



Planning Committee Agenda

Wednesday, November 13, 2024

Tom Davies Square

Councillor Cormier, Chair

11:30 a.m. Closed Session Committee Room C-12 / Electronic Participation

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

City of Greater Sudbury Council and Committee meetings are accessible and generally held in the Council Chamber at Tom Davies Square unless otherwise stated on the agenda. Some meetings are broadcast on Eastlink at Eastlink's discretion. With the exception of closed meetings held in accordance with the *Municipal Act, 2001*, meetings are open to the public for attendance in-person. Where possible, meetings are livestreamed and the recordings are saved for public viewing on the City's website at: <https://www.greatersudbury.ca/agendas>.

Please be advised that if you make a presentation, speak or appear at the meeting venue during a meeting, you, your comments and/or your presentation may be recorded and broadcast.

By submitting information, including print or electronic information, for presentation to City Council or Committee you are indicating that you have obtained the consent of persons whose personal information is included in the information to be disclosed to the public.

Your information is collected for the purpose of informed decision-making and transparency of City Council decision-making under various municipal statutes and by-laws and in accordance with the Municipal Act, 2001, Planning Act, Municipal Freedom of Information and Protection of Privacy Act and the City of Greater Sudbury's Procedure By-law.

For more information regarding accessibility, recording your personal information or live-streaming, please contact Clerk's Services by calling 3-1-1 or emailing clerks@greatersudbury.ca.

1. **Call to Order**

2. **Roll Call**

3. **Closed Session**

Resolution to move to Closed Session to deal with three Proposed or Pending Acquisition or Disposition of Land Matters, the first regarding Kari Road, Wahnapiatae, the second regarding Municipal Road 15, Azilda, and the third regarding Fairview Avenue/Pearl Street, Sudbury, in accordance with Municipal Act, 2001, par 239 (2)(c).

4. **Recess**

5. **Open Session**

6. **Roll Call**

7. **Declarations of Pecuniary Interest and the General Nature Thereof**

8. **Public Hearings**

8.1 **0 Kingsway Boulevard and Levesque Street, Sudbury**

4

This report provides a recommendation regarding applications for Official Plan Amendment and Rezoning, and related authorization under the City's Waste Management By-law 2006-280 to permit the development of a waste transfer facility, office and commercial garage.

This report is presented by Wendy Kaufman, Senior Planner.

8.2 **0 Dominion Drive, Hanmer**

130

This report provides a recommendation regarding an application for Official Plan Amendment and Zoning By-law Amendment in order to permit the creation of six (6) new residential lots on Dominion Drive in Hanmer, with reduced frontage, lot area, and interior side yard setback.

This report is presented by Bailey Chabot, Senior Planner.

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

9. **Matters Arising from the Closed Session**

At this point in the meeting, the Chair of the Closed Session, will rise and report. The Committee will then consider any resolution(s) emanating from the Closed Session.

10. **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.

10.1	Routine Management Reports	
10.1.1	Algonquin Road, Sudbury	183
	This report provides a recommendation regarding a request to extend draft plan approval for the proposed Algonquin Road Subdivision.	
11.	Managers' Reports	
11.1	0 Dominion Drive, Hanmer – Consent Referral	203
	This report provides a recommendation regarding a consent referral on Dominion Drive.	
12.	Members' Motions	
13.	Correspondence for Information Only	
13.1	BuildingIN Project	210
	This report provides information regarding BuildingIN, a Canadian collaborative initiative that will support Greater Sudbury's Housing Supply Strategy through multi-unit low-rise infill housing.	
14.	Addendum	
15.	Civic Petitions	
16.	Question Period	
17.	Adjournment	

0 Kingsway Boulevard and Levesque Street, Sudbury

Presented To:	Planning Committee
Meeting Date:	November 13, 2024
Type:	Public Hearing
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	701-6/24-04 & 751-6/24-06

Report Summary

This report provides a recommendation regarding applications for Official Plan Amendment and Rezoning, and related authorization under the City’s Waste Management By-law 2006-280 to permit the development of a waste transfer facility, office and commercial garage.

This report is presented by Wendy Kaufman, Senior Planner.

Resolutions

Resolution 1:

Resolution #1 Regarding the Official Plan Amendment:

THAT the City of Greater Sudbury approves the application by Kingsway Entertainment District Inc. to amend the City of Greater Sudbury Official Plan by confirming the designation of the portion of the subject lands outside of the Ramsey Lake Watershed is “Heavy Industrial” on those lands described as PIN 7356-10293 and Part of PIN 73561-0300, Part 13 and part of Part 15, Plan 53R-20983, Part of Lot 9, Concession 4, Township of Neelon, as outlined in the report entitled “0 Kingsway Boulevard and Levesque Street, Sudbury” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of November 13, 2024, subject to the following conditions:

1. That the Official Plan Amendment be enacted concurrently with the zoning by-law amendment.
2. That prior to the enactment of the Official Plan Amendment the owner shall submit a registered survey plan describing the lands subject to the amendment to the satisfaction of the Director of Planning Services.
3. That conditional approval shall lapse on November 26, 2026, unless Condition #1 above has been met or an extension has been granted by Council.

Resolution 2:

Resolution #2 Regarding the Rezoning:

THAT the City of Greater Sudbury approves the application by Kingsway Entertainment District Inc. to amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury by changing the zoning classification on the subject lands from “M3(15)”, Heavy Industrial Special and “M2(15)”, Light Industrial Special to an amended “M3(S)”, Heavy Industrial Special Zone and an amended “M2(S)”, Light Industrial Special Zone on those lands described as PIN 7356-10293 and Part of PIN 73561-0300, Part 13 and part of Part 15, Plan 53R-20983, Part of Lot 9, Concession 4, Township of Neelon, as outlined in the report entitled “0 Kingsway Boulevard and Levesque Street, Sudbury” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of November 13, 2024, subject to the following conditions:

1. That prior to the enactment of an amending zoning by-law the owner shall submit a registered survey plan describing the lands to be rezoned to the satisfaction of the Director of Planning Services.
2. That the amending zoning by-law include the following site-specific provisions:
 - i. “M3(S)”, Heavy Industrial Special to additionally permit a waste transfer facility on the portion of the subject lands outside of the Ramsey Lake Watershed, and that a litter abatement fence shall be provided to enclose the site;
 - ii. “M3(S)”, Heavy Industrial Special to permit a 0 m setback to a zone boundary and additionally permit office use limited to a total gross floor area of 420 sq m, and that a litter abatement fence shall be provided to enclose the site; and
 - iii. “M2(S)”, Light Industrial Special to permit a 0 m setback to a zone boundary and additionally permit office use limited to a total gross floor area of 420 sq m; and that a litter abatement fence shall be provided to enclose the site.
3. That conditional approval shall lapse on November 26, 2026, unless Condition #1 above has been met or an extension has been granted by Council.
4. That an “H”, (Holding) symbol be applied to the zoning to prohibit the waste transfer facility use until the following conditions are satisfied:
 - i. The owner shall enter into a Site Plan Control Agreement with the City to the satisfaction of the Director of Planning Services.
 - ii. An Environmental Compliance Approval has been issued by the Ministry of the Environment, Conservation and Parks.

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

The applications to amend the City’s Official Plan and Zoning By-law are operational matters under the Planning Act to which the City is responding. The applications generally align with Goal # 2 - Business Attraction, Development and Retention in the City’s Strategic Plan insofar as they would facilitate business development in an industrial park. The applications are not expected to have any direct negative impacts on the stated goals and recommendations that are contained within the CEEP.

Financial Implications

If approved, staff are unable to estimate taxation revenues as the assessment value of the proposed buildings 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.

Also, this development falls within the Kingsway Sewer and Water project area and would be subject to Section 391 Charges relating to this growth related infrastructure in the mid-2000's.

Report Overview:

This report reviews applications for Official Plan Amendment and Zoning By-law Amendment to permit the development of a waste transfer facility, office and commercial garage. The lands are designated General Industrial and Heavy Industrial in the Official Plan.

Staff recommends approval of the applications as described in the Resolution section on the basis that they are consistent with the Provincial Planning Statement, and conform to the Growth Plan for Northern Ontario, have regard for matters of provincial interest and represent good planning.

STAFF REPORT

PROPOSAL:

The applications propose to amend the City's Official Plan and Zoning By-law 2010-100Z to permit the development of a waste transfer facility on the portion of the subject lands located outside of the Ramsey Lake Watershed. The applications would also additionally permit an office use and a 0 m setback to a zone boundary to permit the construction of a commercial garage, office, and associated employee parking areas. A related authorization is also required under the City's Waste Management By-law 2006-280.

The concept plan illustrates the proposed 880 sq m waste transfer station, 1530 sq m commercial garage, 420 sq m office, bin storage area for approximately 100 bins of various sizes, truck parking area for approximately 50 commercial vehicles and 7 light duty pick-up trucks, parking for approximately 100 spaces, and stormwater management facilities. The site is to be operated by Waste Management Inc. and will enable the consolidation of their operations in Greater Sudbury. Waste Management's current operations employ approximately 85 people.

The waste management facility will receive approximately 150-200 tonnes of non-hazardous solid waste to be loaded for transfer to the approved disposal facility. Sorting, when required, will be completed indoors. There is no outdoor storage. The facility is anticipated to operate from 5 a.m. to 5 p.m. to accept materials, and sorting and loading may also occur during evening hours depending on the acoustic assessment. The commercial garage will service Waste Management's vehicle fleet and include four maintenance bays, a wash bay, and related parts, tool, equipment and oil rooms. The office will serve the operations of the site and include 5 dedicated offices and space for route managers and operations specialists, meeting rooms, and locker areas.

The waste transfer facility and potentially the commercial garage (noise) will be subject to an Environmental Compliance Approval issued by the Ministry of the Environment, Conservation and Parks, which will include an acoustic assessment which will model potential noise impacts on sensitive receptors. The Environmental Compliance Approval requires completion of detailed design of the facility and can include a range of conditions/restrictions including type of waste, hours of operation, maximum tonnage received, maximum on-site storage, disinfection procedures, site security, inspection and maintenance standards, staff training, record keeping, compliant response protocol, emergency response, stormwater management, reporting, and closure practices.

The applications included the submission of the following documents and technical studies:

- Concept Plan
- Planning Justification Report, J.L. Richards & Associates Limited, May 30, 2024
- Source Water Protection S. 59 Application (see Source Water Location Map)
- Conceptual Stormwater Management Plan, R.V. Anderson Associates Limited, March 28, 2024
- Draft Official Plan Amendment, J.L. Richards & Associates Limited
- Draft Zoning By-law Amendment, J.L. Richards & Associates Limited

Existing Land Use Designation: "General Industrial", "Heavy Industrial", Waste Disposal Assessment Areas Overlay Designation

The Official Plan establishes two broad industrial designations, General Industrial and Heavy Industrial, to support economic activity in the industrial sector. General Industrial includes activities such as manufacturing and processing facilities, while the Heavy Industrial designation encompasses core infrastructure needs such as water and wastewater treatment plants and landfill sites.

Waste Disposal Assessment Areas are shown on Schedule 6, Hazard Lands as an overlay designation. The existing or prior use of the lands for the disposal of waste may have an effect on future uses of these lands and possibly adjacent lands. In recognition of this, Waste Disposal Assessment Areas identify lands that are within the 500 metre area of influence from the property boundary of an open site or the fill area of a closed

site. These areas are regulated in order to protect public health and safety and ensure land use compatibility.

Requested Land Use Designation:

The proposed amendment would confirm the designation of the portion of the subject lands outside of the Ramsey Lake Watershed is “Heavy Industrial”, and based on a survey of the lands.

Existing Zoning: “M3(15)”, Heavy Industrial Special and “M2(15)”, Light Industrial Special, Ramsey Lake Watershed Overlay Zone

The “M3(15)” and “M2(15)” zones were established through a previous application (CGS file 751-6/17-26) and permit a parking lot in addition to the uses permitted in the respective zones. Both of these zones already permit a commercial garage, which is part of the proposal. Of the four general industrial zone categories spanning from M1-1 to M3, the M3 zone permits the most heavy industrial uses including an abattoir, aggregate transfer site, fuel depot, and salvage or wrecking yard while excluding certain business industrial or commercial uses. These heavy industrial uses are not permitted in the M2 zone, which is intended to permit light industrial uses. Certain less noxious industrial or service commercial uses are excluded from both the M3 and M2 zones in order to preserve the use of these lands for uses that are general not compatible with sensitive uses. The remaining M4, M5 and M6 industrial zones are intended for mining, aggregate extraction and waste disposal, respectively.

Section 4.42.2 establishes that certain uses are prohibited within the Ramsey Lake Watershed overlay zone, including a waste disposal area.

Requested Zoning:

The subject lands are proposed to be rezoned in three horizontal sections across the property from north to south as follows:

- “M3(S)”, Heavy Industrial Special to additionally permit a waste transfer facility;
- “M3(S)”, Heavy Industrial Special to permit a 0 m setback to a zone boundary and additionally permit office use; and
- “M2(S)”, Light Industrial Special to permit a 0 m setback to a zone boundary and additionally permit office use.

Related Applications

Subdivision File 780-6/10002: The subject lands generally comprise Lots 4 and 5 on the draft-approved Jack Nicholas Business and Innovation subdivision. This 12 ha subdivision was draft approved on October 26, 2010 to enable development of an industrial/business park comprising 33 blocks of land, and accessible via two proposed roads from Kingsway Boulevard. The plan lapses on October 26, 2026.

Rezoning File 751-6/17-26: Rezoned the subject lands to “M3(15)” and “M2(15)” to additionally permit a parking lot.

Location and Site Description:

The subject lands are described as PIN 7356-10293 and Part of PIN 73561-0300, Part 13 and part of Part 15, Plan 53R-20983, Part of Lot 9, Concession 4, Township of Neelon (0 Kingsway, Sudbury). The subject lands are located approximately 400 m north of Kingsway Boulevard opposite Levesque Street. The subject lands are approximately 5 ha in size. The subject lands currently have no road frontage, though would be accessible via collector road upon development of a first phase of the related Jack Nicholas plan of subdivision (CGS File 780-6/10002). A hydro line crosses the northeastern portion of the property.

Development Engineering advises that this location is presently not serviced with water or sanitary sewer. A phase of the related Jack Nicholas plan of subdivision would need to be constructed prior to the development of this lot proceeding as the subdivision road, water supply, sanitary sewer, and utilities are required to create and develop this lot.

The southerly portion of the subject lands is identified in the Greater Sudbury Source Water Protection Plan as being within the Ramsey Lake Watershed. The Ramsey Lake Intake Protection Zone 3 is currently located to the south of the subject lands, though a very small portion of the subject lands (approx. 800 sq m) within the Ramsey Lake Watershed is pending being located within the Ramsey Lake Intake Protection Zone 3 as a result of mapping updates expected to be completed by the end of 2024.

Surrounding Land Uses:

North: lands owned by the City and zoned restrictively (either “EP”, Environmental Protection or “FD”, Future Development with a Holding Provision to acknowledge proximity to the Sudbury landfill)

East: lands owned by the City for the Sudbury landfill, and zoned “M6”, Disposal Industrial

South and west: vacant lands owned by the applicant and part of the Jack Nicholas Business and Innovation subdivision

The location map is attached to this report and indicates the location of the subject lands (red hatching), the zoning on other parcels of land in the area, and the location of the Ramsey Lake Watershed (purple line) and Intake Protection Zone 3 (green fill).

Orthophotography shows the subject lands and surrounding uses. Site photos show only the intersection of Levesque Street and Kingsway Boulevard south of the subject lands, and surrounding institutional, commercial and residential uses at this intersection.

Public Consultation:

The statutory Notice of Application was provided to the public by newspaper and to nearby landowners and tenants located within 122 m of the subject lands on August 7, 2024. The statutory Notice of Public Hearing dated October 17, 2024, was provided to the public by newspaper and to nearby landowners and tenants located within 122 m of the subject lands.

The applicant was advised of the City’s policy recommending that applicants consult with their neighbours, ward councilor and key stakeholders to inform area residents of the applications prior to the public hearing. At the time of writing this report, no phone calls, letters or emails with respect to the development proposal have been received by the Planning Services Division.

POLICY AND REGULATORY FRAMEWORK:

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

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

The PPS and the Growth Plan for Northern Ontario, along with the City’s Official Plan, provide a policy framework for land use planning and development in the City of Greater Sudbury. This framework is implemented through a range of land use planning controls such as, but not limited to, zoning by-laws, plans of subdivision and site plans.

2020 Provincial Policy 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 2020 PPS. Several sections of the PPS are relevant to the applications.

The lands are included in the City's settlement area, are outside the built boundary and are designated "General Industrial" and "Heavy Industrial".

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

Policy 3.5(1) states that major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures. Major facilities are defined as facilities which may require separation from sensitive land uses, including waste management systems.

Section 2.8.1 of the PPS establishes policies for employment and requires planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses to meet long-term needs, and maintaining a range and choice of suitable sites, which take into account the needs of existing and future businesses. Policy 2.8.2(3)(c) states that planning authorities shall designate, protect and plan for all employment areas in settlement areas by prohibiting retail and office uses that are not associated with the primary employment use.

Section 1.6.10.1 states that waste management systems need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives. Waste management systems are defined as sites and facilities to accommodate waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

Policy 4.2(1) states that planning authorities shall protect, improve or restore the quality and quantity of water by:

- a) using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;
- b) minimizing potential negative impacts, including cross-jurisdictional and crosswatershed impacts;
- e) implementing necessary restrictions on development and site alteration to: 1. protect all municipal drinking water supplies and designated vulnerable areas; and 2. protect, improve or restore vulnerable surface and ground water, and their hydrologic functions.

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. Staff has reviewed the planning matters contained within the Growth Plan for Northern Ontario and is satisfied that the applications conform to and do not conflict with the Growth Plan for Northern Ontario in that they align with the general economic policies.

Official Plan for the City of Greater Sudbury:

The lands are included in the City's settlement area, are outside the built boundary and are designated "General Industrial" and "Heavy Industrial". The proposed amendment would confirm the designation of the portion of the subject lands outside of the Ramsey Lake Watershed is "Heavy Industrial", and based on a survey of the lands.

Section 1.3.2 of the Official Plan regarding Economic Development acknowledges the link between planning, design and economic development, such as by providing a framework to reinforce the urban structure and achieve efficient urban form and use of infrastructure.

Policy 2.3.2(1) states that future growth and development will be focused in the Settlement Area through intensification, redevelopment and, if necessary, development in designated growth areas.

Policy 2.3.2(3) states that intensification and development within the Built Boundary is encouraged in accordance with the policies of this Plan. Development outside of the Built Boundary may be considered in accordance with the policies of this Plan.

Section 4 of the Official Plan regarding employment areas identifies these areas as lands where people presently work and lands where employment opportunities will be provided in the future. It establishes the General Industrial and Heavy Industrial designations to support economic activity in the industrial sector. General Industrial includes activities such as manufacturing and processing facilities, while the Heavy Industrial designation encompasses core infrastructure needs such as water and wastewater treatment plants and landfill sites.

Section 4.1 Objectives states that it is the objective of the Employment Area policies to:

(f) ensure that existing industrial lands are used efficiently and promote the development and redevelopment of existing, underutilized, or unused sites.

Section 4.5.1 General Industrial, Policy 1 states that permitted uses may include manufacturing, fabricating, processing and assembling of industrial and consumer products, repair, packaging and storage of goods and materials, and related industrial activities. Policy 2. States that complementary uses, such as administrative offices, hotels and restaurants, which do not detract from, and which are compatible with, the operation of industrial uses are also permitted.

Section 4.5.2 Heavy Industrial, Policy 1 states that within areas designated Heavy Industrial, all industrial uses are permitted, including sanitary landfill sites, salvage yards, quarrying, and sewage treatment facilities. Mining and related smelting, refining and processing operations are generally not permitted in Heavy Industrial areas, as the Mining/Mineral Reserve designation applies to those uses. Policy 3 states that drainage runoff will be controlled such that the water quality of groundwater or downstream watercourses/waterbodies is not impaired.

Section 8.1 General Protection of Water Resources, states that the following general policies apply to protect water resources in the City:

1. Sensitive surface water features, sensitive groundwater features, and their hydrologic functions and linkages will be determined through a watershed-based planning approach. Sensitive surface water and groundwater features are defined as areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Policy 8.5(3), Stormwater, Site-Specific Policies states that applications for industrial development in areas where there are no municipal stormwater services will require a Stormwater Management Report.

Policy 10.6(1) states that no new development will be permitted on or within 300 metres of active or closed waste disposal sites. For lands between 300 metres and 500 metres of active or closed waste disposal sites, new development may be permitted provided the following requirements are met:

- a. studies of gas, leachate, hydrogeology and structural stability, soil and surface and groundwater contamination, presence of hazardous wastes and safety are completed which show that the development is compatible and can safely take place;
- b. written approval is received from the Province that the provisions of the relevant legislation are met; and,
- c. measures are taken to the satisfaction of the Province in consultation with the City to control and mitigate any problems identified in the study.

Policy 10.6(2) states that in areas subject to these policies, only uses compatible with the identified potential impacts may be permitted by an amendment to the Zoning By-law.

Policy 10.7(1) states that major facilities and sensitive land uses will be appropriately designed, separated or buffered from each other in order to prevent or mitigate adverse effects from noise, vibration, odour and other contaminants.

Zoning By-law 2010-100Z:

Development standards for the “M2(15)” zone include a maximum height of 15 m. The minimum required front yard is 9.0 m, the minimum required rear yard to the east is 6.0 m, and the minimum required interior side yard to the north and south is 3.0 m on at least one side of the lot. The maximum lot coverage is 50%. The minimum landscaped open space required is 5%.

Development standards for the “M3(15)” zone include no maximum height given the property is more than 150.0 m from a residential zone. The minimum required front yard is 9.0 m, the minimum required rear yard to the east is 6.0 m, and the minimum required interior side yard to the north and south is 3.0 m on at least one side of the lot. The maximum lot coverage is 60%. The minimum landscaped open space required is 5%.

Site Plan Control

A site plan control agreement is not automatically required prior to development of the subject lands, though staff is recommending this be required prior to development through use of a holding provision.

Department/Agency Review:

The applications including relevant accompanying materials have been circulated to all appropriate agencies and departments. Responses received have been used to assist in evaluating the applications.

Infrastructure Capital Planning, and Strategic & Environmental Planning Services advises that they have no concerns from their respective areas of interest.

Building Services advises they have no objection and that a Building Permit to the satisfaction of the Chief Building Official will be required for all buildings and structures, at which time Building Services will provide any further comments.

Conservation Sudbury advises they have no objection and offer the following comments:

- The submitted concept plan depicts a wetland at the northeast corner of the parcel matching Conservation Sudbury’s current mapping. However, a review of aerial imagery suggests that this wetland may have been historically filled and the current extent may not match the depicted limits.
- The proponent should note that for future regulatory review and approvals the wetland(s) both within the property and 30 m surrounding the property must be mapped by a qualified professional (OWES-certified with experience in wetland mapping). All mapping must include the wetland boundary, a 12-metre setback, a 30-metre setback and, where wetlands are greater than 2 ha in size, a 120-metre setback. Wetlands greater than 0.5 ha in size are subject to the development restrictions listed within Conservation Sudbury’s Wetland Guidelines (Direction on the Administration of O.Reg 156/06 – Wetlands, available on our website).

Development Engineering advises they have no objection to the rezoning and offer the following comments:

- This location is presently not serviced with water or sanitary sewer.

- The most recent submission of subdivision construction drawings was received August 8, 2024, and is currently under review with comments pending. A phase of the subdivision would need to be constructed prior to the development of this lot proceeding as the subdivision road, water supply, sanitary sewer, and utilities are required to create and develop this lot.
- Stormwater management is intended through the subdivision development to only be provided for the subdivision roadways rather than on a universal basis. As such, the stormwater approach for this site would require on-site stormwater controls. MECP approval of all on-site stormwater works will be required.

Water/Wastewater advises that no activity or activities engaged in or proposed to be engaged in on the subject lands are considered to be significant drinking water threats at this time. The Waste Transfer Facility is proposed to be developed outside the Ramsey Lake Watershed (RLW). The commercial garage is to be developed within the RLW; however, outside of the boundary of the Intake Protection Zone “3” and Issue Contributing Area. The Intake Protection Zone “3” will be expanded in this location upon the next mapping amendment due to the transport pathways to Ramsey Lake. The activities of Handling and Storage of DNAPLs and Fuel, and Application of Road Salt and Storage of Snow will require a Risk Management Plan at that time. Road salt storage in excess of 0.5 tonnes is prohibited.

Operational Comments from Environmental Services Regarding Authorization under the City’s Waste Management By-law 2006-280

Environmental Services staff is concerned with locating a private waste transfer site in this area given the proximity to the landfill site and residential area. Environmental Services advises the following cautionary notes need to be considered when determining if this property is suitable for the proposed use of a waste transfer facility:

- The property being proposed for use as a waste transfer facility is located directly adjacent to the Sudbury Landfill site. Wind directions at the Sudbury Landfill is continually monitored and the wind direction is frequently towards the south. It is reasonable to anticipate that the prevalent wind direction at the proposed waste transfer facility will also be southwards. Residential neighborhoods to the south of the proposed waste transfer facility are already sensitive to exposure of odours emanating from the landfill. Waste transfer stations also generate odours from waste. The proposed waste transfer facility operation will be in closer proximity to residential neighbourhoods than the active disposal area at the landfill site. The property surrounding the proposed waste transfer facility may not provide a natural treeline/forested area buffer zone that would normally act as a barrier to trap odours that would otherwise travel directly towards the residential community. A waste transfer facility in this location has the potential to create additional nuisance odours and consequently, increased complaints from residents and/or businesses. Due to the close proximity to the existing landfill site, it may be difficult to determine if the source location of the odour is the landfill site or the waste transfer facility. Without the ability to clearly identify the source of the odour, taking appropriate actions to resolve complaints becomes difficult, and may require that both the City and waste transfer facility operator take mitigation action. Additional measures and/or technologies may need to be put in place to mitigate nuisance odours.
- With the exception of Atikameksheng Anishnawbek and Wahnapiatae First Nations, Council approved service levels and provincial Environmental Compliance Approvals for the City’s landfill and waste diversion sites, and transfer stations do not allow for the acceptance of waste from outside the City of Greater Sudbury boundary. Accepting waste from outside Greater Sudbury boundaries would decrease the lifespan of the City’s landfill sites and accelerate the need for the City to invest in new disposal capacity. Waste from outside Greater Sudbury boundaries may not be deposited at a City facility unless expressly permitted by the City in writing. The intended operator of the waste transfer facility currently provides waste collection services for the City as well as private customers within and outside Greater Sudbury boundaries. The transfer station proposes to apply for provincial approval to

accept waste from Ontario. It is recommended that the operator of the waste transfer facility be required to clearly document the source of any waste being delivered to a City site to the satisfaction of the General Manager of Growth & Infrastructure.

- Waste haulage, dumping, sorting, loading and transfer can create litter on City roads and roadways as well as on City or private property. The operator of the site should be required to provide regular litter avoidance education and training for staff and customers, and this education and training should be document to the satisfaction of the General Manager. Litter abatement and recovery methods should be required at the site, and litter created by the operation of the site must be collected by the waste transfer facility operator to the satisfaction of the General Manager.
- Waste transfer facilities attract vector, vermin and other wildlife including raccoons and bears. A waste transfer facility in the proposed location may increase nuisance wildlife in the area and may result in increased citizen complaints to the City. Due to the proximity to the City's Landfill site, an increased nuisance wildlife population may require additional control mechanisms at the City's landfill site and the waste transfer facility.
- Improperly stored waste can exacerbate nuisance odours, litter and wildlife. It is recommended that the operator of the proposed waste transfer facility be prohibited from storing waste on the ground or in open containers. It is recommended that the proposed waste transfer facility operator be required to store the waste in enclosed buildings or in hard covered or enclosed bins/containers.
- The access to both the proposed waste transfer facility and the landfill site will be from the Kingsway and the distance between each site entrance will be approximately 0.46 kilometers. The close proximity of the facility entrances could cause confusion for customers of each site. This confusion could be further exacerbated if the operator of the proposed waste transfer facility allows public use of the facility. The operator should be required to clearly post the facility name, operator name and facility address visible to traffic traveling both directions on the Kingsway.

PLANNING ANALYSIS:

The 2020 PPS, the 2011 Growth Plan, the City of 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 applications with respect to the applicable policies, including issues raised through agency and department circulation.

The applications propose to amend the City's Official Plan and Zoning By-law 2010-100Z to permit the development of a waste transfer facility, office, and commercial garage. A related authorization is also required under the City's Waste Management By-law 2006-280, a request which is assessed separately below.

The subject lands are located in the City's settlement area in an employment area that has been identified for industrial use through development of the Jack Nicholas Business and Innovation Park subdivision. Staff recommends that the applications conform with the Growth Plan for Northern Ontario in that they align with the general economic policies. Broadly, the applications are consistent with PPS policies and conform with Official Plan policies that direct development to settlement areas and acknowledge the link between land use planning and economic prosperity, and maintaining a range of sites to provide employment opportunities. The proposal would also contribute positively to providing for an appropriate mix and range of employment-related uses within the settlement area to allow for efficient use of planned infrastructure.

While a commercial garage is already a permitted use, the applications request permission to additionally permit a waste transfer facility and office in this location to enable the consolidation of Waste Management Inc. operations in Greater Sudbury. Regarding the appropriateness of the additional waste management facility use, the applications conform to the Official Plan policies in Section 4 regarding employment, by enabling economic activity in the industrial sector. Staff recommends approval of the requested Official Plan

Amendment which will confirm the extent of the Heavy Industrial designation, which permits waste management facilities, as being located on the portion of the subject lands outside the Ramsey Lake Watershed.

Regarding the appropriateness of the proposed additional office use, the PPS only permits office uses within employment areas where they are associated with a primary employment use. The current 'M3(15)' and 'M2(15)' zone permit accessory office use where, for example, a supervisor and/or manager of the commercial garage operation would have an office. The General Industrial designation in the Official Plan permits offices which are compatible with and do not detract from the operation of industrial uses. In other words, the intent of the restriction on offices is to preserve the use of industrial lands for uses that are not compatible with sensitive uses. Staff supports the proposed use of the lands for office purposes, limited to the proposed 420 sq m illustrated in the concept plan. In this manner, the site can be developed as a consolidated location along with the related industrial uses.

Staff recommends that the proposed location in at the north end of an industrial subdivision and adjacent to the Sudbury Landfill is consistent with the PPS and conforms with Official Plan policies that require compatibility with the Sudbury landfill and for waste management facilities to be appropriately separated from sensitive land uses, such as residential use. While provincial guidelines regarding the separation between industrial facilities and sensitive lands uses do not strictly apply to a waste management facility, generally a Class 3 industrial use requires a minimum separation distance of 300 m from a sensitive use, and the closest residential use is approximately 350 m to the southeast at the intersection of Yollie Street and Kingsway Boulevard. The Planning Justification Report proposes that the waste transfer facility and commercial garage could be considered a lesser Class 1 industrial use with a 70-metre potential influence area and 20-metre minimum separation distance. It is noted that the Environmental Compliance Approval requires an acoustical assessment and enables the Ministry of Environment, Conservation and Parks to apply conditions or restrict operations accordingly. Further, the City's Waste Management By-law enables the City to maintain their operation in conformity with specific conditions to mitigate potential issues, with conditions to promote compatibility. Further to comments from Environmental Services, staff recommends that the requirement for a litter abatement fence be included in the site-specific zone standards, to help ensure litter is contained on the site.

Both the PPS and the Official Plan require the protection of water resources, and the location of the Ramsey Lake Watershed boundary through the middle of the parcel is acknowledged. The City's zoning by-law does not permit a 'waste disposal area' within the Ramsey Lake Watershed. Comments provided by Water/Wastewater staff confirm that the proposal as structured with the waste management facility outside the boundary of the Ramsey Lake Watershed and with the commercial garage outside of the Intake Protection Zone "3" and Issue Contributing Area to the south does not result in development of any significant drinking water threats. In future, the development of the Jack Nicholas subdivision will result in changes to transport pathways to Ramsey Lake, the risks of which will be managed through the development of a Risk Management Plan for this property under the Clean Water Act to address the commercial garage use, application of road salt and storage of snow. The conceptual stormwater management report provides an approach for managing the quality and quantity of stormwater on the site. Staff recommends that the proposal is consistent with the PPS and conforms to Official Plan policies pertaining to the protection of water resources.

Development of the proposed use will proceed following completion of a phase of the Jack Nicholas plan of subdivision. Staff notes that the lands will need to form one lot on a registered plan of subdivision to align with the concept with one sanitary sewer/water service connection, stormwater concept, and requested zone standards which refer to a 0 m setback to a zone boundary (rather than a lot line). Development of the parcel as a single lot is also necessary to limit the future development of stand-alone office use. Alternatively, site plan control can be used to tie the two lots together such that they are developed as one project as illustrated on the concept plan.

Staff recommends the official plan amendment be approved subject to a condition that it be enacted concurrently to the zoning by-law amendment and subject to a survey being provided to ensure that the requested official plan amendment and rezoning are in alignment.

Staff recommends the zoning by-law amendment be approved subject to a condition requiring a survey be provided in order to implement the rezoning by-law.

Staff recommends that an “H”, (Holding) symbol be applied to the zoning to prohibit the waste transfer facility use until two conditions are met, being entering into a site plan control agreement with the City and that an Environmental Compliance Approval be issued by the Ministry of the Environment, Conservation and Parks. Regarding a Site Plan Control Agreement, staff recommends this is required for the orderly development of the site. The requested official plan amendment and rezoning are premised on a survey intended to limit certain uses to certain locations, and site plan control can be used to require site features (e.g. curbing, bollards) to identify zone boundaries and ensure these boundaries are respected during site operations. Stormwater management is implemented through the site plan control process, and which also needs to reflect the Ramsey Lake Watershed boundary within the site. Overall, site plan control is a necessary tool to ensure that the boundary of the Ramsey Lake Watershed is clearly identified and protected. Further, site plan control can be used to tie the lots together such that they are developed as one project as illustrated on the concept plan. Lastly, the site plan control agreement process could be used to implement or partially implement conditions of the related approval under the City’s Waste Management By-law to address operational concerns.

Regarding the need for an Environmental Compliance Approval, staff recommends that this needs to be issued by the Ministry of the Environment, Conservation and Parks, to confirm that the site can be designed and operated appropriately for a waste transfer facility. The Environmental Compliance Approval application to the Ministry will include detailed design a range of operational details, and the Ministry will complete a review of the design and site operations and specify conditions of approval. This review and approval is recommended to be required prior to permitting the use under the City’s zoning by-law.

AUTHORIZATION UNDER THE CITY’S WASTE MANAGEMENT BY-LAW 2006-280

A related authorization is required as per Section 26 of the City’s Waste Management By-law 2006-280, which is delegated to the General Manager of Growth and Infrastructure. The By-law also enables the City to impose conditions as it may deem fit, and the applicant shall thereafter maintain their operation in conformity with the conditions. The authorization will include conditions to address the operational concerns raised by staff from Environmental Services.

CONCLUSION:

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

The following are the principles of the proposed official plan amendment and zoning by-law amendment:

- to permit the development of a waste transfer facility on the portion of the subject lands located outside of the Ramsey Lake Watershed, as well as an office and commercial garage.

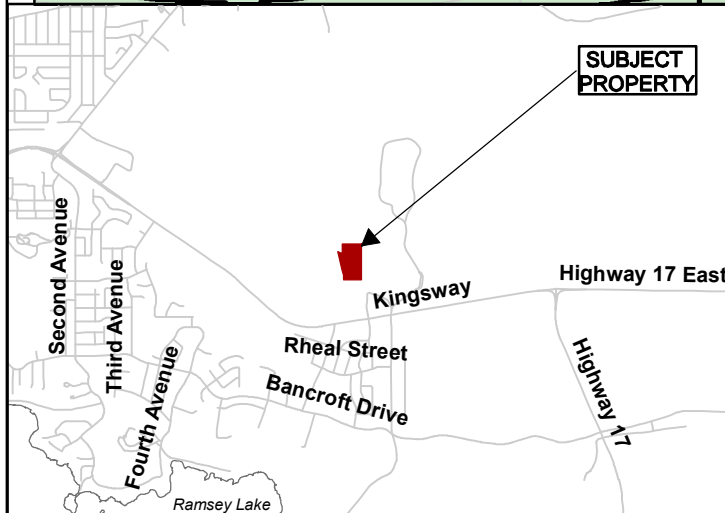
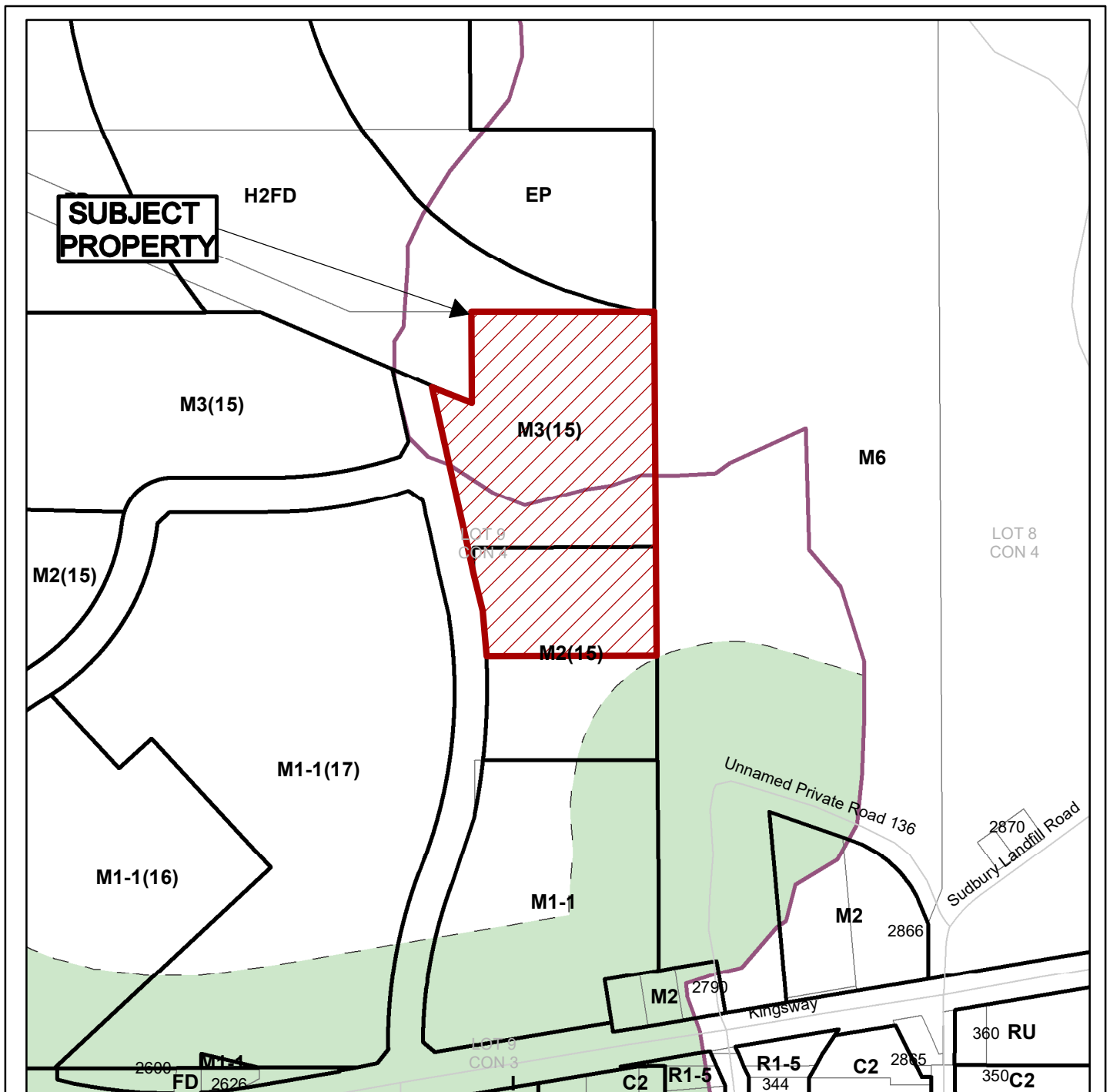
The development of the subject land achieves a number of policy directives, including the promotion of economic development in a manner that considers the available servicing and compatibility with adjacent uses. Staff has considered, amongst other matters, a full range of factors through a detailed review when forming the recommendation of approval for these applications.

Staff is of the opinion that the proposed amendments are appropriate based on the following:

- The additional waste management facility and office use, proposed in the City’s settlement area in an area identified for industrial use, will enable economic activity in the industrial sector in an appropriate location.
- The proposed office use is considered to be compatible with the industrial uses and will enable the site to be operated as a consolidated location.
- The proposed waste management use is considered to be adequately separated from sensitive land uses.

- Water resources can be protected through the Clean Water Act, related Environmental Compliance Approval, and the use of site plan control.

Staff recommends approval of the applications as described in the Resolution section on the basis that they are consistent with the Provincial Planning Statement, conform to the Growth Plan for Northern Ontario, have regard for matters of provincial interest and represent good planning.



**Growth and Infrastructure
Department**



Subject Property being PIN 735610293 and Part of PIN 735610300, Part 13 and part of Part 15, Plan 53R-20983, Part of Lot 9, Concession 4, Township of Neelon, 0 Kingsway, Sudbury, City of Greater Sudbury

SPP: Ramsey Watershed
IPZ 3

NTS
Sketch 1

701-6/24-04 & 751-6/24-06
Date: 2024 04 18

Files: 751-6/24-06
and 701-6/24-04
Kingsway,
Sudbury
2023 Orthophotography



Sudbury Landfill Road



Subject Property

Unnamed Private Road 136

Kingsway

Raymond Street

Levesque Street

Donald Street

Yollie Street

Boonlight Avenue





Photo 1. Intersection of Levesque Street and Kingsway Boulevard, facing north. Photo taken September 10, 2024, CGS Files 701-6/24-04 & 751-6/26-6.



Photo 2. Intersection of Levesque Street and Kingsway Boulevard, facing west. Photo taken September 10, 2024, CGS Files 701-6/24-04 & 751-6/26-6.



Photo 3. Intersection of Levesque Street and Kingsway Boulevard, showing institutional use at the southeast corner, facing east. Photo taken September 10, 2024, CGS Files 701-6/24-04 & 751-6/26-6.



Photo 4. Commercial use at the southwest corner of the intersection of Levesque Street and Kingsway Boulevard, facing west. Photo taken September 10, 2024, CGS Files 701-6/24-04 & 751-6/26-6.

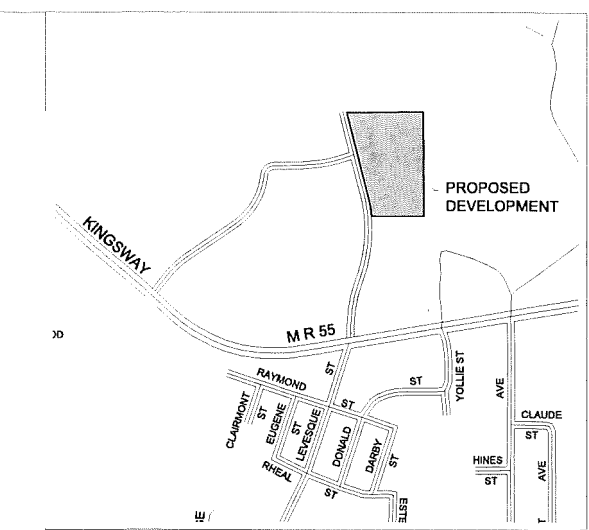


Photo 5. Levesque Street just south of the intersection of Levesque Street and Kingsway Boulevard showing a mix of uses, facing south. Photo taken September 10, 2024, CGS Files 701-6/24-04 & 751-6/26-6.

RECEIVED

MAY 31 2024

PLANNING SERVICES



KEY PLAN 1:10,000

SITE PLAN DATA:

REGISTERED PLAN 53P-20953
 PART OF LOT 9 CONCESSION 4
 GEOGRAPHIC TOWNSHIP OF HEELON
 CITY OF GREATER SUDBURY

ZONING	M2/M3 SPECIAL - HEAVY INDUSTRIAL OFFICE	
USE OF BUILDINGS	COMMERCIAL GARAGE WASTE TRANSFER FACILITY	
PROJECT AREA (OVERALL)	PROVIDED 47835.5 sq.m.	REQUIRED 1,500 sq.m.
BUILDING COVERAGE (TOTAL)	2740.6 sq.m. (5.4%)	< 60%

LOT AREA, FRONTAGE & DEPTH FOR M2 & M3 ZONES - PROPOSED DEVELOPMENT OF LOTS 4&5		
	PROVIDED	REQUIRED
LOT AREA (min.)	4.8 ha	1,500 sq.m.
LOT FRONTAGE (min.)	233 m	30.0 m
LOT DEPTH (min.)	145 m	50.0 m

M3 ZONES - PROPOSED WASTE TRANSFER FACILITY		
	PROVIDED	REQUIRED
FRONT YARD (min.)	52 m	9.0 m
REAR YARD (min.)	114.5 m	6.0 m
INTERIOR SIDE YARD (min.)	25 m (9.6m to H2FD Zone)	6.0 m
LOT COVERAGE (max.)	+/- 5%	60%
HEIGHT (max.)	<30 m	n/a*
LANDSCAPE OPEN SPACE (min.)	>5%	5%

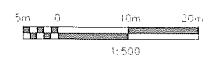
M2 & M3 ZONES - PROPOSED COMMERCIAL GARAGE		
	PROVIDED	REQUIRED
FRONT YARD (min.)	56 m	9.0 m
REAR YARD (min.)	36 m	6.0 m
INTERIOR SIDE YARD (min.)	65 m SOUTH 0 m INTERNAL**	3.0m (M2), 6.0 m (M3)
LOT COVERAGE (max.)	+/- 24 m (NORTH TO M3) +/- 9% (M2) +/- 12% (M3)	50% (M2) 60% (M3)
HEIGHT (max.)	<15 m	15.0 m (M2), n/a * (M3)
LANDSCAPE OPEN SPACE (min.)	>5%	5%

* NO HEIGHT RESTRICTIONS SHALL APPLY TO ANY BUILDING OR STRUCTURE LOCATED MORE THAN 150 m FROM A RESIDENTIAL (R) ZONE.
 **AN EXCEPTION TO RECOGNIZE THE 0 m INTERNAL ZONE SETBACK IS REQUESTED THROUGH THIS APPLICATION.

PARKING CALCULATIONS		
	- AUTOMOTIVE USE (COMMERCIAL GARAGE & ACCESSORY OFFICE) - 1/30 sq.m. NET FLOOR AREA	
	- INDUSTRIAL USE (WASTE TRANSFER FACILITY) - 1/90 sq.m. NET FLOOR AREA, PLUS 1/30 sq.m. NET FLOOR AREA OF ACCESSORY OFFICE	
TOTAL	92	63 *CALCULATION BELOW*
BARRIER FREE SPACES	3	2
LOADING SPACES	3	1
SNOW REMOVAL:	TO BE COMPLETED ON SITE	
GARBAGE REMOVAL:	TO BE PROVIDED BY WASTE MANAGEMENT	

TOPOGRAPHIC INFORMATION AS SUPPLIED BY TULLOCH ENGINEERING INC. FILE 145849 TOPO DATED 2022.

USE	MINIMUM PARKING SPACE REQUIREMENT	RELEVANT FLOOR AREA PROPOSED	CALCULATED REQUIREMENT
AUTOMOTIVE USE (COMMERCIAL GARAGE +ACCESSORY OFFICE)	UNLESS OTHERWISE DEFINED 1/30M ² NET FLOOR AREA	1463 SQM NFA AUTOMOTIVE USE 167 SQM NFA ACCESSORY OFFICE	55 PARKING SPACES
INDUSTRIAL USE (WASTE TRANSFER FACILITY)	1/90M ² NET FLOOR AREA, PLUS 1/30M ² NET FLOOR AREA OF ACCESSORY OFFICE	676 SQM NFA INDUSTRIAL USE	8 PARKING SPACES
TOTAL			63 PARKING SPACES



REVISIONS		CAUTION
DATE	DETAILS	BY

- ALL UTILITIES ARE NOT NECESSARILY SHOWN ON THIS DRAWING.
 - WHERE UTILITIES ARE SHOWN, LOCATIONS ARE NOT GUARANTEED.
 - LOCATION & SIZE OF ALL UTILITIES MUST BE VERIFIED IN THE FIELD.

