Plan 53M-1429, Lot 6, Concession 1, Township of Rayside (Bayside Estates)

Proposal:

The owner is requesting that the draft approval conditions for the above noted lands be extended for a period of three years until November 10, 2027.

Background:

The City received a letter from the agent on August 7, 2024, requesting to extend the draft approval on the plan of subdivision for a period of three years on those lands described as PIN 73347-1821 & Part of PIN 73347-1804, Parts 1, 2 & 56, Plan 53R-21017, Part of Part 2, Plan 53R-13972, Part of Block 3, Plan 53M-1429, Lot 6, Concession 1, Township of Rayside (Bayside Estates). As part of the extension request, the agent provided a status update on the progress of current conditions advising that the applicant is working diligently towards registration of the subdivision in phases.

The draft plan approval is for a total of 133 single detached dwelling lots and 2 medium density blocks. 23 of the 133 draft plan approved lots have been registered to date and 40 townhome units have been established by way of plan of condominium in one of the two medium density blocks. Access to the subdivision is to be provided via two accesses with one being from St. Agnes Street and the other from Brabant Street.

Surrounding uses are residential, park, institutional, open space conservation, and rural in nature.

A location map is attached for reference.

Policy & Regulatory Framework:

The extension request is subject to the following applicable policy and regulatory framework:

- [Planning Act;](#)
- [2024 Provincial Planning Statement; and](#)
- [Official Plan for the City of Greater Sudbury, 2006.](#)

The Planning Act, Provincial Planning Statements, and municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

Planning Act:

Section 51 of the Planning Act has established two land use planning principles with respect to the initial approval of a draft plan of subdivision and how extensions to an existing draft approved plan of subdivision are to be addressed.

First, Section 51(32) allows for a municipality to provide a lapsing date on a draft approved plan of subdivision of not less than three years and the draft approval is considered to have lapsed at the end of the specified time period. Section 51(33) allows for a municipality to extend draft approval beyond the initial period for a time specified by the municipality.

In practice, where a draft plan of subdivision has lapsed, a landowner may request the subdivision be deemed not to have lapsed if the criteria listed in Section 51(33.1) can be met. Additionally, there is nothing preventing a landowner from filing another draft plan of subdivision application for consideration. The re-application is treated as a new application and all requirements under Section 51 are applicable (e.g., a public hearing would be required).

Lapsing conditions are imposed by a municipality to ensure that development once approved will proceed in an expeditious manner. The municipality is most typically concerned that development takes place within the current policy and regulatory framework and especially where scarce services or capacity to service development have been committed to the draft approved plan of subdivision. Three years is generally considered to be sufficient time to clear conditions of draft approval and proceed to registering a plan of subdivision. Section 51(33) allows for some flexibility whereby some additional time can be afforded to a landowner where they are actively pursuing the clearing of draft approval conditions.

Second, Section 51(44) on the other hand allows for a municipality to withdraw draft approval of a plan of subdivision at its discretion or to change the conditions of a draft approval at any time before the registration of a plan of subdivision.

Appeal rights in both cases noted above are found under Section 51 of the Planning Act should a landowner wish to appeal a refusal to extend a lapsing date, a change of conditions or the complete withdrawal entirely of a draft approval by a municipality.

2024 Provincial Planning Statement:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters are consistent with the PPS. Settlement areas, employment areas, housing and housing supply, provision of public spaces, sewage and water capacities, transportation, natural heritage areas, natural hazards and human-made hazards are some examples of areas of provincial interest that a draft approved plan of subdivision may impact and should be considered when an initial approval is granted as well as when an extension to an existing draft approval is granted. The PPS is updated from time-to-time by the Province, and any draft approval extension should be considered within the context of the in-force PPS at the time an extension request is made.

Official Plan:

Section 19.4.2 of the Official Plan for the City of Greater Sudbury addressing draft plan of subdivision approvals outlines that Council will not extend or recommend the extension of a draft plan approval, beyond the statutory limitation of three years, unless the owner has demonstrated to the satisfaction of Council that they are making a reasonable effort to proceed in meeting the conditions of draft approval. At the time of an extension request, Council is to review the draft plan conditions and may make appropriate modifications.

Departmental & Agency Circulation:

The extension request including relevant accompanying materials has been circulated to all appropriate agencies and departments. Responses received from agencies and departments have been used to assist in evaluating the extension request and to inform and identify appropriate revisions to the draft plan conditions should the extension request be approved. Comments received from departments generally had no concerns with the extension request, however, a few modifications to the draft plan conditions were requested.

