



Planning Committee Agenda

Monday, June 9, 2025

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 two Proposed or Pending Acquisition or Disposition of Land Matters, the first regarding Dube Road, Sudbury, and the second regarding Edison Road, Falconbridge, 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	1 Ceasar Road, Sudbury This report provides recommendations regarding an application for official plan amendment and rezoning in order to permit the development of an aggregate pit and quarry. This report is presented by Wendy Kaufman, Senior Planner.	4
8.2	Housing As-of-Right: Row Dwellings in the 'C2' General Commercial Zone This report provides a recommendation regarding a Zoning By-law Amendment to increase housing opportunities in the 'C2', General Commercial zone. This report is presented by Bailey Chabot, Senior Planner.	126
8.3	Zoning By-law Amendments for Legal Existing Structures and Shoreline Development This report provides a recommendation regarding amending Zoning By-law 2010-100Z to be more consistent with Official Plan policy 3.C of section 8.4. This report is presented by Bailey Chabot, Senior Planner.	131
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.	Presentations	
10.1	BuildingIN Project Update	136

This report and presentation provide a recommendation regarding the BuildingIN Project, which provides analysis, recommendation and planning framework to enable low-rise multi-residential infill housing in strategic areas of the City in alignment with Greater Sudbury's Housing Supply Strategy.

11. **Members' Motions**
12. **Addendum**
13. **Civic Petitions**
14. **Question Period**
15. **Adjournment**

1 Ceasar Road, Sudbury

Presented To:	Planning Committee
Meeting Date:	June 9, 2025
Type:	Public Hearing
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	PL-OPA-2025-00001 & PL-RZN-2025-00002

Report Summary

This report provides recommendations regarding an application for official plan amendment and rezoning in order to permit the development of an aggregate pit and quarry.

This report is presented by Wendy Kaufman, Senior Planner.

Resolution

Resolution Regarding the Official Plan Amendment

THAT the City of Greater Sudbury approves the application by Fisher Wavy Inc. to amend the City of Greater Sudbury Official Plan, by providing a site-specific exception to permit an aggregate pit and quarry in the Parks and Open Space designation on lands described as 73599-0005, 73599-0823 & 73599-0596, Parcel 53007 and Part of Parcels 34818, 6131, 45110 & 7091, Lots 9 to 11, Concession 1 & 2, Township of McKim, as outlined in the report entitled “1 Ceasar Road, Sudbury”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 9, 2025.

Resolution Regarding the Rezoning

THAT the City of Greater Sudbury approves the application by Fisher Wavy Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification from "M4", Mining Industrial and "OSP", Open Space – Private to "M5(S)", Extractive Industrial Special on lands described as 73599-0005, 73599-0823 & 73599-0596, Parcel 53007 and Part of Parcels 34818, 6131, 45110 & 7091, Lots 9 to 11, Concession 1 & 2, Township of McKim, as outlined in the report entitled “1 Ceasar Road, Sudbury”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 9, 2025, subject to the following conditions:

1. That the amending by-law include the following site-specific provisions:

(i) No development or use of land shall be permitted south or east of Kelly Lake, or within 120 metres of the Junction Creek Wetland Delta or Kelly Lake.

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

The application to amend the Official Plan and Zoning By-law are operational matters under the Planning Act to which the City is responding. There is general alignment with the goals and objectives of the Strategic Plan given that the proposal will support the City's industrial resource sector and will also contribute towards business retention and growth. However, while there is an inherent conflict with the CEEP based on the increased emissions resulting from the processing and transportation of aggregates over the lifespan of the proposed pit and quarry, there is merit in making aggregate resource available as close to market as possible to reduce overall impacts of transportation.

Financial Implications

There are no financial implications associated with this report.

Report Overview

An application for Official Plan Amendment and Rezoning have been submitted to permit the development of a range of heavy industrial uses including the expansion of the adjacent quarry. The proponents have demonstrated general conformity with the broad framework of policies applied to aggregate resource development, including a comprehensive analysis of environmental features and functions. Staff is recommending approval of the applications as described in the Resolution.

Staff Report

Proposal:

An application for Official Plan Amendment and Rezoning have been submitted to permit the development of a range of heavy industrial uses including the expansion of the adjacent quarry.

The Applicant's Planning Justification Report states that the purpose of the applications is to permit Fisher Wavy to expand Wavy Quarry 2 immediately adjacent to the existing Wavy Quarry 1. When the aggregate source in Wavy Quarry 1 has been depleted, Wavy Quarry 2 will replace it. The approved annual tonnage for the two Wavy Quarries will remain at 500,000 tonnes, which is the currently approved volume for Wavy Quarry 1. The proposed extraction area is approximately 100 ha in size and is currently vacant.

Pits and quarries are regulated by the Ministry of Natural Resources and Forestry under the Aggregate Resources Act, and a license is required to be issued prior to extraction. The applicant has advised that the lands contain a substantial aggregate resource in the form of an extensive bedrock knob that can be quarried to create aggregates, and expansion is required to promote the ongoing operational viability of the existing quarry.

The submission included a Planning Justification Report, Environmental Opportunities and Constraints Study, Junction Creek Delta Wetland Characterization And Delineation, and Proposed Aggregate Resources Act Site Plans (4 sheets). The Environmental Opportunities and Constraints Study is a desktop study that identifies potential and candidate natural heritage features and values found on and within 500 m of the Wavy Quarry 2. The Junction Creek Delta Wetland Characterization and Delineation report document the on-site wetlands as delineated in 2024.

Requested Official Plan Amendment: To change the designation of a portion of the subject lands from "Mining/Mineral Reserve" and "Parks and Open Space" to "Heavy Industrial", and from "Mining/Mineral Reserve" and "Heavy Industrial" to "Parks and Open Space". See attached Draft OPA 143 and OPA 143 Schedule A.

Staff recommends an alternative OPA that would provide a site-specific exception to the Official Plan to permit a pit and quarry in the Parks and Open Space designation (rather than changing the designation to Heavy Industrial) on the north side of Kelly Lake except for a 120 m setback from the boundary of the Junction Creek Wetland Delta or Kelly Lake. See attached Alternative Draft OPA 143 and OPA 143 Alternative Schedule A.

Existing Zoning: "M4", Mining Industrial, "OSP", Open Space – Private, Flood Plain Overlay

The M4 zone permits agricultural use, extractive use (including a pit and a quarry), forestry use, aggregate transfer site and accessory uses including accessory industrial use, accessory outdoor display and sales, accessory outdoor storage, and accessory retail store. The OSP zone permits a Park. The Flood Plain Overlay restricts development and is subject to approval of Conservation Sudbury.

Requested Zoning: "M3(6)", Heavy Industrial Special

The M3(6) industrial zone was established for a portion of the applicant's lands through rezoning processes in 1981 and 1983 (CGS Files 751-6/81-16 and 751-6/83-8). While the intent of these applications was to enable extractive uses, the current M3(6) zone permits an extractive use in addition to all the heavy industrial uses permitted in the M3 zone. The M3 zone permits approximately 40 uses including a range of industrial and accessory use (e.g. automotive uses, fuel depot, heavy equipment sales and rental, industrial use, salvage or wrecking yard, commercial school, transport terminal, warehouse).

Staff recommends an alternative zoning by-law amendment that would rezone the entire subject lands to M5 with a special provision permitting development on the north side of Kelly Lake and requiring a 120 m setback from the boundary of Junction Creek Wetland Delta or Kelly Lake to protect natural heritage features.

Location and Site Description:

The lands are legally described as PINs 73599-0005, 73599-0823 & 73599-0596, Parcel 53007 and Part of Parcels 34818, 6131, 45110 & 7091, Lots 9 to 11, Concession 1 & 2, Township of McKim, City of Greater Sudbury (1 Ceasar Road, Sudbury). The area of the subject lands subject to the applications where extraction is proposed is approximately 100 ha in size and are currently vacant. The applicant owns abutting lands to the north, east and south, and lands to the immediate north are currently used for aggregate extraction ('McKim Quarry', ARA License 3880, 26.2 ha, Class A, Above Water, Pit and Quarry with a maximum annual tonnage of 500,000 tonnes). Staff notes there is a second aggregate license issued to the applicant north of Wavy Quarry 1 on the north side of the rail corridor that runs through the property ('New Clay Pit', ALPS ID 15246, 33.6 ha, Class A, Above Water, Pit with a maximum annual tonnage of 300,000 tonnes). Lands to the west are privately-owned for resource extraction purposes. A rail corridor is also located along the northern boundary of the lands.

The site is accessible through the abutting aggregate extraction area to the north from Ceasar Road, which is a private road. Aggregate material is hauled from Ceasar Road to Kelly Lake Road. There are no municipal sewer and water services available in this area. A large wetland/flood plain area called the Junction Creek Wetland Delta is located along the southern boundary of the extraction area on the north side of Kelly Lake, and several small wetlands are located along the western boundary.

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. Orthophotography shows the subject lands and surrounding uses.

Surrounding Land Uses:

The area surrounding the site includes:

North:	rail corridor; existing Wavy Quarry 1, Regional Road 55; privately-owned land for resource extraction purposes
West:	privately-owned land for resource extraction purposes
East:	vacant or industrial lands owned by the applicant and zoned M3(6), OSC or FD; industrial use fronting on Kelly Lake Road; residential use approximately 850 m to the east of the extraction area in the vicinity of Southview Drive/Kelly Lake Road;
South:	Kelly Lake and Junction Creek Wetland Delta; rural commercial/industrial and residential uses along Southview Drive and Salo Road

Public Consultation:

The notice of complete applications was circulated to the public and surrounding property owners on April 2, 2025, and statutory notice was provided by newspaper in the April 5, 2025 Sudbury Star and in the April 9, 2025 Voyageur. The statutory notice of the public hearing was provided by newspaper on May 17, 2025, along with a courtesy mail-out circulated to the public and surrounding property owners within 240 metres of the property on May 15, 2025.

The applicant was advised of the City's policy recommending that applicants consult with their neighbours, ward councillor and key stakeholders to inform area residents on the applications prior to the public hearing.

As of the date of this report, no written comment letters were received, though four calls were received from raising some concern regarding noise/blasting and impacts on their residential properties.

Policy & 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, 2006](#)
- [Zoning By-law 2010-100Z](#)

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

Provincial Planning Statement (PPS):

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

2.6 Rural Lands in Municipalities

1. On rural lands located in municipalities, permitted uses are:

a) the management or use of resources.

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 avoid the need for the uneconomical expansion of this infrastructure.

4. Planning authorities should support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.

3.5 Land Use Compatibility

1. 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.

4.5.2 Protection of Long-Term Resource Supply

1. As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible.

Demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of mineral aggregate resources locally or elsewhere.

2. Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.

3. Mineral aggregate resource conservation shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.

The Environmental Opportunities and Constraints Study identifies potential for the following natural heritage features to be present on the site: habitat of endangered and threatened species or species of special concern, significant wildlife habitat, candidate provincially significant wetland (Junction Creek Delta Wetland), fish habitat. Applicable policies from Section 4.1 Natural Heritage include the following (the subject lands are in Ecoregion 5E):

4. Development and site alteration shall not be permitted in:

a) significant wetlands in Ecoregions 5E, 6E and 7E1.

5. Development and site alteration shall not be permitted in:

d) significant wildlife habitat.

unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

6. Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

7. Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

Growth Plan for Northern Ontario (GPNO):

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 GPNO has no specific policies on aggregate resources. However, the Plan does speak broadly to the sustainable development of natural resources as follows:

Natural resource management and stewardship practices will occur within a framework that recognizes and responds to evolving environmental, economic and social values, and science-based knowledge and information, which allows for the introduction of new practices, technologies and management approaches, traditional knowledge, and locally and regionally responsive approaches.

Employment Land Strategy:

The existing Ceasar Road industrial area is identified as a strategic industrial area in the Employment Land Strategy. Kelly Lake Road offers complete servicing to facilitate future growth/intensification specifically within the Heavy Industrial-designated lands in the Official Plan along Ceasar Road, which will require internal infrastructure upgrades to accommodate future development. Designation of further Heavy Industrial lands in this area was not contemplated in the Employment Land Strategy.

Official Plan for the City of Greater Sudbury:

The subject parcel has several and overlapping land use designations, with the western portion designated Mining/Mineral Reserve, the southern portion adjacent to Kelly Lake designated Parks & Open Space, and a small south-easterly portion designated Living Area 1. Other lands owned by the applicant and where Wavy Quarry 1 is located are designated Heavy Industrial. The Heavy Industrial and Living Area 1 lands are within the Settlement Area, while the other lands are outside the Settlement Area boundary. The lands are partially within the policy area identified as the South End of the Community of Sudbury shown on Schedule 2a. The Junction Creek Delta Area is located on this parcel as shown on Schedule 2b South End Natural Assets and Schedule 5, Natural Heritage. Floodplain areas on the property are shown on Schedule 6 Hazard Lands.

Section 1.4 Vision includes the following statement:

Greater Sudbury is open to business providing an economic environment that retains and grows a wide variety of industrial, institutional and commercial enterprises. The natural resources that form the basis for our economy, in particular the mineral and mineral aggregate resources are protected and see additional investment and activity. The community's Economic Development Strategic Plan has been realized making the city a magnet for new investment and human capital.

Section 4.6 Mineral and Aggregate Extraction Designations includes the following statement:

It is the intent of this Plan to responsibly manage mineral and aggregate resources by protecting them for long-term use. This will be achieved by protecting existing and potential resources, controlling and regulating current surface operations, minimizing adverse impacts of operations on the environment, requiring proper and progressive rehabilitation of closed mines and mineral aggregate operations, protecting mineral resources from incompatible uses, and by providing for sequential uses.

Section 4.6.1(2) establishes the following permitted uses in the Mining/Mineral Reserve designation:

2. Lands designated Mining/Mineral Reserve may be used for a variety of uses related to the extraction of minerals. Permitted uses may include mining and mining-related uses, mineral aggregate uses, smelting and refining uses, pits and quarries and related uses, and accessory uses and structures associated with mining.

Section 4.6.2 establishes policies for the Aggregate Reserve designation, and policy 9 states that on lands not designated as Aggregate Reserve but where deposits of aggregate exist, pits and quarries may be permitted by rezoning subject to the criteria under Policy 6 in this Section.

Section 4.6.2(6) establishes applicable policies for new mineral aggregate operations as follows:

6. In considering an amendment to the Zoning By-law to permit new mineral aggregate operations or expansions of existing operations, the following information will be reviewed:

- a. the location, nature, extent and economic potential of the mineral deposit;
- b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have on:
 - i. natural heritage features, including significant geologic formations on the site and in the area;
 - ii. agricultural resources and activities;
 - iii. the character of the area;

- iv. the groundwater recharge functions on the site and in the immediate area;
 - v. cultural heritage resources in the area through an archaeological assessment and/or a cultural heritage impact assessment;
 - vi. surface water features in the area; and,
 - vii. nearby wells used for drinking water purposes.
- c. the capability of the existing road network to service the proposed location;
 - d. the effect of the noise, odour, dust and vibration generated by the use and the use of haul routes on adjacent land uses; and,
 - e. how the impacts of the proposed pit or quarry will be mitigated to lessen the impacts.

Section 7.3.2(2) establishes permitted uses for Parks and Open Space – Private Ownership as follows:

2. Permitted uses on privately owned Parks and Open Space may include conservation, passive and active recreational uses, agriculture, forestry or other activities where buildings are incidental to those uses.

The Environmental Opportunities and Constraints Study identifies potential for the following natural heritage features to be present on the site: habitat of endangered and threatened species or species of special concern, significant wildlife habitat, candidate provincially significant wetland (Junction Creek Delta Wetland), fish habitat. Applicable policies from Chapter 9 Natural Environment include the following:

9.2.2 Habitat of Endangered Species and Threatened Species

2. Development and site alteration are not permitted in habitat of endangered species and threatened species except in accordance with provincial and federal requirements.

3. Development and site alteration are not permitted on lands adjacent to habitat of endangered species and threatened species unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural feature or their ecological functions.

Adjacent lands to endangered species and threatened species may vary depending on general habitat descriptions. Habitat descriptions can be obtained through the Ministry of Natural Resources and Forestry.

This area can be modified if justified by a study completed by a qualified professional.

9.2.3 Wetlands

3. In areas without a watershed or subwatershed plan, development and site alteration are not permitted in a wetland unless it can be demonstrated that there will be no impacts to the quality and quantity of surface water features that are hydrologically linked to the wetland and that losses of significant wetland features and functions will not occur.

4. Development and site alteration are not permitted in a provincially significant wetland. Where another land use designation in this Plan overlaps with and into lands within a provincially significant wetland, this policy will prevail to the extent of the overlap.

5. Development and site alteration are not permitted on lands adjacent to a sensitive wetland or a provincially significant wetland unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on natural features or ecological functions. Adjacent lands are considered to be within 50 metres of any sensitive wetland, and within 120 metres of a provincially significant wetland. This area can be modified if justified by a study.

9.2.4 Fish Habitat

1. Development and site alteration are not permitted in fish habitat except in accordance with provincial and federal requirements. 2. All construction activities will be mitigated to prevent impacts on receiving waters.

3. Development and site alteration shall not be permitted on adjacent lands to fish habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. Adjacent lands are considered to be within 120 metres of fish habitat. This area can be modified if justified by a study.

Section 9.2.5 Significant Wildlife Habitat

Significant wildlife habitat is ecologically important and contributes to the quality and diversity of the City. For the purposes of this Plan, significant wildlife habitat, includes the following:

- a. Habitat used by moose during the critical late winter period;
- b. Great blue heron nesting sites; and,
- c. Osprey nesting sites.

All known locations of the above features in the City are shown on Schedule 5, Natural Heritage.

1. Development and site alteration is not permitted within significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.
2. Development and site alteration is not permitted on adjacent lands to significant wildlife habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. Adjacent lands are considered to be within 120 meters of features listed in 9.2.5 a, b, and c.

Section 10.2 Flooding And Erosion Hazards states the following:

1. Because flooding and erosion hazards may cause loss of life and may result in damage to property, development on lands adjacent to the shoreline of a watercourse or waterbody affected by flooding or erosion hazards are generally restricted and may be approved by Conservation Sudbury or MNRF. In addition, development on adjacent lands is also generally restricted and may be approved by Conservation Sudbury or MNRF.
2. Notwithstanding the above, development and site alteration is not permitted within a floodway regardless of whether the area of inundation contains high points of land not subject to flooding. Development and site alteration is not permitted in areas that would be rendered inaccessible to people and vehicles during times of a hazard, unless it has been demonstrated that the site has safe access appropriate to the nature of development and hazard.
5. Any alterations to the terrain within the Flood Plain which may have an effect on drainage and the erection of any structures must first receive the approval of Conservation Sudbury or MNRF.

Section 20.4 South End Of The Community Of Sudbury states the following:

20.4.1 Land Use Goals

With respect to land use in the South End, it shall be the goal of Council to: c. facilitate the designation of commercial and industrial development to expand the range of services and employment available in the South End.

20.4.10 Wetlands

Locally significant wetlands have been conceptually identified on Schedule 2b, South End Natural Assets. The policies contained in Section 9.2.3 of this Plan pertaining to Wetlands shall apply.

20.4.11 Natural Assets

1. It shall be the policy of Council to protect the natural assets in the South End that are shown on Schedule 2b, South End Natural Assets. These lands should be retained in public ownership or be acquired by public bodies when opportunities arise. The following is a listing of those lands identified on Schedule 2b, South End Natural Assets: f. Junction Creek Delta

Zoning By-law 2010-100Z:

The zone recommended by staff, being the "M5", Extractive Industrial zone, permits pits, quarries and aggregate transfer sites along with accessory outdoor display and sales and accessory outdoor storage. Forestry and agricultural uses are also permitted. Staff is recommending a site-specific provision to limit development south and east of Kelly Lake and requiring a 120 m setback from the boundary of the Junction Creek Wetland Delta or Kelly Lake. Otherwise, the minimum setbacks from all lot lines is 15.0 metres. Any open excavation and fencing associated with, or pertaining to an extractive use shall be located not closer than 30.0 metres to a street line or 15.0 metres to any other lot line; and, be fully encircled by a continuous fence or other barrier not less than 1.8 metres in height, located not closer than 10.0 metres to any part of such excavation. No part of any extractive use, except for an accessory business office, shall be established or erected closer than 150 metres to a Residential (R) Zone.

No accessory industrial use shall be permitted in an M5 Zone except for the washing, screening, sorting, drying, stockpiling, crushing, blending or other such primary processing, excluding roasting or smelting, of ores, minerals or aggregates originating from an extractive use to which the said industrial use is accessory.

Site Plan Control:

Site plan control is not typically applied to pits and quarries. The proposed pit and quarry will be subject to a detailed operational plan approved by the Province as part of the licensing process.

Department/Agency Review:

Departmental and Agency comments are included as Appendix 1.

Several departments raised concerns with respect to the range of uses proposed by the application, but no concerns were raised regarding the proposed pit and quarry use. Comments of a technical nature are offered for the applicant's consideration

Planning Analysis:

Planning staff circulated the development applications to internal departments and external agencies. The PPS (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 applications in respect of the applicable policies, including issues raised through agency circulation.

While staff support the expansion of the quarry in this location, staff does not support the structure of the applications as proposed. While the proposed designation and zoning would serve to match the entitlements of the applicant's existing quarry and industrial operations, given the outcome would entitle the applicant to a broad range of industrial use the applications would be considered a significant settlement area boundary expansion. It is acknowledged that the applicant's current quarry/industrial lands oriented to Kelly Lake and Ceasar Road are part of the Ceasar Road strategic industrial area, and infrastructure upgrades along Ceasar Road would be required to support growth/intensification. The materials submitted with the applications do not contemplate or justify further expansion of this industrial area and the appropriateness of a broad range of uses. Applications of this nature should be supported by the review of need for additional employment lands, the suitability of the location, confirmation of adequate sewer and water capacity, as well as a traffic impact study. Comments from departments have also raised concerns regarding infrastructure capacity (roads and water/sewer) and potential impacts to Kelly Lake if additional uses are permitted.

Further to discussion with the applicant, staff recommends approval of an alternative official plan amendment that would enable the applicant's quarry expansion project to proceed by providing a site-specific exception to the Official Plan to permit a pit and quarry in the Parks and Open Space designation (rather than changing the designation to Heavy Industrial) on the north side of Kelly Lake with the exception of a 120 m setback from the boundary of the Junction Creek Wetland Delta or Kelly Lake. Further, staff recommends an alternative zoning by-law amendment that would rezone the entire subject lands to M5 with a special provision permitting development on the north side of Kelly Lake and requiring a 120 m setback from the boundary of Junction Creek Wetland Delta or Kelly Lake to protect natural heritage features. The permitted uses in the "M5", Extractive Industrial zone include pits, quarries and aggregate transfer sites along with accessory outdoor display and sales and accessory outdoor storage. Forestry and agricultural uses are also permitted. The effect of these alternative recommendations would permit only the expansion of the quarry and other rural industrial uses, rather than a range of heavy industrial uses which have not been contemplated in the supporting materials and avoid the need to survey new zone boundaries.

Staff acknowledges that a license issued by the Province under the Aggregate Resources Act is required to enable the use. The purposes of the Aggregate Resources Act are to provide for the management of the aggregate resources of Ontario; to control and regulate aggregate operations on Crown and private lands; to require the rehabilitation of land from which aggregate has been excavated; and to minimize adverse impact on the environment in respect of aggregate operations. The materials submitted in support of the official plan amendment and rezoning applications are also required for the related license application. The focus of the official plan amendment and rezoning review is the appropriateness of the proposed location for the aggregate extraction use. A license may not be issued unless the City's zoning by-law permits the use.

Staff recommends that the alternative official plan amendment is consistent with the PPS and conforms to the Official Plan policies that serve to make mineral aggregates available as close to markets as possible. These documents protect the viability of aggregate resources and ensure it is available for extraction. Staff also recommends that the alternative official plan amendment is consistent with the PPS and conforms to the Official Plan policies that support a diversified economy by promoting resource-related uses.

The lands are partially within the policy area identified as the South End of the Community of Sudbury (OP Section 20.4). While most of these policies serve to guide orderly residential development, the applications align with the overall goal of facilitating industrial development to expand the employment options available in the South End. The OP identifies the Junction Creek wetland as a natural asset, which is recommended to be protected through a development setback included in the site-specific zoning provisions.

A detailed analysis of the information required to be reviewed when considering a rezoning to permit new mineral aggregate operations or expansions of existing operations is included below. As required by the PPS and the Official Plan, staff recommends that extraction in this location can be undertaken in a manner that minimizes social, economic and environmental impacts.

a. the location, nature, extent and economic potential of the mineral deposit:

The extraction area is partly located in an area identified in the Official Plan for extraction (Mining/Mineral Reserve), and partly located within lands zoned Open Space Private. The proposed rezoning would not permit extraction on the east or south side of Kelly Lake, along with a 120 m setback from the boundary of the Junction Creek Wetland Delta or Kelly Lake. In this manner, the extraction area is separated from sensitive receptors, with the closest being approximately 850 m to the southeast of the proposed extraction area. The applicant has advised that the lands contain a substantial aggregate resource in the form of an extensive bedrock knob that can be quarried to create aggregates, and expansion is required to promote the ongoing operational viability of the existing quarry. Aggregate Resource Inventory Paper 170 (prepared by the Ontario Geological Survey) identifies the proposed extraction area is located beside a licensed pit or quarry with materials described as follows: silty fine sand material and quarry operation. While the lands are not identified by the Ontario Geological Survey as being located within an aggregate deposit of significance for this area, the Official Plan contemplates that applications for pits and quarries may be made in areas that are not designated Aggregate Reserve.

b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have on (i) natural heritage features, including significant geologic formations on the site and in the area:

The Environmental Opportunities and Constraints Study submitted with the application was prepared to support further work needed to satisfy license application standards under the Aggregate Resources Act.

Threatened and endangered species may be present on the site and are to be protected in accordance with provincial and federal requirements. The project will require review by the Species at Risk Branch of the Ministry of the Environment, Conservation and Parks, and that Endangered Species Act and any required authorizations will be necessary. This permitting will follow the issuance of an Aggregate Resources Act license.

The Junction Creek Wetland Delta and Kelly Lake, which may include fish habitat, have not been evaluated for provincial significance but are to be protected through an operational setback of 120 m. Further work will also be completed to confirm the presence of significant wildlife habitat, though will also be protected through the 120 m setback. Staff recommends that impacts to the natural heritage features have been assessed and will be mitigated through the proposed rezoning, and further, through the Aggregate Resources Act licensing process.

- b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have on (ii) agricultural resources and activities:

Agricultural resources and activities are not impacted by this proposal given.

- b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have on (iii) the character of the area:

Given the relatively isolated location of the subject lands, the visual character of the area is not expected to be impacted by this proposal. Staff recommends that the proposed use is compatible with the existing adjacent aggregate extraction uses and lands identified for resource extraction to the west, as well as vacant lands or industrial uses to the east.

- b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have on (iv) the groundwater recharge functions on the site and in the immediate area:

Impacts to groundwater recharge function, or the process of water moving downward from the surface and replenishing an aquifer, has not been assessed in the materials submitted in support of the application. However, the lands are not located in a significant groundwater recharge area for drinking water as per the Greater Sudbury Source Protection Area Assessment Report. Extraction below the water table is not proposed, and overall, wetlands (surface water features) are to be protected. Impacts to groundwater recharge functions will be further assessed through the licensing process.

- b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have on (v) cultural heritage resources in the area through an archaeological assessment and/or a cultural heritage impact assessment:

Impacts to cultural heritage resources were not assessed in the materials submitted in support of the application. However, the lands are not located within proximity of a trigger for archeological significance that is known to City staff (e.g. known archaeological site). This matter will be further assessed through the licensing process depending on the potential or likelihood that the lands will contain any archaeological resources.

- b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have on (vi) surface water features in the area:

The current conceptual site plans of the extraction area include setbacks from adjacent wetlands and surface water systems that range from 30 to 120 metres. Impacts to surface water features will be further assessed through the licensing process.

- b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have on (vii) nearby wells used for drinking water purposes:

Impacts on nearby wells have not been assessed in the materials submitted in support of the application, but impacts to wells are not expected. The nearest residential use based on wells is located on the south side of Kelly Lake in the vicinity of Southview Drive/Salo Road.

c. the capability of the existing road network to service the proposed location:

The site is accessible through the abutting aggregate extraction area to the north from Ceasar Road, which is a private road. Aggregate material is hauled from Ceasar Road to Kelly Lake Road. Infrastructure Capital Planning Services has advised of no concerns with respect to the pit or quarry use. Staff recommends that the existing road network can service the proposed development and is appropriate for the infrastructure that is available.

d. the effect of the noise, odour, dust and vibration generated by the use and the use of haul routes on adjacent land uses:

Resource extraction is considered a major facility under the Provincial Planning Statement, and adequate separation distances between aggregate facilities and adjacent sensitive land uses (i.e. residential use) is required. In this case, the subject land is in a rural area and adjacent to lands owned by the applicant and use for aggregate extraction and industrial purposes. The closest sensitive receptors to the extraction area are in the form of single-detached dwellings located approximately 850 m to the southeast and which fall within the potential influence area of 1,000 metres. Staff recommends that no land use or site alteration be permitted south or east of Kelly Lake or within 120 m of the boundary of the Junction Creek Wetland Delta or Kelly Lake in order to ensure that the proposed aggregate extraction is adequately separated from the residential uses. This aligns with the location of the proposed extraction area and avoidance of natural heritage features on this site.

e. how the impacts of the proposed pit or quarry will be mitigated to lessen the impacts:

The project has been scoped to reduce project impacts by integrating natural heritage feature avoidance into the project design, including no work performed within 120 m of the Junction Creek Wetland Delta or Kelly Lake. The extraction area is proposed to be located on the westerly portion of the property.

Conclusion:

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

The following are the principles of the proposed applications:

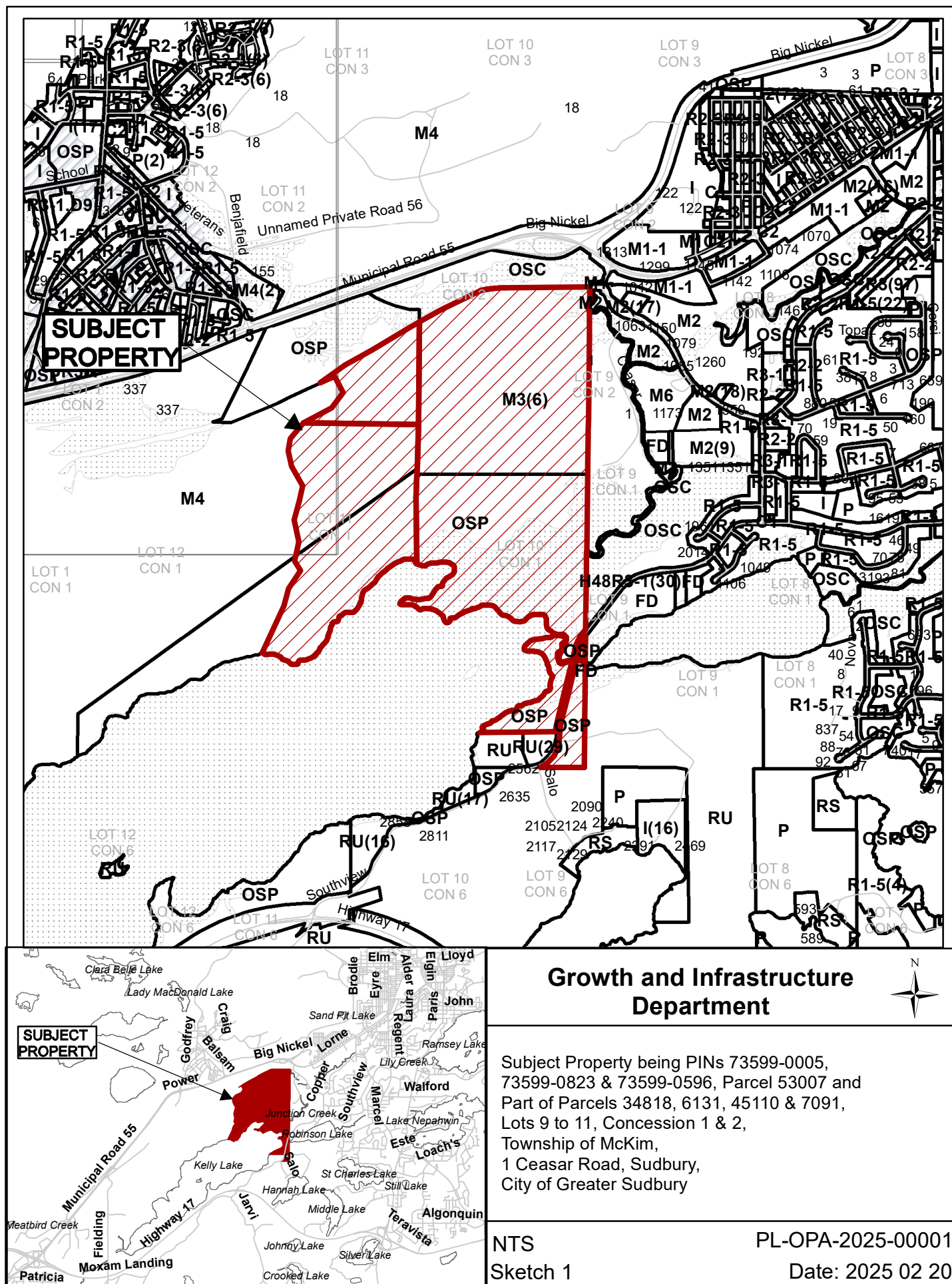
- To amend the Official Plan by providing a site-specific exception to permit an aggregate pit and quarry in the Parks and Open Space designation; and
- To rezone the lands from "M4", Mining Industrial and "OSP", Open Space – Private, to "M5(S)", Extractive Industrial Special to permit the development of an aggregate pit or quarry along with a site-specific zone standard to prohibit development or use of land south or east of Kelly Lake, or within 120 metres of the Junction Creek Wetland Delta or Kelly Lake.

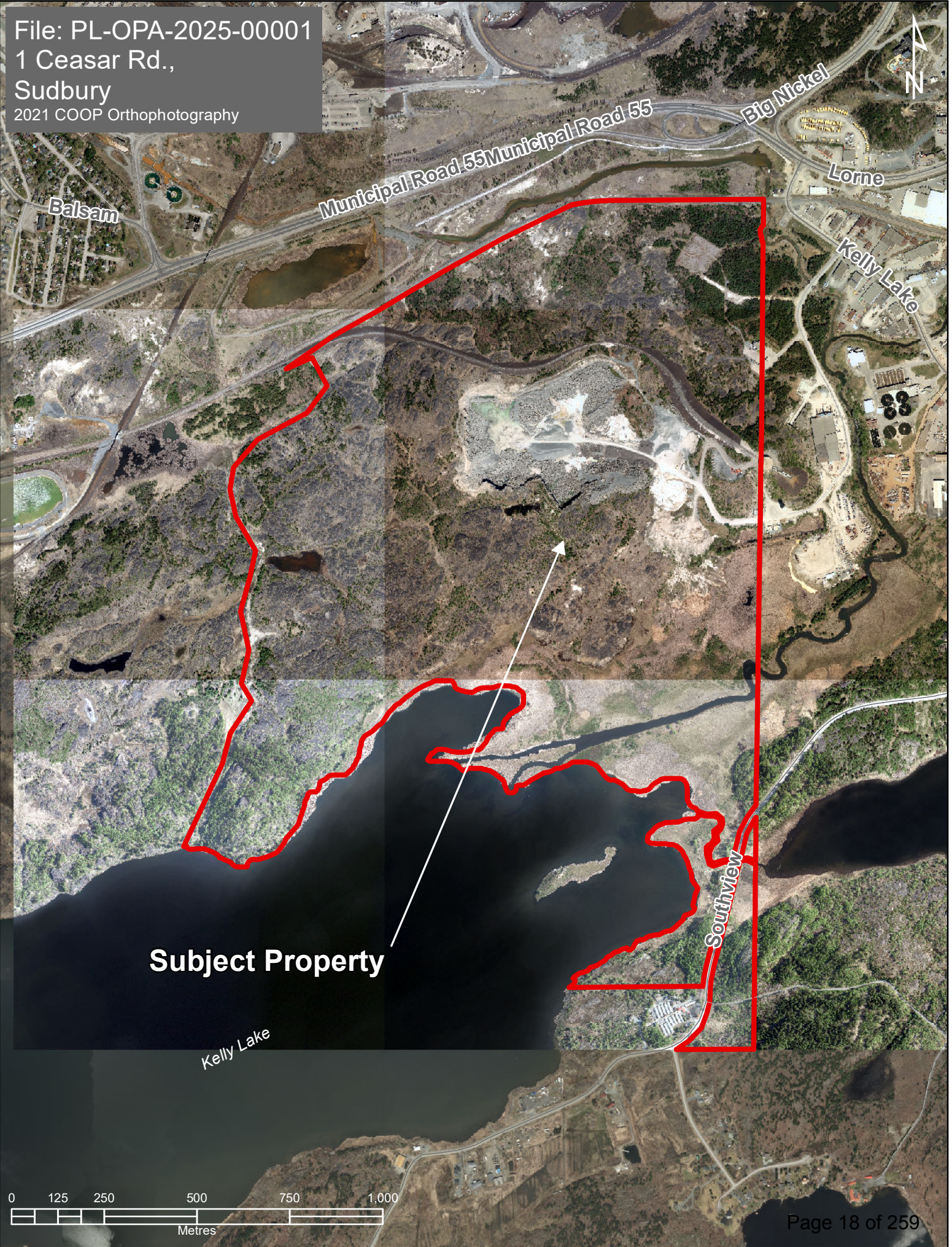
The development of the subject lands complies with several policy directives by enabling the extraction of mineral aggregate resources while considering off-site impacts. Staff has considered, amongst other matters, a full range of factors through a detailed review when forming the recommendation of approval for this application.

Staff is satisfied that the applications are consistent with the PPS and conforms to the Growth Plan and the Official Plan. Staff is of the opinion that the proposed official plan amendment and zoning by-law amendment are appropriate based on the following:

- The lands contain aggregate, and extraction complies with policies that permit resource-based uses in rural areas to make the resource available to the local market while supporting a diversified economy.
- Extraction can occur in a manner that minimizes social, economic and environmental impacts.
- The proposed use is compatible with surrounding uses and landscaping and buffering is not required to enhance the physical appearance of the lands.
- The proposed continued use the existing road network is appropriate for the proposed development.

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





Subject Property

Kelly Lake

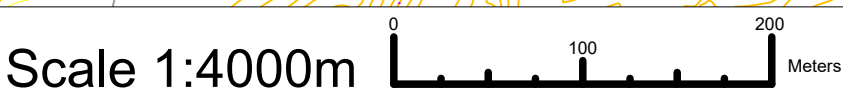
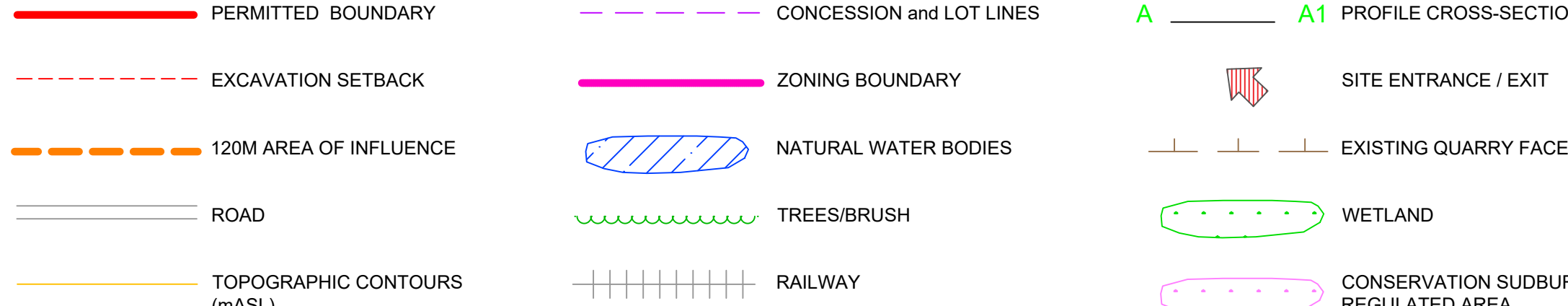


Date _____

Drawing by :	Jessica Sheppard
Revisions by:	
Revisions by:	
Revisions by:	
Checked by:	Vanessa Felix

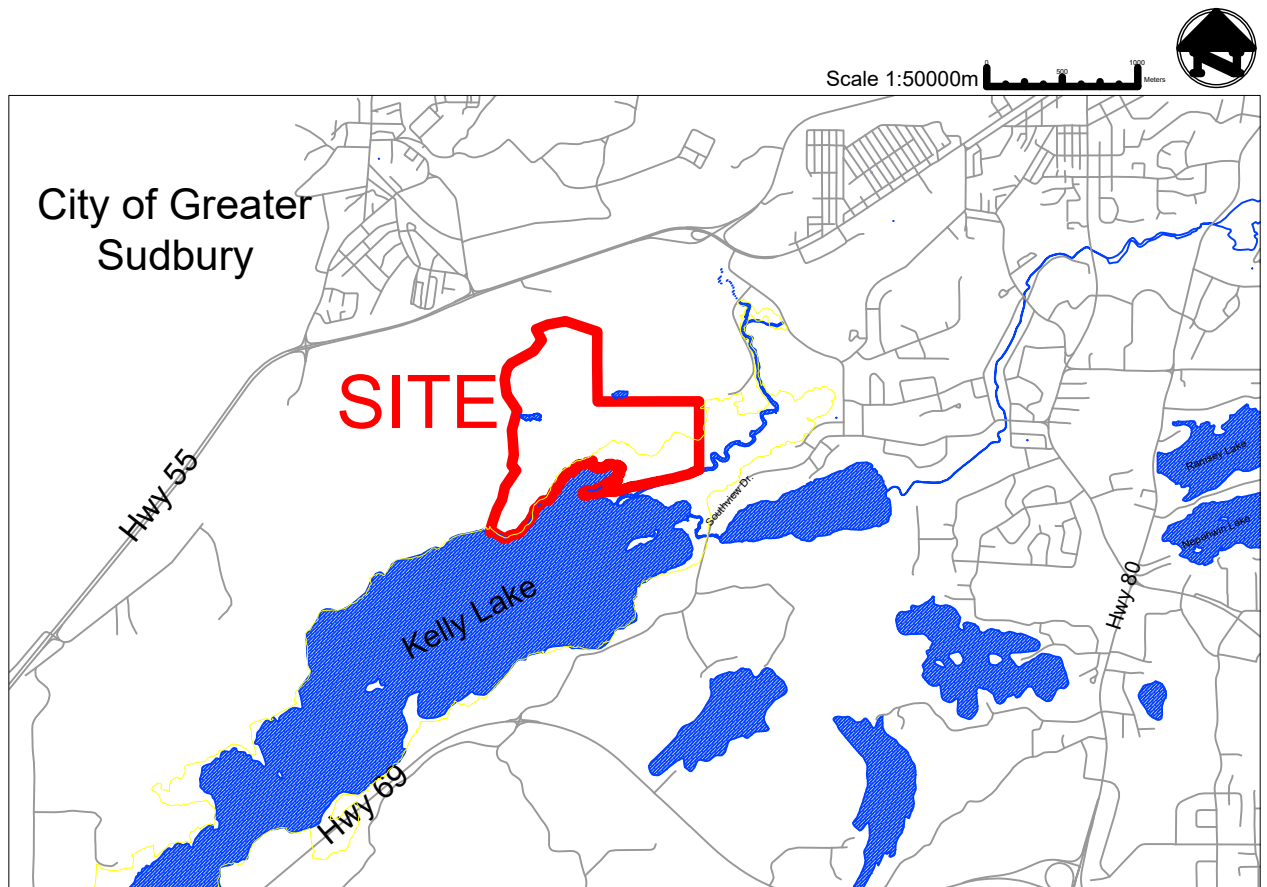
Sheet
1 of 4

Phone: (705) 497 6219
jsheppard@pioneerconstruction.ca



The total area of licence: 97.7 ha
The total area to be extracted: 86.9 ha
The total area to be rehabilitated: 86.9 ha

1. This site plan was developed using the following references:
 - Geowarehouse
 - Bing Maps
 - MNRF Maps
 - Pioneer Drone flight *****
2. The established groundwater table is estimated at **
3. There is a wetland located to the east of the site as shown on site plans. A 30m excavation setback has been established as shown. To the south of the site is Kelly Lake and the Junction Creek Delta Wetland, from which a 120m excavation setback has also been established as shown.
4. No other significant man-made features are on or within 120m of site as shown.
5. No existing buildings on site or within 120m of site.
6. No existing water drainage or drainage facilities on or within 120m of site.
7. This site has not been previously excavated.



Ministry of Natural Resources Approval

This site plan is prepared under the Aggregate Resources Act for a Class A Licence,
Pit and Quarry Below the Ground Water Table.

Applicant: Fisher Wavy Inc.