DATE:	2024-03-27
DRAWN:	L7
DESIGNED:	
CHECKED:	
ENGINEER:	
APPROVED:	



SITE PLAN
 GENERAL LAYOUT
 WASTE MANAGEMENT FACILITY

SCALE:	1:500
CONTRACT NO.:	
CAD/FILE NUMBER:	237002
PAGE NO.:	1

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

Official Plan and Zoning By-law Amendments Kingsway Boulevard, City of Greater Sudbury



J.L. Richards

ENGINEERS · ARCHITECTS · PLANNERS

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

Table of Contents

1.0	Introduction	1
1.1	Planning Act Applications and Pre-Consultation Requirements	2
1.2	Purpose	4
2.0	Site and Area Description and Surrounding Land Use	4
2.1	Site Description and Surrounding Land Use.....	4
2.2	Environmental Constraints and Water Features	7
2.3	Proposed Development	9
2.4	Proposed Site Servicing	12
3.0	Environmental Protection Policy Framework	13
3.1	Environmental Protection Act	13
3.2	Clean Water Act, 2006 (as amended in 2024).....	15
3.3	Greater Sudbury Source Protection Plan	18
4.0	Land Use Compatibility Study of MECP D-6 Guidelines	20
5.0	Land Use Policy Framework	22
5.1	Planning Act.....	22
5.2	Provincial Policy Statement, 2020	23
5.3	Growth Plan for Northern Ontario	27
5.4	City of Sudbury Official Plan	28
5.5	City of Sudbury Zoning By-law 2010-100Z	35
6.0	Municipal Waste By-law 2006-280 of the City of Greater Sudbury – Collection, Removal, and Disposal of Waste	41
7.0	Public Consultation Strategy	42
8.0	Conclusion	43

List of Appendices

Appendix A	Concept Plan prepared by R.V. Anderson
Appendix B	Conceptual Stormwater Management Plan prepared by R.V. Anderson
Appendix C	Environmental Compliance Approval for similar facility - Clarington Transfer Station

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

1.0 Introduction

J.L. Richards & Associates Limited (JLR) has been retained by Waste Management Inc., and Kingsway Entertainment District Inc., to provide planning advisory analysis and prepare the required planning justification report to support applications to amend the City of Greater Sudbury (City) Official Plan (OP) and Comprehensive Zoning By-law 2010-100Z (ZBL) to facilitate the future development of an 880 sqm waste transfer station to be operated by Waste Management Inc. (WM).

The overall property to be purchased by WM will also represent a consolidation of WM's existing facilities in Sudbury by relocating their garbage truck parking area, bin storage area, and a 1,950 sqm building on the abutting lands for a commercial garage including a 420 sqm accessory office. The transfer station works within the current draft of the City's Sustainable Waste Strategy where one of the key objectives is to extend the life of the City's landfills. As the institutional, commercial, and industrial (ICI) materials dealt with at the proposed waste transfer station are not included in the normal municipal waste stream any facility designed to deal with the ICI stream will assist in lowering the annual contributions to the landfill.

The lands are +/-4.8 ha in land area and described as PIN 735610293 and Part of PIN 735610300; Part 13, and Part of Part 15, Plan 53R-20983; Part of Lot 9, Conc. 4, Township of Neelon; 0 Kingsway, City of Greater Sudbury. They are generally described as Lots 4 and 5 on the draft approved subdivision Plan.

The subject property is vacant and is part of a draft plan of subdivision comprising the lands for the subdivision known as the Kingsway Entertainment District.

Surrounding lands include the Sudbury landfill, other industrial uses, and vacant lands. The site is located approximately 400 metres from The Kingsway, a primary arterial road. Through completion of the plan of subdivision, the applicant will provide road access and servicing to the subject lands via Street 'C', as shown on the draft plan of subdivision, which connects to The Kingsway.

The lands to be acquired by WM are bisected by the Ramsey Lake Watershed (RLW), with southern portions of the property in the RLW and northern portions located outside of the RLW. The area of the property north/outside of the RLW is proposed for the amendments which seek approval of the waste transfer facility.

The subject property appears to be designated 'General Industrial' and 'Heavy Industrial' on Schedule 1b to the City's Official Plan. While the northerly portion of the site is designated as 'Heavy Industrial', the designation boundaries are general in nature. The portion of the property proposed for the waste transfer facility will be clearly designated through this application for an Official Plan Amendment (OPA) to specifically confirm that these lands are 'Heavy Industrial'. A designation that permits the facility.

The subject property is zoned M2(15) Light Industrial Special and M3(15), Heavy Industrial Special, in the City's Zoning By-Law 2010-100Z. The proposed waste transfer facility is not permitted by the current site-specific zoning provisions. Therefore, a Zoning By-law Amendment

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

will be required to permit the locating of a waste transfer facility on a new M3 (Special) Zone to be those lands located outside/north of the RLW.

It should be noted that the commercial garage proposed for the southern part of the property is already a permitted use in both the M2 and M3(15) Zone.

However, the City considers the extent of the proposed office space proposed not to be accessory, and therefore requires permission for the office use in the M2 and M3 Zones.

There is also a need to identify and permit a zero setback from the zoning boundary that bisects the lot between the M2 and M3 zones. These operations are already in existence in Sudbury as standalone operations run by WM (i.e. they are separate and distinct from the proposed waste transfer facility).

The applications are consistent with the PPS 2020 and conform to the Northern Growth Plan. The amendment to the City's OP is appropriate to clearly identify the portion of the lands designated 'Heavy Industrial' to permit the waste transfer facility, as this is an appropriate and compatible use for the site. The development would be consistent with the neighbouring landfill property, while being appropriately designed for the Kingsway subdivision.

The proposed amendments to the implementing Zoning By-law would then properly support the change to the OP for the waste transfer facility and allow for orderly development of the commercial garage on the southerly portion where it is already a permitted use and permit office space for the administration of WM's Sudbury operations as a part of the maintenance facility.

1.1 Planning Act Applications and Pre-Consultation Requirements

A pre-consultation meeting was held with the City of Greater Sudbury on July 26, 2023 which provided comments on the SPART application (PC2023-064). Subsequent meetings, telephone calls, and emails have followed to confirm application requirements.

1.1.1 Required Reports/Submissions

Required information for the complete OPA/ZBA applications was outlined in the SPART comments following the pre-consultation meeting with the City.

As a part of our preparation of this report we have completed our analysis of the SPART comments. Where we have determined that there is no submission requirement, we have added the note to confirm why there is no submission related to that subject matter.

The required submission for the OPA/ZBA applications includes:

- Application Forms
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment
- Land Use Compatibility Study, only if waste disposal is proposed within 300 metres of a sensitive receptor.
 - *Response: There is no disposal of waste proposed on the site. Also, the proposed waste transfer facility is not located within 300 metres*

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

of a sensitive receptor, nor is the D-6 guideline applicable; however, comments on D-6 approach are made herein.

- Planning Justification Report
- Public Consultation Strategy
 - *Response: Information has been provided in Section 7.0 of this report.*
- Source Protection Plan Section 59 Application (update the existing RMP, but waste management is managed by MECP through ECA)
 - *Response: The Section 59 application will only apply to the commercial garage which is a permitted use as of right and is not part of the OPA/ZBA applications to permit a use. The S. 59 application is included herein for the commercial garage.*
- Stormwater Management Brief/Memo
 - *Response: A Brief has been prepared by R.V. Anderson and is included with the application.*
- Concept Plan
 - *Response: A Concept Plan has been prepared by R.V. Anderson and is included with the application.*
- Legal Survey – required to implement OPA/Rezoning.
 - *Response: As the legal survey is required to implement the decision, it shall be provided prior to the public meeting. At this time, the lands that are the subject of the applications for the proposed waste transfer facility are generally described as those located north/outside of the Ramsey Lake Watershed as shown as a part of Lot 5 on the Draft Plan on the information contained in the reports submitted for the applications.*
- Mitigation and Contingency Plan.
 - *Response: Comments have been provided under Section 6.0 of this report and defers preparation of such plan to such time as detailed design and an ECA application is made.*
- Materials required to seek Authorization for private waste disposal site (By-law 2006-280)
 - *Response: Information has been provided in Section 6.0 of this report.*
- Confirmation that the use is not a significant threat through MECP comments and/or peer reviewed technical information.
 - *Response: Information is provided throughout Section 3.0 related to the location of the proposed waste transfer facility, MECP approvals, Source Protection, and the identification of vulnerable areas.*
- Materials to address the H2 holding zone on the northwest corner.
 - *Response: None of the subject lands proposed for development are zoned H2FD; therefore, no materials/discussion of the Hold symbol is provided herein.*

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

1.1.2 Revision – per May 3, 2024 City Comments

This report has been revised to respond to the comments provided by the City with the notice for incomplete application dated May 3, 2024.

1.1.3 Requested Amendments

The details of the amendments are as follows:

- Amendment to Schedule 1/1b of the City of Greater Sudbury Official Plan to clearly identify the lands, outside of the RLW, that are proposed for the waste transfer facility as being designated 'Heavy Industrial'.
- Rezoning the lands outside of the RLW and proposed for the waste transfer facility to M3 (Special) Zone of the City of Greater Sudbury Zoning By-law to permit a waste transfer facility.
- Rezoning of the M2 and M3 lands inside the RLW to include 'office' as a permitted use.
- Include a provision for zero setback on the site where there is a zone boundary between the M2 and M3 Zones.

1.2 Purpose

The purpose of this report is to provide context to the amendments being proposed and to provide justification through the analysis of the applicable land use and planning policies and legislation.

The following report provides an overview of the proposed development, site context, purpose and effect of the applications, and demonstrates how the applications conform with the applicable Provincial and Local planning framework and represents sound land use planning.

2.0 Site and Area Description and Surrounding Land Use

2.1 Site Description and Surrounding Land Use

The lands are 4.8 ha in land area and described as PIN 735610293 and Part of PIN 735610300; Part 13, and Part of Part 15, Plan 53R-20983; Part of Lot 9, Conc. 4, Township of Neelon; 0 Kingsway, City of Greater Sudbury. They are generally described as Lots 4 and 5 on the draft approved subdivision Plan. See Figure 1.

Planning Justification Report Proposed Waste Transfer Facility (Waste Management Inc.)

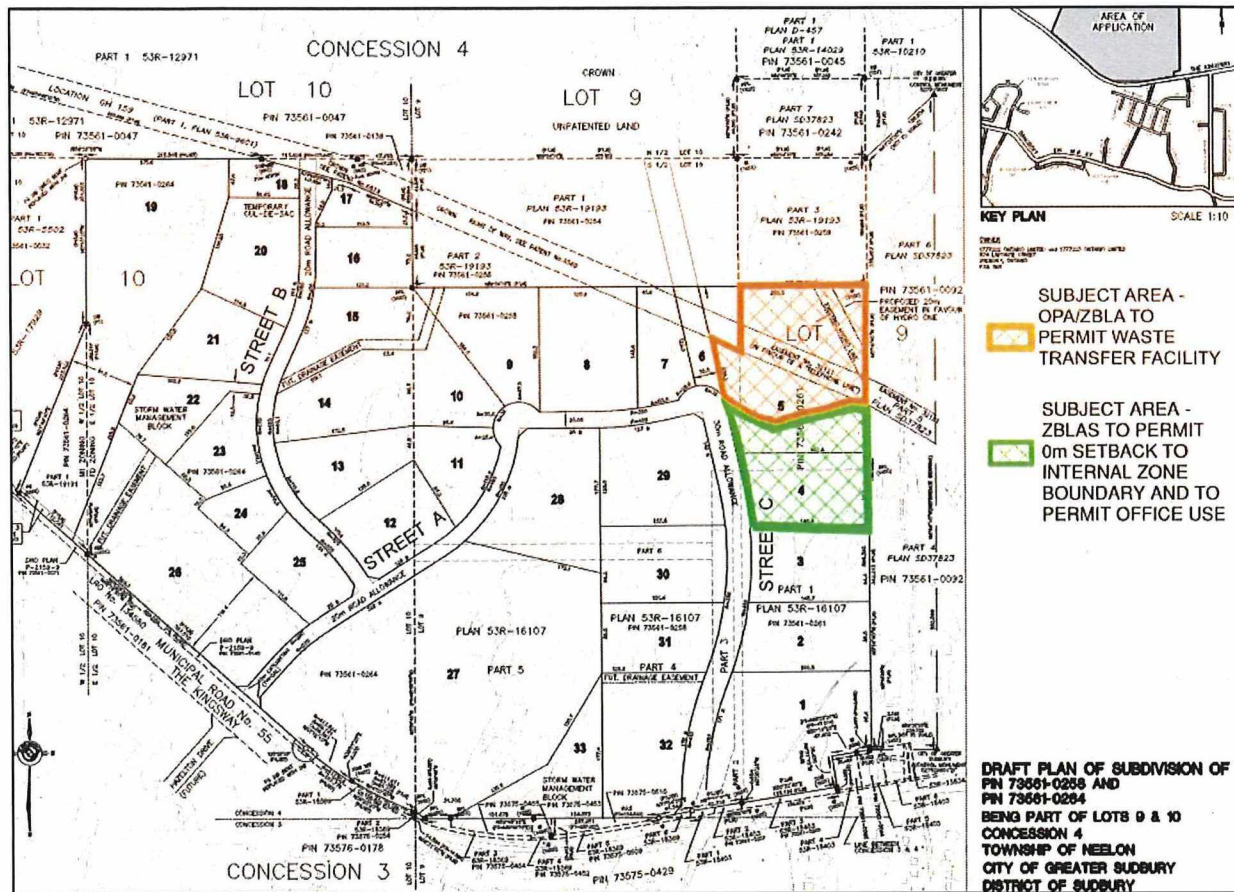


Figure 1: Subject Lands in the Draft Plan of Subdivision

The lands that are the subject of the applications for OPA and ZBA to permit the waste transfer station are located north of the RLW which bisects the property in an east-west fashion. The application for office use and a zero setback between the M2 and M3 zoning boundary are within the RLW.

The property is owned by Kingsway Entertainment District Inc. and is part of a plan of subdivision that was draft approved on October 26, 2010, proposing a total of 33 blocks of land to the north of the Kingsway. The subdivision is approximately 12 ha in land area. It is accessible via two proposed roads from the Kingsway. See Figure 2.

The surrounding lands to the east are developed for industrial uses which include the City's landfill site (adjacent to the subject lot) and a light industrial use with outdoor storage. Lands located to the north and west are vacant.

The subject site is located on the north side of the Kingsway (approximately 315 metres from the closest boundary line of Lot 4). Lands to the south of the Kingsway are developed for low density residential and commercial uses.

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

The southerly portion of the site lies within the Ramsey Lake Watershed, while the northerly portion of the site is outside the of the RLW.

A hydro line crosses the northeastern portion of the subject property.

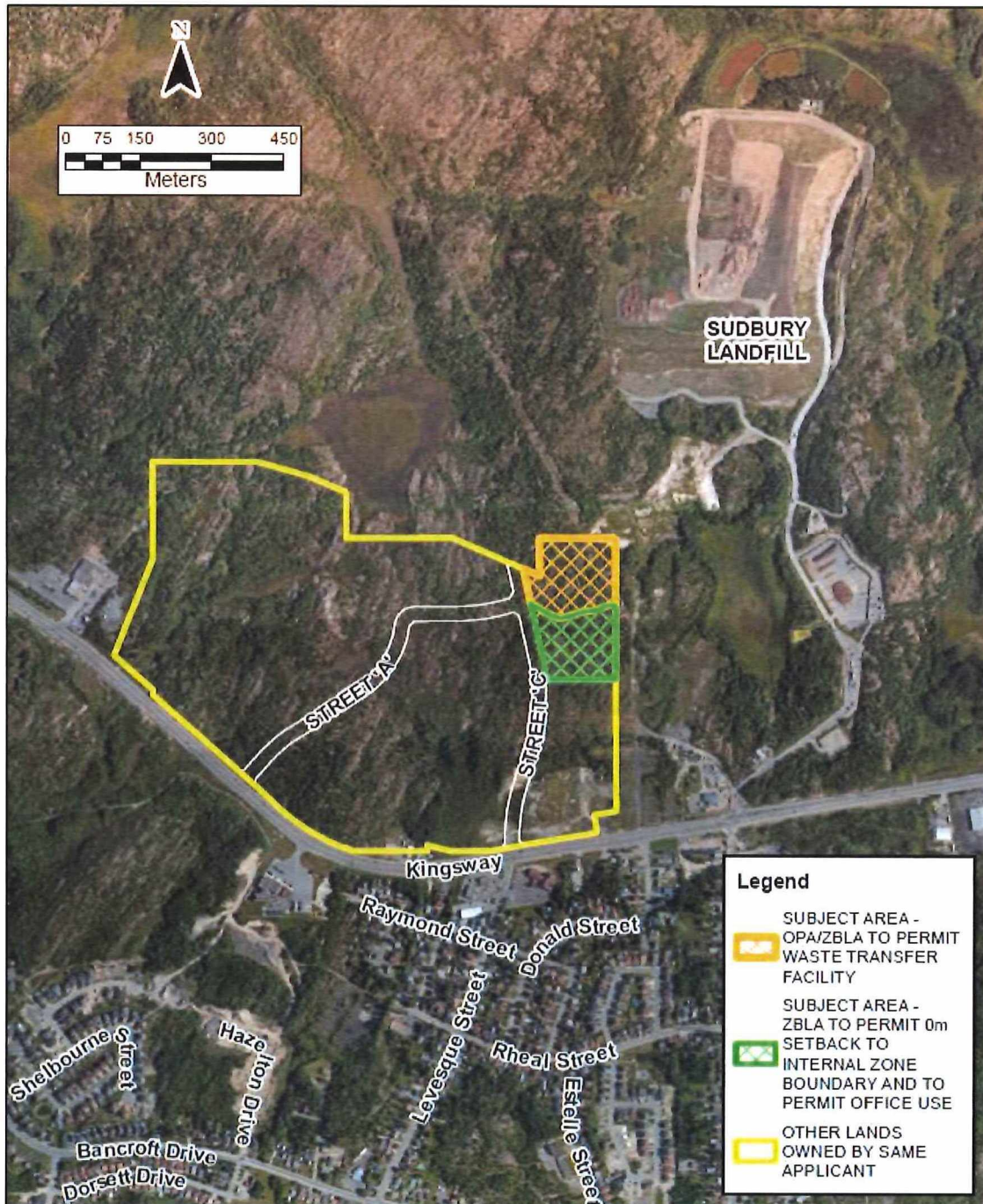


Figure 2: Subject Lands and Surrounding Area

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

2.2 Environmental Constraints and Water Features

The property is within and adjacent to various surface and groundwater features. The southern portion of the property lies within the Ramsey Lake Watershed (RLW). The lake is one of the main municipal drinking water sources in the City that is subject to the policies of the Greater Sudbury Source Protection Plan (SPP).

Based on mapping produced by the Greater Sudbury Source Water Protection Committee in accordance with the program established by the Ministry of the Environment Conservation and Parks (MECP), the Intake Protection Zone (IPZ3) is located approximately 156 metres from the closest boundary of the lands proposed for the waste transfer facility, and approximately 12 metres from the extreme southern boundary of the subject lands. In the southern portion of the subject property and including other lands in the Draft Plan of Subdivision there are significant groundwater recharge areas and highly vulnerable aquifers. See Figure 3.

It should be noted that while the above features are located on the same property, they are located outside of the area pertaining to the applications to permit the proposed waste transfer facility.

A discussion of the environmental constraints and regulatory processes for the proposed development are discussed in the following sections of the report.

**Planning Justification Report
Proposed Waste Transfer Facility (Waste Management Inc.)**

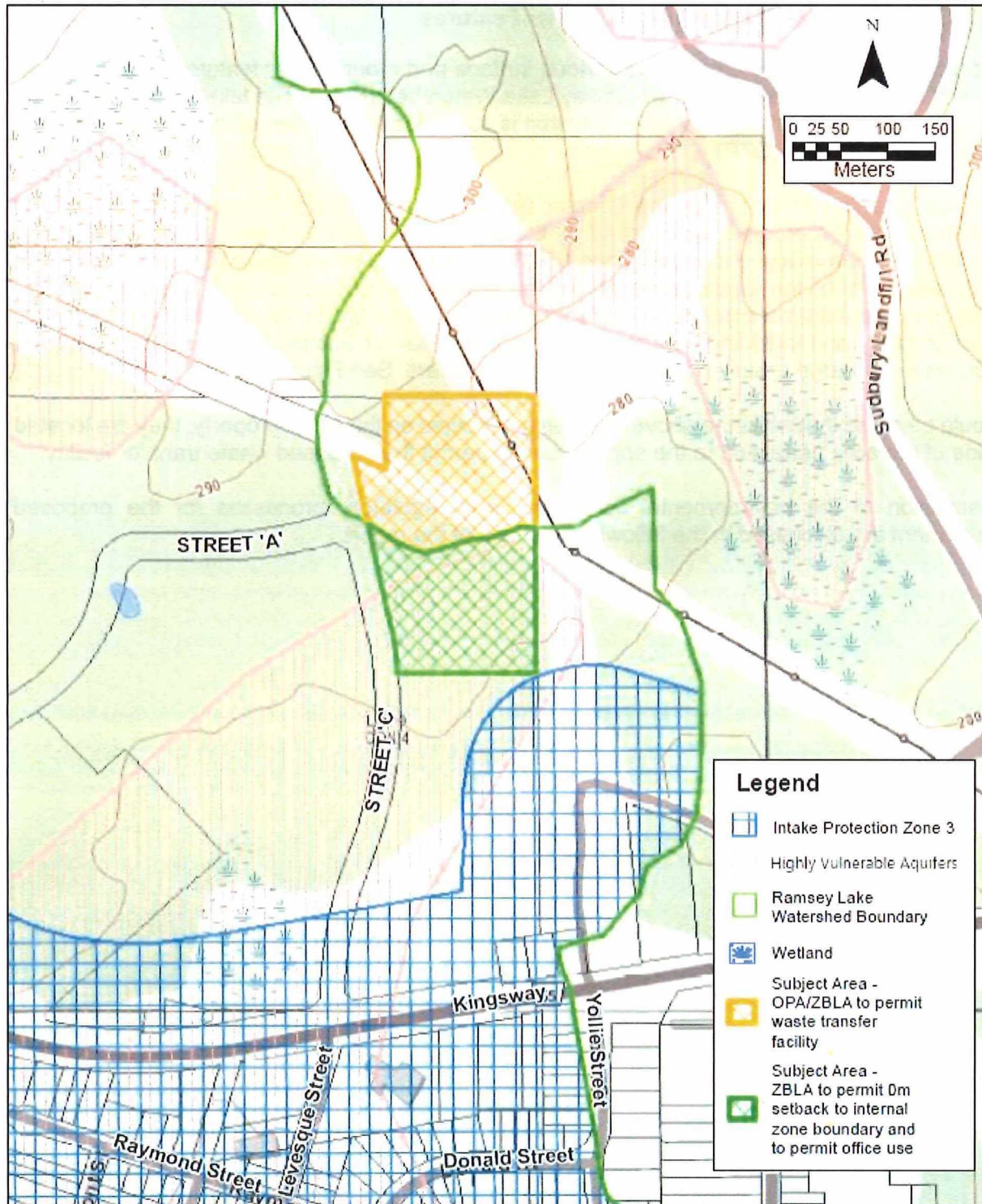


Figure 3: Source Protection Features and Vulnerable Areas

Planning Justification Report Proposed Waste Transfer Facility (Waste Management Inc.)

2.3 Proposed Development

WM is proposing to build an 880 sqm waste transfer facility and a 1,950 sqm building with a commercial garage (1,530 sqm) and offices to support the WM operations (420 sqm) on the same property.

The proposed facility represents an amalgamation of two sites presently used by WM in Sudbury at 1685 Lasalle Boulevard for their office and garbage truck storage and maintenance (presently zoned C2(121)), and a bin storage yard at 1085 Elisabella Street (presently zoned M2). The site will also be used for construction of a new waste transfer facility.

The waste transfer facility, garbage truck storage, and bin storage yard would be located in the northern portion of the property, outside of the RLW. The commercial garage and WM offices would be located in the southern portion of the property.

The proposed concept plan is shown below in Figure 4 and attached within Appendix A and submitted as part of the OPA/ZBA application package.

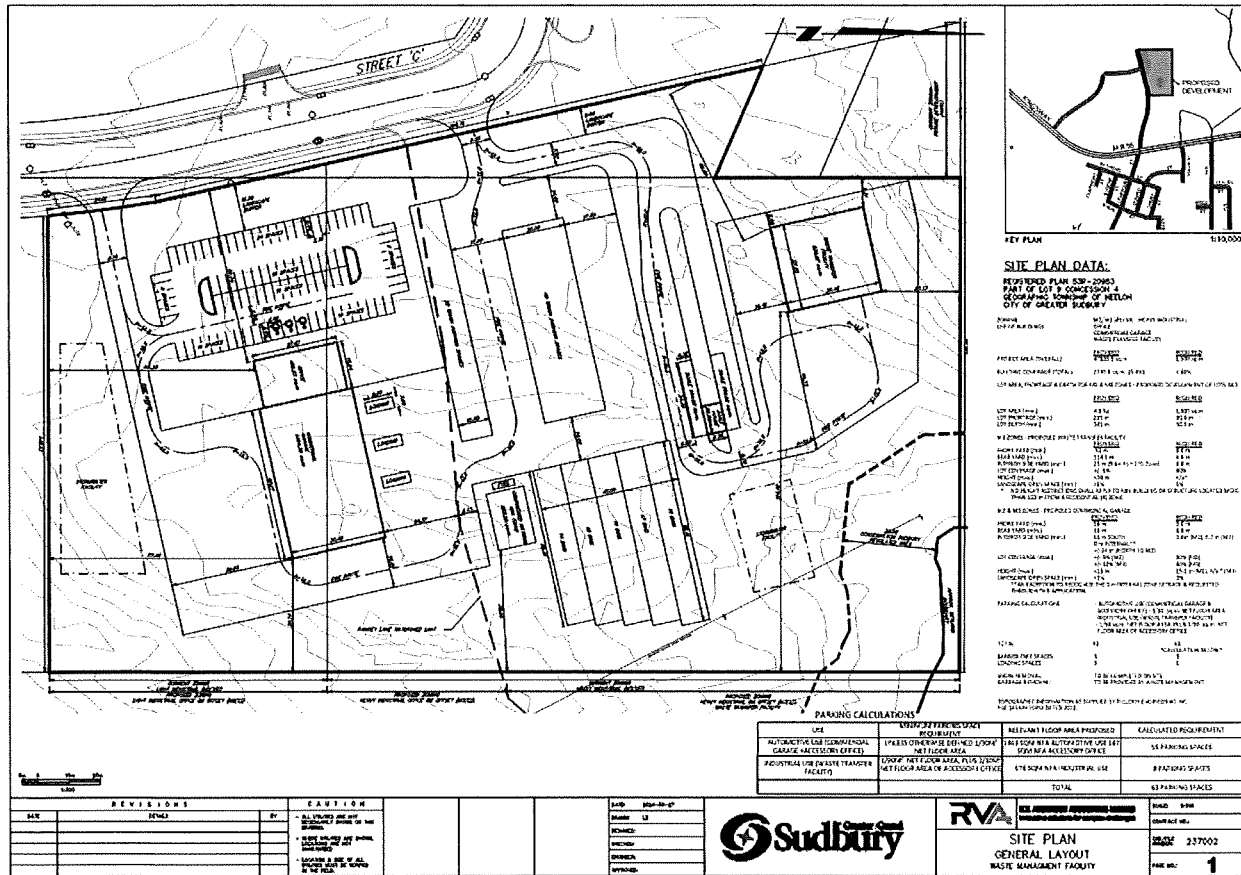


Figure 4: Proposed Concept Plan

WM currently provides services under private agreements to residential, institutional, commercial, and industrial (ICI) waste pick up and disposal. WM also provides bin service to multi-residential buildings and municipal facilities under the existing agreement with the City. WM is a private

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

operator for residential waste that is operating under an agreement with the City for the pick up of residential curbside waste. The garbage trucks for the residential contract will be parked at the property and the materials collected for the residential waste contract will continue to be brought to the Sudbury Landfill, per existing agreements. All organic materials and leaf litter will also still be brought to the Sudbury Landfill site.

2.3.1 Waste Transfer Facility

The proposed waste transfer facility will receive a limited range of non-hazardous municipal solid waste from locations in the City serving multi-residential and Industrial, Commercial, and Institutional (ICI) clients all of which is collected separately from the existing contracts with the City for residential collection.

The typical vehicle for this type of operation is collection from a bin using front-loading garbage trucks. The materials received at the waste transfer facility will then be sorted indoors and loaded on to 52-ft long haul trailer trucks for transportation to WM's approved waste disposal facility in Ottawa.

Sorting is a form of processing where heavy equipment may be used to separate large volumes of recyclables from waste, such as metal, cardboard, or wood for the purposes of recycling and diverting from final disposal/landfilling. Any sorting will be conducted within the waste transfer facility that will be equipped with an odour suppression system.

These recyclables will be stored within the transfer station building. Sorted recyclables will be segregated on the transfer floor until sufficient quantities make it economically feasible to ship for recycling. Recyclables may be stored up to 6 months.

WM may receive mixed waste or source-separated recyclables (single stream, blue box, comingle, dedicated cardboard/fibre). Source separated recyclables will not be further sorted on-site and will only be bulked and transferred.

The waste transfer facility will be subject to an Environmental Compliance Approval (ECA) to be applied for following approval of zoning. Approval for such a certificate requires that Zoning be in place for the use.

It is anticipated that the operating hours of the transfer facility will be 5am to 5pm to accept materials, and there may be additional hours in the evening for sorting and loading materials indoors. Each truck would bring 2-3 loads a day, averaging 7-10 tonnes per load. It is anticipated that 150-200 tonnes of non-hazardous waste will be received at, sorted indoors, and transported from the site daily.

As part of WM's air/noise ECA application, an acoustic assessment will be conducted which will model potential noise impacts on sensitive receptors. WM may adjust the above-noted operating hours to reduce impacts to sensitive receptors and comply with the City's noise by-law. Depending on results, WM may need to mitigate noise by reducing vehicle traffic between 5am-7am or alter its operations hours to start at 7am.

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

The application for the ECA will be made for a maximum of 500 tonnes per day. At this time it is not proposed that the waste transfer facility would be open for public drop-off; however, that would be determined through the ECA process. WM anticipates that material may be received from third parties, such as contractors, roofing companies, etc., directly in the transfer station. All waste and recyclables will be received, bulked, and stored indoors. There is no outdoor storage.

The trucks leaving the waste transfer facility to bring the waste to the approved disposal facility will be contracted out by WM and will stage trailers on site based on the demand.

The proposed transfer facility is approximately 880 sqm in gross floor area and includes a tipping floor accessed by four overhead doors. On the tipping floor there are various bays which are used to sort different materials, i.e. solid waste, woods, metals, etc. Sorting and packaging would be done with loaders, skid steers, fork lifts, and bailing equipment. The tipping floor will have a stationary compactor located within the building to compact materials for loading onto trailers. The compactor will push and press the waste/recyclables into a trailer to ship to an appropriately licensed receiving facility. In addition, there is a one load-out bay for recyclables. The load-out bay will be accessed either via a ramp and single overhead door, or two overhead doors for a drive-through bay to receive materials. There is also a utility room.

Prior to entering the waste transfer building, and after, trucks will utilize the on-site scale facility to confirm tonnage. The scales will include radiation detectors, as there is some hospital waste that can be brought through the transfer facility. WM has established procedures and guidelines to follow related to handling of such waste that is still classified as non-hazardous.

The site will also contain an area for compressed natural gas fuel for the vehicles.

2.3.2 Garbage Truck Parking

WM's fleet of garbage trucks currently parked at the Lasalle Boulevard location would be relocated to the subject lands. The fleet consists of approximately 50 commercial vehicles, including front-loading, side-loading, rear-loading, and roll-off garbage trucks and box trucks, and approximately 7 light duty pick-up trucks.

2.3.3 Bin Storage Yard

WM provides bin service to multi-residential buildings and municipal facilities under the existing agreement with City.

WM's bin storage yard will be relocated from the current location on Elisabella Street to the subject lands. WM anticipates space for approximately 100 bins of various sizes, which are sorted in the storage area by size, and condition – i.e. new and ready to provide to customers or requiring repairs.

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

2.3.4 Commercial Garage, Office, and Employee Parking Area

The uses proposed and permitted within the current M2(15) and M3(15) Zone include the commercial garage, administrative office, and employee parking area.

The 1,530 sqm commercial garage will service WM's commercial vehicle fleet described above. These operations are currently taking place at WM's facility on 1865 Lasalle Boulevard. The building will be a single storey with an estimated clear height of 10 m. The proposed facility will contain four drive-through maintenance bays area each with overhead doors on either side of the building totaling approximately 1,000 sqm floor. In addition, a 215 sqm drive-through wash bay is proposed. Additional areas in the commercial garage include a parts/receiving room with overhead door access, tool room, equipment room, oil/lube tank containment area, oil/lube room, and clean room.

The commercial garage will have storage tanks for hydraulic oil, double walled tanks. There is no diesel fueling on site. Anti-freeze and oils are stored based upon ministry standards and do not exceed the maximum allowable quantities.

The 420 sqm office will be included as a part of the commercial garage described above. This space is dedicated to the site operations and to serve the operations of the site. The City does not consider this as accessory; therefore we have included a request to amend the zoning to permit this use onsite.

The office building will have five dedicated offices, and a location for route managers and operations specialists. The office also provides conference, huddle, and lunch/break/training rooms, as well as locker areas for the operations staff. The remainder of the building is ancillary spaces (storage, IT, janitor, mechanical/electrical, washrooms).

The related parking area for employees is proposed to contain approximately 100 spaces and will be asphalt. The area abutting Street 'C' will be landscaped in compliance with the urban design guidelines established for the KED subdivision. There will be a chain-link fence separating the commercial garage from the office/employee parking area for security.

2.3.1 Employees

WM's current operations employ approximately 85 people, including 70 drivers, 5 technicians, 2 apprentices, and 8 administrative staff.

With the operation of the new waste transfer facility, it is anticipated that 5 new permanent jobs will be created: 2 loaders, 1 scale operator, 2 technicians. In addition there are construction jobs that will be associated with the construction of the facilities.

2.4 Proposed Site Servicing

Street 'C' will be constructed to provide a built road frontage for the proposed property. Within the right-of-way of Street 'C' municipal watermain, and sanitary and storm sewers will be extended

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

to the site. Preliminarily a 300 mm watermain with hydrants, 200 mm sanitary sewer, and 600 mm storm sewer are proposed to extend along Street 'C'. The site would be serviced with one sanitary sewer and one water service connection with a single water meter. The services would then be split internal of the site to service both the office/commercial garage building to the south and the waste transfer building. Private hydrant(s) will also be required within the site to provide adequate building coverage in accordance with the requirements of the Ontario Building Code.

RVA has prepared a stormwater management brief describing the proposed method of stormwater management for the property which is included in Appendix B as part of the application package.

3.0 Environmental Protection Policy Framework

The proposed waste transfer facility and potentially the commercial garage, will be subject to other approvals under separate legislation, including the Environmental Protection Act. The receipt of an Environmental Compliance Approvals (ECAs) will be required for the transfer station and potentially for the commercial garage.

In addition, the proposed commercial garage, while permitted as of right on the subject lands in the M2 and M3(15) Zones, is located within the RLW which has requirements under the Clean Water Act and potentially approval of a S.59 Application. While the commercial garage and areas within the RLW are not subject to the Planning Act applications for use, we have described the uses herein. There is a need for an amendment for a setback from an internal zoning boundary on the site as the intent of WM is to purchase 2 of the lots shown on the Draft Plan.

3.1 Environmental Protection Act

3.1.1 Definitions

"waste" includes ashes, garbage, refuse, domestic waste, industrial waste, or municipal refuse and such other materials as are designated in the regulations;

"waste disposal site" means,

(a) any land upon, into, in or through which, or building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed, and
(b) any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to in clause (a);

"waste management system" means any facilities or equipment used in, and any operations carried out for, the management of waste including the collection, handling, transportation, storage, processing or disposal of waste, and may include one or more waste disposal sites.

3.1.2 Relevant Policies

Section 27(1) stipulates that "No person shall use, operate, establish, alter, enlarge or extend a waste management system or a waste disposal site except under and in accordance with an environmental compliance approval".

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

Section 41 No person shall use, or cause, permit or arrange for the use of, any facilities or equipment for the storage, handling, treatment, collection, transportation, processing or disposal of waste that is not part of a waste management system for which an environmental compliance approval or renewable energy approval has been issued or a registration under Part II.2 is in effect and except in accordance with the terms and conditions of the approval or the regulations made for the purposes of Part II.2.

3.1.3 Analysis

The waste transfer facility is considered a “waste disposal site” as defined by the Environmental Protection Act as waste is “transferred” through the subject land and operations on-site are associated with the depositing, handling, and transfer of waste. A disposal site is classified under the designation of a “waste management system”.

The use, operation, and establishment of a waste management system is subject to an environmental compliance approval under Section 27(1) of the Environmental Protection Act.

Pursuant to Section 41 of the Act, the use of any facility or equipment for the storage, handling, transportation of waste as part of a waste management system is subject to the terms and conditions of either the environmental compliance approval or the registration under PART II.2.

WM will register the waste disposal site with the Registry in accordance with the applicable regulations and obtain a confirmation of the Registration and obtain confirmation of registration as a first step in accordance with Section 20.21(1) of the Act.

An ECA cannot be obtained until after zoning is in place and detailed design of the facility is completed to support such application. The ECA can include conditions such as:

- The types of waste permitted for transfer/processing: Solid Non-Hazardous Domestic, Industrial, Commercial, and Institutional waste will be received. No organics, leaf/yard waste, or tires will be received.
- The hours of operation: Operating hours are anticipated to be 5am to 5pm.
- If public drop-off is permitted: Public drop-off is not anticipated.
- Total tonnage permitted to be received: anticipated to be 500 tonnes daily.
- Timing for waste to be transported from the transfer facility: Waste will generally be removed within 24 hours of receipt, although 72 hours will be requested to allow for holidays and weekends.
- Maximum on-site storage volume: Will be calculated based on standard MECP material density and tipping floor volume.
- If outdoor storage to be permitted: No outdoor storage is proposed.
- Disinfection procedures for the tipping floor: As per MECP Standards.
- Transportation of waste: To be in accordance with the Act and Regulation 347.

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

- Site security: The site is to be fenced.
- Inspection and maintenance standards of facilities and equipment, including dealing with vermin, vectors, odour, noise, dust, and litter: This is addressed below in Section 6.0.
- Staff training: WM has standardized training programs.
- Records keeping: As per MECP Standards.
- Complaint response protocol: This is addressed below in Section 6.0.
- Emergency response: This is addressed below in Section 6.0.
- Stormwater management: See RVA Brief.
- Reporting: As per MECP Standards.
- Closure: Any change of use/closure will be addressed through normal business practices and the legislative requirements.

For reference purposes, we have included an existing approved ECA obtained by WM for a similar facility, see Appendix C.

The proposed commercial garage/office building is separate and distinct from the waste transfer facility. The garbage trucks and equipment could be repaired and maintained at any commercial garage location, including, for example, the existing facility at 1865 Lasalle Boulevard, which is not operated under an ECA for a “waste disposal site”. The commercial garage is not bound to be located on the same property as the waste transfer facility. WM is moving forward with this initiative as a business model that will result in benefits to their staff as a result of the integration of the new transfer function into their current operations (reduced kilometres, operator downtime, etc.) to have these operations in close proximity, but they are not inextricably tied to one another. As such, the proposed commercial garage/office building is considered a separate use, is not required to be included in the ECA, and will not be covered under the waste transfer facility’s ECA.

The proposed commercial garage may require an ECA for noise, as is typical for industrial facilities. This will be determined based on the equipment and air handling systems proposed for the commercial garage facility at the time of detailed design.

3.2 Clean Water Act, 2006 (as amended in 2024)

3.2.1 Definitions

“drinking water threat” means an activity or condition that adversely affects or has the potential to adversely affect the quality or quantity of any water that is or may be used as a source of drinking water, and includes an activity or condition that is prescribed by the regulations as a drinking water threat;

“risk assessment” means an assessment of risks prepared in accordance with the regulations and the rules;

“source protection plan” means a drinking water source protection plan prepared under this Act;

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

“surface water intake protection zone” means an area that is related to a surface water intake and within which it is desirable to regulate or monitor drinking water threats;

3.2.2 Relevant policies

Section 1.1(1) states that *“The following activities are prescribed as drinking water threats for the purpose of the definition of “drinking water threat” in subsection 2 (1) of the Act:*

1. *The establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act...”.*

Section 39(1) stipulates that *“A decision under the Planning Act or ... made by a municipal council, municipal planning authority, ... that relates to the source protection area shall,*

- (a) conform with significant threat policies and designated Great Lakes policies set out in the source protection plan; and*
- (b) have regard to other policies set out in the Source Protection Plan”.*

Section 39(2) states that *“Despite any other Act, the source protection plan prevails in the case of conflict between a significant threat policy or designated Great Lakes policy set out in the source protection plan and,*

- (a) an official plan;*
- (b) a zoning by-law; or*
- (c) subject to subsection (4), a policy statement issued under section 3 of the Planning Act.*

Section 56(13) stipulates that *“A risk management plan agreed to or established under this section ceases to apply to an activity at a location if,*

- (a) a source protection plan has taken effect and subsection 57 (1) applies to that activity at that location; or*
- (b) a source protection plan has taken effect and,*
 - (i) the activity is not an activity designated in the source protection plan as an activity to which section 58 should apply, or*
 - (ii) the location of the activity is not within an area designated in the source protection plan as an area within which section 58 should apply.*

Section 58 stipulates that *“If a source protection plan that is in effect designates an activity as an activity to which this section should apply and an area within which this section should apply to the activity, a person shall not engage in that activity at any location within that area unless a risk management plan has been agreed to or established under this section or section 56 for that activity at that location”.*

Section 59(1) relevant to “restricted land uses” states that *“If a source protection plan that is in effect designates a land use as a land use to which this section should apply and an area within which this section should apply,*

- (a) a person shall not make an application under a provision of the Planning Act prescribed by the regulations for the purpose of using land for that land use at any location within that area; and*

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

(b) despite section 58, a person shall not construct or change the use of a building at any location within that area, if the building will be used in connection with that land use unless the risk management official issues a notice to the person under subsection (2)".

Section 59(2) specifies that "The risk management official shall, on application, issue a notice to a person for the purpose of subsection (1) if, and only if, the applicant has paid all applicable fees and,

(a) neither section 57 nor section 58 applies to the activity for which the land is to be used at the location where the land is to be used; or

(b) section 58 applies to the activity for which the land is to be used at the location where the land is to be used and a risk management plan that applies to that activity at that location has been agreed to or established under section 56 or 58. 2006, c. 22, s. 59 (2)".

3.2.3 Analysis

The establishment, operation, or maintenance of a waste disposal site is considered a drinking water threat in the approved Source Protection Plan for the City of Greater Sudbury. This plan was developed in accordance with the requirements of Section 1.1(1) of the Clean Water Act.

As such, the proposed waste transfer facility is being proposed to be located outside of the Ramsey Lake Watershed and Intake Protection Zone, as further described in detail below regarding the Greater Sudbury Source Protection Plan (SPP) to ensure protection of this particular surface water intake for the city's drinking water.

The proposed commercial garage/office will be located within the Ramsey Lake Watershed, and as such the Section 59 application is included with the revised application package for submission to the risk management official for review and issuance of a notice pursuant to Section 59(1).

The included conceptual stormwater management report reviews whether the City's requirements for quality and quantity stormwater management can be spatially achieved on the site. Specific details of the arrangement, location and dimensions of the stormwater management facilities will be developed during the detailed design. Conceptually the following complies with the City's requirements within the Ramsey Lake Watershed:

- A 417 m³ SWM pond at the south end of the property provides quantity and quality control for the portion of the site within the Ramsey Lake Watershed Intake Protection Zone 3. The proposed SWM pond storage volume is adequate for providing 'enhanced' quality protection level and controlling

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

post-development peak outflow to 80% of the pre-development peak flow rate.

An internal oil interceptor will be installed within the garage to treat any spills from the maintenance operations. This oil interceptor would be connected to the Municipal sanitary system.

A stormwater management facility which will collect and treat surface water generated on the roof of the building and the parking areas. The stormwater management facility has not been designed to specifically treat any spills generated by the proposed maintenance operations.

We are of the opinion that the City can proceed with the alteration to the zoning to allow the zero setback without this notice.

3.3 Greater Sudbury Source Protection Plan

The Greater Sudbury Source Protection Plan (SPP) ensures the protection of residential municipal water drinking water sources in the Greater Sudbury Watersheds under the Clean Water Act, 2006. The Plan outlines existing and future threats to water sources as defined in Ontario regulation 287/07 and prescribes a set of policies, actions, and programs.

The SPP sets threat policies based on the nature of threat. Policies of the SPP are applicable in delineated vulnerable areas that includes the Ramsey Lake surface and groundwater system. The policies are area-based meaning *“that they are specific to a particular area around ...a surface water intake”*.

3.3.1 Definitions

Intake Protection Zone (IPZ) is “the contiguous area of land and water immediately surrounding a surface water intake, which includes:

- *the distance from the intake;*
- *a minimum travel time of the water associated with the intake of a municipal residential system or other designated system, based on the minimum response time for the water treatment plant operator to respond to adverse conditions or an emergency;*
- *the remaining watershed area upstream of the minimum travel time area (also referred to as the Total Water Contributing Area) – applicable to inland water courses and inland lakes only”.*

3.3.2 Relevant Policies

Section 7.5.4. states that *“Persons or bodies making decisions ... must ensure their decisions conform with policies that address significant threats... The following permits and approvals are prescribed under Ontario Regulation 287/07 s. 1.0.1 for source protection planning purposes: Certificates of Approval / Environmental Compliance Approval (sewage and waste)”*.

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

Policy W3F-PI states: *“No waste disposal sites (future) shall be established where the establishment, operation and maintenance of a waste disposal site would be a significant drinking water threat.”*

The following threat policies were identified in the SPP for the IPZ3 and Ramsey Lake Issues Contributing Area:

Applicable Policies by Vulnerable Area	
VULNERABLE AREA ⁷	APPLICABLE POLICIES
Ramsey Lake IPZ 3 score 9+	<p>Fuel: F4EF-PI</p> <p>Pesticide: P2EF-PI, P3EF-SA, P4EF-RMP, P5E-RMP, P6F-s57</p> <p>Aircraft De-icing Fluid: AirD1EF-EO</p> <p>Pipeline: PL1EF-SA, PL2F-SA</p> <p>Transportation: T1EF-SA, T2EF-SA, T3EF-SA, T4EF-PI</p> <p>The policies listed for Ramsey Lake Issues Contributing Area also apply.</p>
Ramsey Lake Issue Contributing Area (Ramsey Lake IPZ-1, 2 and 3)	<p>Agriculture: Ag1EF-EO, Ag2F-s57, Ag3EF-RMP, Ag4EF-RMP</p> <p>Salt & Snow: Sa1EF-EO, Sa2EF-SA, Sa3EF-RMP, Sa4E-RMP, Sa5F-s57, Sa6F-SA</p> <p>Sewage: S1EF-SA, S2EF-EO, S4EF-PI, S5F-LUP, S6EF-SA, S7F-LUP, S8EF-EO, S9EF-SA</p> <p>Waste: W1EF-RMP, W2E-PI, W3F-PI</p> <p>Issues Monitoring: MI1EF-M</p>

3.3.3 Analysis

As noted above, the proposed waste transfer facility is to be located outside of the RLW, IPZ, and other vulnerable areas. The proposed waste transfer facility is located on lands that are adjacent to the existing Sudbury Landfill site, therefore being located in a compatible area.

Through the OPA/ZBA the lands outside of the RLW will be designated ‘heavy industrial’ and zoned to permit the additional use of the ‘waste transfer facility’ on lands that are already zoned for heavy industrial use.

We expect that the SPP will be amended to show the revised IPZ using the subdivision roads and RLW boundary when the subdivision is registered, as shown on Figure 1. These features will remain outside the lands proposed for the waste transfer facility as surface water features are based upon the drainage areas.

Stormwater management is addressed as per the memo provided by RVA in Appendix B. WM intends only to receive solid, non-hazardous waste. However, some minimal leachate may be generated. The transfer station floor will be designed to slope slightly inwards so that any leachate generation will be captured within the building. Leachate is generally absorbed in dry waste. However, absorbent may be applied as needed. This absorbed material will be included in the shipments off-site.

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

The proposed commercial garage/office is separate and distinct from the waste transfer facility and will be located within the RLW, and as such a Section 59 application is being submitted concurrently to the risk management official for review and issuance of a notice pursuant to Section 59(1).

The waste transfer facility is proposed to be located outside of the RLW, IPZ, and other vulnerable areas, The Section 59 application for the commercial garage has been submitted concurrently as per the normal approach for new uses within an IPZ.

4.0 Land Use Compatibility Study of MECP D-6 Guidelines

The D-6 Guidelines "Compatibility between Industrial Uses" are intended to prevent or minimize future land use conflicts due to the encroachment of sensitive land uses and industrial land uses.