Detailed comments can be found in Appendix 1 to this report.

Planning Analysis:

Staff are of the opinion that the draft plan approval remains consistent with the Provincial Planning Statement, conforms to the Growth Plan for Northern Ontario, the Official Plan for the City of Greater Sudbury, has regard for matters of provincial interest and represents good planning. The following modifications are proposed to the draft plan conditions based on department and agency comments and are largely intended to reflect current standards as a result of policy changes.

Draft Approval Conditions

Condition #10 is recommended to be updated to reflect current draft plan condition, including the installation of sidewalks, consistent with policy direction and City's engineering standards.

Condition #29 should be deleted entirely and replaced with a sentence referring to November 10th, 2027, as the revised date on which the subject draft plan of subdivision approval shall lapse.

Condition #41 should be updated to add 'that the geotechnical engineer will be required to address On-site and Excess Soil Management in accordance with O. Reg. 406/19' at the end of the existing condition in order to reflect current standards.

Condition #32 is recommended to be updated to add Conservation Sudbury as a clearance agency and to require a permit pursuant to Section 28.1 of the Conservation Authorities Act prior to undertaking any work on the watercourse.

Condition #34 is recommended to be deleted and replaced with the current stormwater management requirements for plans of subdivision. Previous condition no longer complies with legislation.

It is recommended that the following new condition to address wetlands be added. This new condition would be to the satisfaction of Conservation Sudbury and would ensure that development meets NDCA'S Wetland Guidelines.

#45. The wetland(s) must be mapped by a qualified professional (OWES-certified with experience in wetland mapping) to the satisfaction of Conservation Sudbury. The wetlands must be mapped within the location of the proposed subdivision and within 30 metres of the proposed subdivision. All mapping must include the wetland boundary and areas of potential interference shown at 12 metres and 30 metres from the wetland boundary. Development must comply with Conservation Sudbury's Wetland Guidelines and proponent must demonstrate that loss of wetlands will not aggravate flooding or erosion to downstream parcels to the satisfaction of Conservation Sudbury.

It is recommended that the following new condition to address traffic be added.

#46 That the owner complete a Traffic Impact Study and agree to participate in the cost of any upgrades or improvements identified in the study to the satisfaction of the General Manager of Growth and Infrastructure.

No other changes to the draft approval documents have been requested either by the owner or by circulated agencies and departments.

The existing draft approval conditions are attached to this report for reference purposes.

Owners are advised to contact the Planning Services Division a minimum of four months prior to the lapsing date in order to facilitate the processing time associated with draft plan of subdivision approval extension requests. Applicants must reapply for subdivision approval if a draft plan approval has lapsed as there is no other avenue for relief.

CONCLUSION:

The Planning Services Division has reviewed the request to extend the subject draft approved plan of subdivision and has no objections to the requested extension for a period of three years. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approved plan of subdivision. Appropriate changes were identified and explained within this report have been included in the Resolution section of this report and would now form part of the draft plan approval if approved by Council. The Planning Services Division therefore recommends that the application to extend the draft approval for the Bayside Estates Subdivision for a period of three years until November 10, 2027, be approved as outlined in the Resolution section of this report.

Appendix 1:

Departmental & Agency Comments

a) Building Services

To further condition #41, a Geotechnical Engineer will be required to address On-site and Excess Soil Management in accordance with O. Reg 406/19.

b) Development Engineering

Development Engineering has reviewed the above noted application. Since the extension of draft approval that occurred with the registration of phase 3 in 2021, we have had no additional submissions of construction drawings for subsequent phases. However, in July of 2022, the developer's agent submitted an application for cost sharing on Brabant Street with respect to Condition 26 of Council's conditions of draft approval. This application was deemed premature and will be resubmitted with the submission of construction drawings that will include the works required on Brabant Street. We have no objection to the three year draft plan extension.

c) Infrastructure Capital Planning

Drainage

Original condition number 34 reading:

The Owner provide stormwater quality control to an enhanced level of protection on the stormwater outlet at the south limit of the draft plan of subdivision. For the outlet on the east limit of the subdivision, the Owner shall provide the City with a cash contribution in lieu of onsite stormwater management quality and quantity controls. The cash contribution is to be applied towards the communal stormwater management facilities to be implemented by the City downstream of the subdivision.