Signature _____

Date _____

[illegible]

Fisher Wavy Quarry 2 Existing Features

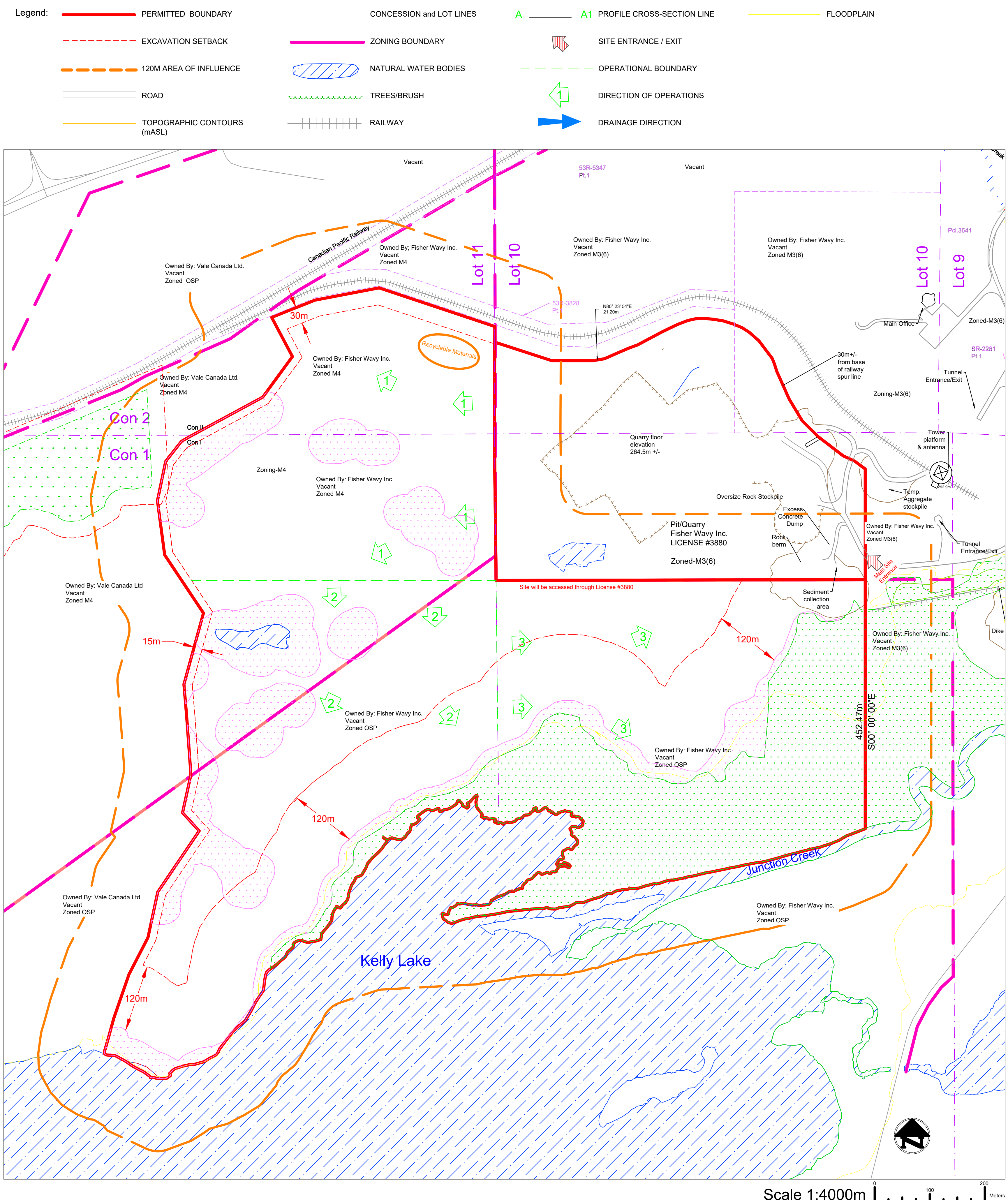
**Part of Lot 10 & 11, Con 1
and Part of Lot 11, Con 2
McKim Township
City of Greater Sudbury**

Sheet

2 of 4

Jessica Sheppard, P. Eng
Pioneer Construction Inc.
1715 Alsace Rd.
Powassan, ON P0H 1Z0

Phone: (705) 497 6219
jsheppard@pioneerconstruction.ca



- Operational Features**
- Area to be Excavated: 86.9 ha
- No fencing proposed. Excavation setback boundaries will be identified by flagging or signage.
 - Temporary buildings or structures (ie. a scalehouse or plant) that are incidental to the operation of the site may be erected or moved to site at any point during its operation.
 - The scrap storage area is indicated on site plan.
 - All aggregate stockpiles will be temporary. Aggregate stockpiles will generally be located in close proximity to the working face on the pit floor. Stockpile areas will vary depending on the sequence of development and will be located close to the working face.
 - Internal haul roads are shown on site plans. Location of haul roads will vary as extraction proceeds.
 - Use of portable processing equipment may be used and located near the working face as required. Should a stationary plant be proposed in the future it will be located within Phase 1
 - Recycling of inert material asphalt and cured concrete will be permitted on this site. A defined location for where recycled aggregate will be stored and processed is identified on the site plan.

Recyclable asphalt materials will not be stockpiled within:

 - 30m of any water body or man-made pond; or
 - 2m of the surface of the established water table.

Any rebar and other structural metal must be removed from the recycled material during processing and placed in designated scrap pile on site which will be removed on an on-going basis. Removal of recycled aggregate is to be ongoing. Once the aggregate on site has been depleted there will be no further importation of recyclable materials permitted. Once final rehabilitation has been completed and approved in accordance with the site plan, all recycling operations must cease.
 - The pit/quarry will be developed in four phases.
 - Pit and Quarry Operations may proceed concurrently and independently of one another.
 - Phase 1 proceeds from the northeast licence boundary in a north-westerly and south-westerly direction towards the limits of extraction and first operational boundary.

Phase 2 proceeds from the operational limit indicated on the site plan in a south-westerly and south-easterly direction to the limits of extraction and the next operational limit indicated on the site plan.

Phase 3 proceeds from the operational limit indicated on the site plan in a north-easterly and north-southerly direction to the limits of extraction.
 - Quarry operations will consist of drilling and blasting of rock in lifts of 20 meters each.
 - Pit operations will proceed in lifts that are not more than 8m.
 - Material may be blended from other locations in the pit or quarry to obtain the required specifications for material.
 - Topsoil, subsoil and/or overburden will be stockpiled within or near the setback area along the boundary. These stockpiles of topsoil and overburden will be used in final rehabilitation.
 - Stockpiles of topsoil and overburden will not be located; Within 90m from any part of the boundary of the site that abuts:
 - land in use for residential purposes as of the issue date of this license, or
 - land restricted to residential use by a zoning by-law as of the date this license was issued.
 - The maximum number of lifts will be 4. Height will vary based on equipment used.
 - Water will drain from the site naturally through pit/quarry floor infiltration.
 - No source water protection policies apply to this site as of the date of licence issuance.
 - The estimated groundwater table is approximately * masl
 - No fuel storage areas are proposed.
 - The final excavation elevation of the site is 248 masl.
 - No berms are proposed.
 - Operations will consist of normal pit extraction. Extraction will proceed in a benched manner. The pit will be developed from the existing excavation faces outward to the setback limits. Sequences of development may vary depending on quality of material extracted and market needs. Material may be blended from other locations in the pit or quarry to obtain the required specifications for material.
- Equipment to be used on the site will include, but not be limited to:
- Excavators, loaders, crushers, dozers and trucks, Stationary/Portable Plants - asphalt plant, redi-mix plant, aggregate processing plant, screening plant, stacker, conveyors, power plant, feed bins, brushing plant, tool trailer, and washing plants. Plants may move throughout the site in proximity to the extraction face.
- No tree screens proposed.
 - Hours of operation of the site may be 24 hours a day, 7 days a week.
 - Where applicable, trees removed from the site will be used as firewood or other applications if possible and stumps will be used in the final rehab of the site.
 - Variations from standards are as follows:
 - Fencing - No fencing will be erected because the site has geographically delineated boundaries. The boundary of the sight will be flagged.
 - Excavation Setback - The pit/quarry has a common boundary with one other license held by the licensee. The common boundary will be excavated to the same elevation and the pit will be rehabilitated to the same standard. The common boundary is shown on the site plan.
 - Topsoil - The topsoil, subsoil and other organic overburden is in inseparable layers and therefore will be stored together and saved for rehabilitation.
 - Gate - Access to and from the site is secured by a gate located on the property to the northeast, (PCL 3641) at Kelley Lake Road. A gate on the licensed quarry site is not proposed.
 - Excavation Height - It is proposed to quarry material to the boundary of the setback area along the railway. The height of the quarry face will exceed the height definition of Section 19. The height restrictions as outlined in the Health and Safety Act will still apply.
 - Quarry Slope - Due to the rehabilitation slope identified for the northerly section of the setback area, along the railway line, the slope will be steeper than two horizontal meters for every vertical meter and will vary from the regulations.
 - Annual Extraction Limit: 500,000 tonnes
 - Blasting will occur between 7:00am and 7:00pm, Monday to Saturday. The Licensee shall ensure that all blasts are monitored by a competent blasting consultant (who is a registered member of the Association of Professional Engineers of Ontario) to ensure all blasts are compliant with MOE noise & vibration regulations. Monitoring will occur at the nearest residence on Briewood Crescent in Sudbury, as well as 4 additional locations will be used during each blasting event to measure for ground vibrations and blast overpressure, and that following limits are not exceeded: a) ground vibrations: 12.5 mm/second, and b) blast overpressure: 128 db.
 - The licensee will notify the MNR District Manager and the MOE District Officer prior to each blasting event and shall submit a blasting report within 30 days of each blast, containing the vibration and overpressure waveforms produced.

City of Greater Sudbury

Scale 1:50000m

SITE

Ministry of Natural Resources Approval

This site plan is prepared under the Aggregate Resources Act for a Class A Licence, Pit and Quarry Below the Ground Water Table.

This site plan was prepared by _____

Applicant: Fisher Wavy Inc.

Signature _____

Signature _____

Date _____

NO.	DATE	AMENDMENT DESCRIPTION	APPROVED

Drawing by : **Jessica Sheppard**

Revisions by : _____

Revisions by : _____

Revisions by : _____

Checked by : **Vanessa Felix**

Fisher Wavy Quarry 2

Operational Features

Part of Lot 10 & 11, Con 1 and Part of Lot 11, Con 2

McKim Township

City of Greater Sudbury

Permittee: Fisher Wavy Inc.

1 Ceasar Rd.

Sudbury, ON

P3E 5P3

Sheet **3** of **4**

Jessica Sheppard, P. Eng

Pioneer Construction Inc.

1715 Alsace Rd.

Powassan, ON P0H 1Z0

Phone: (705) 497 6219

jsheppard@pioneerconstruction.ca

Page 21 of 259



Planning Justification Report

**Site: Wavy Quarry 2, 1 Ceasar Road
 City of Greater Sudbury, Ontario**

Fisher Wavy Inc.

Attention: Ms. Vanessa Felix

1 Ceasar Road
Sudbury, ON P3E 5P3

February 17, 2025

Project Reference Number: 23008

©2025 Greenstone Engineering Ltd. | 67 Elgin Street | Sault Ste. Marie, Ontario | P6A 2Y4

The information in this document is the intellectual property of Greenstone Engineering Ltd. and is intended solely for the use by the individual owner of this document. Reproduction of this document for personal use, or for use intended by this document, is permitted provided that property attribution is made to Greenstone Engineering. Ltd. Reproduction of any portion of this document for any other purposes, including but not limited to, use by members of the same firm or for any other purposes, is strictly prohibited.



TABLE OF CONTENTS

1	INTRODUCTION.....	1
2	SITE AREA CONTEXT	2
2.1	Description of the Wavy Quarry 2	2
2.2	Surrounding Land Uses	4
2.3	Planning Applications on Surrounding Lands.....	5
3	THE PROPOSAL.....	5
4	POLICY REVIEW AND ANALYSIS.....	7
4.1	The Planning Act	7
4.2	Provincial Planning Statement, 2024	9
4.3	Growth Plan for Northern Ontario.....	18
4.4	City of Greater Sudbury Official Plan	23
4.5	The City of Greater Sudbury Zoning By-Law	37
4.6	Conservation Authorities Act and Regulations	41
4.7	Conservation Sudbury Policies and Procedures	42
4.7.1	Determination of Regulation Limits Reference Manual	42
4.7.2	Direction on the Administration of Ontario Regulation 156/06 - Wetlands	44
5	SUPPORTING DOCUMENTS.....	46
6	PUBLIC CONSULTATION STRATEGY.....	47
7	CONCLUSIONS.....	47
8	REFERENCES	49



LIST OF FIGURES

Figure 1: Location Map

Figure 2: Site Map

Figure 3: Current Official Plan Land Use Designations Map

Figure 4: Proposed Official Plan Land Use Designations Map

Figure 5: Environmental Constraints Map

Figure 6: Proposed Setbacks Map

Figure 7: Current Zoning Map

Figure 8: Proposed Zoning Map

LIST OF APPENDICES

Appendix A: Figures

Appendix B: Preconsultation Understanding Agreement

Appendix C: Report Limitations & Guidelines For Use



1 INTRODUCTION

Greenstone Engineering Ltd. (Greenstone) was commissioned by Fisher Wavy Inc. (Fisher Wavy) to prepare an Official Plan Amendment (OPA) and Zoning By-Law Amendment (ZBLA) Application for an approximately 100 hectare (ha) portion of 1 Ceasar Road in Sudbury, Ontario (Wavy Quarry 2) (Figures 1 and 2). The Wavy Quarry 2 consists of PIN 73599-005, and parts of PIN 73599-0596, and PIN 73599-0823. The purpose of the proposed OPA and ZBLA Applications are to permit Fisher Wavy to develop Wavy Quarry 2 immediately adjacent to the existing Wavy Quarry 1. When the aggregate source in Wavy Quarry 1 has been depleted, Wavy Quarry 2 will replace it. The approved annual tonnage for the two Wavy Quarries will remain at 500,000 tonnes, the currently approved volume for Wavy Quarry 1. If the OPA and ZBLA are approved, Fisher Wavy will apply to the Ontario Ministry of Natural Resources (OMNR) for an *Aggregate Resources Act* (ARA) Licence to develop the Wavy Quarry 2. Development of the Wavy Quarry 2 can not occur until the ARA Licence has been issued.

Fisher Wavy is requesting that the City of Greater Sudbury (CGS):

- a. Amend the Official Plan land use designation of a portion of the Wavy Quarry 2 lands from Mining/Mineral Reserve and Parks and Open Space to Heavy Industrial (Figures 3 and 4);
- b. Amend the Official Plan land use designation of a portion of the Wavy Quarry 2 lands from Heavy Industrial to Parks and Open Space to protect specific natural heritage features and areas (Figures 3, 4, 5 and 6);
- c. Rezone a portion of the Wavy Quarry 2 lands from Mining Industrial Zone (M4) and Open Space – Private (OSP) to M3(6) to match the zoning of the existing Wavy Quarry located in Lot 9, Concessions 1 and 2, McKim Township, referred to as Alexander Centre Industries in Zoning By-law 2010-100Z as amended (Figures 7 and 8).

The purpose of this Planning Justification Report (PJR) is to:

- a. Provide an overview of the Proposal and the effects of the planning applications,
- b. Evaluate the Proposal for conformity with the current local and provincial planning policies, and
- c. Confirm that the Proposal represents good planning.

The CGS requested the PJR in the Pre-Consultation Understanding Agreement PC2023-031 dated April 26, 2023, and agreed to by Fisher Wavy's representative, Vanessa Felix on May 1, 2023 (Appendix B).



The policies and documents reviewed as part of this PJR were the following:

- Planning Act, R.S.O. 1990, c. P13;
- Provincial Planning Statement, 2024;
- City of Greater Sudbury Official Plan; and
- City of Greater Sudbury By-Law No. 2015-30 Comprehensive Zoning By-Law;
- Conservation Authorities Act, R.S.O. 1990, c. C.27;
- Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits;
- Conservation Sudbury - Determination of Regulation Limits Reference Manual; and
- Direction on the Administration Of Ontario Regulation 156/06 – Wetlands.

2 SITE AREA CONTEXT

2.1 DESCRIPTION OF THE WAVY QUARRY 2

The Wavy Quarry 2 is part of 1 Ceasar Road, Sudbury, Ontario as shown in Figure 2. It will be in Lots 10 and 11, Concession 1, and Lot 11, Concession 2, McKim Township, immediately west and south of the existing Wavy Quarry. The Wavy Quarry 2 lands contain the following parcels:

1. PIN 73599-0005 (LT) described as PCL 53007 SEC SES SRO; PT LT 11 CON 1 MCKIM PT 3 53R16406; S/T LT11801, LT876488E; GREATER SUDBURY;
2. Part of PIN 73599-0596 (LT) described as PCL 34818 SEC SES SRO; LT 10 CON 1 MCKIM EXCEPT PT 1, 53R6929, PT 10 & 11, 53R7450; PT LT 10 CON 2 MCKIM PT 1 & 2, 53R5347, PT 1, 53R3828, PT 1, 53R2280; RESERVING A RIGHT OF WAY FOR THE CANADIAN PACIFIC RAILWAY; S/T LT11801, LT233584, LT381788; GREATER SUDBURY; and
3. Part of PIN 73599-0823 (LT) described as PT LT 11 CON 2 MCKIM SRO PT 1, 53R3831, PT 1 & 2, 53R16406; S/T RIGHT IN S114162; GREATER SUDBURY.

The Wavy Quarry 2 lands are irregularly shaped and have an approximate area of 100 ha. They are currently undeveloped. Access to the Wavy Quarry 2 will be from Ceasar Road through the existing Wavy Quarry. Ceasar Road is a private road across the Fisher Wavy property. It intersects with Kelly Lake Road (Figure 2).

The Wavy Quarry 2 and its neighbouring lands are in the Sudbury Community area of the CGS and just south of the community of Copper Cliff (City of Greater Sudbury, 2024). As shown on Schedule 1b, Land Use – Sudbury Community of the City of Greater Sudbury Official Plan (OP) (Figure 3), the Wavy Quarry 2 lands have multiple land use designations, including:



1. Parks and Open Space,
2. Heavy Industrial,
3. A Mining/Minerals Reserve Overlay, and
4. A Flood Plain Overlay.

Additionally, the southeastern part of the Wavy Quarry 2 is within the OP's South End policy area.

The current zoning of the Wavy Quarry 2 lands includes (Figure 7):

1. Mining Industrial (M4),
2. Open Space - Private (OSP), and
3. A Flood Plain Overlay.

There are environmental constraints on and adjacent to the Wavy Quarry 2 lands that will affect development. These have been identified in OP Schedule 2b South End Natural Assets, OP Schedule 5 Natural Heritage, OP Sections 8.0 Water Resources, and 9.0 Natural Heritage, Conservation Sudbury, and the Junction Creek Delta Wetland Characterization and Delineation prepared by Blue Heron Environmental (City of Greater Sudbury, 2024; Conservation Sudbury, 2023; Blue Heron Environmental, 2024). These include (Figure 5):

- a. An unevaluated wetland at the eastern end of Kelly Lake, referred to as the Junction Creek Delta Wetland (JCDW) in this document (Blue Heron Environmental, 2024). It is identified as a Natural Asset on OP Schedule 2b (City of Greater Sudbury, 2024).
- b. A flood plain that surrounds Kelly Lake, the JCDW, and Junction Creek. The Flooding Hazard limit is currently defined as 248.4 metres above sea level (masl) (CGVD28) + 15 m horizontal, shown in Schedule 6 of the OP (City of Greater Sudbury, 2024) (Figures 3 and 7).
- c. A small, isolated wetland along the western boundary of the Wavy Quarry 2 (Blue Heron Environmental, 2024).
- d. A small, isolated wetland located in the western part of the Wavy Quarry 2 (Blue Heron Environmental, 2024). This wetland is less than 0.5 ha, as a result, the area within 30 m of it is not regulated by Conservation Sudbury.
- e. Depressional bedrock-controlled areas were identified as wetlands by Conservation Sudbury and by the CGS. These areas were visited by Blue Heron Environmental in August 2024. They stated



that these depressional areas were either dried up or dominated by upland grasses and forbs. They are not considered wetlands.

- f. Streams and depressional areas identified using the CGS's digital terrain model data and topological data.

2.2 SURROUNDING LAND USES

The neighbouring lands within 500 m of the Wavy Quarry 2 include (Figures 2, 3, and 7):

- Immediately to the north and east is the existing Wavy Quarry, ARA Licence 3880; a 26.2 ha, Class A, Above Water, Pit and Quarry with a maximum annual tonnage of 500,000 tonnes (OMNRF, 2023b).
- To the north are railway lines, open space areas, Regional Road 55, and mining industrial lands (OMNRF, 2017; OMNRF, 2024c; City of Greater Sudbury, 2024).
- To the east are Junction Creek, the Junction Creek Delta Wetland, open space areas, undeveloped areas, and the City of Greater Sudbury's Biosolids Facility (Blue Heron Environmental, 2024; City of Greater Sudbury, 2024).
- To the south are Kelly Lake, Junction Creek, the Junction Creek Delta Wetland, Lucy Creek, Robinson Lake, the Robinson Lake Western Wetland, and flood plain areas, and undeveloped areas (Blue Heron Environmental, 2024; OMNRF, 2024a; OMNRF, 2024b; City of Greater Sudbury, 2024).
- To the west are open space areas, wetlands and mining industrial lands (City of Greater Sudbury, 2025; Google, 2024; OMNRF, 2017; OMNRF, 2024d).

The neighbouring lands are in the Sudbury Community area of the CGS as defined in the OP and just south of the community of Copper Cliff (City of Greater Sudbury, 2024). The neighbouring lands to the east of Kelly Lake are also within the South End policy area. They have a variety of OP land use designations (Figure 3) and zoning (Figure 7) including:

OP Designation	Zoning Code	Zone Name
Heavy Industrial	M3(6)	Heavy Industrial Special Zone (permits extractive industrial uses in addition to all other uses)
	M6	Disposal Industrial
	OSP	Open Space – Private
Parks and Open Space	FU	Future Development



OP Designation	Zoning Code	Zone Name
	M2	Light Industrial
	M3(6)	Heavy Industrial Special Zone
	M4	Mining Industrial
	M6	Disposal Industrial
	OSC	Open Space – Conservation
	OSP	Open Space – Private
	RU	Rural
Rural	M4	Mining Industrial
	OSP	Open Space – Private
General Industrial	FU	Future Development
Living Area I	FU	Future Development
	OSC	Open Space – Conservation
	OSP	Open Space – Private
Mining/Mineral Reserve Overlay	M3(6)	Heavy Industrial Special Zone
	M4	Mining Industrial
	OSC	Open Space – Conservation
	OSP	Open Space – Private

The lands around Kelly Lake, and Junction Creek have flooding hazards associated with them as shown on OP Schedule 6 - Natural Hazard Areas.

The Natural Assets on the neighbouring lands as show on OP Schedule 2b – South End Natural Assets include the Robinson Lake Outflow Wetland and the JCDW.

2.3 PLANNING APPLICATIONS ON SURROUNDING LANDS

Greenstone is not aware of any planning applications that would affect the lands surrounding the Site.

3 THE PROPOSAL

Fisher Wavy is proposing to develop the currently vacant Wavy Quarry 2 lands as an aggregate pit and quarry. The Wavy Quarry 2 lands are immediately adjacent to the existing Wavy Quarry 1. When the aggregate source in Wavy Quarry 1 is depleted, the aggregate extracted from Wavy Quarry 2 will replace that source. At no time will the maximum annual tonnage of aggregate removed from both of the Wavy Quarries increase. To permit the development of Wavy Quarry 2 the following amendments to the *City of Greater Sudbury Official Plan* and the *City of Greater Sudbury's Zoning By-Law No. 2010-100Z* are proposed:



1. Official Plan Amendments (OPAs)

Amend Schedule 1b of the *City of Greater Sudbury Official Plan* to re-designate the portion of the Wavy Quarry 2 lands shown in Figure 4 as Heavy Industrial and revise the boundaries of the portion designated as Parks and Open Space, also shown in Figure 4.

2. Zoning Bylaw Amendments (ZBLAs)

Amend *By-Law No. 2015-30 Comprehensive Zoning By-law* by adding those parts of the Wavy Quarry 2 shown in Figure 8 as Zone M3(6) to match the zoning of the existing Wavy Quarry and revise the boundaries of the Open Space-Private Zone as shown in Figure 8. The M3(6) zoning permits extractive use in addition to the other permitted uses in the Heavy Industrial (M3) zone.

The revised boundaries of the Parks and Open Space OP designation and Open Space-Private Zoning are based on the environmental constraints (Figure 5) and proposed adjacent lands setbacks (Figure 6) as described in Section 2.1 above and shown in Figures 4 and 8.

If the proposed OPA and ZBLA applications are approved, Fisher Wavy will then apply to the OMNR for an ARA Licence for the Wavy Quarry 2. Before any development or site alteration can commence on the Wavy Quarry 2 lands the ARA Licence will have to be approved. The ARA licence application will include the following:

1. Site Plans showing existing features, operational features, and rehabilitation features prepared in accordance with the *Aggregate Resources of Ontario: Site Plan Standards* (OMNRF, 2020), and
2. Technical Reports and Information authored by qualified individuals, in compliance with the *Aggregate Resources of Ontario: Technical Reports and Information Standards*, including:
 - a. A Summary Statement,
 - b. A Maximum Predicted Water Table Report,
 - c. A Natural Environment Report, and
 - d. A Cultural Heritage Report (OMNRF, 2023a).

Fisher Wavy will consult with the Indigenous Communities and/or organizations regarding potential impacts of asserted or established Aboriginal and treaty rights as directed by OMNR (OMNRF, 2021). They will also notify the following agencies and provide them a copy of the application package:



1. The City of Greater Sudbury;
2. Conservation Sudbury regarding their regulated areas, wetlands, waterbodies, watercourses, valleys, and natural hazards;
3. The Ontario Ministry of the Environment, Conservation and Parks (OMECP) Sudbury District Office regarding habitat of endangered and threatened species,
4. The Ontario Ministry of Heritage, Sport, Tourism and Culture (OMHSTC) regarding the cultural heritage report,
5. Fisheries and Oceans Canada (DFO) regarding fish habitat, and
6. Utility owners, if there is a utility corridor on or within 120 m of the Wavy Quarry 2.

Assuming the ARA licence for the Wavy Quarry 2 is approved, the new licence for the Wavy Quarry 2 and the licence for the existing Wavy Quarry can be amalgamated. The maximum annual tonnage for the combination of the existing Wavy Quarry 1 and the Wavy Quarry 2 will remain at 500,000 tonnes.

4 POLICY REVIEW AND ANALYSIS

4.1 THE PLANNING ACT

The Planning Act provides the regulatory framework for land use planning in Ontario. All land use planning decisions must be consistent with the purposes of the Act. The purposes relevant to this Proposal, as stated in Section 1.1, are:

- (a) To promote sustainable economic development in a healthy natural environment within the policy and by the means provided under this Act,*
- (c) To integrate matters of provincial interest in provincial and municipal planning decisions,*
- (f) To recognize the decision-making authority and accountability of municipal councils in planning.*

The matters of provincial interest that “the council of a municipality, ... shall have regard to, ...” are set out in Part I, Section 2. of the Act. The matters relevant to this Proposal include:

- (a) the protection of ecological systems, including natural areas, features and functions;*



- (c) the conservation and management of natural resources and the mineral resource base;*
- (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;*
- (o) the protection of public health and safety;*
- (p) the appropriate location of growth and development;*

The proposed OPAs and ZBLAs meet the intent of the Planning Act (Section 1.1) by proposing to develop the Wavy Quarry 2 immediately adjacent to the existing Wavy Quarry while protecting Kelly Lake, Junction Creek, and the JCDW, thereby promoting "sustainable economic development in a healthy natural environment" and integrating "matters of provincial interest". Additionally, the Proposal speaks to the following matters of Provincial interest:

- 2.(a) The protection of the CGS's ecological systems by excluding the following sensitive natural areas and features: Kelly Lake, Junction Creek, the JCDW, together with the adjacent lands distances recommended in the *Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005* (NHRM) published by OMNR in 2010 from the area proposed to be re-designated as Heavy Industrial and rezoned as M3(6). The western boundary wetland has been excluded from the proposed excavation area (Figure 2);
- 2.(c) A substantial aggregate resource is located on the Wavy Quarry 2. Fisher Wavy is proposing to manage that resource wisely;
- 2.(k) Developing the Wavy Quarry 2 will maintain similar levels of employment after the aggregate resources in existing Wavy Quarry are exhausted;
- 2.(l) Developing the Wavy Quarry 2 after the aggregate resources in the existing Wavy Quarry are exhausted will maintain similar levels of employment, provincial revenue from fees and royalties, municipal road maintenance, etc.;
- 2.(o) Wavy Quarry 2 will be located south and west of the Wavy Quarry. It will be accessed via Ceasar Road, a private road located exclusively on Fisher Wavy property. Public health and safety will be maintained because the public is prohibited from entering the area. Additionally, the proposed Wavy Quarry 2 are within a primarily industrial area. The Proposal excludes the lands within the regulated flooding hazard along Junction Creek and Kelly Lake from development, and



- 2.(p) Fisher Wavy's Proposal to develop the Wavy Quarry 2 rather than developing a new quarry in another location promotes growth and development in appropriate locations. Additionally, it keeps industrial development in its current location, away from incompatible development. The closest residential dwellings are over 500 m from the Wavy Quarry 2 boundaries. The proposed extraction area boundaries are approximately 665 m from the Future Development area adjacent to Robinson Lake.

4.2 PROVINCIAL PLANNING STATEMENT, 2024

The Provincial Planning Statement, 2024 (PPS) issued under Section 3 of the Planning Act came into effect on October 20, 2024. It provides land use planning and development policy direction on matters of provincial interest. As well as, supporting the Province's "goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians." All decisions affecting planning matters must be consistent with the policies contained in the PPS. The PPS "recognizes and addresses the complex inter-relationships among environmental, economic, health and social factors in land use planning. The Provincial Planning Statement supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas."

Chapter 1: *Introduction* outlines the vision for land use planning in Ontario. The vision includes the following statements:

- *A prosperous and successful Ontario will also support a strong and competitive economy that is investment-ready and recognized for its influence, innovation and diversity. Ontario's economy will continue to mature into a centre of industry and commerce of global significance. Central to this success will be the people who live and work in this province.*
- *Ontario's land use planning framework, and the decisions that are made, shape how our communities grow and prosper.*
- *Growth and development will be prioritized within urban and rural settlements that will, in turn, support and protect the long-term viability of rural areas, local food production, and the agri-food network. In addition, resources, including natural areas, water, aggregates and agricultural lands will be protected. Potential risks to public health or safety or of property damage from natural hazards and human-made hazards, including the risks associated with the impacts of climate change will be mitigated.*
- *Above all, Ontario will continue to be a great place to live, work and visit where all Ontarians enjoy a high standard of living and an exceptional quality of life.*



The current Proposal supports the PPS vision in that it will maintain existing levels of employment and economic benefit to the City and the Province, while protecting public health and safety. It will use and manage aggregate resources wisely while protecting natural heritage features and the flooding hazard areas around Kelly Lake and Junction Creek.

Chapter 2 entitled *Building Homes, Sustaining Strong and Competitive Communities* contains policies regarding “planning for people and homes.” Section 2.1.3 states:

At the time of creating a new official plan and each official plan update, sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of at least 20 years, but not more than 30 years, informed by provincial guidance. Planning for infrastructure, public service facilities, strategic growth areas and employment areas may extend beyond this time horizon.

While Section 2.1.6 asks planning authorities to:

Support the achievement of complete communities by accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated childcare facilities, long term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs.

The Wavy Quarry 2 is in the rural part of the Sudbury Community part of the CGS (City of Greater Sudbury, 2024). Sections 2.5. and 2.6 refer to rural areas within municipalities. The following policies are relevant to the Proposal:

2.5.1 *Healthy integrated and viable rural areas should be supported by:*

- 4) *Using rural infrastructure and public service facilities efficiently.*
- 5) *Promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources.*
- 7) *Conserving biodiversity and considering the ecological benefits provided by nature.*

2.6.1 a) *On rural lands located in municipalities, permitted uses include the management or use of resources.*

2.6.4 *Planning authorities should support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.*



Section 2.8 contains policies related to employment. The relevant policy statements include:

2.8.1.1 Planning authorities shall promote economic development and competitiveness by:

- b) Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- d) Encouraging intensification of employment uses and compact, mixed-use development that incorporates compatible employment uses such as office, retail, industrial, manufacturing and warehousing, to support the achievement complete communities.*

2.8.1.3 On lands within 300 metres of employment areas, development shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long term economic viability of employment uses within existing or planned employment areas, in accordance with provincial guidelines.

The Wavy Quarry 2 lands that are the subject of this Proposal are employment areas in the rural part of the CGS. As per Section 2.6.1, this Proposal involves aggregate extraction which is the management and use of a non-renewable resource. Locating the proposed new aggregate extraction activities adjacent to existing aggregate extraction activities and their associated infrastructure will use rural infrastructure efficiently, provide on-going employment opportunities and continued economic benefit to the CGS and the Province of Ontario. Also, it will also minimize constraints on the development of the aggregate resources and development of sensitive receptors in the areas zoned for future development.

The relevant policies from Chapter 3: *Infrastructure and Facilities* are:

3.1.1 Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs.

Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they:

- a) Are financially viable over their life cycle, which may be demonstrated through asset management planning,*
- b) Leverage the capacity of development proponents, where appropriate, and*
- c) Are available to meet current and projected needs.*



3.1.2.a) Before consideration is given to developing new infrastructure and public service facilities the use of existing infrastructure and public service facilities should be optimized.

3.4.1 Planning for land uses in the vicinity of airports, rail facilities and marine facilities shall be undertaken so that:

a) Their long-term operation and economic role is protected; and

b) Airports, rail facilities and marine facilities, and sensitive land uses are appropriately designed, buffered and/or separated from each other, in accordance with policy 3.5.

3.5.1 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.

3.5.2 Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing, or other major facilities that are vulnerable to encroachment by ensuring that proposed adjacent sensitive land uses are only permitted if potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

The proposed land use designation changes, zoning changes, and aggregate extraction activities are in an area where sensitive uses are unlikely to be developed. There is a railway and open space zoning to the north of the Wavy Quarry 2. The zoning of the other areas within 500 m of the Wavy Quarry 2 includes industrial, open space, and future development. The nearest existing residential dwelling, located on Brierwood Crescent is approximately 850 m southeast of the proposed excavation area. The area zoned future development at the western end of Robinson Lake is approximately 655 m southeast of the proposed excavation area boundary.

The long-term operational and economic viability of the Wavy Quarry will be maintained if the Proposal to expand its boundaries is approved by the CGS and the OMNR. Risks to public health and safety will be minimized because access to the Wavy Quarry 2 is via Caesar Road, a private road with posted access restrictions.

Section 3.9 deals with public spaces, recreation, parks, trails, and open spaces. It states:



3.9.1. Healthy, active, and inclusive communities should be promoted by:

- a) Planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity;*
- b) Planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;*
- c) Providing opportunities for public access to shorelines; and*
- d) Recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.*

The area along Kelly Lake, Junction Creek, surrounding the JCDW, and the isolated wetland are proposed to be designated Parks and Open Space, and zoned Open Space – Private. The only permitted use in an Open Space – Private Zone is a park. Fisher Wavy does not have any plans to develop or alter the land in this area. These points support the intent of Section 3.9 by protecting and avoiding impacts on the shoreline of Kelly Lake, Junction Creek, and the JCDW. The western boundary wetland and a 30 m adjacent lands setback have been excluded from the proposed excavation area to protect it.

Chapter 4 pertains to the wise use and management of resources. Section 4.1 provides the natural heritage policies planning authorities must be consistent with. The following natural heritage policies apply to this Proposal:

- 4.1.1 Natural features and areas shall be protected for the long term.*
- 4.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.*
- 4.1.4 a) Development and site alteration shall not be permitted in significant wetlands in Ecoregions 5E, 6E and 7E.*
- 4.1.6 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.*



- 4.1.7 *Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.*
- 4.1.8 *Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*

Section 4.2 pertains to water. It states, in part:

- 4.2.1 *Planning authorities shall protect, improve, or restore the quality and quantity of water by:*
- b) minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;*
 - c) identifying water resource systems (defined as a system consisting of ground water features and areas, surface water features including shoreline areas, natural heritage features and areas, and hydrologic functions, which are necessary for the ecological and hydrological integrity of the watershed);*
 - d) maintaining linkages and functions of water resource systems;*
 - e) implementing necessary restrictions on development and site alteration to ...protect, improve or restore vulnerable surface and ground water, and their hydrologic functions,*
- 4.2.2 *Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches.*

The following natural heritage and water features and areas are located on the Wavy Quarry 2 lands (shown on Figure 5 and/or Figure 6):

- 1) The shoreline of Kelly Lake;
- 2) The northern bank of Junction Creek;



- 3) The on-Site wetlands delineated and characterized by Blue Heron Environmental in 2024 including the locally significant JCDW, the wetland located near the western boundary of the Wavy Quarry 2 lands, and an isolated wetland with an area of less than 0.5 ha located in the just north the JCDW (Blue Heron Environmental, 2024);
- 4) Fish habitat in Kelly Lake, Junction Creek, and some streams (Tulloch Environmental, 2021); and
- 5) The depressional areas, and streams identified using the CGS 2018 Digital Terrain Model (DTM) dataset and the Topography dataset derived from the DTM (City of Greater Sudbury, 2018a; City of Greater Sudbury, 2018b).

Technical guidance regarding the implementation of the natural heritage policies of the PPS are provided in the NHRM (OMNR, 2010). Because the natural heritage policies in the 2005 Provincial Policy Statement and the 2024 PPS are very similar and updated technical guidance documents have not been produced, the NHRM guidance remains valid.

The NHRM recommended adjacent lands distance from significant wetlands and fish habitat is 120 m. The recommended adjacent lands distances have been applied as setbacks, specifically:

- A 120 m setback from Kelly Lake and Junction Creek to protect fish habitat;
- A 120 m setback from the locally significant JCDW based on the boundaries delineated in 2024 (Figure 6). Although the JCDW has not been evaluated as per the *Ontario Wetland Evaluation System Northern Manual* (2022), it is presumed to be provincially significant, therefore a 120 m adjacent lands setback seems appropriate.

To obtain an ARA aggregate pit and quarry licence for the Wavy Quarry 2 Fisher Wavy will need to submit a Natural Environment Report (NER) with their application. A NER must identify the natural heritage features and areas listed in the PPS that are on and within 120 m of the Wavy Quarry 2 (OMNRF, 2023a). Additionally, the NER must contain an assessment of negative impacts of the proposed aggregate extraction activities on the identified natural heritage features and areas and their ecological functions and a plan to prevent, mitigate and/or remediate these impacts. Although the NER is not currently available, it must be completed prior to submitting the ARA application. The application including the NER will be circulated to the CGS prior to the approval of the licence for the Wavy Quarry 2.

Also, a Maximum Predicted Water Table (MPWT) Report to determine the estimated ground water table elevation relative to the proposed excavation depth at the site must accompany an ARA application (OMNRF, 2023a). To establish the MPWT ground water level monitoring must be conducted for a minimum of one year. A qualified professional uses the monitoring data to calculate the MPWT. Since



Fisher Wavy is proposing to expand the boundaries of their existing Class A, Above Water Quarry and Pit the maximum excavation depth must more than 1.5 m above the MPWT in the pit and 2 m above the MPWT in the quarry. These calculations and maximum excavation depths are designed to ensure ground water resources, and their uses are protected.

Policies pertaining to minerals and petroleum are contained in Section 4.4. The following policies apply to the current Proposal.

4.4.1 Minerals and petroleum resources shall be protected for long-term use.

4.4.2.2 Known mineral deposits, known petroleum resources and significant areas of mineral potential shall be identified and development and activities in these resources or on adjacent lands which would preclude or hinder the establishment of new operations or access to the resources ...

The Wavy Quarry 2, except for that portion directly south of the existing Wavy Quarry, are designated Mining/Mineral Reserve as shown on Schedule 1b - Land Use - Sudbury Community of the OP (2023). The extraction of aggregate will not preclude future access to any mineral deposits, nor hinder the establishment of new mining operations.

Mineral aggregate resources policies are discussed in Section 4.5. The following policies are relevant to this Proposal:

4.5.1 Mineral aggregate resources shall be protected for long-term use and, where provincial information is available, deposits of mineral aggregate resources shall be identified.

4.5.2.1 As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible.

Demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of mineral aggregate resources locally or elsewhere.

4.5.2.2 Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.

4.5.2.4 Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety, or environmental impact. Existing mineral aggregate operations shall be permitted to continue without the need for official plan



amendment, rezoning or development permit under the Planning Act. Where the Aggregate Resources Act applies, only processes under the Aggregate Resources Act shall address the depth of extraction of new or existing mineral aggregate operations. When a license for extraction or operation ceases to exist, policy 4.5.2.5 continues to apply.

4.5.2.5 In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources ...

The Wavy Quarry 2 is not within a known aggregate deposit, however, it is part of an extensive bedrock knob that can be quarried to create aggregates (OGS, OMNR, 2019; Ontario Institute of Pedology, 1983). Also, it is adjacent to an existing licenced aggregate quarry and pit. This Proposal involves expanding the boundaries of the existing pit and quarry which is protected by Section 2.5.2.4. Incompatible development and activities, specifically, the area zoned residential, and two areas zoned future development are a minimum of 655 m away from the parts of the Wavy Quarry 2 proposed to be redesignated as Heavy Industrial and zoned M3(6).

The long-term operational and economic viability of the Wavy Quarry will be maintained if the Proposal to expand its boundaries is approved by the CGS and the OMNR. Risks to public health and safety will be minimized because access to the Wavy Quarry 2 is via Ceasar Road, a private road with posted access restrictions.

Chapter 5: *Protecting Public Health and Safety* contains policies pertaining to natural and human-made hazards. Section 5.1 states:

Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

Natural hazards are discussed in Section 5.2. Policies applicable to this Proposal include:

5.2.2 b) Development shall generally be directed to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.

5.2.3 Development and site alteration shall not be permitted within:

3) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and



- 4) *a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.*

Policies regarding human-made hazards are outlined in Section 5.3. Section 5.3.1 states:

Development on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.

Both natural hazards and human-made hazards are located on or adjacent to the Wavy Quarry 2. The natural hazard is the flooding hazard area surrounding Kelly Lake and Junction Creek (Figure 6). The human-made hazard is the existing Wavy Quarry 1. The risks to public health and safety in association with these hazards will be minimised because the existing Wavy Quarry and the proposed Wavy Quarry 2 are located on Ceasar Road, a road owned by Fisher Wavy, to which public access is restricted.

4.3 GROWTH PLAN FOR NORTHERN ONTARIO

The *Growth Plan for Northern Ontario* (GPNO), is a 25-year plan providing guidance to ensure that provincial decisions and investment supports economic and population growth in Northern Ontario (Government of Ontario, 2011). Its key goals are:

- Diversifying traditional resource-based industries;
- Education and training for the workforce in Northern Ontario;
- Ensuring infrastructure investments and planning are integrated;
- Ensuring that Indigenous peoples' have the tools necessary to enhance and support their participation in the economy.

The GPNO is designed to be an economic development plan, an infrastructure investment plan, a labour market plan, as well as a land-use plan. It recognizes that the contributions of people, communities, infrastructure, and the environment are interconnected and necessary to support a successful and sustainable economy. It focuses on developing more strategic ways to leverage the economic, social and natural resources unique to Northern Ontario.

The vision of the GPNO is to ensure that by 2036:

Northern Ontario has a skilled, educated, healthy and prosperous population that is supported by world-class resources, leading edge technology and modern



infrastructure. Companies scan the world for opportunities to create jobs, attract investment and serve global markets.

Communities are connected to each other and the world, offering dynamic and welcoming environments that are attractive to newcomers. Municipalities, Aboriginal communities, governments and industry work together to achieve shared economic, environmental and community goals.

The guiding principles for delivering the GPNO's vision require the involvement of governments and diverse partners across Northern Ontario to focus on the following six key principles:

- 1. Creating a highly productive region, with a diverse, globally competitive economy that offers a range of career opportunities for all residents*
- 2. Developing a highly educated and skilled workforce to support an evolving knowledge-based economy and excellence in the trades*
- 3. Partnering with Aboriginal peoples to increase educational and employment opportunities*
- 4. Delivering a complete network of transportation, energy, communications, social and learning infrastructure to support strong, vibrant communities*
- 5. Demonstrating leadership in sustainable growth and environmental management*
- 6. Establishing innovative partnerships to maximize resources and ensure this Plan achieves its ambitious vision and is fiscally sustainable*

This Proposal supports the vision and guiding principles of the GPNO because it will maintain or increase levels of employment and support the construction and maintenance of transportation networks while protecting the environment.

Section 2 of the GPNO address the economy. It states that the policies in this section of the Plan "are intended to support growth and diversify the region's traditional resource-based industries." Policies relevant to this Proposal include:

- 2.2.1 The Province will collaborate with the federal government, as well as business and industry, municipalities, Aboriginal communities and organizations, the education and research sectors, and community organizations on economic development strategies for existing and emerging priority economic sectors ...*



2.2.2 *The Province will focus economic development strategies on the following existing and emerging priority economic sectors and the distinct competitive advantages that Northern Ontario can offer within these sectors:*

- g. minerals sector and mining supply and services*
- j. transportation, aviation and aerospace*

2.2.3 *Economic development strategies for existing and emerging priority economic sectors will examine opportunities to:*

- b. attract investment*
- c. grow and retain existing competitive businesses, including export development activities and diversification into value-added business opportunities*
- g. integrate sector considerations in labour market and infrastructure planning.*

2.2.4 *The Province will bring an integrated approach to these economic development strategies through the creation of regular, five-year economic action plans for Northern Ontario that address:*

- a. the emergence and development of the existing and emerging priority economic sectors*
- b. existing and emerging priority economic sectors that should be the focus of economic development efforts for the next five-year period.*

Expanding the Wavy Quarry to adjacent lands supports the above-mentioned economic policies because:

- It is an investment in the Northern Ontario economy;
- It will grow and maintain an existing business; and
- It will provide aggregate for the transportation sector, among others.

Section 4 of the GPNO provides policies related to communities. It states that:

Well-planned and thoughtfully designed communities will attract investment and support economic development, attract and retain skilled workers, strengthen cultural identity and heritage, and maintain a clean and healthy environment. The policies in this section of this Plan support community planning in Northern Ontario that balances the equally important priorities of human, economic and environmental health.



Additionally, it identifies the CGS as an “economic hub that benefit(s) all of Northern Ontario”. The CGS and the other Northern Ontario cities as the “optimal locations for infrastructure investments that help to expand on this potential, and that serve citizens across the North. These cities also have great potential to leverage investments and growth to develop vibrant, mixed-use core areas”.

4.3.2 Economic and service hubs should be designed to:

- a. accommodate a significant portion of future population and employment growth in Northern Ontario*
- b. function as service centres that deliver important region-wide public services to the broader surrounding regions*
- c. function as economic hubs linking Northern Ontario with other significant economic regions in Ontario and beyond.*

4.3.3 Economic and service hubs shall maintain updated official plans and develop other supporting documents which include strategies for:

- b. maintaining up to a 20-year supply of lands, or as otherwise provided by a provincial policy statement, for a variety of employment uses in appropriate locations to support economic development objectives*
- e. providing for a range of transportation options*

4.3.4 Economic and service hubs shall be focal areas for investment in regional transportation, energy, information and communications technology, and community infrastructure.