4.1.1 Definitions

"Adverse Effect" means one or more of:

- *impairment of the quality of the natural environment for any use that can be made of it,*
- *injury or damage to property or to plant or animal life,*
- *harm or material discomfort to any person,*
- *an adverse effect on the health of any person,*
- *impairment of the safety of any person,*
- *rendering any property or plant or animal life unfit for use by man,*
- *loss of enjoyment of normal use of property, and*
- *interference with the normal conduct of business.*

"Class I Industrial Facility: A place of business for a small scale, self contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage."

"Sensitive Land Use" may include:

- *recreational uses which are deemed by the municipality or provincial agency to be sensitive, and/or*
- *any building or associated amenity area (i.e. may be indoor or outdoor space) which is not directly associated with the industrial use, where humans or the natural environment may be adversely affected by emissions generated by the operation of a nearby industrial facility. For example, the building or amenity area may be associated with residences, senior citizen homes, schools, day care facilities, hospitals, churches and other similar institutional uses, or campgrounds.*

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

"Influence Area/Potential Influence Area" means "the area(s) at, above or below grade, associated with a 'facility' that is subject to one or more 'adverse effect(s)' which may be of varying duration, frequency and distance of dispersal".

"Fugitive Emissions" means "reasonably expected/predictable contaminant occurrences associated with normal operational practices and procedures (e.g. material handling or outdoor storage) of industrial facilities, which are generally difficult to practically control at the source or on-site".

"Contaminant" means "any solid, liquid, gas, odour, heat, sound, vibration, radiation or combination of any of them resulting directly or indirectly from human activities that may cause an adverse effect".

4.1.2 Relevant provisions

Section 1.2.2 states that *"The guideline applies to all types of proposed, committed and/or existing industrial land uses which have the potential to produce point source and/or fugitive air emissions such as noise, vibration, odour, dust and others, either through normal operations, procedures, maintenance or storage activities, and/or from associated traffic/transportation".*

Section 1.2.4 states that the D-6 does not apply to *"transfer stations that require a Waste Certificate of Approval "*. The D-6 guideline was drafted prior to the change to the legislation for Certificates of approval which are now known as Environmental Compliance Approvals.

It should be noted that while there is a D-4 guideline dealing with land use on or near landfills and dumps, the D-4 guideline does not deal with transfer stations, so D-6 has been used as the appropriate guideline.

Section 4.1.1 provides a 70-metre potential influence area for a Class I Industrial Facility and Section 4.3 provides a 20-metre minimum separation distance for a Class I Industrial Facility.

Section 4.2.2 states that *"Permitted uses should be based on operational aspects (e.g. plant emissions, hours of operation, traffic movement) and mitigation employed".*

4.1.3 Analysis

The D-6 guideline does not apply to the proposed waste transfer facility, as there is a separate MECP approval process through the Environmental Protection Act and its ECA process to confirm no adverse impacts to surrounding areas, establish procedures for emissions into the environment, and deal with potentially conflicting land uses. We have noted the items outlined in a typical ECA for a waste transfer facility above.

While it is our opinion that the transfer facility is a Class I industrial use, as it is self-contained, with little fugitive emissions, daytime operations only, and no outdoor storage, even if it were identified as a Class II Industrial Use the facility would be

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

considered as being in an appropriate location. The site is located +/- 500 metres from the closest sensitive uses, namely:

- the low density residential zoned lands on the south side of The Kingsway at the intersection of Yollie Street, or
- the institutional zoned lands (presently a church) at the intersection of The Kingsway and Levesque.

The commercial garage which is self-contained, with little fugitive emissions, daytime operations only, and no outdoor storage would clearly be considered as a Class I facility. A Class I facility has a minimum influence area of 70 metres and the recommended minimum separation distance for a Class I Industrial Facility is 20 metres. The subject lands are well in excess of the minimum influence area from residential uses / other sensitive land uses. The closest point from the subject lands to a sensitive use is in excess of 300 metres from the southeast corner of the property to the low density residential zoned lands on the south side of The Kingsway at the intersection of Yollie Street.

As discussed, it is our opinion that these facilities are being appropriately located away from any existing sensitive uses and are surrounded by Industrially zoned lands which will limit the opportunity for any new sensitive uses to be established in the future.

5.0 Land Use Policy Framework

5.1 Planning Act

The Planning Act is a Provincial legislation that establishes the ground rules for land use planning in Ontario.

5.1.1 Provincial Interest and Policy Statements

Section 2 of the Planning Act sets out matters of provincial interest and stipulates that:

"The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

a) the protection of ecological systems, including natural areas, features and functions;...

f) the adequate provision and efficient use of communication, transportation sewage and water services and waste management systems

g) the minimization of waste

h) the orderly development of safe and healthy communities ...

k) the adequate provision of employment opportunities

l) the protection of the financial and economic well-being of the Province and its municipalities...

n) the resolution of planning conflicts involving public and private interests

o) the protection of public health and safety

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

p) the appropriate location of growth and development...

Section 3(1) states that *“The Minister, or the Minister together with any other minister of the Crown, may from time to time issue policy statements that have been approved by the Lieutenant Governor in Council on matters relating to municipal planning that in the opinion of the Minister are of provincial interest”*.

5.1.2 Analysis

The location of the site adjacent to an existing landfill and within an industrial area is considered an appropriate location for growth and development proposed for these lands. The analysis of potential environmental impacts or risks to ecological systems and natural resources associated with the proposed development are a part of the detailed analysis to reach this conclusion. As discussed in Section 3.0 the proposed waste transfer facility will be located outside of the RLW, IPZ, and other vulnerable areas, and approved and operated through the appropriate ECA with the commercial garage operating with an ECA and S.59 notice thereby protecting sourcewater (natural features and functions). The OP did not identify other significant natural features in the project vicinity.

The proposed development will maintain the 75 jobs of the existing commercial garage/office operated by WM and the proposed waste transfer facility will provide 5 more additional positions. The total number will amount to 80 jobs that support the mandate of local Council by providing employment opportunities and supporting the financial and economic well-being of the municipality. The provision of office type jobs on the site is included in the provision of employment opportunities.

Adequate servicing will be provided on-site in alignment with provincial guidelines and as described in Section 2.4.

The proposed development will allow for the adequate provision of a waste management system to meet the current demands. The transfer facility will be able to deal with non-MSW waste that has not been accommodated at the Sudbury Landfill to be transferred to another waste management facility with capacity in Ottawa.

It is our opinion that the proposed OPA/ZBA applications for the waste transfer facility properly address matters of provincial interest.

5.2 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) issued under the authority of Section 3 of the Planning Act provides policy directions on matters of provincial interest related to land use planning and development.

The Planning Act requires that decisions affecting planning matters “shall be consistent with” such policy statements issued under the Act and implemented by the Provincial Policy Statement 2020.

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

5.2.1 Definitions

“Infrastructure” means physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, ... stormwater management systems, waste management systems, ... and associated facilities.

“Major facilities” means facilities which may require separation from sensitive land uses, including but not limited to ... waste management systems, ... industries,

“Quality and quantity of water” is measured by indicators associated with hydrologic function such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

“Surface water feature” means water-related features on the earth’s surface, including ... recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

“Waste management system” means sites and facilities to accommodate solid waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

“Negative impacts” means

- a) in regard to policy 1.6.6.4 and 1.6.6.5, potential risks to human health and safety and degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development. Negative impacts should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;*
- b) in regard to policy 2.2, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities; ...*

5.2.2 Relevant Policies

Policy 1.1.1. states that “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;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs”.*

Policy 1.1.3.1. specifies that “Settlement areas shall be the focus of growth and development”.

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

Policy 1.1.3.6 specifies that “New development taking place in designated growth areas should occur adjacent to the existing built-up area and ... allow for the efficient use of land, infrastructure and public service facilities”.

Policy 1.2.6.1 stipulates that “Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures”.

Policy 1.3.1. states that “Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment ... uses to meet long-term needs;*
- 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;*
- c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment; ...*
- e) ensuring the necessary infrastructure is provided to support current and projected needs”.*

Policy 1.6.4 states that “Infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of emergency management and to ensure the protection of public health and safety in accordance with the policies in Section 3.0: Protecting Public Health and Safety”.

Policy 1.6.6.2 states that “Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas.”

Policy 1.6.6.7 stipulates that “Planning for stormwater shall:
minimize or where possible prevent increases in contaminated loads
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.
mitigate risks to human health, safety, property and the environment;
maximize the extent and function of vegetative and pervious surfaces; and
promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

Policy 1.6.10.1 states that “Waste management systems need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

recycling objectives. Waste management systems shall be located and designed in accordance with provincial legislation and standards”.

Policy 1.7.1 states that “Long-Term economic prosperity should be supported by: optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;

Policy 2.2.1 states that “Planning authorities shall protect, improve or restore the quality and quantity of water by:

using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;

implementing necessary restrictions on development and site alteration to: protect all municipal drinking water supplies and designated vulnerable areas; and

protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions; ...

ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.

Policy 2.2.2 states that “Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these feature and their related hydrological functions will be protected, improved or restored.

Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions”.

5.2.3 Analysis

A transfer station is defined as a part of a waste management system and can be considered to be a major facility in the PPS. Major facilities shall be planned and developed to avoid, minimize and mitigate any potential adverse effects from odour, noise and other contaminants. Separation from sensitive land uses and land use compatibility will be achieved based on the presence of neighbouring industrial uses including the Sudbury Landfill, and the separation distances of at least +/- 500m from the closest sensitive receptor and adherence to provincial guidelines, standards, and procedures.

The proposed development ensures adequate infrastructure is provided while protecting public health, safety and the natural environment in accordance with provincial legislation and standards by obtaining and following the required ECA.

It is a policy of the PPS to ensure that infrastructure is available to meet current and projected needs and promote the reduction of waste. The transfer station will

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

divert waste from the City's landfill site to a site within another jurisdiction that has planned capacity for such materials as specified by WM and supported by an ECA.

The subject property is located within the urban settlement area where new development should be located to allow for efficient use of existing or planned infrastructure. The proposed development will be on full municipal water and sewer and on an open municipal road as part of the registered plan of subdivision. The proposed development collocates several existing uses along with a new waste transfer facility, in close proximity to the Sudbury Landfill, benefitting from adjacency synergies and potential for more efficient transportation of wastes.

The proposed development includes stormwater management best practices. The proposed waste transfer facility is outside the watershed boundary and the handling of wastes is fully enclosed within the building such that there are no leachates onsite.

5.3 Growth Plan for Northern Ontario

The Growth Plan for Northern Ontario, 2010 (Growth Plan) was prepared under the *Places to Grow Act*, 2005 and came into effect on March 3, 2011. The Growth Plan applies to the Northern Growth Plan Area.

The *Places to Grow Act* requires that decisions under the *Planning Act* shall conform with the growth plan that applies to the growth plan area (Section 14.). This direction is expanded in the *Planning Act* which requires that land use planning decisions conform with or shall not conflict with provincial plans that are in effect on the date of decisions (Section 3(5)).

The Growth Plan provides specialized policies for northern Ontario which guide municipal decisions and improve coordination throughout the region in terms of growth and development, infrastructure planning, land use planning, housing, resource protection, and transportation.

5.3.1 Relevant Policies

The Growth Plan indicates in Section 4.3 that the Ministry will identify "economic and service hubs" which are meant to accommodate future population growth and function as a region-wide service centre and economic hub. These hubs are supposed to maintain lands for a variety of employment uses in appropriate locations to support economic development objectives.

Policy 5.2.1 provides that infrastructure planning, land use planning, and infrastructure investments will be coordinated to implement the Growth Plan, and includes a coordinated approach to waste management systems.

Policy 6.4.2 states that long-term community strategies should identify environmental sustainability objectives, programs and policies related to integrated waste management among other objectives.

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

5.3.2 Analysis

The proposed development is located in northern Ontario's largest City which is meant to provide for a variety of employment opportunities, including waste management, which aligns with the intended economic policies of the Growth Plan.

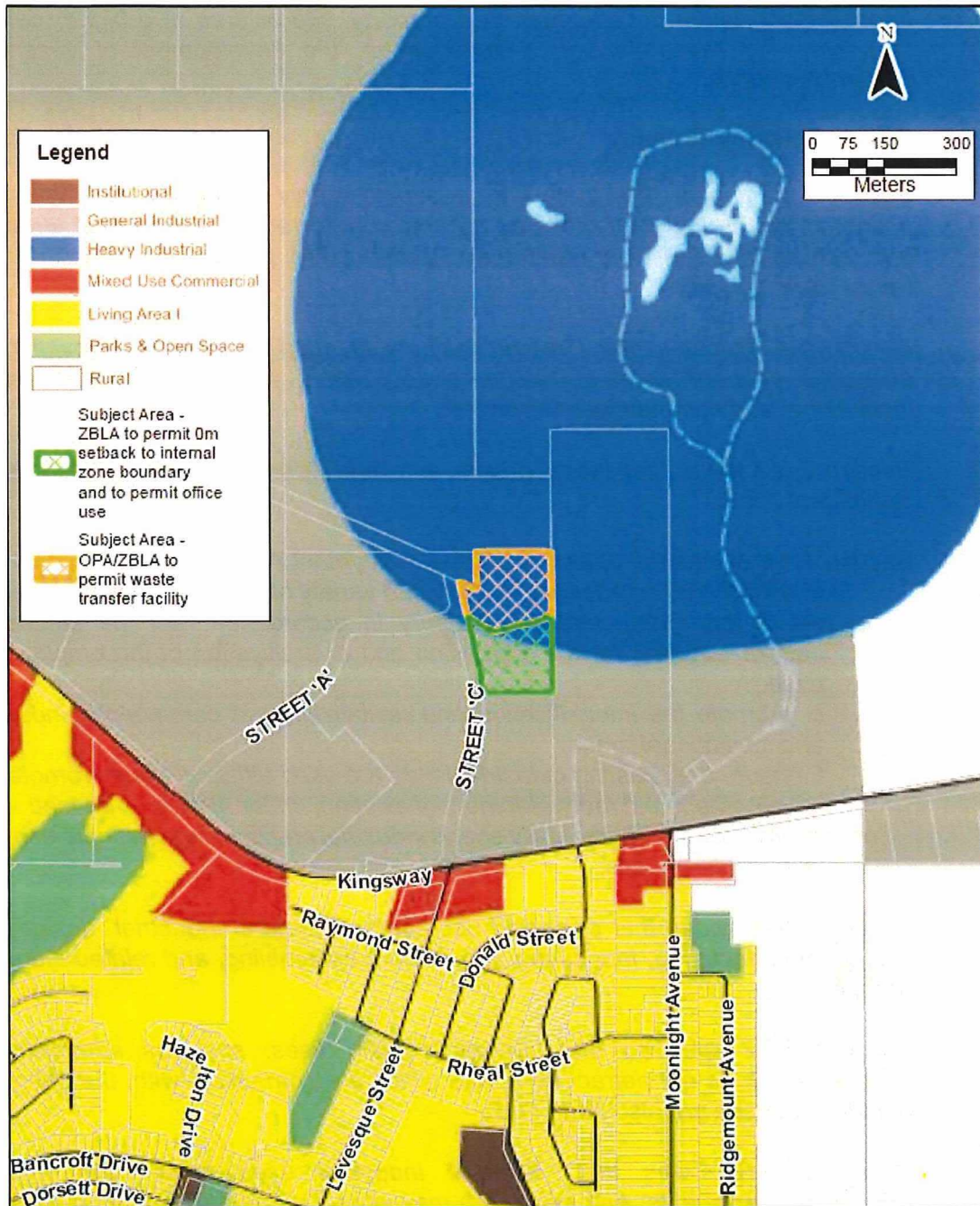
Municipalities are encouraged to support and facilitate land use planning that implements long term community strategies. The proposed waste transfer facility will allow for the adequate provision of waste management systems, as it will deal with excess waste that cannot be accommodated at the Sudbury Landfill to be transferred to another waste management facility with capacity to be disposed of, representing regional/provincial coordination for infrastructure planning.

5.4 City of Sudbury Official Plan

The Official Plan is a planning policy document that sets goals, objectives, and policies for growth and land use management in the City. The Official Plan provides policy directions for the economic, environmental, and social development of the local community.

The subject property is designated "General Industrial" and "Heavy Industrial" in the City's Official Plan. See Figure 5.

**Planning Justification Report
Proposed Waste Transfer Facility (Waste Management Inc.)**



**Figure 5: Excerpt from City of Greater Sudbury Official Plan
Schedule 1b - Land Use - Sudbury Community**

5.4.1 Definitions

Waste management systems means sites and facilities that accommodate solid waste and includes recycling facilities, transfer stations, processing sites and disposal sites.

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

Intensification is the development of a property, site or area at a higher density than currently exists through redevelopment, the development of vacant or underutilized lots.

5.4.2 Relevant Policies

Section 1.3.2 ensures that there is an adequate supply of land to meet a variety of economic opportunities. It provides a framework to reinforce the urban structure and achieve more efficient urban form, infrastructure, public service facilities and transportation system.

Section 1.4 indicates that Greater Sudbury is open to business providing an economic environment that retains and grows a wide variety of industrial, institutional and commercial enterprises.

Section 2.3.2 notes that future growth and development will be focused in the Settlement Area.

Section 4.1 provides the objective of the Employment Area policies to:

- a. ensure that an adequate supply and variety of serviced employment land exists throughout Greater Sudbury in accordance with the settlement pattern, allowing for the expansion and diversification of the employment base;*
- c. promote the intensification and revitalization of commercial, industrial and institutional areas;*
- f. ensure that existing industrial lands are used efficiently and promote the development and redevelopment of existing, underutilized, or unused sites;*
- g. promote environmentally sound industrial practices and mitigate conflicts with sensitive uses;*

Section 4.5 provides that permitted uses in the "General Industrial" designation include manufacturing, fabricating, processing, assembling, and related industrial activities.

Policy 4.5.1.2 specifies that "Complementary uses, such as administrative offices...which do not detract from, and which are compatible with, the operation of industrial uses are also permitted".

Policy 4.5.1.3 states that "General Industrial uses must have minimal environmental impacts. Any use which may impact surrounding areas and cause nuisance will be appropriately buffered and screened".

Policy 4.5.2.1 permits all industrial uses, including sanitary landfill sites, salvage yards, quarrying, and sewage treatment facilities in the Heavy Industrial designation.

Policy 4.5.2.3 states that "Drainage runoff will be controlled such that the water quality of groundwater or downstream watercourses/waterbodies is not impaired.

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

*Additional policies on stormwater management are contained in Section *8.5.* (OPA #2)".*

Policy 4.5.2.4. states that "Minimum setback distances from sensitive land uses may be required for certain uses in this designation".

Section 12.3.1 provides that "existing landfill sites will be utilized for as long as it is economically, environmentally and technically feasible."

Policy 12.3.4 states that the "expansion of a solid waste management site onto land not currently designated for waste management use will require an amendment to this Plan."

Policy 12.3.5 states that "The City will consider the implications of development and land use patterns on waste generation, management and diversion".

Policy 12.0.3 states that "The City is responsible for providing residents with ...collection and disposal of solid waste and the management of waste reduction programs".

Section 12.2.2 provides that Municipal sewer and water services are the preferred form of servicing for all new developments. Municipal sewer and water systems will accommodate all new development, except in unserved or partially serviced areas where different land use and servicing policies apply.

8.0 Water Resources

The Official Plan of the City of Greater Sudbury implements the policies of the Greater Sudbury Source Protection Area (updated in 2021) and approved by the Province to address threats, as identified in the Clean Water Act (2006), to vulnerable areas within watersheds associated with "municipal residential drinking water".

Policy 8.1.2 states that "Development and site alteration will be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions and linkages will be protected, improved or restored".

Policy 8.1.3 states that "Mitigative measures and/or alternative development approaches may be required to protect, improve and restore sensitive surface water features, sensitive ground water features, and their hydrologic functions".

Policy 8.3.3 states that "In the vulnerable areas, the City will reduce stormwater runoff volume and pollutant loadings from developments where stormwater management facilities could be a significant threat..."

Policy 8.3.7 states that "In other areas, the City will consider the location of highly vulnerable aquifers and significant groundwater recharge areas when making decisions on planning and development".

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

Policy 9.2.3.5 states that "Development and site alteration are not permitted on lands adjacent to a sensitive wetland or a provincially significant wetland".

Policy 10.6.1 states that "No new development will be permitted on or within 300 metres of active or closed waste disposal sites. For lands between 300 metres and 500 metres of active or closed waste disposal sites, new development may be permitted provided the following requirements are met:

- a) studies of gas, leachate, hydrogeology and structural stability, soil and surface and groundwater contamination, presence of hazardous wastes and safety are completed which show that the development is compatible and can safely take place;*
- b) written approval is received from the Province that the provisions of the relevant legislation are met; and,*
- c) measures are taken to the satisfaction of the Province in consultation with the City Council to control and mitigate any problems identified in the study".*

Policy 10.6.2. states that "In areas subject to these policies, only uses compatible with the identified potential impacts may be permitted by an amendment to the Zoning By-law".

Policy 10.7 states that "Waste Disposal Assessment Areas are within the 500 metres area of influence from the property boundary of an open site or the fill area of a closed site". Refer to Figure 6.

**Planning Justification Report
Proposed Waste Transfer Facility (Waste Management Inc.)**

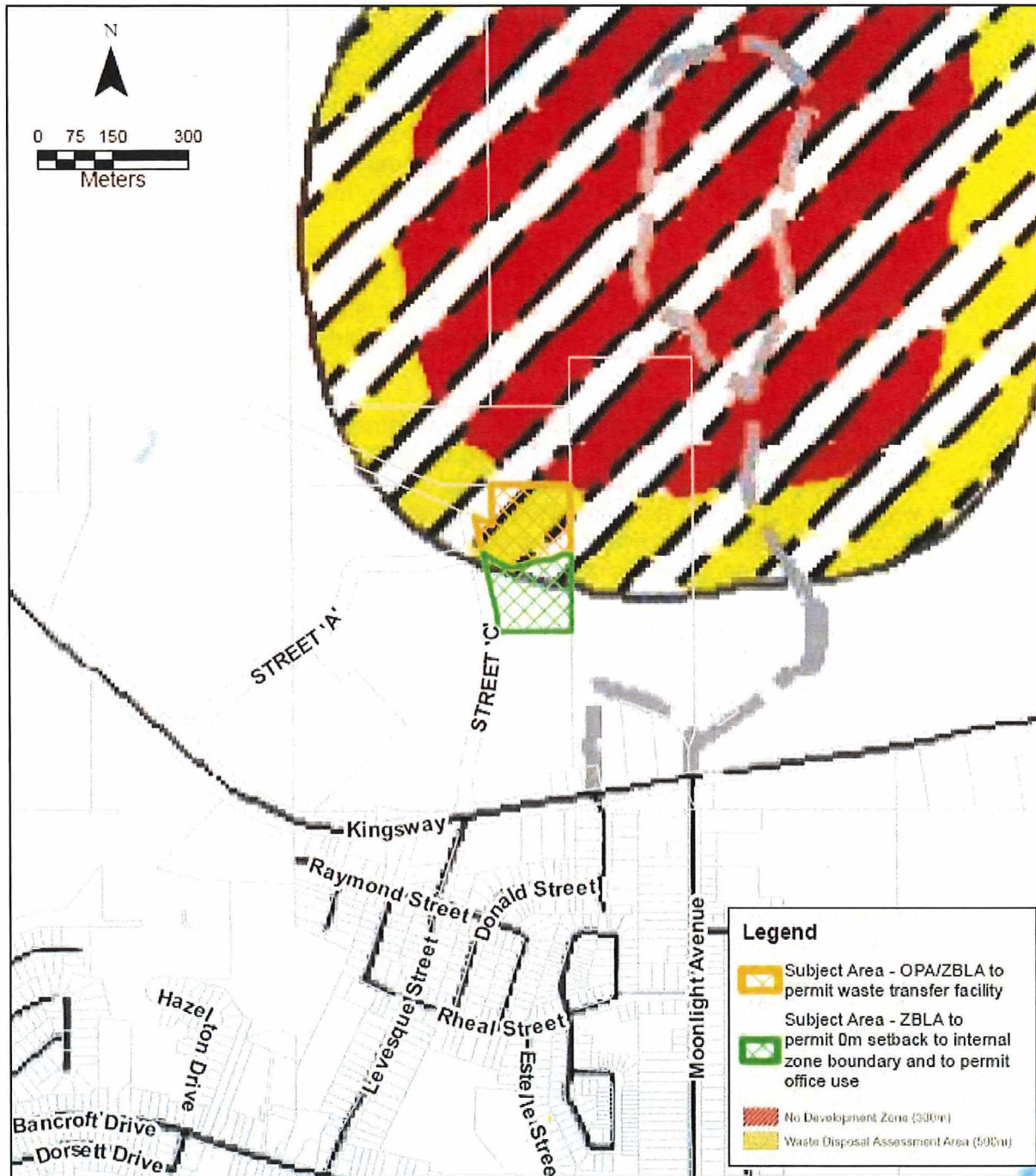


Figure 6: Excerpt from City of Greater Sudbury Official Plan Schedule 6 - Hazard Lands

5.4.3 Analysis

The City's OP supports the establishment and expansion of a variety of employment and industrial uses, such as the proposed waste transfer facility and commercial garage, through its Vision to ensure an adequate supply of land for such uses and the economic development policies in Section 1.4 noting the City is

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

“open to business.” The Employment policies promote an adequate supply and variety of serviced employment land, the intensification and revitalization of industrial areas, the use of existing, underutilized, or unused sites, and environmentally sound industrial practices that mitigate conflicts with sensitive uses. As previously noted the site is characterized as vacant industrial lands that are situated at a significant distance from the nearest sensitive use and the facility is designed to provide a high level of protection for the environment.

The lands are within the City’s settlement area boundary, which is the focus of future growth and development per Section 2.3.2 and represent intensification through the development of a vacant and underutilized site with suitable existing or planned infrastructure. The lands will be developed on full municipal services, in conformity with Section 12.2.2.

The subject property is designated “Heavy Industrial” and “General Industrial”. The requested amendment to Schedule 1/1b of the City of Greater Sudbury Official Plan is to clearly identify the lands, outside of the RLW, that are proposed for the waste transfer facility as being ‘Heavy Industrial’ to permit the proposed use, in accordance with the permitted uses in the ‘Heavy Industrial’ designation and the waste management policies of Section 12.3 of the Plan.

The proposed development within the ‘General Industrial’ designation is limited to the commercial garage, office and parking which conforms to the OP. The collocation of WM’s various facilities and uses on to one site allows for a more efficient provision of waste management services for the City, aligned with the policies in Section 12.0 and 12.3 of the plan.

The proposed development conforms to the relevant policies of Sections 8.1, 8.3 and 8.5.3 by locating the waste transfer facility outside of the RLW and outside of sensitive surface water features and sensitive ground water features as identified in the mapping of the SPP and described in Section 3.3.3 of this report. The proposed SWM methods for each portion of the site are further described in the SWM report prepared by RVA and submitted with the application package.

The City’s SPART comments have noted the presence of wetlands in the northeast corner of the property, but noted that they may be filled in. As such, the wetland was not identified as sensitive or significant to require further study. Conservation Sudbury has noted the wetland will need to be delineated at a later stage, and at this time it is noted that the proposed waste transfer facility (circulation areas) is located a minimum of 45 metres from the current wetland boundary.

The lands subject to the OPA application fall within the identified area on Schedule 6 of the OP and subject to Policies 10.6 which require compatibility with the adjacent Sudbury Landfill facility. The proposed waste transfer station is considered a compatible industrial use, and the facility will obtain the appropriate zoning and provincial approvals for the use and location.

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

The proposed OPA is meant to clearly position the lands outside of the RLW as in the Heavy Industrial designation to thereby permit the waste transfer facility. The proposed development otherwise conforms to the City's OP.

5.5 City of Sudbury Zoning By-law 2010-100Z

The Zoning By-law establishes and regulates the use of land by implementing the policies of the City's Official Plan. It provides the City with the legally enforceable means of regulating land use, scale, and intensity of development.

The subject property is zoned "Special Light Industrial" M2(15) Zone and "Special Heavy Industrial" M3(15) Zone. See Figure 7.



Figure 7: Excerpt from Schedule 'A' to City of Greater Sudbury Zoning By-law 2010-100Z

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

The lands zoned M3(15) do not permit the proposed waste transfer facility. The lands zoned M2(15) and M3(15) Zone permit the proposed commercial garage and accessory office on the southern portion of the property.

The subject property is ±4.8 ha in land area with a frontage of ±233 m.

5.5.1 Definitions

“Accessory” means “A use, separate building or structure, which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure and, in the case of a building or structure, may or may not be attached to the main building on the same lot.”

“Commercial or Public Garage” means an “automotive use engaged primarily in the storage, repair and maintenance of commercial or public vehicles.”

“Automotive Use” means “A building, structure or lot, or part thereof, where vehicles are sold, rented, serviced, fuelled, maintained, repaired or cleaned for compensation and/or remuneration and includes, without limiting the generality of the foregoing, any use defined herein as a form of “automotive use”.

“Commercial” means “When used in reference to a building, structure, lot, use or activity, A building, structure, lot, use or activity pertaining to the buying, selling or renting of commodities or the supplying of services for remuneration, gain or profit, but does not include activities associated primarily with an industrial use (processing or manufacturing) or with any construction work.”

“Vehicle” means “Any carriage, conveyance or other device capable of being propelled, driven or drawn by any kind of power, including motor power or wind power, and includes, without limiting the generality of the foregoing, a passenger automobile, trailer, truck, boat, aircraft, tractor, farm implement, mobile crane or shovel, snowmobile or motorcycle, but does not include a pedal bicycle, canoe or other device powered solely by means of human effort, or a mobile home dwelling.

“Waste Transfer Site” shall mean “Lands used for the placement of containers that are used to hold solid waste for eventual transfer to another location”.

“Floor Area, Net” shall mean “The aggregate of the floor areas of a building above or below finished grade, but excluding car parking areas within the building, stairways, elevator shafts, service/mechanical rooms and penthouses, washrooms, garbage/recycling rooms, staff locker and lunch rooms, loading areas, a public concourse or common hallway, any space with a floor to ceiling height of less than 1.8 metres and any part of a basement that is unfinished, is used solely for storage purposes and is not accessible to the public.”

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

5.5.2 Relevant Sections

4.2 ACCESSORY BUILDINGS, STRUCTURES AND USES

4.2.1 Permitted Uses

a) *Where this By-law provides that a lot may be used or a building or structure may be erected or used for a purpose, that purpose shall include any accessory building or structure or accessory use, provided the principal building, structure or use is already in existence on the lot or a valid permit has been issued for the principal building or structure,*

4.21.1 More Than One Registered Lot

Notwithstanding any provisions or definitions hereof to the contrary, no person shall use two or more abutting registered lots as a single lot in order to comply with the requirements of this By-law unless:

- a) *Such lots are held under the same ownership and are located in the same zone or, where such lots are located in different zones, the use of such lots is permitted in both or all the said zones; and,*
- b) *An agreement between the City and the owner has been registered against the title of both or all such registered lots to the effect that such registered lots thereafter shall be deemed to constitute a single, inseparable parcel of land and shall not be sold, conveyed or alienated in any way or for any purpose except together in one group as a single lot.*

4.22 MULTIPLE USES ON A LOT

Where any building, structure or land is used for more than one purpose the said building, structure or land shall comply with the provisions of this By-law relating to each use. In the case of a conflict, the more stringent provision shall apply.

4.23 MULTIPLE ZONES ON ONE LOT

- a) *Where a lot is divided into more than one zone under the provisions of this By-law, each such portion of the lot shall be used in accordance with the permitted uses and zone provisions of this By-law for the applicable zone as if it were a separate lot.*
- b) *The lot area and lot frontage requirements of the most restrictive zone on the lot shall be applied to the entire lot.*

4.42 WELLHEAD PROTECTION AREAS, INTAKE PROTECTION ZONES AND RAMSEY LAKE WATERSHED (By-Law 2016-70Z)

Wellhead protection areas, intake protection zones and the Ramsey Lake watershed are shown as overlay Zones on the Schedules to this By-law.

Section 4.42.3 "Ramsey Lake Watershed (RLW) Overlay Zone" states that "Notwithstanding the provisions of this By-law to the contrary, in addition to the uses listed in Section 4.26 of this By-law the following uses shall also be prohibited within the Ramsey Lake Watershed (RLW) overlay zone:

- ...
- x) *Waste disposal area".*

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

5.5.3 Analysis and Request for Amendment

The Heavy Industrial Special M3(15) zone was established via amendments to the Zoning By-law in 2018 to provide the site-specific permissions for a parking lot in addition to permitting a variety of industrial uses. The variety of permitted industrial uses as of right includes abattoir, aggregate transfer site, automotive body shop, lube shop and repair shop, commercial or public garage, contractor's yard, fuel depot, gas bar, impounding yard, industrial use, public works yard, salvage and wrecking yard, and warehousing.

The proposed waste transfer facility is a defined use in the Zoning By-law and is not a listed permitted use in the M3(15) zone. To permit its development requires an amendment to permit such use. The location of the proposed waste transfer facility has been positioned to be outside of the RLW, in compliance with Section 4.42.3 of the By-law.

The proposed commercial garage (maintenance shop) is a distinct and separate use from the waste transfer facility and is a permitted use in the M2(15) and M3(15) zones where it is proposed to be located, therefore is not subject to these applications to establish a new use. More specifically each use can function on its own without the other, as the current commercial garage at 1865 Lasalle Boulevard is functioning today. Likewise, a waste transfer facility is not defined as having a maintenance facility collocated on site, but it does benefit from such location.

It is our opinion that the maintenance shop is appropriately defined as a "commercial garage" in the By-law, as it is an "automotive use" or a "building" where "vehicles", a conveyance driven by any kind of power and including trucks (i.e. including garbage trucks), are maintained. The vehicles are considered to be commercial as they are supplying services for compensation.

The commercial garage building also contains WM's administrative office functions for the purpose of routing, directing, and providing services for the activities related to both the residential contracts and the commercial contracts served by the vehicles being serviced in the building. The office use also serves as a gathering area for operators of the commercial vehicles, with storage lockers and lunch/break/training rooms. Only about 25% of the office floor area is dedicated to office/desk space, and the office GFA only represents approximately 25% of the floor area of the building.

The City indicated in comments dated May 2, 2024 that the proposed office use is not considered to be accessory, and therefore requires consideration through the amendment application to be a permitted use in the M2 and M3 Zones.

Lots 4 and 5 in the plan of subdivision are planned to be developed by one property owner, and therefore in accordance with Section 4.21.1 b) the two lots together have been considered for the required lot area and frontage in Table 1 below.

The subject lands are divided into the two zones. As such, there is a zone boundary though the site where the zones meet. As per Section 4.23, the zoning by-law

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

treats this as a lot line, hence in order to develop the site logically, we are seeking an amendment to allow development to abut this zone line, i.e. permit a 0-metre setback to the zone boundary. This does not affect the development as the line is not a lot line and the site will be operated as a single site for the commercial garage.

The proposed zoning boundaries are illustrated on Figure 8.

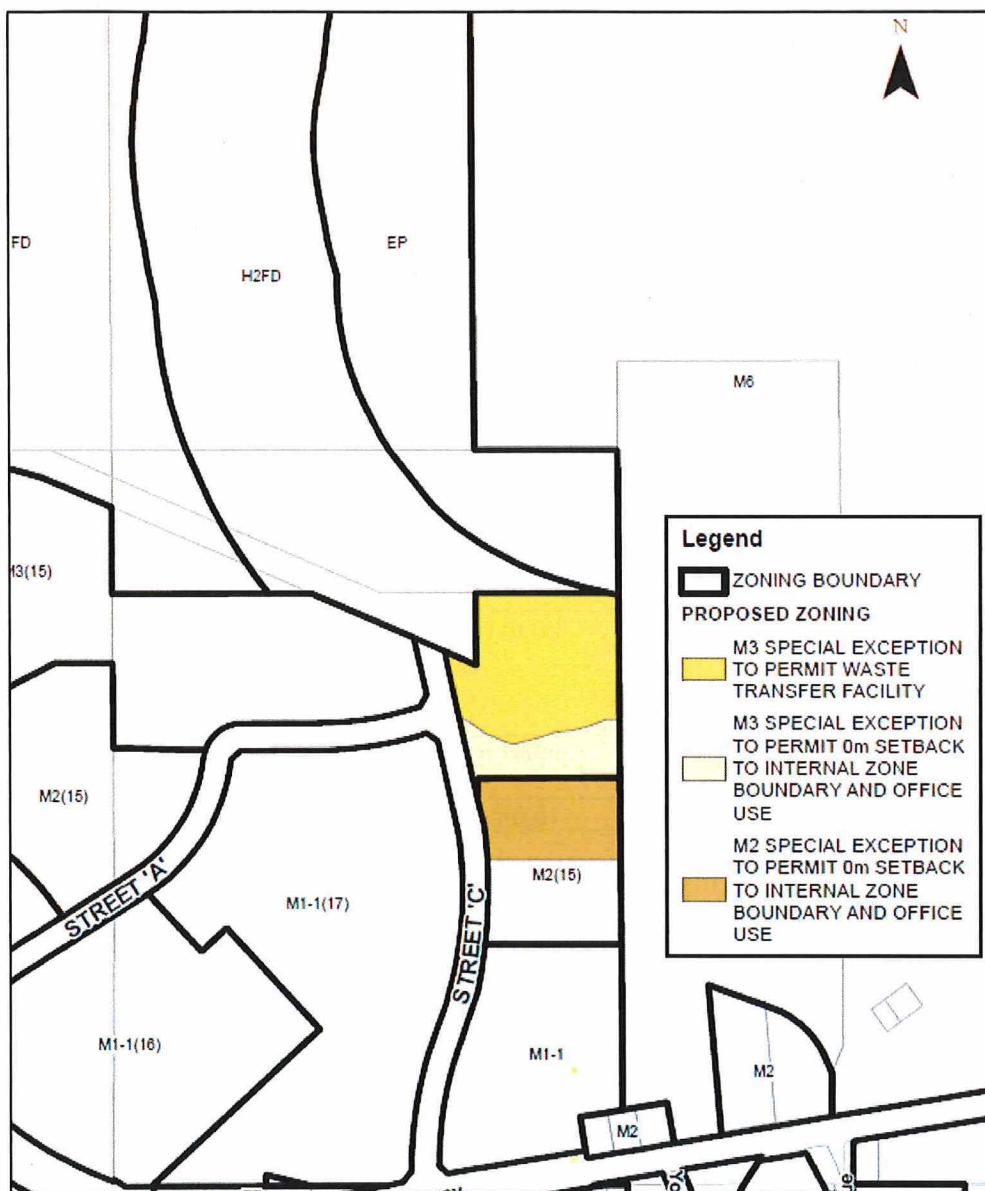


Figure 8: Proposed Zoning Boundaries

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

Table 1 Zoning By-law Requirements for Lot Area, Frontage, and Depth for M2 and M3 Zones – Proposed Development of Lots 4 and 5

Zoning Provision	Requirement	Proposed
Lot Area (minimum)	1,500 sqm	4.8 ha
Lot Frontage (minimum)	30.0 m	233 m
Lot Depth (minimum)	50.0 m	145 m

Table 2 Zoning By-law Requirements for M3 Zone – Proposed Waste Transfer Facility

Zoning Provision	Requirement	Proposed
Front Yard (minimum)	9.0 m	+/- 52 m
Rear Yard (minimum)	6.0 m	+/- 115 m
Interior Side Yard (minimum)	6.0 m	25 m (north) 9.6 m (abutting H2FD zone – internal boundary)
Lot Coverage (maximum)	60%	+/- 5%
Height (maximum)	n/a*	<30 m
Landscaped Open Space (minimum)	5%	> 5%

* No height restriction shall apply to any building or structure located more than 150.0 metres from a Residential (R) Zone.

Table 3 Zoning By-law Requirements for M2 and M3 Zone – Proposed Commercial Garage

Zoning Provision	Requirement	Proposed
Front Yard (minimum)	9.0 m	56 m
Rear Yard	6.0 m	36 m
Interior Side	3.0 m (M2) 6.0 m (M3)	65 m (south) 0m (internal)* +/- 24 m (north to M3 boundary)
Lot Coverage (maximum)	50% (M2) 60% (M3)	+/- 9% (M2 zoned area) +/-12% (M3 zoned area)
Height (maximum)	15.0m (M2) n/a* (M3)	< 15 m
Landscaped Open Space	5%	> 5%

* an exception to recognize the 0 m internal zone setback is requested through this application

The parking requirements are set out in Table 5.3 of the By-law and are calculated below.

Table 4: Parking Requirements

Use	Minimum Parking Space Requirement	Relevant Floor Area Proposed	Calculated Requirement
Automotive Use (Commercial garage)	Unless otherwise defined 1/30 m ² net floor area	1,463 sqm nfa automotive use	55 parking spaces
Office Use	1/30 m ² net floor area	167 sqm nfa office	
Industrial Uses (waste transfer facility)	1/90 m ² net floor area, plus 1/30m ² net floor area of accessory office	676 sqm nfa industrial use	8 parking spaces
Total			63 parking spaces

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

A total of 92 parking spaces, of which three are barrier free parking spaces, are proposed for the property, in compliance with the By-law. One loading space is required and three loading spaces are provided.

6.0 Municipal Waste By-law 2006-280 of the City of Greater Sudbury – Collection, Removal, and Disposal of Waste

As outlined in the SPART memorandum, a formal request must be made to permit a private waste disposal site to be authorized by the City under By-law 2006-280 being the Waste Management By-law for the City of Greater Sudbury.

The information / materials for such request as outlined in the SPART memorandum are noted below:

- Although WM anticipates the majority of material will come from within the City of Greater Sudbury, WM will accept material generated anywhere within the Province of Ontario. With the intent to take all material collected at the proposed waste transfer facility to approved WM landfill facilities, material from outside the City of Greater Sudbury would be accepted. **As described in Section 2.3.1 of this report, the waste** is characterized as non-hazardous municipal solid waste (multi-residential and ICI) collected in the City. No waste is disposed of at the site, it will all be loaded on to trailers to be transported for disposal at a waste management facility owned and operated by WM in Ottawa.
- Refer to Section 2.3.1 of this report for a description of the operations.
- The approved ECA will address measures for control of odour, litter and litter abatement, vector, vermin, and other wildlife. Material brought into the transfer facility will be loaded and transferred out to the receiving landfill in a timely manner in accordance with the approved ECA so as to not create any unnecessary issues. Routine visual inspection of the operations and site will initiate maintenance to address deficiencies. The following measures will be used:
 - Odour:
 - Facility equipped with an odour suppression system.
 - Odourous waste shipped first in, first out.
 - Alternative management of odourous waste including ceasing receipt.
 - Litter:
 - WM anticipates this material will predominantly be received in front-end waste collection vehicles which contain litter.
 - Should WM utilize roll-offs containers, these will be tarped to help ensure litter is contained.
 - Waste/recyclables will be emptied within the building.
 - Outbound material will be contained in compacted trailers which will contain litter.
 - The facility will conduct daily inspection and actively collect litter as required.
 - Vector/Vermin:
 - WM anticipates moving waste within a 24-hour period.
 - WM will conduct regular housekeeping.
 - WM will utilize professional pest control services.
- In regard to the location of the waste transfer facility adjacent to the landfill site, WM will assess site conditions at the time of an odour complaint to identify the source of the odours, whether the waste transfer facility or City's landfill. WM will work with the City and MECP to cooperatively address odour complaints. WM will conduct daily documented inspection of the

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

facility to assess odour complaints at the property line. WM will install a wind sock/flag or other means of quickly identifying the wind direction to help identify odour sources.

- The waste transfer facility will be handling non-hazardous materials only. As hazardous waste is not accepted at the proposed transfer site, if by unforeseen circumstances there are hazardous materials, the site will put into action pre-planned procedures to isolate and remediate any material that is deemed to be hazardous, before it can cause any physical or environmental harm. Through education and communication, WM aims to educate its customers on what materials are acceptable. Unacceptable material may be rejected and diverted from the site, where safe to do so. Where unacceptable materials are identified after the delivering vehicle has left the facility, WM will segregate the unacceptable material from the other waste streams and manage in accordance with O.Reg. 347.
- The approved ECA sets out the requirements to prepare an Emergency Response Plan to deal with spills and discharges. In addition, the ECA will stipulate that immediate action is taken to clean up spills and report them to the Ministry's Spills Action Centre, in line with the Emergency Response Plan.
- The ECA will set out a protocol for public complaints. WM takes all complaints from the public seriously and those issues are investigated and addressed as quickly as possible. Typically this includes logging the complaint, initiating appropriate steps to determine possible causes of the complaint, taking actions to eliminate the cause of the complaint and replying to the complainant, and preparing a report to document the complaint, the actions taken to resolve the complaint, recommendations for remedial measures, and managerial or operations changes to avoid the reoccurrence of similar incidents.
- WM has a collection strategy and a pick-up contract to ensure that materials are collected and leave the site in a timely manner. Should there be an interruption in the normal operations the pick-up will be altered accordingly until such time as the removal can resume, and should a significant change occur the MECP will require that no waste is received until a suitable alternative site is found for disposal. This would require a negotiation of an interim solution at that time. The site is not open to the public.
- Where waste cannot be shipped from the site and WM approaches the maximum permitted on-site storage volume, WM will cease receipt of further material until such time as material can be shipped from the facility.

7.0 Public Consultation Strategy

The following steps will be undertaken by the applicant as part of the Public Consultation Strategy for the OPA/ZBA applications.

1. The applicant/agent will request City's mailing list of property owners within 120 m radius of the subject property.
2. A notice regarding the proposed applications and providing contact information for the agent will be prepared and distributed to the above-noted mailing list.
3. The applicant will initiate contact with the Ward Councillor to inform the Councillor that the application is being made and provide copies of the submissions and contact information should they receive questions.
4. Ongoing discussions with Mayor and Councillors will be maintained throughout the process to provide answers to questions and clarifications as required.

Planning Justification Report

Proposed Waste Transfer Facility (Waste Management Inc.)

5. Questions/comments will be recorded and responded to as they come in. The agent will liaise with the City Planner with respect to comments/questions that have been received on the application.

8.0 Conclusion

In our opinion, the proposed development and the amendments requested represent the appropriate development of the subject lands. The proposed Official Plan and Zoning By-law amendments are justified and represent good planning principles and can be recommended for approval for the following reasons:

- The location of the property is in close proximity to the existing Sudbury Landfill and is already designated and zoned for heavy industrial use.
- The Official Plan Amendment represents a clarification of the boundaries of the 'Heavy Industrial' designation to be those lands outside of the RLW to permit the proposed waste transfer facility.
- The related, but separate and distinct, proposed use of the site for a commercial garage is already permitted in the underlying designation and zone. The related administrative office space is being requested through the zoning by-law amendment.
- The proposed development represents a colocation of two of WMs existing facilities (administration, garbage truck parking, and bin storage yard) to be in closer proximity to each other and related land uses (Sudbury landfill) as well as the proposed waste transfer facility.
- The proposed waste transfer facility will obtain the required ECAs for operation in compliance with the EPA.
- The proposed commercial garage, while not subject to the land use planning approvals as noted herein, will obtain the required s. 59 notice for its location within the RLW.
- The site will be designed in accordance with the KED's subdivision guidelines.

It is our opinion that this development proposal is consistent with the PPS 2020 and conforms or does not conflict with the Growth Plan.

The amendment to the City's OP is appropriate to clearly identify the boundary between 'Heavy Industrial' and 'General Industrial' to permit the waste transfer facility, and it is our professional opinion that the amendment should be supported to permit the form of development that is proposed. The development would be consistent with the neighbouring landfill property, while being appropriately designed as a part of the overall the Kingsway subdivision.

The proposed amendment to the implementing Zoning By-law would then properly support the change to the OP and be consistent with the PPS, conform to the Growth Plan and the OP.

Should you have any questions regarding the above, or if additional information is required, please contact the undersigned.