is deleted and replaced with the following condition:

A stormwater management report and associated plans must be submitted by the Owner's Consulting Engineer for approval by the City. The report must address the following requirements:

- The underground storm sewer system within the plan of subdivision must be designed to accommodate and/or convey the minor storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 2 year design storm. The permissible minor storm discharge from the subject development must be limited to the existing pre-development site runoff resulting from a 2 year design storm. Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;
- The overland flow system within the plan of subdivision must be designed to accommodate and/or convey the major storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 100 year design storm or Regional storm event, whichever is greater, without causing damage to proposed and adjacent public and private properties. The permissible major storm discharge from the subject development must be limited to the existing pre-development runoff resulting from a 100 year design storm or Regional storm event, whichever is greater.
- A hierarchical approach to stormwater management must be followed as described by the Ministry of the Environment, Conservation and Parks and as amended by City of Greater Sudbury most recent Storm Water Management Guide and Engineering Design Standards.
- "enhanced" level must be used for the design of stormwater quality controls as defined by the Ministry of the Environment, Conservation and Parks;
- Stormwater management must further follow the recommendations of the Whitewater Lake Subwatershed Study;
- The drainage catchment boundary including external tributary catchments and their respective area

- must be clearly indicated with any stormwater management plan;
- The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the General Manager of Growth and Infrastructure;
- Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties; and,
- Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted.

The owner shall be responsible for the design and construction of any required stormwater management works to the satisfaction of the General Manager of Growth and Infrastructure as part of the servicing plans for the subdivision and the owner shall dedicate the lands for stormwater management works as a condition of this development.

Roads
No Concerns

Traffic
A preliminary review of the amount traffic that may be generated by this new proposed layout indicates that approximately 50 more vehicle trips could be generated from the site during the afternoon peak hour. We require that the owner undertake a traffic impact study and agree to contribute towards the cost of any improvements or upgrades identified in the study to the satisfaction of the General Manager of Infrastructure Services.

Revise Council's Condition #10 to state:

The proposed roadways are to be built to urban standards, including curbs, gutters, sidewalk, storm sewers and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of Submission. This includes the allowance for a 13.5-meter radius on the Cul-de-Sac with a 17.5-meter radius to the property line.

Active Transportation
No Concerns

Roads Operations
No Concerns

d) Nickel District Conservation Authority
The current conditions of draft plan approval were initially approved on June 26th, 2008 and are currently set to lapse on November 10th 2024, and includes on condition related to Conservation Sudbury.

Conservation Sudbury would like condition #15 to remain. Conservation Sudbury would like to be added as an approval agency for the following condition and suggests the following additional wording (see italic):

#32. The existing natural watercourse on Blocks 72 and 73 shall be rerouted to the Drain to Block 71 to the satisfaction of the General Manager of Infrastructure Services and Conservation Sudbury. A permit pursuant to Section 28.1 of the Conservation Authorities Act is required prior to undertaking any work on the watercourse.

Since the last circulation Conservation Sudbury has adopted Wetland Guidelines and would like the following to be added as a new condition:

1. The wetland(s) must be mapped by a qualified professional (OWES-certified with experience in wetland mapping) to the satisfaction of Conservation Sudbury. The wetlands must be mapped within the location of the proposed subdivision and within 30 metres of the proposed subdivision. All mapping must include the wetland boundary and areas of potential interference shown at 12 metres and 30 metres from the

wetland boundary. Development must comply with Conservation Sudbury's Wetland Guidelines and proponent must demonstrate that loss of wetlands will not aggravate flooding or erosion to downstream parcels to the satisfaction of Conservation Sudbury.

Note- Wetlands and historic watercourse alignments may have unstable soils and appropriate technical analysis must be considered prior to construction. These areas must be considered in the geotechnical report required as part of condition #11.

In accordance with the provisions of Section 28 of the Conservation Authorities Act permission must be obtained prior to any site grading and the temporary or permanent placing, dumping, or removal of any material whether originating in the site or elsewhere; straightening, changing, diverting, or interfering in any way with the existing channel of a river, creek, stream, or watercourse, interference in any way with a wetland; or, development, defined as the construction, erection or placing of a building or structure of any kind or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof.

Please note that Conservation Sudbury is currently completing a new floodplain study for the Whitson River and Whitewater Lake watersheds and results are expected within the next year. The floodplain elevation at this location may change. The landowner is encouraged to consult with Conservation Sudbury prior to the planning of future development for an update.