This Proposal is located within the CGS. It will provide economic benefits to the CGS and Northern Ontario as a whole. Additionally, this project will provide employment opportunities. It supports the construction and maintenance of transportation infrastructure.

Infrastructure is addressed in Section 5 of the GPNO. The preamble states:

Efficient, modern infrastructure is critical to Northern Ontario's future. Transportation, education, health, energy, water and wastewater infrastructure, information and communications technology and community infrastructure are the building blocks for economic growth ...

Transportation infrastructure, including roads, rail, air, and waterways, connects communities within the North to one another and to the rest of the world. Northerners



often need to travel great distances to access work, education and health services... An integrated, long-term transportation plan is needed to maintain and enhance the North's transportation infrastructure and to improve connectivity among the various modes of travel.

Some of the policies relevant to this Proposal are:

- 5.2.1 *Infrastructure planning, land-use planning, and infrastructure investments will be co-ordinated to implement this Plan. Infrastructure includes, but is not limited to: transportation systems, water and wastewater infrastructure, waste management systems, energy infrastructure, community infrastructure, and information and communications technology infrastructure.*
- 5.2.2 *In Northern Ontario, the Province will give priority to infrastructure investments that support the policies in this Plan.*
- 5.3.2 *The transportation system within Northern Ontario will be planned and managed with an emphasis on opportunities to:*
 - a. *optimize the capacity, efficiency and safety of the existing transportation system*
 - b. *link major markets, resource development areas, and economic and service hubs*
 - c. *meet the needs of the existing and emerging priority economic sectors and help implement regional economic plans*
 - d. *enhance connectivity among transportation modes including rail, road, marine and air*
 - e. *create or strengthen linkages between economic and service hubs and rural and remote communities*
 - f. *reduce emissions and other environmental impacts associated with transportation.*

The aggregate extracted from the Wavy Quarry 2 will support the construction and maintenance of transportation infrastructure. By having a continuing source of aggregate within the CGS, emissions will remain at current levels because the Wavy Quarry 2 is located adjacent to the existing Wavy Quarry meaning hauling distance will remain the same.

Policies related to the environment are found in Section 6. The preamble states, in part:

The land and its natural resources have sustained the people and driven the economy of Northern Ontario for generations. Even with recent diversification into non-



resource-based activities, the region's environment still anchors much of the economy...

This Plan supports the sustainable development of natural resources with a balanced approach to environmental, social and economic health.

Section 6.2 of the GPNO provides the following policy statement related to the sustainable development of natural resources:

6.2.2 Natural resource management and stewardship practices will occur within a framework that recognizes and responds to evolving environmental, economic and social values, and science-based knowledge and information, which allows for the introduction of new practices, technologies and management approaches, traditional knowledge, and locally and regionally responsive approaches.

The Wavy Quarry 2 proposal supports the environment policies within the GPNO by striving to extract aggregate in the most sustainable way possible while protecting Kelly Lake, Junction Creek, and the JCDW.

4.4 CITY OF GREATER SUDBURY OFFICIAL PLAN

Land use planning decisions in the CGS are guided by the *City of Greater Sudbury Official Plan*, as amended. It was adopted by City Council on June 14, 2006. The current office consolidation contains the amendment approved up to July 4, 2024. The OP outlines the City's vision, goals, and objectives, and provides the policies required to implement them. The OP has been thoroughly reviewed and the policies relevant to this Proposal are discussed below.

The vision is found in Section 1.4. It includes the following statements:

Greater Sudbury is open to business providing an economic environment that retains and grows a wide variety of industrial, institutional and commercial enterprises. The natural resources that form the basis for our economy, in particular the mineral and mineral aggregate resources are protected and see additional investment and activity. The community's Economic Development Strategic Plan has been realized making the city a magnet for new investment and human capital.

Greater Sudbury values and protects its natural heritage features and areas. Endangered and threatened species, fish habitat, significant wetlands like the Vermilion River Provincially Significant Wetland Complex, and significant wildlife habitat like that used by moose during the late winter are protected for their environmental, ecological and social benefits.



Greater Sudbury is a “City of Lakes” and water. Our city’s 330 lakes and watersheds provide a striking natural backdrop for our communities, safe sources of drinking water for residents, natural habitat for wildlife and a wealth of summer and winter, active and passive recreational activities. Surface water resources have been improved. Drinking water resources are safe and reliable.

The public health and safety of Greater Sudburians is protected from natural and human made hazards. New development is directed to areas outside of flood hazards, erosion hazards, unstable soils, mine hazards and former waste disposal sites protecting the value of investment. The Brownfield Strategy and Community Improvement Plan has stimulated the revitalization of urban and rural brownfields.

This Proposal supports the CGS’s Vision by investing in the expansion of a mineral aggregate operation while recognizing and protecting the associated natural features and areas including Kelly Lake, Junction Creek, and the JCDW. Work to identify and protect other natural heritage features including potential habitat for threatened and endangered species is on-going. Public health and safety will be protected by ensuring the flooding hazard areas on the Wavy Quarry 2 lands are protected from development.

OP Schedule 3 Settlement and Built Boundary shows the numerous communities, non-urban settlements, and extensive rural areas that exist in the CGS. The Wavy Quarry 2 lands are within the Community of Sudbury, just outside the Settlement Area.

Section 4.0 pertains to Employment Areas, the lands “where people presently work and lands where employment opportunities will be provided in the future.” Employment Areas include General and Heavy Industrial, Mining/Mineral Reserve, and Aggregate Reserve land use designations. The Industrial land use designations were “established to support economic activity in the industrial sector ... the Heavy Industrial designation encompasses core infrastructure needs such as water and wastewater treatment plants and landfill sites.” The Section 4.1 Employment Area objectives that apply to this Proposal are:

- 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,*
- h. ensure that new developments do not preclude future extraction of known or potential mineral or aggregate deposits, and*



- i. ensure that mining and aggregate operations are located, designed and developed so as to minimize impacts upon the social and natural environment.*

The purpose of the Proposal is to redesignate and rezone the portions of the Wavy Quarry 2 shown in Figures 4 and 8 as Heavy Industrial and M3(6), respectively, and to permit the development of the Wavy Quarry 2 adjacent to the existing Wavy Quarry thereby intensifying an industrial area. The Wavy Quarry 2 lands are in a primarily industrial area, reducing the likelihood that future extraction in Wavy Quarry 2 will be precluded by the development of sensitive uses adjacent to it. Additionally, the Proposal minimizes the impacts on the natural environment by designating the natural heritage features, areas and their adjacent lands as Parks and Open Space (Figures 4, 5 and 6). Natural heritage features and areas include Kelly Lake, Junction Creek, the JCDW, the western boundary wetland and flooding hazard areas. Environmental studies regarding other potential natural heritage features are on-going and will be identified and protected as a part of the required ARA licence application.

Policies regarding Industrial Area Designations are found in Section 4.5. The policies relevant to this Proposal include:

- 4.5.2.1 Within areas designated Heavy Industrial, all industrial uses are permitted, including ..., quarrying ...*

Section 4.6 outlines the intents and policies for the Mineral and Aggregate Extraction Designations. These policies apply because most of the Wavy Quarry 2 lands are currently designated as a Mining/Mineral Reserve area and the proposed use is mineral aggregate extraction (Figure 3). The relevant policies include:

- 4.6.1.2 Lands designated Mining/Mineral Reserve may be used for a variety of uses related to the extraction of minerals. Permitted uses may include ... mineral aggregate uses, ..., pits and quarries and related uses, and accessory uses and structures associated with mining.*
- 4.6.2.2 Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact ...*
- 4.6.2.4 In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:*
 - a. resource use would not be feasible; or*



- b. the proposed land use or development serves a greater long-term public interest; and*
- c. issues of public health, public safety and environmental impact are addressed.*

4.6.2.6 In considering an amendment to the Zoning By-law to permit new mineral aggregate operations or expansions of existing operations, the following information will be reviewed:

- a. the location, nature, extent and economic potential of the mineral deposit;*
- b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have on:*
 - 1. natural heritage features, including significant geologic formations on the site and in the area;*
 - 2. agricultural resources and activities;*
 - 3. the character of the area;*
 - 4. the groundwater recharge functions on the site and in the immediate area;*
 - 5. cultural heritage resources in the area through an archaeological assessment and/or a cultural heritage impact assessment;*
 - 6. surface water features in the area; and,*
 - 7. nearby wells used for drinking water purposes.*
- c. the capability of the existing road network to service the proposed location;*
- d. the effect of the noise, odour, dust and vibration generated by the use and the use of haul routes on adjacent land uses; and,*
- e. how the impacts of the proposed pit or quarry will be mitigated in order to lessen the impacts.*

4.6.2.9 On lands not designated as Aggregate Reserve but where deposits of aggregate exist, pits and quarries may be permitted by rezoning subject to the criteria under Policy 4 in this Section.



As per Section 4.6.1.2, the extraction of mineral aggregate is a permitted use in a Mining/Mineral Reserve area. Although the Wavy Quarry 2 lands are not in an Aggregate Reserve area, they contain a significant quantity of rock that can be quarried. As per Section 4.6.2.9, pits and quarries may be permitted outside of an Aggregate Reserve subject to a rezoning based on the criteria outlined in Sections 4.6.2.4 and 4.6.2.6

The southern most portion of the Wavy Quarry 2 lands are currently designated Parks and Open Space (Figure 3). The current proposal will reduce the amount of land designated as Parks and Open Space, however, the area proposed to remain Parks and Open Space (Figure 4) is based on protecting identified natural heritage features and areas together with their adjacent lands (Figures 5 and 6). The purposes and policies relating to the Parks and Open Space designation are found in Section 7.0. It begins with the following statement:

As a City known for its diversity of urban, rural and wilderness landscapes, Parks and Open Space areas take on special significance within the hierarchy of land uses due to their recreational value, environmental functions, and natural beauty.

Additionally, it states:

Natural areas form an extensive part of the open space system, including Conservation Areas where the predominant intention is to leave the land in its natural state. Consistent with Healthy Community principles, the health, diversity and connectivity of the City's natural features and functions will be protected and enhanced.

Some of the objectives of the Parks and Open Space designation, found in Section 7.1 are:

- b. Recognize the importance of these areas to the ecosystem and assist in protecting areas comprised of unique or environmentally sensitive natural heritage features; and
- c. Facilitate the preservation of natural habitats through the formation of parklands, greenbelts and Conservation Areas.

Other relevant Parks and Open Space policies include Section 7.2 which describes the Parks and Open Space Classification system. It states, in part, that parks and open spaces are classified by the needs, uses and functions of the parkland in question.

The City encourages the protection of privately owned Parks and Open Space to potentially fill missing linkages in the open space network or provide buffers between incompatible land uses in Section 7.3.2. Private lands designated Parks and Open Space include “lands with natural hazards such as flood plains that are not suitable for development, lands that are difficult and uneconomical to develop and service,” and “lands that are intended to be left undeveloped to serve as buffers between mining or heavy industrial uses and built-up areas”. “The permitted uses on privately owned Parks and Open Space may include



conservation, passive and active recreational uses, agriculture, forestry or other activities where buildings are incidental to those uses.”

The parts of the Wavy Quarry 2 lands that are currently and proposed to be designated Parks and Open Space are located adjacent to Kelly Lake, Junction Creek, and the JCDW and the associated flooding hazard areas (Figures 3, 4, 5 and 6). Schedule 2b identifies the Junction Creek Delta Area as a natural asset area. The Proposal supports the Parks and Open Space objectives and policies because the areas surrounding Kelly Lake and Junction Creek, and their flooding hazard areas are proposed to be designated as Parks and Open Space.

Part III of the OP is titled *Protecting the Natural Environment*. It contains policies promoting the sustainability of the natural environment. Section 8.0 addresses water resources and Section 9.0 pertains to the natural environment.

The Wavy Quarry 2 lands are adjacent to sensitive surface water features, as a result, the following water resources policies are relevant to this Proposal:

- 8.1.1 *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.*
- 8.1.2 *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.*
- 8.1.3. *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.*
- 8.4.1.3. *A minimum 30-metre setback from the normal high water mark of a lake or river, or a minimum 12-metre setback from the normal high water mark of a permanently flowing stream, will be required for all new development, excluding shoreline structures.*
- 8.4.1.4. *For lakes, rivers and streams where flood plain mapping has been developed, the policies outlined in Section 10.2 will take precedence if they result in more stringent setbacks from the surface water features than those listed above.*



8.4.5.2. It is the intent of this Plan to maximize the amount of natural vegetation within the shoreline buffer area. As such, the City may implement controls on the removal of vegetation by establishing limits on clearing, changes to the grade, and the placement of impervious surfaces along shorelines and stream banks. These regulations will be based on achieving the following targets:

- a. maintain a shoreline buffer area in a natural state to a depth of 20.0 metres from the normal high-water mark of a lake or river; and,*
- b. maintain a shoreline buffer area in a natural state to a depth of 12.0 metres from the normal high-water mark of a permanently flowing stream.*

The Wavy Quarry 2 lands are located adjacent to Kelly Lake and Junction Creek within the Junction Creek Subwatershed. To protect these sensitive surface water features, their hydrologic functions and linkages, a setback of the greater of 120 m or the regulated flooding hazard (248.4 masl (CGVD28) +15 m) have been excluded from the area to be redesignated and rezoned to Heavy Industrial. Additionally, the ARA Licence Application will require Fisher Wavy to show all existing and proposed surface water drainage, drainage facilities, water diversion and point of discharge on and within 120 m of the area proposed to be licenced on the Existing Features and/or the Operations Site Plan (OMNRF, 2020). The ephemeral creeks, wetlands less than 0.5 ha, and depressional areas located north of Kelly Lake, Junction Creek and the Junction Creek Wetland will not be conserved. The overland water flow will be directed around the proposed excavation area.

The City of Sudbury has asked that the Existing Features Site Plan, Operations Site Plan, and Rehabilitation Site Plan prepared in accordance with the 2020 *Aggregate Resources of Ontario: Site Plan Requirements* accompany the OPA and ZLBA applications. The Site Plans included with these applications are in draft only. The setbacks along Kelly Lake, Junction Creek and the JCDW showing on the Draft Site Plans are in correct, please see the Figures 2 and 6 for the correct setbacks. The final Site Plans will accompany the ARA Licence Application. The final Site Plans will include the updated setbacks, any other changes, and conditions as recommended by the supporting technical reports.

The existing Wavy Quarry is licenced as and Above Water, Class A Pit and Quarry with a maximum annual tonnage of 500,000 tonnes. The Wavy Quarry 2 also proposed to be an Above Water, Class A Pit and Quarry. Excavation in an above water pit and quarry must remain a minimum of 1.5 m and 2.0 m above the maximum level of the predicted ground water table, respectively (OMNRF, 2020). To ensure the pit and quarry remain above the MPWT, it must be shown on the Existing Features Site Plan and the final excavation elevation(s) must be shown on the Operations Site Plan that will accompany the ARA application. The MPWT, formerly referred to as the established groundwater table, will be established for the Wavy Quarry 2 as required by the ARA guidelines. The MPWT Report must be prepared to support the ARA application. As a result, groundwater will be protected.



Stormwater management policies are also included in Section 8.0. The relevant policies include:

8.5.1 Stormwater management in the City is needed to:

- a. reduce, to acceptable levels, the potential risk of health hazards, loss of life and property damage from flooding;*
- b. reduce, to acceptable levels, the incidence of inconvenience caused by surface ponding and flooding;*
- c. ensure that the quality of stormwater reaching outlet-receiving lakes and rivers meets provincially accepted criteria;*
- d. ensure that any development or redevelopment utilizes best management practices such as low impact development, minimizes the impact of change to the groundwater regime, increased pollution, increased erosion or increased sediment transport, especially during construction;*
- e. maintain the natural stream channel geometry, insofar as it is feasible while achieving the above objectives.*

8.5.2.4. Existing watercourses will be left in their natural state whenever possible. The banks must be able to convey either the Regional or 100-year storm peak flow.

Details regarding existing and proposed surface water drainage and drainage facilities, water diversions and points of discharge to surface water on or within 120 m of the Wavy Quarry 2 must be indicated on the Existing Features Site Plan and/or the Operations Site Plan as part of ARA licence application.

Section 9.0 addresses the natural environment. The preamble to Section 9.0, begins with:

A healthy natural environment is critical to Greater Sudbury's quality of life. ... As such, significant natural features and areas and their functions and relationships must not be compromised in the growth of our City and will be protected for long-term use. The built environment is to be integrated with natural features and areas and their functions in a manner respectful of the natural system's limits.

For the purposes of this Plan, the City's significant natural features and areas consist of:

- Habitat of Endangered and Threatened Species;*
- Wetlands;*



- *Fish habitat;*
- *Significant Wildlife Habitat;*
- *Significant Areas of Natural and Scientific Interest (ANSI); and,*
- *Sites of Geological Interest.*

The natural environment objectives outlined in Section 9.1 that are relevant to this Proposal include:

- a. ensure the continued existence of significant natural features and areas and their ecological functions in our City;*
- b. protect and enhance the ecological integrity and connectivity of natural features and areas;*
- c. achieve a balanced relationship between development and the natural environment by preserving natural features and areas;*
- d. minimize the loss or fragmentation of natural features and areas, wherever possible; and*
- e. Maintain, restore or, wherever possible, improve linkages between and among natural features and areas, surface water features and ground water features.*

Section 9.2.1. outlines the general policy framework with respect to significant natural features and areas. The two policies that apply to this Proposal are:

- 1. Notwithstanding any land use permissions granted by this Plan, in certain circumstances an Environmental Impact Study (EIS) will be required to demonstrate that a proposed development will not negatively impact significant natural heritage features and areas, or ecological functions present on or adjacent to a proposed development site. Submission of the EIS will be the responsibility of the applicant. The EIS will be prepared in accordance with Section 9.5. The type of EIS required for a particular development proposal will be determined by the City prior to or at the time of application, and*
- 2. Due to the large geographic area involved and the limited resources of the City, not all of the significant natural heritage features and areas are identified on the Schedules to this Plan. While known significant features and areas are identified on Schedule 5, Natural Heritage, the significance of other features can only be determined after evaluation. In areas where, based on new evidence or experience,*



significant natural features and areas are thought to exist in or adjacent to a proposed development, proponents may be required to prepare an ecological site assessment to determine if the features and areas are, in fact, present. Should the findings of the ecological site assessment reveal the occurrence of significant natural heritage features and areas, the proponent may be required to prepare an EIS in accordance with Section 9.5.

OP Section 9.2.3 addresses wetlands. The preamble states “wetlands require protection from incompatible development to protect the important water-related functions they provide”. Wetland policies include determining wetland sensitivity and developing appropriate land use policies through watershed or subwatershed plans. It also prohibits development and site alteration within Provincially Significant Wetlands. Subsection 9.2.3.1 indicates that “watershed and subwatershed plans will determine the sensitivity of wetlands and establish appropriate land use policies.”

The Wavy Quarry 2 lands are located with the South End of the Community of Sudbury Policy Area (South End). Land use policies for the South End are found in Section 20.4 of the OP. The South End natural assets are illustrated in OP Schedule 2a. The JCDW is identified as a natural asset and a locally significant wetland.

Subsection 20.4.11 states “Locally significant wetlands have been conceptually identified on Schedule 2b, South End Natural Assets. The policies contained in Section 9.2.3 of this Plan pertaining to Wetlands shall apply.” Subsection 20.4.12 outlines the policies related to South End Natural Assets:

- 1. It shall be the policy of Council to protect the natural assets in the South End that are shown on Schedule 2b, South End Natural Assets. These lands should be retained in public ownership, or be acquired by public bodies when opportunities arise ...*
- 2. Natural creeks and streams located within areas to be developed shall be preserved in their natural state wherever feasible. Any special treatment required shall be designed to blend with the natural appearance of the watercourse. Consideration should always be given to utilizing watercourse corridors as natural greenspace in the urban design of an area.*

Additional significant natural features and areas on the Wavy Quarry 2 lands and adjacent lands within 500 m of the Wavy Quarry 2 including Kelly Lake, and Junction Creek that have been identified on OP Schedule 5 Natural Features.

Other natural heritage features and areas within and adjacent to the Wavy Quarry 2 lands were identified by Conservation Sudbury. They have mapped presumed regulated areas surrounding wetlands, lakes, rivers, streams, and areas affected by flooding hazards, erosion hazards, and dynamic beach hazards (Conservation Sudbury, 2023). They identified the western boundary wetland and other areas in the western part of the Wavy Quarry 2 lands that could be small wetlands. The wetland characterisation and



delineation completed in 2024 indicated that only the western boundary wetland and one small, isolated wetland located just north of the JCDW (Blue Heron Environmental, 2024). Blue Heron Environmental field checked all of the other small wetlands by mapped by Conservation Sudbury and determined that they are depressional areas that did not exhibit wetland characteristics.

Finally, Greenstone identified and mapped permanent and ephemeral streams, and additional depressional areas using the DTM datasets.

The natural features and areas discussed above are shown on Figure 5. The Conservation Sudbury regulated areas around waterbodies, streams, wetlands, and depressional areas are also shown in Figure 5.

To conform with the OP Section 9.0 policies, adjacent lands setbacks have been applied to the following natural heritage features as shown in Figure 6:

- A 120 m setback from the outer boundaries of the JCDW as delineated by Blue Heron Environmental in 2024. It is a locally significant, unevaluated wetland (Wood, 2019). It is presumed that it would be provincially significant if it were to be evaluated using the *Ontario Wetland Evaluation System Northern Manual* (OWES) (2022). As a result, the adjacent lands setback being applied to the JCDW is 120 m consistent with the adjacent land distance recommended in the Natural Heritage Technical Manual (OMNR, 2010).
- A 120 m setback from the shoreline of Kelly Lake and the northern bank of Junction Creek to protect fish habitat consistent with the fish habitat adjacent lands distance recommended in the Natural Heritage Reference Manual.

To protect fish habitat and significant wetlands, Kelly Lake, Junction Creek, the JCDW, and their adjacent land setbacks are proposed to be designated and zoned Parks and Open Space and Open Space-Private, respectively.

The western boundary wetland is approximately 0.5 ha while the on-site isolated wetland is approximately 0.05 ha. In general, wetlands under 2 ha are not evaluated using OWES, therefore these wetlands are not considered to be significant. As a result, the proposed Heavy Industrial designation and M3(6) zoning include these areas. However, the western boundary wetland and a 30 m setback were applied when the excavation area was mapped (Figure 2). A 30 m setback is consistent with Conservation Sudbury's regulated area as defined by O. Reg. 41/24 under the Conservation Authorities Act. Conservation Sudbury does not regulate wetlands under 0.5 ha, except in specific circumstances. As a result, a setback has not been applied to the on-site isolated wetland.



Not all of the natural heritage features and areas that exist on the Wavy Quarry 2 lands have been identified to date. However, a Natural Environment Report (NER) that identifies all natural heritage features on and with in 120 m of a proposed aggregate pit or quarry must accompany any ARA licence application.

To provide guidance and focus for the NER for the Wavy Quarry 2, Fisher Wavy commissioned an environmental opportunities and constraints study (Tulloch Environmental, 2021). The following candidate or potential natural heritage features were identified:

Natural Heritage Feature Type	Species	Feature Description
Habitat of Threatened and Endangered Species	Endangered Myotis Bat Species	Foraging, daytime roosting habitat
	Blanding's Turtle Habitat	Categories 1 to 3 habitat
Candidate Significant Wildlife Habitat	Waterfowl	Staging and nesting habitat
	Amphibians	Woodland and wetland breeding habitat
	Turtles	Wintering and Nesting Habitat
Habitat of Species of Special Concern	Common Nighthawk	Breeding habitat confirmed in 2020
	Canada Warbler, Olive-sided Flycatcher, and Eastern Wood-Pewee	Nesting habitat
	Snapping Turtle	Breeding habitat
Candidate Provincially Significant Wetland		Junction Creek Delta Wetland
Candidate Fish Habitat	Direct fish habitat	Kelly Lake, Junction Creek, and flooded wetlands.
	Indirect fish habitat	Any permanent or ephemeral streams that flow into fish habitat.

Studies to confirm the presence or absence of the potential or candidate natural heritage features and areas listed above are in preparation or have been completed and the NER is in preparation. In addition to identifying the natural heritage features and areas located on and within 120 m of the Wavy Quarry 2, the NER will also contain a discussion of the potential negative impacts of the proposed aggregate extraction activities on those features, areas, and their ecological functions. Finally, it will provide recommended preventative, mitigative and/or remedial measures required to protect the natural features, areas and their ecological functions (OMNRF, 2023a). The recommendations in the NER will become conditions of the Site Plan. They will be added to the Operations Site Plan conditions. The NER requirements are similar to the Full-Site EIS requirements outlined in Section 9.5.1 of the OP. The preconsultation agreement indicates that an EIS is not required if the presence of Species At Risk and/or their habitat and the limits of the JCDW are addressed through the aggregate approvals process.



Section 10.0 provides policies about protecting public health and safety. Flood-prone areas and abandoned pits and quarries are identified as natural and human-made hazards that can impact human health and safety, and damage property. Some of the hazard related objectives listed in Section 10.1 are:

- a. identify existing and potential natural and human made hazards that are constraints to development and threats to public health, safety or property;*
- b. protect residents, businesses and property from natural and human-made hazards;*
- c. ensure that development on or near natural and human-made hazards recognizes and mitigates the potential adverse effects of those hazards; and*
- e. build resiliency to climate change.*

Section 10.2 addresses flooding and erosion hazards. It defines flood hazard areas as “lands adjacent to the shoreline of lakes, rivers or streams that are not normally covered by water become flooded due to rainfall, wind and other factors.” Additionally, it states that the risk associated with flooding and erosion hazards will be altered because of climate change. Conservation Sudbury is the agency responsible for regulating development and site alteration in flooding and erosion hazard areas within most of the CGS. The policies relevant to this Proposal include:

- 1. Because flooding and erosion hazards may cause loss of life and may result in damage to property, development on lands adjacent to the shoreline of a watercourse or waterbody affected by flooding or erosion hazards are generally restricted and may be approved by Conservation Sudbury or MNRF. In addition, development on adjacent lands is also generally restricted and may be approved by Conservation Sudbury or MNRF.*
- 5. Any alterations to the terrain within the Flood Plain which may have an effect on drainage and the erection of any structures must first receive the approval of Conservation Sudbury or MNRF.*

Schedule 6 to the OP shows hazard lands as determined by Conservation Sudbury.

This proposal is consistent with the hazard lands policies because the area proposed for redesignation and rezoning excludes the areas mapped as flooding hazard areas adjacent to Junction Creek and Kelly Lake. The current flooding hazard limit along Junction Creek and Kelly Lake is 248.4 masl (CGVD28) + 15 m. The Wavy Quarry 2 lands contain a bed rock knob in the northern part and wetland along most of the southern part. The land rises steeply starting at the northern boundary of the JCDW.

Part IV of the OP is entitled *Investing in Infrastructure*. The preamble indicates that addressing infrastructure needs in the CGS is particularly relevant due to the large geographic area and relatively



small population base. Section 11.0 addresses transportation. Some of the objectives as discussed in Section 11.1 are:

It is the objective of the transportation network policies to:

- a. ensure that the existing transportation network is maintained in a state of good repair;*
- c. support the expansion of the transportation network as demand justifies and ensure that improvements occur in a safe, efficient, environmentally sound and aesthetically pleasing manner.*

This Proposal supports the objectives of Section 11.0 because, if approved, it will provide an on-going supply of aggregate for projects including road construction and repair for the long-term. A significant proportion of the roads the City is responsible for are located in the old City of Sudbury. This project is located in within the old City of Sudbury. Sourcing aggregate locally is cost-effective and minimizes the production of greenhouse gas emissions related to transportation.

Section 11.6 discusses railways within the City. There is a railway line just north of the Wavy Quarry 2 lands and there is a spur line into the existing Wavy Quarry. Two of the rail policies state:

- 2. Conflicts between rail facilities and sensitive land uses will be prevented or mitigated, wherever possible.*
- 3. Any development adjacent to existing railway corridors or rail yards will ensure that appropriate safety measures such as setbacks, berms, crash walls and security fencing are provided to the satisfaction of the City and in consultation with the appropriate rail company.*

The proposed Wavy Quarry 2 is an industrial use not a sensitive land use. Fisher Wavy is aware of the appropriate safety measures and will continue to implement them when the Wavy Quarry 2 is developed.

Section 19.6 designates the majority of the City as Site Plan Control Areas. Fisher Wavy is aware of the requirement for a Site Plan Agreement. If this Proposal and the subsequent ARA licence are approved, they will work with the City to develop the Wavy Quarry 2 lands in accordance with the requirements agreed to in the Site Plan agreement.

Section 20.4 details the policies that apply to the lands in the South End. Land Use goals for the South End include facilitating “the orderly development of the South End” and “the designation of commercial and industrial development to expand the range of services and employment available in the South End.”



4.5 THE CITY OF GREATER SUDBURY ZONING BY-LAW

In Ontario, zoning by-laws are regulated under Section 34 of the Planning Act. Municipalities may pass zoning by-laws to:

- *Prohibit the use of land or buildings for any use that is not specifically permitted by the By-law;*
- *Prohibit the erection or siting of buildings and structures on a lot except in locations permitted by the By-law;*
- *Regulate the type of construction and the height, bulk, location, size, floor area, spacing, and use of buildings or structures;*
- *Regulate the minimum frontage and depth of a parcel of land;*
- *Regulate the proportion of a lot that any building or structure may occupy;*
- *Regulate the minimum elevation of doors, windows or other openings in buildings or structures;*
- *Require parking and loading facilities be provided and maintained for a purpose permitted by the By-law; and,*
- *Prohibit the use of lands and the erection of buildings or structures on land that is:*
 - *Subject to flooding;*
 - *The site of steep slopes;*
 - *Rocky, low-lying, marshy or unstable;*
 - *Contaminated;*
 - *A sensitive groundwater recharge area or head water area;*
 - *The location of a sensitive aquifer;*
 - *A significant wildlife habitat area, wetland, woodland, ravine, valley or area of natural and scientific interest;*
 - *A significant corridor or shoreline of a lake, river or stream; or,*



- *The site of a significant archaeological resource (City of Greater Sudbury, 2025).*

The *City of Greater Sudbury Zoning By-Law 2010 – Z100 (ZBL)* was enacted and came into force on September 29, 2010. It was last updated on January 6, 2025. The preamble to the ZBL indicates that its purpose “is to implement the policies of the *City of Greater Sudbury Official Plan*.” Section 1.3 states:

No person shall change the use of any building, structure or land or erect or use any building or structure or occupy any land or building except in accordance with the provisions of this By-law.

Any use not specifically permitted by this By-law shall not be permitted in the City of Greater Sudbury.

Part 2 of the ZBL is entitled *Establishment of Zones*. Section 2.1 lists all of the land use zones found in the CGS and their symbols. Section 2.5 defines Exception Zones as follows:

Where a Zone symbol on the attached schedule(s) is followed by a number enclosed within a set of brackets, the symbol refers to a site-specific exception that applies to the lands noted. Site-specific exceptions are listed in Part 11 of this By-law. Unless specifically amended by the Zone Exception, all other provisions of the Parent Zone apply.

The current and proposed zoning of the Wavy Quarry 2 lands includes (Figures 7 and 8):

Current Zoning	Symbol	Proposed Zoning	Symbol
Mining Industrial	M4	Special Heavy Industrial Zone	M3(6)
Open Space – Private	OSP	Open Space – Private	OSP
Flood Plain Overlay	FP	Flood Plain Overlay	FP

Approximately 35% (34.8 ha) of the Wavy Quarry 2 are currently zoned M4, while the remaining 65% (63.9 ha) are zoned OSP (Figure 7). The OSP zone is found adjacent to the Kelly Lake and Junction Creek. Approximately 18% (22.6 ha) of the Wavy Quarry 2 lands are also within the Flood Plain Overlay Zone (Figure 7).

The proposed zoning for the Wavy Quarry 2 lands would result in approximately 57% of the Wavy Quarry 2 being zoned M3(6) (56.0 ha) with the remaining 43% (44.3 ha) retaining the existing OSP zoning (Figures 7 and 8). The area mapped as floodplain, the JCDW, and a 120 m setback from Kelly Lake, Junction Creek and the JCDW are contained within the proposed OSP zone.

The current OSP zoning will remain for the lands within the Conservation Sudbury’s regulated flood hazard area, the unevaluated JCDW, and the lands within 120 m of Kelly Lake and the JCDW. The natural heritage



features and their adjacent lands setbacks, and the flooding hazard areas that will not be developed are shown in Figures 5, 6, and 8. The intended use of these lands will be conservation use as permitted in Section 10.2 of the ZBL. Conservation Use is defined in Part 3 as:

An area of land that is generally left in its natural state and which is used to preserve, protect and/or improve components of the natural heritage system of other lands for the benefit of man and the natural environmental and which may include, as an accessory use, hiking trails and/or cross-country ski trails, buildings and structures such as nature interpretation centres and public information centres.

Section 4.9 contains policies and requirements for development within Natural Hazard areas. The following subsections are applicable to this application:

4.9.2 Flood Plain Overlay

Notwithstanding any other provision of this By-law to the contrary, within the areas shown Schedule "A" of this By-law as Flood Plain Overlay (FP), the following shall apply:

- a. legally existing buildings and structures shall be permitted;*
- b. no new buildings or structures shall be erected or used except for flood or erosion control or for providing access and only in accordance with any regulations of, and subject to the approval of the Nickel District Conservation Authority and, where applicable, pursuant to The Lakes and Rivers Improvement Act, R.S.O. 1990, Chapter L.3, The Fisheries Act, R.S.C. 1985, Chapter F-14, or The Public Lands Act, R.S.O. 1990, Chapter P.43, of the Ontario Ministry of Natural Resources.*

4.9.3 Natural Hazards (By-law 2021-59Z)

Notwithstanding any other provision of this By-law to the contrary, for any lands under the jurisdiction of the Nickel District Conservation Authority pursuant to the Conservation Authorities Act, R.S.O 1990 c. C.27, as amended, the following shall apply:

- i. buildings or structures shall be erected or used in accordance with any regulations of, and subject to the approval of, the Nickel District Conservation Authority. Approval of the authority must be obtained prior to the addition or removal of material (e.g., fill, soil, etc.), whether originating on the site or elsewhere;*



- ii. *no new buildings or structures shall be erected or used on lands subject to natural hazards except for flood or erosion control or for providing access and only in accordance with any regulations of, and subject to the approval of, the Nickel District Conservation Authority.*

Section 4.41.3 requires Shoreline Buffer Areas “to remain in a natural vegetated state to a depth of 20.0 m from the high-water mark of a lake or river, and 12.0 m from the high-water mark of a permanently flowing stream.”

This Proposal is consistent with the Natural Hazards, Flood Plain Overlay, and Shoreline Buffer Areas provisions as the areas zoned Flood Plain Overlay, Natural Hazard Areas, and Shoreline Buffer Areas are contained within the 120 m setback applied to Kelly Lake and the JCDW, and the proposed OSP zoning.

Section 8 of the ZBL contains the provisions for all industrial zones. The current zoning of the northwestern part of the Wavy Quarry 2 lands is Mining Industrial. The proposed zoning is Exception Zone M3(6) to match the zoning of the adjacent lands owned and operated by Fisher Wavy. The site-specific provisions for Exception Zones are in Part 11 of the ZBL. Exception Zone M3(6) reads as follows:

M3(6) (ALEXANDER CENTRE INDUSTRIES),

McKim Township Maps 2; Lot 9, Con 1; Lot 9, Con 2

Notwithstanding any other provision hereof to the contrary, within any area designated M3(6) on the Zone Maps, all provisions of this By-law applicable to M3 Zones shall apply subject to the following modifications:

- (i) In addition to the uses permitted in an M3 Zone, an extractive use shall also be a permitted use.*

Extractive use is defined as “a mine, a pit, a quarry or a wayside pit or quarry” in Part 3 of the ZBL.

Section 4.29 Peat Extraction, Pits and Quarries prohibits the establishment of pits and quarries throughout the zoned area except where licenced under the ARA and where specifically permitted in the ZBL. It also prohibits the use of land, and erection of buildings and structures “for the purpose of processing, washing, screening, sorting or crushing rock, sand gravel and/or peat except as required for the construction of a permitted building or structure or services related thereto, and as expressly provided for in this By-law.”

Section 4.37.2 Railroads states that all buildings and structures shall be setback 15.0 metres in any Commercial (C) or Industrial (M) Zone from any lot line abutting a railroad right-of-way.

The portion of the Wavy Quarry 2 proposed to be rezoned to M3(6) will be used for extractive purposes, specifically as a pit and quarry, and potentially accessory uses. Fisher Wavy will comply with all applicable



general provisions and zone-specific provisions standards. The development of the Wavy Quarry 2 can not commence until an Aggregate Resources Licence has been approved by the OMNR.

4.6 CONSERVATION AUTHORITIES ACT AND REGULATIONS

The Nickel District Conservation Authority, now operating as Conservation Sudbury, was established in June 1973 under the Conservation Authorities Act R.S.O. 1990, C. C.27 (CA Act) (Conservation Sudbury, 2023). It “is responsible for hazard land management such as floodplains and wetlands, flood and erosion control, stewardship of Conservation Authority owned lands, and drinking water source protection within its watersheds.” The watersheds within its jurisdiction are “the Vermilion River and all its tributaries, the part of the Wanapitei River lying upstream of its confluence with Elbow Creek to the most northerly portion, and the portion of the Whitefish River watershed upstream of the outlet of Round Lake.” The Wavy Quarry 2 are within the McCharles Lake - Vermilion River Watershed and the Junction Creek Subwatershed (OMNRF, 2023a; Wood, 2019).

Section 28(1) of the CA Act prohibits people from carrying out the following activities within the boundaries of a CA watershed:

1. *Activities to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or to change or interfere in any way with a wetland.*
2. *Development activities in areas that are within the authority’s area of jurisdiction and are,*
 - i) *hazardous lands,*
 - ii) *wetlands,*
 - iii) *river or stream valleys the limits of which shall be determined in accordance with the regulations,*
 - iv) *areas that are adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to an inland lake and that may be affected by flooding, erosion or dynamic beach hazards, such areas to be further determined or specified in accordance with the regulations, or*
 - v) *other areas in which development should be prohibited or regulated, as may be determined by the regulations.*

However, these prohibitions do not apply to an activity approved under the Aggregate Resources Act.



Ultimately, the development of the proposed Wavy Quarry 2 will not require Section 28.1 permits. However, Conservation Sudbury has jurisdiction during the OPA and ZBLA approval process.

4.7 CONSERVATION SADBURY POLICIES AND PROCEDURES

Before O. Reg. 41/24 was enacted each Conservation Authority had its own *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses* regulation. The Nickel District Conservation Authority's was O. Reg. 156/06. As a result, Conservation Sudbury's Section 28 policies and procedures documents refer to O. Reg. 156/06 rather than O. Reg. 41/24.

4.7.1 DETERMINATION OF REGULATION LIMITS REFERENCE MANUAL

Conservation Sudbury's *Determination of Regulation Limits Reference Manual* (Reference Manual) provides "high-level guidance" related to the review of CA Act Section 28 permit applications (Conservation Sudbury, 2021a).

The objectives of regulating activities in and adjacent to the areas listed in Section 28 as stated in Section 2.0 are:

- *Prevent loss of life,*
- *Minimize property damage and social disruption,*
- *Reduce public and private expenditure for emergency operations, evacuation and restoration,*
- *Minimize the hazards and unnecessary development of riverine floodplains and flood and erosion susceptible shoreline areas which in future years may require expensive protection measures,*
- *Regulate works and development which, singularly or collectively, may reduce riverine channel capacities to pass flood flows resulting in increased flood levels, and creating potential danger to upstream and downstream landowners, and*
- *Control water pollution, sedimentation, and potential nuisances, due to floating objects and debris.*

Section 4.0 addresses riverine hazards and hazard limits. Riverine systems "include all watercourses, rivers, streams and small inland lakes." Small inland lakes are defined as "lakes that have a surface area of less than 100 square kilometres and have a measurable and predictable response to a single runoff event." The potential hazards associated with riverine systems "include flooding, stream bank and valley erosion, and the erosion that can be attributed to meandering rivers or streams." The Riverine Hazard



Limit within Conservation Sudbury's jurisdiction is defined as "the greatest extent of the Erosion Hazard Limit and the Flood Hazard Limit." Technical guidance related to flooding hazards along rivers, streams, and small inland lakes is based on the OMNR's *Technical Guide, River & Stream Systems, Flooding Hazard Limit* (2002). Kelly Lake is considered a small inland lake because it has a surface area of less than 100 km².

Section 7.0 describes the allowances and other areas that are included in the regulated areas, in addition to the Riverine Hazard Limit and Wetlands. The allowance associated with the Riverine Hazard Limits is 15 m. The allowance is intended to permit access to these hazard area "for emergencies, maintenance, and construction." It also provides "protection against unforeseen conditions that may adversely affect the land adjacent to a natural hazard area."

Section 7.3 indicates that in Riverine Systems, such as the Junction Creek Subwatershed, the Regulation Limits are:

"mapped as the greatest extent of the:

- *Riverine Hazard Limit, and*
- *A 15 metre Allowance, and*
- *Wetland boundary, and*
- *A 30 m Area of Interference adjacent to all wetlands."*

The parts of the Wavy Quarry 2 lands that are under the jurisdiction of Conservation Sudbury include: (Figures 5 and 6):

1. Riverine Hazard lands, specifically the flooding hazard associated with Kelly Lake. These hazard lands include the area below the 248.4 m above sea level (masl) flood elevation contour for Kelly Lake plus a 15 m allowance inland from that elevation,
2. Rivers and stream valleys, plus a 15 m allowance inland from the stable top of the valley; and
3. Wetlands greater than or equal to 0.5 ha, specifically the JCDW and the western boundary Wetland, and the areas within 30 m of them. The wetland regulation limits have also been applied to all depressional areas greater than 0.5 ha as a precaution;

In compliance with O. Reg. 41/24, and the Reference Manual, the portion of the Wavy Quarry 2 lands proposed for redesignation as Heavy Industrial and rezoning as M3(6) excludes:



- The Riverine Hazard Limit, including the 15 m inland allowance, associated with Kelly Lake, and Junction Creek (Figure 6). The Riverine flooding hazard regulated area is shown on Figure 6 as a setback; and
- The JCDW including the 120 m setback from it. The 30 m area of influence regulated by Conservation Sudbury is included in the setback.

The excluded areas are included in the portion of the Wavy Quarry 2 proposed to be designated Parks and Open Space and zoned Open Space – Private.

The western boundary wetland and its 30 m area of influence are within the proposed Heavy Industrial designation and M3(6) zoning, however, it has been excluded from the proposed excavation area (Figure 2).

The streams and their 15 m regulated areas within the proposed excavation area will not be conserved. For the most part, the streams appear to be ephemeral, only flowing during heavy precipitation events and the spring freshet. The water normally channelized into these streams will be directed around the excavation area.

Additionally, Fisher Wavy does not plan to conserve the on-Site wetland that is under 0.5 ha, and the depressional areas within the proposed excavation area as they are not regulated by Conservation Sudbury.

4.7.2 DIRECTION ON THE ADMINISTRATION OF ONTARIO REGULATION 156/06 - WETLANDS

The document “*Direction on the Administration of Ontario Regulation 156/06 – Wetlands*” (Wetland Guidelines) provides guidance and policies related to evaluating development and interference applications within and adjacent to wetlands within Conservation Sudbury’s area of jurisdiction (Nickel District Conservation Authority Staff, 2024). The preamble to the 2024 version of the Wetland Guidelines acknowledges that O. Reg. 156/06 has been superseded and indicates that “a full policy review has not been completed to date, therefore the statutory and regulatory references within this document are not current”. However, because “the general intent of the legislation has not changed, there are no significant changes to how development in and around wetlands is regulated.”

Section 1.2 provides definitions of wetland and the hydrologic functions of wetlands.

A wetland is defined as land that is:

- a) *seasonally or permanently covered by shallow water or has a water table close to or at its surface,*



- b) directly contributes to the hydrological function of a watershed through connection with a surface watercourse,*
- c) has hydric soils, the formation of which has been caused by the presence of abundant water, and*
- d) has vegetation dominated by hydrophytic plants or water tolerant plants, the dominance of which has been favoured by the presence of abundant water.*

Section 1.3 describes the functions of a wetland. These include:

- Ecosystem functions such as “primary production, sustaining biodiversity, wildlife habitat, habitat for species at risk, maintenance of natural cycles (carbon, water) and food chains.”
- Socioeconomic values and functions such as “recreation opportunities, production of valuable products, improvement of water quality and educational benefits.”
- Flood attenuation during flood events, “wetlands within the floodplain of a watercourse provide an area for the storage of flood waters and reduce the energy associated with the flood waters.”
- Retaining water “when high-water levels and peak flows occur, especially during the spring freshet and storm events wetlands retain water and release it slowly into watercourses.” This allows “it to infiltrate into the ground, and/or evaporate.”
- Improving water quality by retaining and modifying “nutrients, chemicals and silt in surface and groundwater”.
- Providing hydrologic functions defined as “the functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water’s interaction with the environment including its relation to living things” (Government of Ontario, 2024).

Section 1.3.2 explains that the “removal, filling, dredging, or changing the hydrologic regime of wetlands (e.g. ponds or drains) can reduce a wetland’s “capacity to retain water”, increase “flooding and erosion due to higher flows in watercourses”, and decrease its “ability to retain water”, result in changes “to the hydrologic cycle and reduce the ability to recharge the associated aquifer.”

Additionally, development in a wetland “may remove or impact wildlife species and their habitat, degrade or remove natural vegetation communities and impair water quality and quantity in both surface and groundwater.”



Section 1.4 provides the implementation guidelines Conservation Sudbury uses to review planning and development applications. It states, “in general, all development can occur outside and be set back an appropriate distance from the wetland boundaries.” The implementation guidelines in Section 1.4.1, state that in general, development and interference, ponds and drains, and stormwater management facilities shall not be permitted within wetlands.