**Planning Justification Report
Proposed Waste Transfer Facility (Waste Management Inc.)**

J.L. RICHARDS & ASSOCIATES LIMITED

Prepared by:

Reviewed by:



Soumaya Ben Miled, M.PI., M.Arch.
Planner

Sarah Vereault, RPP, MCIP
Associate, Senior Planner, Practice Lead

Reviewed by:



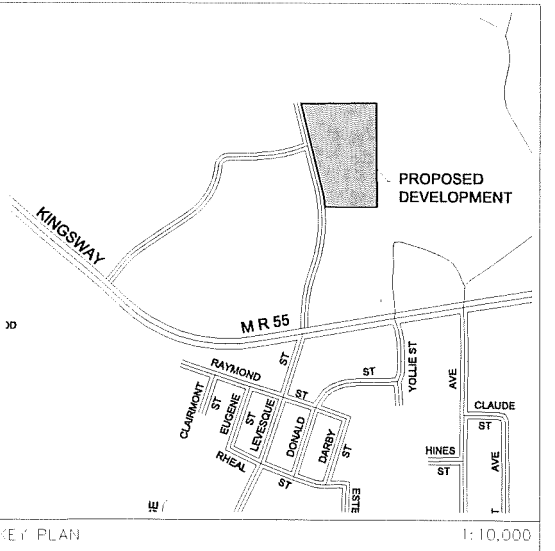
Tim F. Chadder, RPP, MCIP
Associate, Senior Consultant

Appendix A

Concept Plan prepared by R.V.
Anderson

Appendix B

Conceptual Stormwater
Management Plan prepared by
R.V. Anderson



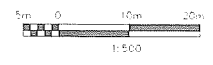
SITE PLAN DATA:

REGISTERED PLAN 53P-20983
 PART OF LOT 9 CONCESSION 4
 GEOGRAPHIC TOWNSHIP OF NEELON
 CITY OF GREATER SUDBURY

ZONING USE OF BUILDINGS	M2/M3 SPECIAL - HEAVY INDUSTRIAL OFFICE COMMERCIAL GARAGE WASTE TRANSFER FACILITY	
PROJECT AREA (OVERALL)	PROVIDED 47835.5 sq.m.	REQUIRED 1,500 sq.m.
BUILDING COVERAGE (TOTAL)	2740.6 sq.m. (5.4%)	< 60%
LOT AREA, FRONTAGE & DEPTH FOR M2 & M3 ZONES - PROPOSED DEVELOPMENT OF LOTS 4&5		
	PROVIDED	REQUIRED
LOT AREA (min.)	4.8 ha	1,500 sq.m.
LOT FRONTAGE (min.)	233 m	30.0 m
LOT DEPTH (min.)	145 m	50.0 m
M3 ZONES - PROPOSED WASTE TRANSFER FACILITY		
	PROVIDED	REQUIRED
FRONT YARD (min.)	9.0 m	9.0 m
REAR YARD (min.)	114.5 m	6.0 m
INTERIOR SIDE YARD (min.)	25 m (9.6m to H2FD Zone)	6.0 m
LOT COVERAGE (max.)	+/- 5%	60%
HEIGHT (max.)	<30 m	n/a*
LANDSCAPE OPEN SPACE (min.)	>5%	5%
* NO HEIGHT RESTRICTIONS SHALL APPLY TO ANY BUILDING OR STRUCTURE LOCATED MORE THAN 150 m FROM A RESIDENTIAL (R) ZONE.		
M2 & M3 ZONES - PROPOSED COMMERCIAL GARAGE		
	PROVIDED	REQUIRED
FRONT YARD (min.)	56 m	9.0 m
REAR YARD (min.)	36 m	6.0 m
INTERIOR SIDE YARD (min.)	65 m SOUTH 0 m INTERNAL** +/-24 m (NORTH TO M3)	3.0m (M2), 6.0 m (M3)
LOT COVERAGE (max.)	+/- 9% (M2) +/- 12% (M3)	50% (M2) 60% (M3)
HEIGHT (max.)	<15 m	15.0 m (M2), n/a * (M3)
LANDSCAPE OPEN SPACE (min.)	>5%	5%
**AN EXCEPTION TO RECOGNIZE THE 0 m INTERNAL ZONE SETBACK IS REQUESTED THROUGH THIS APPLICATION.		
PARKING CALCULATIONS		
	- AUTOMOTIVE USE (COMMERCIAL GARAGE & ACCESSORY OFFICE) - 1/30 sq.m. NET FLOOR AREA	
	- INDUSTRIAL USE (WASTE TRANSFER FACILITY) - 1/90 sq.m. NET FLOOR AREA, PLUS 1/30 sq.m. NET FLOOR AREA OF ACCESSORY OFFICE	
TOTAL	92	63 *CALCULATION BELOW*
BARRIER FREE SPACES	3	2
LOADING SPACES	3	1
SNOW REMOVAL:	TO BE COMPLETED ON SITE	
GARBAGE REMOVAL:	TO BE PROVIDED BY WASTE MANAGEMENT	

TOPOGRAPHIC INFORMATION AS SUPPLIED BY TULLOCH ENGINEERING INC. FILE 145849 TOPO DATED 2022.

USE	MINIMUM PARKING SPACE REQUIREMENT	RELEVANT FLOOR AREA PROPOSED	CALCULATED REQUIREMENT
AUTOMOTIVE USE (COMMERCIAL GARAGE + ACCESSORY OFFICE)	UNLESS OTHERWISE DEFINED 1/30M ² NET FLOOR AREA	1463 SQM NFA AUTOMOTIVE USE 167 SQM NFA ACCESSORY OFFICE	55 PARKING SPACES
INDUSTRIAL USE (WASTE TRANSFER FACILITY)	1/90M ² NET FLOOR AREA, PLUS 1/30M ² NET FLOOR AREA OF ACCESSORY OFFICE	676 SQM NFA INDUSTRIAL USE	8 PARKING SPACES
		TOTAL	63 PARKING SPACES



REVISIONS		
DATE	DETAILS	BY

CAUTION	
- ALL UTILITIES ARE NOT NECESSARILY SHOWN ON THIS DRAWING	
- WHERE UTILITIES ARE SHOWN, LOCATIONS ARE NOT GUARANTEED	
- LOCATION & SIZE OF ALL UTILITIES MUST BE VERIFIED IN THE FIELD.	

DATE:	2024-03-27
DRAWN:	LZ
DESIGNED:	
CHECKED:	
ENGINEER:	
APPROVED:	



RVA R.V. ANDERSON ASSOCIATES LIMITED
 Innovative solutions for complex challenges

SITE PLAN
 GENERAL LAYOUT
 WASTE MANAGEMENT FACILITY

SCALE: 1:500
 CONTRACT NO.:
 CAD/FILE NUMBER: 237002
 PAGE NO.: Page 72 of 212

TECHNICAL MEMORANDUM

To: Kingsway Entertainment District Inc. **RVA:** 237002
From: Candice Green, P.Eng., LEED AP, ENV SP
Date: March 28, 2024
Subject: KED Waste Management Site – Conceptual Stormwater Management Plan

1.0 Background

Waste Management intends to construct a new Waste Transfer Station within the Kingsway Employment District Industrial Park in the City of Greater Sudbury (The City). Kingsway Entertainment District Inc. (KED) intends to sell Lot 4 and Lot 5 within the Industrial Park to Waste Management, for the development of their Waste Transfer Station. A condition of the sale of the lands is rezoning the property to accommodate the proposed development. R.V. Anderson Associates Limited (RVA) was retained by KED to prepare a conceptual stormwater management plan, as part of the works associated with rezoning the property.

This Technical Memorandum outlines RVA's conceptual stormwater management plan for the proposed Waste Management Site within the City of Greater Sudbury (CGS).

2.0 Pre-Development Conditions

The proposed subject site is located on undeveloped lands and consists of undulating brush, trees, bedrock, with wetlands nearby. The property is bisected by a watershed boundary with the southern half of the site draining towards Ramsey Lake and the northern half of the site draining towards the Wahnapiatae River Watershed. The Ramsey Lake Watershed is subject to restrictions as it is an Intake Protection Zone (IPZ3).

For stormwater management purposes, the subject site was split into two drainage catchment areas along the IPZ limit. The southern catchment, PRE1 is 2.00 ha and is within the IPZ. The northern catchment, PRE2, is 3.08 ha and is within the Wahnapiatae River Watershed. The pre-development drainage area plan is shown in Figure 1.

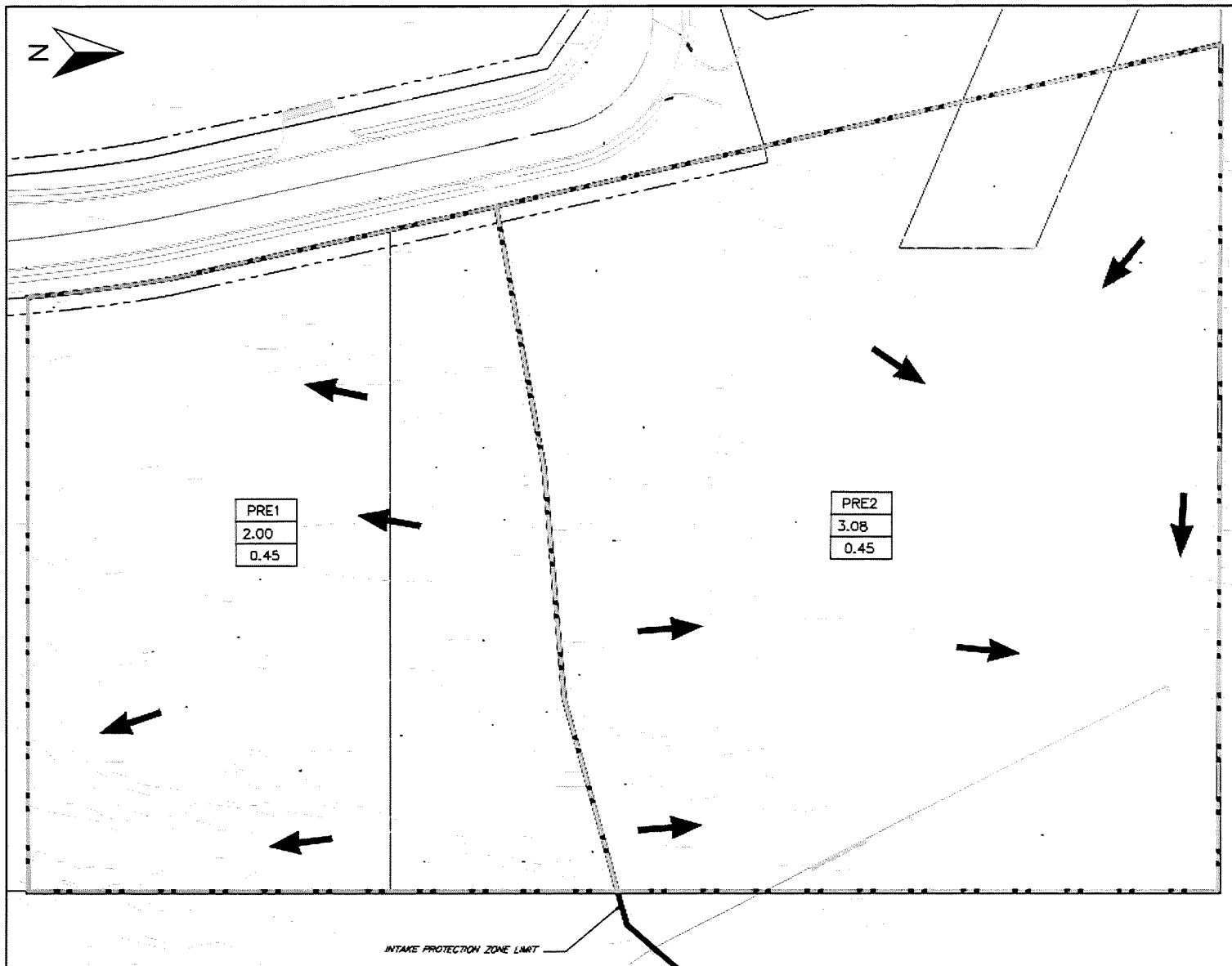


Figure 1: Pre-development Catchment Areas

2.1 Pre-development Hydrologic Model

Pre-development runoff conditions of the subject area were calculated using the Rational Method. Based on CGS standards, the Chicago type distribution was used to evaluate peak flows and runoff volume. Visual OTTHYMO (VO) software version 6.2 was used to generate the 6-hour Chicago design storms. The Intensity-Duration-Frequency (IDF) curve parameters used for generating the design storms were as per the CGS Supplemental Design Criteria for Sanitary Sewers, Storm Sewers and Force mains, December 2022. The hydrologic response of the pre-development area was evaluated for the 5-year and 100-year design storm events. The A, B, and C values to determine the rainfall intensity are shown in Table 2.1.

Table 2.1 – Sudbury Rainfall – IDF Curve Parameters

Design Storm Event	A	B	C
5-year	600.938	4.000	0.7325
100-year	1092.988	3.656	0.7350

Based on the subject site land use and topography being a mix of dense vegetation, woodland, and some bare rock coverage, with flat to rolling slopes, a runoff coefficient of 0.45 was chosen. The pre-development runoff calculations are shown in Appendix 1. Table 2.2 shows the hydrologic results for the pre-development conditions.

Table 2.2 – Pre-Development Runoff Peak Flow Rate

Design Storm Event	PRE1 - Runoff Peak Flow (m ³ /s)	PRE2 - Runoff Peak Flow (m ³ /s)
5-year	0.175	0.270
100-year	0.401	0.617

3.0 Post-Development Conditions

The proposed development includes an office, service shop, and parking spaces within the southern portion of the site. The northern portion of the site includes truck parking, truck scales stations, space for the storage of waste bins, and the waste transfer station. Stormwater can be conveyed through the subject site overland, via catch basins, storm sewers and/or swales. The two halves of the site will be controlled by two separate stormwater management facilities, one draining to the storm sewer network on Street 'C' within the Ramsey Lake Watershed and one draining to the existing environment within the Wahnapiatae River Watershed.

For the conceptual design, the post-development catchment areas were assumed to be the same as the pre-development catchments. Under post-development conditions, all the proposed

development areas including the entrances and the vehicle/waste truck access areas around the buildings were assumed to be impervious. All remaining undeveloped areas were assumed to be a pervious surface such as grass. The catchment areas POST1 and POST2 are shown are outlined in the post-development drainage area plan shown in Figure 2. A runoff coefficient of 0.9 and 0.2 was used for the impervious and pervious areas, respectively. The weighted runoff coefficient calculated for POST1 and POST2 is 0.55 and 0.57, respectively, for the 2–10-year design storm events.

3.1 Post-development Hydrologic Model

Post-development runoff conditions of the subject area were calculated using the Rational Method. The hydrologic response was evaluated for the 5-year and 100-year 6-hour Chicago design storms.

The post-development runoff calculations are shown in Appendix 2. Table 3.1 shows the hydrologic results for the post-development conditions.

Table 3.1 – Post-Development Runoff Peak Flow and Runoff Volume

Design Storm Event	POST1 - Runoff Peak Flow (m ³ /s)	POST2 - Runoff Peak Flow (m ³ /s)
5-year	0.216	0.342
100-year	0.493	0.782

3.2 Quantity Control

The City requirements for the site development include controlling post-development peak flows to pre-development levels within the Wahnapiatae River Watershed, and reducing the post-development peak flow rate to 80% of the pre-development flow rate within the Ramsey Lake Watershed.

The Modified Rational Method was used to calculate the storage volume required to control post-development peak flow rates to the pre-development levels. The 100-year storm was used for this analysis, to determine the maximum required storage. The Modified Rational Method is based off the formula $V_S = 0.5 \cdot t_b \cdot (Q_P - Q_A)$ where V_S is the storage required (m³), $0.5 \cdot t_b$ can be seen as the time to peak/time of concentration, Q_P is the peak post-development runoff rate (m³/s) based on that time of concentration, and Q_A is the allowable peak runoff rate (m³/s).

This formula was iterated for increasing time of concentration values until the maximum potential storage volume required was found. The results show that for catchment area POST1, to achieve the additional 20% flow rate reduction for quantity control, the peak storage volume plus a 30% allowance is 235 m³. For catchment area POST2, the peak storage volume plus a 30% allowance is 307 m³. The Modified Rational Method calculations and results are shown in Appendix 3.

Two separate stormwater management (SWM) facilities are proposed to provide quantity control, based on the two separate watersheds and catchment areas. Two conceptual SWM ponds are shown in the sketch shown in Figure 3.

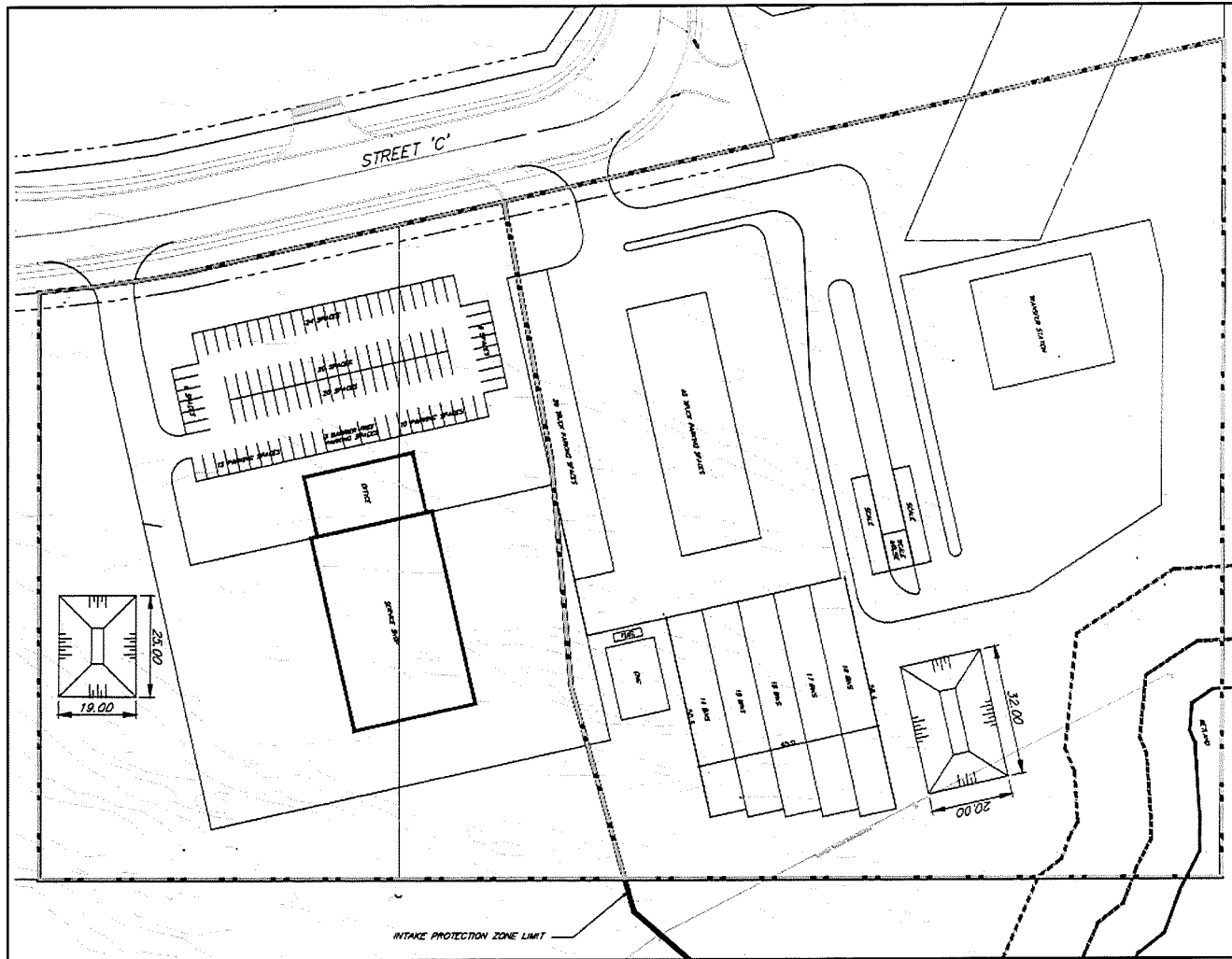


Figure 2: Post-development Catchment Areas

One SWM pond is conceptually located near the south end of the property. Catchment area POST1 will drain to this SWM pond, then eventually outlet at the controlled rate to the storm sewer system on Street 'C'. The proposed pond bottom is 9.0 m long by 3.0 m wide, with a depth of 2.0 m and 4:1 side slopes, so the surface dimensions are 25.0 m long by 19.0 m wide. The maximum volume of this SWM pond is 417 m³, which exceeds the requirement of 235 m³.

The second SWM pond is conceptually located near the northeast corner of the property, outside of the wetland limits. Catchment area POST2 will drain to this SWM pond, and the pond will control the outflow to the environment to the allowable rate. The proposed pond bottom is 16.0 m long by 4.0 m wide, with a depth of 2.0 m and 4:1 side slopes, so the surface dimensions are 32.0 m long by 20.0 m wide. The maximum volume of this SWM pond is 619 m³, which exceeds the requirement of 307 m³.

3.3 Quality Control

The conceptual SWM ponds can be designed to each provide the water quality objective of long-term average removal of 80% total suspended solids (TSS) in the runoff volume for 'enhanced' protection levels. Table 3.2 from the Ontario Ministry of the Environment (MOE) Stormwater Management Planning and Design Manual (March 2003) was used to estimate the required pond volume for water quality control purposes. Catchment area POST1 has an area of 2.0 ha and an imperviousness of 51%, therefore the required storage volume for 80% TSS removal is 380 m³. Catchment area POST2 has an area of 3.08 ha and an imperviousness of 53%, therefore the required storage volume for 80% TSS removal is 585 m³. The proposed conceptual SWM ponds both provide the storage necessary to meet the water quality objective.

4.0 Conclusions and Recommendations

This report conceptually reviews whether the City's requirements for quality and quantity stormwater management can be spatially achieved on the site. Specific details of the arrangement, location and dimensions of the stormwater management facilities will be developed during the detailed design. The following information conceptually complies with the City's requirements:

- A 417 m³ SWM pond at the south end of the property provides quantity and quality control for the portion of the site within the Ramsey Lake Watershed Intake Protection Zone 3. The proposed SWM pond storage volume is adequate for providing 'enhanced'

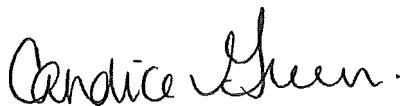
quality protection level and controlling post-development peak outflow to 80% of the pre-development peak flow rate.

- A 619 m³ SWM pond at the northeast corner of the property provides quantity and quality control for the portion of the site within the Wahnapiatae River Watershed. The proposed SWM pond storage volume is adequate for providing 'enhanced' quality protection level and controlling the post-development peak outflow to the pre-development peak flow rate.

We trust that the above satisfies the City's requirements. If you have any questions or would like to discuss the above, please contact our office at your convenience.

Yours very truly,

R.V. ANDERSON ASSOCIATES LIMITED



Candice Green, P.Eng., LEED AP, ENV SP

Principal, Regional Manager

"R:\2023\237002 - KED-Waste Management Facility Site Plan\237002 - KED WM Facility Site Plan - 20240325 Concept SWM Memo.docx"

APPENDIX 1

PRE-DEVELOPMENT CALCULATIONS



The Rational Method calculations were completed using the formula $Q=0.00278 \cdot C \cdot I \cdot A$. Where Q = peak runoff rate (m³/s), C = composite runoff coefficient, I = rainfall intensity (mm/hr), and A = drainage area (ha).

Project: KED Waste Management Facility
 Project No.: 237002
 Date: 2024-03-25
 Designed: M.P.A
 Checked:

PRE-DEVELOPMENT

Catchment	Total Area (ha)	C (2-10 yr)	C + 25% (for 100-yr)
PRE1	2.000	0.45	0.56
PRE2	3.080	0.45	0.56

Chicago 6hr 15min - Peak Intensity		
Design Storm	5 Year	100 Year
Peak Intensity (mm/hr)	69.5	127.2
Calculated Peak Runoff Rate Based on Rational Method		
PRE1	0.175	0.401
PRE2	0.270	0.617

NOTES:

- 1) C values for 5-year design storm based upon Ministry of Transportation Drainage Management Manual
- 2) Overall C values for 100-year storm were determined by adding an additional 25% to the 5-year values according to MTO Drainage Management Manual

APPENDIX 2
POST-DEVELOPMENT CALCULATIONS



Project: KED Waste Management Facility
Project No.: 237002
Date: 2024-03-25
Designed: M.P.A
Checked:

POST-DEVELOPMENT

Catchment	Total Area (ha)	Impervious Area	Pervious Area	C Impv.	C Perv.	C (2-10 yr)	C + 25% (for 100-yr)
POST1	2.000	1.01	0.99	0.9	0.2	0.55	0.69
POST2	3.080	1.63	1.45	0.9	0.2	0.57	0.71

Chicago 6hr 15min - Peak Intensity		
Design Storm	5 Year	100 Year
Peak Intensity (mm/hr)	69.5	127.2
Calculated Peak Runoff Rate Based on Rational Method		
POST1	0.216	0.493
POST2	0.342	0.782

NOTES:

- 1) C values for 2-year design storm based upon Ministry of Transportation Drainage Management Manual
- 2) Overall C values based upon a weighted calculation
- 3) Overall C values for 100-year storm were determined by adding an additional 25% to the 5-year values according to MTO Drainage Management Manual

APPENDIX 3

POND STORAGE CALCULATIONS



Modified Rational Method Preliminary Storage Sizing

Project: 237002 - KED WM Site
Date: March 25, 2024

1	Pre Dev. Site Area (ha) =	2
	Post Dev. Site Area (ha) =	2.000
	Pre Dev. Runoff Coefficient =	0.56
	Post Dev. Runoff Coefficient =	0.69
	Max. Allowed Runoff Coefficient =	0.56

2	CGS IDF				
	$i = a / (t + b)^c$				
	where, i = rainfall intensity (mm/hr), and t = rainfall duration (minutes)				
	Return Period (Year)	A	B	C	I (mm/hr)
	2	429.375	4.25	0.7325	49.20
	5	600.938	4	0.7325	69.53
	10	726.563	3.938	0.7400	82.42
	25	847.03	3.938	0.7400	96.09
	50	986.25	3.75	0.7375	113.54
	100	1092.988	3.656	0.7350	127.22
	$T_c =$	15			min

3	Allowed Peak Discharge Rate - 100yr		Rational Method	
			$Q = 0.0028 * C * I * A$	
			where	
			Q = Peak runoff rate, m ³ /s	
			C = Composite runoff coefficient	
			I = Rainfall intensity, mm/h	
			A = Drainage area, ha	
	Q Allowed =	0.399	L/s	
	Q 100 =	0.492	L/s	

4	On Site Detention Storage				
	100 Yr Storm Event				
	Post Development Runoff Coefficient =				0.69
	Site Area (ha) =				2
	Allowed Release Rate (cu.m/s) =				0.319
	Peak Storage + 30% Allowance (m3) =				235.000
	t_c (min)	i_{100} (mm/hr)	Q_{100} (m ³ /s)	Q_{stored} (m ³ /s)	Peak Volume (m ³)
	1	352.879	1.364	1.044	62.661
	2	305.859	1.182	0.863	103.520
	3	271.365	1.049	0.729	131.288
	4	244.835	0.946	0.627	150.448
	5	223.711	0.864	0.545	163.573
	6	206.438	0.798	0.479	172.260
	7	192.014	0.742	0.423	177.562
	8	179.763	0.695	0.375	180.207
	9	169.211	0.654	0.335	180.713
	10	160.012	0.618	0.299	179.466
	11	151.913	0.587	0.268	176.758
	12	144.719	0.559	0.240	172.813
	13	138.280	0.534	0.215	167.809
	14	132.480	0.512	0.193	161.890
	15	127.222	0.492	0.172	155.171
	16	122.432	0.473	0.154	147.747
	17	118.047	0.456	0.137	139.699
	18	114.016	0.441	0.121	131.092
	19	110.295	0.426	0.107	121.985
	20	106.849	0.413	0.094	112.424
	21	103.646	0.400	0.081	102.453
	22	100.661	0.389	0.070	92.108
	23	97.871	0.378	0.059	81.420
	24	95.258	0.368	0.049	70.416
	25	92.803	0.359	0.039	59.123
	26	90.493	0.350	0.030	47.560
	27	88.313	0.341	0.022	35.749
	28	86.254	0.333	0.014	23.706
	29	84.305	0.326	0.007	11.446
	30	82.456	0.319	0	-
	31	80.701	0.312	0	-
	32	79.031	0.305	0	-
	33	77.441	0.299	0	-
	34	75.924	0.293	0	-
	35	74.475	0.288	0	-
	36	73.090	0.282	0	-

max

Modified Rational Method Preliminary Storage Sizing

Project: 237002 - KED WM Site
Date: March 25, 2024

1	Pre Dev. Site Area (ha) =	3.08
	Post Dev. Site Area (ha) =	3.080
	Pre Dev. Runoff Coefficient =	0.56
	Post Dev. Runoff Coefficient =	0.71
	Max. Allowed Runoff Coefficient =	0.56

2 **CGS IDF**

$i = a / (t + b)^c$,
 where, i = rainfall intensity (mm/hr), and t = rainfall duration (minutes)

Return Period (Year)	A	B	C	i (mm/hr)
2	429.375	4.25	0.7325	49.20
5	600.938	4	0.7325	69.53
10	726.563	3.938	0.7400	82.42
25	847.03	3.938	0.7400	96.09
50	986.25	3.75	0.7375	113.54
100	1092.988	3.656	0.7350	127.22

$T_c = 15$ min

3 **Allowed Peak Discharge Rate - 100yr**

Q Allowed =	0.614	L/s
Q 100 =	0.779	L/s

Rational Method

$Q = 0.0028 * C * I * A$

where

- Q = Peak runoff rate, m^3/s
- C = Composite runoff coefficient
- I = Rainfall intensity, mm/h
- A = Drainage area, ha

4

On Site Detention Storage

100 Yr Storm Event

Post Development Runoff Coefficient = 0.71
 Site Area (ha) = 3.08
 Allowed Release Rate (cu.m/s) = 0.614
 Peak Storage + 30% Allowance (m3) = 307.000

t_c (min)	i_{100} (mm/hr)	Q_{100} (m^3/s)	Q_{stored} (m^3/s)	Peak Volume (m^3)
1	352.879	2.161	1.546	92.777
2	305.859	1.873	1.258	151.005
3	271.365	1.662	1.047	188.490
4	244.835	1.499	0.885	212.334
5	223.711	1.370	0.755	226.613
6	206.438	1.264	0.650	233.861
7	192.014	1.176	0.561	235.745
8	179.763	1.101	0.486	233.417
9	169.211	1.036	0.422	227.702
10	160.012	0.980	0.365	219.208
11	151.913	0.930	0.316	208.398
12	144.719	0.886	0.272	195.628
13	138.280	0.847	0.232	181.181
14	132.480	0.811	0.197	165.283
15	127.222	0.779	0.165	148.117
16	122.432	0.750	0.135	129.836
17	118.047	0.723	0.108	110.564
18	114.016	0.698	0.084	90.407
19	110.295	0.675	0.061	69.457
20	106.849	0.654	0.040	47.789
21	103.646	0.635	0.020	25.471
22	100.661	0.616	0.002	2.559
23	97.871	0.599	0	-
24	95.258	0.583	0	-
25	92.803	0.568	0	-
26	90.493	0.554	0	-
27	88.313	0.541	0	-
28	86.254	0.528	0	-
29	84.305	0.516	0	-
30	82.456	0.505	0	-
31	80.701	0.494	0	-
32	79.031	0.484	0	-
33	77.441	0.474	0	-
34	75.924	0.465	0	-
35	74.475	0.456	0	-
36	73.090	0.448	0	-
37	71.764	0.439	0	-

max

Appendix C

Environmental Compliance
Approval for similar facility -
Clarington Transfer Station

AMENDED ENVIRONMENTAL COMPLIANCE APPROVAL

NUMBER 3412-5ZQLYF

Issue Date: September 12, 2023

Waste Management of Canada Corporation
117 Wentworth Court
Brampton, Ontario
L6T 5L4

Site Location: Clarington Transfer Station
1 McKnight Rd
Clarington Municipality, Regional Municipality of Durham
L1E 2T3

You have applied under section 20.2 of Part II.1 of the Environmental Protection Act, R.S.O. 1990, c. E. 19 (Environmental Protection Act) for approval of:

the operation of a Waste Disposal Site (Transfer/Processing) for the Transfer and Processing

of the following types of waste:

Solid Non-Hazardous Domestic, Industrial, Commercial and Institutional waste.

Note: Use of the site for any other type of waste is not approved under this Approval, and requires

obtaining a separate approval amending this Approval.

For the purpose of this environmental compliance approval, the following definitions apply:

- a. "Adverse Effect" as defined in the EPA;
- b. "Approval" means this Environmental Compliance Approval and any Schedules to it, including the application and supporting documentation listed in Schedule "A".
- c. "Owner" means Waste Management of Canada Corporation, including its officers, employees, agents or contractors;
- d. "Director" means the person(s) designated pursuant to Section 5 of the Act for the purposes of administering Part V of the Act;
- e. "District Manager" means the District Manager of the local district office of the Ministry in which the Site is geographically located;
- f. "EPA" and "Act" means the Environmental Protection Act, R.S.O. 1990, c. E.19, as

amended;

g. "Ministry" and "MECP" means the Ontario Ministry of the Environment Conservation and Parks;

h. "Regulation 347" means Regulation 347 - R.R.O. 1990, General - Waste Management, as amended from time to time, made under the EPA;

i. "Organics" means source segregated organic materials that are received via Domestic, Industrial, Commercial and Institutional collection programs;

j. "Site" and "Facility" means the Transfer and Processing Station being approved under this Approval, located at 1 McKnight Road, Clarington Municipality, Regional Municipality of Durham; and,

k. "Trained" means knowledgeable in the items listed under Condition 27 of this Approval through instruction and practice.

You are hereby notified that this environmental compliance approval is issued to you subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

GENERAL

1. Except as otherwise provided by these conditions, the Site shall be designed, developed, used, maintained and operated, and all facilities, equipment and fixtures shall be built and installed, in accordance with the Application for a Approval, dated March 26, 2003, including supporting documentation, and plans and specifications listed in Schedule "A".

2. The requirements specified in this Approval are the requirements under the EPA. The issuance of this Approval in no way abrogates the Owner's legal obligations to take all reasonable steps to avoid violating other applicable provisions of this legislation and other legislation and regulations.

3. The requirements of this Approval are severable. If any requirement of this Approval, or the application of any requirement of this Approval to any circumstance, is held invalid, the application of such requirement to other circumstances and the remainder of this Approval shall not be affected in any way.

4. The Owner shall ensure compliance with all the terms and conditions of this Approval. Any non-compliance constitutes a violation of the EPA and is grounds for enforcement.

5. (a) The Owner shall, forthwith upon request of the Director, District Manager, or Provincial Officer (as defined in the Act), furnish any information requested by such

persons with respect to compliance with this Approval, including but not limited to, any records required to be kept under this Approval; and,

(b) In the event the Owner provides the Ministry with information, records, documentation or notification in accordance with this Approval (for the purposes of this condition referred to as "Information"),

(i) the receipt of Information by the Ministry;

(ii) the acceptance by the Ministry of the Information's completeness or accuracy; or

(iii) the failure of the Ministry to prosecute the Owner, or to require the Owner to take any action, under this Approval or any statute or regulation in relation to the Information;

shall not be construed as an approval, excuse or justification by the Ministry of any act or omission of the Owner relating to the Information, amounting to non-compliance with this Approval or any statute or regulation.

6. The Owner shall allow Ministry personnel, or a Ministry authorized representative(s), upon

presentation of credentials, to:

(a) carry out any and all inspections authorized by Section 156, 157 or 158 of the EPA, Section 15, 16 or 17 of the Ontario Water Resources Act, R.S.O. 1990, or Section 19 or 20 of the Pesticides Act, R.S.O. 1990, as amended from time to time, of any place to which this Approval relates; and,

without restricting the generality of the foregoing, to:

(b) (i) enter upon the premises where the records required by the conditions of this Approval are kept;

(ii) have access to and copy, at reasonable times, any records required by the conditions of this Approval;

(iii) inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations required by the conditions of this Approval; and,

(iv) sample and monitor at reasonable times for the purposes of assuring compliance with the conditions of this Approval.

7. (a) Where there is a conflict between a provision of any document referred to in Schedule "A", and the conditions of this Approval, the conditions in this Approval shall take precedence; and,

(b) Where there is a conflict between documents listed in Schedule "A", the document bearing the most recent date shall prevail.

8. The Owner shall ensure that all communications/correspondence made pursuant to this Approval

includes reference to this Approval.

9. The Owner shall notify the Director in writing of any of the following changes within thirty (30)

days of the change occurring:

(a) change of Owner or operator of the Site or both;

(b) change of address or address of the new Owner;

(c) change of partners where the Owner or operator is or at any time becomes a partnership,
and a copy of the most recent declaration filed under the Business Names Act, 1991 shall

be included in the notification to the Director;

(d) any change of name of the corporation where the Owner or operator is or at any time

becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" (form 1 or 2 of O. Reg. 182, Chapter C-39, R.R.O. 1990 as amended from time to time), filed under the Corporations Information Act shall be included in the notification to the Director; and,

(e) change in directors or officers of the corporation where the Owner or operator is or at any

time becomes a corporation, and a copy of the most current "Initial Notice or Notice of Change" as referred to in 9(d), supra.

10. In the event of any change in ownership of the Site, the Owner shall notify, in writing, the succeeding owner of the existence of this Approval, and a copy of such notice shall be forwarded to the Director.

11. Any information relating to this Approval and contained in Ministry files may be made available

to the public in accordance with the provisions of the Freedom of Information and Protection

of Privacy Act, R.S.O. 1990, C. F-31.

12. All records and monitoring data required by the conditions of this Approval must be kept on the

Owner's premises for a minimum period of two (2) years from the date of their creation.

13. The obligations imposed by the terms and conditions of this Approval are obligations of due diligence.

OPERATIONS

14. (a) The Site may operate twenty-four (24) hours per day, seven (7) days per week; and

(b) The Site is approved to operate a Public Drop-Off Area as follows:

(i) Monday to Friday from 6:00 a.m. to 5:30 p.m. and

(ii) Saturday from 7:00 a.m. to 12:00 p.m.

(c) A sign shall be posted in a prominent location at the Site entrance clearly stating the hours of operation and the Owner's name, and an emergency phone number to call in the event of an emergency.

15. The Owner shall only accept at this Site solid non-hazardous waste from industrial, commercial, institutional and domestic sources including wood waste, blue box material, source separated

organics and tires.

16. Incoming waste shall be inspected prior to being received at the Site to ensure that the Site is

approved to accept that type of waste.

17. (a) The Site may receive up to 800 tonnes of waste per day;

(b) The total amount of waste leaving the Site shall not exceed 800 tonnes per day; and,

(c) Putresible and Organic waste shall be removed from the Site within seventy-two (72) hours after receipt.

18. (a) The maximum amount of waste stored on-site at any time shall not exceed 1,200 tonnes; and,

(b) Outdoor storage is limited to 100 tonnes of recyclable/reusable materials. The containers must be covered upon the completion of each operating day to prevent wind-blown litter and contamination of run-off.

19. (a) The tipping floor shall be disinfected as necessary to prevent any off-site impacts; and,

(b) A written record shall be kept of when the disinfection of the tipping floor was conducted as per Condition 28.

20. (a) If any incoming waste load is known to, or is discovered to, contain unacceptable waste, that load shall not be accepted at the Site; and,

(b) If any unacceptable waste is discovered on-site, that waste shall immediately be disposed of in accordance with Regulation 347.

21. The Owner shall ensure that all wastes transported to and from the Site shall be transported in accordance with the Act and Regulation 347.

22. (a) The Owner shall ensure that the Site is operated in a secure manner, such that unauthorized persons cannot enter; and,

(b) The Owner shall ensure that the Site is operated in a safe manner, and that all waste is properly handled, processed and contained so as not to pose any threat to the general public and site personnel.

23. The Owner shall ensure that trained staff are on duty at all times when the Site is open to ensure proper supervision of all activities.

24. (a) The Owner shall ensure that the Site is not operated unless all air approvals under Section 9 of the Act, where applicable, have been obtained; and,

(b) At no time is burning or incineration of any materials allowed on the Site.

25. The Owner must conduct regular inspections of the equipment and facilities to ensure that all

equipment and facilities at the Site are maintained in good working order at all times.

Any deficiencies detected during these regular inspections must be promptly corrected.

A written record must be maintained at the Site, which includes, but not limited to the following:

(a) name and signature of Trained personnel conducting the inspection;

(b) date and time of the inspection;

(c) list of equipment inspected and all deficiencies observed;

- (d) a detailed description of the maintenance activity;
- (e) date and time of maintenance activity; and,
- (f) recommendations for remedial action and actions undertaken.

26. The Owner, in addition to inspections and documentation requirements carried out in Condition 25 of this Approval, must conduct on each operating day, a visual inspection of the following areas to ensure the Site is secure and that no off-site impacts such as vermin, vectors, odour, noise, dust and litter, result from the operation of the Facility:

- (a) waste loading/unloading areas and associated containment areas;
- (b) waste storage areas and associated containment areas; and,
- (c) security fence, barriers and property line.

STAFF TRAINING

27. The Owner shall ensure through proper written records that all personnel directly involved with activities relating to the Site have been Trained with respect to:

- (a) the terms, Conditions and operating requirements of this Approval;
- (b) the operation and management of all Transfer, Processing, storage and contingency measures equipment and procedures;
- (c) any environmental and occupational health and safety concerns pertaining to the Site and

wastes to be Transferred and/or Processed ; a nd,

- (d) relevant waste management legislation and Regulations under the Act and Ontario Water Resources Act.

RECORD KEEPING

28. The Owner shall maintain, at the Site for a minimum of two (2) years, a log book or electronic file format which records daily the following information:

- (a) date of record;
- (b) types, quantities and source of waste received;
- (c) quantity of waste Transferred;
- (d) quantity of waste(s) Processed;
- (e) quantities of residual waste on the Site;
- (f) quantities and destination of each type of waste shipped from the Site; and,
- (g) results of inspections and reports required under Conditions 25 and 26 of this Approval,

including the name and signature of the person conducting the inspection and completing the report.

COMPLAINT RESPONSE PLAN

29. If at any time, the Owner receives complaints regarding the operation of the Site, the Owner shall respond to the complaint in accordance with the following procedure;

- (a) The Owner shall record each complaint on a formal complaint form entered in a sequentially numbered log book. The information recorded shall include the nature of the complaint, the name address and the telephone number of the complainant and the time and date of the complaint;

(b) The Owner, upon notification of the complaint shall initiate appropriate steps to determine all possible causes of the complaint, proceed to take the necessary actions to eliminate the cause of the complaint and forward a formal reply to the complainant; and,

(c) The Owner shall submit to the District Manager, a report written seven (7) days of the complaint date, listing the actions taken to resolve the complaint and any recommendations for remedial measures, and managerial or operations changes to reasonably avoid the reoccurrence of similar incidents.

EMERGENCY RESPONSE

30. The Owner shall take immediate measures to clean-up all spills, related discharges and process upsets of wastes which result from the operation of the Site. All spills and upsets shall be immediately reported to the Ministry's Spills Action Centre at (416) 325-3000 or 1-800-268-6060 and shall be recorded in a written log or an electronic file format, referred to in Condition 28 of this Approval as to the nature of the spill or upset, and the action taken for clean-up, correction and prevention of future occurrences.

31. (a) The Owner shall maintain a Spill Contingency and Emergency Response Plan for the operation of the Transfer/Processing Facility. The Plan shall include, but not necessarily limited to:

(i) emergency response procedures to be undertaken in the event of a spill or process upset, including specific clean up methods for each individual waste;

(ii) a list of contingency equipment and spill clean up materials, including names and telephone numbers of waste management companies available for emergency response; and,

(iii) a notification protocol with names and telephone numbers of persons to be contacted, including company personnel, the Ministry of the Environment District Office and Spills Action Centre, the local Fire Department, the local Municipality, the local Medical Officer of Health, and the Ministry of Labour.

(b) A copy of the Spill Contingency and Emergency Response Plan shall be kept on the Site at all times, in a central location available to all staff, and a copy shall be submitted to the District Manager, the local Municipality and the local Fire Department by no later than August 30, 2004;

(c) The Owner shall ensure that the contingency equipment and materials outlined in the Spill Contingency and Emergency Response Plan are immediately available on the Site at all times, in a good state of repair, and fully operational; and,

(d) The Owner shall ensure that all operating personnel are fully Trained in the use of the contingency equipment and materials outlined in the Spill Contingency and Emergency Response Plan, and in the procedures to be employed in the event of an emergency.

STORMWATER MANAGEMENT

32. The Owner shall manage all direct discharges from this Site including stormwater run-off in

accordance with appropriate Municipal, Provincial and or Federal Legislation, Regulations and By-laws.

ANNUAL REPORT

33. By March 31st of every year, the Owner shall prepare and submit to the District Manager an annual report covering the previous calendar year. Each report shall include, as a minimum, the following information:

- (a) a detailed monthly summary of the type, quantity and origin of all wastes received, Processed and Transferred from the Site, including the destination, type and quantity of waste destined for final disposal and also including any reconciliations on mass balance made;
- (b) any environmental and operational problems that could negatively impact the environment, encountered during the operation of the Site and during the facility inspections, and any mitigative actions taken;
- (c) a statement as to compliance with all Conditions of this Approval and with the inspection and reporting requirements of the Conditions herein;
- (d) any recommendations to minimize environmental impacts from the operation of the Site and to improve Site operations and monitoring programs in this regard; and,
- (e) the most updated revision of the Financial Assurance necessary for the Site as described in Condition 34(c) of this Approval.

FINANCIAL ASSURANCE

34. (a) Within twenty (20) days of the issuance of this Approval, the Owner shall maintain \$171, 244.54 to the Ministry. This Financial Assurance shall be in a form acceptable to the Director and shall provide sufficient funds for the analysis, transportation, Site clean-up, monitoring and disposal of all quantities of waste on the Site at any one time.

(b) Commencing on June 30, 2024 and at intervals of five years (5) thereafter, the Owner shall submit to the Director, a re-evaluation of the amount of Financial Assurance to implement the actions required under Condition 34 (a). The re-evaluation shall include an assessment based on any new information relating to the environmental conditions of the Site and shall include the costs of additional monitoring and/or implementation of contingency plans required by the Director upon review of the closure plan and annual reports. The Financial Assurance must be submitted to the Director within ten (10) days of written acceptance of the re-evaluation by the Director.

(c) The amount of Financial Assurance is subject to review at any time by the Director and may be amended at his/her discretion. If any Financial Assurance is scheduled to expire or notice is received, indicating Financial Assurance will not be renewed, and satisfactory methods have not been made to replace the Financial assurance at least sixty (60) days before the Financial Assurance terminates, the Financial Assurance shall forthwith be replaced by cash.

CLOSURE PLAN

35. (a) The Owner must submit, for approval by the Director, a written Closure Plan for the Site four (4) months prior to closure of the Site. This plan must include, as a minimum, a description of the work that will be done to facilitate closure of the Site and a schedule for completion of that work; and,
- (b) Within ten (10) days after closure of the Site, the Owner must notify the Director, in writing, that the Site has been closed in accordance with the approved Closure Plan.

SCHEDULE "A"

This Schedule "A" forms part of this Approval;

1. Covering letter dated March 28, 2003 to Mr. J. O'Mara, Director, Ministry of the Environment, Conservation and Parks (MECP), enclosing an Application for a Approval, Waste Disposal Site (Transfer), requesting that the Minister issue an Order to declare that the provisions of the Environmental Assessment Act do not apply with respect to the proposed undertaking, signed by J. Campbell, Director, Environmental Compliance, Waste Management of Canada Corporation, (*formerly Canadian Waste Services Inc.*).
2. Covering letter dated March 28, 2003 to Mr. J. O'Mara, Director, Ministry of the Environment (MOE), enclosing an Application for a Approval, Waste Disposal Site (Transfer), enclosing a Design and Operations Report.
3. Copy of letter dated May 17, 2004 to Mr. Kevin Bechard, Director of Public Affairs, Waste Management of Canada Corporation, from Solange Desautels, Special Projects Officer, Environmental Assessment & Approvals Branch, advising that the proposed facility does not require designation under the Environmental Assessment Act.
4. Letter to K. Wassink, MOE, dated June 23, 2004 from Mr. Kevin Bechard, Director of Public Affairs, Waste Management of Canada Corporation, providing additional information and facility site plans.
5. Electronic letter, dated January 27, 2020 submitted to the Ministry by Katrina Dorenzo-McGrath, Manager Environmental Protection, Waste Management of Canada Corp.
6. Letter dated June 21, 2023 submitted to the Ministry by Katrina Dorenzo-McGrath, Director Environmental Protection, Waste Management of Canada Corp. requesting a change in Condition 14c.

The reasons for the imposition of these terms and conditions are as follows:

1. The reason for Conditions 1, 12 and 33 is to ensure that the Site is operated in accordance with the application and supporting documentation submitted by the Company, and not in a manner which the Director has not been asked to consider.
2. The reason for Conditions 2, 3, 4, 7, 8, 9, 10, 11 and 13 is to clarify the legal rights and responsibilities of the Company.
3. The reason for Conditions 5 and 6 is to ensure that the appropriate Ministry staff

have ready access to information and the operations of the Site which are approved under this Approval. Condition 6 is supplementary to the powers of entry afforded a Provincial Officer pursuant to the EPA, the Ontario Water Resources Act, and the Pesticides Act, as amended.