**COUNCIL'S CONDITIONS APPLYING TO THE APPROVAL OF THE FINAL PLAN
FOR REGISTRATION OF THE SUBJECT SUBDIVISION ARE AS FOLLOWS:**

1. That this draft approval applies to PINs 73347-0429 & 73347-0912, Parts 1 to 4, Plan 53R-13972, Lot 6, Concession 1, Township of Rayside, as shown on the re-drafted plan of subdivision prepared by Bortolussi Surveying Limited and dated February 11, 2016.
2. That the street(s) be named to the satisfaction of the Municipality.
3. That the Owner provide the City with 5 percent cash-in-lieu of parkland in accordance with Section 51.1 of the Planning Act.
4. That any dead-ends or open sides of road allowances created by this plan of subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the Municipality and held in trust by the Municipality until required for future road allowances or the development of adjacent land.
5. That prior to the signing of the final plan, the Planning Services Division shall be advised by the Ontario Land Surveyor responsible for preparation of the final plan, that the lot areas, frontages and depths appearing on the final plan do not violate the requirements of the Restricted Area By-laws of the Municipality in effect at the time such plan is presented for approval.
6. That the subdivision agreement be registered by the Municipality against the land to which it applies, prior to any encumbrances.
7. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
8. The final plan shall be integrated with the City of Greater Sudbury Control Network to the satisfaction of the Coordinator of the Surveying and Mapping Services. The survey shall be referenced to NAD83(CSRS) with grid coordinates expressed in UTM Zone 17 projection and connected to two (2) nearby City of Greater Sudbury Control Network monuments. The survey plan must be submitted in an AutoCAD compatible digital format. The submission shall be the final plan in content, form and format and properly geo-referenced.
9. That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Greater Sudbury, concerning the provision of roads, walkways, street lighting, sanitary sewers, watermains, storm sewers and surface drainage facilities.

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10. The proposed roadways are to be built to urban standards, including curbs, gutters, storm sewers and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of submission. This includes the allowance for a 13.5 metre radius on the cul-de-sac with a 17.5 metre radius to the property line.
11. That prior to the submission of servicing plans, the owner shall, to the satisfaction of the General Manager of Infrastructure Services, provide a geotechnical report prepared by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommend construction procedures for storm and sanitary sewers, stormwater management facilities, watermain, roads, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official. A soils caution agreement, if required, shall be registered on title, to the satisfaction of the Chief Building Official and City Solicitor.
12. That the owner shall provide a detailed lot grading plan prepared by a professional civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new houses, retaining walls, side yards, swales, slopes and lot corners. The plan must show sufficient grades on the boundary properties to mesh the lot grading of the new site to the existing properties. A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and City Solicitor.
13. Deleted.
14. That the owner shall have all stormwater management facilities constructed at such time as the General Manager of Infrastructure Services may direct. The owner will provide lands for said facilities as required by the City of Greater Sudbury.
15. That the owner shall develop a siltation control plan for the subdivision construction period to the satisfaction of the General Manager of Infrastructure Services, Nickel District Conservation Authority and the Department of Fisheries and Oceans.
16. That the owner agrees to provide the required soils report, stormwater, water, sanitary sewer and lot grading master planning reports and plans to the Director of Planning Services prior to the submission of servicing plans for any phase of the subdivision.