Section 1.4.2.1 states, in part, that “in general, development shall not be permitted within 30 metres of the boundary of the wetland”. However, for large scale industrial development requiring Planning Act approval, Conservation Sudbury may permit development within 30 metres of a wetland if the interference on hydrologic functions of the wetland is deemed to be acceptable.

The on-Site wetlands, including the JCDW and the western boundary wetland, were delineated and characterized in 2024 (Figure 5). To protect the JCDW, and its ecological and hydrological functions, the portion of the Wavy Quarry 2 proposed for redesignation as Heavy Industrial and rezoning as M3(6) excludes the JCDW and an area of interference measuring 120 m in accordance with OMNR’s *Natural Heritage Reference Manual* (Figure 6). The western boundary wetland is within the area to be redesignated and rezoned as Heavy Industrial and M3(6), respectively. However, the proposed extraction area excludes this wetland and a 30 m area of influence (Figure 2).

With the proposed setbacks from the JCDW and the western boundary wetland this application complies with Conservation Sudbury wetland policy implementation guidelines, as revised by O. Reg. 41/24. This mitigation measures to protect the western boundary wetland will be addressed in the NER that must accompany the ARA licence application.

5 SUPPORTING DOCUMENTS

The *Environmental Opportunities and Constraints, Wavy Quarry Pit Expansion* report completed in March 2021 by Tulloch Environmental accompanies this Report. It is a desktop study that identified potential and candidate natural heritage features and values found on and within 500 m of the Wavy Quarry 2. The purpose of the Study was to scope the NER required when Fisher Wavy applies for an ARA licence. The NER is currently in preparation.

The *Junction Creek Delta Wetland Characterization and Delineation* report completed in 2024 by Blue Heron Environmental is provided as a supporting document. It documents the on-site wetlands as delineated in 2024.



6 PUBLIC CONSULTATION STRATEGY

Public consultation is required when requesting an Official Plan Amendment and a Zoning By-law Amendment once the City of Sudbury provides Fisher Wavy notice that they deem the applications complete. The public consultation strategy for this project will include the following items:

- A notice indicating the purpose of the application will be circulated to all property owners within 120 m of the Wavy Quarry 2 lands;
- A notice will be published on the Fisher Wavy Inc. website;
- A sign will be posted at the intersection of Ceasar Road and Kelly Lake Road. Normally the notice would be posted on the subject lands, but they are not publicly accessible;
- A statutory public hearing will be held following the City of Sudbury's review of this application;
- A notice about the public hearing will be provided to the property owners within 120 m of the Wavy Quarry 2;
- A notice about the public hearing will be posted on the Fisher Wavy Inc. website; and
- A sign providing notice of the public hearing will be posted at the at the intersection of Ceasar Road and Kelly Lake Road.

7 CONCLUSIONS

This report provides a planning analysis of the Proposal to redesignate and rezone as Heavy Industrial and M3(6) Heavy Industrial Special, respectively the portion of the Wavy Quarry 2 that is:

- Above the limit of the Flooding Hazard (248.4 masl (CGVD28) + 15 m) regulated by Conservation Sudbury,
- 120 m from Kelly Lake and Junction Creek to protect fish habitat, and
- 120 m from the mapped boundary of the unevaluated JCDW (Figures 4, 5, 6, and 8).

The proposed land use designation and zoning of the excluded part of the Wavy Quarry 2 lands is Parks and Open Space and Open Space-Private, respectively.

The proposed redesignation and rezoning are consistent with:



- The Planning Act;
- The Provincial Planning Statement 2024;
- The Growth Plan for Northern Ontario; and
- Conservation Sudbury's guidelines and policies.

The Proposal is consistent with the *City of Greater Sudbury Official Plan*. The OP indicates that providing an economic environment that retains industrial enterprises is desirable. Additionally, the OP acknowledges that natural resources, especially mineral and mineral aggregate resources, form the basis of Sudbury's economy and additional investment and activity in these sectors are required. Sudbury's OP, also, states that natural heritage features and areas are valued and need to be protected. Finally, it addresses natural, and human made hazards, stating that new development is directed to areas outside of these hazardous areas. If approved, the land use class redesignation and rezoning will allow for the expansion of the Wavy Quarry, subject to OMNR's approval of an *Aggregate Resources Act* licence. It will ensure long-term economic benefits for the City of Sudbury while ensuring that important natural heritage features and areas are protected. The proposal does not create any new flooding hazards or impact existing ones, as the areas within the regulated flooding hazard limit are protected from development.

In summary, this Proposal is desirable for this property, conforms to all applicable planning policy and represents good planning.

Sincerely,

Janice Christian, M.Sc.
Senior Project Manager
janice@greenstoneengineering.ca

Alex Duchesne, M.E.Sc., P.Eng., QP_{ESA}
Project Manager
alexandra@greenstoneengineering.ca



8 REFERENCES

- Blue Heron Environmental. (2024). *Junction Creek Delta Wetland Characterization and Delineation*. Greater Sudbury: Blue Heron Environmental.
- City of Greater Sudbury. (2018a). 60mm Kelly Lake Digital Terrain Model [dataset]. Greater Sudbury, Ontario.
- City of Greater Sudbury. (2018b). 60mm Kelly Lake Topography [dataset]. Greater Sudbury, Ontario.
- City of Greater Sudbury. (2024, July 4). *City of Greater Sudbury Official Plan*. Retrieved from City of Greater Sudbury: <https://www.greatersudbury.ca/city-hall/reports-studies-policies-and-plans/official-plan/>
- City of Greater Sudbury. (2025, January 6). *Zoning By-law 2010-100Z Office Consolidation*. Retrieved from City of Greater Sudbury: <https://www.greatersudbury.ca/do-business/zoning/zoning-by-law-2010-100z/>
- Conservation Sudbury. (2021a). *Conservation Sudbury - Determination of Regulation Limits Reference Manual*. Sudbury: Conservation Sudbury.
- Conservation Sudbury. (2021b). *Determination of Regulation Limits Reference Manual*. Sudbury: Conservation Sudbury. Retrieved from https://www.conservationsudbury.ca/wp-content/uploads/2023/11/NDCA_Determination_of_Regulation_Limits-_2021_Release_V1.2.pdf
- Conservation Sudbury. (2023). *Conservation Sudbury*. Retrieved from Conservation Sudbury: <https://www.conservationsudbury.ca/>
- Dressler, B. O., Peredery, W. V., & Muir, T. L. (1992). *Geology and mineral deposits of the Sudbury Structure*. Ontario Geological Survey. Sudbury: Queen's Printer for Ontario. Retrieved June 20, 2023, from <http://www.geologyontario.mndmf.gov.on.ca/mndmfiles/pub/data/imaging/GB08/GB08.pdf>
- Google. (2024). [Imagery showing the area within 500 m of the Wavy Quarry 2 lands, City of Greater Sudbury, Ontario]. Retrieved November 14, 2024, from <https://mt1.google.com/vt/lyrs=s&x={x}&y={y}&z={z}>
- Government of Ontario. (2011). *Growth Plan for Northern Ontario*. Queen's Printer for Ontario.
- Government of Ontario. (2024, October 23). *Provincial Planning Statement, 2024*. Retrieved from Ontario.ca: <https://www.ontario.ca/page/provincial-planning-statement-2024>



- Natural Heritage Information Centre. (2024). *Provincially tracked species (1km grid) [geodatabase]*. Retrieved from Ontario GeoHub: <https://geohub.lio.gov.on.ca/datasets/lio::provincially-tracked-species-1km-grid/about>
- Nickel District Conservation Authority Staff. (2024). *Direction of the Administration of Ontario Regulation 156/06 - Wetlands*. Sudbury: Conservation Sudbury. Retrieved from <https://www.conservationsudbury.ca/permits-planning/technical-resources/>
- OGS, OMNR. (2019, May 3). *Digital Northern Ontario Engineering Geology Terrain Study (NOEGTS) [dataset]*. Retrieved from OGS Earth: https://www.geologyontario.mndm.gov.on.ca/mndmaccess/mndm_dir.asp?type=pub&id=MRD160
- OMNR. (2002). *Technical Guide, River & Stream Systems: Flooding Hazard Limit*. Peterborough: Ontario Ministry of Natural Resources.
- OMNR. (2010). *Natural Heritage Reference Manual for Natural Heritage Policies of the Provincial Policy Statement, 2005. Second Edition*. Toronto: Queen's Printer for Ontario.
- OMNR. (2014, July 17). *Application standards for proposed pits and quarries*. Retrieved from Ontario.ca: <https://www.ontario.ca/page/application-standards-proposed-pits-and-quarries>
- OMNRF. (2017, May 18). Ontario Railway Network (ORWN) [dataset]. Ontario, Canada. Retrieved from <https://geohub.lio.gov.on.ca/maps/mnrf::ontario-railway-network-orwn/about>
- OMNRF. (2020). *Aggregate Resources of Ontario: Site Plan Standards*. Peterborough: Queen's Printer for Ontario. Retrieved from <https://www.ontario.ca/page/aggregate-resources#section-4>
- OMNRF. (2021). *Aggregate Resources of Ontario: Circulation Standards*. Peterborough: Queen's Printer for Ontario. Retrieved from <https://files.ontario.ca/mnrf-aggregate-resources-of-ontario-circulation-standards-2020-en-2021-03-18.pdf>
- OMNRF. (2022). *Ontario Wetland Evaluation System Northern Manual (2nd ed.)*. Ontario, Canada: King's Printer for Ontario.
- OMNRF. (2023). *Pits and Quarries Online*. Retrieved from Ontario.ca: https://www.lioapplications.lrc.gov.on.ca/Pits_And_Quarries/index.html?viewer=Pits_and_Quarries.Pits_and_Quarries&locale=en-CA



- OMNRF. (2023a). *Aggregate Resources of Ontario: Technical Reports and Information Standards*. Peterborough: King's Printer for Ontario. Retrieved from <https://www.ontario.ca/page/aggregate-resources#section-4>
- OMNRF. (2023a, January 25). OWB Quaternary [dataset]. Peterborough, Ontario, Canada. Retrieved from <https://www.publicdocs.mnr.gov.on.ca/mirb/OWBQUAT.qlr>
- OMNRF. (2023b, September 13). Aggregate Site Authorized - Active [dataset]. Ontario, Canada. Retrieved from <https://www.publicdocs.mnr.gov.on.ca/mirb/lho-open-qlr-eng/aggregate-site-authorized-active.qlr>
- OMNRF. (2024a). Ontario Hydro Network (OHN) - Waterbody [dataset]. Ontario, Canada. Retrieved from <https://geohub.lho.gov.on.ca/datasets/mnrf::ontario-hydro-network-ohn-waterbody/explore?location=48.880351%2C-84.732487%2C4.74>
- OMNRF. (2024b). Ontario Hydro Network (OHN) - Watercourse [dataset]. Ontario, Canada. Retrieved from <https://geohub.lho.gov.on.ca/datasets/mnrf::ontario-hydro-network-ohn-watercourse/explore?location=50.580480%2C-84.745000%2C4.79>
- OMNRF. (2024c, October 1). *Ontario Road Network (ORN) Road Net Element [dataset]*. Retrieved from Ontario GeoHub: <https://geohub.lho.gov.on.ca/datasets/mnrf::ontario-road-network-orn-road-net-element/about>
- OMNRF. (2024d). Wetlands [dataset]. Ontario. Retrieved from <https://geohub.lho.gov.on.ca/datasets/mnrf::wetlands/about>
- Ontario Institute of Pedology. (1983). *Soils of Sudbury Area - Soil Survey Report No 49*. Toronto: Agriculture Canada. Retrieved from <https://sis.agr.gc.ca/cansis/publications/surveys/on/on49/index.html>
- Tulloch Environmental. (2021). *Environmental Opportunities and Constraints, Wavy Quarry Pit Expansion, Pioneer Construction, 1 Ceasar Road, Greater Sudbury, ON*. Greater Sudbury: Tulloch Engineering.
- Wester, M., & Uhlig, P. (2009, November 16). *Great Lakes St. Lawrence Ecosite Factsheets (First Draft)*. Ministry of Natural Resources and Forestry, Ecological Land Classification Working Group. Sault Ste. Marie: Queen's Printer for Ontario.
- Wood. (2019). *Junction Creek Subwatershed Study and Stormwater Master Plan*. Sudbury: City of Greater Sudbury. Retrieved from <https://www.greatersudbury.ca/live/environment-and-sustainability1/lake-health/watershed-study/>



APPENDIX A – FIGURES

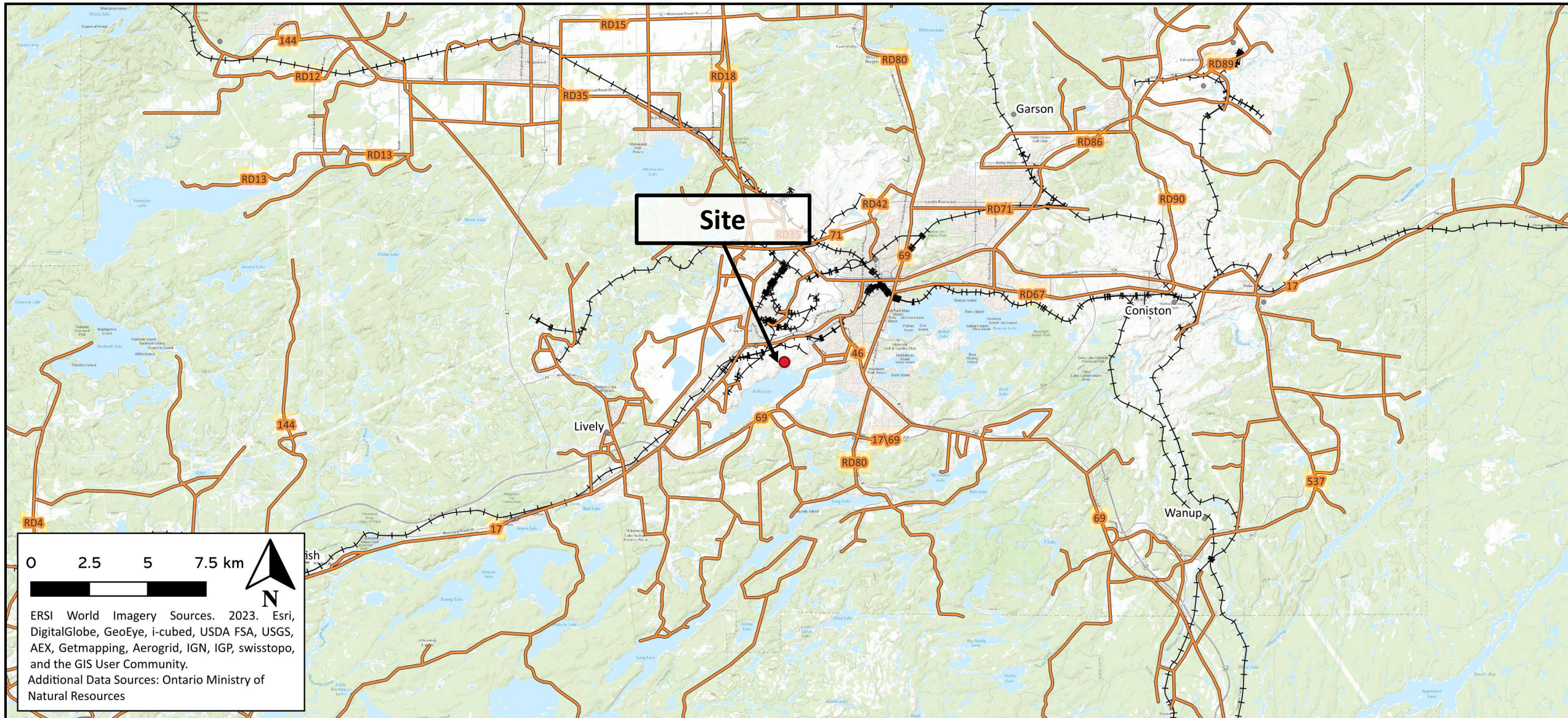


FIGURE 1: LOCATION MAP

LEGEND

Wavy Quarry 2

Subject Lands

Proposed Extraction Area

120 m Area of Influence

500 m Adjacent Lands

Transportation

County/Municipal Road

Local Road

Other Roads

Railway

Water

Waterbodies

Permanent Stream

Intermittent Stream

0250500750 m

Map data ©2023 Google

Additional Data Sources: Ontario Ministry of Natural Resources

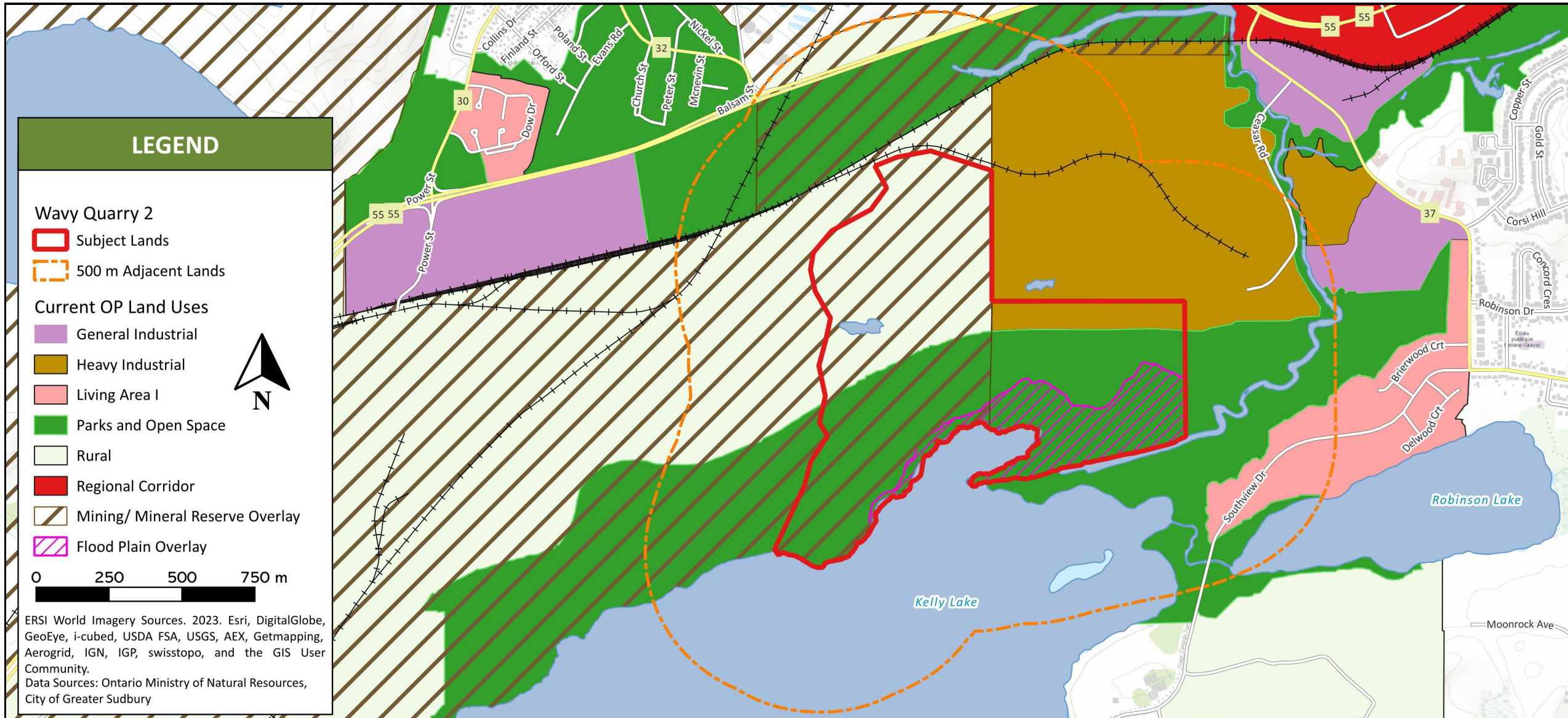


FIGURE 3: CURRENT OFFICIAL PLAN LAND USE DESIGNATIONS MAP

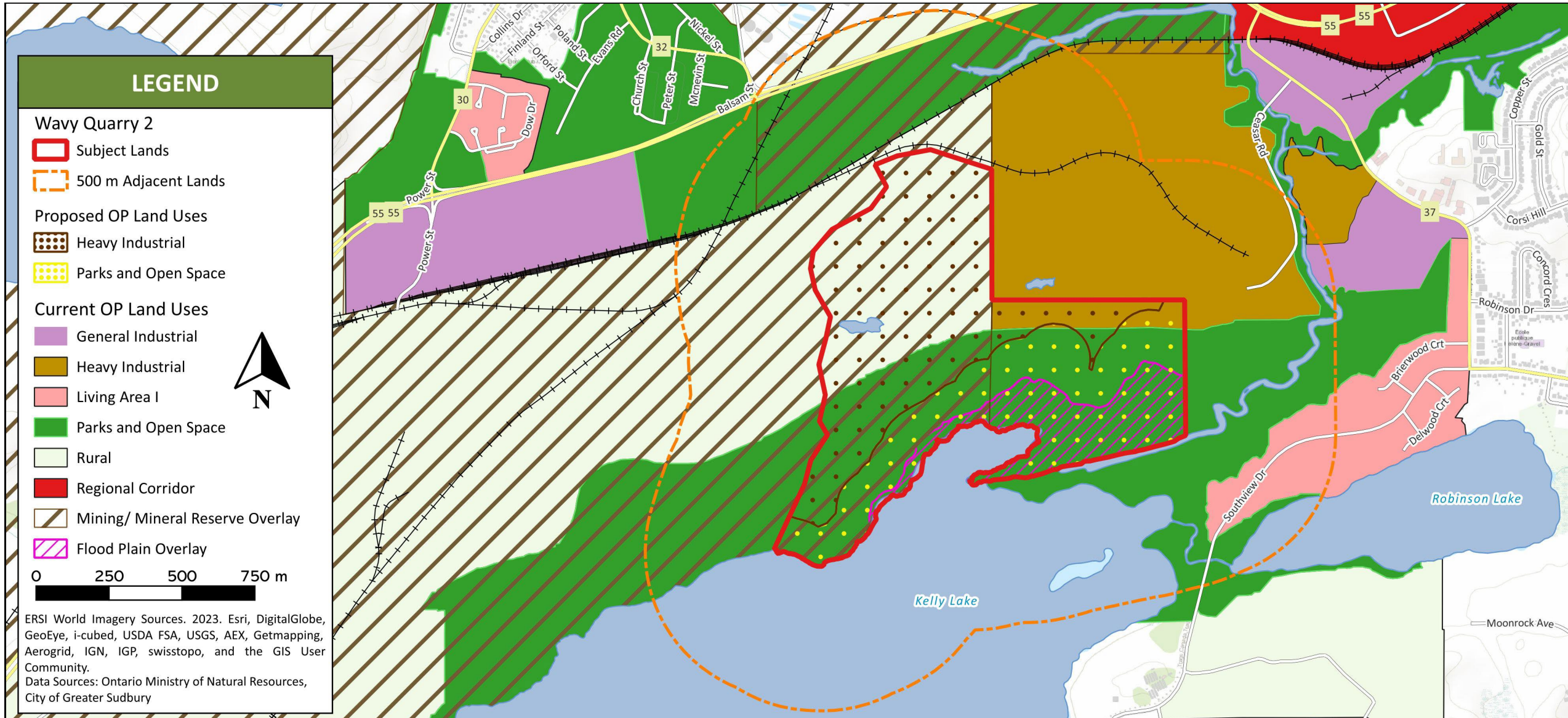


FIGURE 4: PROPOSED OFFICIAL PLAN LAND USE DESIGNATIONS MAP

LEGEND

Wavy Quarry 2

- ▬ Subject Lands
- ▬ 248.4 Flood Contour

Watercourses

- ▬ Permanent Stream
- - - Ephemeral Stream
- Waterbodies

Wavy Quarry 2 Wetlands

- ▬ Depressional Area (DTM)
- ▬ Off-site Wetland (DTM)

Delineated Boundaries

- ▬ Junction Creek Delta
- ▬ Western Boundary
- ▬ On-Site Isolated
- ▬ Robinson Lake Western
- ▬ Off-Site Isolated

Conservation Sudbury Regulated Areas

- ▬ 15 m Streams
- ▬ 30 m Wetlands & Depressional Areas (> 0.5 ha)



0 250 500 750 m

Map data ©2025 Google
Data Sources: Ontario Ministry of Natural Resources, City of Greater Sudbury



FIGURE 5: ENVIRONMENTAL CONSTRAINTS MAP



FIGURE 6: PROPOSED SETBACKS MAP

Address: Wavy Quarry 2, 1 Ceaser Road, Greater Sudbury	Scale: 1:10,000
Project Number: 23008	Date: January 2025
Report Name: Planning Justification Report	Client: Fisher Wavy

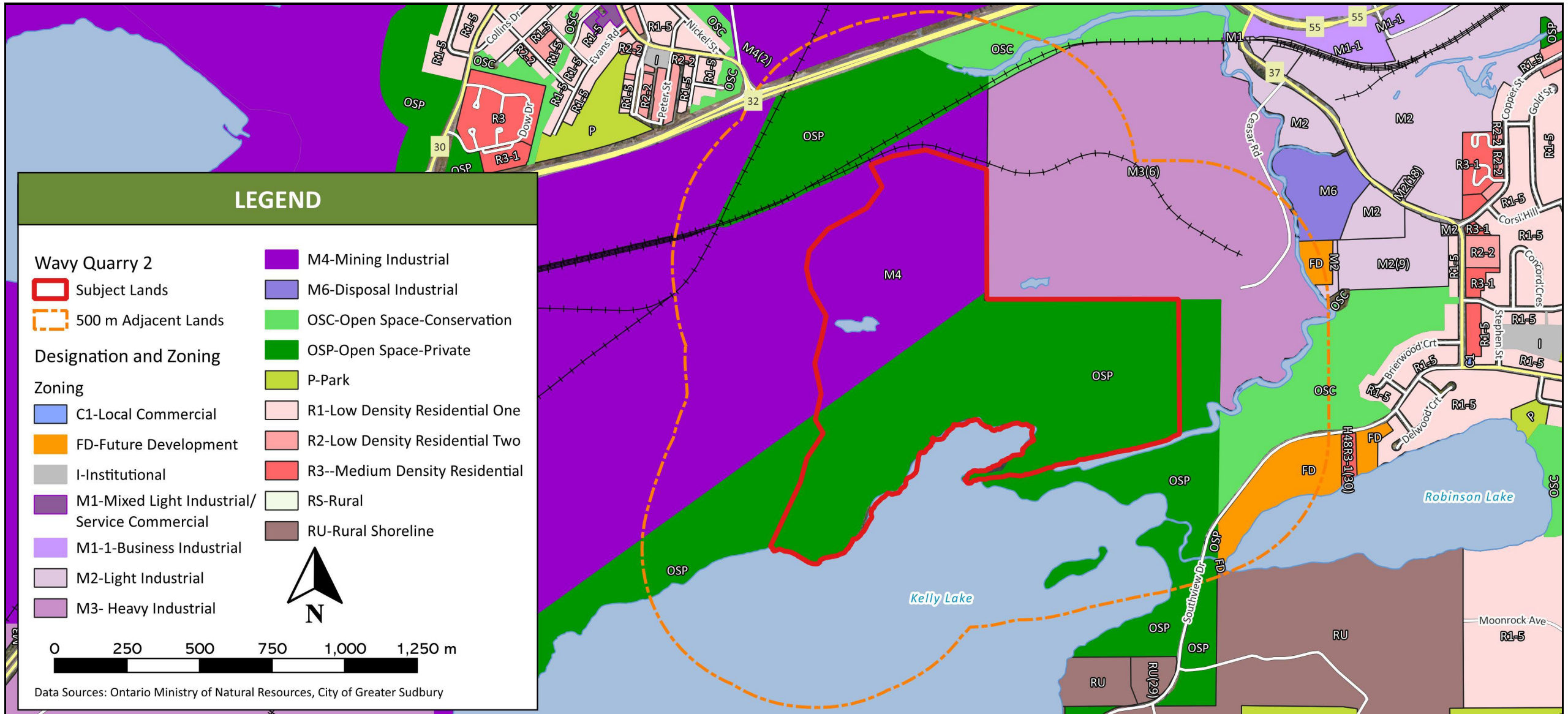


FIGURE 7: CURRENT ZONING MAP

LEGEND

Wavy Quarry 2

Subject Lands

500 m Adjacent Lands

Designation and Zoning

Proposed Zoning

M3(6)

OSP

Zoning

C1-Local Commercial

FD-Future Development

I-Institutional

M1-Mixed Light Industrial/Service Commercial

M1-1-Business Industrial

M2-Light Industrial

M3- Heavy Industrial

M4-Mining Industrial

M6-Disposal Industrial

OSC-Open Space-Conservation

OSP-Open Space-Private

P-Park

R1-Low Density Residential One

R2-Low Density Residential Two

R3--Medium Density Residential

RS-Rural

RU-Rural Shoreline

0

250

500

750

1,000

1,250 m

N

Data Sources: Ontario Ministry of Natural Resources, City of Greater Sudbury

FIGURE 8: PROPOSED ZONING MAP

Address: Wavy Quarry 2, 1 Ceaser Road, Greater Sudbury

Scale: 1:16,000

Project Number: 23008

Date: January 2025

Report Name: Planning Justification Report

Client: Fisher Wavy

Page 85 of 259



APPENDIX B – PRECONSULTATION UNDERSTANDING AGREEMENT

Pre- Consultation Understanding

Planning Services

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

January 10, 2019

PRE-CONSULTATION UNDERSTANDING

PRE-CONSULT FILE: PC2023-031									
OWNER: Fisher Way Inc. c/o Vanessa Felix (Agent: Greenstone Engineering Ltd.)									
SPART MEETING: April 19, 2023									
PROPERTY DESCRIPTION/ADDRESS: 1 Caesar Road, Sudbury									
REPORTS AND PLANS					OPA	ZBL	SITE PLAN	SUB	CONDO
REPORTS									
Application Form					✓	✓			
Arborist Report									
Archaeological Assessment									
Draft Official Plan Amendment									
Draft Zoning By-law Amendment									
Environmental Impact Study (Full-Site)									
Environmental Impact Study (Scoped)					✓	✓			
(IF REQUIRED – SEE NOTES)									
Functional Servicing Study									
Geotechnical/Soils Report									
Heritage Impact Assessment									
Hydrogeologic Study									
Mine Hazard Study									
Noise Study									
Parking Study									
Phase I Environmental Site Assessment									
Planning Justification Report					✓	✓			
Public Consultation Strategy					✓	✓			
Risk Management Plan									
Servicing Options Report									
Source Protection Plan Section 59 Application									
Stormwater Management Report									
Sun/Shadow Study (>6 Storeys)									
Traffic Impact Study (IF REQUIRED – SEE NOTES)					✓	✓			
Transportation Demand Management Plan									
Vibration Study									
Wind Study (>6 Storeys)									
PLANS									
Comprehensive Development Plan									
Concept Plan					✓	✓			
Construction Erosion and Sediment Control Plan									
Draft Plan of Condominium									
Draft Plan of Subdivision									
Elevation Plans									
Floor Plans									
Grading Plan									
Landscape Plan									
Legal Survey Plan (RECOMMENDED)					✓	✓			
Off-Site Servicing Plan									
Photometric Exterior Lighting Plan									
Site Plan									
Servicing Plan									
Other Reports/Plans(s) – Specify									
1. Existing Conditions Plan					✓	✓			
2. Quarry Operational Plan					✓	✓			
3. Rehabilitation Plan					✓	✓			
Agencies to be Contacted by Applicant									
					OPA	ZBL	SITE PLAN		CONDO
Canada Post									
Canadian National Railway									
Canadian Pacific Railway									
Greater Sudbury Utilities									
Hydro One									
Ministry of Municipal Affairs									
Ministry of Natural Resources and Forestry					✓	✓			
Ministry of the Environment, Conservation & Parks									
Ministry of Transportation Ontario									
Nickel District Conservation Authority (Conservation Sudbury)					✓	✓			
Sudbury District Health Unit (SDHU)									
Sudbury East Planning Board									
Others – Specify									
1.									

PRE-CONSULTATION UNDERSTANDING

Planning Services Notes

Building Services:

- 1. No concerns at this time; and,
- 2. Should you have any questions, please contact Markku Makitalo, Plans Examiner, by email at markku.makitalo@greatersudbury.ca.

Conservation Sudbury:

- 1. Conservation Sudbury notes that the subject lands are partially situated within an area (ie. floodplain, watercourses, wetlands, etc.) that is regulated by [Ontario Regulation 156/06](#) under the [Conservation Authorities Act](#). It is noted that most of the features present have not been mapped and/or identified;
- 2. The owner is advised that works within an area regulated by Ontario Regulation 156/06 may require a permit pursuant to Section 28 of the [Conservation Authorities Act](#). For information purposes, works include, but are not limited to, alteration of a watercourse, grading, placement or removal of fill, and the erection of a building or structure. Scientific studies and/or technical reports may be required to support the permit application, the cost of which will be borne by the applicant. Any permit issued may include conditions of development and permits are not guaranteed;
- 3. However, further to the above the owner is advised that Conservation Sudbury will assume the role of a commenting agency should an a development application be filed under the [Aggregate Resources Act](#) and strict adherence to the Conservation Authorities Act may not be required in those areas covered under the license. If any new land uses are proposed prior to receiving an aggregate license, development within and adjacent to above noted features will be fully subject to the Conservation Authorities Act;
- 4. The owner is also advised that Conservation Sudbury is currently completing a new floodplain study for the Junction Creek watershed and results are expected within the next few months. The floodplain elevation at this location may change. The landowner is encouraged to consult with Conservation Sudbury prior to filing any planning applications being filed with the City of Greater Sudbury;
- 5. For information purposes, the owner is provided with the following “Permits and Planning” web-link: <https://conservationsudbury.ca/en/permits-planning.html>;
- 6. As part of complete applications for Official Plan Amendment and Zoning By-law Amendment, the Concept Plan must include field-verified flood contours and said work must be completed by an Ontario Land Surveyor (OLS) or otherwise qualified professional engineer. It is noted that all structures must be situated at least 15 m (49.21 ft) from the flood contour line. It is therefore recommended that any flood hazards plus a 15 m (49.21 ft) remain zoned or be rezoned to “OSP”, Open Space – Private; and,
- 7. Should you have any questions, please contact Sarah Woods, Regulations & Planning Officer, by email at sarah.woods@conservationsudbury.ca.

Development Approvals Section:

- 1. The subject lands are split-designated Heavy Industrial, Mining-Mineral Reserve and Parks & Open Space in the City’s Official Plan and split-zoned “M3(6)”, Heavy Industrial Special, “M4”, Mining Industrial and “OSP”, Open Space – Private in the City’s Zoning By-law;
- 2. For reference purposes, both the City’s Official Plan and Zoning By-law are available online at the following web-links: <https://www.greatersudbury.ca/city-hall/reports-studies-policies-and-plans/official-plan/official-plan/op-pdf-documents/official-plan/> and <https://www.greatersudbury.ca/do-business/zoning/>;
- 3. For the owner’s information, the City’s Official Plan Amendment Application Form is available at the following web-link: <https://www.greatersudbury.ca/do-business/planning-and-development/start-a-planning-application/planning-application-forms/official-plan-amendment/>;

4. For the owner's information, the City's Rezoning Application Form is available at the following web-link: <https://www.greatersudbury.ca/do-business/planning-and-development/start-a-planning-application/rezoning-applications/>;
5. As part of a complete application for Official Plan Amendment, the owner is required to submit a Planning Justification Report (PJR) that has been prepared and provided by a Registered Professional Planner or other related qualified professional. The required PJR must address how the development proposal complies with both provincial land use planning documents (ie. PPS & Growth Plan for Northern Ontario) and the City's Official Plan;
6. The owner is further advised that the submitted Official Plan Amendment Application must identify and outline the specific amendment to the City's Official Plan that is proposed. The owner is encouraged to review the City's Official Plan in order to ensure that the amendment that is proposed addresses all applicable policy relief that is required in order to accommodate the development proposal (ie. expanded quarry operation) on the subject lands. It is noted that both the Heavy Industrial and Mining/Mineral Reserve land use designations permit extractive uses, so the owner must be clear if only a part of the lands require a policy exception and/or redesignation (eg. Parks & Open Space to Heavy Industrial or a site-specific exception within the P&OS designation instead);
7. It is unclear from the pre-consultation application and associated materials if the owner is seeking to expand the existing quarry operation **and also** increase the range of industrial land uses permitted on the lands. If only expanding the quarry operation, staff would recommend that the owner apply to rezone the lands impacted by the intended expansion from "M3(6)", Heavy Industrial Special, "M4", Mining Industrial and "OSP", Open Space – Private in the City's Zoning By-law to "M3(6)", Heavy Industrial Special. The rezoning to "M3(6)" would permit a wider range of land uses beyond that of a quarry and this will trigger other submission requirements outlined in this PCUA. If the owner intends on expanding the range of industrial land uses beyond that of a quarry operation, then a more tailored site-specific zone may be appropriate (eg. "M4" across the entirety of the quarry operation);
8. As part of a complete Zoning By-law Amendment application, any site-specific relief that is required in order to facilitate the intended development of the lands must be identified both in the rezoning application form and on the required Concept Plan. Further to this, given the complexity of the development proposal and potential mixture of land uses involved a zoning compliance checklist must be included on the Concept Plan. The owner is encouraged to review the general provisions, parking provisions and zone-specific development standards that would be applicable to the development proposal in order to ensure that the Zoning By-law Amendment application seeks all required site-specific relief that would be required. It is again noted that the submitted Concept Plan must include a zoning compliance table that demonstrates where compliance is achieved and where site-specific relief is required;
9. As part of complete applications for Official Plan Amendment and Zoning By-law Amendment, submission of an Existing Conditions Plan, Quarry Operational Plan and Rehabilitation Plan are required and should provide sufficient details and analysis of the before, during and after phases of the proposed quarry;
10. The owner may wish to contact the Ministry of Natural Resources and Forestry to discuss the above comment and submission requirements. The following web-link would also be of assistance in preparing the rezoning application: <https://www.ontario.ca/page/aggregate-resources>;
11. As part of complete applications for Official Plan Amendment and Zoning By-law Amendment, the submission of a Concept Plan is required and must depict all required information as indicated in Question #23 b) of the City's Zoning By-law Amendment Application Form;
12. If available, please also include any Legal Survey Plans which provide an accurate legal description of the subject lands; and,
13. Should you have any questions, please contact Glen Ferguson, Senior Planner, by email at glen.ferguson@greatersudbury.ca.

Development Engineering:

- 1. The subject lands are not presently serviced with municipal water and sanitary sewer infrastructure within the road allowance of Caesar Road. There is however a municipal water connection to an existing building situated on a southerly portion of the lands which is provided through a watermain traversing a municipally-owned parcel of land that has frontage on Kelly Lake Road; and,
- 2. Should you have any questions, please contact Robert Webb, Supervisor of Development Engineering, by email at robert.webb@greatersudbury.ca.

Drainage Section:

- 1. No concerns at this time; and,
- 2. Should you have any questions, please contact Tom Gmyrek, Hydraulic Modeler/Analyst, by email at tom.gmyrek@greatersudbury.ca and/or Paul Javor, Drainage Engineer, by email at paul.javor@greatersudbury.ca.

Fire Services:

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

Roads, Transportation & Innovation:

- 1. As part of complete application for a Zoning By-law Amendment, the submission of a Traffic Impact Study (TIS) that has been completed by a qualified professional engineer is required **only if** the request lands uses go beyond that of a quarry and/or aggregate use and/or the existing use is being expanded in terms of absolute tonnage of materials being hauled. If the development proposal represents an expansion to an existing quarry due to exhausting the existing supply and there is no increase in tonnage being hauled then no TIS is required. If required, the TIS must at a minimum assess the traffic impacts of the proposed development on the surrounding road system and identify any improvements to the road system or mitigating measures to that would be necessary in order to accommodate the development. In particular, the TIS must also consider the proposed industrial lands uses as it relates to trip generation and impact on surrounding local streets; and,
- 2. Should you have any general questions on the above, please contact Ryan Purdy, Traffic & Transportation Engineering Analyst, by email at ryan.purdy@greatersudbury.ca.

Site Plan Control:

- 1. The owner is advised that site plan control may be applicable to the the development proposal;
- 2. For the owner’s information, the City’s Site Plan Control website is available at the following web-link: <https://www.greatersudbury.ca/do-business/planning-and-development/start-a-planning-application/site-plan-control-application/>;
- 3. The owner is advised that a further pre-consultation application for the site plan component of the overall development proposal will be required; and,
- 4. Should you have any general questions on the above, please contact Jonathan Clark, Site Plan Control Engineer, by email at jonathan.clark@greatersudbury.ca.

Strategic & Environmental Planning:

1. The development proposal may pose an elevated risk to species protected by the [Endangered Species Act](#) (ESA) and/or to their habitat;
2. It is also noted that [Schedule 5 – Natural Heritage](#) in the City’s Official Plan denotes that a wetland is present on a southerly portion of the subject lands;
3. As part of complete applications for Official Plan Amendment and Zoning By-law Amendment, a scoped Environmental Impact Study (EIS) is required in order to determine whether or not there are Species-At-Risk (SARs) and/or their habitat present on the lands and also to establish the limits of the wetland(s) and to determine the extent of appropriate development as well as any mitigation measures that are determined to be appropriate and necessary as it relates to both SARs and wetlands;
4. The above noted matters may be addressed through aggregate approvals processes that are administered by the Ministry of Natural Resources and Forestry (MNRF), If the development proposal involves land uses over and above aggregate extraction, the above noted comments remain valid and an EIS would be required as part of complete Official Plan Amendment and Zoning By-law Amendment applications; and,
5. Should you have any questions, please contact Bailey Chabot, Senior Planner, Environmental Planning Initiatives, by email at bailey.chabot@greatersudbury.ca or Stephen Monet, Manager of Environmental Planning Initiatives, by email at stephen.monet@greatersudbury.ca.

Name: Glen Ferguson

Date: April 19, 2023

PRE-CONSULTATION UNDERSTANDING

1. Official Plan Designation: Heavy Industrial, Mining-Mineral Reserve, and Parks & Open Space

Conformity with Official Plan designation: ☐ YES ☒ NO

If “No” what is the nature of the amendment needed?

To permit an expanded quarry operation on lands designated Parks and Open Space. It is unclear from the pre-consultation application what the intended development proposal entails and on what parts of the lands there is a land use policy issue requiring attention.

2. Existing Zoning: “M3(6)”, Heavy Industrial Special, “M4”, Mining Industrial and “OSP”, Open Space – Private

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

If “No” what is the proposed zoning or amendment required?

To permit an expanded quarry operation and/or to expand the range of permitted land uses across the entirety of the subject lands (eg. quarry and all other permitted “M3” uses).

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

4. Additional Information: N/A

Acknowledgement by Owner/Agent

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

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

Owner/Agent (Print)	Owner/Agent (Signature)	Date
Glen Ferguson		April 26, 2023
CGS Planning Services Staff (Print)	CGS Planning Services Staff (Signature)	Date

GLOSSARY

Application Form

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

Arborist Report

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

Archaeological Assessment

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

Comprehensive Development Plan

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

Concept Plan

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

Construction Erosion and Sediment Control Plan

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

Draft Official Plan Amendment

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

Draft Plan of Condominium

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

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

Draft Plan of Subdivision

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

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

Draft Zoning By-law Amendment

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

Elevation Plans

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

Environmental Impact Study (Full-Site)

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

Environmental Impact Study (Scoped)

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

Functional Servicing Study

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

Geotechnical/Soils Report

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

Grading Plan

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

Heritage Impact Assessment

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

Hydrogeologic Study

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

Landscape Plan

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

Legal Survey Plan

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

Mine Hazard Study

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

Noise Study

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

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

Parking Study

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

Phase I Environmental Site Assessment

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

Photometric Exterior Lighting Plan

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

Planning Justification Report

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

Risk Management Plan

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

Public Consultation Strategy

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

Servicing Options Report

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

Site Plan

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

Servicing Plan

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

Source Protection Plan Section 59 Application

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

Stormwater Management Report

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

Sun/Shadow Study (6 Storeys or Greater)

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

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

Traffic Impact Study

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

Transportation Demand Management Report

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

Vibration Study

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

Wind Study (6 Storeys or Greater)

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



APPENDIX C - REPORT LIMITATIONS & GUIDELINES FOR USE

This report has been prepared for the exclusive use and sole benefit of the Client or its authorized agent(s) and may not be used by any third party without the express written consent of Greenstone Engineering Ltd. and the Client. Any use which a third party makes of this report, or any reliance on or decisions to be made based on it, are the responsibility of third parties. This report is not to be construed as legal advice. Greenstone Engineering Ltd. disclaims responsibility of consequential financial effects on transactions or property values, or requirements for follow-up actions and costs. No other warranty is expressed or implied.

Misinterpretation of this report by other design or project team members or contractors could result in significant financial and/or safety issues. Retaining Greenstone Engineering Ltd. to confer with the appropriate members of future related project teams can substantially lower those potential issues.

BASIS OF THE REPORT

The information, opinions, and/or recommendations made in this report are in accordance with Greenstone Engineering Ltd.'s present understanding of the site-specific conditions as described by the Client. The applicability of this report is restricted to the current site conditions encountered at the time of the investigation or study. If the proposed site-specific conditions differs or is modified from what is described in this report or if the site conditions are altered, this report is no longer valid unless Greenstone Engineering Ltd. is requested by the Client to review and revise the report to reflect the differing or modified project specifics and/or the altered site conditions.

STANDARD OF CARE

Based on the limitations of the scope of work, schedule, and budget, the preparation of this report, and all associated work, was carried out in accordance with the normally accepted standard of care for the specific professional service provided to the Client. The environmental conditions that have been presented are based on the factual data obtained from this investigation. No other warranty is expressed or implied.

INTERPRETATION OF SITE CONDITIONS

Descriptions of environmental conditions made in this report are based on site conditions encountered by Greenstone Engineering Ltd. at the time of the work, and at the specific inspected, tested, monitored and/or sampled locations. Classifications and statements of condition(s) have been made in accordance with commonly accepted practices, which are judgmental in nature; no specific description should be considered exact. Extrapolation of in-situ conditions can only be made to some limited extent beyond the sampling or test points, if completed. The extent depends on variability of the specific media conditions (building materials, soil, groundwater, rock, sediment, etc.) as influenced by natural, environmental, geological and/or hydrogeological processes, construction activity, and site/building use. No warranty or other conditions, expressed or implied, should be understood.