4. The reason for Conditions 14, 15, 16, 17, 18 and 26 is to ensure that the types and amounts of waste received at the Site are in accordance with that approved under this Approval.

5. The reason for Conditions 19, 20, 21, 22, 23, 24, 25, 28 and 32 is to ensure that the Site is operated in a manner which does not result in a nuisance or a hazard to the health and safety of the public and the environment.

6. The reason for Condition 27 is to ensure that staff are properly trained in Site operational procedures, the operation of the equipment used at the Site, and emergency response procedures.

7. The reason for Condition 29 is to ensure that complaints are properly and quickly resolved and that complaints and follow-up actions have been documented.

8. The reason for Conditions 30 and 31 is to ensure that staff notify the Ministry forthwith of any spills as required in Part X of the EPA so that appropriate spills response can be determined, and to ensure that any spills are dealt with in a manner which minimizes any impacts.

9. The reason for Condition 34 is to ensure that sufficient funds are available to the Ministry to clean up the Site in the event that the Company is unable or unwilling to do so.

10. The reason for Condition 35 is to ensure the Site is closed in accordance with Ministry standards and to protect the health and safety of the public and the environment.

Upon issuance of the environmental compliance approval, I hereby revoke Approval No(s). 3412-5ZQLYF issued on May 29, 2020

In accordance with Section 139 of the *Environmental Protection Act*, you may by written notice served upon me and the Ontario Land Tribunal within 15 days after receipt of this notice, require a hearing by the Tribunal. Section 142 of the *Environmental Protection Act* provides that the notice requiring the hearing ("the Notice") shall state:

- a. The portions of the environmental compliance approval or each term or condition in the environmental compliance approval in respect of which the hearing is required, and;
- b. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

Pursuant to subsection 139(3) of the *Environmental Protection Act*, a hearing may not be required with respect to any terms and conditions in this environmental compliance approval, if the terms and conditions are substantially the same as those contained in an approval that is amended or revoked by this environmental compliance approval.

The Notice should also include:

1. The name of the appellant;
2. The address of the appellant;
3. The environmental compliance approval number;
4. The date of the environmental compliance approval;
5. The name of the Director, and;
6. The municipality or municipalities within which the project is to be engaged in.

And the Notice should be signed and dated by the appellant.

This Notice must be served upon:

Registrar*
Ontario Land Tribunal
655 Bay Street, Suite 1500
Toronto, Ontario
M5G 1E5
OLT.Registrar@ontario.ca

and

The Director appointed for the purposes of Part II.1
of the *Environmental Protection Act*
Ministry of the Environment, Conservation and
Parks
135 St. Clair Avenue West, 1st Floor
Toronto, Ontario
M4V 1P5

*** Further information on the Ontario Land Tribunal's requirements for an appeal can be obtained directly from the Tribunal at: Tel: (416) 212-6349 or 1 (866) 448-2248, or www.oltf.gov.on.ca**

The above noted activity is approved under s.20.3 of Part II.1 of the *Environmental Protection Act*.

DATED AT TORONTO this 12th day of
September, 2023



Mohsen Keyvani, P.Eng.
Director
appointed for the purposes of Part
II.1 of the *Environmental Protection
Act*

RI/
c: District Manager, MECP York-Durham
Katrina DiRenzo-McGrath, Waste Management of Canada Corporation



www.jlrichards.ca

Ottawa

343 Preston Street
Tower II, Suite 1000
Ottawa ON Canada
K1S 1N4
Tel: 613 728-3571
ottawa@jlrichards.ca

Kingston

203-863 Princess Street
Kingston ON Canada
K7L 5N4
Tel: 613 544-1424
kingston@jlrichards.ca

Sudbury

314 Countryside Drive
Sudbury ON Canada
P3E 6G2
Tel: 705 522-8174
sudbury@jlrichards.ca

Timmins

834 Mountjoy Street S
Timmins ON Canada
P4N 7C5
Tel: 705 360-1899
timmins@jlrichards.ca

North Bay

501-555 Oak Street E
North Bay ON Canada
P1B 8E3
Tel: 705 495-7597
northbay@jlrichards.ca

Hawkesbury

326 Bertha Street
Hawkesbury ON Canada
K6A 2A8
Tel: 613 632-0287
hawkesbury@jlrichards.ca

Guelph

107-450 Speedvale Ave. West
Guelph ON Canada
N1H 7Y6
Tel: 519 763-0713
guelph@jlrichards.ca



TECHNICAL MEMORANDUM

To: Kingsway Entertainment District Inc. **RVA:** 237002
From: Candice Green, P.Eng., LEED AP, ENV SP
Date: March 28, 2024
Subject: KED Waste Management Site – Conceptual Stormwater Management Plan

1.0 Background

Waste Management intends to construct a new Waste Transfer Station within the Kingsway Employment District Industrial Park in the City of Greater Sudbury (The City). Kingsway Entertainment District Inc. (KED) intends to sell Lot 4 and Lot 5 within the Industrial Park to Waste Management, for the development of their Waste Transfer Station. A condition of the sale of the lands is rezoning the property to accommodate the proposed development. R.V. Anderson Associates Limited (RVA) was retained by KED to prepare a conceptual stormwater management plan, as part of the works associated with rezoning the property.

This Technical Memorandum outlines RVA's conceptual stormwater management plan for the proposed Waste Management Site within the City of Greater Sudbury (CGS).

2.0 Pre-Development Conditions

The proposed subject site is located on undeveloped lands and consists of undulating brush, trees, bedrock, with wetlands nearby. The property is bisected by a watershed boundary with the southern half of the site draining towards Ramsey Lake and the northern half of the site draining towards the Wahnapiatae River Watershed. The Ramsey Lake Watershed is subject to restrictions as it is an Intake Protection Zone (IPZ3).

For stormwater management purposes, the subject site was split into two drainage catchment areas along the IPZ limit. The southern catchment, PRE1 is 2.00 ha and is within the IPZ. The northern catchment, PRE2, is 3.08 ha and is within the Wahnapiatae River Watershed. The pre-development drainage area plan is shown in Figure 1.

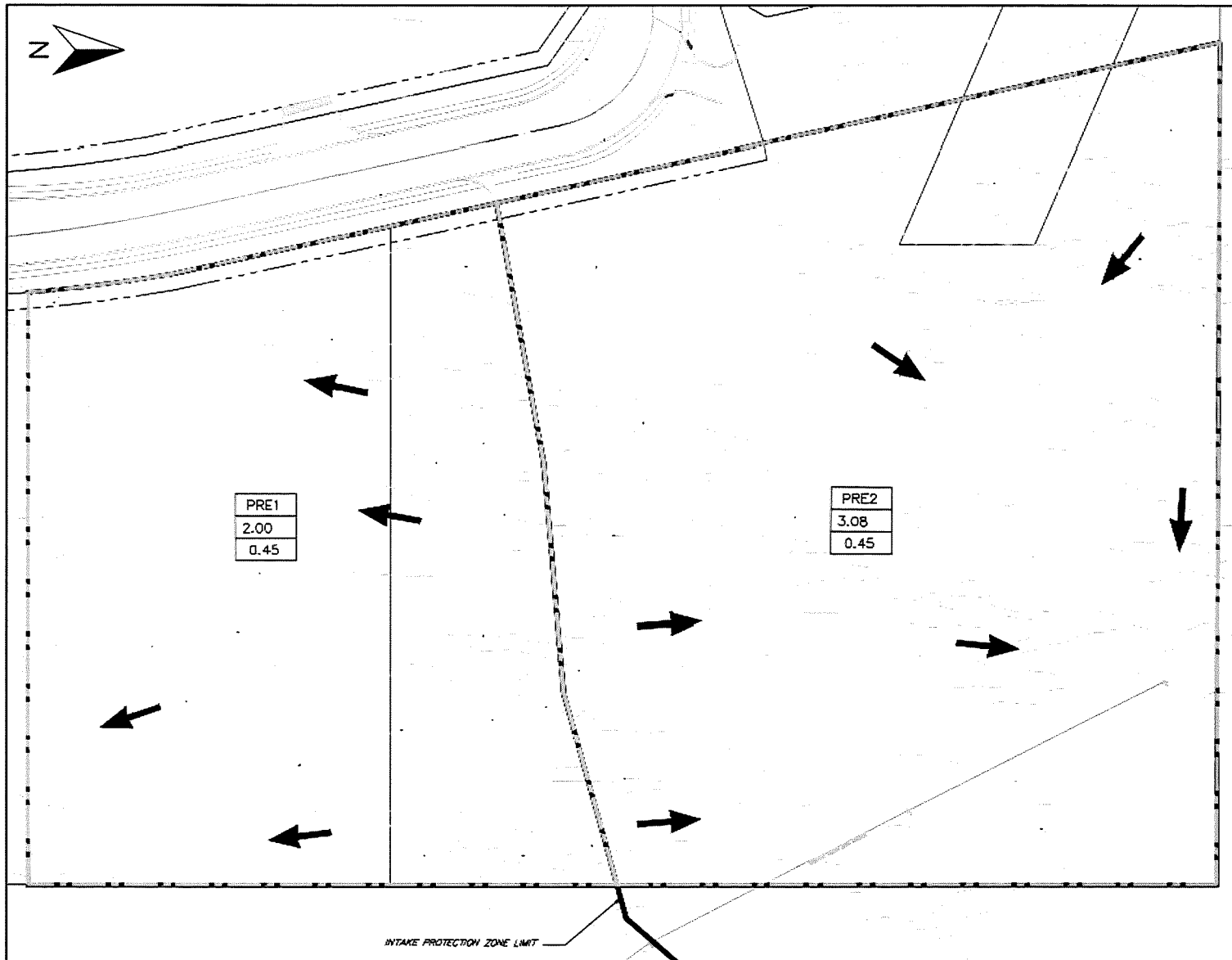


Figure 1: Pre-development Catchment Areas

2.1 Pre-development Hydrologic Model

Pre-development runoff conditions of the subject area were calculated using the Rational Method. Based on CGS standards, the Chicago type distribution was used to evaluate peak flows and runoff volume. Visual OTTHYMO (VO) software version 6.2 was used to generate the 6-hour Chicago design storms. The Intensity-Duration-Frequency (IDF) curve parameters used for generating the design storms were as per the CGS Supplemental Design Criteria for Sanitary Sewers, Storm Sewers and Force mains, December 2022. The hydrologic response of the pre-development area was evaluated for the 5-year and 100-year design storm events. The A, B, and C values to determine the rainfall intensity are shown in Table 2.1.

Table 2.1 – Sudbury Rainfall – IDF Curve Parameters

Design Storm Event	A	B	C
5-year	600.938	4.000	0.7325
100-year	1092.988	3.656	0.7350

Based on the subject site land use and topography being a mix of dense vegetation, woodland, and some bare rock coverage, with flat to rolling slopes, a runoff coefficient of 0.45 was chosen. The pre-development runoff calculations are shown in Appendix 1. Table 2.2 shows the hydrologic results for the pre-development conditions.

Table 2.2 – Pre-Development Runoff Peak Flow Rate

Design Storm Event	PRE1 - Runoff Peak Flow (m ³ /s)	PRE2 - Runoff Peak Flow (m ³ /s)
5-year	0.175	0.270
100-year	0.401	0.617

3.0 Post-Development Conditions

The proposed development includes an office, service shop, and parking spaces within the southern portion of the site. The northern portion of the site includes truck parking, truck scales stations, space for the storage of waste bins, and the waste transfer station. Stormwater can be conveyed through the subject site overland, via catch basins, storm sewers and/or swales. The two halves of the site will be controlled by two separate stormwater management facilities, one draining to the storm sewer network on Street 'C' within the Ramsey Lake Watershed and one draining to the existing environment within the Wahnapiatae River Watershed.

For the conceptual design, the post-development catchment areas were assumed to be the same as the pre-development catchments. Under post-development conditions, all the proposed

development areas including the entrances and the vehicle/waste truck access areas around the buildings were assumed to be impervious. All remaining undeveloped areas were assumed to be a pervious surface such as grass. The catchment areas POST1 and POST2 are shown are outlined in the post-development drainage area plan shown in Figure 2. A runoff coefficient of 0.9 and 0.2 was used for the impervious and pervious areas, respectively. The weighted runoff coefficient calculated for POST1 and POST2 is 0.55 and 0.57, respectively, for the 2–10-year design storm events.

3.1 Post-development Hydrologic Model

Post-development runoff conditions of the subject area were calculated using the Rational Method. The hydrologic response was evaluated for the 5-year and 100-year 6-hour Chicago design storms.

The post-development runoff calculations are shown in Appendix 2. Table 3.1 shows the hydrologic results for the post-development conditions.

Table 3.1 – Post-Development Runoff Peak Flow and Runoff Volume

Design Storm Event	POST1 - Runoff Peak Flow (m ³ /s)	POST2 - Runoff Peak Flow (m ³ /s)
5-year	0.216	0.342
100-year	0.493	0.782

3.2 Quantity Control

The City requirements for the site development include controlling post-development peak flows to pre-development levels within the Wahnapiatae River Watershed, and reducing the post-development peak flow rate to 80% of the pre-development flow rate within the Ramsey Lake Watershed.

The Modified Rational Method was used to calculate the storage volume required to control post-development peak flow rates to the pre-development levels. The 100-year storm was used for this analysis, to determine the maximum required storage. The Modified Rational Method is based off the formula $V_s = 0.5 \cdot t_b \cdot (Q_p - Q_A)$ where V_s is the storage required (m³), $0.5 \cdot t_b$ can be seen as the time to peak/time of concentration, Q_p is the peak post-development runoff rate (m³/s) based on that time of concentration, and Q_A is the allowable peak runoff rate (m³/s).

This formula was iterated for increasing time of concentration values until the maximum potential storage volume required was found. The results show that for catchment area POST1, to achieve the additional 20% flow rate reduction for quantity control, the peak storage volume plus a 30% allowance is 235 m³. For catchment area POST2, the peak storage volume plus a 30% allowance is 307 m³. The Modified Rational Method calculations and results are shown in Appendix 3.

Two separate stormwater management (SWM) facilities are proposed to provide quantity control, based on the two separate watersheds and catchment areas. Two conceptual SWM ponds are shown in the sketch shown in Figure 3.

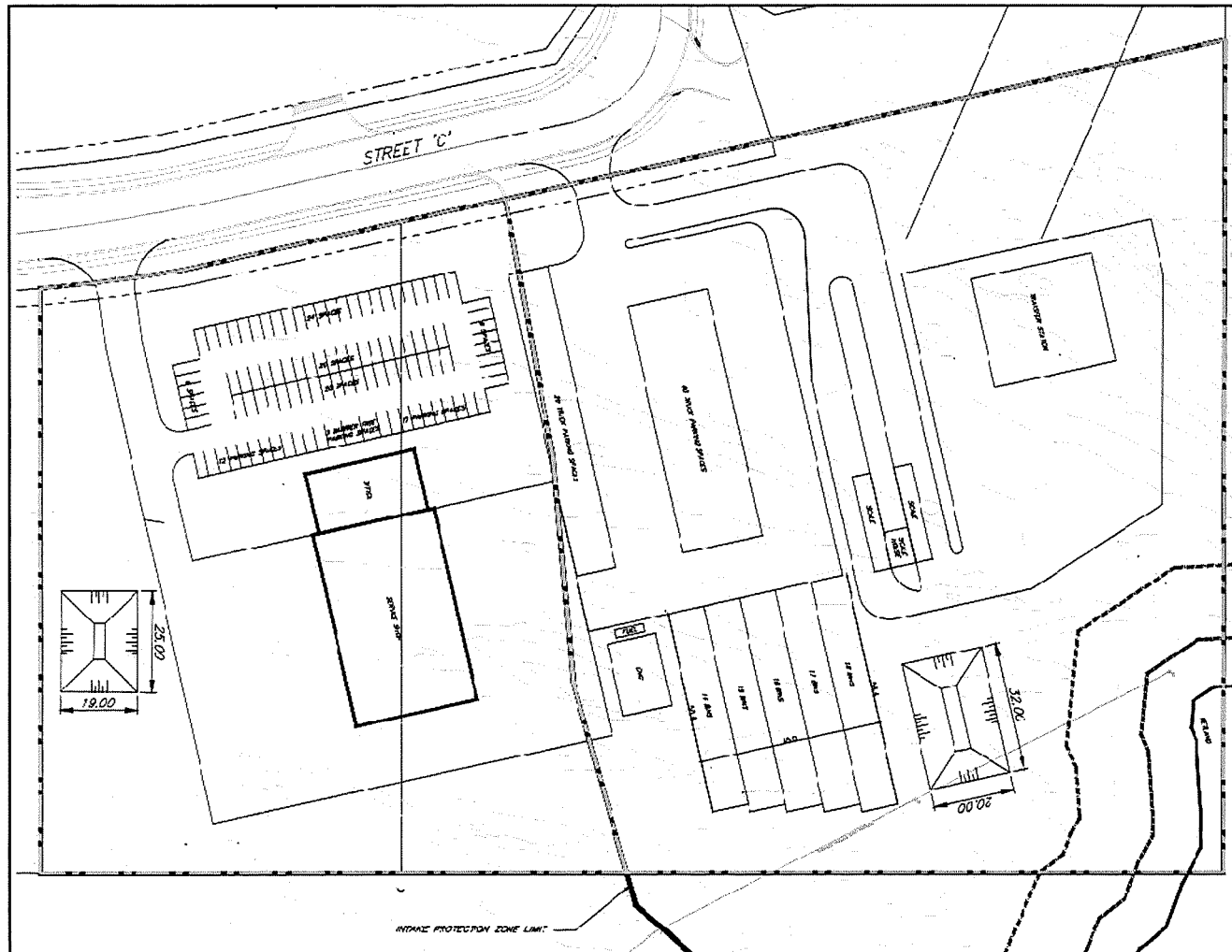


Figure 2: Post-development Catchment Areas

One SWM pond is conceptually located near the south end of the property. Catchment area POST1 will drain to this SWM pond, then eventually outlet at the controlled rate to the storm sewer system on Street 'C'. The proposed pond bottom is 9.0 m long by 3.0 m wide, with a depth of 2.0 m and 4:1 side slopes, so the surface dimensions are 25.0 m long by 19.0 m wide. The maximum volume of this SWM pond is 417 m³, which exceeds the requirement of 235 m³.

The second SWM pond is conceptually located near the northeast corner of the property, outside of the wetland limits. Catchment area POST2 will drain to this SWM pond, and the pond will control the outflow to the environment to the allowable rate. The proposed pond bottom is 16.0 m long by 4.0 m wide, with a depth of 2.0 m and 4:1 side slopes, so the surface dimensions are 32.0 m long by 20.0 m wide. The maximum volume of this SWM pond is 619 m³, which exceeds the requirement of 307 m³.

3.3 Quality Control

The conceptual SWM ponds can be designed to each provide the water quality objective of long-term average removal of 80% total suspended solids (TSS) in the runoff volume for 'enhanced' protection levels. Table 3.2 from the Ontario Ministry of the Environment (MOE) Stormwater Management Planning and Design Manual (March 2003) was used to estimate the required pond volume for water quality control purposes. Catchment area POST1 has an area of 2.0 ha and an imperviousness of 51%, therefore the required storage volume for 80% TSS removal is 380 m³. Catchment area POST2 has an area of 3.08 ha and an imperviousness of 53%, therefore the required storage volume for 80% TSS removal is 585 m³. The proposed conceptual SWM ponds both provide the storage necessary to meet the water quality objective.

4.0 Conclusions and Recommendations

This report conceptually reviews whether the City's requirements for quality and quantity stormwater management can be spatially achieved on the site. Specific details of the arrangement, location and dimensions of the stormwater management facilities will be developed during the detailed design. The following information conceptually complies with the City's requirements:

- A 417 m³ SWM pond at the south end of the property provides quantity and quality control for the portion of the site within the Ramsey Lake Watershed Intake Protection Zone 3. The proposed SWM pond storage volume is adequate for providing 'enhanced'

quality protection level and controlling post-development peak outflow to 80% of the pre-development peak flow rate.

- A 619 m³ SWM pond at the northeast corner of the property provides quantity and quality control for the portion of the site within the Wahnapiatae River Watershed. The proposed SWM pond storage volume is adequate for providing 'enhanced' quality protection level and controlling the post-development peak outflow to the pre-development peak flow rate.

We trust that the above satisfies the City's requirements. If you have any questions or would like to discuss the above, please contact our office at your convenience.

Yours very truly,

R.V. ANDERSON ASSOCIATES LIMITED



Candice Green, P.Eng., LEED AP, ENV SP

Principal, Regional Manager

"R:\2023\237002 - KED-Waste Management Facility Site Plan\237002 - KED WM Facility Site Plan - 20240325 Concept SWM Memo.docx"

APPENDIX 1
PRE-DEVELOPMENT CALCULATIONS



The Rational Method calculations were completed using the formula $Q=0.00278 \cdot C \cdot I \cdot A$. Where Q = peak runoff rate (m³/s), C = composite runoff coefficient, I = rainfall intensity (mm/hr), and A = drainage area (ha).

Project: KED Waste Management Facility
 Project No.: 237002
 Date: 2024-03-25
 Designed: M.P.A
 Checked:

PRE-DEVELOPMENT

Catchment	Total Area (ha)	C (2-10 yr)	C + 25% (for 100-yr)
PRE1	2.000	0.45	0.56
PRE2	3.080	0.45	0.56

Chicago 6hr 15min - Peak Intensity		
Design Storm	5 Year	100 Year
Peak Intensity (mm/hr)	69.5	127.2
Calculated Peak Runoff Rate Based on Rational Method		
PRE1	0.175	0.401
PRE2	0.270	0.617

NOTES:

- 1) C values for 5-year design storm based upon Ministry of Transportation Drainage Management Manual
- 2) Overall C values for 100-year storm were determined by adding an additional 25% to the 5-year values according to MTO Drainage Management Manual

APPENDIX 2
POST-DEVELOPMENT CALCULATIONS



Project: KED Waste Management Facility
Project No.: 237002
Date: 2024-03-25
Designed: M.P.A
Checked:

POST-DEVELOPMENT

Catchment	Total Area (ha)	Impervious Area	Pervious Area	C Impv.	C Perv.	C (2-10 yr)	C + 25% (for 100-yr)
POST1	2.000	1.01	0.99	0.9	0.2	0.55	0.69
POST2	3.080	1.63	1.45	0.9	0.2	0.57	0.71

Chicago 6hr 15min - Peak Intensity		
Design Storm	5 Year	100 Year
Peak Intensity (mm/hr)	69.5	127.2
Calculated Peak Runoff Rate Based on Rational Method		
POST1	0.216	0.493
POST2	0.342	0.782

NOTES:

- 1) C values for 2-year design storm based upon Ministry of Transportation Drainage Management Manual
- 2) Overall C values based upon a weighted calculation
- 3) Overall C values for 100-year storm were determined by adding an additional 25% to the 5-year values according to MTO Drainage Management Manual

APPENDIX 3
POND STORAGE CALCULATIONS



Modified Rational Method Preliminary Storage Sizing

Project: 237002 - KED WM Site

Date: March 25, 2024

1	Pre Dev. Site Area (ha) =	2
	Post Dev. Site Area (ha) =	2.000
	Pre Dev. Runoff Coefficient =	0.56
	Post Dev. Runoff Coefficient =	0.69
	Max. Allowed Runoff Coefficient =	0.56

2

CGS IDF

$i = a / (t + b)^c$

where, i = rainfall intensity (mm/hr), and t = rainfall duration (minutes)

Return Period (Year)	A	B	C	i (mm/hr)
2	429.375	4.25	0.7325	49.20
5	600.938	4	0.7325	69.53
10	726.563	3.938	0.7400	82.42
25	847.03	3.938	0.7400	96.09
50	986.25	3.75	0.7375	113.54
100	1092.988	3.656	0.7350	127.22

$T_c = 15$ min

3

Allowed Peak Discharge Rate - 100yr

Rational Method
$Q = 0.0028 * C * I * A$
where
Q = Peak runoff rate, m ³ /s
C = Composite runoff coefficient
I = Rainfall intensity, mm/h
A = Drainage area, ha

Q Allowed = 0.399 L/s

Q 100 = 0.492 L/s

4

On Site Detention Storage

100 Yr Storm Event

Post Development Runoff Coefficient = 0.69

Site Area (ha) = 2

Allowed Release Rate (cu.m/s) = 0.319

Peak Storage + 30% Allowance (m3) = 235.000

t_c (min)	i_{100} (mm/hr)	Q_{100} (m ³ /s)	Q_{stored} (m ³ /s)	Peak Volume (m ³)
1	352.879	1.364	1.044	62.661
2	305.859	1.182	0.863	103.520
3	271.365	1.049	0.729	131.288
4	244.835	0.946	0.627	150.448
5	223.711	0.864	0.545	163.573
6	206.438	0.798	0.479	172.260
7	192.014	0.742	0.423	177.562
8	179.763	0.695	0.375	180.207
9	169.211	0.654	0.335	180.713
10	160.012	0.618	0.299	179.466
11	151.913	0.587	0.268	176.758
12	144.719	0.559	0.240	172.813
13	138.280	0.534	0.215	167.809
14	132.480	0.512	0.193	161.890
15	127.222	0.492	0.172	155.171
16	122.432	0.473	0.154	147.747
17	118.047	0.456	0.137	139.699
18	114.016	0.441	0.121	131.092
19	110.295	0.426	0.107	121.985
20	106.849	0.413	0.094	112.424
21	103.646	0.400	0.081	102.453
22	100.661	0.389	0.070	92.108
23	97.871	0.378	0.059	81.420
24	95.258	0.368	0.049	70.416
25	92.803	0.359	0.039	59.123
26	90.493	0.350	0.030	47.560
27	88.313	0.341	0.022	35.749
28	86.254	0.333	0.014	23.706
29	84.305	0.326	0.007	11.446
30	82.456	0.319	0	-
31	80.701	0.312	0	-
32	79.031	0.305	0	-
33	77.441	0.299	0	-
34	75.924	0.293	0	-
35	74.475	0.288	0	-
36	73.090	0.282	0	-

max

Modified Rational Method Preliminary Storage Sizing

Project: 237002 - KED WM Site

Date: March 25, 2024

1	Pre Dev. Site Area (ha) =	3.08
	Post Dev. Site Area (ha) =	3.080
	Pre Dev. Runoff Coefficient =	0.56
	Post Dev. Runoff Coefficient =	0.71
	Max. Allowed Runoff Coefficient =	0.56

2 **CGS IDF**

$i = a / (t + b)^c$

where, i = rainfall intensity (mm/hr), and t = rainfall duration (minutes)

Return Period (Year)	A	B	C	i (mm/hr)
2	429.375	4.25	0.7325	49.20
5	600.938	4	0.7325	69.53
10	726.563	3.938	0.7400	82.42
25	847.03	3.938	0.7400	96.09
50	986.25	3.75	0.7375	113.54
100	1092.988	3.656	0.7350	127.22

$T_c = 15$ min

3 **Allowed Peak Discharge Rate - 100yr**

Rational Method

$Q = 0.0028 * C * I * A$

where

- Q = Peak runoff rate, m³/s
- C = Composite runoff coefficient
- I = Rainfall intensity, mm/h
- A = Drainage area, ha

Q Allowed =	0.614	L/s
Q 100 =	0.779	L/s

4

On Site Detention Storage				
100 Yr Storm Event				
Post Development Runoff Coefficient =		0.71		
Site Area (ha) =		3.08		
Allowed Release Rate (cu.m/s) =		0.614		
Peak Storage + 30% Allowance (m3) =		307.000		
t_c (min)	i_{100} (mm/hr)	Q_{100} (m ³ /s)	Q_{stored} (m ³ /s)	Peak Volume (m ³)
1	352.879	2.161	1.546	92.777
2	305.859	1.873	1.258	151.005
3	271.365	1.662	1.047	188.490
4	244.835	1.499	0.885	212.334
5	223.711	1.370	0.755	226.613
6	206.438	1.264	0.650	233.861
7	192.014	1.176	0.561	235.745
8	179.763	1.101	0.486	233.417
9	169.211	1.036	0.422	227.702
10	160.012	0.980	0.365	219.208
11	151.913	0.930	0.316	208.398
12	144.719	0.886	0.272	195.628
13	138.280	0.847	0.232	181.181
14	132.480	0.811	0.197	165.283
15	127.222	0.779	0.165	148.117
16	122.432	0.750	0.135	129.836
17	118.047	0.723	0.108	110.564
18	114.016	0.698	0.084	90.407
19	110.295	0.675	0.061	69.457
20	106.849	0.654	0.040	47.789
21	103.646	0.635	0.020	25.471
22	100.661	0.616	0.002	2.559
23	97.871	0.599	0	-
24	95.258	0.583	0	-
25	92.803	0.568	0	-
26	90.493	0.554	0	-
27	88.313	0.541	0	-
28	86.254	0.528	0	-
29	84.305	0.516	0	-
30	82.456	0.505	0	-
31	80.701	0.494	0	-
32	79.031	0.484	0	-
33	77.441	0.474	0	-
34	75.924	0.465	0	-
35	74.475	0.456	0	-
36	73.090	0.448	0	-
37	71.764	0.439	0	-

max

**AMENDMENT NO. _____ TO THE
CITY OF GREATER SUDBURY OFFICIAL PLAN**

Prepared for:

City of Greater Sudbury

March 28, 2024

Prepared by:

J J.L. RICHARDS & ASSOCIATES LIMITED

Engineers • Architects • Planners

314 Countryside Drive

Sudbury, Ontario

P3E 6G2

JLR 32529-001

BY-LAW NO. 2024-XX

The Council of the City of Greater Sudbury in accordance with the provisions of Section 17 of the *Planning Act*, hereby enacts as follows:

1. Amendment No. _____ to the City of Sudbury Official Plan, consisting of the attached map and text, is hereby adopted.
2. This By-law shall come into force and take effect on the day of the final passing thereof.

READ a first and second time this ___ day of _____, 2024.

READ a third time and finally passed this ___ day of _____, 2024.

SEAL

Paul Lefebvre
Mayor

XX
Clerk

CITY OF GREATER SUDBURY
OFFICIAL PLAN

AMENDMENT No. ____

This amendment was adopted by the CITY OF GREATER SUDBURY by By-law No. _____ in accordance with Sections 17 and 22 of the *Planning Act*, on the ____ day of _____, 2024.

SEAL

Paul Lefebvre
Mayor

XX
Clerk

This is the Original of Amendment No. _____ to the City of Greater Sudbury Official Plan.

XX
Clerk

PART A - THE PREAMBLE gives an explanation of the purpose and basis for the amendment, as well as the lands affected, but does not constitute part of this Amendment.

PURPOSE

The purpose of the proposed Official Plan Amendment No. _____ is to clearly identify and designate the lands outside of the Ramsey Lake Watershed on the subject property as "Heavy Industrial". The effect of the amendment is to permit the use of a waste transfer facility on the subject property.

LOCATION

The Official Plan Amendment affects part of the property described as PIN 735610293 and Part of PIN 735610300; Part 13, and Part of Part 15, Plan 53R-20983; Part of Lot 9, Conc. 4, Township of Neelon. This is the northern portion, outside of the Ramsey Lake Watershed, of Lot 5 on the draft approved plan of subdivision with municipal address 0 Kingsway, City of Greater Sudbury.

BASIS

The subject property is designated as "General Industrial" and "Heavy Industrial", which permit a variety of industrial uses. While the northerly portion of the site is designated as 'Heavy Industrial', the designation boundaries are general in nature. The "General Industrial" lands do not permit a waste transfer facility, therefore the is to clearly identify and designate the lands outside of the Ramsey Lake Watershed on the subject property as "Heavy Industrial" to permit the proposed waste transfer facility.

All other provisions of the Official Plan are met, and the proposed site development will be compliant with requirements as set out in the City's Zoning By-law.

PART B - THE AMENDMENT consisting of the following text and Schedule 'A' to Official Plan Amendment No. _____ constitutes Amendment No. _____ to the City of Greater Sudbury Official Plan.

All of this part of the document entitled "Part B – The Amendment", consisting of the following text and attached map constitutes Amendment No. _____ to the City of Greater Sudbury Official Plan.

The Details of the Amendment

The City of Greater Sudbury Official Plan is hereby amended as follows:

1. By adding Section 12.3 Policy 6 in Section 12.3 as follows: The lands described as ... (to be inserted once R-Plan is prepared) ... are designated as 'Heavy Industrial' to permit a waste transfer facility.

PART C - THE APPENDICES, which are attached hereto, do not constitute a part of this amendment. These appendices include the public involvement associated with this Amendment.

The listing of public involvement (copy of public notice).

Insert Schedule "A" to amendment

RECEIVED

MAY 31 2024

PLANNING SERVICES

ZONING BY-LAW AMENDMENT

PIN 735610293 and Part of PIN 735610300;
Part 13, and Part of Part 15, Plan 53R-20983;
Part of Lot 9, Conc. 4, Township of Neelon;
Lots 4 and 5 on Draft Plan of Subdivision
0 Kingsway, City of Greater Sudbury

Prepared for:

City of Greater Sudbury

May 30, 2024

J.L. RICHARDS & ASSOCIATES LIMITED

Engineers • Architects • Planners
314 Countryside Drive
Sudbury, Ontario
P3E 6G2

JLR 32529-001

EXPLANATORY NOTE

The proposed Zoning By-law Amendment is a site-specific zoning of the property described as PIN 735610293 and Part of PIN 735610300; Part 13, and Part of Part 15, Plan 53R-20983; Part of Lot 9, Conc. 4, Township of Neelon; Lots 4 and 5 on the Draft Plan of Subdivision, 0 Kingsway, City of Greater Sudbury.

The amendment is to rezone and permit the locating of a waste transfer facility on a new M3 (Special) Zone on those lands located outside/north of the Ramsey Lake Watershed on the subject property.

The amendment will also rezone the remaining M3(15) and M2(15) lands to a new M3 (Special) Zone on those lands within the Ramsey Lake Watershed and a new M2 (Special) Lot 4 on the Draft Plan to permit an office use and a zero metre setback to an internal zone boundary on the lands proposed for the construction of a commercial garage, office, and associated employee parking areas.

THE CITY OF GREATER SUDBURY

By-law No. 2024-XX

Being a By-law to Amend By-law No. 2010-100Z

WHEREAS By-law No. 2010-100Z regulates the use of land and the use and erection of buildings and structures within the City of Greater Sudbury;

WHEREAS Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended;

AND WHEREAS the Council of the City of Greater Sudbury deems it advisable to amend By-law No. 2010-100Z as hereinafter set forth;

AND WHEREAS said recommendation will conform to the Official Plan for the City of Greater Sudbury;

NOW THEREFORE the Council of the City of Greater Sudbury enacts as follows:

1. The properties affected by this By-law are located in PIN 735610293 and Part of PIN 735610300; Part 13, and Part of Part 15, Plan 53R-20983; Part of Lot 9, Conc. 4, Township of Neelon; Lots 4 and 5 on the Draft Plan of Subdivision, 0 Kingsway, City of Greater Sudbury, as indicated on Schedule 'A' attached hereto and forming part of this By-law.

2. By-law No. 2010-100Z is hereby amended as follows:

(a) Schedule XX of the Zoning By-law 2010-100Z is hereby amended by rezoning the affected lands from M3(15) to M3(X) and from M3(15) to M3(X) and M2(15) to M2(X) in accordance with the provisions of this By-law.

(b) By-law No. 2010-100Z, is hereby further amended by including the following section immediately after Section 11(3)(4)(q) as follows:

(r) M3(X) Waste Transfer Facility
Neelon Township Lot 9, Conc. 4

Notwithstanding any other provision hereof to the contrary, within any area designated M3(X) on the Zone Maps, all provisions of this By-law applicable to M3 Zones shall apply subject to the following modification:

(i) In addition to the uses permitted in the M3 zone, a parking lot and a waste transfer facility shall be permitted.

(c) By-law No. 2010-100Z, is hereby further amended by including the following section immediately after Section 11(3)(4)(r) as follows:

(s) M3(X) Setback to Zone Boundary
Neelon Township Lot 9, Conc. 4

Notwithstanding any other provision hereof to the contrary, within any area designated M3(X) on the Zone Maps, all provisions of this By-law applicable to M3 Zones shall apply subject to the following modification:

(i) In addition to the uses permitted in the M3 zone, a parking lot and an office shall be permitted.

(ii) Minimum setback to M2 zone boundary internal to the property shall be:
0 m.

(d) By-law No. 2010-100Z, is hereby further amended by including the following section immediately after Section 11(3)(4)(s) as follows:

(t) M2(X) Setback to Zone Boundary
Neelon Township Lot 9, Conc. 4

Notwithstanding any other provision hereof to the contrary, within any area designated M2(X) on the Zone Maps, all provisions of this By-law applicable to M2 Zones shall apply subject to the following modification:

- (i) In addition to the uses permitted in the M2 zone, a parking lot and an office shall be permitted.
- (ii) Minimum setback to M3 zone boundary internal to the property shall be:
0 m.

3. This By-law shall come into full force and effect in accordance with the *Planning Act*, R.S.O. 1990.

READ a first and second time this ____ day of _____, 2024.

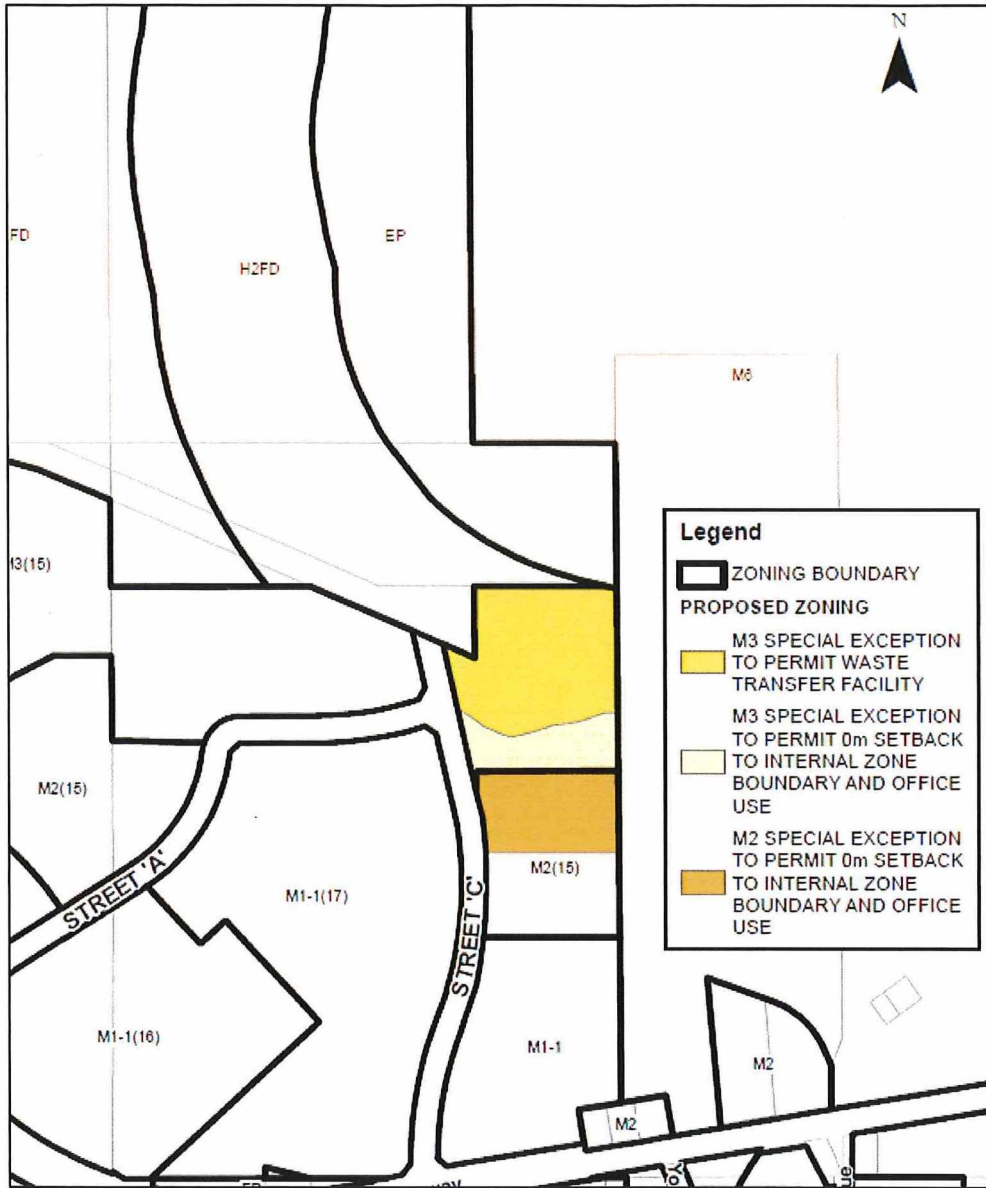
READ a third time and finally passed this ____ day of _____, 2024.

Paul Lefebvre
Mayor

XX
Clerk

SEAL

Schedule 'A'



0 Dominion Drive, Hanmer

Presented To:	Planning Committee
Meeting Date:	November 13, 2024
Type:	Public Hearing
Prepared by:	Bailey Chabot Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-7/24-007

Report Summary

This report provides a recommendation regarding an application for Official Plan Amendment and Zoning By-law Amendment in order to permit the creation of six (6) new residential lots on Dominion Drive in Hanmer, with reduced frontage, lot area, and interior side yard setback.

This report is presented by Bailey Chabot, Senior Planner.

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

Resolutions

Resolution 1:

Resolution Regarding the Official Plan Amendment

THAT the City of Greater Sudbury denies the application by Pauline & Raymond Quesnel to amend the City of Greater Sudbury Official Plan to permit the creation of six (6) new residential lots by way of consent within the Rural land use designation on lands described as PIN 73505-0360, Parts 1 & 2, Parcel 37310, Plan 53R-4322, Lot 7, Concession 2, Township of Hanmer, Sudbury as outlined in the report entitled “0 Dominion Drive, Hanmer”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on November 13, 2024.

Resolution 2:

Resolution Regarding the Zoning By-law Amendment

THAT the City of Greater Sudbury denies the application by Pauline & Raymond Quesnel to change the zoning classification on the subject lands from “RU”, Rural to “RU(S)”, Rural Special on lands described PIN 73505-0360, Parts 1 & 2, Parcel 37310, , Plan 53R-4322, Lot 7, Concession 2, Township of Hanmer, Sudbury as outlined in the report entitled “0 Dominion Drive, Hanmer”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on November 13, 2024.

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

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

The development proposal to create six (6) new residential lots 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 lot creation would also impact Asset Management and Service Excellence strategic goals and objectives as the new lots would contribute further residential 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.

The development proposal would also negatively impact the stated goals and recommendations that are contained within the CEEP by enabling residential lots on the edge of the settlement area, thereby undermining the City's key objective of creating compact and complete communities.

Financial Implications

If approved, staff estimates approximately \$34,500 in taxation revenue, based on the assumption of six single detached dwelling units based on an estimated assessed value of \$400,000 at the 2024 property tax rates.

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.

In addition, this would result in total development charges of approximately \$133,000 based on assumption of six single detached dwelling units and based on the rates in effect as of the date of this report.

Report Overview:

Applications for Official Plan Amendment and Zoning By-law Amendment have been submitted to permit the creation of six (6) new lots by way of consent rather than plan of subdivision on a Rural designated property in Hanmer. The site is vacant and treed save a telecom tower at the southwest corner. The applicants have requested a site-specific zoning to permit reduced lot frontages, lot area, and interior side yard setbacks.

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

Staff Report

Proposal:

A site-specific application for an Official Plan Amendment has been received which proposes to provide an exception to the lot creation policies of Section 5.2.2. to permit the creation of six (6) new rural residential lots by way of consent within the Rural land use designation. The concurrent rezoning application 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. Site specific relief has been requested for the following:

- Reduced lot frontage to 16.0 metres, where 90.0 metres of frontage is required;
- Minimum lot size of 0.21 hectares, where a 2.0 hectares in lot size is required; and,
- Minimum interior side yard setback of 1.2 metres plus 0.6 metres for each full storey above the first storey abutting an interior side yard, where 10.0 metres interior side yard setback is required.

The subject land is part of a larger parcel approximately 21.7 hectares in size. The majority of the lands are vacant with the exception of a telecom tower at the southwest portion of the lands. The submitted conceptual consent sketches show the proposed severed lots, with the retained lands.

A Water and Wastewater Capacity Analysis, a Section 59 – Restricted Land Use Review Application, and Planning Justification Report were provided in support of the applications. The water and wastewater capacity analysis indicates that sufficient municipal capacity and pressure exist for the proposal in question.

Existing Land Use Designation: "Rural"

The lands subject to the proposed severances are designated Rural and are located outside the City's settlement area boundary and the built boundary.

Requested Land Use Designation:

The owners are not seeking to redesignate the subject lands. Site-specific exception to the to the lot creation policies of Section 5.2.2 is requested to permit the creation of six (6) new rural residential lots by way of consent within the Rural land use designation.

Existing Zoning: "RU", Rural

The Rural zone permits single detached dwelling units as proposed. However, the Rural zone requires that parcels have a minimum frontage of 90 metres, a minimum lot area of 2.0 hectares, and an interior side yard setback of 10.0 metres.

Requested Zoning: "RU(S)", Rural Special

To address the development standards of the Rural zone, the applicant is proposing the lands be rezoned to permit lots with 16.0 metres of frontage, 0.21 hectares in lot area, and an interior side yard setback of 1.2 metres plus 0.6 metres for each full storey above the first storey abutting an interior side yard.

Location and Site Description:

The subject property is legally described as PIN 73505-0360, Parts 1 & 2, Parcel 37310, Plan 53R-4322, Lot 7, Concession 2, Township of Hanmer and known municipally as 0 Dominion Drive in Hanmer. The subject lands are located on the north side of Dominion Drive, west of Larocque Avenue and at the northerly terminus of Velma Street. The parcel has frontage along Dominion Drive of 268.88 metres and a lot area of 21.7 hectares.

The area proposed for development is at the southeastern corner of the subject lands, where six (6) lots are proposed. The lots are proposed to have 16 metre frontages along Dominion Drive, lot depths of 129.92 metres, and lot areas of approximately 0.21 hectares.

Dominion Drive is a collector road and currently constructed to a rural standard. The lands are serviced with municipal water and wastewater and are serviced by municipal garbage pick-up.

The lands to the south of the subject lands comprise low density residential use, and are designated Living Area 1, and are within the settlement area in the City's Official Plan. The water and wastewater service was installed to enable the creation of the lots on the south side of Dominion Drive, which rounded out the development to the current boundary of the Living Area 1 designation. This is consistent with the City's Official Plan.

Surrounding Land Uses:

The lands located to the west and north of Living Area 1 designated areas and are also outside of the settlement area boundary.

North: Rural and agricultural lands

East: Low density urban residential development

South: Low density urban residential development and rural and agricultural lands

West: Rural and agricultural lands

The existing zoning and location map are attached to this report and together indicate the location of the parcel subject to the Zoning By-law Amendment request, as well as the applicable zoning on other parcels of land in the immediate area.

A site visit was conducted October 6, 2024. Attached site photos show the subject lands as well the surrounding 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 September 5, 2024. The statutory notice of the public hearing was provided by newspaper and to nearby landowners and tenants on October 17, 2024.

At the time of writing this report, three written submissions and two phone calls with respect to these applications have been received by the Planning Services Division voicing opposition. Concerns include lack of compatibility with the character of the neighbourhood and increased rural density, drainage of the property and adjacent parcels, and servicing implications.

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 Policy 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 Policy Statement (PPS).

The subject lands are designated Rural and are on the edge of the City's settlement area, so are considered rural under the PPS.

Chapter 1 of the PPS prioritizes the growth and development within urban and rural settlements.

Chapter 2 of the PPS includes policies surrounding rural development. Policy 2.5 Rural Areas in Municipalities directs as follows:

- 1.a) Healthy, integrated and viable rural areas should be supported by building upon rural character, and leveraging rural amenities and assets.
2. In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.
3. When directing development in rural settlement areas in accordance with policy 2.3, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels.

Policy 2.6 Rural Lands in Municipalities directs development of rural lands:

- 1.c) On rural lands located in municipalities, permitted uses are residential development, including lot creation, where site conditions are suitable for the provision of appropriate sewage and water services.
2. Development that can be sustained by rural service levels should be promoted.
3. Development shall be appropriate to the infrastructure which is planned or available, and void the need for the uneconomical expansion of this infrastructure.

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 applicable land use policies are outlined under Chapter 4 of the GPNO, which place a general emphasis on residential intensification in urban areas including existing downtown areas, intensification corridors, brownfield sites, and strategic core areas.

Intensification corridors are defined as areas along major roads, arterials or transit corridors that have the potential to provide a focus for higher density mixed-use development. Under the City's Official Plan, strategic core areas are identified as the Downtown, the Town Centres, the Regional Centres, and the major public institutions listed in Section 4.4.