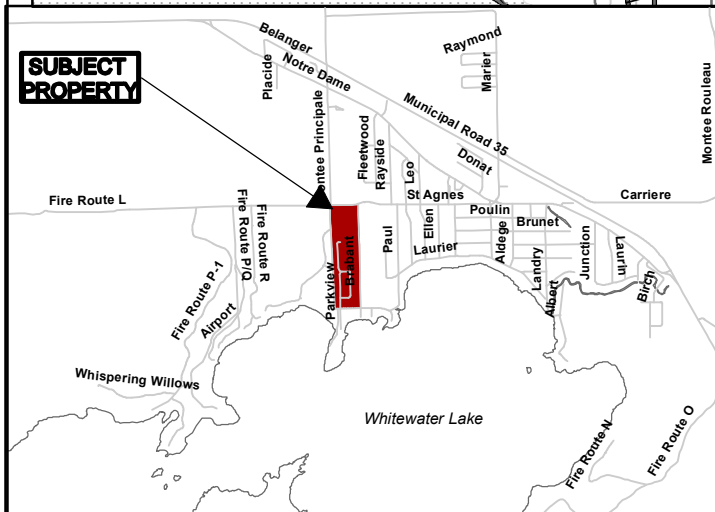
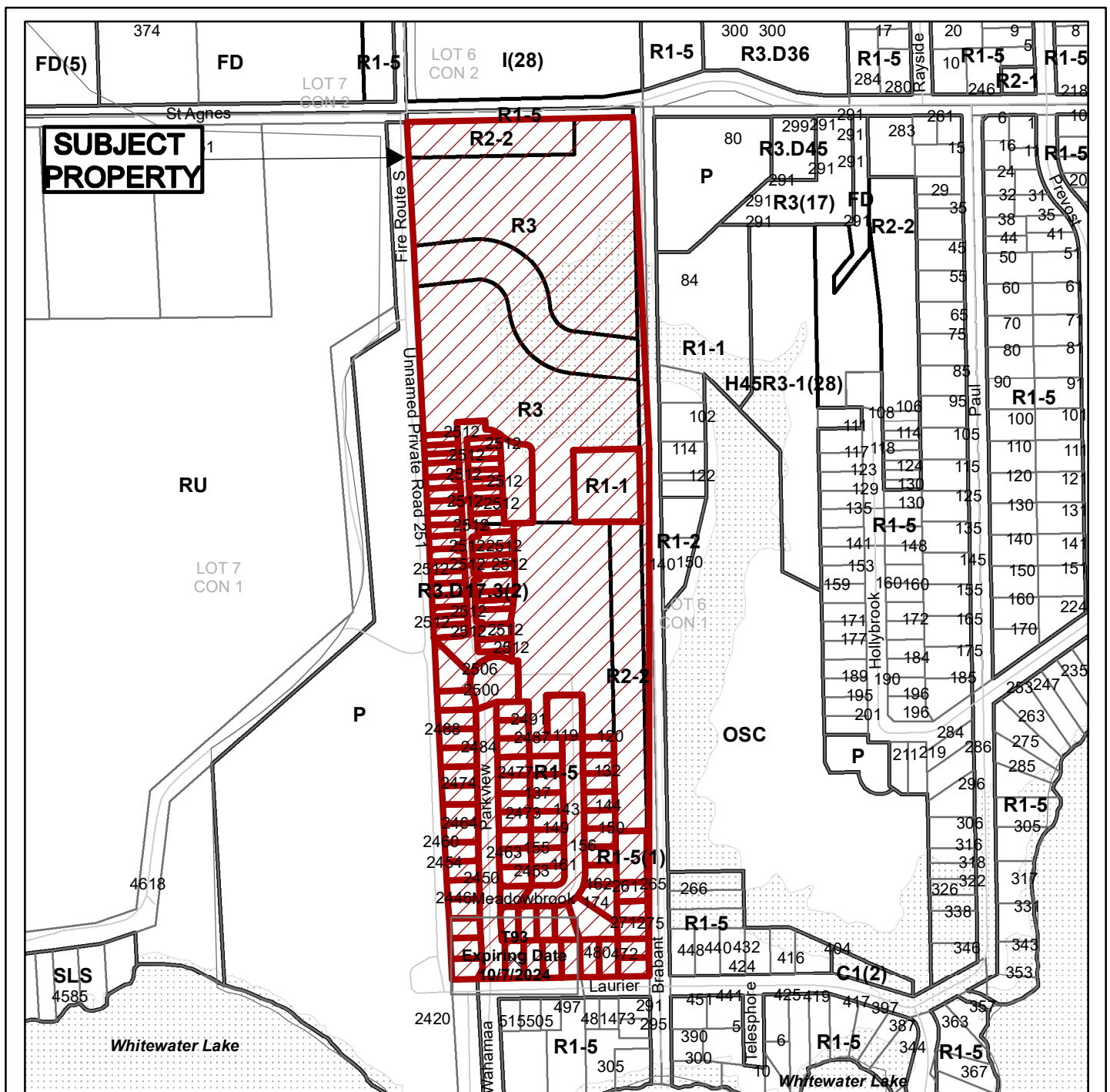
...3