VARYING OR UNEXPECTED CONDITIONS

Regardless of how exhaustive an environmental investigation is performed, the investigation cannot identify all concealed materials, which may differ from the materials encountered at the sampling locations at the time of our investigation. Further, material conditions can change with time due to natural and direct or indirect human impacts. As such, no warranty is expressed or implied that the entire site is representative of the material information obtained at the specific sampling locations of our investigation.



Should any materials be encountered that are different from those described in this report or encountered at the sampling locations, Greenstone Engineering Ltd. must be notified immediately to assess if the varying or unexpected conditions are substantial and if reassessments of the report conclusions or recommendations are required. Greenstone Engineering Ltd. will not be responsible to any party for damages incurred as a result of failing to notify Greenstone Engineering Ltd. that differing materials, or site conditions are present upon becoming aware of such materials, or conditions.

PLANNING, DESIGN, AND CONSTRUCTION

If there are any changes in the project scope or development features, which may affect our assessment, the information obtained during the investigation may be inadequate. In this case, Greenstone Engineering Ltd. should be retained to review the project changes to evaluate if the changes will affect the conclusions and recommendations within our report, and if additional field investigation work, as well as reporting is required as part of the reassessment.

Development or design plans and specifications should be reviewed by Greenstone Engineering Ltd., sufficiently ahead of initiating the next project stage to confirm that this report completely addresses the elaborated project specifics and that the contents of this report have been properly interpreted. Specialty quality assurance services (field observations and testing) during construction/demolition can be a necessary part of the work process. Site work relating to the recommendations included in this report should only be carried out by trained and/or certified workers. Greenstone Engineering Ltd. cannot be responsible for site work carried out by workers without adequate training in the necessary fields.

FINANCIAL DISCLAIMER

Greenstone Engineering Ltd. will not be responsible for any consequential or indirect damages. Greenstone Engineering Ltd. will only be held liable for damages resulting from the negligence of our work completed. Any liability resulting from negligence of Greenstone Engineering Ltd. and its officers shall be limited to the lesser of fees paid and/or actual damages incurred by the Client.

LEGAL DISCLAIMER

Greenstone Engineering Ltd. makes no other representations whatsoever, including those concerning the legal significance of its findings, or as to other legal matters that could be construed within this report, including, but not limited to, ownership of any property, or the application of any law to the facts set forth herein. With respect to regulatory compliance issues, regulatory statutes are subject to interpretation and these interpretations may change over time.

REGULATORY DISCLAIMER

This report has been prepared for due diligence purposes only and in accordance with standard environmental engineering and consulting practices in accordance with applicable regulations and standards.



JUNCTION CREEK DELTA WETLAND CHARACTERIZATION AND DELINEATION

FOR

Greenstone Environmental Engineering
Junction Creek Delta / Sudbury, Ontario

SUBMITTED TO:

Janice Christian, Senior Project Manager
Greenstone Environmental Engineering

janice@greenstoneengineering.ca

NOVEMBER 14, 2024

Ref #: BH-24-PJ-2437

WWW.BLUEHERONENV.COM



TABLE OF CONTENTS

1.0	INTRODUCTION.....	1
1.1	Project Overview	1
1.2	Study Area.....	1
2.0	METHODS	1
2.1	Wetland Delineation and Characterization	1
3.0	RESULTS	2
3.1	Junction Creek Delta Wetland	3
3.2	Isolated Wetlands	3
3.3	Robinson Lake Western Wetland.....	4
4.0	CLOSURE	4
5.0	REFERENCES.....	5

LIST OF FIGURES

Figure 1 – Project Location
Figure 2 – Fisher Wavy Site Boundary
Figure 3 – Wetland Delineation

LIST OF TABLES

Table 1 - Wetland Types Based on the Ontario Wetland Evaluation System Manual (OWES; MNRF, 2022)	2
Table 2 - Wetland Vegetation Growth Forms, based on the Ontario Wetland Evaluation System Manual (OWES; MNRF, 2022)	2

LIST OF APPENDICES

Appendix A Site Map & Figures
Appendix B Photo Log



1.0 INTRODUCTION

Blue Heron Solutions for Environmental Management Inc. (Blue Heron) was retained by Greenstone Environmental Engineering (Greenstone) to complete wetland delineation and characterization for a portion of the Junction Creek Delta Wetland (JCD Wetland) and surrounding isolated wetlands in support of the proposed Wavy Quarry expansion at 1 Ceasar Road (the Site) in the City of Greater Sudbury, Ontario.

1.1 Project Overview

Fisher Wavy Inc (Fisher Wavy; the Client) is proposing to expand the boundaries of their Wavy Quarry. The expansion requires an Official Plan and Zoning By-Law amendment, approved by the City of Greater Sudbury, and an *Aggregate Resources Act* (ARA) Licence approved by the Ministry of Natural Resources (MNR). Additionally, the JCD Wetland and surrounding wetlands are within the jurisdiction of Conservation Sudbury and would require an assessment on possible impacts from the proposed quarry expansion. In support of the ARA application, Official Plan and re-zoning amendment, and Conservation Sudbury impact assessment, the section of the JCD Wetland and any isolated wetlands that are on the Site or directly adjacent to the Site need to be delineated and characterized.

1.2 Study Area

The Study Area is defined as the western wetlands on Robinson Lake; three isolated wetlands on the Site; and the northern and southern extents of the JCD wetland, up to the southern boundary of the West End Business Park. A map of the Study Area is provided in Appendix A (Figure 1 and Figure 2).

2.0 METHODS

2.1 Wetland Delineation and Characterization

Preliminary mapping of the outer wetland boundaries and identification of the plant community types were completed as a desktop exercise using available land cover data and aerial imagery.

The wetlands were delineated on August 21st and 22nd, 2024. At the time of assessment, the weather was sunny and clear, with winds up to 16 kilometres per hour (km/hr) and an average temperature of 21 degrees Celsius (°C). A qualified biologist delineated the outer wetland boundaries using the “50% rule”, as described in the *Ontario Wetland Evaluation System – Northern Manual* (MNR 2022). Using this method, the boundary of the wetland is established where wetland vegetation (i.e., hydrophilic plants) makes up 50% of the plant cover. This is based on the inference that where wetland species make up most of the cover in an area, the area must contain wetter substrates and thus indicate wetland conditions (MNR 2014). Supplementary, the vegetation communities in those wetlands were delineated, and the dominant vegetation forms were identified (Appendix A, Figure 3). A Global Positioning System (GPS) was used to track the biologist’s movements.



3.0 RESULTS

The wetland delineation is provided in Appendix A, Figure 3. A total of three wetland types were observed on the Site during the delineation (Table 1). Additionally, vegetation communities were delineated for all wetlands and the dominating vegetation forms were identified. Regardless of the vegetative species and abundances, which will vary from one wetland to the next, wetlands fulfill an assortment of ecological functions, including but not limited to:

- Water storage;
- Water filtration; and
- Biological productivity.

Table 1 - Wetland Types Based on the Ontario Wetland Evaluation System Manual (OWES; MNRF, 2022)

Wetland Type	Wetland Type Definition
Fen (F)	Fens are peatlands characterized by surface layers of poorly to moderately decomposed peat, often with well-decomposed peat near the base. Fen peats generally consist of mosses and sedges. Rich fens typically have a high pH and can be dominated by sedges, grasses and low shrubs (i.e., Sweet Gale [<i>Myrica gale</i>]). If tall shrubs are present, the cover is less than 25%.
Marsh (M), including Open Water Marsh	Marshes are wet areas periodically inundated with standing or slowly moving water, and/or permanently inundated areas characterized by robust emergent (i.e., cattails [<i>Typha latifolia</i>]). Water remains within the rooting zone of plants during at least part of the growing season.
Swamp (S)	Swamps are wooded wetlands with 25% cover or more of live trees or tall shrubs. Standing to gently flowing water occurs seasonally or persists for long periods on the surface. Often dried pools or channel are evident in swamps. The substrate is usually continuously waterlogged.

For mapping purposes, the wetland vegetation is described by growth form. Table 2, below, provides a list of growth forms observed during the field work, along with examples of each.

Table 2 - Wetland Vegetation Growth Forms, based on the Ontario Wetland Evaluation System Manual (OWES; MNRF, 2022)

Growth Form Name	Growth Form Symbol	Example(s)
Floating Rooted Plants	f	Pond Lily
Submerged Plants	su	Pondweed
Herbs	gc	Spotted Joe-Pye-weed;
Narrow-leaved Emergents	ne	Woolgrass; sedges; grasses
Robust Emergents	re	Cattails; Reeds



Growth Form Name	Growth Form Symbol	Example(s)
Tall Shrubs	ts	Speckled Alder; Willow
Low Shrubs	ls	Leatherleaf; Labrador Tea

3.1 Junction Creek Delta Wetland

The northern extent of the JCD Wetland is bedrock-controlled. Water levels fluctuate seasonally and yearly, changing the floating and submerged marsh appearance at the confluence of Junction Creek and Kelley Lake. Because of the consistent water level fluctuations, the delineation of this section of the wetland was completed using historical imagery, recent imagery and field observations. The northern extent of the JCD Wetland is a complex of marshes and fens, with some inclusions of shrub swamp. The marsh is characterized by common cattail (*Typha latifolia*), reeds (*Phragmites* sp.), and graminoids, with pockets of visible open water. The fen habitat consists predominantly of sedges and graminoids. Areas supporting tall shrubs and low shrubs are considered swamps inclusions within the complex.

The southern section of the JCD Wetland is fen habitat, with the vegetative community consisting mostly of sedges and grasses, with shrubs interspersed sparsely throughout the wetland. This habitat transitions to a cattail marsh with proximity to Kelley Lake.

The creek bed is comprised of densely packed clay substrate with little to no vegetation growing within the watercourse, although submerged and floating vegetation were observed while traversing the banks of the creek. South of the existing quarry parking lot, the banks of Junction Creek have an accumulation of erosional deposits, which have caused the southern shoreline of the creek to become built up with sandy substrate. The resultant habitat supports species such as goldenrods (*Solidago* spp.), asters (*Asteraceae* spp.) and Sweet Joe-Pye-weed (*Eutrochium purpureum*) which were observed along the banks

3.2 Isolated Wetlands

There is a total of three isolated wetlands on the Site. These wetlands are bedrock-controlled and are not hydrologically connected to any other water features. Instead, water accumulation is from rainwater.

The isolated wetland located at the southwestern extend is a graminoid fen (approximately 324 m²).

The isolated wetland at the northwestern extent of the Site was comprised of a small margin of fen habitat, along the shoreline transitioning into an open water marsh (approximately 6,165 m²). Vegetation within this wetland was sparse, consisting of sedges along the shoreline.

The third and easternmost isolated wetland is located south of the existing quarry. It consists of a fen, with large areas of open water (approximately 2,195 m²). Vegetation in this wetland is also sparse and both wetlands appear to be in the early stages of wetland habitat development from open water pools. This is consistent with the upland habitat that surrounds the areas between these two wetlands, which is largely denuded as a result of historic mining activities in the region.



Other depressional bedrock-controlled areas on the Site were visited to confirm that they were not wetlands. At the time of the field program, these depressions were dried out or dominated by upland grasses and forbs and no longer considered wetlands.

3.3 Robinson Lake Western Wetland

Along the perimeter of the open water, a floating marsh comprised of water lilies (*Nymphaeaceae* spp.) and pondweed (*Potamogeton* spp.) create a small buffer from the rooted wetland to the west. The rooted wetland is a marsh, dominated by cattails, reed grasses (*Calamagrotis* spp.) and rushes. Throughout the wetland, there are small inclusions of tall shrub and low shrub swamps. The rooted wetland bisected by Southview Drive, where water is connected to Kelley Lake via a culvert.

4.0 CLOSURE

This information presented in this report is confidential and has been prepared for the exclusive use of Greenstone Environmental Engineering to provide the wetland delineation and characterization for the Junction Creek Delta Wetland in support of the Wavy Quarry expansion. Blue Heron accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.

We trust that the information presented in this report meets your needs and expectations. Should you have any questions, comments or concerns, please do not hesitate to contact the undersigned.

Sincerely,

BLUE HERON SOLUTIONS FOR ENVIRONMENTAL MANAGEMENT INC.

Josie-Ann Tessier, E.P.
Field Coordinator / Terrestrial Biology
Supervisor

Jennifer Braun, M.Sc.
Senior Biologist / Biophysical Dept.
Manager

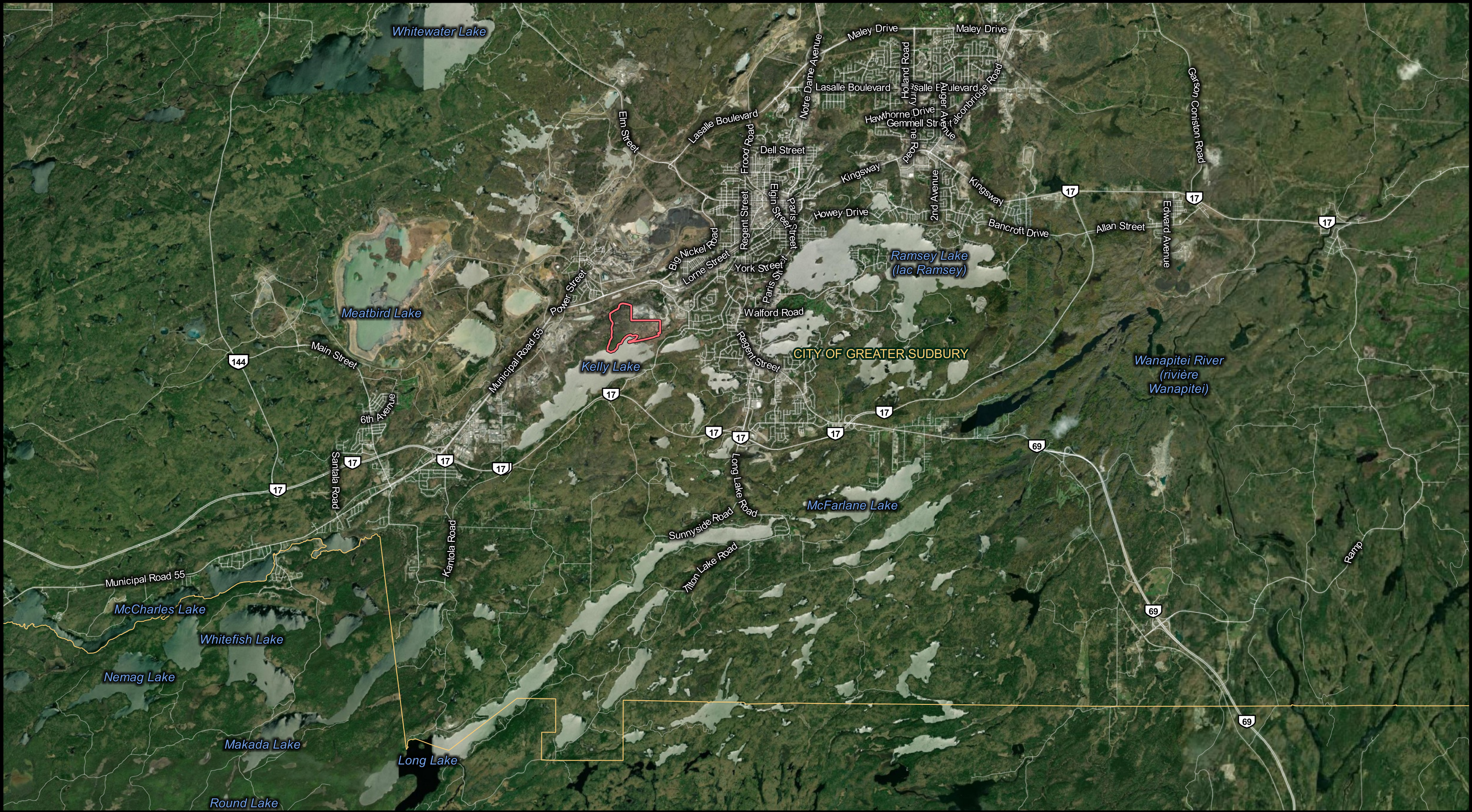


5.0 REFERENCES

MNRF. (2022). *Ministry of Natural Resources and Forestry, Ontario Wetland Evaluation System - Northern Manual, 2nd Edition*. King's Printer for Ontario.

Appendix A

Site Map & Figures



Legend

- Site Boundary
- Municipal Boundary

1 0 1 2 3 4 5 km

Notes:

Esri World Imagery (Maxar) acquired from 2021-2022 may not reflect current site conditions

Greenstone Engineering Ltd.

Project Location	Drawn By	E.M.	
	Checked By	J.T.	
	Last Modified:	2024-10-18	
	Projection		
		NAD83 / UTM zone 17N	
Fisher Wavy - Junction Creek		Page 109 of 259	
Wetland Delineation and Characterization			



Legend

Site Boundary

Watercourse

1000 0 100 200 300 400 500 m

Notes:
Esri World Imagery (Maxar) acquired from 2021-2022
may not reflect current site conditions

Greenstone Engineering Ltd.

Study Area

Fisher Wavy - Junction Creek

Wetland Delineation and Characterization

Drawn By
Checked By
Last Modified:

E.M.
J.T.
2024-10-18

Projection

NAD83 / UTM zone 17N

Page 110 of 259

BH-24-PJ-2437



Legend

Wetland Boundary

Vegetation Communities

Wetland Type

Fen (F)

Marsh (M)

Swamp (S)

Vegetation Form

Floating Plants (rooted) (f)

Submerged Plants (su)

Herbs (gc)

Narrow-Leaved Emergents (ne)

Robust Emergents (re)

Tall Shrubs (ts)

Low Shrubs (ls)

Site Boundary

500 0 50 100 150 200 250 300 m

Notes:
Esri World Imagery (Maxar) acquired from 2021-2022
may not reflect current site conditions

Greenstone Engineering Ltd.

Wetland Delineation Boundaries

Fisher Wavy - Junction Creek

Wetland Delineation and Characterization

Page 111 of 259

BH-24-PJ-2437

Drawn By

Checked By

Last Modified:

Projection

E.M.

J.T.

2024-11-13

NAD83 / UTM zone 17N

Appendix B

Photo Log



Photo 1: Robust emergent wetland



Photo 2: Southern bank of Junction Creek with erosional deposition



Photo 3: Narrow-leaved emergent wetland



Photo 4: Upland grass meadow located within the bedrock-controlled area on the Site



Photo 5: Overlooking Junction Creek Delta's northern wetland



Photo 6: Isolated wetland at the center of the Site



Photo 7: Narrow-leaved emergent (i.e., grasses, sedges, and reeds) wetland



Photo 8: Narrow-leaved emergent (i.e., sedges) wetland



Photo 9 : Over-looking Junction Creek Delta



Photo 10: Robinson Lake wetland



Blue Heron Environmental is committed to the highest quality of professionalism in assisting organizations in fulfilling their regulatory needs and stewardship goals.

Our clients and partners share in the success that comes from our years of practical experience in managing the risks associated with resource industry activities.



WWW.BLUEHERONENV.COM

705.264.4342

Appendix 1

Departmental & Agency Comments

File: PL-OPA-2025-00001 and PL-RZN-2025-00002

RE: PINs 73599-0005, 73599-0823 & 73599-0596, Parcel 53007 and Part of Parcels 34818, 6131, 45110 & 7091, Lots 9 to 11, Concession 1 & 2, Township of McKim, 1 Ceasar Road, Sudbury, City of Greater Sudbury

Financial Services

No concerns.

Building Services

No concerns.

CN

No comments received.

Conservation Sudbury (Nickel District Conservation Sudbury)

Planning Justification Report, Greenstone Environmental Engineering, November 14, 2024.

Overall, the Planning Justification Report is thorough and clearly demonstrates an acknowledgement of regulatory requirements and also describes a plan that is unlikely to aggravate natural hazards both on- and off-property. The only comments to this report are related to the Proposed Setbacks Map (Figure 6):

1. If the "248.5 Contour" correctly labelled? On the other plans, the flood contour of 248.4 m was (correctly) shown. Please amend or clarify what this contour is meant to show.
2. The proposed setbacks do not include the regulated area of off-site wetlands to the west. These are shown on the Environmental Constraints Map and must be carried forward to the setbacks map.
3. The setback does not include the regulated area of the off-site wetland to the northwest. See the plan: Fisher Wavy Quarry 2 Existing Features (sheet 2 of 4, Pioneer Construction, undated).

Fisher Wavy Quarry 2 Rehabilitated Features (sheet 4 of 4), Pioneer Construction Inc., undated:

4. the proposed final elevation of the southern limit of the extraction area is +/- 248 metres. This elevation is lower than the flood elevation of 248.4 metres. Development will not be permitted on lands that are below the regulatory flood elevation (either 248.4m or the flood elevation that is in place at time of completion of the restoration) and that are part of the floodplain (hydraulically connected to the floodplain of Junction Creek/Kelly Lake).
5. Currently, no development is proposed to connect the rehabilitated quarry to the lake, therefore it's unclear how water will be conveyed from the site at rehabilitation. If development is required within the regulated area for the purpose of conveying water off site, please consult with Conservation Sudbury.

Fisher Wavy Quarry 2 (all sheets), Pioneer Construction Inc., undated:

6. Please include the geodetic datum on the plans. For reference, the flood elevation is provided in CGVD28.

General note:

7. While these plans avoid the small on-site wetland and associated regulated area, we acknowledge that as the site plan progresses development of that wetland may be considered. If this is the case, the restoration plan must include measures to mitigate the associated loss of the hydrologic values of the wetland.

8. When the restoration plan is available, we would appreciate being circulated on the plans, for our knowledge and understanding of this area.

Infrastructure Capital Planning Services (ICP):

Roads

No concerns.

Transportation and Innovation Support

We require a Traffic Impact Study only if the request land uses go beyond that of a quarry and/or aggregate use and/or the existing use is being expanded in terms of absolute tonnage of materials being hauled. If the development proposal represents an expansion to an existing quarry due to exhausting the existing supply and there is no increase in tonnage being hauled, then no TIS is required. If required, the Traffic Impact Study must at a minimum assess the traffic impacts of the proposed development on the surrounding road system and identify any improvements to the road system or mitigating measures to that would be necessary in order to accommodate the development. In particular, the Traffic Impact Study must also consider the proposed industrial land uses as it relates to trip generation and impact on surrounding local streets.

Active Transportation

No concerns.

Roads Operations

No concerns.

Drainage

No concerns.

Strategic and Environmental Planning

Staff in Strategic and Environmental Planning have concerns with the proposed applications for OPA and ZBA. The subject lands are located along the shoreline of Kelley Lake, which is identified in the City's Official Plan as a lake with phosphorus enrichment concern. Policy 6 in 8.4.2 Lakes with Phosphorus Enrichment Concerns prohibits lot creation or intensification in land use where 1)) municipal wastewater services are not available and 2) any portion of the leaching bed is or would be within 300 metres of the shoreline of a lake. The subject lands are not serviced by municipal wastewater. A quarry is not itself a concern for phosphorus, however, the host of other uses requested as part of the rezoning application are.

The applicant is advised that compliance with the federal Migratory Bird Convention Act, 1994, the provincial Fish and Wildlife Conservation Act, 1997, and the provincial Endangered Species Act, 2007 is their sole responsibility.

Sudbury Hydro

No Comment Received.

Development Engineering

Development Engineering has reviewed the above noted application. We have confirmed that both water and sanitary sewer are available for this development. However, at the time of the SPART meeting, the application appeared to be an expansion of aggregate usage and not retaining zoning that would allow for industrial and commercial uses. We have no objection to the aggregate usage but cannot comment on the feasibility of industrial or commercial uses at this time as no water and sewer capacity review was performed.

Our suggestion would be to place a hold on the lands such that the applicant provide proof of sufficient water and sanitary sewer capacities prior to any industrial or commercial uses be allowed.

We have no objection to this change to Heavy Industrial Special "M3(6)", General Commercial Special under By-law 2010-100Z provided that a hold be placed limiting the development to the requested aggregate uses until such time as sufficient water and sanitary sewer capacities are proven.

CP

CPKC takes no position on the mentioned proposals, however, we would like to be included on all future blasting and development applications surrounding the subject site.

**AMENDMENT NUMBER 143
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 143 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 to redesignate portions of the subject lands to Heavy Industrial or Parks and Open Space.

Location: PINs 73599-0005, 73599-0823 & 73599-0596, Parcel 53007 and Part of Parcels 34818, 6131, 45110 & 7091, Lots 9 to 11, Concession 1 & 2, Township of McKim, 1 Ceasar Road, Sudbury, City of Greater Sudbury

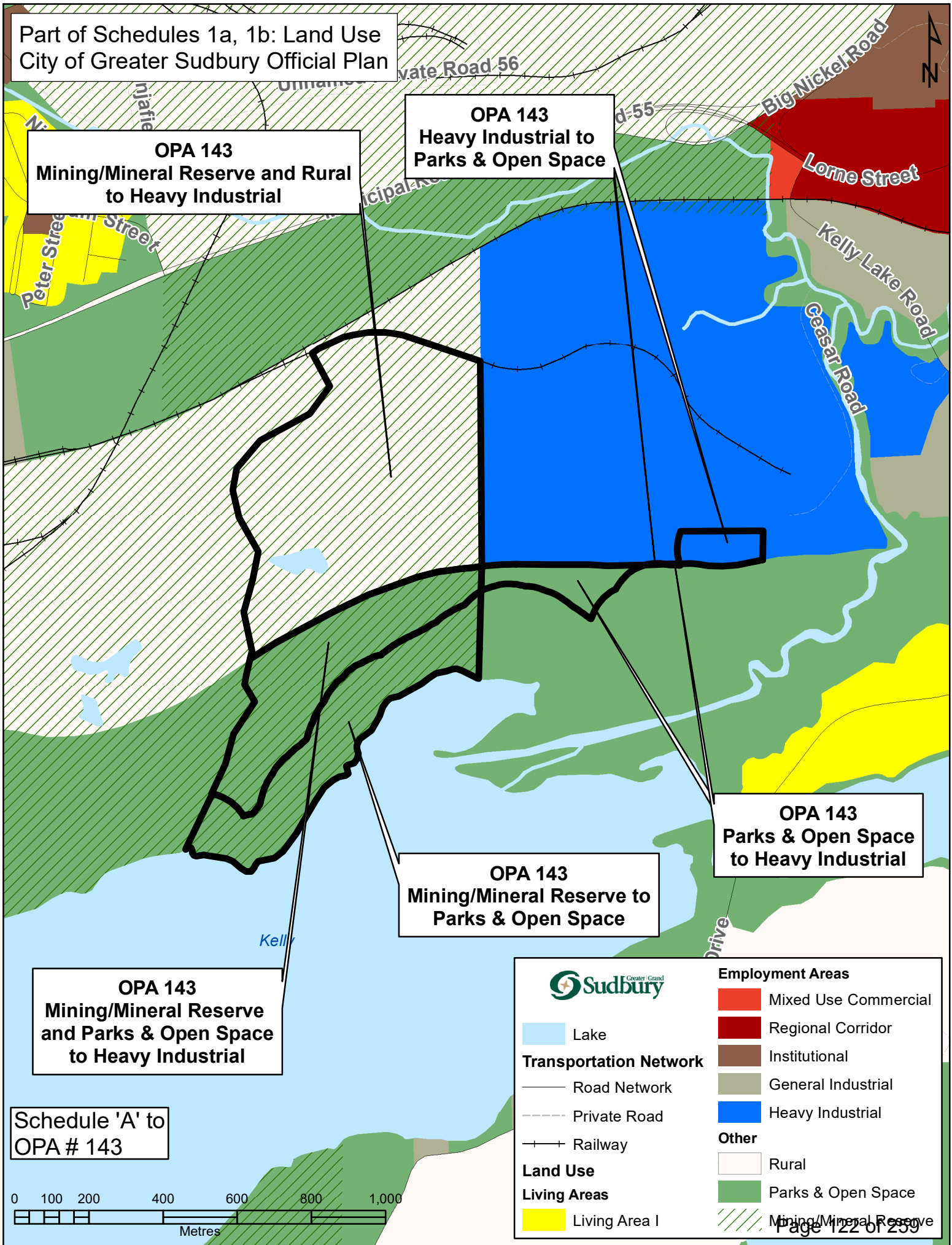
Basis: An Application for Official Plan Amendment (File #PL-OPA-2025-00001) has been submitted for consideration by Planning Committee and Council in order to change the designation of a portion of the subject lands from "Mining/Mineral Reserve" and "Parks and Open Space" to "Heavy Industrial", and from "Mining/Mineral Reserve" and "Heavy Industrial" to "Parks and Open Space". The application, together with a concurrent Application for Zoning By-Law Amendment (File #PL-RZN-2025-00002), would permit the development of a range of heavy industrial uses including the expansion of the adjacent quarry.

PART B - THE AMENDMENT

- 1) Schedule 1a Land Use Overview and 1b Land Use – Sudbury Community of the Official Plan for the City of Greater Sudbury are hereby amended by redesignating a portion of the subject lands from "Mining/Mineral Reserve" and "Parks and Open Space" to "Heavy Industrial", location described as PINs 73599-0005 & Part of PIN 73599-005 and 73599-0596, Parcel 53007 and Part of Parcels 34818, 6131, 45110 & 7091, Lots 9 to 11, Concession 1 & 2, Township of McKim, Sudbury, City of Greater Sudbury (1 Ceasar Road, Sudbury), as shown on Schedule "A" attached to this amendment.

- 2) Schedule 1a Land Use Overview and 1b Land Use – Sudbury Community of the Official Plan for the City of Greater Sudbury are hereby amended by redesignating a portion of the subject lands from “Mining/Mineral Reserve” and "Heavy Industrial" to "Parks and Open Space", location described as Part of PIN 73599-005 and 73599-0596, Part of Parcel 53007 & 34818, Part Lot 10 & 11, Concession 1 & 2, Township of McKim, Sudbury, City of Greater Sudbury (1 Ceasar Road, Sudbury), as shown on Schedule “A” attached to this amendment.

Part of Schedules 1a, 1b: Land Use
City of Greater Sudbury Official Plan



**AMENDMENT NUMBER 143
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 143 to the City of Greater Sudbury Official Plan.

PART A - THE PREAMBLE

Purpose of the Amendment: The proposed amendment is a site-specific exception to the policies of Section 7.0 Parks and Open Space to permit the expansion of the adjacent quarry. ~~site-specific application to redesignate portions of the subject lands to Heavy Industrial or Parks and Open Space.~~

Location: PINs 73599-0005, 73599-0823 & 73599-0596, Parcel 53007 and Part of Parcels 34818, 6131, 45110 & 7091, Lots 9 to 11, Concession 1 & 2, Township of McKim, 1 Ceasar Road, Sudbury, City of Greater Sudbury

Basis: An Application for Official Plan Amendment (File #PL-OPA-2025-00001) has been submitted for consideration by Planning Committee and Council in order to change the designation of a portion of the subject lands from "Mining/Mineral Reserve" and "Parks and Open Space" to "Heavy Industrial", and from "Mining/Mineral Reserve" and "Heavy Industrial" to "Parks and Open Space". The application, together with a concurrent Application for Zoning By-Law Amendment (File #PL-RZN-2025-00002), would permit the development of a range of heavy industrial uses including the expansion of the adjacent quarry on the north side of Kelly Lake.

Staff recommended approval of an alternative Official Plan Amendment that would enable the applicant's quarry expansion project to proceed by providing a site-specific exception to the Official Plan to permit a pit and quarry in the Parks and Open Space designation north of Kelly Lake and requiring a 120 m setback from the boundary of Junction Creek Wetland Delta or Kelly Lake to protect natural heritage features, along with an alternative zoning by-law amendment.

PART B - THE AMENDMENT

1) By adding to Part 21, Site Specific Policies the following Section:

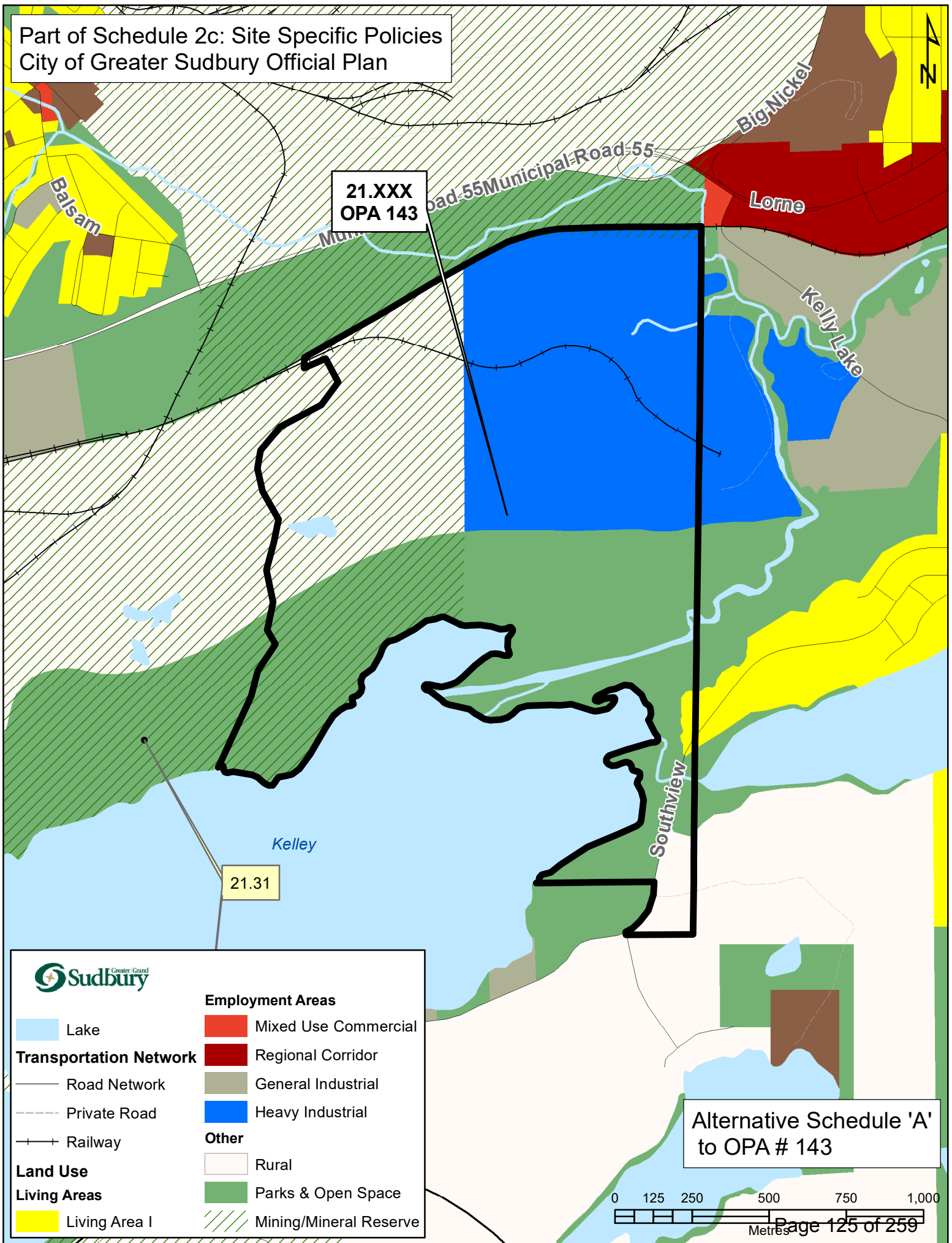
21.XXX Notwithstanding anything to the contrary on lands described as PINs 73599-0005, 73599-0823 & 73599-0596, Parcel 53007 and Part of Parcels 34818, 6131, 45110 & 7091, Lots 9 to 11, Concession 1 & 2, Township of McKim, 1 Ceasar Road, Sudbury, a pit and quarry in the Parks and Open Space designation north of Kelly Lake with the exception of a 120 m setback from the boundary of the Junction Creek Wetland Delta or Kelly Lake.

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 PINs 73599-0005, 73599-0823 & 73599-0596, Parcel 53007 and Part of Parcels 34818, 6131, 45110 & 7091, Lots 9 to 11, Concession 1 & 2, Township of McKim, 1 Ceasar Road, Sudbury, as shown on Schedule "A" attached to this amendment.

~~Schedule 1a Land Use Overview and 1b Land Use – Sudbury Community of the Official Plan for the City of Greater Sudbury are hereby amended by redesignating a portion of the subject lands from "Mining/Mineral Reserve" and "Parks and Open Space" to "Heavy Industrial", location described as PINs 73599-0005 & Part of PIN 73599-005 and 73599-0596, Parcel 53007 and Part of Parcels 34818, 6131, 45110 & 7091, Lots 9 to 11, Concession 1 & 2, Township of McKim, Sudbury, City of Greater Sudbury (1 Ceasar Road, Sudbury), as shown on Schedule "A" attached to this amendment.~~

~~Schedule 1a Land Use Overview and 1b Land Use – Sudbury Community of the Official Plan for the City of Greater Sudbury are hereby amended by redesignating a portion of the subject lands from "Mining/Mineral Reserve" and "Heavy Industrial" to "Parks and Open Space", location described as Part of PIN 73599-005 and 73599-0596, Part of Parcel 53007 & 34818, Part Lot 10 & 11, Concession 1 & 2, Township of McKim, Sudbury, City of Greater Sudbury (1 Ceasar Road, Sudbury), as shown on Schedule "A" attached to this amendment.~~

Part of Schedule 2c: Site Specific Policies
City of Greater Sudbury Official Plan



Housing As-of-Right: Row Dwellings in the ‘C2’ General Commercial Zone

Presented To:	Planning Committee
Meeting Date:	June 9, 2025
Type:	Public Hearing
Prepared by:	Bailey Chabot Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-6/25-06

Report Summary

This report provides a recommendation regarding a Zoning By-law Amendment to increase housing opportunities in the ‘C2’, General Commercial zone.

This report is presented by Bailey Chabot, Senior Planner.

Resolution

THAT the City of Greater Sudbury approves the proposed Zoning By-law Amendment, and directs staff to prepare the necessary by-law, as outlined in the report entitled “Housing As-of-Right: Row Dwellings in the ‘C2’, General Commercial Zone”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 9, 2025.

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

Permitting additional residential densities as-of-right in commercial zones aligns with Council’s Strategic Priorities including “Expand Affordable and Attainable Housing Options” and “Develop and Promote Solutions to Support Existing Housing Choices”. This will also have the effect of supporting the creation of compact, complete communities, which is Goal 1 of the CEEP.

Financial Implications

There are no financial implications associated with this report.

Background

The Housing As-of-Right Zoning Review began in 2022. The report prepared as part of the review provides a summary of potential policy amendments to facilitate housing creation and increase the City’s housing supply under five (5) themes:

1. Mixed Use Development;
2. Residential Uses on Institutional Lands;
3. Secondary Dwelling Units;
4. Minimum Density Requirements; and,
5. Affordable Housing.

The first theme, Mixed Use Development, focused on the opportunity to create additional housing within the commercial zones. This work supported the City's successful application for Housing Accelerator Fund (HAF) grant.

Housing Accelerator Fund (HAF) Grant

The Housing Accelerator Fund (HAF) is offered through the Canadian Mortgage and Housing Corporation (CMHC). The program is aimed at "removing barriers to encourage local initiatives to build more homes, faster" with an expectation to "boost housing supply, while supporting affordable, diverse and climate-resilient communities". The focus of this report is on a Zoning By-Law amendment to address the theme of 'Mixed Use Development' as identified in the Housing As-of-Right Zoning Review (Council resolution CC2023-252) and the HAF initiative to Removal of Barriers Through As-of-Right Housing Policy and Allowing Four Units As-of-Right.

Proposed Zoning By-law Amendment – 'C2', General Commercial Zone

The 'C2', General Commercial zone permits a mix of residential, institutional, and commercial uses and is the City's most permissive commercial zone. Several residential uses are permitted within the 'C2', General Commercial zone, specifically:

- Any dwelling containing not more than 2 dwelling units;
- Multiple dwellings;
- Retirement home; and,
- Shared housing.

These uses represent typically medium and high-density residential uses. Row dwellings, which are absent from the list, provide a ground-oriented, medium to high density residential development option for the 'C2', General Commercial zone that can act as a good transition from low density residential to high density residential or commercial uses. They are typically no more than 3 storeys high, which is the same permitted height for single detached dwellings. Row dwellings are identical to street townhouses, but are accessed from the public right-of-way via a single consolidated access, while street townhouses each have their own driveway onto the public right-of-way.

To increase housing options and as required by the HAF Action Plan, staff are recommending that the 'C2', General Commercial zone be amended to permit row dwellings. Specifically, staff are recommending that Table 7.1 – Permitted Residential Uses be amended to permit row dwellings in the 'C2', General Commercial zone and that provision 10, Special Provisions for Tables 7.1 and 7.2 apply.

Public Consultation:

The statutory Notice of Application and Notice of Public Hearing was provided to the public by newspaper on May 17, 2025.

At the time of writing this report no public comment has been received.

POLICY AND REGULATORY FRAMEWORK:

The Zoning By-law Amendment 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.

2024 Provincial Planning Statement (PPS):

The PPS acknowledges the Province's goal of getting at least 1.5 million homes built by 2031 and identifies that Ontario will increase the supply and mix of housing options. "Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of housing options will support a diverse and growing population and workforce, now and for many years to come." Specifically, the following are relevant policies of the PPS:

- Chapter 2: Building Homes, Sustaining Strong and Competitive Communities:
 - 2.2.1.c) - Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation.
 - 2.3.2. - Land use patterns within settlement areas should be based on densities and a mix of land uses which:
 - a) efficiently use land and resources;
 - b) optimize existing and planned infrastructure and public service facilities;
 - c) support active transportation;
 - d) are transit-supportive, as appropriate; and
 - e) are freight-supportive.
 - 2.3.3. - Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.
 - 2.9.1.a) & c) - Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that support the achievement of compact, transit-supportive, and complete communities and support energy conservation and efficiency.
- Chapter 3: General Policies for Infrastructure and Public Service Facilities:
 - 3.1.1.a), b), & c) - Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs. Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they are financially viable over their life cycle, which may be demonstrated through asset management planning, leverage the capacity of development proponents, where appropriate, and are available to meet current and projected needs.

- 3.2.2. - Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.
- 3.6.1.b) - Planning for sewage and water services shall ensure that these services are provided in a manner that:
 1. can be sustained by the water resources upon which such services rely;
 2. is feasible and financially viable over their life cycle;
 3. protects human health and safety, and the natural environment, including the quality and quantity of water; and
 4. aligns with comprehensive municipal planning for these services, where applicable.
- 3.6.1.c) - Planning for sewage and water services shall ensure that these services are provided in a manner that promote water and energy conservation and efficiency.

Growth Plan for Northern Ontario (GPNO):

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. There are no policies that are relevant to this application, therefore the application does not conflict with the Growth Plan.

Official Plan for the City of Greater Sudbury:

The Official Plan identifies in which designations residential development is appropriate and generally at which densities. Chapter 4 - Employment Areas describes the designations that support employment in all forms. Section 4.2 Centres describes the commercial designations and includes:

- 4.2.1 Downtown;
- 4.2.2 Regional Centres;
- 4.2.3 Secondary Community Node;
- 4.2.4 Regional Corridors; and,
- 4.2.5 Town Centres.

All the designations described in 4.2 Centres permit residential development. Most designations permit medium and high density residential, except Town Centres, which permits medium density residential uses up to 90 units per hectare.

Section 4.3 Mixed Use Commercial describes the mixed use commercial designation as intending to support and connect strategic core areas, recognize the development potential of mixed use areas by permitting a balance commercial, institutional, residential, and parks and open space uses. Policy 1 permits all uses, including medium and high density residential, except heavy industrial.

The commercial designations also include policy to prohibit new access to Arterial Roads and to generally limit the number of vehicular access points, encouraging consolidated access points.

Analysis

Permitting row dwellings in the 'C2', General Commercial zone is consistent with the provincial policy documents and the City's Official Plan outlined in the previous section. The proposed amendment has been previously recommended by the Housing As-of-Right Review and form a part of the HAF Action Plan. Permitting row dwellings will allow for an additional form of medium density residential that is compatible with low density residential development, uses a single shared driveway, and can offer an appropriate transition between low density residential and higher density/intensity uses.

To ensure that there is sufficient capacity within the City's water and wastewater system, staff are proposing that provision 10 within Special Provisions for Tables 7.1 and 7.2 applies to row dwellings. Provision 10 states:

"Maximum net *residential density* of 150 units per hectare with or without permitted *non-residential uses* provided that the *lot* is a fully *served lot* in the community of Sudbury; maximum net *residential density* of 90 units per hectare with or without permitted *non-residential uses* provided that the *lot* is a fully *served lot* in all other communities."

RECOMMENDATION

The proposed Zoning By-law Amendment is consistent with the PPS, does not conflict with the GPNO, and conforms to the City of Greater Sudbury's Official Plan. Staff recommend that the Zoning By-law 2010-100Z be amended as noted in the resolution section.

Resources Cited

1. CMHC Housing Accelerator Fund Report, August 15, 2023 Council Meeting: <https://pub-greatersudbury.escribemeetings.com/Meeting.aspx?Id=7560e0ec-ac6f-4e90-8d13-07fc3f5d8662&Agenda=Agenda&lang=English&Item=43&Tab=attachments>
2. Housing As-of-Right Zoning Review, October 11, 2023 Planning Committee Meeting: <https://pub-greatersudbury.escribemeetings.com/Meeting.aspx?Id=63f49f92-0f82-4d4e-bb3f-e28e0a689926&Agenda=Agenda&lang=English&Item=30&Tab=attachments>
3. CMHC Housing Accelerator Fund – Round 2, August 13, 2024 City Council Meeting: <https://pub-greatersudbury.escribemeetings.com/Meeting.aspx?Id=f631716e-45ef-4de9-b38b-88a7df31eb34&Agenda=Agenda&lang=English&Item=53&Tab=attachments>
4. Housing Accelerator Fund: <https://www.greatersudbury.ca/do-business/planning-and-development/housing-accelerator-fund/>

Zoning By-law Amendments for Legal Existing Structures and Shoreline Development

Presented To:	Planning Committee
Meeting Date:	June 9, 2025
Type:	Public Hearing
Prepared by:	Bailey Chabot Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	751-6/25-04

Report Summary

This report provides a recommendation regarding amending Zoning By-law 2010-100Z to be more consistent with Official Plan policy 3.C of section 8.4.