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

Section 5.2 of the Official Plan states that residential uses are permitted in the Rural designation. Policy 5.2.1 (2) permits one single detached dwelling is permitted on any existing lot, provided that it fronts onto a public road that is maintained year-round. The lot must also have the capability to provide an individual on-site sewage disposal system and water supply with both quantity and quality suitable for domestic uses.

The applicable policies for non-waterfront rural lot creation are set out under Policies 2 and 3 of Section 5.2.2 as follows:

2. The City will monitor the supply and demand of rural lots with a goal of avoiding an oversupply of rural lots. The policy of this plan will be reviewed and revised if it has been demonstrated that the existing policies have not had the effect of aligning the supply of rural lots not on a waterbody or watercourse with projected need. For new rural lots not on a waterbody or watercourse, the following lot creation policies apply:
 - a. The severed parcel and the parcel remaining must have a minimum size of 2 hectares (5 acres) and a minimum public road frontage of 90 metres (295 feet).
 - b. Regardless of the size and frontage of the parent parcel, no more than three (3) new lots may be created from a single parent rural parcel in existence as of June 14, 2006 (2019 MMAH Mod #2b).
3. *Where an official plan amendment is requested for lot creation in excess of the permitted three severed lots plus a retained, a planning report shall be submitted which demonstrates conformity with the Official Plan and consistency with the Provincial Policy Statement, and which demonstrates that:
 - a. That the application will not exacerbate the existing supply of available vacant rural lots.
 - b. That there is a need for the proposed new lot(s) in order to accommodate projected rural unit growth over the life of the plan.
 - c. Additional studies required by the Official Plan to address any negative cumulative impacts (e.g., servicing) may also be required.
 - d. For any official plan amendment to permit additional rural lots not on a waterbody or watercourse, the severed and retained parcels must meet the minimum lot size referred to in Policy 2.* (2019 MMAH Mod #2c)

Under Section 19.4.1 concerning the subdivision of land, it is the policy of the Official Plan to:

- a. require that all proposals which have the effect of creating more than three new lots be processed as applications for a Plan of Subdivision, unless in The City's opinion a Plan of Subdivision is not necessary for the proper development of the area; and,
- b. require that proposals which would create less than four new lots to be considered as Applications for Consent to be dealt with by the Consent Official.

Zoning By-law 2010-100Z:

The existing Rural zone would not permit the creation of the proposed lots. The rezoning is required to address the proposed reduced lot frontage, lot area, and interior side yard setback.

Site Plan Control:

Site plan control is not applied to rural residential uses.

Department/Agency Review:

The application, 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 application.

Roads, Transportation and Innovation, Active Transportation, Roads Operations, and Strategic and Environmental Planning have all advised that they had no concerns.

Building Services does not object to the proposed applications. However, they note that additional site-specific relief may be required at the time of building permit application. They also note that there may be geotechnical requirements at the time of building permit application.

Drainage notes that the property is within the Whitson River watershed where stormwater improvements are required within the watershed. The applicant is required to provide a contribution in the amount of \$6,000.

Source Water Protection has identified that there are no activity or activities engaged in or proposed to be engaged in on the above noted property are considered to be significant drinking water threats at this time.

Development Engineering advises that there are available and sufficient municipal water and wastewater capacity within the Dominion Drive road allowance available to service these proposed severances.

Conservation Sudbury advises of no objection. They note that the parent parcel contains some floodplain which has been shown on the concept plan submitted by the applicant. They also note that they are currently completing a new floodplain study for the Whitson River watershed and results are expected within the next year. The floodplain elevation at this location may change. The landowner is encouraged to consult with our office prior to the planning of future development for an update, and for direction regarding required approvals from our office.

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 Growth Plan for Northern Ontario encourages diversification of the housing supply and identifies areas intended to be the focus of intensification, however, it is less specific on matters related to development on rural lands and settlement areas. However, staff is of the opinion that the proposal does not conform to the Growth Plan in that it proposes excessive rural lot creation in an area that is not intended to be the focus of intensification.

The proposal would enable the creation of urbanized, low density residential lots on the edge of the settlement area, thereby undermining the City's key objective of creating compact and complete communities. The proposed Official Plan Amendment and Zoning By-law Amendment do not have regard for matters of provincial interest as outline in the Planning Act, are not consistent with matters of provincial interest as outlined in the Provincial Planning Statement, and do not conform with the City of Greater Sudbury Official Plan for the following reasons:

1. The proposed lots are urbanized, low density lots and are not rural in nature.

The applications would permit the creation of six (6) new residential lots on Dominion Drive, with frontages of 16 metres, lot areas of 0.21 hectares, and interior side yard setbacks of 1.2 metres. Rural lots are required to have 90 metres of frontage, a minimum lot area of 2.0 hectares, and interior side yard setbacks of 10.0 metres while the applicant is requesting a reduction in frontage of 76 metres, a reduction in lot area of 1.79 hectares, and a reduction in the side yard setback of 8.8 metres. These represent reductions from the minimum standards of 84% for frontage, 90% for lot area, and 88% for interior side yard setbacks. The Rural standards are to ensure that there is sufficient area on each lot to support private water and septic, to maintain the rural character of an area, and to ensure that development is truly rural in order to protect urbanized growth areas from sprawl and inefficient and costly servicing.

An urbanized "R1-5", Low Density Residential 1 lot has a minimum requirement of 15 metres of frontage, with an interior side yard setback of 1.2 metres, while the standards for other urbanized lots, such as the "R1-4", Low Density Residential 1 require minimum frontages of 18.0 metres and interior side yard setbacks of 1.2 metres. This is further supported by PPS policy 2.1.a) that requires that "Healthy, integrated and viable rural areas should be supported by building upon rural character, and leveraging rural amenities and assets." while PPS policy 2.6.2 states that "Development that can be sustained by rural service levels should be promoted." The proposed development is not rural in nature nor is it proposing rural service levels. It is, in effect, an attempt to expand the settlement area boundary to permit urbanized lots, without providing the required studies to demonstrate a need for such an expansion.

2. There is no demonstrated need for rural lots.

Policy 2.2 of the PPS identifies settlement areas to be the focus of growth in rural areas. The City's Official Plan establishes that when an Official Plan Amendment proposes greater than three severed lots, a planning report shall be submitted which demonstrates that the application will not exacerbate the existing supply of available vacant rural lots and that there is a need for the proposed new lots. Staff notes that there is an adequate supply of potential lots under current Official Plan policies to satisfy demand for non-waterfront rural properties. The analysis prepared by Planning Services under the Growth and Settlement Policy Discussion Paper included criteria applied to the inventory of non-waterfront rural parcels, which excluded lands designated as Parks and Open Space (flood plains and wetlands), rural parcels owned by mining companies, the Agricultural Reserve, and the Aggregate and Mining Reserve overlays. The [subsequent report](#) to Planning Committee on November 4, 2013 indicated a 29-year supply of rural lots is available under existing Official Plan policies. Staff recommends that the proponent has not demonstrated that there is a need for the proposed new lots in accordance with the Official Plan in a comprehensive manner, and the proposal is not consistent with the fundamental principle of the PPS being that settlement areas are to be the focus of growth and development.

2. The existing water and wastewater services exist to support the development of urban residential development within the settlement area.

Policy 2.6.2 states that "development that can be sustained by rural service levels should be promoted". Rural service levels include private well and septic systems, while municipal water and wastewater systems are to support the development of urban lots to ensure that these municipal services remain financially viable. Additionally, allocation of water and wastewater service to lands outside of the settlement area have the effect of reducing capacity for development within the settlement area. This is reflected in Section 5.1 of the Official Plan which establishes the objectives of requiring minimum municipal services in the Rural designation and the adequacy of services. Policy 5.2.1(1) permits rural residential development provided no additional public services including the extension of existing partial services are required. This policy framework establishes that rural lots are not intended to be serviced by municipal water and wastewater, even though the existing services are available. Staff advise that this form of servicing is not consistent with the Provincial Policy Statement, nor does it conform with the Official Plan.

3. Rural development is not cost-effective over the long term.

Policy 2.3.1.2.b) states that “land use patterns in settlement areas should be based on densities and mix of land uses which optimize existing and planning infrastructure and public service facilities”. As noted elsewhere in the report, the existing services are intended for development within the settlement area to ensure service optimization and long-term viability of infrastructure. With respect to infrastructure and public service facilities, the [Comparative Fiscal Impact Analysis of Growth Study](#) outlines that servicing costs to the municipality are typically higher in rural areas and less in urban areas. The study also notes that “... the creation of one additional rural unit is not likely to have an impact on the City’s finances but if the proportionate share of all new development was to dramatically shift from urban units to low density rural units it would have an impact on the City’s budget.” Staff is concerned that the development proposal would set a precedent and when applied cumulatively over time on other lots will result in demand for increased services in the rural area. Staff advise that the proposed pattern of development is not consistent with the need to sustain the financial well-being of the municipality over the long term.

4. Resources are used most wisely when development is directed to settlement areas.

Policy 2.3.1.1. and 2.3.1.2. of the PPS promotes densities which efficiently use resources and support the use of active transportation and transit. Planning authorities are to establish and implement minimum targets for densities and intensification/redevelopment in built-up areas. Rural lot creation competes with development that could have occurred in the settlement area, weakening the urban structure, and reducing the cost-effectiveness of providing infrastructure and public services. Staff recommends that the proposed development is not consistent with the PPS and weakens the City’s ability to provide for the urban housing needs of future residents by permitting rural estate lots that may cost comparatively more than urban-style development.

6. The proposed development is not consistent with matters of provincial interest as outlined in the Planning Act.

The Planning Act requires that municipalities have regard for matters of provincial interest, including the orderly development of safe and healthy communities. Allowing the creation of urbanized lots through consent, rather than a plan of subdivision, while utilizing rural policies to create urbanized lots and without the benefit of study to demonstrate the need for an urban boundary expansion, does not promote orderly development and will limit further orderly development as the municipality grows.

In summary, staff recommends that, even though the development has been demonstrated to be technically feasible, the proposal is not consistent with matters of provincial interest, the PPS, and Official Plan principles pertaining to the appropriate location of growth and development and does not align with the CEEP objective of creating complete, compact communities. Further, development of greater than three (3) lots should be by way of plan of subdivision.

Conclusion:

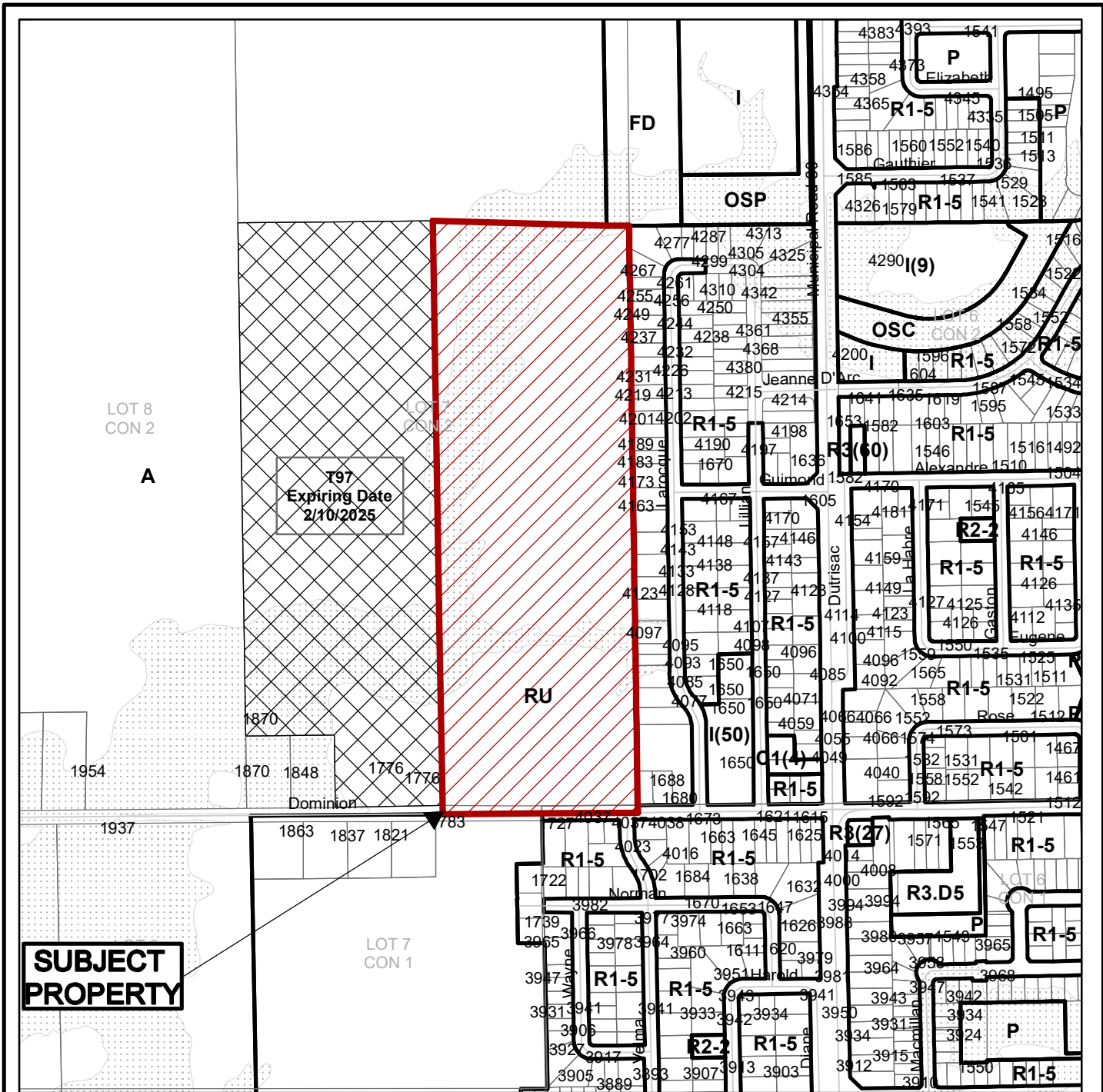
The Planning Division undertook a circulation of the application to ensure that all technical and planning matters have been satisfactorily addressed.

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 Official Plan Amendment is not appropriate based on the following:

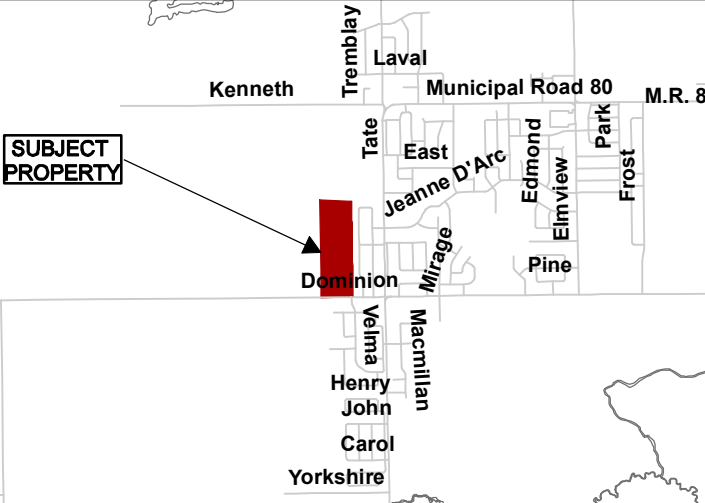
- The proposal would enable the creation of urbanized lots outside of the settlement boundary thereby undermining the City's key objective of creating compact and complete communities.
- There is no demonstrated need for additional rural lots in this location.
- The existing water and wastewater services exist to support the urban residential development to the south of the subject lands and allotting service to the proposed lots would reduce capacity for other development within the settlement boundary.
- Rural development is not cost-effective over the long term.
- Resources are used most wisely when development is directed to settlement areas.
- The proposed development does not represent the orderly development of the City.

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



SUBJECT PROPERTY

LOT 7
CON 1



SUBJECT PROPERTY

Growth and Infrastructure Department



Subject Property being PIN 73505-0360,
Parcel 37310, Parts 1 & 2, Plan 53R-4322,
Lot 7, Concession 2,
Township of Hanmer,
0 Dominion Drive, Hanmer,
City of Greater Sudbury

NTS

751-7/24-07 & 701-7/24-001

Sketch 1

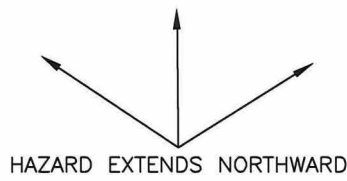
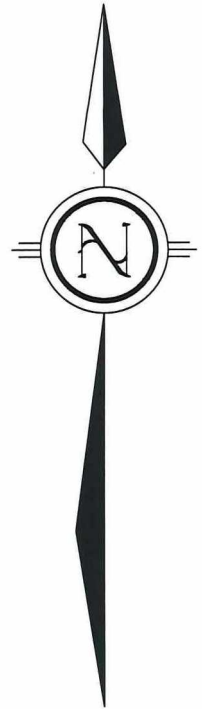
Date: 2024 08 30

808.18

808.18

PART 1, PLAN 53R-4322
 P I N 7 3 5 0 5 - 0 3 6 0
 SUBJECT TO SD217067

07808



APPROXIMATE LOCATION OF CONSERVATION SUDBURY REGULATED AREA
 SOUTH BANK, FLOOD ELEV. LEVEL = 288.65 (CGVD28)

RETAINED LOT
 AREA = ±20.47ha

PART 1, PLAN 53R-15015

PART 9, PLAN 53R-17435

PART 8, PLAN 53R-17435

SEVERED LOT 6
 AREA = ±2109.95m²

SEVERED LOT 5
 AREA = ±2109.95m²

SEVERED LOT 4
 AREA = ±2109.95m²

SEVERED LOT 3
 AREA = ±2109.95m²

SEVERED LOT 2
 AREA = ±2109.95m²

SEVERED LOT 1
 AREA = ±2109.95m²

TRAVELLED ROAD KNOWN AS DOMINION DRIVE

APPROX. LOCATION OF
 WATERMAIN / SAN. CUTOFF



SCALE 1:1500

CAUTION

THE PROPERTY BOUNDARIES ILLUSTRATED ON THIS PLAN
 HAVE BEEN COMPILED FROM REGISTRY PLANS AND HAVE
 NOT BEEN CONFIRMED.
 THIS SKETCH IS NOT A PLAN OF SURVEY AND SHALL NOT
 BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE
 TITLE.
 NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER
 THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN
 PERMISSION OF TULLOCH ENGINEERING. © TULLOCH
 ENGINEERING, 2024.

APPROX. EXTENT
 OF LANDS
 ZONED R1-5
 TO THE SOUTH

PCL 31249

PCL 23446

TRAVELLED ROAD KNOWN AS LAROCQUE AVENUE

10" SAN.
 6" WATERMAIN

TRAVELLED ROAD
 KNOWN AS
 VELMA STREET



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

131 FIELDING ROAD
 LIVELY, ONTARIO
 P3Y 1L7

PROJECT:

Dominion Drive Severances

DRAWING:

**Severance Sketch
 For OPA, ZBLA
 & Consent Submission**

No.	DATE	BY	ISSUES / REVISIONS
DRAWN BY: AA/MDJ		CHECKED BY: AA/KJ	
PROJECT No. :			22-1371
SCALE: 1:1500		DATE: July 30, 2024	



Photo 1: 0 Dominion Drive, Hanmer. View of the subject parcel from Velma Street, looking northwest. File 751-7/24-07 & 701-7/24-01. Photography: October 6, 2024



Photo 2: 0 Dominion Drive, Hanmer. View of the subject parcel from Dominion Drive, looking north. File 751-7/24-07 & 701-7/24-01. Photography: October 6, 2024



Photo 3: 0 Dominion Drive, Hanmer. View of the Dominion Drive looking west with the subject parcel to the right. File 751-7/24-07 & 701-7/24-01. Photography: October 6, 2024.



Photo 4: 0 Dominion Drive, Hanmer. View of the residential development to the south of the subject parcel, looking southeast File 751-7/24-07 & 701-7/24-01
Photography: October 6, 2024



Photo 5: 0 Dominion Drive, Hanmer. View of the residential development south of the subject parcel, looking southwest File 751-7/24-07 & 701-7/24-01.
Photography: October 6, 2024



Photo 6: 0 Dominion Drive, Hanmer. View of the Dominion Drive looking west with the subject parcel to the left File 751-7/24-07 & 701-7/24-01 Photography: October 6, 2024

PLANNING JUSTIFICATION

REPORT

DOMINION DRIVE, GREATER SUDBURY (PIN 73505-0360)
OFFICIAL PLAN & ZONING BY-LAW AMENDMENT

AUGUST 2024

Prepared by: TULLOCH

CONTENTS

1.0 INTRODUCTION	1
2.0 SUBJECT PROPERTY & SURROUNDING CONTEXT	1
3.0 PROPOSED DEVELOPMENT	8
4.0 LAND USE POLICY ANALYSIS.....	10
4.1 PROVINCIAL POLICY STATEMENT, 2020 (PPS)	10
4.2 GROWTH PLAN FOR NORTHERN ONTARIO (GPNO)	14
4.3 CITY OF GREATER SUDBURY OFFICIAL PLAN (OP).....	15
5.0 CITY OF GREATER SUDBURY ZONING BY-LAW 2010-100Z.....	21
6.0 PLANNING RATIONALE.....	22
6.1 FINANCIAL IMPACT.....	22
6.2 THE RURAL LAND SUPPLY.....	23
7.0 CONCLUSION.....	24

1.0 INTRODUCTION

TULLOCH is retained by the owner of PIN 73505-0360 (located along Dominion Drive) in the City of Greater Sudbury to prepare a planning justification report as part of a complete application to amend the *City of Greater Sudbury Official Plan* and the *City of Greater Sudbury Zoning By-law 2010-100Z*. On a high-level, this report provides justification for an application that proposes to amend the Official Plan and Zoning By-law on a site-specific basis to facilitate the creation of six (6) residential lots over the subject property.

This report reviews the consistency and conformity of the application in the context of the applicable policies and direction found within the following documents and plans:

- *2020 Provincial Policy Statement (PPS)*
- *Growth Plan for Northern Ontario (GPNO)*
- *City of Greater Sudbury Official Plan (OP)*
- *City of Greater Sudbury Zoning By-Law 2010-100Z*

Overall, the author finds that the proposed amendments conform with the intent of the *City of Greater Sudbury Official Plan* and the *Growth Plan for Northern Ontario*, is consistent with the *2020 Provincial Policy Statement* and represents good planning.

2.0 SUBJECT PROPERTY & SURROUNDING CONTEXT

The subject property is located along Dominion Drive, just west of Velma Street, in the Valley East Community. The entirety of the regular shaped parcel (including the proposed severed and retained lots) has a total area of ±21.8 hectares with ±270 metres of lot frontage along Dominion Drive. The lands subject to the proposed Official Plan and Zoning By-law amendments make up ±1.3 hectares of area with ±100 metres of lot frontage along Dominion Drive (see *Figure 1 & Figure 9*).

The property is currently vacant, being zoned RU (Rural) in the Zoning By-law, and designated Rural and Parks & Open Space and located directly adjacent (to the west and north) to the City's settlement area boundary in the OP (see *Figure 1 & Figure 2*). Although the property is designated Rural, it benefits from the infrastructure that typically service properties located within the settlement area. Dominion Drive is designated as a Collector Road with full municipal sewer and water services (such services terminate ±70 metres to the west beyond Velma Street – see *Figure 9*) in the OP. Moreover, the property is in proximity to transit and active transportation networks such as GOVA Transit Route 105 within approximately 300 metres.

Other, non-municipal infrastructure that benefit the property includes Hydro One electricity services and Enbridge gas services. These services extend beyond the proposed severed and retained lots, and would benefit all of the lots contemplated through this application.

The immediate surrounding area can be described as follows (see *Figure 1 & Figures 3-8*):

NORTH: Conservation Sudbury regulated area for floodplain hazard, lands designated prime agricultural land, lands zoned A (Agricultural) & FD (Future Development)

EAST: Low density residential uses (lands zoned R1-5), medium density residential uses, lands zoned C1(4) (Local Commercial Special), GOVA Transit Route 105

SOUTH: Low density residential uses (lands zoned R1-5), lands zoned RU

WEST: Lands designated prime agricultural land, rural residential uses (lands zoned A (Agricultural), Conservation Sudbury regulated area

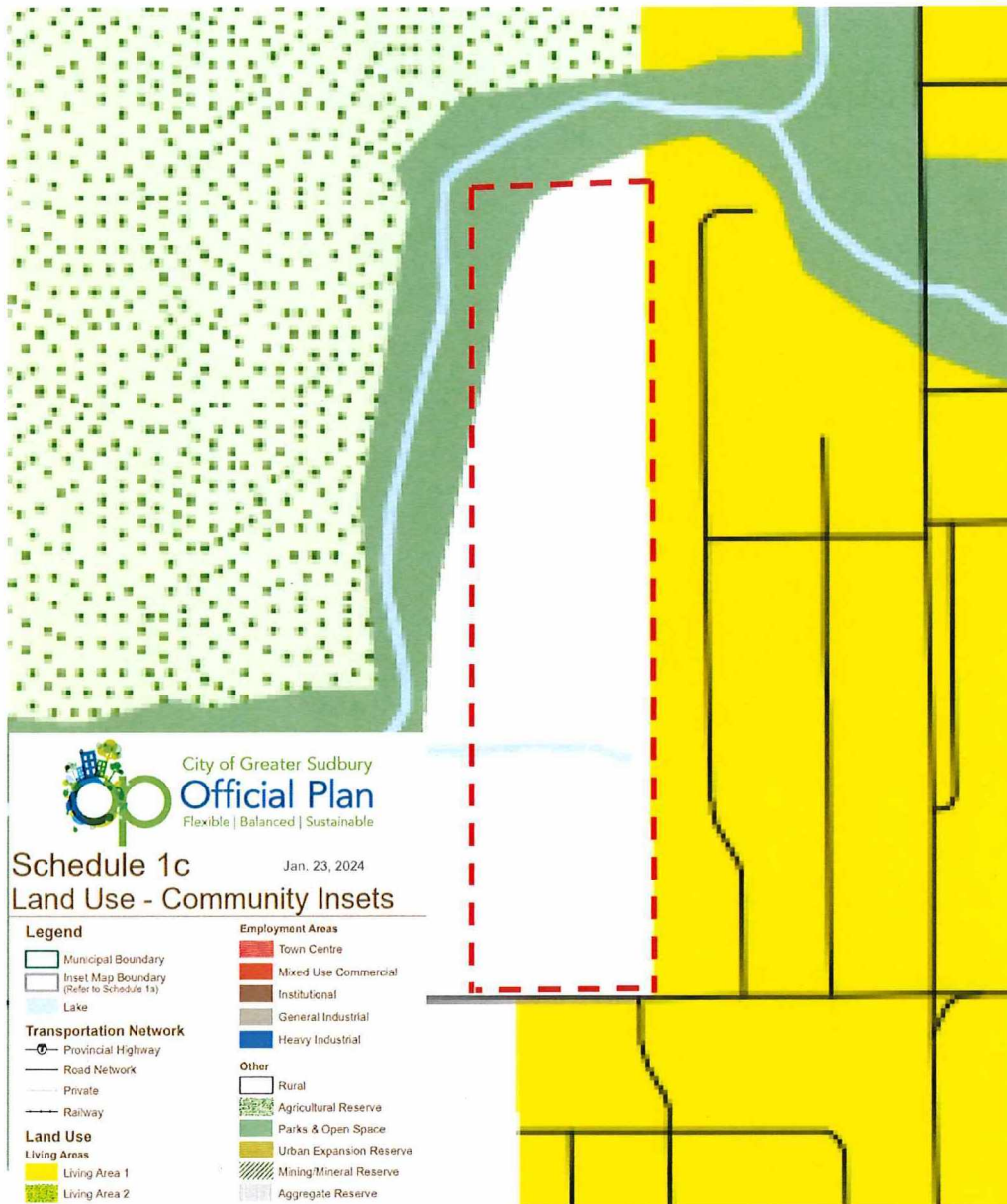


Figure 2: OP Schedule 1a



Figure 3: Existing detached dwellings to the east of the subject property



Figure 4: View of Dominion Drive facing west (photo taken just east of the subject property)

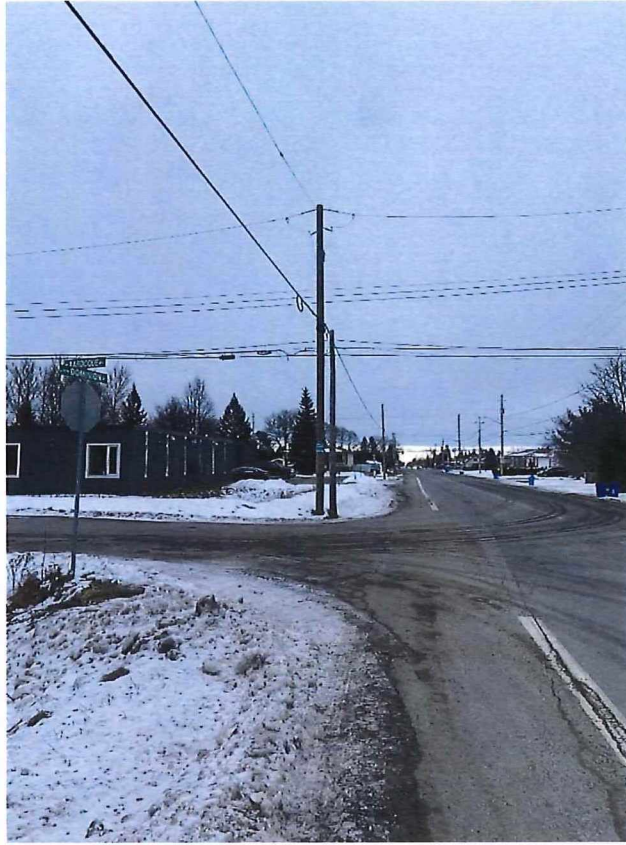


Figure 5: View of Dominion Drive facing east from the subject property / medium density residential uses in Figure 1



Figure 6: View of existing detached dwellings directly to the south of the subject property



Figure 7: View of the subject property's public road frontage, existing man-hole & fire hydrant



Figure 8: View of a bus stop for GOVA Transit Route 105 / lands zoned C1(4) in Figure 1

3.0 PROPOSED DEVELOPMENT

The application proposes to amend the Official Plan and Zoning By-law on a site-specific basis to facilitate the creation of six (6) residential lots over the subject property (see *Figure 9*). The following amendments are required to facilitate the proposed development:

- Official Plan amendment (OPA) to permit a minimum lot frontage of 16 metres and a minimum lot area of 2,100 metres square, whereas a minimum of 90 metres of lot frontage and a minimum of 2 hectares of lot area is required for lands designated Rural (OPA to **Section 5.2.2.2 (a)**);
- Official Plan amendment (OPA) to permit the creation of six new lots from a single parent parcel through the consent process (OPA to **Section 5.2.2.2 (b)**); and
- Zoning By-law amendment to rezone a ±1.3 hectare extent of the property from RU (Rural) to RU(S) (Rural Special) with the following site-specific reliefs:
 - Minimum lot area of 2,100 square metres, whereas 2 hectares is required,
 - Minimum lot frontage of 16 metres, whereas 90 metres is required, and
 - Minimum interior side yard setback of 1.2 metres plus 0.6 metres for each full storey above the first storey abutting such yard, whereas 10 metres is required.

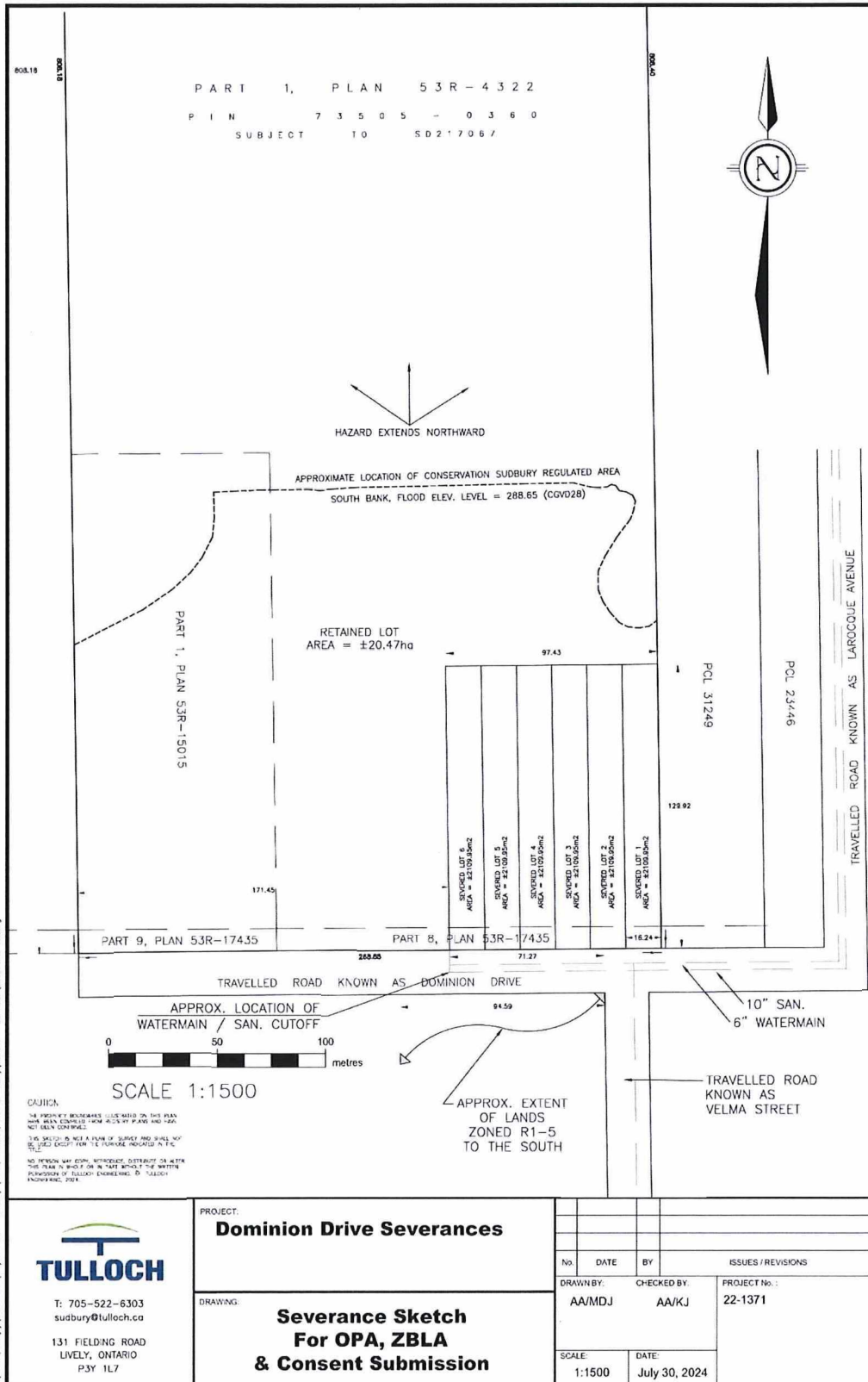


Figure 9: Concept Plan

4.0 LAND USE POLICY ANALYSIS

The following section sets out the relevant land use planning policy framework to assess the appropriateness of the application in the context of provincial and municipal policies and regulations.

4.1 PROVINCIAL POLICY STATEMENT, 2020 (PPS)

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. Municipal Official Plans must be consistent with the PPS. Policies applicable to the proposed amendments are outlined and analyzed below.

Section 1.1 of the PPS contains policies related to managing and directing land use to achieve efficient and resilient development and land use patterns. **Section 1.1.1** states, in part:

- 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;*
 - c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
 - d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
 - 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;*

...

The application promotes efficient development and land use patterns by making efficient use of an underutilized portion of the property, while retaining ± 170 metres of lot frontage and ± 20 hectares of area along Dominion Drive. Although the City has land designated for urban growth within the settlement area (being those lands designated Urban Expansion Reserve in the OP), the retained lot would contain an area and frontage (in conformity with the lot area and frontage requirements for the RU zone) that would not limit and/or prevent the efficient expansion of the City's settlement area boundary, which is directly abutting the subject lands easterly property boundary (**Section 1.1.1 (a) & (d)**).

Under the current OP and Zoning By-law, the said underutilized portion of the property would be the only lands subject to the proposed Official Plan and Zoning By-law amendments. Such lands are currently the only area on the entire property that are appropriate for the form of development proposed through this application. This is due to the fact that this area is not designated for parks & open space uses or constrained by a flood hazard; this area is adjacent to existing built-up urban areas (to the east and south) that share a similar built form to that of what is proposed through this application; and benefits from all of the infrastructure that services the adjacent urban areas. Moreover, the proposal makes efficient use of the property by utilizing existing municipal infrastructure such as sewer and water services along the property's lot frontage, and nearby transit networks (within ±300 metres of the property) that connect individuals (within ±10-15 minutes) to established commercial corridors to the north in Hanmer, and to the south in Val Caron. The proposal would thereby assist in sustaining the financial well-being of the Province and municipality over the long term (**Section 1.1.1 (a), (b), (c) & (e)**).

The subject property is located within the Valley East community. The City of Greater Sudbury's 2013 *Growth and Settlement Policy Discussion Paper* stated that 'by 2036, more than half of the population will reside in Sudbury followed by Valley East, the rural area, Rayside Balfour, Nickel Centre, Walden, Onaping Falls and Capreol.' More recently, the City of Greater Sudbury (2023) presented the City's anticipated population growth for the next 30 years. The City's population in 2023 is estimated to be 170,210, and this is projected to grow to 188,510 to 200,000 people in the next 30 years. This growth is expected to be distributed across the City with the former City of Sudbury (54%), Valley East (16%), Rayside-Balfour (12%), Nickel Centre (7%) and Walden (6%) experiencing the highest growth. The proposed development would, therefore, accommodate appropriate market-based housing to the Valley East Community to assist in meeting the City's anticipated long-term needs according to recent demographic data and settlement projections (**Section 1.1.1 (b)**).

Section 1.1.3 states, in part:

- 1.1.3.1** *Settlement areas shall be the focus of growth and development.*
- 1.1.3.2** *Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*
- a) efficiently use land and resources;*
 - b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
 - c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
 - d) prepare for the impacts of a changing climate;*
 - e) support active transportation;*
 - f) are transit-supportive, where transit is planned, exists or may be developed;*
and

...

The subject property is located on the periphery (directly abutting) the City's settlement area, which per **Section 1.1.3.1** of the PPS, shall be the focus of growth and development. Per **Section 2.2 & 2.2.3** of the OP, *'the assignation of settlements essentially tied to the level of municipal services available.'* As such, residential development in rural areas outside the City's settlement area typically takes the form of rural strip development along municipal roads – most of which are not connected to municipal sewer and water services, and there is no intention to extend such services. **Section 2.3** of the OP then goes on to state that *'the City of Greater Sudbury's two-part growth management framework has successfully directed the majority of growth to settlement areas, while allowing appropriate residential living opportunities outside of the settlement area.'*

The property is unique in that it shares key characteristics of properties located within the settlement area – that being existing municipal sewer and water services, existing urban development across the road and nearby transit networks that connect individuals to established commercial corridors/employment areas. Given the unique context of the property, it is the authors opinion that the proposed development meets the general intent of **Section 1.1.3** (to direct growth and development to areas where appropriate municipal infrastructure exists), and represents an appropriate residential opportunity outside of the settlement area given it's unique context/location.

Section 1.1.5 states, in part:

1.1.5.2 *On rural lands located in municipalities, permitted uses are:*

...

c) residential development, including lot creation, that is locally appropriate;

...

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.*

...

Per **Section 1.1.5.2**, residential development, including lot creation, that is locally appropriate is permitted on rural lands located in municipalities. It is the authors opinion that the proposed development is locally appropriate given the following:

- The proposed site-specific amendments are locally appropriate given the existing municipal infrastructure present along the subject property's lot frontage and the locational context of the site (see *Figure 1*);
- Per **Section 1.1.5.5**, the proposal avoids the need for the unjustified and/or uneconomical expansion of municipal infrastructure such as municipal sewer and water services and nearby transit networks;
- The subject property is directly adjacent to (to the east and south) existing urban subdivisions zoned R1-5 (Low Density Residential One), containing predominantly single-detached dwellings with lot frontages generally being between 15 – 20 metres, and lot areas generally being

between 600 – 850m². The application proposes residential lots that comply with the zone requirements of adjacent properties as the R1-5 zone requires a minimum lot area of 465m² and a minimum lot frontage of 15 metres, and the proposed lots would provide lot areas and frontages that exceed such requirements. In addition, the proposed lots would contain a similar built form to that of adjacent properties to the east and south (being detached dwellings), thereby enhancing land use compatibility and reducing land use conflicts; and

- The proposed lots would not extend further west down Dominion Drive than the lands zoned R1-5 directly to the south of the property. These lands stretch approximately 95 metres to the west from Velma Street, while the proposed lots would stretch approximately 70 metres to the west from Velma Street. This would also enhance land use compatibility and reduce land use conflicts, particularly with respect to nearby rural residential land uses to the west of the subject property.

Section 1.6 contains policies related to infrastructure and public service facilities. **Section 1.6.6** states, in part:

1.6.6.6 *Subject to the hierarchy of services provided in policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5, planning authorities may allow lot creation only if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity within municipal sewage services and municipal water services or private communal sewage services and private communal water services. The determination of sufficient reserve sewage system capacity shall include treatment capacity for hauled sewage from private communal sewage services and individual on-site sewage services.*

...

A sewer and water capacity assessment was submitted to the City on April 2, 2024, and evaluated the capacity of the existing municipal sewer and water services located along the subject property's lot frontage. The results of this assessment concluded that the sewage mains downstream from the proposed development are capable of conveying the additional flow expected from the proposal, and that sufficient water capacity and pressure exist for the same.

Section 1.7 contains policies related to promoting long-term economic prosperity. This section states, in part:

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

- a) promoting opportunities for economic development and community investment-readiness;*
- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;*
- c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;*

...

The application promotes opportunities for economic development and community investment readiness through the development of additional residential lots, and the associated increase in municipal tax base that would provide a financial benefit to the municipality (see *Section 6.1 Financial Impact* of this report) **(1.7.1 (a))**.

On a high-level, the proposed lots would contribute to creating additional housing supply in the City, while making efficient use of the lands in the short-term and optimizing the long-term availability and use of the lands in the long-term. The application makes efficient use of the lands in the short-term by utilizing existing municipal infrastructure with the capacity to service the proposed lots. Moreover, the application optimizes the long-term availability and use of the lands in the long-term by retaining ± 170 metres of lot frontage and ± 20 hectares of area along Dominion Drive so as to not limit and/or prevent the efficient expansion of the City's settlement area boundary directly abutting the easterly property boundary. Therefore, the application responds to dynamic market-based needs and would assist in providing necessary housing supply in the area **(1.7.1 (b) & (c))**.

Further with respect to **Section 1.7.1 (c)**, we note that under the current planning policy framework for rural lot creation in the City of Greater Sudbury, at least one new rural lot (one (1) severed lot + one (1) retained lot) could be created over the entire property with a minimum lot frontage of 90 metres, and a minimum lot area of 2 hectares. Despite this lot being created under the applicable rural lot creation policies, such new (example) lot would be required to connect to the existing municipal sewer and water services at the property's public road frontage along Dominion Drive, given the proximity of such services and considering municipal sewer and water services are the preferred form of servicing for all new developments, per **Section 12.2.2** of the OP. The creation of this (again, example) lot may hinder the potential future expansion of the City's settlement area boundary, and result in an inefficient use of land and existing infrastructure.

Alternatively, the subject application would facilitate the creation of new lots that are more suitable to connect to municipal sewer and water services (given their size), and result in a more efficient use of such infrastructure (compared to creating lots under the current planning policy framework for rural lot creation). In addition, should the proposed amendments be approved, the proposed retained lot could not be subdivided further (under the City's current rural policy framework) without the submission of another *Planning Act* application(s). This is because the retained lot would have a frontage of ± 170 metres, and 180 metres of frontage is required to create at least one new rural lot (one (1) severed lot + one (1) retained lot) per **Section 5.2.2.2 (a)** of the OP. Therefore, the application promotes an efficient development over an extent of the subject property that is appropriate for the proposal, while optimizing the long-term availability and use of the retained lot.

4.2 GROWTH PLAN FOR NORTHERN ONTARIO (GPNO)

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. **Section 3.4** contains policies related to supporting a healthy population. It states in part:

3.4.3 *Municipalities are encouraged to support and promote healthy living by providing for communities with a diverse mix of land uses, a range and mix of*

employment and housing types, high-quality public open spaces, and easy access to local stores and services.

Per **Section 3.4.3**, the application supports and promotes healthy living by proposing residential lots in proximity to existing municipal infrastructure, public service facilities and employment land. For example, the existing subdivision to the south of the subject property contains two public parks (Pinecrest Park & Carol Richard Playground). Other examples of public service facilities in the surrounding area include Greater Sudbury Fire Station 16 at the intersection of MR 80 & Jeanne D'Arc Street, and Howard Armstrong Recreation Centre and Valley East Public School along Dominion Drive (approximately 2km east of the property). In addition, the furthest proposed lot to the west is located less than 400 metres from existing transit networks that connect individuals (within ±10-15 minutes) to established commercial corridors to the north in Hanmer, and to the south in Val Caron. These commercial corridors provide individuals with access to a diverse mix of land uses, and a range and mix of employment lands.

4.3 CITY OF GREATER SUDBURY OFFICIAL PLAN (OP)

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

The subject property is designated Rural and Parks & Open Space per *Schedule 1a* of the OP. The entirety of the property is located outside of the City's settlement area as shown on *Schedule 3* of the OP.

Section 3.2.2 contains phasing policies for lands designation Living Area I in the OP. In order to promote the efficient use of land and achieve the desired land use pattern, such policies are established to guide new development in designated growth areas. It states that:

- 3.2.2.1** *New development in Living Area I will occur adjacent to existing built-up urban areas. Emphasis will be placed on achieving a mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*
- 3.2.2.2** *Where expansion onto vacant undeveloped lands is proposed, the following phasing policies will be considered at the time of application review:*
 - a. the intensification target identified in Section 2.3.3 is being achieved;*
 - b. the proposed development represents a contiguous expansion within the Living Area I designation;*
 - c. the proposed development represents a logical utilization of existing infrastructure and public service facilities;*
 - d. the proposed development completes or rounds out existing neighbourhood plans with respect to infrastructure matters such as road connections and waterline looping, and public service facilities such as schools and recreation facilities; and,*

e. the area is experiencing growth pressure as evidenced by adjoining development, and the available supply of lots/units in existing registered and draft approved plans of subdivision/condominium.

The subject property is not designated Living Area I in the OP. However, under the PPS analysis of this report the author discussed how the property shares key characteristics of properties located inside the settlement area. If the property was identified as a settlement area, it would have likely been designated as Living Area I per *Schedule 1a* of the OP, alike the surrounding area to the east and south.

Considering the application proposes new development adjacent to existing built-up urban areas that are designated Living Area I, and would have the effect of rounding out such areas, it is important to analyze the applications conformity to **Section 3.2.2**. It is the authors opinion that the proposed development conforms to the intent of the above noted policies, given the following:

- The proposed development occurs adjacent to existing built-up urban areas (to the east and south), and makes efficient use of an underutilized portion of the entire property, existing municipal infrastructure and public service facilities;
- Per **Section 3.2.2.2 (a)**, the intensification targets identified in **Section 2.3.3** of the OP are being considered as the size and shape of the proposed lots will be evaluated from a grading/drainage perspective. Should the proposed amendments be approved, a grading/drainage plan will be required before the lots are created through the consent process. This plan will outline an appropriate building envelope for a detached dwelling on each of the proposed lots and demonstrate if such lots can function independently from a grading/drainage perspective. Moreover, the proposed development would be compatible with the existing character of the area; the lots benefit from existing municipal infrastructure and public service facilities that can support the development of detached dwellings on lots with lot frontages and areas proposed through this application; safe and convenient vehicular circulation would be maintained for each of the lots; and such lots would likely introduce a negligible impact on traffic along Dominion Drive; and
- The proposal represents a contiguous expansion to the existing subdivisions to the east and south, and a logical utilization of existing municipal infrastructure and public services facilities.

The objectives of the OP's Rural designation under **Section 5.0** include the following:

- *provide an efficient and orderly pattern of land use in Rural Areas, reducing land use conflicts and requiring minimal municipal services;*
- *ensure that all development is adequately serviced and does not negatively impact the environment;*
- *recognize the importance of agriculture, silviculture and other rural land uses to the economy; and,*
- *preserve the cultural and historical attributes of rural areas.*
- *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 of the OP speaks to rural residential development and states that *residential uses in Rural Areas typically take the form of rural strip development along municipal roads, as well as permanent and seasonal waterfront residences located along the shorelines of non-urban waterbodies and watercourses. Although some linear residential development along municipal roads are partially serviced by municipal water, most households are not connected to municipal services.*

The relevant policies include:

- 5.2.1.1** *Rural residential development compatible with the character of surrounding existing uses is permitted, provided no additional public services, including the extension of existing or creation of new partial services would be required.*
- 5.2.1.2** *One single detached dwelling is permitted on any existing lot, provided that it fronts onto a public road that is maintained year-round. The lot must also have the capability to provide an individual on-site sewage disposal system and water supply with both quantity and quality suitable for domestic uses.*

...