17. That streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner.
18. That the owner shall be required to provide sodded rear yard drainage swales as a condition of initial acceptance of the subdivision infrastructure.
19. The owner will be required to ensure that the corner radius for all intersecting streets is to be 9.0m.
20. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro Plus or Hydro One, Bell, Union Gas, East Link Cable and Canada Post. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.
21. The owner provide proof of sufficient fire flow in conjunction with the submission of the construction drawings for each phase of construction. All costs associated with upgrading the existing distribution system to service this subdivision will be borne totally by the owner.
22. The owner provide proof of sufficient sanitary sewer capacity in conjunction with submission of construction drawings for each phase of construction. All costs associated with upgrading the existing collection system and or sewage lift stations to service this subdivision will be borne totally by the owner
23. Deleted.
24. Deleted.
25. That the subdivision agreement contain provisions whereby the developer will be required to complete reconstruction drawings for Brabant Street to the satisfaction of the City of Greater Sudbury.
26. That the subdivision agreement contain provisions whereby the developer will be required to contribute in the cost sharing of the Brabant Street and St. Agnes Street reconstruction to the satisfaction of the City of Greater Sudbury.
27. That the subdivision agreement contain provisions whereby the owner agrees that all the requirements of the subdivision agreement including installation of required services be completed within 3 years after registration.
28. Draft approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Director of Planning is to be advised by the General Manager of Infrastructure Services, that sufficient sewage treatment capacity and water capacity exists to service the development. ...4

29. That this draft approval shall lapse on November 10, 2024.
30. The owner shall complete to the satisfaction of the City of Greater Sudbury and Canada Post:
 - a) That the owner agrees to include on all offers of purchase and sale a statement that advises the prospective purchaser that the home/business mail delivery will be from a designated Centralized Mail Box and that the developers/owners be responsible for officially notifying the purchasers of the Centralized Mail Box locations prior to the closing of any home sales
 - b) The owner further agrees to:
 - i) Work with Canada Post to determine and provide suitable Centralized Mail Box location, which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision;
 - ii) Install a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of the Community Mail Boxes;
 - iii) Identify the pads above on the engineering drawings. The pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision; and,
 - iv) Determine the location of the all centralized mail facilities in cooperation with Canada Post and to post the location of these sites on appropriate maps, information boards and plans."
31. Block 71 containing the existing Municipal Drain through the draft plan is to be transferred to the City for drainage purposes.
32. The existing natural watercourse on Blocks 72 and 73 shall be rerouted to the Drain to Block 71 to the satisfaction of the General Manager of Infrastructure Services.
33. Deleted.
34. The Owner provide stormwater quality control to an enhanced level of protection on the stormwater outlet at the south limit of the draft plan of subdivision. For the outlet on the east limit of the subdivision, the Owner shall provide the City with a cash contribution in lieu of onsite stormwater management quality and quantity controls. The cash contribution is to be applied towards the communal stormwater management facilities to be implemented by the City downstream of the subdivision.

35. The owner shall construct a 1.5 m high chain link fence along the limits of Blocks 70 and 72 abutting Block 71.
36. The owner shall construct a hydrodynamic oil grit separator for storm water quality control for the Brabant Street storm sewer outlet at the end of the Meadowbrook Road storm sewer system.
37. That the owner constructs all roadways to the same standard as the upgraded road base design for the Parkview Drive Reconstruction completed in 2009 requiring a granular sub base that includes 1200mm of Granular "B" Type II to the satisfaction of the General Manager of Infrastructure Services."
38. The developer will be required to provide a geotechnical report on how the work related to blasting shall be undertaken safely to protect adjoining structures and other infrastructure. The geotechnical report shall be undertaken by a blasting consultant defined as a professional engineer licensed in the Province of Ontario with a minimum of five (5) years experience related to blasting.
39. The blasting consultant shall be retained by the developer and shall be independent of the contractor and any subcontractor doing blasting work. The blasting consultant shall be required to complete specified monitoring recommended in his report of vibration levels and provide a report detailing those recorded vibration levels. Copies of the recorded ground vibration documents shall be provided to the contractor and contract administration weekly or upon request for this specific project.
40. The geotechnical report will provide recommendations and specifications on the following activity as a minimum but not limited to:
 - i. Pre-blast survey of surface structures and infrastructure within affected area;
 - ii. Trial blast activities;
 - iii. Procedures during blasting;
 - iv. Procedures for addressing blasting damage complaints;
 - v. Blast notification mechanism to adjoining residences; and,
 - vi. Structural stability of exposed rock faces."
41. The geotechnical report shall be submitted for review to the satisfaction of the Chief Building Official prior to the commencement of any removal of rock by blasting.