This report is presented by Bailey Chabot, Senior Planner.

Resolution

THAT the City of Greater Sudbury amends Zoning By-law 2010-100Z by adding paragraph d) to 4.41.2 Setback Requirements for Residential Buildings and Accessory Structures as outlined in the report entitled “Zoning By-law Amendments for Legal Existing Structures and Shoreline Development”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on June 9, 2025.

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

The proposal for amendments to Zoning By-law 2010-100Z align with Council’s Strategic Priorities including “Demonstrate Innovation and Cost-Effective Service Delivery” by reducing the number of development applications homeowners require for low-risk additions.

Financial Implications

There are no financial implications associated with this report.

STAFF REPORT

BACKGROUND:

Shoreline Development Standards

In the winter of 2022, the City of Greater Sudbury implemented increased standards for development along shorelines as mandated by the Province of Ontario. The City's Zoning By-law 2010-100Z was amended to increase the minimum required setback to the highwater mark for lakes and rivers from 12 metres to 30 metres. The required shoreline buffer area was increased from 12 metres in depth to 20 metres in depth. Given the City's 330 plus lakes and rivers, many existing buildings, including dwellings, do not comply with the 30 metres highwater mark setback, but did comply with the 12 metres highwater setback at the time of construction. These buildings are termed 'legal existing'.

To allow for the continued use of legal existing buildings, municipalities rely on provisions in their zoning by-laws. Zoning By-law 2010-100Z includes Section 4.16 (Legal Existing Dwellings), which permits the continued use of legally existing dwellings. However, when looking to expand shoreline legal existing dwellings, homeowners are often required to seek relief from the shoreline development standards, particularly the 30 metres highwater mark setback, even if the expansion is not closer to the highwater mark setback than the existing structure.

City of Greater Sudbury Official Plan, 2006

Chapter 8 (Water Resources) of the Official Plan sets policy for the protection and management of water resources, while section 8.4 Surface Water Resources – Lakes, Rivers, and Streams includes specific policy for development adjacent to shorelines of lakes, rivers, and streams. Policy 3 establishes a 30-metre setback from the normal highwater mark of a lake or river and a 12-metre setback from the normal highwater mark of a permanently flowing stream for all new structures. Policy 3 also contemplates reduced high water mark setbacks where:

- a. sufficient lot depth is not available;
- b. terrain or soil conditions exist which make other locations on the lot less suitable;
- c. the proposal is for an addition to an existing building or replacement of a leaching bed where the setback is not further reduced; or,
- d. redevelopment is proposed on an existing lot and a net improvement is achieved.

Policy 3.c permits additions to legal existing buildings so long as the highwater mark is not further reduced.

Identified Impacts

Every year the City receives applications for minor variance to permit additions to legal existing buildings wherein the additions are no closer to the highwater mark setback than the existing dwelling. From the applicant's perspective, this causes additional cost and time to their building project, while staff time is needed to process and review these applications. Given Official Plan policy 3.c in section 8.4, staff typically support these applications so long as the applicant is not seeking other forms of relief that may impact the waterbody.

Proposed Zoning By-law Amendment

Staff were directed by Council Resolution CC2025-81 to amend Zoning By-law 2010-100Z to better align with Official Plan policy with regards to existing shoreline structures. To address Council Resolution CC2025-81, staff propose to add paragraph d) to 4.41.2 Setback Requirements for Residential Buildings and Accessory

Structures:

- “d) Nothing in this By-law shall apply to prevent the enlargement, reconstruction, repair and/or renovation of any *legally existing building or structure* provided that:
- i. The enlargement, reconstruction, repair and/or renovation does not exceed the permitted area to be cleared of natural vegetation; and,
 - ii. The enlargement, reconstruction, repair and/or renovation does not further encroach into the required highwater mark setback.”

Public Consultation:

The statutory Notice of Application and Notice of Public Hearing was provided to the public by newspaper on May 17, 2025.

At the time of writing this report no public comment has been received.

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.

2024 Provincial Planning Statement (PPS):

The Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning and development. Specifically, the following are relevant policies of the PPS:

Chapter 4: Wise Use and Management of Resources

- 4.1.1. - Natural features and areas shall be protected for the long term.
- 4.1.2. - The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.
- 4.2.1. - 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;
 - c) identifying water resource systems;
 - d) maintaining linkages and functions of water resource systems;

- 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;
- f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality; and
- g) ensuring consideration of environmental lake capacity, where applicable.

Growth Plan for Northern Ontario (GPNO):

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. There are no policies that are relevant to this application, therefore the application does not conflict with the Growth Plan.

Official Plan for the City of Greater Sudbury:

Section 8.4 Surface Water Resources – Lakes, Rivers and Streams of the Official Plan outlines policies aimed at protecting surface water quality through the restriction and management of development on shorelines of lakes, rivers and streams. Being at the interface of land and water, shorelines are particularly important to water quality and fish and wildlife habitat. Policy 3. of section 8.4.1 General Policies establishes the minimum highwater setback at 30 metres for lakes and rivers, and 12 metres for permanently flowing streams. However, the policy permits reductions in the setback under certain circumstances:

- a. sufficient lot depth is not available;
- b. terrain or soil conditions exist which make other locations on the lot less suitable;
- c. the proposal is for an addition to an existing building or replacement of a leaching bed where the setback is not further reduced; or,
- d. redevelopment is proposed on an existing lot and a net improvement is achieved.

Zoning By-law 2010-100Z:

The Zoning By-law permits only gazebos, boathouses, docks, decks, stairs, water pumps, saunas, boat launches, marine railways, waterlines and heat pump loops to be located within the highwater mark setback of shoreline lot. It does not permit additions to legal existing structures within the highwater mark setback, regardless of whether the addition is closer to the shoreline than the existing structure.

Analysis

The proposed zoning by-law amendment would have the effect of permitting additions to legal existing structures within the highwater mark setback where the addition is no closer to the highwater mark setback than the existing structure. This is consistent with the PPS as no further encroachment in the highwater mark setback is permitted as-of-right, allowing for the continued protection of any ecological and surface water features. The proposed amendment is also consistent with policy 3.c. of section 8.4.1 General Policies of the Official Plan.

Staff are of the opinion that the proposed amendment conforms to the relevant policies of the PPS, does not conflict with the GPNO, is consistent with the policies of the Official Plan, and represents good planning.

Other Considerations

The proposed amendment does not apply to additions that would exceed the maximum permitted area to be cleared of natural vegetation, as identified in 4.41.3 Shoreline Buffer Areas of Zoning By-law 2010-100Z. The vegetative buffer areas are critical in protecting ecological and surface water features that exist on-site. Landowners may still seek relief from these provisions through a minor variance or rezoning process but will be required to demonstrate compliance with the important policies identified above.

It is important to note that the proposed amendment does not exempt landowners from the Conservation Authorities Act. Any development within a natural hazard will still require permission from Conservation Sudbury regardless of compliance with Zoning By-law 2010-100Z.

RECOMMENDATION

Staff are of the opinion that the proposed amendment conforms to the relevant policies of the PPS, does not conflict with the GPNO, is consistent with the policies of the Official Plan, and represents good planning.

Staff are recommending the City of Greater Sudbury Zoning By-law 2010-100Z be amended as noted in the resolution section.

RESOURCES CITED

1. City of Greater Sudbury Zoning By-law 2010-100Z
<https://www.greatersudbury.ca/do-business/zoning/zoning-by-law-2010-100z/>

BuildingIN Project Update

Presented To:	Planning Committee
Meeting Date:	June 9, 2025
Type:	Presentations
Prepared by:	Melissa Riou Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	N/A

Report Summary

This report and presentation provide a recommendation regarding the BuildingIN Project, which provides analysis, recommendation and planning framework to enable low-rise multi-residential infill housing in strategic areas of the City in alignment with Greater Sudbury's Housing Supply Strategy.

Resolution

THAT the City of Greater Sudbury directs staff to develop an implementation plan for a planning framework and parking strategy to enable low-rise multi-residential development by the end of Q2, 2026, as outlined in the report entitled "BuildingIN Project Update" presented by the General Manager of Growth and Infrastructure at the Planning Committee meeting of June 9, 2025.

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", which reflect Council's desire for all citizens, especially vulnerable populations, to have access to safe, affordable, attainable and suitable housing options in the City of Greater Sudbury.

The 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.

Background

On November 13, 2024, staff presented a report to Planning Committee outlining the purpose of the BuildingIN project as well as timelines for the completion. The BuildingIN initiative supports ongoing work related to achieving the City's housing targets and implementation of the Housing Supply Strategy by providing a framework to enable intensification and infill development within strategic areas of the City that are close to transit, maximize use of existing infrastructure, and create more housing in areas where there are existing soft services.

The proposed zoning overlay provisions would allow up to 10 dwelling units per building with dedicated entrances within the qualifying area. The overlay is designed to make repeatable and modular designs work well across a variety of infill development scenarios. This proposed approach facilitates more cost-effective construction, rather than custom designs for every property.

Recent changes to the Official Plan and Zoning By-law allow up to 4 dwelling units per lot, in areas with full municipal services, which supports a variety of new infill housing design options. However, current zone standards and parking requirements limit the number of lots/locations where infill through additional dwelling units can be achieved. This project provides a framework to enable a greater number of infill units per lot within targeted areas.

The goal of the BuildingIN Project is aligned with Provincial and Federal objectives of maximizing housing density and supply. It is also aligned with the City's Housing Accelerator Fund Action Plan initiatives: #1 Removal of Barriers Through As-of-Right Housing Policy and Allowing Four Units As-of-Right and #8 Parking Standards Review and continued as-of-right zoning work.

Now that the BuildingIN report has been finalized, it is recommended that staff be directed to develop an implementation plan for Council's consideration that includes options and best practices for on street parking.

What Outcomes Could be Achieved

The BuildingIN report identifies several benefits to the City, namely:

Fiscal impact: Residential development through infill could generate more than \$700M in municipal revenue by 2051, nearly 10 times higher than development under the current framework. Infill development makes good use of existing infrastructure adjacent to the City's main corridors where there is existing water and wastewater capacity and provides increased tax revenue for maintenance of existing infrastructure, sidewalks and neighbourhood upgrades. Under a business-as-usual scenario, a greater proportion of low-density development would occur through greenfield development in the municipality increasing the municipal budget required for maintenance of an expanded road network, infrastructure, sidewalks, etc.

Housing Supply: Capacity to meet low-rise housing demand with 10,250 infill units (within the qualifying areas alone), in relation to the projected number of new households as per the Population Projection Report high growth scenario of 12,010 new units by 2051. Without amendments to make infill more financially feasible for developers, a greater percentage of housing supply development will occur outside of the Built Boundary (area where there is existing development) through greenfield development (new homes on newly serviced land).

Environmental Benefits: Housing related emissions are projected to drop by 951 tCO₂eq/year within the Qualifying Area under the BuildingIN scenario compared to 711 tCO₂eq/year under business-as-usual, driven by compact, energy-efficient designs. This equates to a 21% average annual drop in housing-related emissions due to the number of new homes (dwelling units) that would share walls, floors and ceilings. These emissions related projections pertain only to the energy efficiency of the dwellings and do not include the additional benefits of less travel time and potential increase in the use of public transit.

Other community benefit and projected outcomes include increasing the diversity in housing options and creating neighbourhoods that have animated facades with a larger percentage of windows (glazing) and porches creating more socially dynamic neighbourhoods. The change would be incremental, with infill scaled to fit within the existing neighbourhood context.

How was it Developed

The BuildingIN program was developed in four (4) phases:

Phase 1 - Discovery: compiling local information and data, barrier analysis, consultation with community residents, municipal staff, industry stakeholders, and councilors. Three public consultation sessions were held on December 12, 2024, January 16, 2025 and February 20, 2025 to provide information on the project, seek feedback on the BuildingIN project, articulate what a shared vision for what infill development in the community could look like, and refining solutions through modeling potential outcomes. Information on the project was also made available through an Over To You page. A detailed description of the consultation undertaken can be found starting on page 14 of the recommendation report.

Phase 2 - Preliminary Scenario Testing: mapping of the qualifying areas, forecasting the outcomes of preliminary scenarios, and gathering feedback on the preferred scenario.

Phase 3 - Scenario Refinement: Refinement of the preferred scenario based on staff and resident feedback, culminating in a recommended regulatory framework.

Phase 4 - In-Depth Analysis and Recommendations: Further refinement to the qualifying area, comparative modeling of the recommended policy framework scenario in relation to the current policy framework, and finalizing regulatory recommendations, amendments and zoning overlay (see attachment A – Final Report).

BuildingIN Strategic Implementation Framework

Targeted Areas Suited for Infill

The proposed BuildingIN overlay would apply to targeted qualifying areas within the City:

- Focused on Nodes and Corridors with proximity to higher frequency transit
- 400m walking distance of corridors
- Exclude blocks where majority of parcels were developed after 1980
- Exclude lands within the floodplain
- Exclude lands fronting or backing onto water
- Exclude blocks of land entirely bounded by streets too narrow to accommodate street permit parking

Simplified Zoning Framework

- Allow up to 10 dwelling units per building with dedicated entrances
- Maximum height of 11.0m (consistent with current maximum)
- Simplify approval processes with form-based zoning for targeted areas
- The existing zoning framework would remain in place. A developer could choose to develop either using the existing base zoning or the overlay zone

Parking Solutions

- Explore the possibility of area-specific parking solutions (e.g. permit systems)
- The proposed framework could include reduced or no on-site parking. Eliminating neighbourhood parking from the scenario shifts industry response and results in cumulative results comparable to the Business-As-Usual Scenario where on-site parking is provided. Off-site parking provides several advantages for infill development: no increase in hard surfaces or overland stormwater flow, no reduction in soft landscaping or trees, no construction cost associated with parking, cost neutral for municipality.
- The parking recommendations will require further study and coordination with various city operational departments and will consider the newly update Complete Streets Guidelines. Should Council approve the recommendation, staff will return with options and best practices for parking in association with the BuildingIN recommendations.

Streamlined Permit Review

- Streamline permit reviews through planning updates and building code interpretation, and technical memos (see Attachment B):
 - When Do you Need a Firewall in Low-rise Multi-Residential Buildings

- Non-Combustible Exterior Wall Memo
- Room Size Requirements for Combined Spaces
- Street Permit Parking and Neighbourhood Parking
- Stormwater Management

Conclusion and Next Steps

Participation in the BuildingIN Project, which helps municipalities increase their housing supply through multi-unit low-rise infill that works at scale to meet housing targets, is Action Item 5.4 of the Housing Supply Strategy. The recommendations proposed in the BuildingIN recommendation report were refined through collaboration with the community, city staff, industry (local development community), and a variety of advocacy groups. An Over to You Page with information on the project was also made available and includes Polls on neighbourhood for residents to voice their opinions.

The BuildingIN team has provided the final recommendation report with proposed policy framework and other regulatory amendments, including Official Plan amendments, parking actions, stormwater management requirements, fire flow recommendations, development charges by-law amendments, and zoning overlay recommendations. Prior to implementation, technical discussions must still occur with operational departments regarding street permit parking, snow removal in the qualifying areas, enforcement re on-street parking.

It is recommended that planning staff be directed to undertake technical discussions with relevant City departments and develop an implementation plan for the BuildingIN recommendations to be presented to Council by the end of Q2, 2026.

Resources Cited

1. BuildingIN Over To You page, <https://overtoyou.greatersudbury.ca/buildingin>
2. BuildingIN Project, <https://pub-greatersudbury.escribemeetings.com/Meeting.aspx?Id=bd4b24de-8f81-4fd1-8d45-d83899794d19&Agenda=Agenda&lang=English&Item=24&Tab=attachments>
3. Housing Supply Strategy website, <https://www.greatersudbury.ca/do-business/planning-and-development/housing-supply-strategy/>
4. Population Projections Report, <https://pub-greatersudbury.escribemeetings.com/Meeting.aspx?Id=1783ca04-403c-4309-9bb5-2a3ad87e1ce1&Agenda=Agenda&lang=English&Item=26&Tab=attachments>
5. Community Energy and Emissions Plan (CEEP), <https://www.greatersudbury.ca/live/environment-and-sustainability1/climate-action/net-zero-2050/>
6. Community Climate Change Adaptation Plan (CCCAP), <https://www.greatersudbury.ca/live/environment-and-sustainability1/climate-action/community-climate-change-adaptation-plan/>
7. 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>
8. BuildingIN, <https://www.buildingin.ca/>
9. Additional Residential Unit – Fourth Units As-of-Right – Official Plan and Zoning By-law Amendments, <https://pub-greatersudbury.escribemeetings.com/Meeting.aspx?Id=9b8bed50-9469-40d4-acd5-631910e6cdf&Agenda=Agenda&lang=English&Item=27&Tab=attachments>
10. Residential Parking Standards Review, <https://pub->

greater Sudbury.escribemeetings.com/filestream.ashx?DocumentId=56743

11. Housing Accelerator Fund, City of Greater Sudbury Website, <https://www.greater Sudbury.ca/do-business/planning-and-development/housing-accelerator-fund/>
12. Complete Street Design Guidelines – Transportation Planning Impacts, <https://pub-greater Sudbury.escribemeetings.com/filestream.ashx?DocumentId=56893>
13. City hosting virtual meeting on tackling housing supply today, Sudbury.com, <https://www.sudbury.com/city-hall/city-hosting-virtual-meeting-on-tackling-housing-supply-today-9944756>
14. Third public session on addressing housing shortage set for Feb. 20, Sudbury.com, <https://www.sudbury.com/city-hall/third-public-session-on-addressing-housing-shortage-set-for-feb-20-10245145>



Final Report & Recommendations

Building**IN** Greater Sudbury



Table of Contents

Executive Summary	4
Background & Context.....	7
Indigenous Peoples.....	7
From Town to City to Amalgamation	7
Housing in Sudbury.....	7
Low-rise Neighbourhoods in Greater Sudbury.....	8
Consultation.....	13
Community Consultation	13
Participant Feedback	13
Communication with Sudbury Staff and Councilors.....	15
Communication with Infill Developers / Consultants	17
Establishing a Qualifying Area	18
Phase 1: Simulations – Evaluating Three Preliminary Scenarios	19
Scenario 1 – Business-As-Usual.....	20
Forecasted outcomes	20
Alignment with Community Goals.....	20
Scenario 2: Max 12 Dwelling Units	21
Forecasted Outcomes	21
Alignment with Community Goals.....	21
Scenario 3: Max 10 Dwelling Units.....	22
Forecasted Outcomes	22
Alignment with Community Goals.....	22
Phase 1 Key Insights	23
Insights from Mapping Scenarios.....	23
Phase 2: Further Scenario Testing	24
Qualifying Area Refinement	24
Refinements of Scenario 3.....	24
Scenario 4: Max 10 Dwelling Units.....	25
Forecasted Outcomes	25
Alignment with Community Goals.....	25
Scenario 4 Continued: Max 10 Dwelling Units.....	26
Scenario 4 Continued: Residential Density Maps	27
Phase 3: Scenario Refinement, Modelling and In-depth Analysis.....	29
Further Refinement to the Qualifying Area.....	29
Summary of High-Level Outcomes.....	31
Infill vs Non-Infill Growth	32
Business-As-Usual Scenario.....	32
BuildingIN Recommended Scenario.....	32
Axonometric Diagrams – New Homes by 2051.....	33
Streetviews	34
Residential Density Outcomes.....	38
Expressed in Dwelling Units Per Net Hectare	38
Expressed in % Change in Dwelling Units per Net Hectare.....	42
Residential Diversity Outcomes	42
Exclusionary Zoning	42
Zoning for Diversity.....	42
Zoning for Repeatable Solutions.....	42
Social Dynamics on Neighbourhood Streets.....	42



Car-Culture and Sterile Facades	42
Animated Facades and Social Dynamics	43
Fiscal Scenario Outcomes	44
Expressed in % Change in Annual Average Municipal Revenue per Net Hectare	46
Mapping Emission Outcomes	48
Neighbourhood Parking	50
Street Permit Parking	50
Streets Well Suited for Permit Parking	51
Winter Snow Clearing and Permit Parking	52
Example 1: 8m wide street with a planned future sidewalk.	52
Example 2: 10m wide street with a sidewalk	52
Example 3: 10m wide street with two sidewalks.....	53
Front Parking Pads	54
Small Neighbourhood Parking Lots	54
Complete Streets.....	55
Waste, Recycling and Organics	55
Recommended Regulatory Amendments	55
Final Qualifying Area.....	55
Official Plan Amendments Regarding Infill	56
Amendments for Street Permit Parking	59
Site Plan Control Guide	61
Stormwater Storage Management Requirements.....	62
Fireflow Recommendations.....	64
Development Charges Bylaw Amendment	65
Proposed Zoning Approach	67
Proposed Additional Zoning Text.....	67
Conclusion: A Transformative Path to Sudbury's Growth.....	79
A Winning Growth Strategy	79
Key Implementation Mechanisms.....	79
Contact.....	80
Appendices.....	81
Appendix A: Refining the Qualifying Area	81
Appendix B: Parking Pads.....	87
Appendix C: Summary of Neighbourhood Residential Parking Examples in Small Towns...	89
End Notes.....	91

Executive Summary

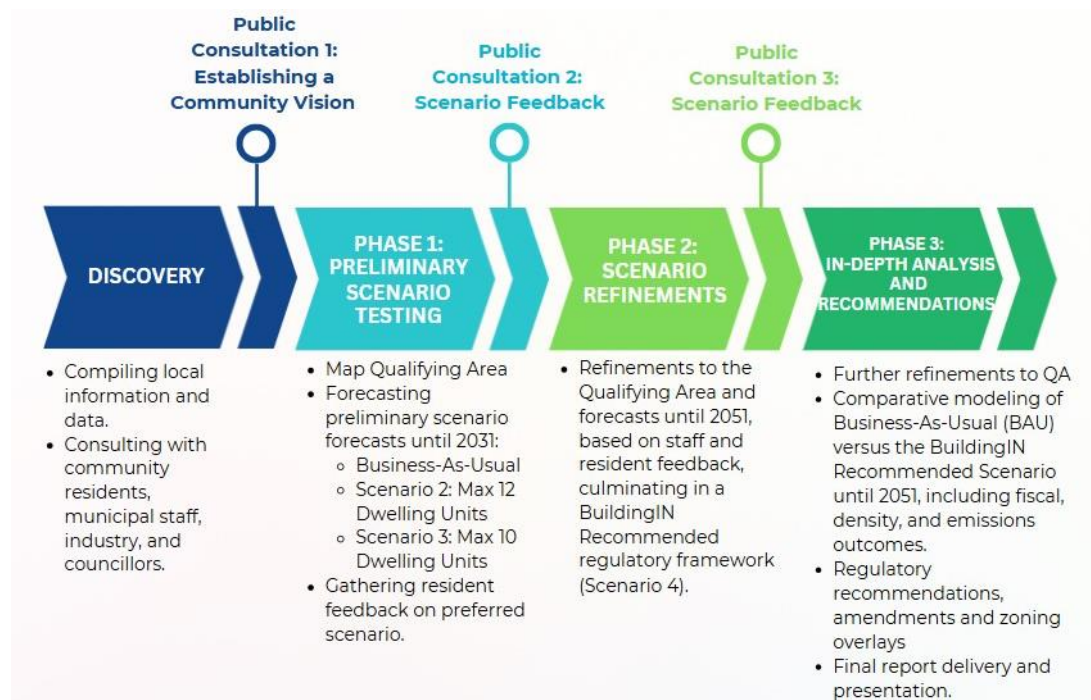
Greater Sudbury faces fiscal challenges in maintaining large areas of low-density neighbourhoods and has committed to finding more sustainable patterns of growth. Rental vacancy rates are at a mere 1.6%¹, underscoring the need for rental housing and options for households with average and below-average incomes. Recent zoning changes are not likely to shift existing patterns of development, prompting the need for more innovative solutions.

Objective

BuildingIN aims to support Greater Sudbury in fostering a wave of multi-unit infill housing that is fiscally sustainable for the municipality, environmentally responsible, and aligned with the city's housing goals. By simulating housing market responses under various regulatory scenarios, BuildingIN has identified optimal strategies to enable low-rise infill development that retains the character of older neighbourhoods while addressing affordability and equity concerns.

High-Level Methodology

The BuildingIN Program was conducted in consultation with community members, city staff, industry stakeholders, and advocacy groups through the following phases:



¹ CBC News, April 30, 2024, <https://www.cbc.ca/news/canada/sudbury/homes-affordability-units-council-local-government-1.7086051>.



Key Findings and Recommendations

BuildingIN proposes a strategic implementation framework to unlock Sudbury's low-rise infill potential within the final [Qualifying Area](#), which offers a [clear advantage over the Business-As-Usual \(BAU\) scenario](#):

- Allow up to 10 dwelling units in buildings scaled and designed to be a good fit, using form-based zoning.
- Simplify approval processes and encourage repeatable designs.
- Introduce area-specific parking solutions.
- Streamline permit reviews through planning updates and building code interpretation memos.

This approach is designed to make infill development more feasible, predictable, and responsive to Sudbury's housing needs, while ensuring new growth integrates seamlessly with existing neighbourhoods.

Parking Considerations

Despite Sudbury's dedication to public transit, the existing urban form, harsh winters and car-dependent culture require new housing approaches with parking solutions.

Neighbourhood parking—including street permit parking, small neighbourhood lots, and front parking pads—is a critical factor in the success of multi-unit infill developments. Without a neighbourhood parking solution, developers fit parking on-site, leading to fewer, larger, and more expensive units (which mirrors Greater Sudbury's current infill housing outcomes). To put it in perspective, each additional on-site parking space can take up about 15% of the building area, depending on the lot and building layout. As more parking is added on-site, the financial viability of multi-unit projects quickly drops—especially beyond one or two parking spaces per lot.

This is why on-site parking needs often undermine the financial viability of multi-unit projects, and lead to fewer, larger and higher-priced units, rather than a diverse mix of housing types and affordable options.

Neighbourhood parking solutions are key to enabling a greater quantity and variety of housing in infill low-rise developments. For the BuildingIN Scenario to be effective, a neighbourhood parking solution must be implemented, including street permit parking (on streets wide enough for parking and snow piling), parking in short driveways, and small neighbourhood parking lots.

The maximum capacity potential of the BuildingIN Scenario, applied only within the Qualifying Area, are as follows:



- **Fiscal Impact:** a capacity for infill that could generate more than \$750M in municipal revenues by 2051, nearly ten times higher than anticipated for Business-As-Usual.
- **Housing Supply:** capacity to meet low-rise housing demand with 10,250 infill units, which is 85% of the anticipated increase in Sudbury's households by 2051. (12,010 new households are expected, as per the City of Greater Sudbury's Population Projections high growth scenario.)
- **Environmental Benefits:** Housing-related emissions have the maximum potential to drop by 8096 tCO₂eq/year within the Qualifying Area under the BuildingIN Scenario compared to the maximum potential of 4303 tCO₂eq/year under the Business-as-Usual (BAU) Scenario, driven by compact, energy-efficient designs.

This report demonstrates that implementing the BuildingIN recommendations will enable Sudbury to meet its housing targets while fostering vibrant, more complete neighbourhoods, that balance fiscal responsibility with environmental sustainability.



Figure 1. Multi-unit building examples in Ottawa: front-to-back semis with secondary units totaling 8 units (left); two-storey front-to-back semis with 8 units (top right); semi-detached with secondary units totaling 4 units (middle right); and three front-to-back semis with secondary units totaling 12 units (bottom right).



Background & Context

Indigenous Peoples

When Europeans arrived, the region north of Lake Huron and around Lake Superior had already been home to Anishinaabemowin-speaking Indigenous Peoples for centuries. The Sudbury area remains the territory of various Algonquin and Ojibwa communities, including the Atikameksheng Anishnawbek Nation.²

Indigenous Peoples in this area now include:

- Atikameksheng Anishnawbek
- Wahnapiatae First Nation
- Sagamok Anishinabek
- Ontario Aboriginal Housing Services (OAHS)
- Native People of Sudbury Development Corporation (NPSDC)
- N'Swakamok Native Friendship Centre

From Town to City to Amalgamation

Greater Sudbury was incorporated as a town in 1893 and later became a city in 1930. Over the years, additional municipalities developed around it, and in 1973, several of these joined to form the Regional Municipality of Sudbury. As a result, Greater Sudbury is a municipality spread over a large geographic area that includes vast wilderness areas. The character of urban places is defined by their context, proximity to natural places, and rocky features. Rock, water, natural and programmed parkland wind throughout the more urban areas, shaping and dividing them.

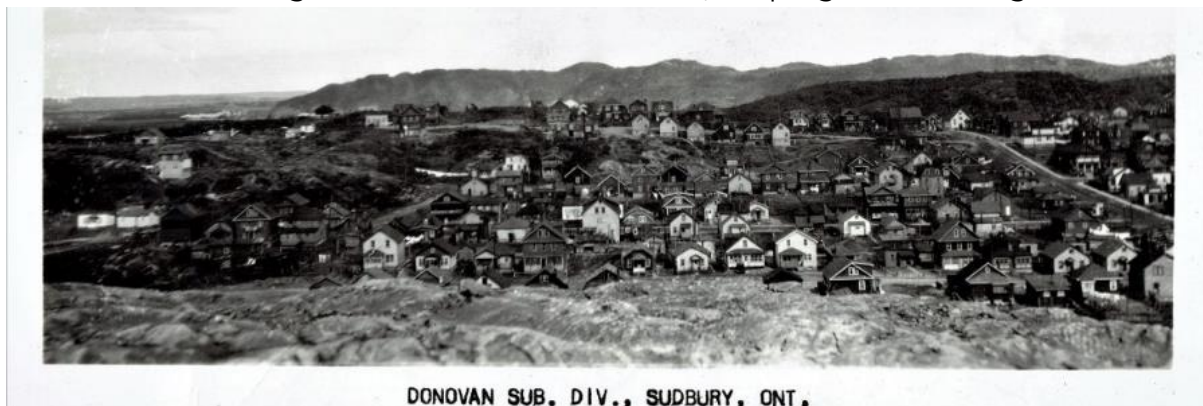


Figure 1. Historical Image of Donovan Subdivision 1915

The area initially hosted a temporary workers' camp in 1883-84 during the construction of the Canadian Pacific Railway. However, the discovery of copper- and nickel-rich ores spurred the growth of a permanent settlement. Sudbury eventually emerged as Canada's leading mining hub, with much of its population working in

² O.W. Saarinen. (2012). *Sudbury*. The Canadian Encyclopedia.
<https://www.thecanadianencyclopedia.ca/en/article/sudbury-greater>

the mining industry.³ As a result of these industrial roots, many of Sudbury's low-rise residential areas have light industrial uses within or immediately abutting them. Unlike other municipalities, this does not significantly impact residential real estate values but is seen as a normal part of a residential area.

Sudbury's population was 2,027 in 1901 but doubled in the following three censuses (1911, 1921, and 1931). A major amalgamation and annexation in 1960 increased the population to 80,120 by 1961. Further expansion in 1973 brought the population to 91,829 by 1981. The City of Greater Sudbury was formed on January 1, 2001, through amalgamation of the former Regional Municipality of Sudbury and seven incorporated municipalities. These municipalities included Sudbury, Capreol, Nickel Centre, Onaping Falls, Rayside-Balfour, Valley East, and Walden. Additionally, several unincorporated townships also became part of the new city. By 2021, the population had grown to 166,004. Sudbury's growth has naturally followed cycles of boom and bust, driven by shifts in global demand for nickel.⁴

As a result of the growth of residential neighbourhoods before 1980, Sudbury now has a wealth of developed land that is well suited to infill redevelopment. At the same time, the city faces the challenge of maintaining infrastructure in very low-density aging neighbourhoods, without the fiscal benefit of rapid population growth.

Housing in Sudbury

Housing in Greater Sudbury is a mix of singles, semis, townhouses, and apartments.

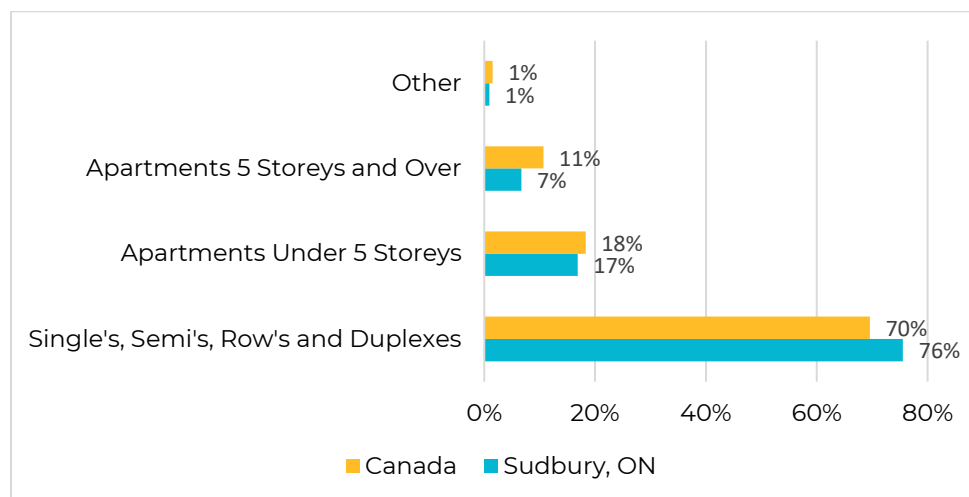


Figure 2. Proportion of Dwellings by Type – Comparison Between Greater Sudbury and Canada (2021 Census).

³ The Encyclopedia Britannica. (2025). *Sudbury*. <https://www.britannica.com/place/Sudbury-Ontario>

⁴ Ibid.



Low-rise Neighbourhoods in Greater Sudbury

Residential densities in Sudbury's low-rise neighbourhoods are very low, as shown on the map below. Areas in yellow are a significant fiscal drain on the municipality.

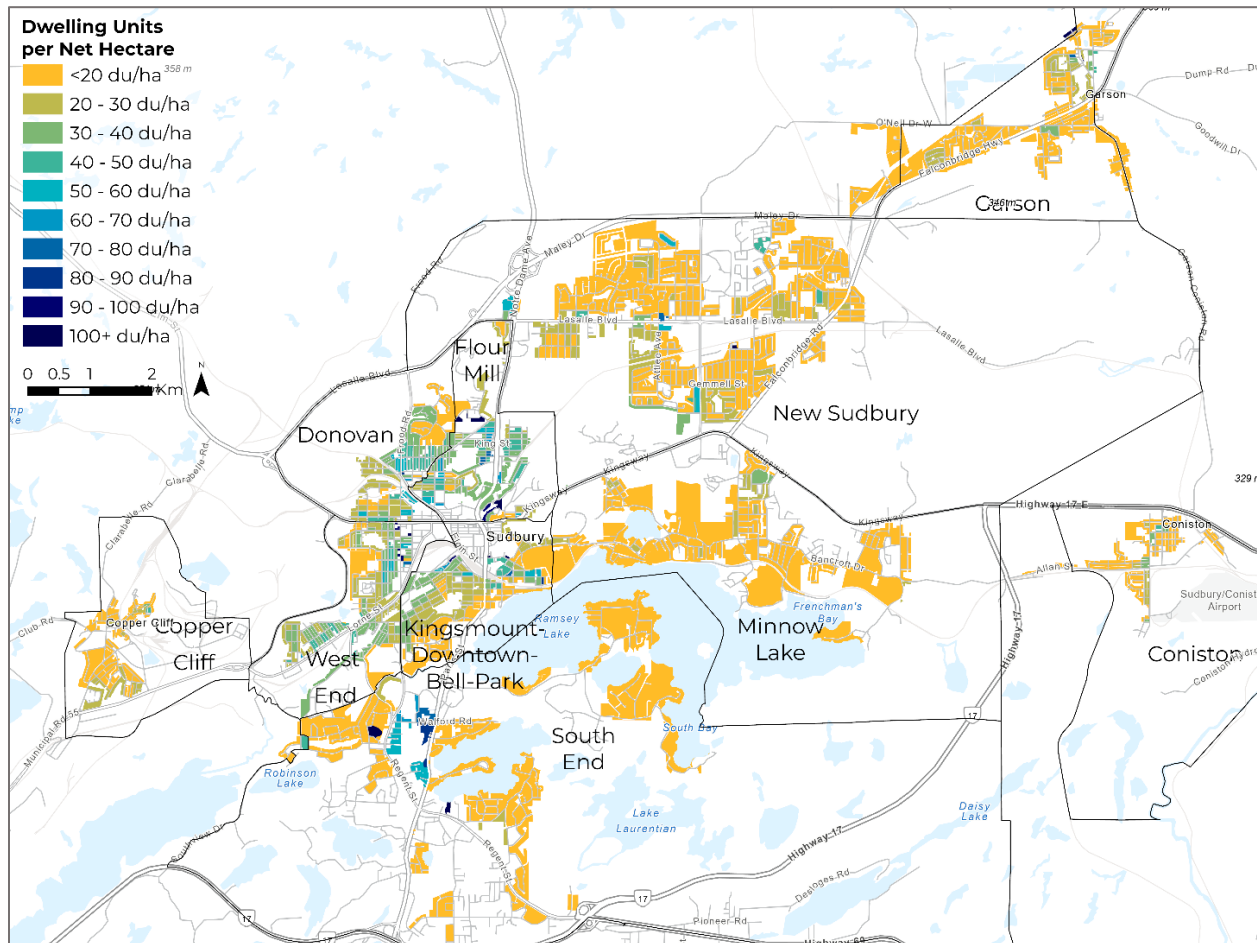


Figure 3. Current Residential Density of Low-Rise Zones in Greater Sudbury.

Many of the older neighbourhoods in Greater Sudbury are characterized by small simple homes. Front setbacks vary by neighbourhood, with some areas having smaller front yards, others characterized by large front yards, and others by variety in front setbacks together with dramatic grade changes. 67% of existing homes pre-date 1980 (StatsCan, 2021). Assuming 93% are low-rise, that amounts to about 66,400 low-rise homes. These older neighbourhoods are well suited to receive a very small percentage of infill redevelopment each year, provided that water and wastewater servicing can support these small increases.



Figure 4. Pre-1980 Suburb.



Figure 5. Post-1980 Suburb.

Around the 1980s, the patterns of neighbourhood development changed, and developers began to subdivide lots more economically and build larger homes more closely together. These newer neighbourhoods are unlikely candidates for infill development, as the homes are well built and too valuable for it to make business sense to tear down and rebuild.

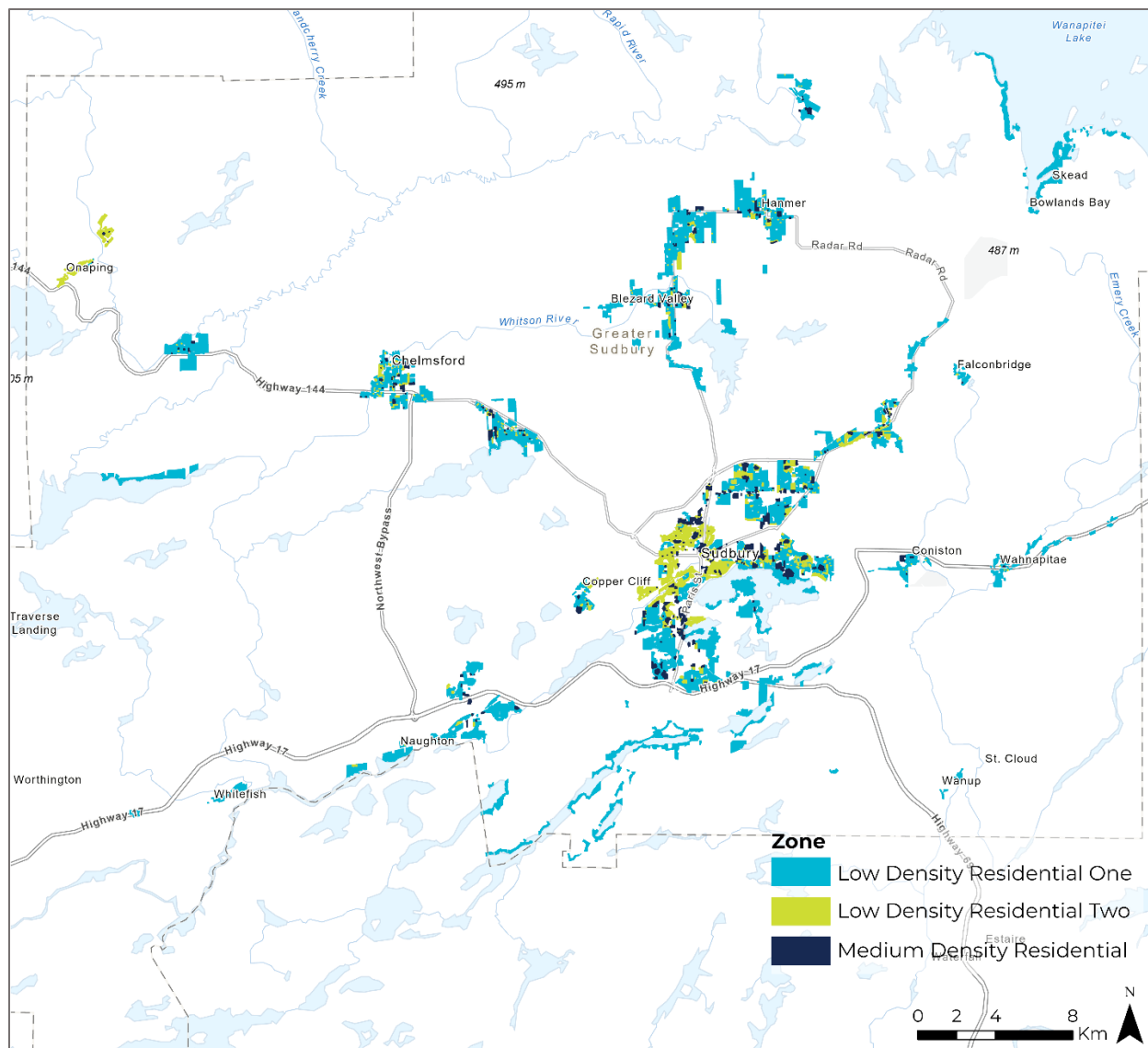


Figure 6. Low-Rise Zones in Greater Sudbury, as per Zoning By-Law 2010-100Z.

Recent zoning changes permit low-rise infill housing with 4 units as-of-right in one lot, which supports a variety of new infill housing design solutions. But zoning requirements and performance standards for on-site parking, effectively limit business development options to the kinds of infill constructed over the past few years. Sudbury is very car-dependent, so space for parking shapes design outcomes. Parking requirements in existing zoning result in preferred lot widths of 11m. As a result, the kinds of low-rise infill that developers are looking to build in coming years, remain the usual offering of singles, semis and towns, on 11m wide properties. These homes are high-end, a demographic that does not particularly value basement units for rental income, so ADU's may not be built, or if constructed, may not be rented.



Residential lots in Sudbury's older neighbourhoods are typical of Canadian residential development patterns in shape (mostly rectangular) and size. There is a high proportion of lots that are 30'-65' wide and 100'-140' deep. Many lots require some rock removal before development or redevelopment, but this is just part of the regular work plan in Sudbury and is not considered an additional cost or a barrier.

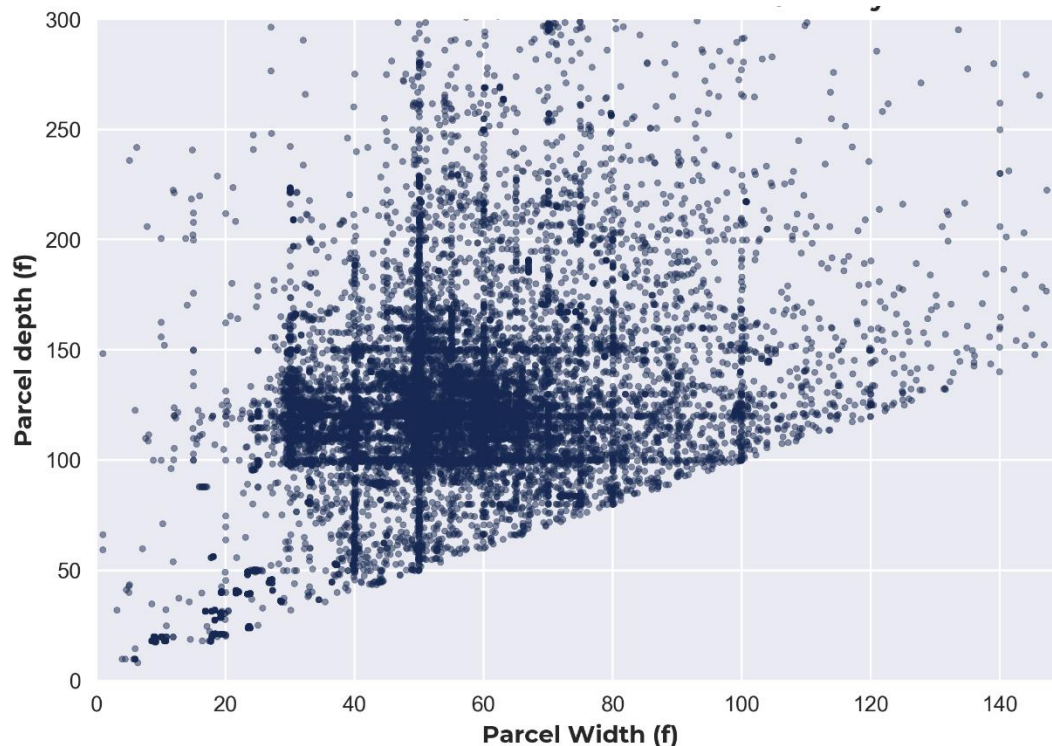


Figure 9. Lot Dimensions of Parcels in Low-Rise Residential Areas.

Transportation in Greater Sudbury

Approximately 90% of residents in Sudbury use a private vehicle for their daily trips⁵. Living in Sudbury without a car isn't a very comfortable lifestyle, and most residents agree, "You need a car in Sudbury".