It is the authors opinion that the proposed development aligns with the objectives of the OP's Rural designation under **Section 5.0**, and conforms to the relevant policies under **Section 5.2.1**, given the following:

- The application represents an efficient and orderly pattern of land use in the short and long-term by making efficient use of an underutilized portion of the property, and retaining ± 170 metres of lot frontage and ± 20 hectares of area along Dominion Drive. These lands would remain in conformity with the lot area and frontage requirements of the RU zone;
- The proposed lots are compatible with the character of surrounding existing uses as the surrounding area includes residential lots that have similar lot frontages, and contain a similar built form to that of the lots proposed through this application (being detached dwellings). This would reduce land use conflicts and enhance land use compatibility;
- The proposal can be adequately serviced with existing municipal infrastructure (sewer and water services). This would pose less of a negative impact to the environment, when compared to having the lots being privately serviced;
- Considering the new lots would be serviced with existing municipal infrastructure, no expansion/extension of municipal infrastructure is proposed or required through this application; and
- The proposal directs residential development to an area that would not minimize constraints to agricultural and other resource-related uses. The proposed Official Plan and Zoning By-law amendments would apply to a part of the subject property that is entirely designated and zoned Rural in the OP and Zoning By-law. In addition, the proposed lots comply with the Minimum Distance Separation (MDS) formula, given an analysis provided later on in this section of the report.

Section 5.2.2 of the OP states that policies on lot creation in Rural Areas are required to mitigate the pressures inherent to un-serviced development and the environmental impact of private septic systems.

To accomplish this the OP states that *development is to be concentrated in fully serviced communities and limits on location, size, and the number of lot severances in the Rural designation have therefore been established*. Further to such intent to limit, **Section 5.2.2** speaks to the City's lot creation policies in the Rural Area. It states, in part:

5.2.2.2 *The City will monitor the supply and demand of rural lots with a goal of avoiding an oversupply of rural lots. The policy of this plan will be reviewed and revised if it has been demonstrated that the existing policies have not had the effect of aligning the supply of rural lots not on a waterbody or watercourse with projected need. For new rural lots not on a waterbody or watercourse, the following lot creation policies apply:*

- a. The severed parcel and the parcel remaining must have a minimum size of 2 hectares (5 acres) and a minimum public road frontage of 90 metres (295 feet)*
- b. Regardless of the size and frontage of the parent parcel, no more than three (3) new lots may be created from a single parent rural parcel in existence as of June 14, 2006*

5.2.2.3 *Where an official plan amendment is requested for lot creation in excess of the permitted three severed lots plus a retained, a planning report shall be submitted which demonstrates conformity with the Official Plan and consistency with the Provincial Policy Statement, and which demonstrates that:*

- a. That the application will not exacerbate the existing supply of available vacant rural lots.*
- b. That there is a need for the proposed new lot(s) in order to accommodate projected rural unit growth over the life of the plan*

...

5.2.2.5 *Where applicable, all rural residential severances must also comply with the Minimum Distance Separation (MDS) formulae established by the Province in order to minimize conflicts between residential development and adjacent livestock facilities.*

The City of Greater Sudbury's 2004 *Waterfront and Rural Background Policy Paper* is a companion document to the *Rural and Waterfront Background Study*. Both documents have been prepared as part of the review for the 2006 OP, and informed **Section 5.2.2.2 (a)**. While the Background Study takes an in depth look at the issues pertaining to Rural and Waterfront development across the City, the Policy Paper considers what policy options exist to deal with the various issues that were identified in the Background Study. With respect to the minimum area and frontage requirements for new rural lots, the Policy Paper recognizes that typical conditions of approval for new rural lots include the approval for a private sewage system and proof of a potable water supply (*Waterfront and Rural Background Policy Paper*, 2004). Typically, larger lot areas and frontages are necessary to satisfy such conditions. Therefore,

Section 5.2.2.2 (a) of the OP requires new rural lots not on a waterbody or watercourse to have a minimum area of 2 hectares (5 acres) and a minimum public road frontage of 90 metres (295 feet).

Although the property is largely designated and zoned Rural, the lands subject to the proposed Official Plan and Zoning By-law amendments are located directly adjacent to an urban area. Most notably, the property benefits from existing municipal sewer and water services, therefore it is not necessary for the proposed lots to maintain large lot areas and frontages that are typically required for rural lots.

Section 5.2.2.2 (b) states that regardless of the size and frontage of the parent parcel, no more than three new lots may be created from a single parent parcel based on the adoption date of the OP. Considering the application proposes the creation of six (6) new lots, an Official Plan amendment is required. Given the analysis contained herein, it is appropriate to exceed this typical requirement. With respect to **Section 5.2.2.3**, an analysis is provided under *Section 6.2 The Rural Supply* of this report.

With respect to **Section 5.2.2.5**, the proposed lots comply with the Minimum Distance Separation (MDS) formula. This would minimize conflicts between the future residents of such lots and the existing livestock facilities in proximity to the subject property. As per the MDS Document, Publication 853, Guideline #6, all existing livestock facilities within a 750m distance of a new lot shall be investigated and an MDS I setback calculation undertaken where warranted. There is a livestock facility located at 1848 Dominion Drive, which is within the 750m required investigation distance where a calculation may be warranted. As per guideline #12 of the MDS Document, a reduced MDS I setback is permitted if there are four, or more, residential uses and/or dwellings closer to the subject livestock facility than the proposed development or dwellings. These residential uses must be within a 120° field of view between the closest part of the proposed development or dwelling and the nearest livestock facility or anaerobic digester, be located on separate lots, and be of the same or greater sensitivity as the proposed development. These conditions are met, as illustrated below in *Figure 10*, which means that the required MDS setback may be reduced to the furthest of the four residential uses. The building envelope on the new lots exceed the distance from the livestock facility than the furthest of the four residential uses. Thus, MDS requirements have been met and this proposal will not result in an MDS violation.

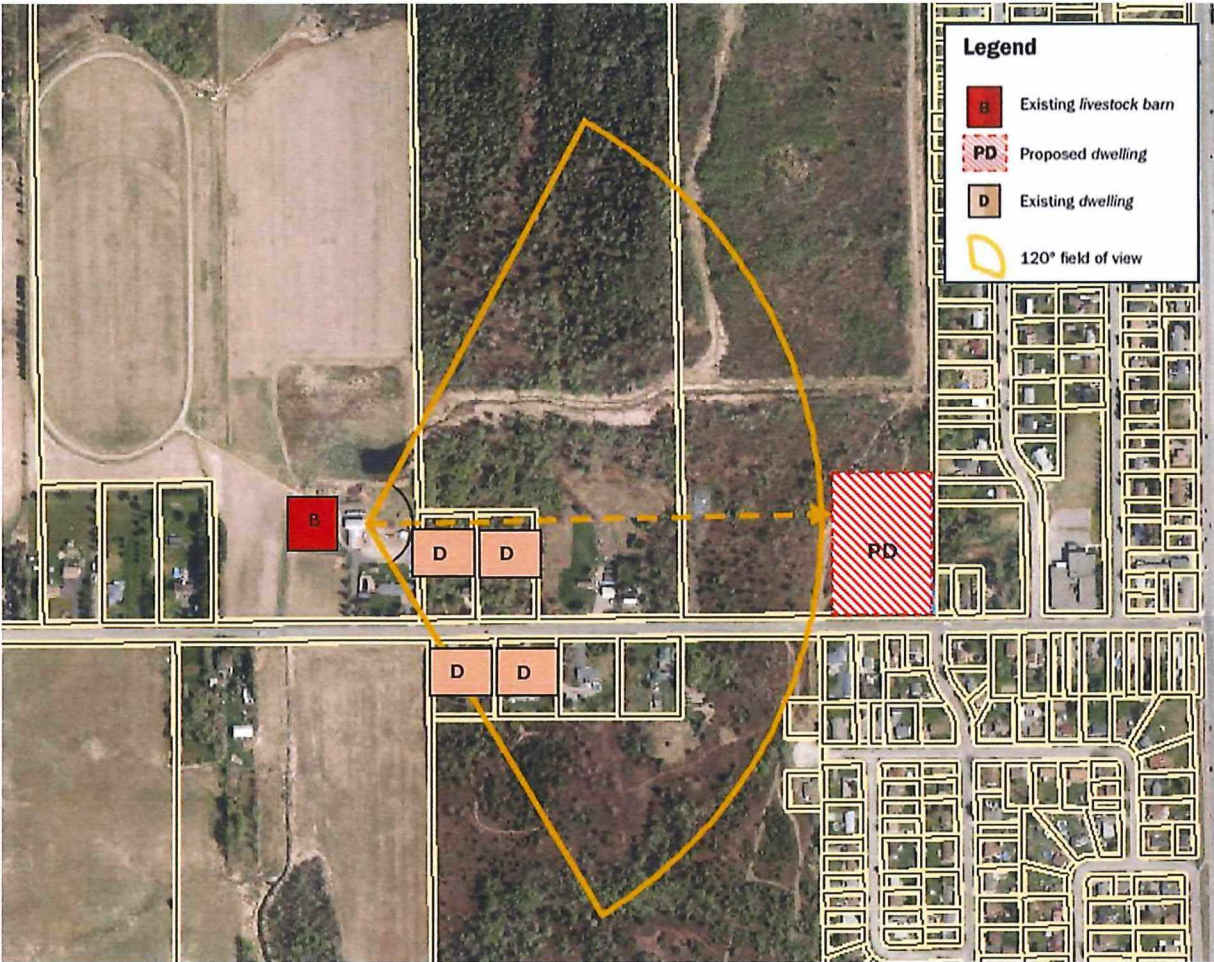


Figure 10: Aerial showing four intervening dwellings from livestock facility at 1848 Dominion Drive (MDS reduced to fourth dwelling)

Section 19.2 of the OP contains general policies for implementing the objectives and policies of the OP. This section states, in part:

19.2 *It is a policy of this Plan to:*

...

e. investigate new or improved techniques of implementation and make use of those that are shown to facilitate the achievement of the City's goals and objectives.

To consider the creation of the proposed lots, unique land use planning applications must be submitted. The proposed amendments represent a unique technique of implementation to enable the creation of the proposed lots and facilitate the achievement and intent of the City's goals, objectives and applicable policies which are analyzed throughout this report.

Section 19.4 of the OP contains policies related to the subdivision of land and the tools available under the *Planning Act* that allow for the subdivision of land. This section states, in part:

19.4.1 *It is policy of this Plan to:*

a. require that all proposals which have the effect of creating more than three new lots be processed as applications for a Plan of Subdivision, unless in The City's opinion a Plan of Subdivision is not necessary for the proper development of the area; and,

...

The proposed development would have the effect of creating more than three new lots, however a Plan of Subdivision is not necessary for the proper development of the end proposal, considering that the proposal does not necessitate the creation of a new municipal road or the extension of municipal services.

Through pre-consultation with the City, it was confirmed that a recommendation for a consent referral under **Section 19.4.1** of the OP is required should the application intend to create six (6) new residential lots over the subject property through the consent process, rather than the Plan of Subdivision process. Therefore, such request would be initiated by the proponent, should the proposed amendments be approved.

5.0 CITY OF GREATER SUDBURY ZONING BY-LAW 2010-100Z

The subject property is currently zoned RU (Rural) under *By-law 2010-100Z* being the Zoning By-Law for the City of Greater Sudbury.

A Zoning By-law amendment is being submitted concurrently with the proposed Official Plan amendments to rezone a ± 1.3 hectare extent of the subject property from RU (Rural) to RU(S) (Rural Special) with the following site-specific reliefs:

- Minimum lot area of 2,100 square metres, whereas 2 hectares is required;
- Minimum lot frontage of 16 metres, whereas 90 metres is required; and
- Minimum interior side yard setback of 1.2 metres plus 0.6 metres for each full storey above the first storey abutting such yard, whereas 10 metres is required.

The proposed site-specific reliefs are requested to enable the creation of the proposed contextually appropriate residential lots. The proposed lots would be connected to municipal sewer and water services, therefore it is not necessary for the lots to maintain larger lot areas and frontages for the installation of private sewer and water services (septic systems and wells). Further with respect to the requested reliefs for the minimum lot area and frontage of the proposed lots, compatibility is maintained with the surrounding area as the lots comply with the zoning requirements of adjacent properties [to the east and south, zoned R1-5 (Low Density Residential)] as the R1-5 zone requires a minimum lot area of 465m² and a minimum lot frontage of 15 metres.

The relief for the minimum interior side yard setback is requested to accommodate a single-detached dwelling over the proposed lots. Currently, the RU zone requires a minimum interior side yard setback of 10 metres, which would not be possible to conform with given the proposed frontages of such lots. A minimum interior side yard setback of 1.2 metres plus 0.6 metres for each full storey above the first story abutting such yard is proposed to ensure that future property owners can accommodate a dwelling over their property, while maintaining land use compatibility with the adjacent urban area (again, being zoned R1-5) that contains the same interior side yard setback requirements.

6.0 PLANNING RATIONALE

6.1 FINANCIAL IMPACT

As previously discussed, no expansion/extension of municipal infrastructure is proposed or required through this application. The same is true for non-municipal infrastructure such as electricity and gas services. No unjustified and/or uneconomical expansion of these services are required in order to service the subject property with the above noted municipal and non-municipal infrastructure (being the standard infrastructure available for urban areas). In addition, it would be the developer's responsibility to construct lateral connections from the existing sewer and water mains to the proposed lots.

The remainder of this section will delve into the proposed lots financial impact on the City's property tax revenue. In 2017, the City of Greater Sudbury released the *Comparative Fiscal Impact Analysis of Growth Study* - more commonly referred to as the 'Cost of Growth Report.' The intent of the Cost of Growth Report is to build an understanding of the financial implications associated with residential land use planning decisions. It synthesizes various data sources to estimate the servicing costs, and revenues, associated with the various types of development, accounting for the built form (single-detached, rows, apartments, etc.) and general location (Urban, Suburban, Rural) (Hemson Consulting Ltd., 2017).

Within the Cost of Growth Report, servicing calculations are based on a rural property assessment value of **\$282,000** (for new developments) with an annual projected cost of servicing new rural development on transit to be **\$3,872.00**. For new low density urban development, servicing calculations are based on a property assessment value of **\$390,000** with an annual projected cost of servicing such developments with all services (fire and transit) to be **\$3,624**. However, when drawing conclusions on the financial implications of the proposed development, it is important to account for the locational context of the property, as well as the present values associated with new residential development in the area - as stated in the report, *'the type of analysis undertaken in this report should be reviewed periodically to ensure fiscal considerations continue taken into account during the development of Official Plan policies'* (Hemson Consulting Ltd., 2017).

To gain a better understanding of the present values associated with new residential development in the area, the author looked at a series of properties that were recently created (between 2016-2023) and developed along Larocque Avenue (see *Figure 11*). For privacy reasons, the municipal addresses are not provided on the below figure, but rather labelled Lot A through O. These properties were chosen given their proximity to the subject property (also benefiting from full municipal sewer and water services), and considering they share similar lot sizes (particularly with respect to lot frontage), as well as a similar built form to that of the proposed lots (being detached dwellings). These properties largely feature lot

areas below that of the proposed lots, however this will not impact our findings in this section of the report as the larger lot areas of the proposed lots would likely result in higher assessment values.

As of 2023, the average assessment value of the properties outlined in *Figure 11* is **\$387,666** with an average property tax of **\$6,166.92**. For the purpose of the subject application, these averages are used to conclude if the subject application would provide a financial benefit to the municipality with respect to the proposed lots property tax revenue and the municipal costs associated with servicing these lots (per the Cost of Growth Report). Using the Bank of Canada’s Inflation calculator, it is projected that the cost to service a new rural lot categorized in the Cost of Growth Report would have increased from \$3,872.00 in 2013 to **\$4,995.42** in 2023. In comparison, it is projected that the cost to service a new low density urban residential lot would have increased from \$3,624 in 2013 to **\$4,631.65** in 2023.

Therefore, when accounting for the data presented in *Figure 11*, it is likely that the proposed lots (once developed) would provide a financial benefit to the municipality through property tax revenue, regardless of a rural or urban classification in the Cost of Growth Report.

MUNICIPAL ADDRESS	PROPERTY TAX (2023)	ASSESSMENT VALUE (2023)
Lot A (Larocque Avenue)	\$6,410.84	\$403,000
Lot B (Larocque Avenue)	\$6,315.39	\$397,000
Lot C (Larocque Avenue)	\$5,949.51	\$374,000
Lot D (Larocque Avenue)	\$5,504.10	\$346,000
Lot E (Larocque Avenue)	\$5,949.51	\$374,000
Lot F (Larocque Avenue)	\$5,567.73	\$350,000
Lot G (Larocque Avenue)	\$5,997.24	\$377,000
Lot H (Larocque Avenue)	\$5,726.80	\$360,000
Lot I (Larocque Avenue)	\$6,999.43	\$440,000
Lot J (Larocque Avenue)	\$6,204.04	\$390,000
Lot K (Larocque Avenue)	\$5,122.31	\$322,000
Lot L (Larocque Avenue)	\$5,472.28	\$344,000
Lot M (Larocque Avenue)	\$8,399.31	\$528,000
Lot N (Larocque Avenue)	\$6,903.98	\$434,000
Lot O (Larocque Avenue)	\$5,981.33	\$376,000

*Figure 11: Present values of new residential development in the area
(City of Greater Sudbury, 2023 / GeoWarehouse, 2024)*

6.2 THE RURAL LAND SUPPLY

In 2013, the City of Greater Sudbury released its *Growth and Settlement Discussion Paper* (herein after referred to as ‘the Paper’). The Paper provides an analysis of land supply and demand within settlement and rural areas, and whether such supply can accommodate demand over the next 20 years, as required by the PPS. It states that ‘*there is also an ample supply of rural lands to meet the projected demand while also providing a wide range of choice under the existing severance framework*’ (The Paper, 2013).

However, an analysis of the quality of location for rural lot supply is critical to understanding how the subject application would not exacerbate the existing supply of available vacant rural lots. The Paper

analysed vacant rural residential land supply on a blanket-basis, treating rural lands that are directly adjacent to settlement areas, and rural lands far removed from such the same. Not all rural lands benefit from the proximity to existing municipal and non-municipal infrastructure (sewer and water services, transit and active transportation networks, electricity and gas services), and a range and mix of employment lands. Such proximity allows the proposed lots to function as urban residential lots, rather than typical rural lands that are commonly removed from urban areas, and assist in meeting the general intent of the OP with respect to promoting complete communities and providing easily accessible services to residents. Considering the proposed lots would function more as urban residential lots, it is the authors opinion that it is not pertinent for such to be considered in the rural lands supply vs. demand discussion. Given the proposed lots would meet the above noted intent of the OP, the creation of residential lots in this location would have the effect of directing those who want a slightly larger residential lot (compared to the surrounding area) to be in proximity to services, which is a better planning outcome than directing the dispersion of rural residents to locations farther removed from service/settlement areas. As such, the introduction of new residential lots in this location would not contribute to the existing oversupply of rural lands that was found in the Paper. Rather, such lots would direct residents/development to a location that already contains existing clusters of urban residential development, is in proximity to existing municipal infrastructure, and is in proximity to a range and mix of employment lands.

Given the analysis provided in this section of the report, and with respect to **Section 5.2.2.3** of the OP, it is the authors opinion that the creation of six (6) new lots over the subject property is consistent with the OP intent to not exacerbate the existing supply of available vacant rural lots.

7.0 CONCLUSION

The proposed amendments would ultimately facilitate the creation of six (6) residential lots over the subject property. The creation of the proposed lots would facilitate the rounding out of existing subdivisions to the east and south of the property, making more efficient use of existing municipal infrastructure, and provide a financial benefit to the City of Greater Sudbury. In addition, this report demonstrates that the application is consistent with the OP intent to not exacerbate the existing supply of rural lots.

Given the analysis provided herein, it is the authors opinion that the proposed amendments conform with the intent of the *City of Greater Sudbury Official Plan* and the *Growth Plan for Northern Ontario*, is consistent with the *2020 Provincial Policy Statement*, and represents good planning.

Respectfully submitted,

Prepared by:



Aaron Ariganello, BURP

Land Use Planner

TULLOCH

Reviewed by:



Kevin Jarus, M.Pl., RPP

Planning Manager

TULLOCH

City of Greater Sudbury
Ville du Grand Sudbury
April 29, 2024



Tulloch Engineering
131 Fielding Road
Lively, ON
P3Y 1L7

Attention: Kayla Schmidt, P. Eng,

**Re: Sewer and Water Capacity Analysis
Dominion Drive
Township of Hanmer**

PO BOX 5000 SIN 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 Sewer and Water Capacity Analysis at the above noted location and have the following to report:

A review of the sewage mains downstream from the proposed connection at MH HAN-10-10-0012 Dominion Drive revealed that the mains are capable of conveying the additional 0.82 L/s of flow expected from your development.

A capacity analysis performed by our WaterCAD model, developed the following results at the watermain tee at Node J_VT-76 at location of HYD-10-063,

Values Obtained from Model

C.G.S. Minimum Requirements

Max Hour: 73 psi
Max Day: 76 psi
Fire Flow: 114 l/s

- 40 psi
- 50 psi

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.

Thank you,

A handwritten signature in blue ink, appearing to read 'K. Gorman'.

Kyle Gorman
Development Engineering Technician

KEG/ds

cc: Akli BenAnteur, Wastewater Project Engineer



**Greater Sudbury Source Protection Plan
Restricted Land Use Review
Application for Section 59 Notice**



A Section 59 Notice Review is required for applicants choosing to proceed with a Building or Planning Service in a Vulnerable Area.

PART A: APPLICANT INFORMATION

Name of Applicant(s) (individuals, corporation or partnership): TULLOCH

Contact Name (where Applicant is corporation or partnership): Aaron Ariganello

Phone (home/business): 705-671-2295 Phone (alternate): _____

Fax: _____ Email: aaron.ariganello@tulloch.ca

Mailing Address: 131 Fielding Road

City/Town: Lively Province: ON Postal Code: P3Y 1L7

PART B: PROPERTY INFORMATION

Are you the owner of the property where the proposed project is located? Y N

Property owner (if different from Applicant): QUESNEL, PAULINE; QUESNEL, RAYMOND

Contact information (if different from Applicant): ray.quesnel@yahoo.com

Physical address of proposed project (if different from above): PIN 73505-0360

Township: HANMER Con: 2 Lot: 7

PCL/Part No. 37310 Roll No. _____ Registered Plan No. 53R-4322 (PT 1 & 2)

Are any new or existing structures heated with Fuel Oil? Yes No

Are any of the existing structures serviced by a Septic System or Holding Tank? Yes No

PART C: PROPOSAL INFORMATION

Proposal:

<input type="checkbox"/> New Structure	<input type="checkbox"/> New Land Use/Change of Use	<input type="checkbox"/> New or Replacement Septic
<input type="checkbox"/> Expansion/Conversion of an Existing Approved Land Use or Structure	<input type="checkbox"/> Minor Variance	<input checked="" type="checkbox"/> Consent
<input checked="" type="checkbox"/> Re-Zoning	<input checked="" type="checkbox"/> Official Plan Amendment	<input type="checkbox"/> Site-Plan/Alteration
<input type="checkbox"/> Plan of Subdivision/Condominium		
<input type="checkbox"/> Other _____		

Application or Permit Number (if known): _____

Zoning:

<input checked="" type="checkbox"/> Single Residential	<input type="checkbox"/> Multi-Residential (incl. subdivision)	<input checked="" type="checkbox"/> Rural (incl. agricultural)
<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial (incl. mixed use)	
<input type="checkbox"/> Other (incl. institutional & future development): _____		

Brief Description of Proposal and/or Activity: (Please attach any documents as 'Schedule A')
 Proposed amendments would ultimately facilitate the creation of six (6) residential lots over the subject property - see attached concept plan.

Proposed construction start date: Unknown Proposed completion date: Unknown

- I have included a detailed description of the activity or land use, including but not limited to; quantities of any known chemicals/road salts/wastes to be stored on site and their composition (required).
- I have included legible, electronically produced copies of the site plans, specifications and/or drawings (if available/applicable).
- I have included a copy of any applicable survey certified by a registered Ontario Land Surveyor.

PART D: POTENTIAL THREAT ACTIVITIES

A drinking water threat as defined under the *Clean Water Act, 2006* is "an activity or condition that adversely affects or has the potential to adversely affect the quality or quantity of any water that is or may be used as a source of drinking water".

The following activities are prescribed as drinking water threats for the purpose of the definition of "drinking water threat".

To the best of your knowledge, please check all prescribed activities that are currently present or may be associated with the proposed Building Permit or Planning Approval within the vulnerable area.

MINISTRY OF THE ENVIRONMENT AND CLIMATE CHANGE TABLES OF DRINKING WATER THREATS AS PRESCRIBED BY THE <i>Clean Water Act, 2006</i>	
1.	The establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the <i>Environmental Protection Act</i> (wrecking yards, tailings or raw sewage disposal, hazardous/industrial/commercial/municipal waste)
2.	The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage (privies/septic systems/holding tanks/greywater systems, stormwater management, sewer systems and related pipes, sewage treatment plant/lagoon, industrial effluent)
3.	The application of agricultural source material to land (materials produced on a farm including, but not limited to; manure, bedding, regulated compost etc.)
4.	The storage of agricultural source material (materials produced on a farm including, but not limited to; manure, bedding, regulated compost etc.)
5.	The management of agricultural source material (aquaculture only)
6.	The application of non-agricultural source material to land (nutrients not produced on a farm including, but not limited to; sewage biosolids, ash, pulp/paper biosolids etc.)
7.	The handling and storage of non-agricultural material (nutrients not produced on a farm including, but not limited to; sewage biosolids, ash, pulp/paper biosolids etc.)
8.	The application of commercial fertilizer (any fertilizer containing phosphorus and/or nitrogen)
9.	The handling and storage of commercial fertilizer (any fertilizer containing phosphorus and/or nitrogen)
10.	The application of pesticide to land
11.	The handling and storage of pesticide
12.	The application of road salt
13.	The handling and storage of road salt
14.	The storage of snow (parking lots and melt/dump facilities)
15.	The handling and storage of fuel (gasoline, diesel, home heating oil)
16.	The handling and storage of a dense non-aqueous phase liquid (chemicals e.g. automotive businesses, dry cleaning, manufacturing/processing, cleaning agents etc.)
17.	The handling and storage of an organic solvent (chemicals e.g. automotive businesses, dry cleaning, manufacturing/processing, cleaning agents etc.)
18.	The management of runoff that contains chemicals used in the de-icing of aircraft
19.	An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body (water taking)
20.	An activity that reduces the recharge of an aquifer (development of impervious surfaces)
21.	The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard (all farming – including production/business/hobby etc.)

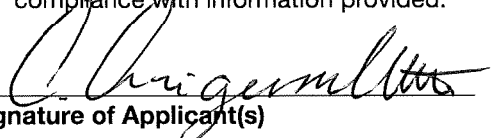
PART E: APPLICABLE FEES

Pursuant to By-Law 2015-34, a By-Law of the City of Greater Sudbury Respecting Enforcement of the *Clean Water Act, 2006* (Source Protection By-Law), Schedule "A", a prescribed fee of \$35 is to be collected for the review of the application to determine whether a notice shall be issued pursuant to section 59 of the Act.

Subsequently, additional fees may be incurred for proposals requiring Risk Management Plans, or additional inspections. Please review Schedule "A" for a complete list of prescribed user fees.

PART F: AGREEMENT

1. I/we have read, understood, and agree to the review of my proposal in accordance with section 59 of the *Clean Water Act, 2006*.
2. I/we have completed this application in full and I/we certify that the information contained in this application and any supporting documentation is true and complete to the best of my/our knowledge.
3. I/we understand that failure to provide all of the required information may delay processing of this application or render a failure to proceed with the application/proposed project.
4. I/we understand that I/we will be responsible for ensuring the technical and structural adequacy and legal requirements of this project.
5. I am/we are the owner(s) of the above mentioned property OR I am an agent acting on behalf of the property owner(s) with a letter of authorization (attached).
6. I/we have authority to bind the corporation or partnership, where applicable.
7. I/we understand that the property described in this application may be subject to random inspections to ensure compliance with information provided.



 Signature of Applicant(s)

08/23/2024

 Date

Note: If you have any questions or concerns while filling out the application form please contact the Risk Management Office at 705-674-4455 ext. 3600 or sourceprotection@greatersudbury.ca. A representative will contact you to discuss your application and advise of the review outcome.

PART G: FREEDOM OF INFORMATION & PROTECTION OF PRIVACY

Collection of Personal Information: The personal information collected on this form is collected by the City of Greater Sudbury under the authority of By-law 2015-34 for the purpose of processing your application under Part IV of the *Clean Water Act, 2006*. Questions regarding the collection of this information may be directed to the City's Risk Management Official, 200 Brady Street, Sudbury ON P3A 5P3 or (705) 674-4455 ext 3600.

Please mail the completed application along with \$35 payment to:

ATTN: SOURCE PROTECTION - WATER/WASTEWATER SERVICES

CITY OF GREATER SUDBURY	VILLE DU GRAND SUDBURY
PO BOX 5000 STN A	CP 5000 SUCC A
200 BRADY STREET	200 RUE BRADY
SUDBURY ON P3A 5P3	SUDBURY ON P3A 5P3

Alternatively, you can drop off completed forms and \$35 payment to Tom Davies Square or to any Citizen Service Center.

PART H: OFFICE USE ONLY - REVIEW OUTCOME

OFFICE USE ONLY

Date application received: _____ By: (Department) Planning Building CSC: _____

Applicable Building Permit No: _____ Applicable Planning File No.: _____

Fee Paid Y N Received By (Print Name): _____ Signature: _____

Copy of receipt of payment attached (Required): Y N

RISK MANAGEMENT OFFICE USE ONLY

Section 59 Application No. _____ Date Application Received: _____

Vulnerable Area: WHPA _____ IPZ _____ ICA _____

Proposed use/activity is:

- 1. Permitted and neither prohibited or restricted (**Notice issued** under section 59(2) of the *Clean Water Act, 2006*)
- 2. Restricted and an approved Risk Management Plan has been agreed to or established (**Notice issued** under section 59(2) of the *Clean Water Act, 2006*)
- 3. Restricted and a Risk Management Plan is required in order to obtain a Notice (**No Notice** to be issued under section 59(2) of the *Clean Water Act, 2006, as RMP Pending*)
- 4. Prohibited (**No Notice required** to be issued under section 59(2) of the *Clean Water Act, 2006*)

Notice attached: Y N Pending Date of Review: _____

Issue Building Permit /Planning Approval Do Not Issue Building Permit /Planning Approval

Application Pending RMP (Do Not Issue Permit/Approval at this time)

Reviewed by (print name): _____ Signature: _____

Approved by RMO (print name): _____ Signature: _____ Date: _____

CGS Stakeholders copied (date): _____ Applicant Copied (date): _____

Comments:

APPROVALS PENDING

Proposed use/activity is:

Restricted and a Pending Risk Management Plan has now been agreed to or established
(Notice issued under section 59(2) of the *Clean Water Act, 2006*)

Date Plan Approved or Established: _____

Approved or Established By: _____ Signature: _____

**AMENDMENT NUMBER 138
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, which consists of the following map entitled Schedule "A", constitutes Amendment 138 to the City of Greater Sudbury Official Plan.

PART A - THE PREAMBLE

Purpose of the Amendment: The proposed amendment is a site-specific application to provide a site-specific exception under Section 5.2.2 and Section 19.4 of the City's Official Plan in order to facilitate the creation of six (6) new residential lots by way of consent within the Rural land use designation.

Location: PIN 73505-0360, Parts 1 & 2, Parcel 37310, Registered Plan 53R4322, Lot 7, Concession 2, Township of Hanmer (0 Dominion Drive, Hanmer)

Basis: An Application for Official Plan Amendment (File 701-7/24-01) has been submitted for consideration by the City's Planning Committee and Council in order to provide a site-specific exception under Sections 5.2.2 and 19.4 of the City's Official Plan in order to permit the creation of six (6) new residential lots within the Rural land use designation where a maximum of three (3) new lots may be created from a single parent rural parcel in existence as of June 14, 2006, with all severed lots having less than the minimum required lot size of 2 ha and minimum public road frontage of 90 m (5.2.2) and allow the creation of the six (6) lots by way of consent rather than plan of subdivision, where an application having the effect of creating more than three (3) lots must be by way of plan of subdivision (19.4). The application, together with a concurrent Application for Zoning By-Law Amendment (File 751-7/24-07), would facilitate the creation of six (6) new residential lots with frontages of 16 metres, lot areas of 0.21 ha.

PART B - THE AMENDMENT

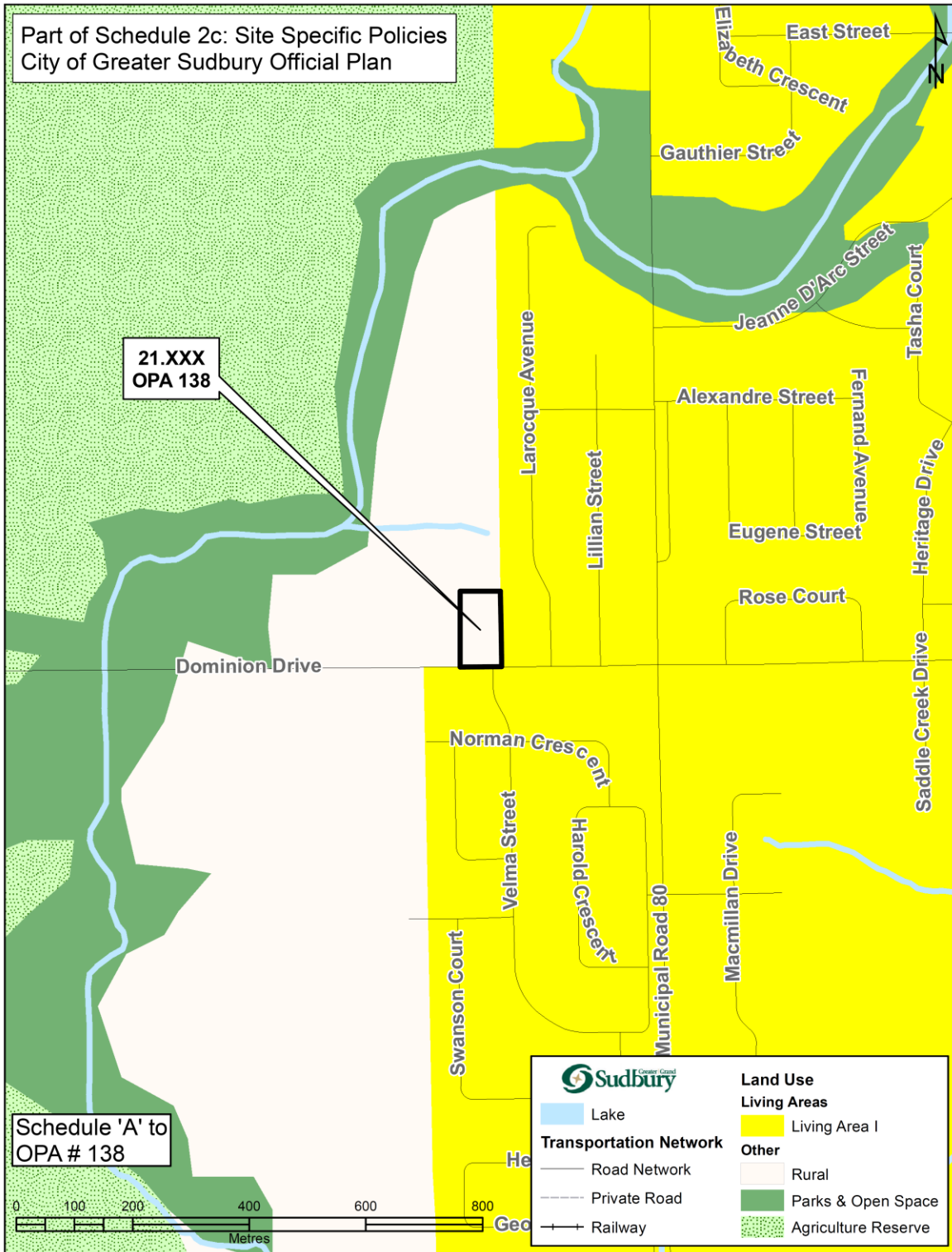
1) By adding to Part 21, Site Specific Policies the following Section:

21.XXX Notwithstanding anything to the contrary on those lands described as PIN 73505-0360, Parts 1 & 2, Parcel 37310, Registered Plan 53R4322, Lot 7, Concession 2, Township of Hanmer (0 Dominion Drive, Hanmer), the creation of six additional rural lots shall be permitted by way of consent, with all severed lots having a minimum of 16 m of frontage on Dominion Drive and minimum lot area of 0.21 ha; and

- 2) Schedule 2c Site Specific Policies of the Official Plan for the City of Greater Sudbury is hereby amended by adding a site-specific policy 21.XXX on PIN 73505-0360, Parts 1 & 2, Parcel 37310, Registered Plan 53R4322, Lot 7, Concession 2, Township of Hanmer (0 Dominion Drive, Hanmer), as shown on Schedule "A" attached to this amendment.

DRAFT

Schedule A to OPA 138



Connie Rossi

From: Alain Legault <[REDACTED]>
Sent: Friday, September 20, 2024 8:25 AM
To: Alex Singbush
Subject: Files: 751-7/24-07 & 701-7/24-01

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

Good morning Mr. Singbush,

In the matter of the files noted above, my wife and I are opposed to this proposal.

Thank you,
Alain & Ginette

Connie Rossi

From: Jason Medeiros <[REDACTED]>
Sent: Wednesday, September 25, 2024 2:14 PM
To: Alex Singbush
Subject: File 751-7/24-07

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

I Jason medeiros of 4128 larocque ave

Do not consent to the proposal.

It is out of character for the neighbourhood and the neighbourhood is already congested enough. Please let me know when the hearing is as I would like to attend and object to this.

If you have any further questions

Feel free to reach out to me

Sent from my iPhone

Connie Rossi

From: Lyle & Sheila Redden <[REDACTED]>
Sent: Thursday, September 26, 2024 7:19 PM
To: Alex Singbush
Subject: Files 751-7/24-07 701-7/24-01 re:Applicant Pauline and Raymond Quesnel

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

I have several concerns with this proposal. What will become of the rest of this property if this is approved by consent rather than by a formal site planned subdivision? Will all properties have their driveways off Dominion Drive and are there limits to the width of the driveway? However, the greatest issue is that of drainage. Much of Dominion Park and a good portion of Laroque, Lillian and Guimond drain into the creek that abuts this property. There is a legal variance in place. It is essential that the waterway NOT be moved and variances be respected. .

Further I'm confused as to the actual construction of the proposed housing. Would these structures have full basements or just crawl spaces and would crawl spaces count as a story? I assume that waste water services are in place. Also I assume that all costs with water connections, culverts etc will be borne by the owners. In general I question using this process to circumvent a formal planning process.

Sheila Redden
1605 Guimond Ave.
Hanmer

Box 145 Val Caron P3N 1N6

Algonquin Road, Sudbury

Presented To:	Planning Committee
Meeting Date:	November 13, 2024
Type:	Routine Management Reports
Prepared by:	Stephanie Poirier Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	780-6/12004

Report Summary

This report provides a recommendation regarding a request to extend draft plan approval for the proposed Algonquin Road Subdivision.

Resolution

THAT the City of Greater Sudbury’s delegated official be directed to amend the conditions of draft approval for the draft plan of subdivision on lands described as PIN 73478-1121, Parcel 11257, Parts 1-3, Plan 53R-19865 in Lot 3, Concession 5, Township of Broder City of Greater Sudbury, File 780-6-12-004, in the report entitled “Algonquin Road, Sudbury”, from the General Manager of Growth and Infrastructure, presented at the meeting on November 13, 2024 as follows:

- a) By amending the draft plan lapsing date in Condition #10 to December 23, 2027;
- b) By amending condition #20e) by adding the words “as amended” after By-law #2009-170;
- c) By amending condition #21 by removing the words “when the regulation comes into effect”; By deleting condition #36 and replacing with the following:

#36. Development on any lots that contain floodplain must be reviewed and approved by Conservation Sudbury. The plans must show that there is sufficient storage capacity to compensate for the fill placed on the affected lots for floodproofing purposes.

- d) By deleting condition #41 and replacing with the following:

#41 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 Algonquin Road 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.
 - 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.

- e) That condition #45 be deleted and replaced with the following:

#45 The applicant/owner obtain a permit from Conservation Sudbury, under Section 28.1 of the *Conservation Authorities Act*, for any grading within the flood hazard (floodplain) or within 15 metres of the hazard. Submitted plans must be authored, signed, and sealed by a qualified professional licensed in the Province of Ontario.

- f) That condition #46 be deleted and replaced with the following:

#46. The applicant/owner obtain a permit from Conservation Sudbury, under Section 28.1 of the *Conservation Authorities Act*, for the realignment of the watercourse. In addition to the realignment details, the owner/applicant must demonstrate:

- i. The channel capacity is equal in the realignment channel to the existing channel
- ii. The extent of the erosion hazard; and
- iii. The details of any crossings.

- g) That the following condition be added:

#48. The applicant/owner submit plans showing the extent of wetland on the property. Mapping must be completed by a qualified professional (OWES-certified) and be accompanied by a report. If no wetlands are present, a report by a qualified professional is required. If wetlands are present, the following apply:

- i. The hydrologic impact of wetland loss must be quantified by a qualified professional. Any loss of hydrologic or hydraulic function must be mitigated, such there is no negative impacts to flooding and/or erosion to adjacent, upstream or downstream properties.
- ii. The applicant/owner must obtain a permit from Conservation Sudbury, under Section 28.1 of the Conservation Authorities Act, for any development proposed within 30 m of the wetland.

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

The request to extend the approval for a draft plan of subdivision is an operational matter under the Planning Act to which the City is responding. The proposal is consistent with the goals and objectives of the Strategic Plan by diversifying the supply of new housing and providing a range of housing options to accommodate future demand.

The proposed development is located within a designated growth area that is serviced by municipal sewer and water, offers proximity to services including public transit and schools, and represents the rounding out of existing development within settlement area boundaries. The application is therefore deemed to be consistent with the goal to create compact, complete communities under the Community Energy & Emissions Plan.

Financial Implications

If approved, staff estimates approximately \$465,700 in taxation revenue, based on the assumption of eight single detached dwelling units and 92 semi-detached dwelling units based on an estimated assessed value of \$500,000 and \$275,000, respectively, at the 2024 property tax rates.

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 and South End Rock Tunnel section 391 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 of the subject land has requested a three-year extension for the draft plan of subdivision located on the south side of Algonquin Road, which was originally approved on December 23, 2013. The draft plan was amended in 2017 in order to reconfigure the road layout and permit 10 lots for single residential use and 44 lots for double residential use.

Planning Services recommends that the request to extend draft plan approval for a period of three (3) years be approved.

STAFF REPORT

Applicant:

Sitiri Investments Ltd.

Location:

PIN 73478-1121, Parcel 11257, Parts 1-3, Plan 53R-19865 in Lot 3, Concession 5, Township of Broder City of Greater Sudbury.

Application:

To extend the draft approval which was extended most recently in 2021 and is set to expire December 23 2024, for a draft plan of subdivision on those lands known as PIN 73478-1121, Parcel 11257, Parts 1-3, Plan 53R-19865 in Lot 3, Concession 5, Township of Broder City of Greater Sudbury.

Proposal:

The owner is requesting that the draft approval conditions for the above noted lands be extended for a period of three years until December 23, 2027.

Background:

The owner of the subject land has requested a three-year extension for the above noted draft plan of subdivision, which was originally approved on December 23, 2013. No phases have been registered to date. If approved, the new lapsing date will be December 23, 2027. As part of the extension request, the agent provided a status update on the progress of current conditions advising that the applicant is working with the City to address stormwater management.

The draft plan was amended in 2017 in order to reconfigure the road layout and permit 10 lots for single residential use and 44 lots for double residential use. Lots 9 and 10 were subsequently rezoned in 2018 to permit semi-detached dwellings (File 751-6/18-3). The most recent conditions of draft approval dated March 2022 are attached for review.

Surrounding uses are residential, institutional, industrial, 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 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 should be deleted entirely and replaced with a sentence referring to December 23, 2027, as the revised date on which the subject draft plan of subdivision approval shall lapse.

Condition #20e) has been requested by Building Services to be amended to add the words “as amended” after By-law #2009-170.

Condition #21 has been requested by Building Services to be amended to remove the words “when the regulation comes into effect”.

Condition #36 has been requested by Conservation Sudbury to be deleted and replaced with the following:

#36. Development on any lots that contain floodplain must be reviewed and approved by Conservation Sudbury. The plans must show that there is sufficient storage capacity to compensate for the fill placed on the affected lots for floodproofing purposes.

Condition #41 has been requested by Infrastructure Capital Planning to be deleted and replaced with the following:

#41 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 Algonquin Road 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.
- 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.

Condition #45 has been requested by Conservation Sudbury to be deleted and replaced with the following:

#45 The applicant/owner obtain a permit from Conservation Sudbury, under Section 28.1 of the *Conservation Authorities Act*, for any grading within the flood hazard (floodplain) or within 15 metres of the hazard. Submitted plans must be authored, signed, and sealed by a qualified professional licensed in the Province of Ontario.

Condition #46 has been requested by Conservation Sudbury to be deleted and replaced with the following:

#46. The applicant/owner obtain a permit from Conservation Sudbury, under Section 28.1 of the *Conservation Authorities Act*, for the realignment of the watercourse. In addition to the realignment details, the owner/applicant must demonstrate:

- i. The channel capacity is equal in the realignment channel to the existing channel
- ii. The extent of the erosion hazard; and
- iii. The details of any crossings.

Conservation Sudbury has requested that the following new condition be added:

#48. The applicant/owner submit plans showing the extent of wetland on the property. Mapping must be completed by a qualified professional (OWES-certified) and be accompanied by a report. If no wetlands are present, a report by a qualified professional is required. If wetlands are present, the following apply:

- i. The hydrologic impact of wetland loss must be quantified by a qualified professional. Any loss of hydrologic or hydraulic function must be mitigated, such there is no negative impacts to flooding and/or erosion to adjacent, upstream or downstream properties.
- ii. The applicant/owner must obtain a permit from Conservation Sudbury, under Section 28.1 of the *Conservation Authorities Act*, for any development proposed within 30 m of the wetland.

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, where 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 Algonquin Subdivision for a period of three years until December 23, 2027, be approved as outlined in the Resolution section of this report.

Appendix 1: Departmental & Agency Comments

a) Building Services

No objections to the extension. Please amend the following conditions:

#20.e) Please add “as amended” to the By-law #2009-170.

#21. Please remove “when the regulation comes into effect”

b) Conservation Sudbury

The municipality, in partnership with Conservation Sudbury, is currently undertaking a new floodplain study of the Algonquin watershed. While results are not currently available, it is expected that they will be published in advance of the expiration of the draft plan approval, should the extension be granted. We highly recommend that the proponent show the new floodplain on future submissions related to this file. The Provincial Policy Statement (2020) and the Provincial Planning Statement (2024, in effect as of October 20, 2024) contain policies related to development within natural hazards, including flood hazards. It is not possible to provide meaningful comments related to compliance with PPS policies without understanding the location of the hazards on the property.

The current conditions of draft plan approval were initially approved on December 23, 2013 and are currently set to lapse on December 23, 2024, and includes nine conditions related to Conservation Sudbury. We recommend that conditions #21, #23, #25, #43, #44, and #47 remain as written. We recommend that condition #36 be amended to the following:

#36. Development on any lots that contain floodplain must be reviewed and approved by Conservation Sudbury. The plans must show that there is sufficient storage capacity to compensate for the fill placed on the affected lots for floodproofing purposes.

We recommended that condition #45 be amended to:

#45 The applicant/owner obtain a permit from Conservation Sudbury, under Section 28.1 of the *Conservation Authorities Act*, for any grading within the flood hazard (floodplain) or within 15 metres of the hazard. Submitted plans must be authored, signed, and sealed by a qualified professional licensed in the Province of Ontario.

We recommended that condition #46 be amended to:

#46. The applicant/owner obtain a permit from Conservation Sudbury, under Section 28.1 of the *Conservation Authorities Act*, for the realignment of the watercourse. In addition to the realignment details, the owner/applicant must demonstrate:

- iv. The channel capacity is equal in the realignment channel to the existing channel
- v. The extent of the erosion hazard; and
- vi. The details of any crossings.