42. That the owner shall have completed all major outstanding infrastructure deficiencies that are critical to the overall function of the subdivision in previous phases of the plan that have been registered, or have made arrangements for their completion, prior to registering a new phase of the plan, to the satisfaction of the General Manager of Infrastructure Services.”
43. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning, provided that:
 - i. Phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure and other essential services; and
 - ii. All agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phase sought to be registered.
44. That in accordance with Section 59(4) of the Development Charges Act, a notice agreement shall be registered on title to ensure that persons who first purchase the subdivided land after registration of the plan of subdivision are informed, at the time the land is transferred of all of the development charges related to development.



Growth and Infrastructure Department

Subject Property being PIN 73347-1821 &
Part of PIN 73347-1804, Parts 1, 2 & 56,
Plan 53R-21017, Part of Part 2, Plan 53R-13972,
Part of Block 3, Plan 53M-1429,
Lot 6, Concession 1, Township of Rayside (Bayside Estates),
City of Greater Sudbury

NTS
Sketch 1

780-5/06-004
Date: 2024 08 26

LEGEND

SB	DENOTES STANDARD IRON BAR
SSB	DENOTES SHORT STANDARD IRON BAR
B	DENOTES IRON BAR
FB	DENOTES ROCK BAR
PFL	DENOTES ROCK PLUG
R	DENOTES REINFORCEMENT TENDON
~	DENOTES NOT TO SCALE
PH	DENOTES PROPERTY IDENTIFIER NUMBER

- A) AS SHOWN
- B) AS SHOWN
- C) AS SHOWN
- D) 1 - SINGLE FAMILY RESIDENTIAL - LOTS 1 TO 132
R3 - MEDIUM DENSITY RESIDENTIAL - BLOCKS 134 AND 135
- E) NORTH - EAST : MUNICIPAL ROADS AND UNDEVELOPED LAND
SOUTH : SINGLE FAMILY RESIDENTIAL, WEST : PARKLAND
- F) AS SHOWN
- G) AS SHOWN
- H) MUNICIPAL WATER AVAILABLE
- I) SLTY CLAY OVERBURDEN ON BEDROCK
- J) AS SHOWN
- K) MUNICIPAL SEWER, WATER, POLICE, FIRE DEPARTMENT, SCHOOLS, AND GARBAGE PICKUP
- L) NONE

ALL BEARINGS SHOWN HEREON ARE ASTRONOMIC AND ARE REFERRED TO PART OF THE LINE BETWEEN LOT 6 AND LOT 7, CONCESSION 6, GEOGRAPHIC TOWNSHIP OF RAYSSIDE, SHOWN ON REGISTERED PLAN 52M-1236 TO HAVE A BEARING OF N032°12'W

TOPOGRAPHICAL INFORMATION WAS DERIVED FROM MAPPING OBTAINED FROM THE CITY OF GREATER SUCURY.

Subject to the conditions, if any and forth
in our letter dated June 26, 2008
this draft plan is approved under section
51 of the Finance Act, R.S.O. 1990 this
26th day of June 2008
By: Lawrence Ontario 17
218. 2.2.2.2

I HEREBY CONSENT TO THE MANNER IN WHICH THE LAND SHOWN ON THIS PLAN IS PROPOSED TO BE SUBDIVIDED AND REQUEST THE APPROVAL OF THE CITY OF GREATER SUCURY.

MAY 24 2001
DATE

METRIC NOTE
DISTANCES SHOWN ON THIS SKETCH ARE IN METRES AND
CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048
ELEVATIONS SHOWN ON THIS SKETCH ARE IN METRES AND
CAN BE CONVERTED TO FEET BY MULTIPLYING BY 3.2808

I CERTIFY THAT:
THE BOUNDARIES OF THE LANDS TO BE SUDJUDICED
AND THEIR RELATIONSHIP TO THE ADJACENT LANDS
ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN

May 24 2006



NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF D.S. DORLAND LTD.
(C) D.S. DORLAND LTD., 2006.

D.S. DORLAND LIMITED
ONTARIO LAND SURVEYORS
298 LARCH STREET
SLEBURY, ONTARIO, P3B 1M1
PHONE (705) 673-2068 FAX (705) 673-1051

PREPARED BY: S. OLINGER/AA	SCALE: 1:1000 METRIC
DAT: MAY 15, 1998	D.T. No.: 180502 and comments