Public transit ridership is low, but the network is comprehensive despite the complex geography (rock outcroppings and lakes). Additionally, there have been recent initiatives which have contributed to significant increases in ridership,⁶ including increasing GOVA Transit service hours, modernizing fleets, developing three major mobility hubs, introducing real-time vehicle information, and implementing electronic fare payment systems.

⁵ Statistics Canada, 2021 Census of the Population for [Greater Sudbury](https://www.greater-sudbury.com/).

⁶ Clarke, T. (2024, May 1). <https://www.sudbury.com/local-news/at-62m-rides-public-transit-hits-a-new-record-in-greater-sudbury-9969873>



Consultation

Our recommended solution has been designed and refined through collaboration with the community, city staff, industry, and a variety of advocacy groups.

Community Consultation

The BuildingIN Program in Sudbury included three consultation workshops that were held on-line. Phone calls and some in-person meetings were also undertaken to share similar content and receive input from interested residents who did not attend the on-line session.

- | | |
|--|----------------------------------|
| 1. Consultation 1: Discovery & Direction | December 12 th , 2024 |
| 2. Consultation 2: Trade-Offs and Simulations | January 16 th , 2025 |
| 3. Consultation 3: Refining a Solution | February 20 th , 2025 |

Participant Feedback

In Consultation 1, participants shared their goals, hopes, frustrations and fears about the future of their older neighbourhoods, and then clearly articulated a shared vision. The word art below depicts Sudbury resident priorities, with the size of each word corresponding to the frequency each idea/word was mentioned during consultation.



Figure 10. Word Art of community priorities drawn from community documents and resident feedback.



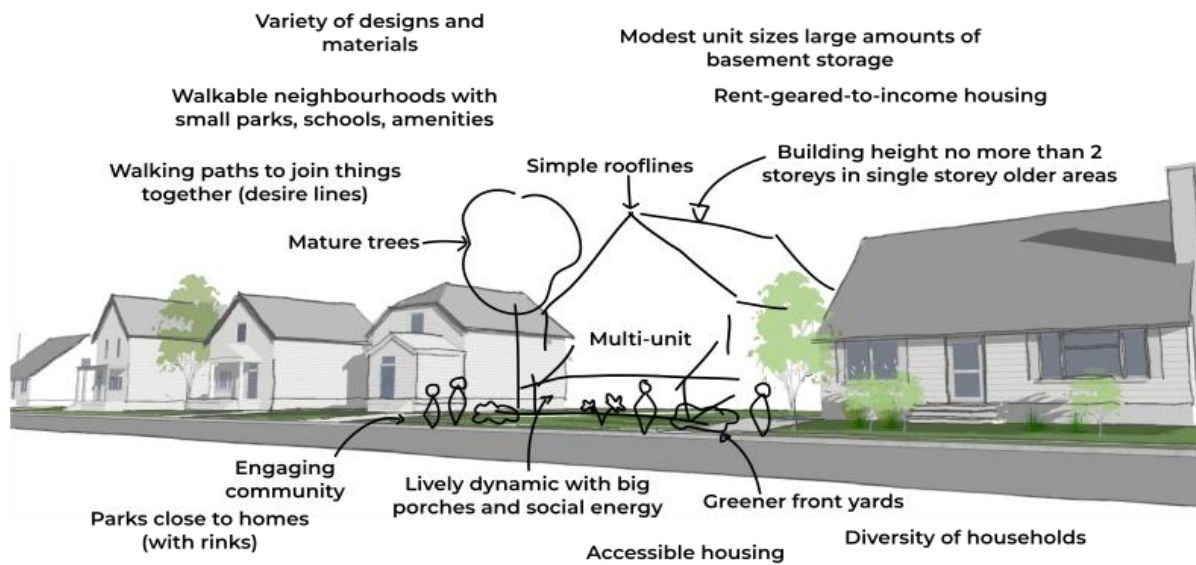


Figure 11. Infill elements that would make neighbourhoods better.

In Consultation 2, BuildingIN presented four different growth scenarios and participants were asked to consider the pros and cons, given the priorities identified in Consultation 1. Scenario 2 and 3 garnered the most support.

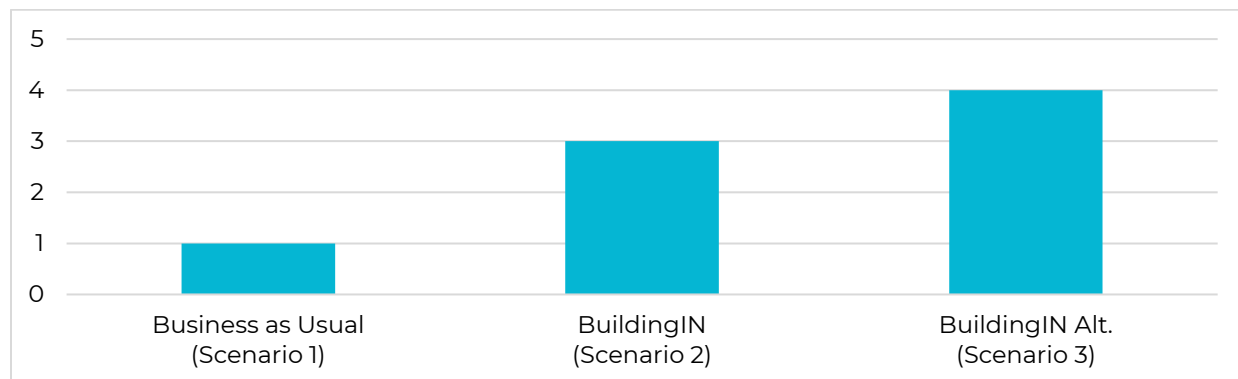


Figure 12. Participants' responses to the questions were as follows: "Which scenario do you think is the best path forward for your community?"

In Consultation 3, a variation of Scenario 2 and 3 was presented (Scenario 4), together with fiscal and emission outcomes. To understand top priorities for neighbourhood upgrades, participants were asked the following question. See participant responses in Figure 13.

Survey question:

"Imagine Greater Sudbury has proceeded with Scenario 4. A handful of multi-unit infill developments are now under construction in the Qualifying Area, and more are expected in the coming years. This is increasing tax revenue for the town but isn't significantly increasing municipal costs because these new homes are on existing roads and connect to existing water and sewer pipes. There is a bit more traffic and demand for services, so Sudbury is using some of the tax revenue from multi-unit infill housing



toward necessary upgrades, but there's money left over. How would you prioritize other investments in these neighbourhoods? Choose up to 3 items that you think are of the highest priority."

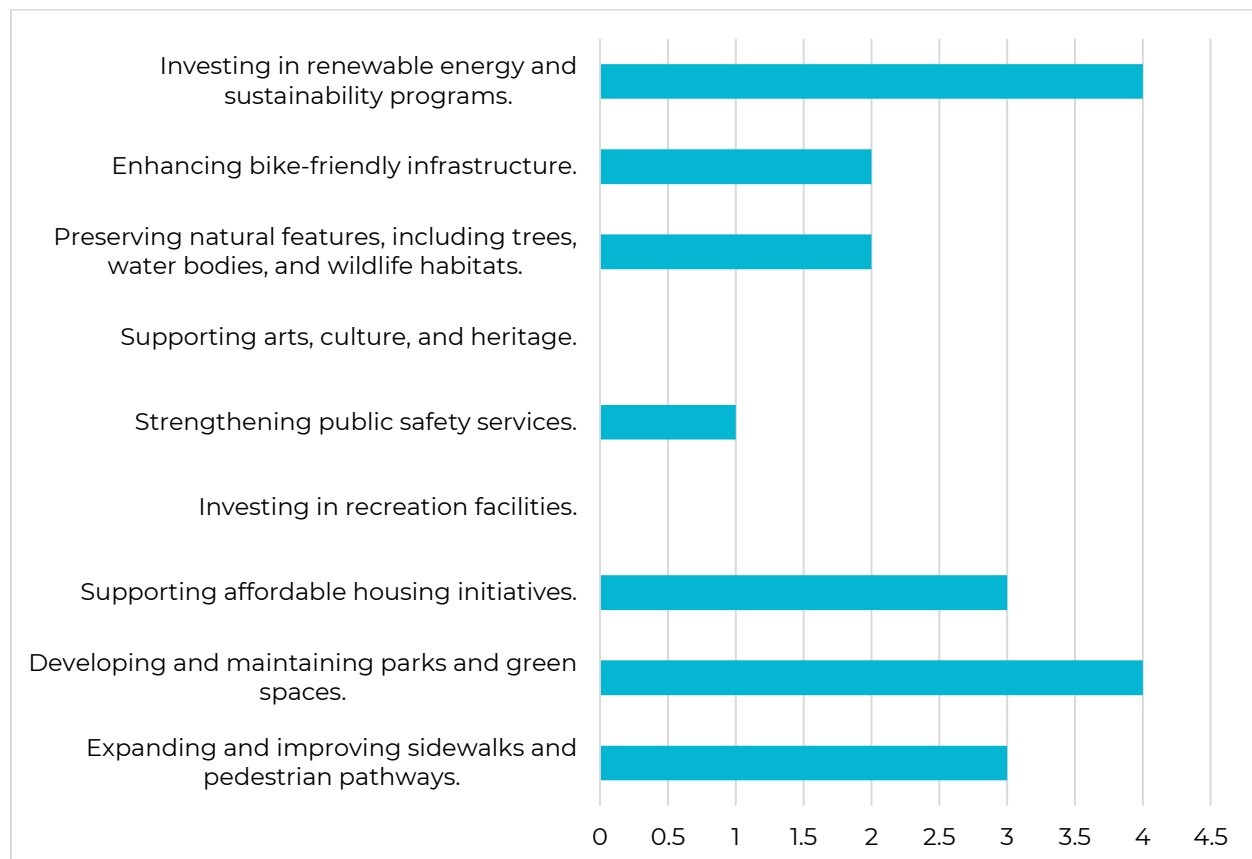


Figure 13. Community investment priorities

Communication with Sudbury Staff and Councilors

The BuildingIN team engaged with Sudbury planning staff and councilors to ensure that priorities were aligned with departmental needs and that the analysis was sensitive to local context. Key insights and challenges emerged during these discussions:

- **Needed Housing.** Staff highlighted the need for rental housing in low-rise neighbourhoods, as well as a greater diversity of housing options in neighbourhoods. Population growth in Sudbury is slow, so there isn't a volume issue, but have a shortage of housing for smaller households and lower incomes.
- **Underground Infrastructure:** Sudbury faces a significant amount of infrastructure upgrades over the coming years, and assessing these needs is very complicated. The geographic extent of the municipality is a challenge.



- **Infill Neighbourhoods with New Infrastructure:** Sudbury's low-rise housing often takes the form of new subdivisions in relatively central locations, built in areas that were not previously developed due to their challenging terrain. This kind of development comes with servicing challenges, sometimes water pressure issues, and meets the needs of only high-end purchasers.
- **Shorelines and Flood Plains:** Sudbury has a lot of waterfronts and flood-susceptible areas. The extent of areas in which development should be restricted continues to be reviewed.
- **Fiscally Sustainable Growth:** Sudbury's growth has been at very low densities, and over vast areas. Residents now demand high levels of service throughout this large area, which isn't realistic.
- **Snow Removal:** Snow removal is a big part of winter in Sudbury, and public expectations for road clearing are very high.

Table 1. Meetings with Sudbury city staff and Councilors

Date	Meeting description
March 25 th , 2024	Infill Catalyst Program (Stage 1) – Municipality participation discovery call.
September 3 rd , 2024	Start-Up: Established goals and priorities, as well as communications logistics.
October 9 th , 2024	Client Kick-off: Including a review of the Program Schedule, Community Consultation Plan, Communications Strategy, and meeting plan with the Committee of Councilors.
November 15, 2024	Client meeting to discuss schedule and next steps for first virtual consultation with the community.
November 25 th , 2024	Over To You Sudbury, a training session with the communications team.
November 26 th , 2024	A brief discussion with the client about the proposed design and rezoning for modular construction.
December 10 th , 2024	Client meeting and Committee of Councilors meeting: Presentation of materials for first community consultation. Input provided by councilors was used to refine the consultation plan.
December 11 th , 2024	Final planning meeting to review materials and logistics for our first virtual consultation.
January 7 th , 2025	Meeting with the client to discuss possible site examples.
January 15 th , 2025	Rosaline Hill presented BuildingIN scenario options and met with a select group of staff/experts to discuss them further.
January 16 th , 2025	Continued discussion with city staff re. BuildingIN scenario options and discussing upcoming consultation 2 considerations.



February 19 th , 2025	Prior to the 3 rd consultation session, Rosaline met with members of the development community who have a specific interest in infill to discuss overlay zoning regulations to remove barriers to low-rise multi-unit infill housing.
February 20 th , 2025	Client meeting and Committee of Councilors meeting: Presentation of materials from our second community consultation. Input provided by councilors was used to refine the consultation plan.
February 21 st , 2025	Rosaline met with the engineering department to discuss barriers.
March 3 rd , 2025	Client meeting and Committee of Councilors meeting: Presentation of materials from our third community consultation. Input provided by councilors was used to refine the consultation plan.
March 4 th , 2025	GIS meeting to discuss road layers to qualifying neighbourhoods.
April 10 th , 2025	BuildingIN work session with Building Services to discuss our proposed recommendation and building memos to help simplify the process of approvals.
April 11 th , 2025	BuildingIN work session with the planning department to review and refine our final report, final recommendations and suggestions.
April 11 th , 2025	BuildingIN work session with the engineering department to review Stormwater management and infrastructure concerns for future development and to review our final report.

Communication with Infill Developers / Consultants

On February 19, 2025, Rosaline Hill met with members of the local development industry at Tom Davies Square in Sudbury and delivered a presentation about BuildingIN's proposed infill program. There were 15 people in attendance, with 28 participants invited. The meeting led to three follow-up calls and 1 virtual meeting.

Developers and real estate agents challenged and tested the ideas (even running some proforma numbers) and asked lots of questions. There was overall positive feedback about the potential for implementing the BuildingIN scenario. These discussions validated the BuildingIN methodology in establishing the Qualifying Area and confirmed key assumptions about infill business models specific to Sudbury.



Establishing a Qualifying Area

Multi-unit low-rise infill housing isn't a good fit everywhere. Some lots don't allow for a viable business development model because of their dimensions, grading, location or sales price. In some areas, redevelopment isn't a good fit because existing municipal services are insufficient. The process of identifying areas ideal for infill was iterative. Initially, the following criteria was used to identify the areas ideal for low-rise multi-unit infill development:

- Low-rise residential areas as per the Zoning By-Law (see Figure 6)
- Lots previously developed before 1980 based on built permit data

After filtering, the quantity of lots in the area vastly exceeded housing needs through infill development. The Qualifying Area was, therefore, reduced to the light blue area shown in the rectangle below. This smaller area still contained redevelopment capacity vastly exceeding housing need.

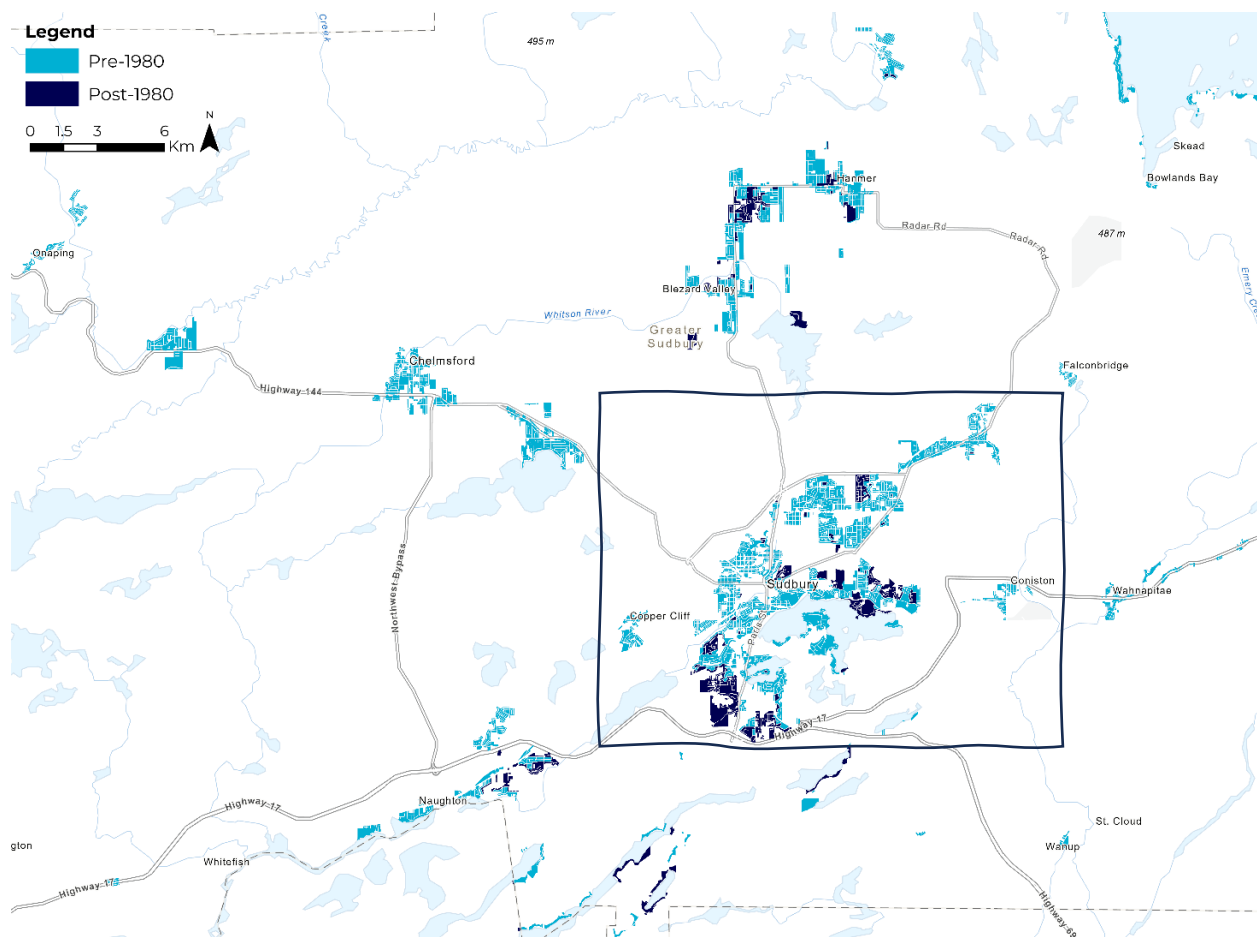


Figure 14. Phase 1 – Qualifying Area



Phase 1: Simulations – Evaluating Three Preliminary Scenarios

BuildingIN developed three scenarios to forecast potential housing industry responses through 2031. The scenarios illustrate possible trajectories of housing development and the impacts of different policies and market conditions. They aim to provide insights into potential outcomes for addressing housing supply challenges to help guide decision-making processes. Table 2 lays out the framework for each scenario.

Table 2. Scenario descriptions.

	Scenario 1: Business-as-Usual	Scenario 2: BuildingIN	Scenario 3: BuildingIN Alternate
Number of dwellings	Singles, semis, towns	Up to 12	Up to 10
Maximum storey height	3	2	2
Complexity of approvals	Moderate	Simple	Simple
Parking location	On-site	Neighbourhood	Neighbourhood
Dedicated entrances	Mostly dedicated entrances	Mostly dedicated entrances	Only dedicated entrances

In the following section, we'll dive deeper into each scenario maximum potential outcome, and present:

- 1) Forecasted outcomes for qualifying neighbourhoods, including new housing types, effects on municipal finances, and parking considerations.
- 2) Community aspirations analysis: An analysis that visualizes scenario alignment with resident aspirations, based on Consultation 1 feedback. Word art is used to visualize whether each scenario meets or does not meet resident ideas.
- 3) 3D visualizations of expected massing, spacing, windows, doors, porches, rooflines, and social dynamism. The styles shown are only examples, as style and materials are not regulated in any of the scenarios.





Figure 15. Example of a neighbourhood street, similar to an older existing neighbourhood in Sudbury

Scenario 1 – Business-As-Usual

Scenario 1 demonstrates the anticipated housing industry response under a framework that includes existing zoning requirements. It illustrates likely housing responses up to 2031 if development follows a 'business as usual' trajectory.

Forecasted outcomes

Neighbourhoods in the qualifying areas are anticipated to experience the following changes:

- **New housing types:** Small amounts of high-end custom infill in singles, semis, and rowhouses. Many of these new homes wouldn't 'fit' with the existing context due to large garage doors facing the streets, lack of animation (windows and porches), and overall large building size.
- **Municipal finances:** Continue to be highly strained due to the extent of very low-density development throughout the municipality. This leaves a minimal budget for the maintenance of existing infrastructure, sidewalks, or neighbourhood upgrades.
- **Parking:** New homes would have a driveway and attached garage parking.

Alignment with Community Goals

Scenario 1 falls short of meeting community goals, as shown by the word art from Consultation 1, where unmet aspirations have been greyed out.



Figure 16. Scenario 1 - 3D Visualizations.

Scenario 2: Max 12 Dwelling Units

Scenario 2 demonstrates the maximum capacity potential housing industry response until 2031, under a framework that includes a 12-unit cap, form-based zoning, standardized stormwater management and application requirements.

Forecasted Outcomes

Neighbourhoods in the qualifying area are anticipated to experience the following changes:

- **New housing types:** 6 to 12-unit buildings. They are scaled to fit their context and have animated facades with large porches. Unit types vary in size and tenure.
- **Municipal finances:** With most new housing in older neighbourhoods, municipal finances will be strengthened. However, the distribution of infill will be spread over large areas, and since infrastructure capacity and condition can vary significantly from one location to another, this could add unforeseen costs or complications.
- **Parking:** Neighbourhood parking is included in this scenario, though the solution—street permit parking or neighbourhood parking lots—was not yet finalized.

Note: The simulation also tested Scenario 2 with an added on-site parking requirement, which yielded results similar to Scenario 1. Even with increased unit permissions, without neighbourhood parking, developers will prioritize on-site parking and driveways over additional dwelling units, which limits density.

Alignment with Community Goals

Scenario 2 is addressing community goals, as shown by the word art from Consultation 1, where unmet aspirations have been greyed out.



Figure 17. Scenario 2 - 3D Visualizations.



Scenario 3: Max 10 Dwelling Units

Scenario 3 demonstrates the maximum capacity potential housing industry response until 2031, within a framework that closely resembles Scenario 2, but with some key distinctions: It imposes a 10-unit cap on developments and requires that each new dwelling must have its own dedicated entrance (no shared entrances and exits, no small apartments).

Forecasted Outcomes

Neighbourhoods in the qualifying area are anticipated to experience the following changes:

- **New housing types:** 6 to 10-unit buildings. They are scaled to fit their context and have animated facades with large porches. Unit types vary in size and tenure. Each unit has its own entry door on the front, side or rear of the building, which facilitates more social cohesion in the neighbourhood.
- **Municipal finances:** With most new housing in older neighbourhoods, municipal finances will be strengthened. However, the distribution of infill will be spread over large areas, and since infrastructure capacity and condition can vary significantly from one location to another, this could add unforeseen costs or complications.
- **Parking:** Neighbourhood parking is included in this scenario, though the solution — street permit parking or neighbourhood parking lots — was not yet finalized.
Note: The simulation also tested Scenario 3 with an added on-site parking requirement, which yielded results similar to Scenario 1. Even with increased unit permissions, without neighbourhood parking, developers will prioritize on-site parking and driveways over additional dwelling units, which limits density.

Alignment with Community Goals

Scenario 3 addresses community goals, as shown by the word art from Consultation 1, where unmet aspirations have been greyed out.



Figure 18. Scenario 3 - 3D Visualizations.



Phase 1 Key Insights

Insights from Mapping Scenarios

- **Scenario 1: Business-As-Usual**

Our analysis showed that Scenario 1 would have an insignificant impact on residential densities in older low-rise neighbourhoods. The density increases were so minimal that they didn't even register on maps. This scenario is not a recommended path forward for Sudbury.

- **Scenario 2: Max 12 Units**

Scenario 2 opened up development opportunities vastly in excess of housing need, but highlighted where the simulation needed refinement, particularly the need for more geographic focus to the intervention.

- **Scenario 3: Max 10 Units (Selected for further refinement)**

Scenario 3 achieved housing targets and staff identified it to be a better 'fit' within the neighbourhood context.

- **Focusing on the Qualifying Area**

In reviewing the Figure 14 map with city planning staff, we identified that the Qualifying Area was unnecessarily large. Due to the need for infrastructure studies and anticipated upgrade costs, it was decided that infill should be focused only near nodes and corridors to achieve higher density increases in smaller areas that are either well serviced or already identified as high priority for servicing upgrades.

Phase 2: Further Scenario Testing

Qualifying Area Refinement

The Qualifying Area was reduced from the previous subset to areas within a 400m walking distance of corridors.

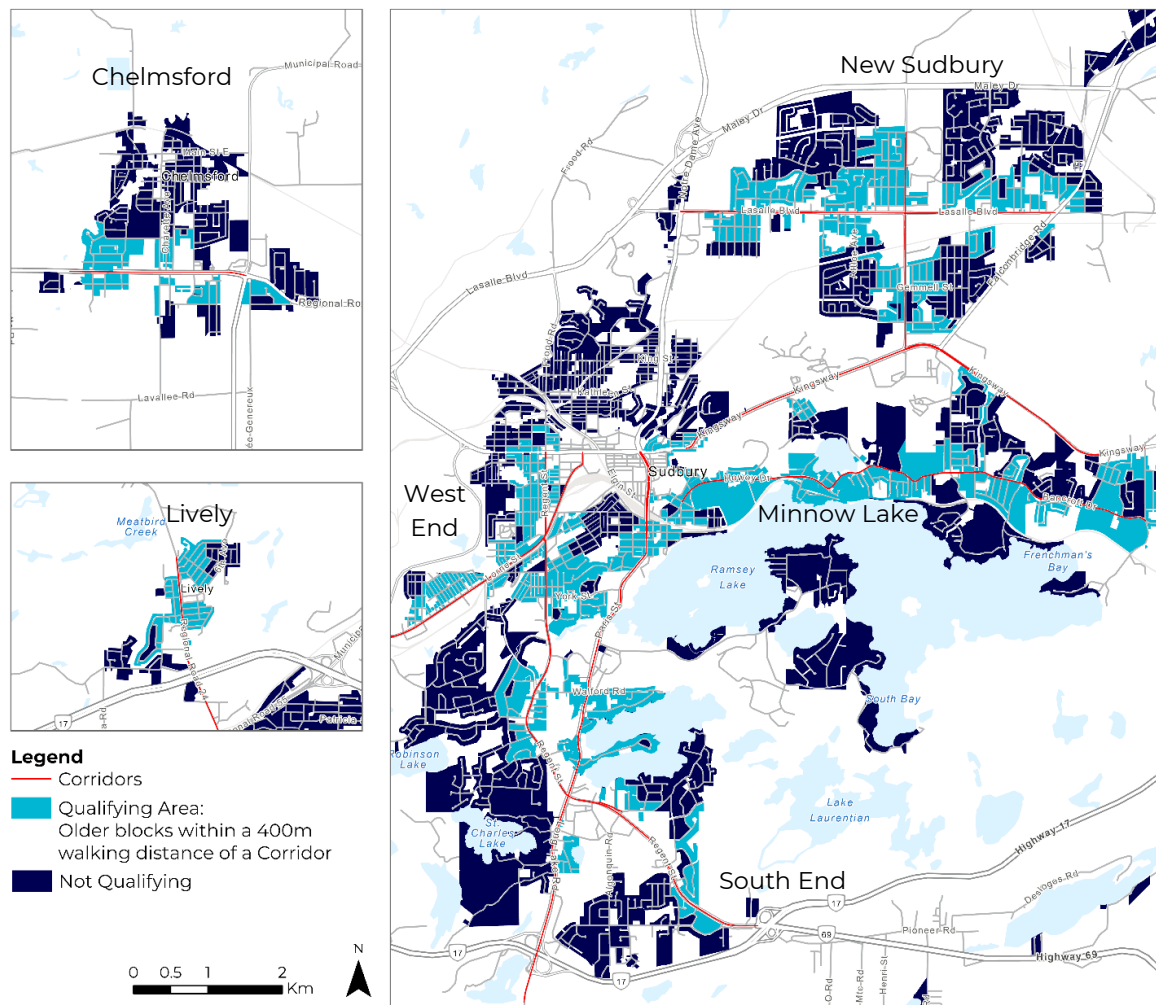


Figure 19. Phase 2 - Qualifying Area

Refinements of Scenario 3

Based on feedback from Consultation 2, city staff directed the BuildingIN team to test **Scenario 3** with some refinements, in a more restricted Qualifying Area, and until 2051 (a significantly longer planning horizon). The assumptions of Scenario 3 were favoured for the following reasons:

- 10 maximum dwelling units per building aligns with other municipal initiatives
- Dedicated entrances will likely be favoured by residents, compared to apartment-style buildings with shared entrances and exits



Scenario 4: Max 10 Dwelling Units

This scenario is a refinement of Scenario 3, and demonstrates the maximum capacity potential housing industry response until 2051, based on a framework that includes a 10-unit cap on developments, BuildingIN's additions to zoning, simple permit submission, dedicated entrances required, maximum building heights of 2 storeys, street permit parking, and 33% of units in multi-unit buildings subject to development charges.

Forecasted Outcomes

Neighbourhoods in the qualifying area are anticipated to experience the following changes:

- **New housing types:** 6 to 10-unit buildings. They are scaled to fit their context and have animated facades with large porches. Unit types vary in size and tenure. Each unit has its own entry door on the front, side or rear of the building, which facilitates more social cohesion in the neighbourhood.
- **Municipal finances** will be somewhat strengthened, by concentrating development within existing older neighbourhoods and in areas that are well-served.
- **Parking:** Neighbourhood parking is included in this scenario, though the solution — street permit parking or neighbourhood parking lots — was not yet finalized.

Note: The simulation also tested Scenario 4 with an added on-site parking requirement, which yielded results similar to Scenario 1. Even with increased unit permissions, without neighbourhood parking, developers will prioritize on-site parking and driveways over additional dwelling units, which limits density.

Alignment with Community Goals

Scenario 4 addresses community goals, as shown by the word art from Consultation 1, where unmet aspirations have been greyed out.



Figure 14. Scenario 4 3D Visualizations.



Scenario 4 Continued: Max 10 Dwelling Units

This scenario effectively shifts development into the Quantifying Area, and opens up redevelopment potential in excess of housing demand. Expansion growth (new homes on newly serviced land, often called 'green field development') would still be expected, as some households will prefer this type of housing. However new infill housing options would become the most significant source of new housing as these developments would be fast and profitable.

Simulating Outcomes – Housing 2051

Projections for development of **low-rise dwellings** in the Quantifying Area (QA) vs Other Areas

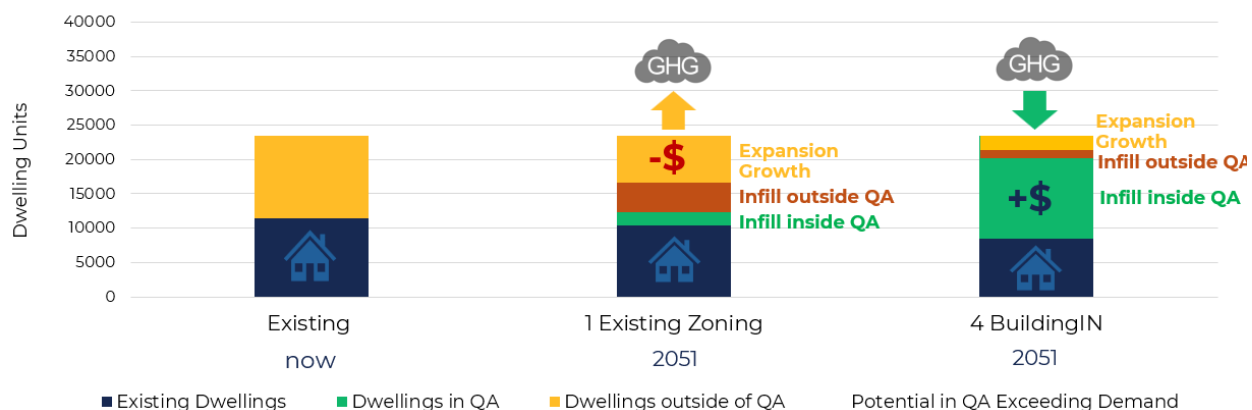


Figure 15. Phase 2 Combined Outcomes Housing, Fiscal, Environmental.

Scenario 4 Continued: Residential Density Maps

The following density maps show existing and potential new residential densities throughout the Qualifying Area, as anticipated for the BuildingIN scenario.

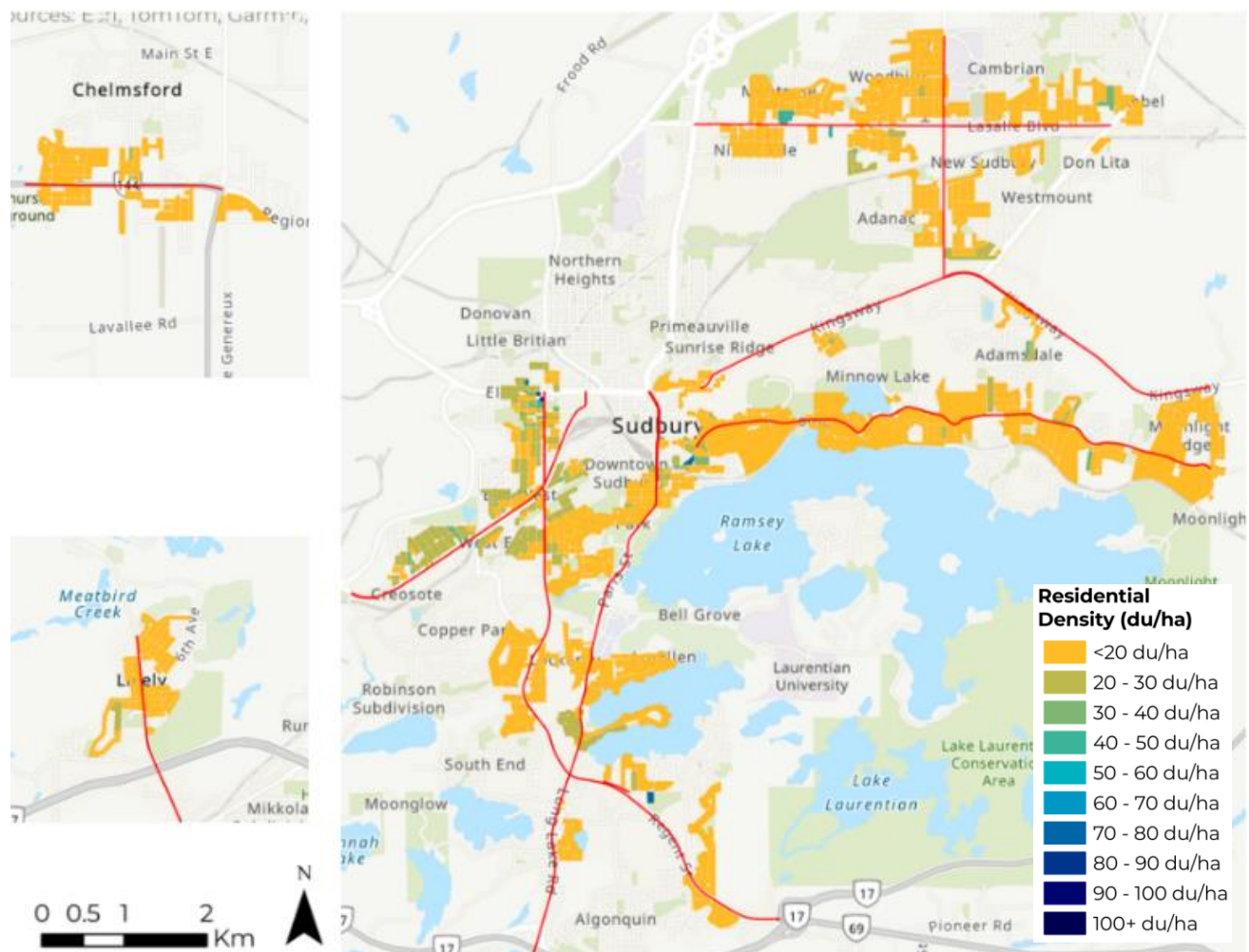


Figure 17. Phase 2 - Existing Residential Density, Expressed in Dwelling Units per Net Hectare

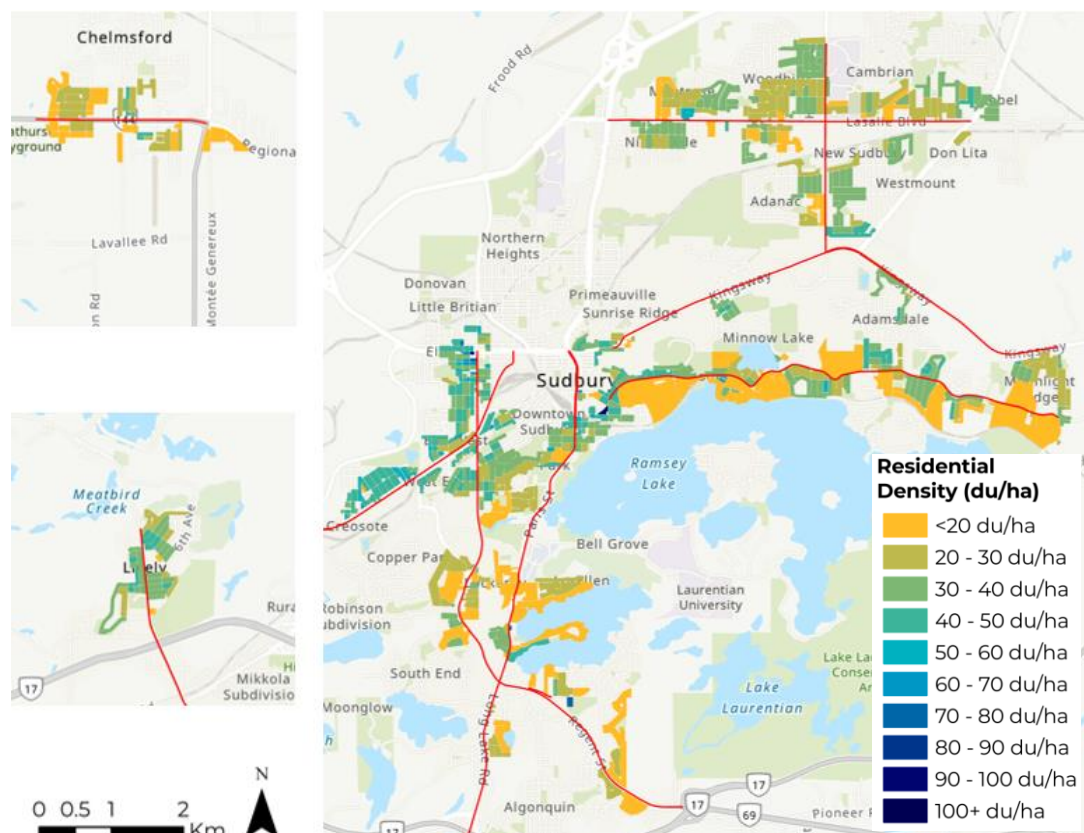


Figure 18. Phase 2 - Scenario 4 (BuildingIN) Estimated Residential Density in 2051, Expressed in Dwelling Units per Net Hectare

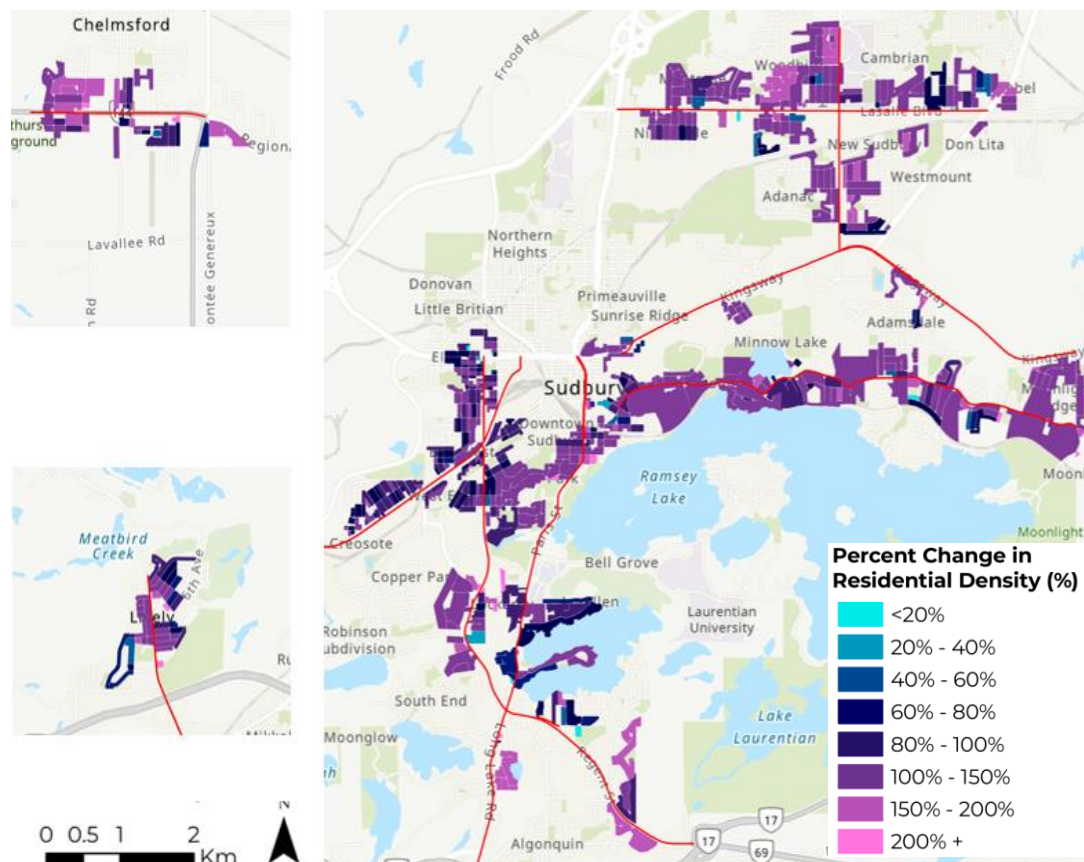


Figure 19. Phase 2 - Scenario 4 (BuildingIN), Percent Change in Residential Density Compared to the Existing.

Phase 3: Scenario Refinement, Modelling and In-depth Analysis

Based on the success of Scenario 4, work continued with similar scenario assumptions. In Phase 3, we further refined the QA, conducted a more in-depth analysis of parking solutions, and prepared fiscal and emissions simulations to complement the forecasted housing outcomes. We also updated Scenario 1 (Business-As-Usual) simulations using the refined Qualifying Area.

Further Refinement to the Qualifying Area

Based on ongoing discussions with city staff, we further refined the Qualifying Area (Figure 20) based on the following criteria:

- No large apartment buildings
- No floodplain
- No fronting/backing on water
- No blocks bounded entirely by roads too skinny (< 8m) for street permit parking on all sides and/or roads otherwise not appropriate for street permit parking -- defined as highway, arterial (primary), arterial (secondary), ramp, lane or private road.
- Only blocks where the average value as per 2016 census tract data is under \$400,000 were included.

See [Appendix A](#) for intermediary maps and methodology.

To ensure clarity, the refined versions have been renamed and will be referred to consistently throughout the remainder of this report:

- Scenario 1 became “**Business-As-Usual Scenario**”
- Scenario 4 became “**BuildingIN Scenario**”

The following sections provide an in-depth analysis of the Business-As-Usual Scenario vs the BuildingIN Scenario for:

- [Summary of high-level outcomes](#)
- [Infill vs non-infill growth](#)
- [Axonometric diagrams of new homes](#)
- [Streetviews](#)
- [Residential density outcomes](#)
- [Residential diversity outcomes](#)
- [Social dynamics on neighbourhood streets](#)
- [Fiscal scenario outcomes](#)
- [Emission outcomes](#)



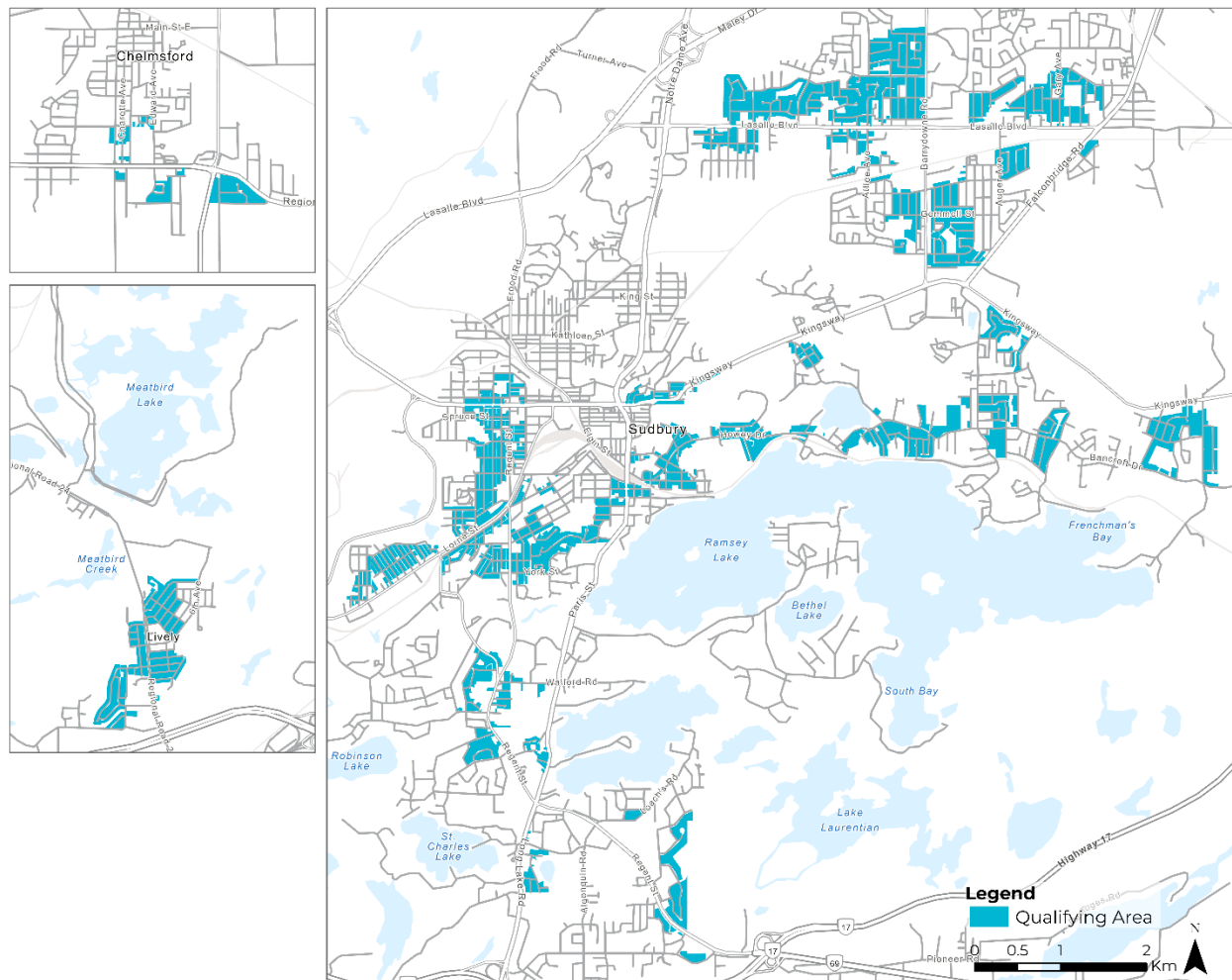
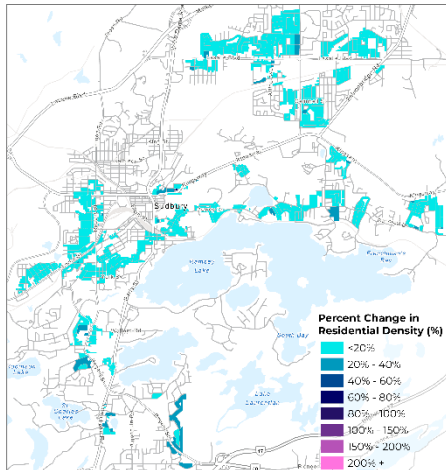
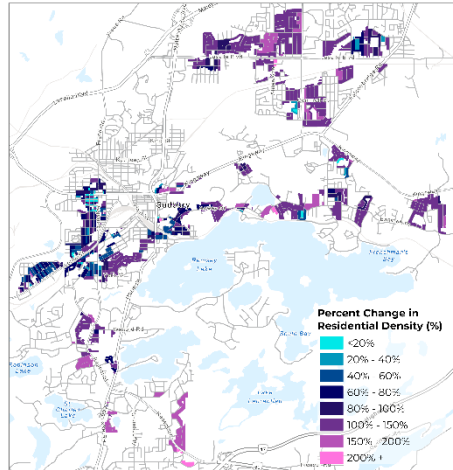


Figure 20. Phase 3 – Final Qualifying Area.