We recommend that the following condition be added:

1. The applicant/owner submit plans showing the extent of wetland on the property. Mapping must be completed by a qualified professional (OWES-certified) and be accompanied by a report. If no wetlands are present, a report by a qualified professional is required. If wetlands are present, the following apply:

- iii. The hydrologic impact of wetland loss must be quantified by a qualified professional. Any loss of hydrologic or hydraulic function must be mitigated, such there is no negative impacts to flooding and/or erosion to adjacent, upstream or downstream properties.

- iv. The applicant/owner must obtain a permit from Conservation Sudbury, under Section 28.1 of the Conservation Authorities Act, for any development proposed within 30 m of the wetland.

c) Development Engineering

Development Engineering has reviewed the above application. There have been no submissions for any phases for development of this subdivision since the last draft extension in 2021.

We reviewed the conditions and can confirm that all conditions required by Development Engineering are present and satisfactory.

We have no objection to the requested extension of this draft plan of subdivision.

d) Fire

Fire Services has no comments on the requested extension.

e) Infrastructure Capital Planning

Roads

No concerns.

Transportation & Innovation Support

No concerns.

Active Transportation

No concerns.

Roads Operations

No concerns.

Drainage

Condition #41 be deleted and replaced 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 Algonquin Road 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.
- ix. Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted.

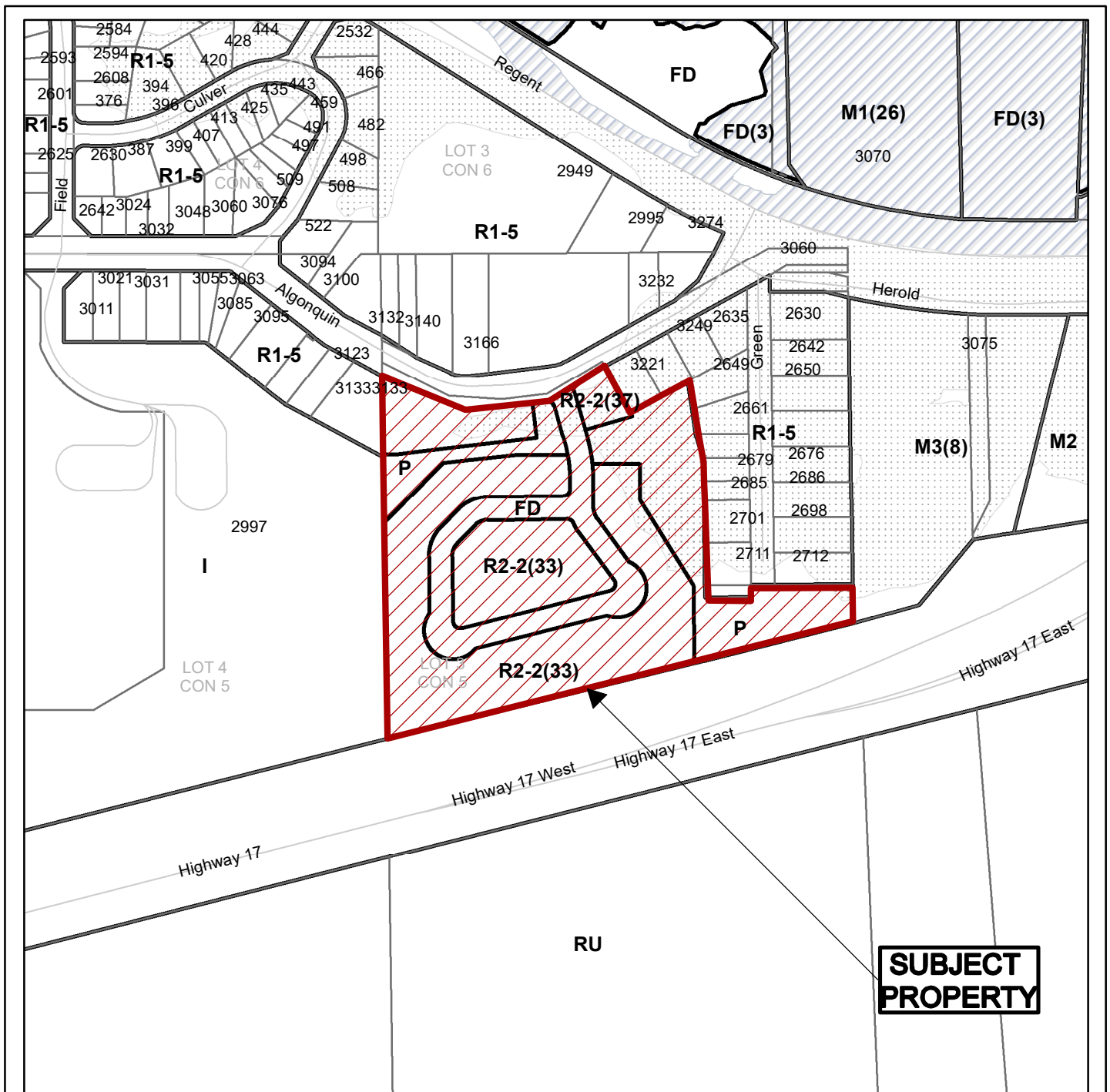
The owner shall be responsible for the design and construction of any required stormwater management works to the satisfaction of the General Manager of Growth and Infrastructure as part of the servicing plans for the subdivision and the owner shall dedicate the lands for stormwater management works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

f) Strategic and Environmental Planning

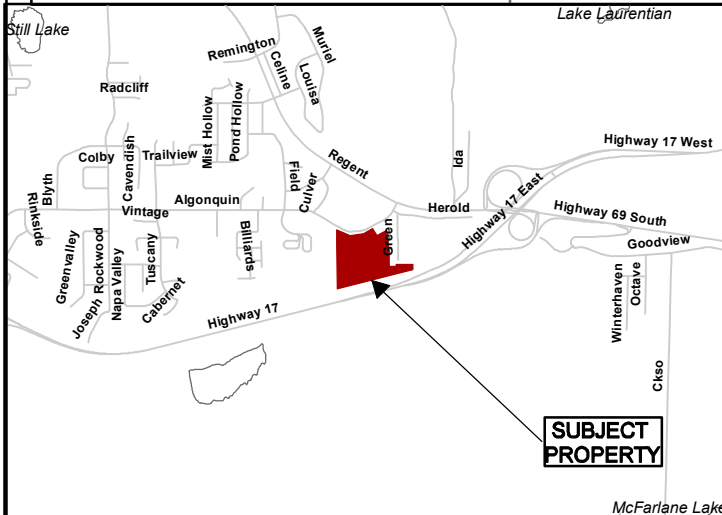
No edits, deletions or additions to recommend for the conditions. The owner is solely responsible for ensuring that vegetation removal, site alteration, and development undertaken on the subject lands do not result in a contravention of the federal Migratory Birds Convention Act, the federal Fisheries Act, the provincial Endangered Species Act and the provincial Fish and Wildlife Conservation Act.

g) Transit

No comments or concerns at this time.



SUBJECT PROPERTY



SUBJECT PROPERTY

Growth and Infrastructure Department



Subject Property being PIN 73478-1121, Parcel 11257, Parts 1 to 3, Plan 53R-19865, Lot 3, Concession 5, Township of Broder, 0 Algonquin Road, Sudbury, City of Greater Sudbury

NTS
Sketch 1

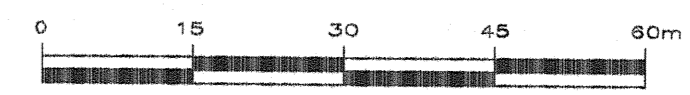
780-6/12004
Date: 2024 09 17



KEY PLAN 1:10000

DRAFT PLAN
OF PROPOSED SUBDIVISION OF
CONCESSION 5 P.I.N. 73478-0809
PART OF LOT 3 CONCESSION 5
GEOGRAPHIC TOWNSHIP OF BRODER
CITY OF GREATER SUDBURY

SCALE 1 : 1000



METRIC
DISTANCES SHOWN ON THIS PLAN
ARE IN METRES AND CAN BE
CONVERTED TO FEET
BY DIVIDING BY
0.3048

OWNER
DALRON CONSTRUCTION LIMITED
RON ARNOLD, PRESIDENT
130 ELM STREET
SUDBURY, ONTARIO
P3C 1T6

PREPARED BY
R.V. ANDERSON ASSOCIATES LIMITED
436 WESTMOUNT AVENUE
SUDBURY, ONTARIO
P3A 5Z8

ONTARIO LAND SURVEYOR
TULLOCH GEOMATICS INC.
1942 REGENT STREET A
SUDBURY, ONTARIO
P3E 5V5

ADDITIONAL INFORMATION
AS REQUIRED BY SECTN 51(17) OF THE PLANNING ACT
A) AS SHOWN
B) AS SHOWN
C) AS SHOWN
D) LOTS 1-10: R1
LOTS 11-54: R2-2
BLOCK 56 & 57: FIK/CONSERVATION/DRAINAGE (AREA 1.36ha)
BLOCK 57: 0.30m RESERVE
E) NORTH - R1-5
SOUTH - RURAL
EAST - R1-5, M(HEAVY INDUSTRIAL)
WEST - R1-5, INTUITIONAL
F) DIMENSIONS OF PROPOSED PROPERTIES AS SHOWN
G) ARTIFICIAL FEATURE AS SHOWN
H) WATER TABLE EXPOSED OVER BEDROCK/RECENT FILL PLACEMENT
I) CONTOURS AS SHOWN, THE LOW LYING NORTH AREA HAS BEEN FILLED
J) MUNICIPAL SERVICE TO BE AVAILABLE, INCLUDES WATER, SEWER, HYDRO, BELL, GAS,
GARBAGE COLLECTION, POLICE, FIRE, AMBULANCE
K) AS SHOWN
NOTE: RADIAL DISTANS AT 6m SETBACK ARE CHORD DISTANCES, UNLESS OTHERWISE NOTED.

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT SET
SIB	DENOTES	STANDARD IRON BAR
SSIB	DENOTES	SHORT STANDARD IRON BAR
IB	DENOTES	IRON BAR
RB	DENOTES	ROCK BAR
RPL	DENOTES	ROCK PLUG
CC	DENOTES	CUT CROSS
M	DENOTES	MEASURED
S	DENOTES	SET
WIT	DENOTES	WITNESS MONUMENT
P.I.N.	DENOTES	PROPERTY IDENTIFICATION NUMBER
707	DENOTES	LANE & LANE, O.L.S.
943	DENOTES	D. W. ENDELMAN, O.L.S.
981	DENOTES	R. G. HOLDER, O.L.S.
1230	DENOTES	D. R. BRUCE, O.L.S.
1400	DENOTES	D. S. DORLAND, O.L.S.
1542	DENOTES	J. ANNE COLE, O.L.S.
1655	DENOTES	TERRY DEL BOSCO, O.L.S.
P	DENOTES	REGISTERED PLAN 54-S
P2	DENOTES	PLAN OF SURVEY BY ENDELMAN HOLDER GOSSLING, O.L.S. DATED FEBRUARY 9, 1989
P3	DENOTES	REGISTERED PLAN M-131
P4	DENOTES	PLAN 53R-11140
P5	DENOTES	PLAN SR-954
CGS	DENOTES	CITY OF GREATER SUDBURY CONTROL MONUMENT

OWNER'S CERTIFICATE
I HEREBY APPROVE OF THE MANNER IN WHICH THE LAND SHOWN ON THIS
PLAN IS PROPOSED TO BE SUBDIVIDED AND REQUEST THE APPROVAL OF
THE CITY OF GREATER SUDBURY.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND
THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND
CORRECTLY SHOWN ON THIS PLAN.

DATE _____ RON ARNOLD - DALRON CONSTRUCTION LIMITED

DATE _____ TERRY DEL BOSCO O.L.S.

AREA OF APPLICATION: 7.70 ha.

TULLOCH
1942 REGENT STREET SUDBURY, ONTARIO
UNIT L P3E 5V5 705-671-2295
PREPARED BY TDS

R.V. Anderson Associates Limited
engineering · environment · infrastructure

RVA PROJECT # 142905 DATE: JANUARY 11, 2017

CITY 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 the draft plan of subdivision of Part of PIN 73478-0809, Part of Parcel 11257 S.E.S., Parts 1-3, 53R-19865 in Lot 3, Concession 5, Township of Broder as shown on a plan of subdivision prepared by Terry Del Bosco, O.L.S., and dated August 16, 2012, as amended by a plan prepared by Terry Del Bosco, O.L.S., and dated January 11, 2017.
2. That the street(s) shall be named to the satisfaction of the Municipality.
3. 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.
4. 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.
5. That the subdivision agreement be registered by the Municipality against the land to which it applies, prior to any encumbrances.
6. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
7. 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, storm sewers and surface drainage facilities.
8. 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.
9. Deleted.
10. That this draft approval shall lapse on December 23, 2024.
11. That the registered Plan be integrated with the City of Greater Sudbury Control Network to the satisfaction of the Coordinator of the Geographic Information, Surveys and Mapping Section; provision of the final plan coordinate listings and an AutoCAD file of the resultant parcel fabric shall formulate part of this requirement.

12. That 5% of the land included in the plan of subdivision be dedicated to the City for parks purposes to the satisfaction of the City Solicitor in accordance with Section 51.1 (1) of the Planning Act.
13. That Blocks 55 and 56 be transferred to the City for public purposes.
14. That Block 57 be transferred to the Ministry of Transportation as a 0.3 metre reserve.
15. Deleted.
16. Deleted.
17. That the owner provide a landscape plan that identifies stands of trees that will be maintained and the measures that will be taken to ensure survival of these trees during the site alteration and construction phases, to the satisfaction of the Director of Planning Services.
18. That the owner shall update the Traffic Impact Study for any units beyond the initial 30 units 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.
19. That the owner construct a sidewalk along the south side of Algonquin Road from the east limit of the subject property to Field Street. As per the City's Cost Sharing Policy, the owner is responsible for 100 percent of the cost across the frontage of the property and for the first 100 metres of sidewalk external to the development. The City will be responsible for 100 percent of the cost for the remaining portion, approximately 187 metres.
20. The development shall require a subdivision agreement and during that process, based on anticipated quantities of removal of rock through blasting, the following conditions will be imposed:
 - a. The owner/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.
 - b. 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 the 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.

- c. The geotechnical report will provide recommendations and specifications on the following activity as a minimum but not limited to:
 - Pre-blast survey of surface structures and infrastructure within affected area;
 - Trial blast activities;
 - Procedures during blasting;
 - Procedures for addressing blasting damage complaints;
 - Blast notification mechanism to adjoining residences; and,
 - Structural stability of exposed rock faces.
 - d. The above 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.
 - e. Should the owner/developer's schedule require to commence blasting and rock removal prior to the subdivision agreement having been signed, a site alteration permit shall be required under the City of Greater Sudbury's By-law #2009-170 and shall require a similar geotechnical report as a minimum prior to its issuance.
21. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the Director of Planning Services and Nickel District Conservation Authority, provide an updated geotechnical report prepared, signed, sealed, and dated 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 any proposed storm and sanitary sewers, stormwater management facilities, watermains, roads to a 20-year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. Included in this report must be details regarding the removal of substandard soils (if any) and placement of engineered fill (if required) for the construction of homes. Also, the report must include an analysis illustrating how the groundwater table will be lowered to a level that will not cause problems to adjacent boundary housing and will, in conjunction with the subdivision grading plan, show that basements of new homes will not require extensive foundation drainage pumping. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official, the Director of Planning Services and Nickel District Conservation Authority. The geotechnical engineer will be required to address On-site and Excess Soil Management when the regulation comes into force. A soils caution agreement shall be registered on title, if required, to the satisfaction of the Chief Building Official and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.

22. All streets will be constructed to an urban standard, including the required curbs, gutters and sidewalks.
23. The owner shall provide a detailed lot grading plan prepared, signed, sealed, and dated 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 boundary properties to mesh the lot grading of the new site to existing properties and show the stormwater overland flow path. The plan shall be prepared to the satisfaction of Conservation Sudbury (Nickel District Conservation Authority). A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and the City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.
24. The owner agrees to provide the required soils report, traffic report, 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.
25. The owner shall develop a sediment and erosion control plan for the subdivision construction period to the satisfaction of the Director of Planning Services and Conservation Sudbury (Nickel District Conservation Authority).
26. Any streetlights required for this subdivision will be designed and constructed by Greater Sudbury Hydro Inc. at the cost of the owner.
27. As part of the submission of servicing plans, the owner shall have rear yard slope treatments designed by a geotechnical engineer licensed in the Province of Ontario incorporated into the lot grading plans if noted as required at locations required by the Director of Planning Services. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the Director of Planning Services.
28. Prior to the signing of the final plan, the owner shall undertake a noise assessment to determine what control measures are required to meet the Ontario Ministry of the Environment noise assessment criteria. If necessary, provisions for implementing noise control measures must be included in the subdivision agreement to the satisfaction of the General Manager of Growth and Infrastructure and the Director of Planning Services. A sound attenuation caution agreement shall be registered on title, if required, to the satisfaction of the Chief Building Official and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.
29. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Greater Sudbury Hydro Inc., Canada Post, Bell,

Union Gas, and Eastlink. This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.

30. The owner shall provide proof of sufficient fire flow in conjunction with the submission of 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.
31. The owner shall provide proof of sufficient sanitary sewer capacity in conjunction with the submission of construction drawings for each phase of construction. All costs associated with upgrades to the downstream works required to service this subdivision will be borne totally by the owner.
32. Draft approval does not guarantee an allocation for water or sewer capacity. Prior to the signing of the construction drawings for each phase, the Director of Planning Services is to be advised by the General Manager of Growth and Infrastructure that sufficient sewage treatment capacity and water capacity exist to service the development.
33. Deleted.
34. Deleted.
35. The owner shall complete a watermain loop connecting to the existing 150mm diameter watermain at the Algonquin Road/Street A intersection and a second location westerly to the satisfaction of the General Manager of Growth and Infrastructure.
36. Development on Lots 9, 10, 36–41 must be reviewed and approved by Conservation Sudbury (Nickel District Conservation Authority). The plans must show that there is sufficient storage capacity to compensate for the fill placed on the affected lots for floodproofing purposes.
37. That prior to the signing of the final plan, the owner shall satisfy Canada Post with respect to mail delivery facilities for the site.
38. That prior to the signing of the final plan the Planning Services Division is to be advised by the City Solicitor that conditions 2, 3, 5, 6, 7, 8 & 13 have been complied with to his/her satisfaction.
39. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning Services, 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.
40. 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 Growth and Infrastructure.
41. 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:
- a. 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. Any resulting post-development runoff in excess of the 2-year design storm must be conveyed through overland flow system within the City's right-of-way.
 - b. "Enhanced" level must be used for the design of stormwater quality controls as defined by the Ministry of the Environment, Conservation and Parks.
 - c. The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any stormwater management plan.
 - d. 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.
 - e. Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties.
 - f. Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted.
 - g. The owner is required to provide a cash contribution in lieu of on-site stormwater quantity controls and for stormwater improvements within the watershed as outlined in the Algonquin Road Watershed Stormwater Management Study.

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.

42. That in accordance with Section 59(4) of the *Development Charges Act*, a notice of 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 development charges related to development.
43. The applicant/owner shall demonstrate, to the satisfaction of Conservation Sudbury, that each lot has sufficient area outside of the regulatory flood plain to accommodate the proposed dwelling(s) and any required infrastructure.
44. The applicant/owner shall demonstrate, to the satisfaction of Conservation Sudbury, that each lot has safe access/egress.
45. The applicant/owner shall provide, to the satisfaction of Conservation Sudbury, a cut/fill plan. The plan must be authored, signed, and sealed by a qualified professional licensed in the Province of Ontario. Please contact Conservation Sudbury to discuss the requirements of a cut/fill plan.
46. The applicant/owner shall provide, to the satisfaction of Conservation Sudbury, details of the realignment of the watercourse. In addition to the realignment details, the applicant/owner must demonstrate:
 - a. The channel capacity is equal in the realigned channel to the existing channel;
 - b. The extent of the erosion hazard; and,
 - c. The details of any crossings.
47. The applicant/owner shall provide, to the satisfaction of Conservation Sudbury, a stormwater management plan. The plan must demonstrate that the control of the post-development Regional or 100-year design storm peak flow rate (whichever is larger) to pre-development levels prior to discharge into a surface waterbody.

Information note:

Please be advised that the Nickel District Conservation Authority regulates the hazards associated with natural features and uses the attached mapping as a tool to identify those hazards for the public. Although the Nickel District Conservation Authority makes every effort to ensure accurate mapping, regulated natural hazards may exist on-site that have not yet been identified. Should a regulated natural hazard be discovered as the site is developed, the applicant must halt works immediately and contact Conservation Sudbury directly at 705.674.5249. Regulated natural hazards include floodplains, watercourses, shorelines, wetlands, valley slopes.

0 Dominion Drive, Hanmer – Consent Referral

Presented To:	Planning Committee
Meeting Date:	November 13, 2024
Type:	Managers' Reports
Prepared by:	Bailey Chabot Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	B0065/2024 to B0068/2024

Report Summary

This report provides a recommendation regarding a consent referral on Dominion Drive.

Resolution

THAT the City of Greater Sudbury denies the request by 1000252971 Ontario Limited to allow Consent Applications B0065/2024, B0066/2024, B0067/2024, and B0068/2024 on those lands described as PIN 73504-2233, Parcel 20075A SEC SES SRO, Part Lot 6, Concession 1, except Parts 1-2, Plan 53R-14967, Township of Hanmer, to proceed by way of the consent process, as outlined in the report entitled “0 Dominion Drive, Hanmer” from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of November 13, 2024.

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

The request to create four new lots, rather than the three permitted, by way of the consent process as opposed to requiring a plan of subdivision 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

STAFF REPORT

Applicants:

1000252971 Ontario Limited

Location:

PIN 73504-2233, Parcel 20075A SEC SES SRO, Part Lot 6, Concession 1, except Parts 1-2, Plan 53R-14967, Township of Hanmer (0 Dominion Drive, Hanmer)

Official Plan and Zoning By-law:

[Official Plan](#)

The subject lands are designated Living Area 1 in the Official Plan for the City of Greater Sudbury.

Further to the above noted rural lot creation policies, Section 19.4.1.a. of the Official Plan requires that, "... all proposals which have the effect of creating more than three new lots shall be considered as applications for a plan of subdivision, unless in Council's opinion a plan of subdivision is not necessary for the proper development of the area."

[Zoning By-law](#)

The subject lands are presently zoned "R3(99)", Medium Density Residential under By-law 2010-100Z being the Zoning By-Law for the City of Greater Sudbury. The "R3(99)" zone permits a number of residential uses, including single detached, semi-detached, and duplex dwellings, row and street townhouse dwellings, and multiple dwellings. The zone also permits a number of compatible non-residential uses such as bed and breakfast establishments, convenience stores, day care centres, and personal service shops. The special provisions associated with the R3(99) zone relate to parking and frontage for units not fronting onto Dominion Drive.

The request from the owner would not change the zoning classification of the subject lands.

Site Description & Surrounding Land Uses:

The lands subject to the consent referral form part of a larger parcel located on the south side of the intersection of Dominion Drive and Concorde Street in Hanmer. The northern third of this parcel was subject to a recent rezoning application, being file 751-7/23-009, which rezoned the lands to R3(99) from Ru, Rural. The lands zoned R3(99) are bound by the Paquette-Whitson Municipal Drain to the east and south, the parcel property line to the west, and Dominion Drive to the north. The balance of parcel remains zoned Ru, Rural and is not proposed for development.

The lands zoned R3(99) have frontage on Dominion Drive of approximately 160 metres and a depth of 442 metres. The lands are vacant and treed. Lands to the north are developed as urban residential lots and are zoned R1-5. Lands to the east and south are rural in nature, while the lands to the west are partially developed as urban residential lots, with further development anticipated.

Application:

In accordance with Section 19.4.1 of the Official Plan, the Consent Official has referred the subject applications for consent to the Planning Committee and Council in order to determine whether the proposed lot creation should be permitted to proceed by the way of the consent process, or alternatively if a plan of subdivision is required.

Proposal:

The owner is seeking approval from the Consent Official to create four lots having frontage along Dominion Drive. Lot 1 has a proposed frontage of 36.58 metres, Lot 2 a frontage of 33.53 metres, Lot 3 a frontage of 36.58 metres, and Lot 4 a proposed frontage of 33.52 metres. All four lots have a proposed lot depth of 39.62 metres. Each lot is proposed to contain four rowhouse dwellings with each of the four units sharing a single private driveway onto Dominion Drive. The balance of the R3(99) lands are proposed to be developed by way of plan of subdivision at a future date.

Department/Agency Review:

The application 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 consent referral request and to formulate a resolution with respect to whether or not the proposed rural lot creations should proceed by way of the consent process, or in the alternative if a plan of subdivision should be required.

During the review of the consent referral request, comments provided by circulated agencies and departments included the following:

1. Active Transportation, Building Services, Roads, Strategic and Environmental Planning have each advised either provided no comments or have no concerns from their respective areas of interest;
2. The City's Drainage Section has advised the applicant is required to provide storm sewers rather than ditches along Dominion Drive. Additionally they advise that a per lot charge of \$3,882.42 is required for the creation of these lots regardless of the process by which they are created.
3. Technical Services has noted that entrances for the four lots should be from internal roads and not Dominion Drive. They also note that servicing from Dominion Drive would require cuts into the recently reconstructed Dominion Drive and that servicing should be provided from within the overall plan of subdivision.
4. Transportation and Innovation Support has noted concerns with multiple driveway entrances along Dominion Drive and recommend the lots be accessed from internal roadways. This is most appropriately addressed through the plan of subdivision process and recommend these lots not be considered by way of consent.
5. Development Engineering notes that there is available and sufficient municipal water and wastewater service within the Dominion Drive road right-of-way. They also note that:
 - a. Dominion Drive has recently been the subject of a resurfacing program and as such service connections cut into this roadway would be subject to the City's no-cut policy which is designed to preserve recently paved roadways.
 - b. The adjacent westerly development (Saddle Creek subdivision) have developed by way of plan of subdivision which allowed conditions for urbanizing the south side of Dominion Drive and placing an asphalt overlay on the north side of Dominion Drive across their frontage were imposed. The intent is to impose these conditions for the subject development.

As such, staff in Development Engineering recommend that creation of these lots proceed by way of plan of subdivision.

6. Source Water Protection has noted that the lands are within a vulnerable area (IPZ 3) which is considered non-critical and does not impose any restrictions or prohibitions listed in the Source Protection Plan. No significant drinking water threats are noted.
7. Conservation Sudbury has advised that they do not oppose the creation of new lots through the consent application process. As advice to the applicant, they note that in all future applications they require drawings that depict the top of bank of the Paquette-Whitson Municipal Drain and the 15 metres erosion hazard setback from the top of bank, which can be extracted from the as-built drawings of the Municipal Drain.

Planning Considerations:

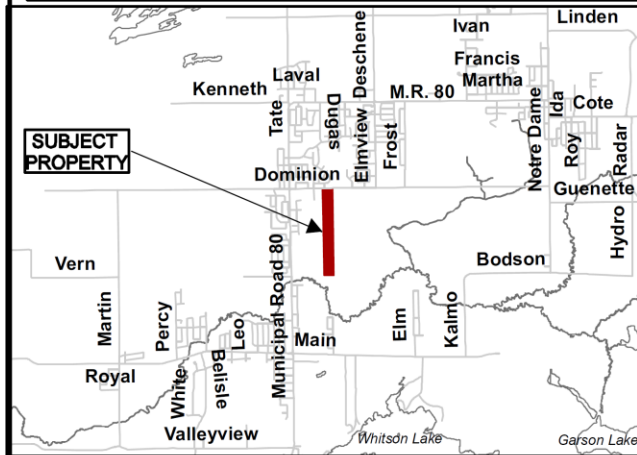
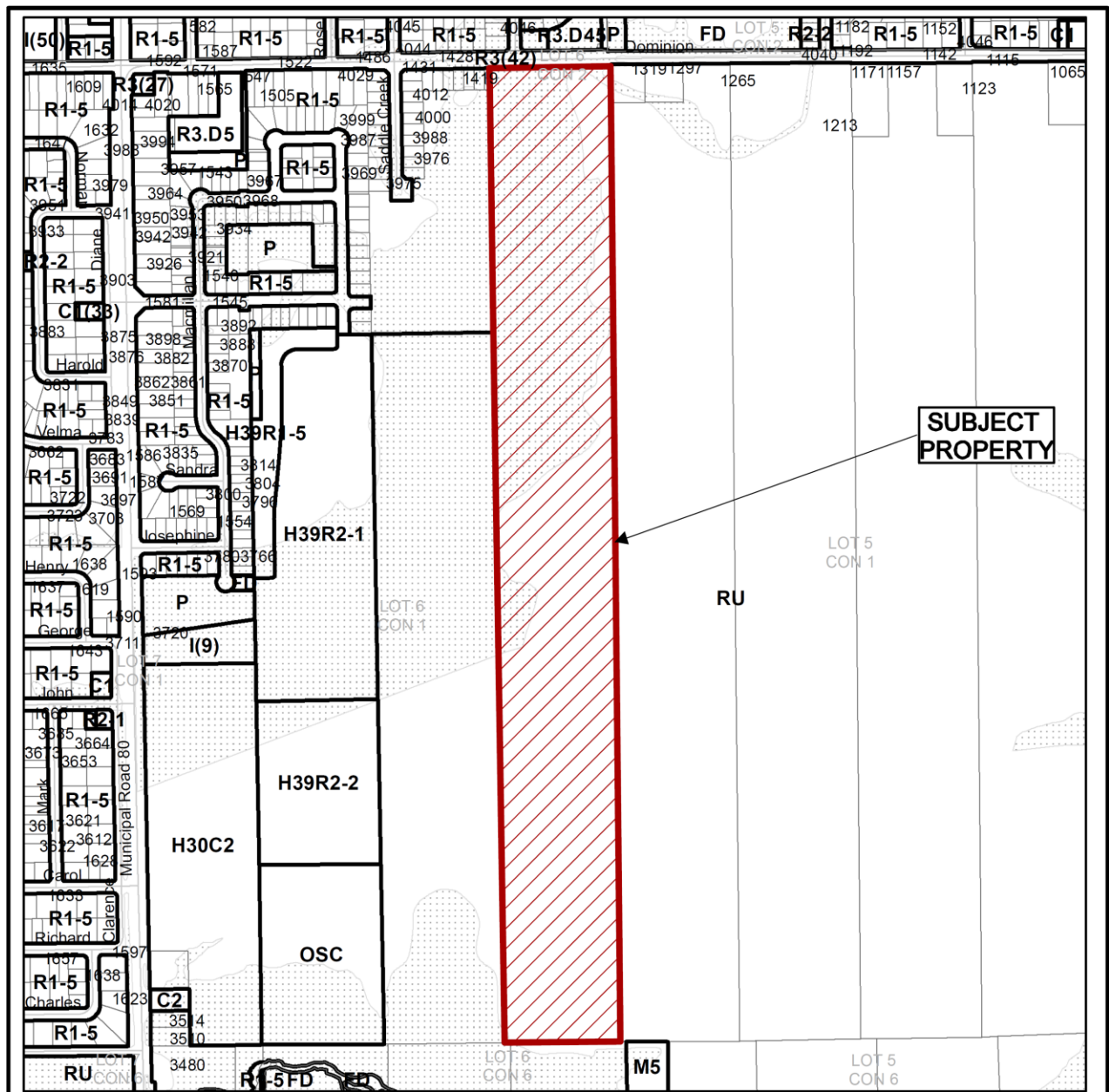
The Planning Act permits lot creation through either the consent process or by way of plan of subdivision, where consent is permitted when the municipality is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the municipality. A plan of subdivision process requires an agreement between the developer and the municipality be entered into to ensure proper development and that all conditions of approval are met.

Determining whether a consent will have an impact on the proper and orderly development of the municipality is based on a number of factors, including the number of lots proposed to be created, infrastructure requirements, and the ability for a proponent to address any mitigating factors through the consent process. The consent process is most appropriate for the creation of three or less lots, as established by policy 19.4.1.a. of the City's Official Plan, wherein required infrastructure is available and improvements are not required, and that there is sufficient technical information available to support the lot creation. A plan of subdivision is most appropriate when four or more lots are being created, where infrastructure improvements are required, or when there is concern for the impact that lot creation will have on adjacent lands.


The application proposes to create four lots, which will contain each four dwelling units, to be created by way of consent, ahead of the approximately 6.5 hectare balance of lands which are proposed to be created by way of future draft plan of subdivision. Staff have noted the requirement for servicing improvements, as well as concerns with the overall design of the lots. Furthermore, staff note that the creation of the four lots by way of consent will limit the design of the balance of the lands and will be created without the benefit of the technical studies required of a plan of subdivision, particularly addressing overall grading of the site, drainage, and servicing. Finally, as a collector road, Dominion Drive is to be urbanized with sidewalks and stormwater pipes, requirements that are addressed through a plan of subdivision.

Summary:

Staff has reviewed the consent referral request and advise that in order to promote the orderly development of the municipality and to ensure proper development standards are met, staff are recommending that the request to create the four lots by way of consent be denied.



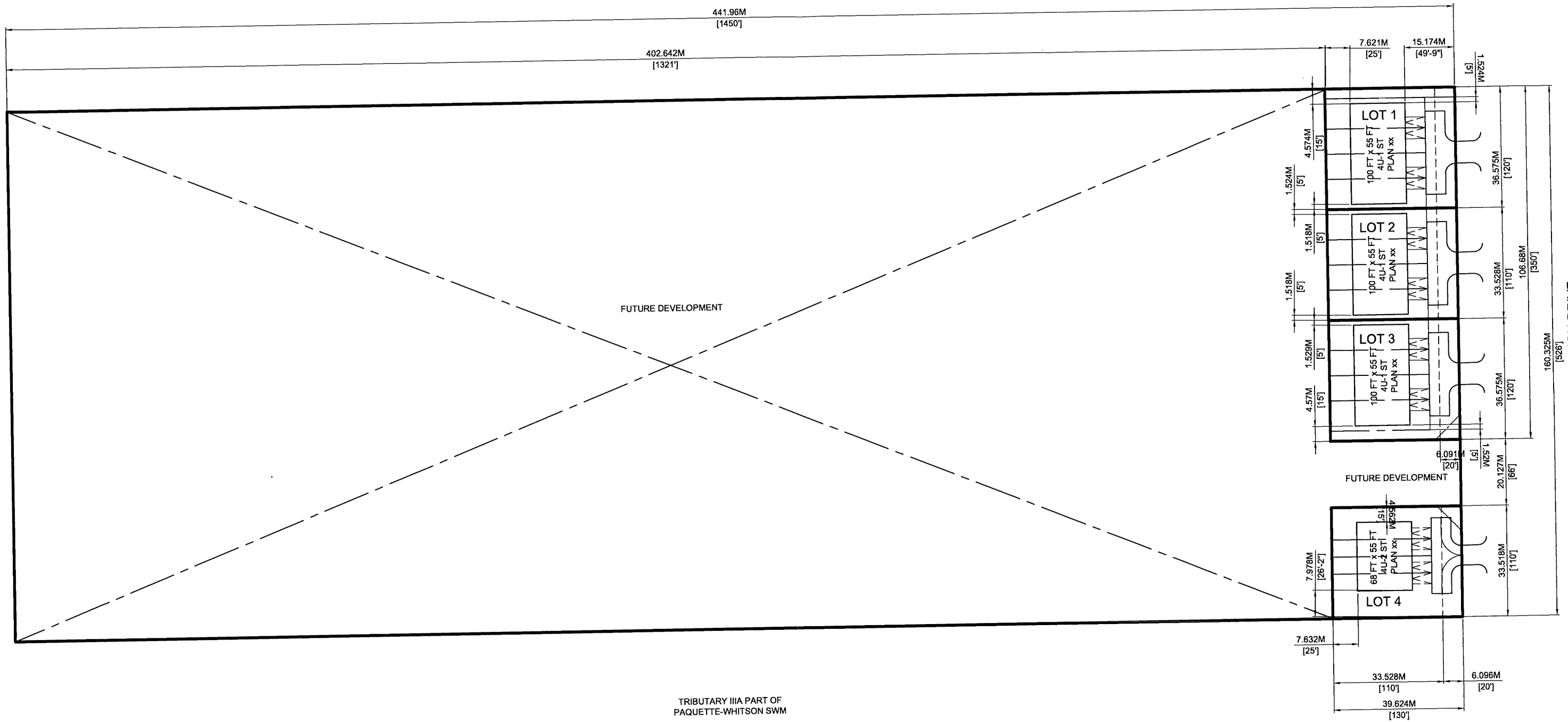
Application for Consent

N


Subject Property being PIN 73504-2233, Parcel 20075A, except Parts 1-2, Plan 53R-14967, Part Lot 6, Concession 1, Township of Hanmer, 0 Dominion Drive, Hanmer, City of Greater Sudbury

NTS
 Sketch 1

B0065/2024, B0066/2024,
 B0067/2024 & B0068/2024
 Date: 2024 08 29



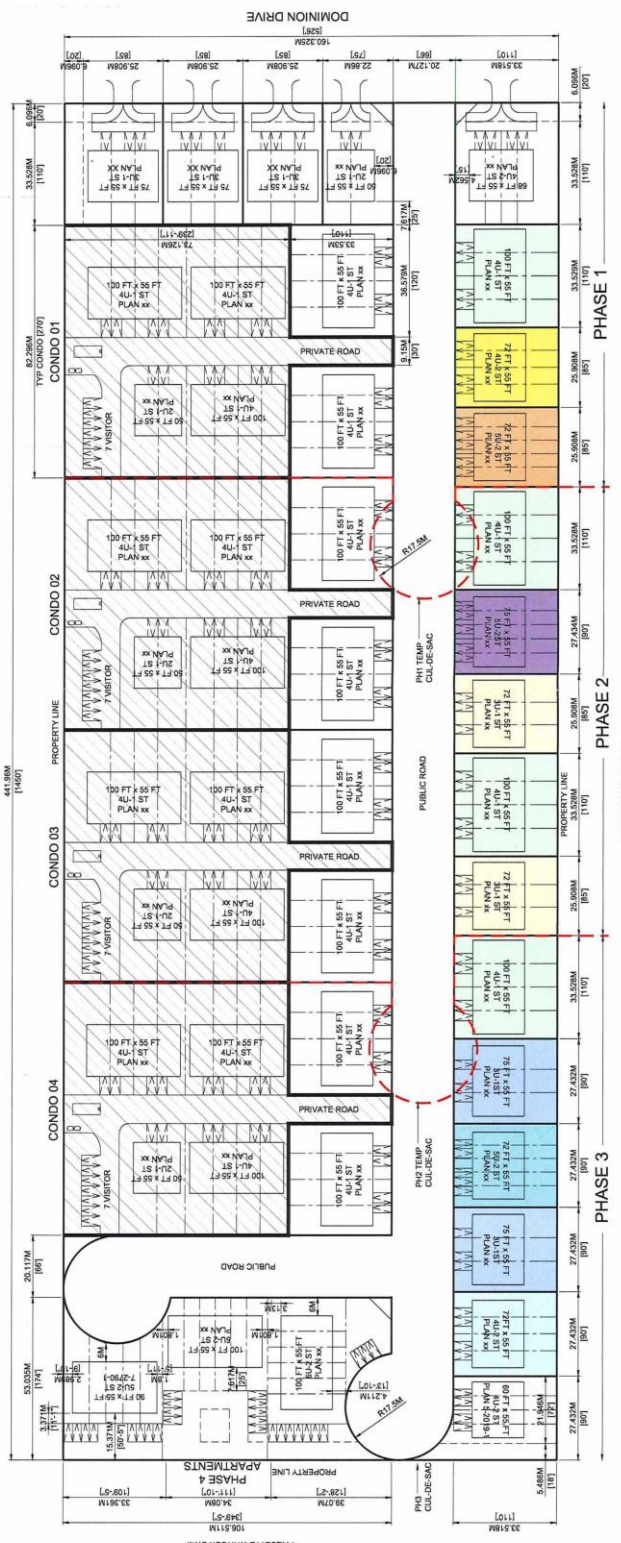
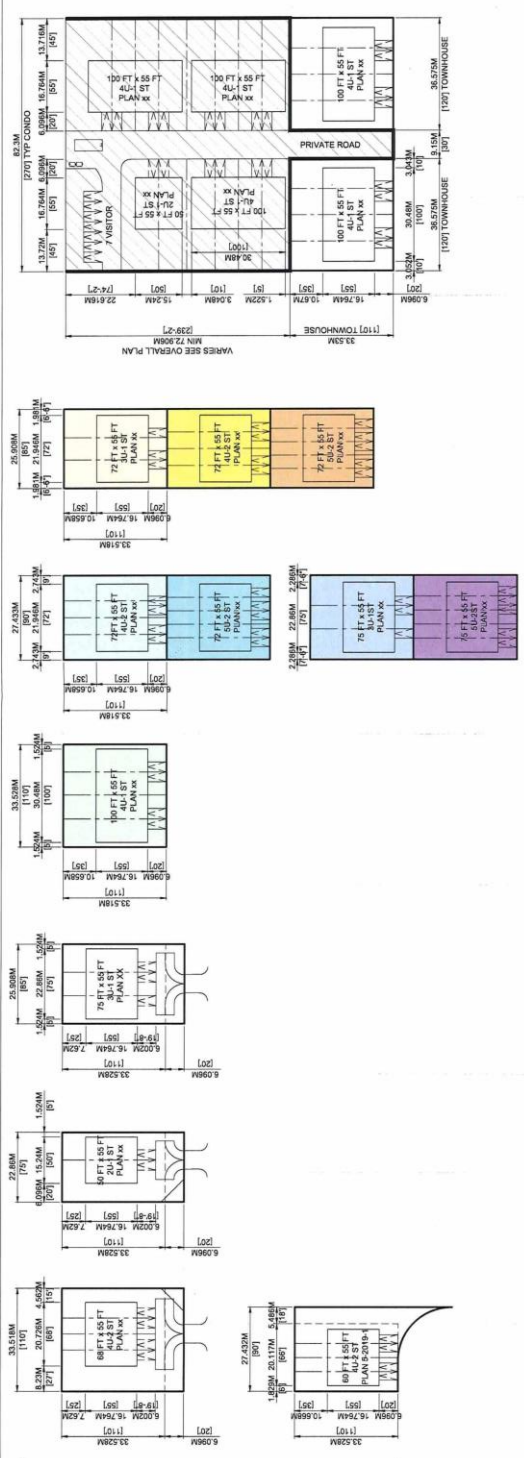
ENTIRE SITE LOT COVERAGE CALCULATION

	AREA (SQ M)	LOT COVERAGE (%)
TOTAL LOT AREA:	70,857.24 (441.96x160.325)	
FUTURE DEVELOPMENT LOT AREA:	65,305 (70,857.24 - (39.62x33.52) - (39.62x106.68))	92% (65305/70857x100)
BUILDING COVERAGE:	1881 ((511x3) +348)	2.65% (1881/70857x100)

PHASE 1: BUILDING LOT COVERAGE CALCULATION

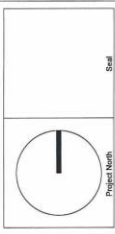
	LOT AREA (SQ M)	BUILDING LOT COVERAGE (%)
LOT 1	1449.25 (36.575x39.624)	35.26% (511/1449.25x100)
LOT 2	1328.51 (33.528x39.624)	38.46% (511/1328.51x100)
LOT 3	1449.25 (36.575x39.624)	35.26% (511/1449.25x100)
LOT 4	1328.12 (33.518x39.624)	26.2% (348/1328.12x100)

NOTE:
REFER TO SURVEY FOR SURVEY INFORMATION
MAX SITE UNITS: 159 + 17 ROWHOUSE APTS



No.	Description	DATE
00	PRELIMINARY REVIEW	2/10/20
01	PRELIMINARY REVIEW	2/10/20
02	PRELIMINARY REVIEW	2/10/20
03	PRELIMINARY REVIEW	2/10/20
04	PRELIMINARY REVIEW	2/10/20
05	PRELIMINARY REVIEW	2/10/20
06	PRELIMINARY REVIEW	2/10/20
07	CLIENT REVIEW	2/10/20

CUTRO WORKS
accessible architecture 647.296.1232 info@cutroworks.ca



DOMINION DRIVE SUBDIVISION
Site Plan

Project number: 23001
Date: March 5, 2023
Drawn by: DA
Checked by: DA

A100
Scale: 1:750 (+/- 1/8"=1'-0")

BuildingIN Project

Presented To:	Planning Committee
Meeting Date:	November 13, 2024
Type:	Correspondence for Information Only
Prepared by:	Melissa Riou Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	N/A

Report Summary

This report provides information regarding BuildingIN, a Canadian collaborative initiative that will support Greater Sudbury’s Housing Supply Strategy through multi-unit low-rise infill housing.

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

The BuildingIN Project aligns with Council’s Strategic Priorities including “Expand Affordable and Attainable Housing Options” and “Develop and Promote Solutions to Support Existing Housing Choices”. The Supply and Demand Analysis is one of a series of reports that will inform the development of the Housing Supply Strategy which will address the 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 option in the City of Greater Sudbury.

The BuildingIN Project will provide the City with a strong foundation of data and recommendations to guide the creation of compact, complete communities, Goal 1 of the CEEP.

Financial Implications

There are no financial implications associated with this report at this time.

Background

BuildingIN helps Canadian municipalities solve their housing supply crisis through multi-unit low-rise infill that works at scale to meet their housing targets. This initiative results from a collaboration of housing professionals from several non-for-profit organizations and private companies. It has been selected as a semi-finalist by the Canada Mortgage and Housing Corporation (CMHC) in Round 5 of the Housing Supply Challenge. BuildingIN achieves its aim by helping municipalities review and revise their regulations and investments to establish a viable business model for multi-unit infill housing. It identifies which areas can benefit from replicable and modular infill and how to catalyze developments that support the city’s goals.

In Q1 and Q2, 2024, Greater Sudbury participated in the development of the analysis tools used by BuildingIN and is now ready to have these applied locally. The background work, barrier analysis report and 3D modelling components of the BuildingIN initiative will be covered by CMHC.

The BuildingIN approach focuses on qualifying areas, using overlay regulations to address barriers to infill rather than blanket rezoning. The approach recognizes the interdependences between increasing housing supply, making communities more complete, reducing emissions, and balancing municipal budgets. This initiative specifically addresses multi-unit low-rise infill housing versus building up through high rise housing or building out through greenfield development. BuildingIN simulates infill outcomes, allowing cities to plan for low-rise infill with certainty, meet targets, and invest strategically in infrastructure that will directly stimulate and support infill housing at scale.

The application of BuildingIN's approach in Greater Sudbury is directly aligned with Resolution PL2024-136 that directs staff to present policy options regarding fourth units as of right by the end of Q1 2025. To allow for better alignment, the policy options for fourth units as of right will be presented by the end of Q2 2025 to correspond with the anticipated completion of the local BuildingIN initiative.

In addition to the analysis, modelling and simulation, the BuildingIN team will conduct a series of public consultation sessions to leverage the experience and knowledge of local housing experts and gain insights from local residents to inform and assist in refining the proposed recommendations. A list of deliverables is provided below.

Deliverables:

1. Mapping neighbourhoods well suited for BuildingIN overlay policies and investment strategies
2. Barrier analysis report for low-rise multi-unit infill
3. Simulation of scenarios – housing, emissions, fiscal outcomes
4. 3D modelling of Greater Sudbury's neighbourhood street in transition
5. Community consultation
6. Formal report with policy options for Council's consideration

Conclusion and Next Steps

The local BuildingIN initiative will support ongoing work related to achieving the City's housing targets and implementation of the Housing Supply Strategy. It is directly linked to items 2.a. (recommendations to enhance current initiatives) and 2.d. iv. (ensuring the right mix of housing stock) of Resolution CC2023-26.

The table below provides an outline of the BuildingIN project stages and anticipated timing.

Project Milestones	Timeline
Kick-off	October 2024
Mapping and Analysis	underway
Begin Formal Public Communications (3 sessions to be held – approximate 1 month apart)	November 2024
Presentation of Report to Council	March/April 2025

Resources Cited

1. "Request for the Development of a Housing Supply Strategy", Motion presented at the February 7, 2023, Council meeting <https://pub-greatersudbury.escribemeetings.com/Meeting.aspx?Id=45cb9903-efa8-4dbc-8754-c95b1dd1773c&Agenda=Agenda&lang=English&Item=50&Tab=attachments>

2. Housing Supply Strategy – Over To You Website, <https://overtoyou.greatersudbury.ca/housing-supply-strategy>
3. CMHC Housing Supply Challenge Round 5 – Level-Up, <https://www.cmhc-schl.gc.ca/professionals/project-funding-and-mortgage-financing/funding-programs/all-funding-programs/housing-supply-challenge/round-5-housing-supply-challenge/round-5-semi-finalists>
4. BuildingIN, <https://www.buildingin.ca>