Summary of High-Level Outcomes

The table below summarizes key maximum capacity potential outcomes for the "Business-as-Usual Scenario" and "BuildingIN Scenario", forecasting the housing industry response through 2051.

	Business-As-Usual Scenario	BuildingIN Recommended Scenario
Modeling parameters for housing industry response	Assumes existing zoning, approvals, and on-site parking requirements.	Allows up to 10 units/building, implements simpler standardized approvals, uses form-based zoning, requires dedicated entrances, and incorporates neighbourhood parking solutions.
Maximum capacity potential cumulative tax and development charge uplift	\$99,562,006 Tax uplift from infill could help to pay for much-needed maintenance of existing services. Growth in expansion lands would also generate tax uplift, but not in proportion to the cost of long-term servicing of these areas.	\$755,867,622 Tax uplift from infill would provide a substantial fiscal advantage, supporting much-needed maintenance and long-term financial health.
Maximum capacity potential change in residential density maps	1419 total new infill dwelling units 9% net dwelling unit increase 	10,252 total new infill dwelling units 104% net dwelling unit increase 

3D Visualizations

See [Streetview section](#) for enlarged images.



Infill vs Non-Infill Growth

As discussed in the Background section of this report, Sudbury is forecasted to have 12,010 new households by 2051 as per the City's population projections. Here is a breakdown of how each scenario meets that demand.

Business-As-Usual Scenario

This scenario represents the current development trajectory, which falls significantly short of meeting Sudbury's housing needs through infill development.

- Falls short of housing targets by 11,216 units
- Only 12% of new housing would be infill in the well-served Qualifying Area (1419 dwelling units)
- 88% of new housing would have to be built outside of the Qualifying area, mainly on expansion lands.

The Business-As-Usual approach would necessitate substantial greenfield development, as it fails to utilize existing urban areas efficiently for new housing, and provides housing only for a limited household demographic.

BuildingIN Recommended Scenario

This scenario proposes policy changes to dramatically increase infill development quantities and variety within well-served existing urban areas.

- The BuildingIN Scenario could attract up to 10,252 new infill dwellings
- Infill housing would meet demand for a diversity of unit sizes, tenures and price points
- Expansion growth (new homes on newly serviced land, often called 'green field development') would slow

The BuildingIN Scenario could allow qualifying neighbourhoods to double or triple in density, significantly curbing demand for expansion growth and promoting more sustainable urban development patterns.

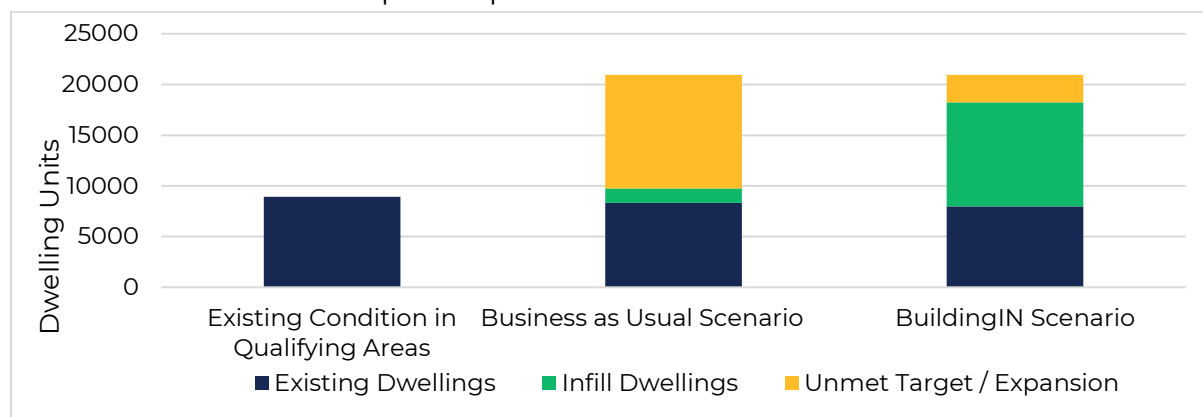


Figure 21. Scenario Outcomes for Meeting Housing Target.

Axonometric Diagrams – New Homes by 2051

Scenario 1 – Existing Zoning

Infill developments in this scenario would include small numbers of high-end singles and semis, and occasional additional dwelling units added to existing homes.



Scenario 4 – BuildingIN

Infill developments in this scenario would include 2-10 units per building and would be undertaken on scattered lots throughout the Qualifying Areas.



Streetviews

3D visualizations of the scenario outcomes allow comparison of the expected massing, spacing, windows, doors, porches, rooflines, social dynamism and much more. Style and materials are not regulated in any of the scenarios, so architectural styles are provided as examples only.

Scenario 1, Example 1

Note: Scenarios 2 & 3 without neighbourhood parking also produce this outcome.



Figure 22. Scenario 1 – Streetview Example 1

In this scenario, due to the market demand for parking, together with zoning and site grading limitations on parking, single-family homes with garages are a good infill development option.

Scenario 1, Example 2

Note: Scenarios 2 & 3 without neighbourhood parking also produce this outcome.



Figure 23. Scenario 1 – Streetview Example 2

Townhouses or semis are also viable in this scenario, also providing parking on-site. Secondary dwelling units would sometimes be included in the basement, with a parking space provided beside the primary unit's parking in the front yard. Lot widths of over 11m would be required per primary unit, to meet parking and landscaping requirements for two parked cars.

Scenario 4, Example 1



Figure 25. Scenario 4 - Streetview Example 1

The BuildingIN scenario would result in multi-unit buildings like this, where lots are 130' or more in-depth and 60' or more in frontage, with walkways leading to townhouses. Parking would be provided nearby in the neighbourhood, allowing for as many as 10 units in a single infill building. The example above shows two triplexes facing the street and an attached row of 3 towns going back into the lot. All units in this example have dedicated entrances.

Scenario 4, Example 2



Figure 26. Scenario 4 - Streetview Example 2

The BuildingIN scenario would result in a multi-unit building like this, where lots are less than 130' and 50' in frontage. This example includes 8 units, each with dedicated entrances (4 front and 4 at the rear).

Residential Density Outcomes

Expressed in Dwelling Units Per Net Hectare

The maps below illustrate expected residential densities by 2051, expressed in dwelling units per net hectare, factoring in lot sizes and other variables that would inform a developers' decision about what to build and where. Yellow-marked areas indicate critically low densities, falling short of fiscal sustainability thresholds. In these areas, long-term costs significantly outweigh property tax revenues.

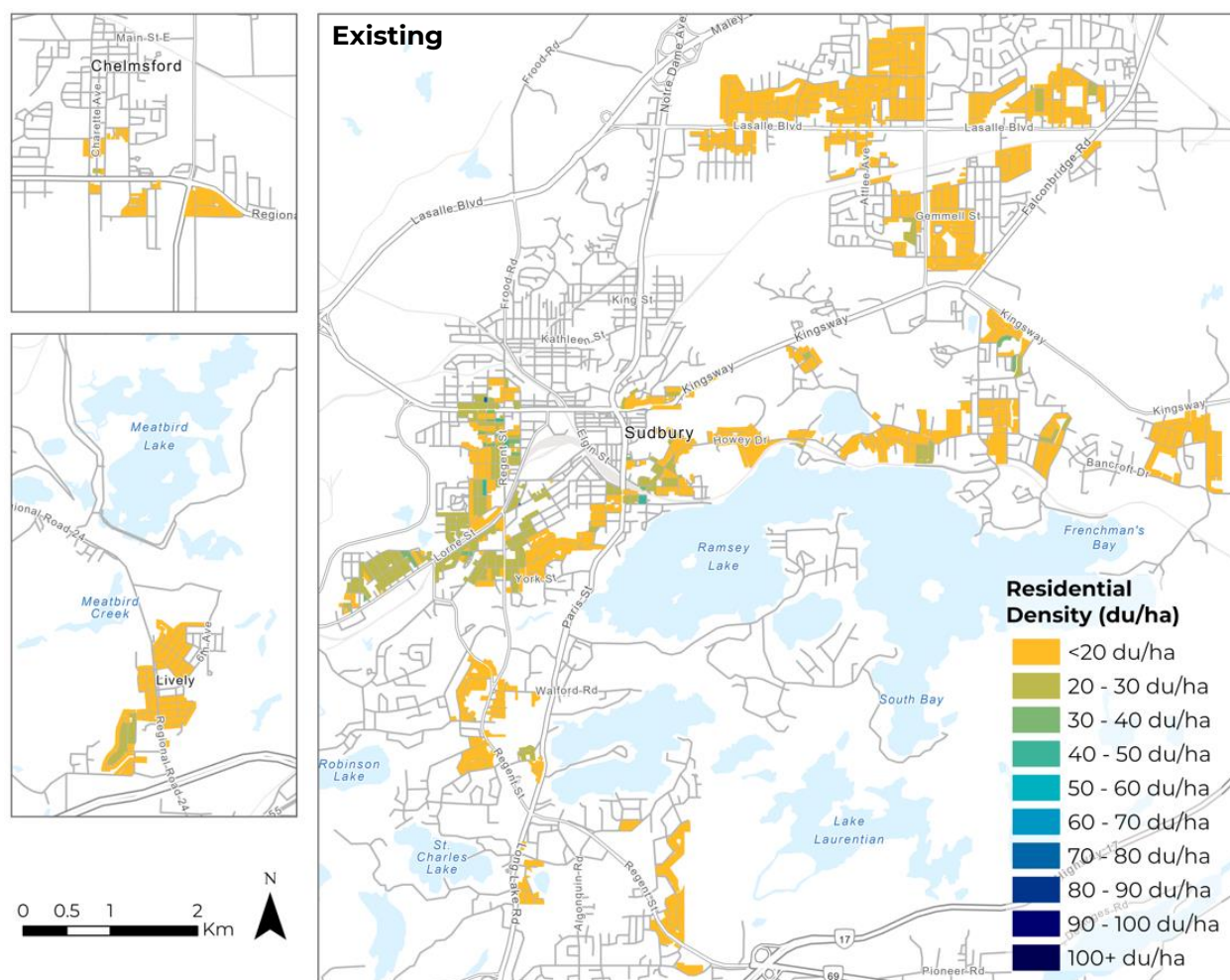


Figure 27. Existing Residential Density Expressed in Dwelling Units Per Net Hectare

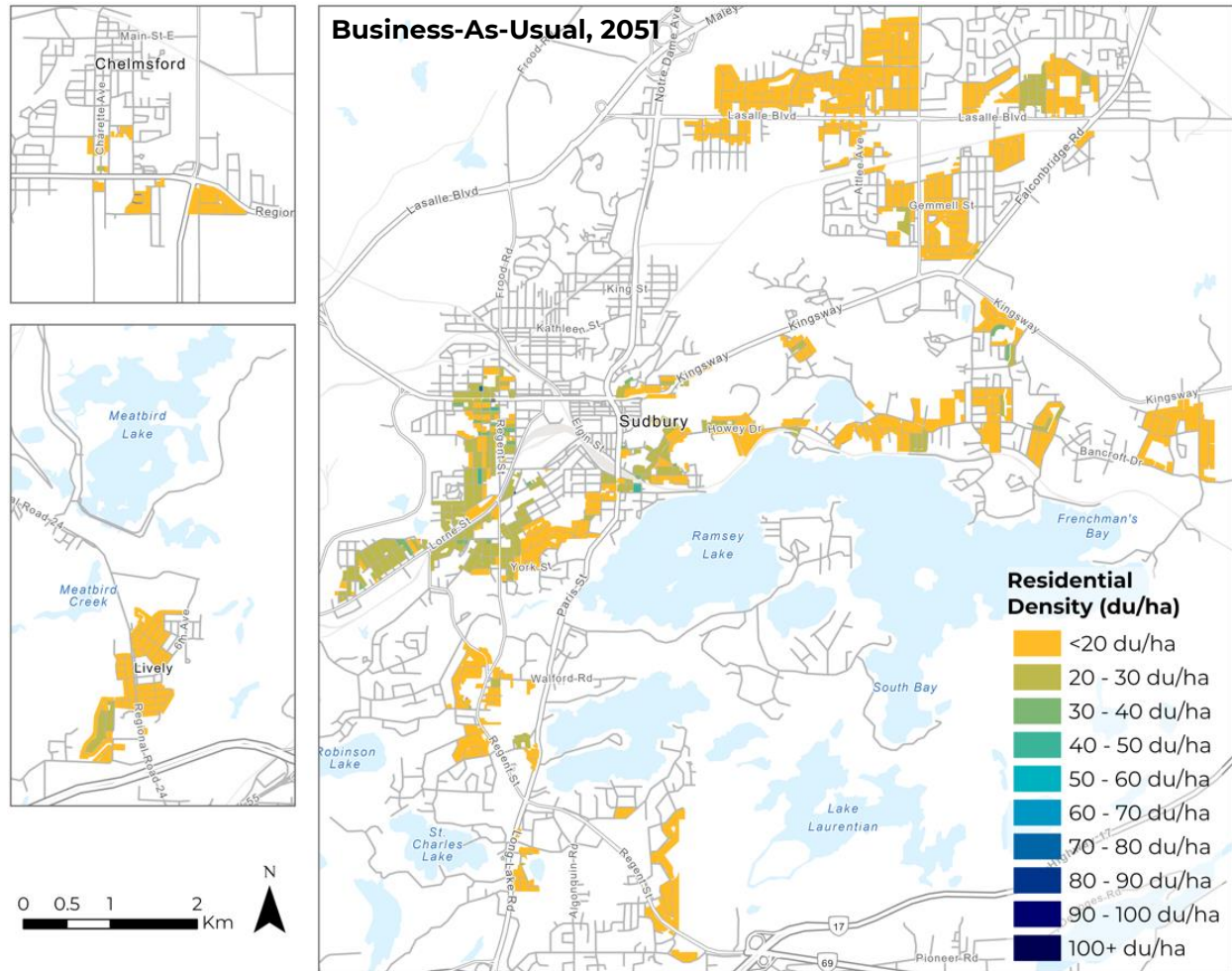


Figure 28. Business-as-Usual Scenario - Residential Density Outcomes Expressed in Dwelling Units Per Net Hectare

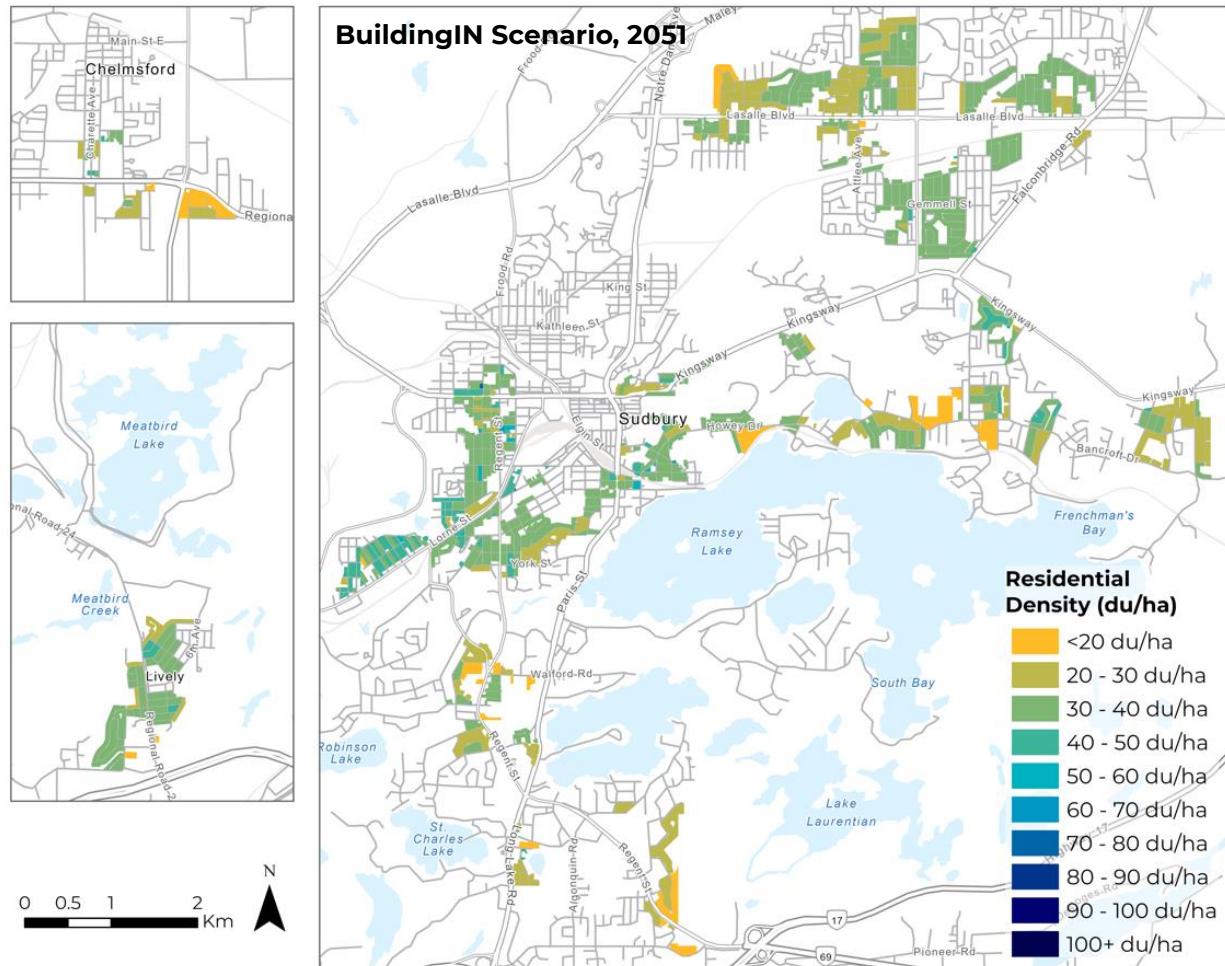


Figure 29. BuildingIN Scenario - Residential Density Outcomes Expressed in Dwelling Units Per Net Hectare

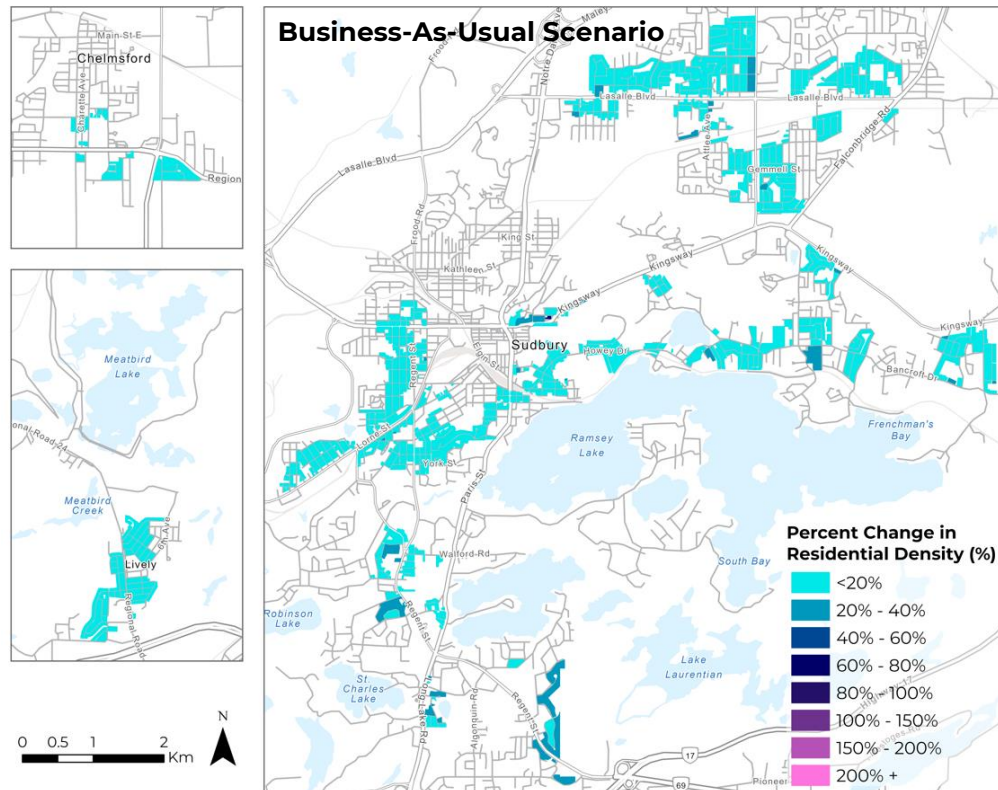


Figure 30. Business-as-Usual Scenario – Percent Change in Residential Density Outcomes Compared to the Existing Density

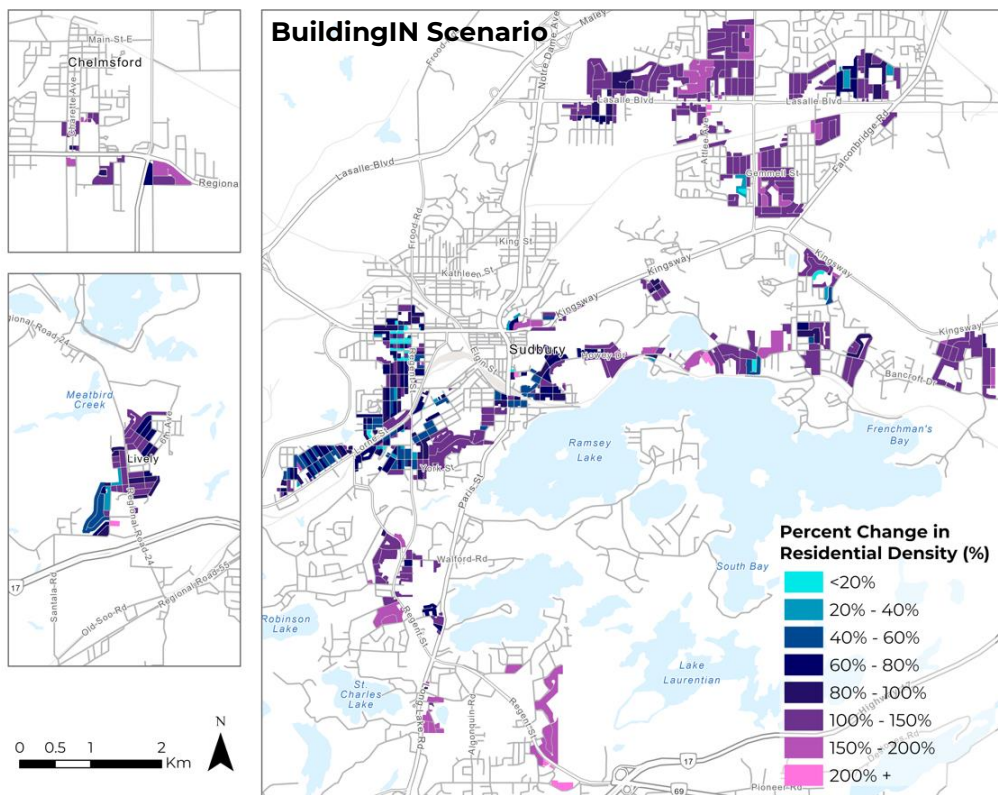


Figure 31. BuildingIN Scenario – Percent Change in Residential Density Outcomes Compared to the Existing Density

Expressed in % Change in Dwelling Units per Net Hectare

The maps on the previous page illustrate projected % increases in dwelling units through 2051. The “Business-as-Usual Scenario” shows minimal density growth, maintaining fiscally unsustainable levels. In contrast, the “BuildingIN Scenario” demonstrates substantial density increases while preserving most existing homes.

Residential Diversity Outcomes

Exclusionary Zoning

The Business-As-Usual Scenario results in small amounts of high-end custom infill in singles and semis, and some conversions that add additional apartments to existing homes. This amounts to a slow loss of more moderately priced housing and a slow increase in high-end housing. Existing zoning was not intended to exclude various housing options from existing neighbourhoods, but in today’s housing market, some households are being effectively zoned out.

Zoning for Diversity

The BuildingIN Scenario results in a much greater mix of housing within the Qualifying Areas. New multi-unit low-rise buildings will provide dwelling units for a variety of household sizes, from 1 to 3-bedroom units. Some new dwellings will be rentals, some condos, some freehold, and some pairs or triplets of dwellings will be freehold. Most of these new dwellings will depend on street permit parking, so rents and purchase prices will be a little lower as a result. Most older homes will remain, so the result will be an increased diversity of housing options, including larger homes and very small units. See Figure 33.

Zoning for Repeatable Solutions

The BuildingIN zoning recommendations are designed to make repeatable and modular designs work well, even on infill lots that are all a little different from one to the next. This facilitates more cost-effective construction, rather than custom designs.

Social Dynamics on Neighbourhood Streets

Car-Culture and Sterile Facades

The Business-As-Usual Scenario impact on neighbourhood streets is a lessening of social interaction, with infill that has garage doors facing the street, fewer windows into living spaces, and residents who tend to drive rather than walk.



Figure 32. Business-As-Usual, Custom Semi 3D Visualization

Animated Facades and Social Dynamics

The BuildingIN Scenario would result in infill housing with facades animated with porches and windows, and new residents who walk to their car parked down the street or choose to walk to local destinations.



Figure 33. BuildingIN Recommendation Scenario 3D Visualization



Fiscal Scenario Outcomes

The map below illustrates the estimated municipal revenue accrued in 2025 from property taxes.ⁱ

Figures 34, 35 and 36 offer a visual comparison of the maximum capacity potential average annual municipal revenue uplift generated from property taxes and development charges under two scenarios. The “Business-As-Usual Scenario” projects an annual municipal revenue uplift of up to **\$99,562,006** from 2026 to 2051. In contrast, the BuildingIN Scenario projects an annual municipal revenue uplift of up to **\$755,867,622** over the same period. Overall, the BuildingIN Scenario has the potential to generate nearly nine times more annual municipal revenue compared to the Business-As-Usual approach.

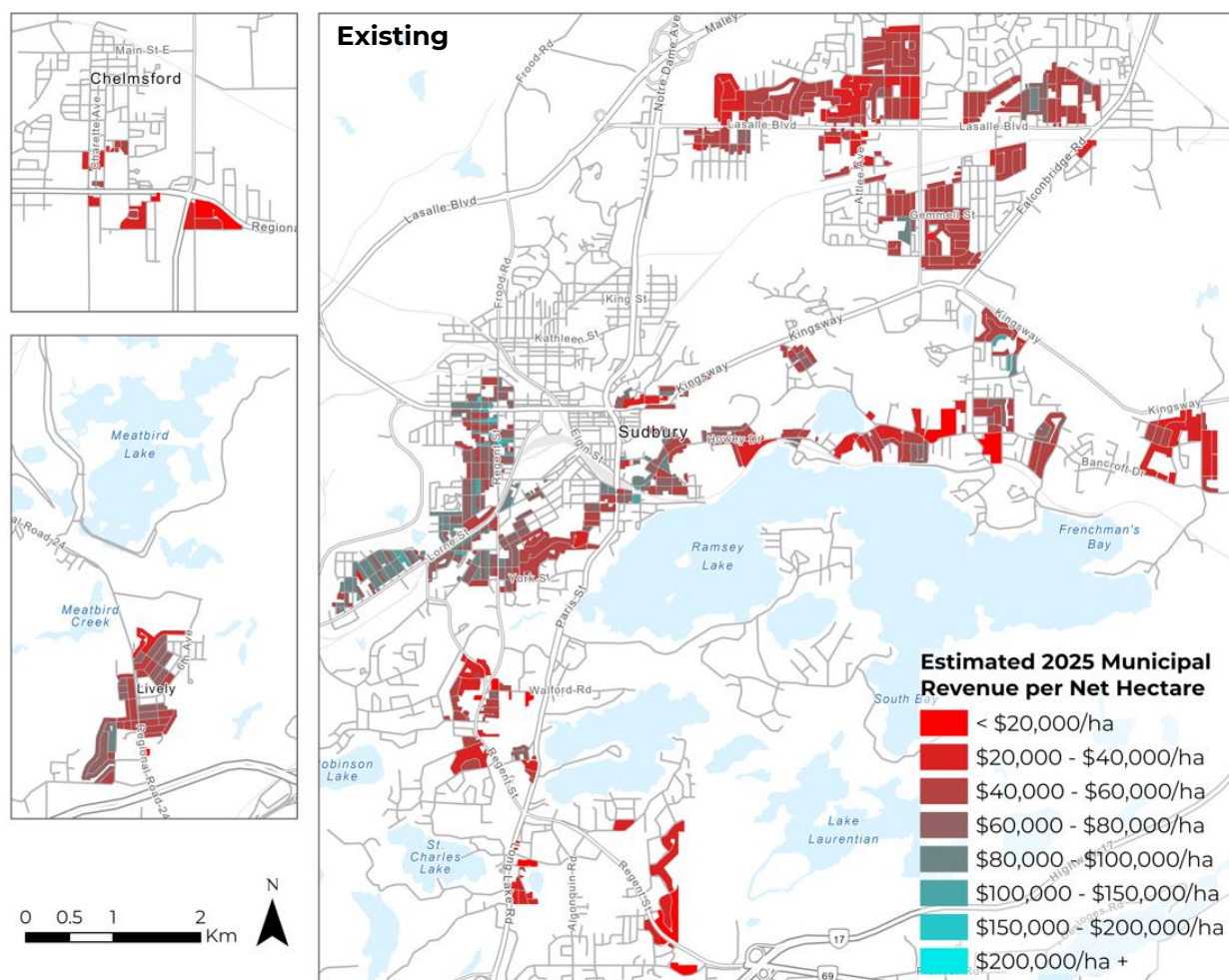


Figure 34. Existing Condition – Estimated Municipal Revenue from Property Taxes in 2025, Expressed in Dollars per Net Hectare.

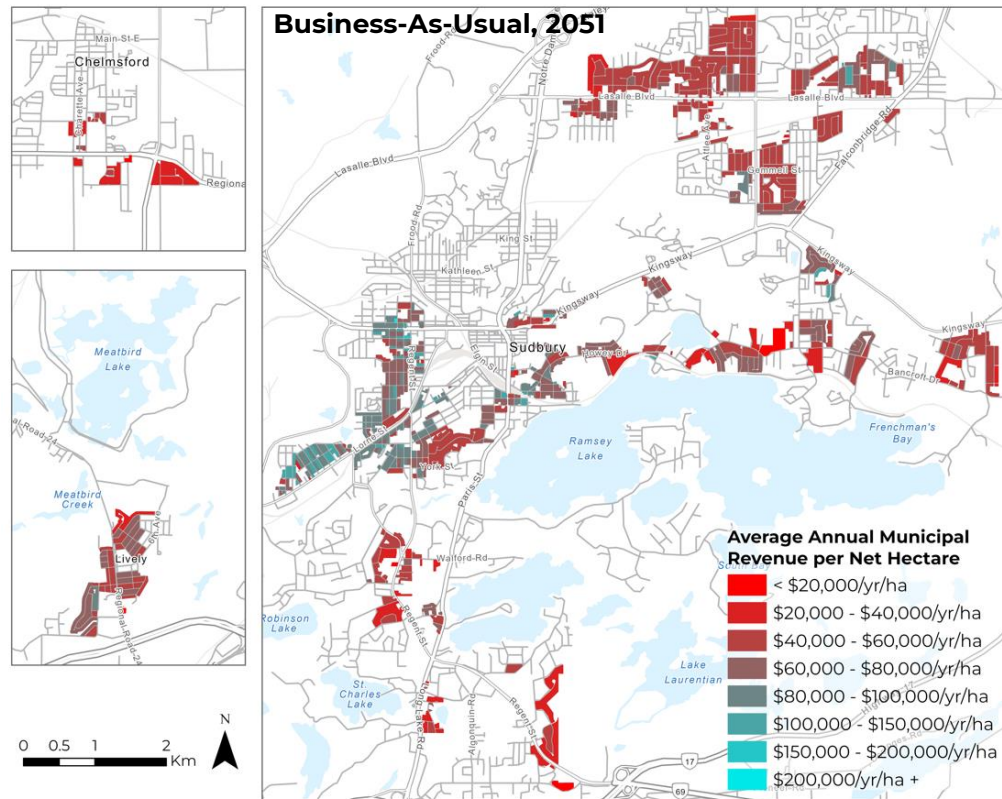


Figure 35. Business-As-Usual – Estimated Average Annual Municipal Revenue from Property Taxes and Development Charges Through 2051, Expressed in Dollars per Net Hectare

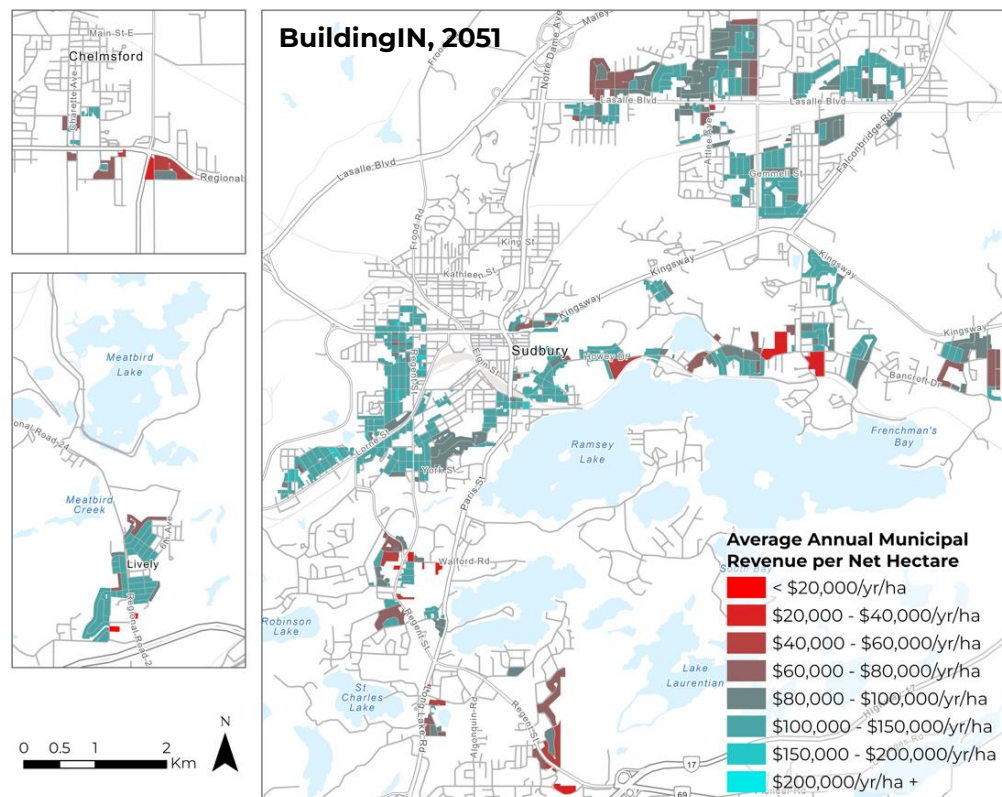


Figure 36. BuildingIN Scenario – Estimated Average Annual Municipal Revenue from Property Taxes and Development Charges Through 2051, Expressed in Dollars per Net Hectare

Expressed in % Change in Annual Average Municipal Revenue per Net Hectare

The maps below illustrate projected percentage increases in average annual municipal revenue through 2051. The “Business-as-Usual Scenario” shows minimal density growth, maintaining fiscally unsustainable levels. In contrast, the “BuildingIN Recommended Scenario” demonstrates substantial annual revenue increases.

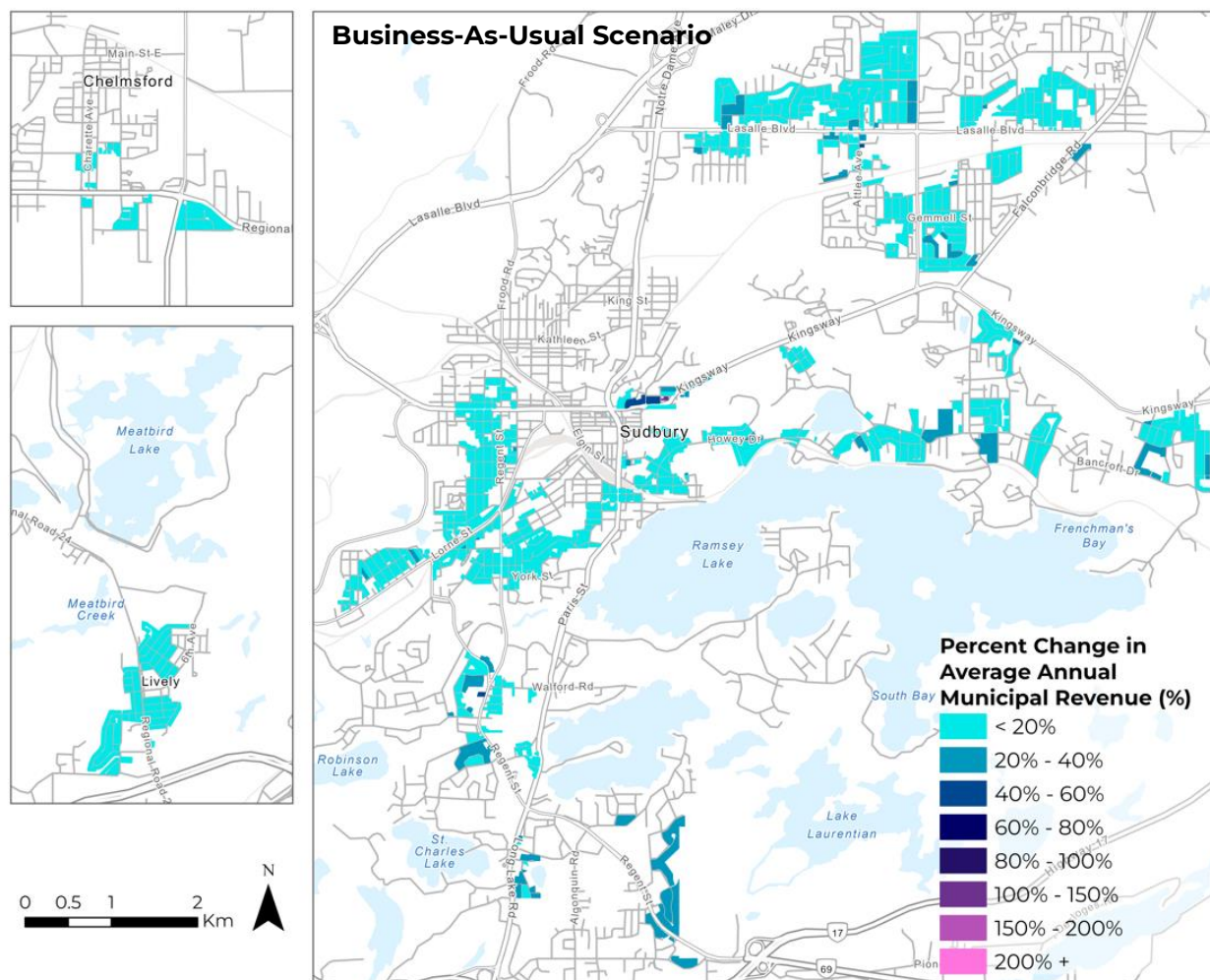


Figure 37. Business-as-Usual – Percent Change in Average Annual Municipal Revenue Through 2051 from the Estimated 2025 Baseline

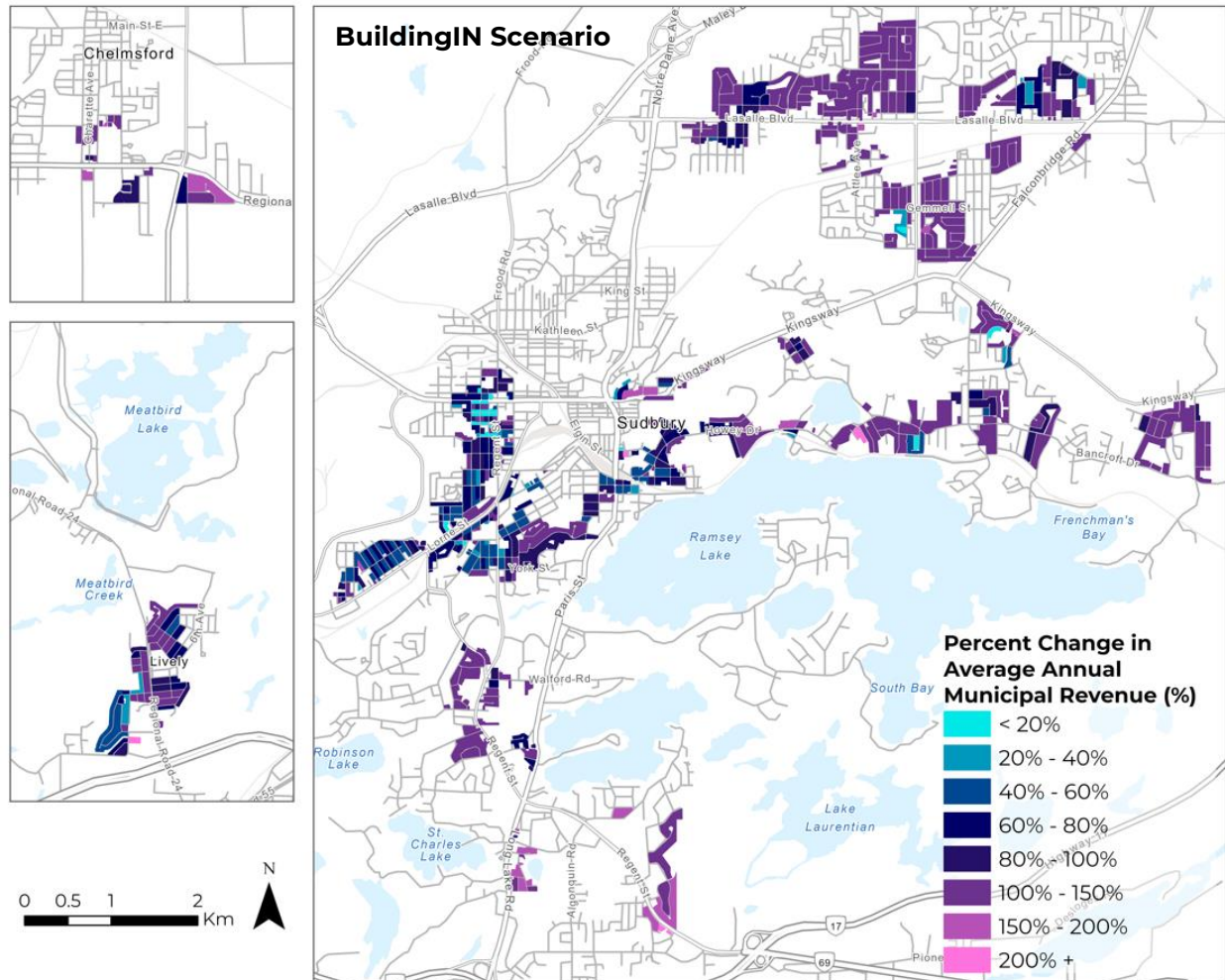


Figure 38. BuildingIN Scenario - Percent Change in Average Annual Municipal Revenue Through 2051 from the Estimated 2025 Baseline

Mapping Emission Outcomes

The analysis shows differences in emission reductions between scenarios. From 2025 to 2051, housing-related emissions are projected to drop by up to 711 tCO₂eq/yr under the BAU scenario. However, the BuildingIN Scenario projects a reduction of up to 951 tCO₂eq/yr, primarily due to more compact housing designs with shared walls, floors, and ceilings, emphasizing their environmental benefits.

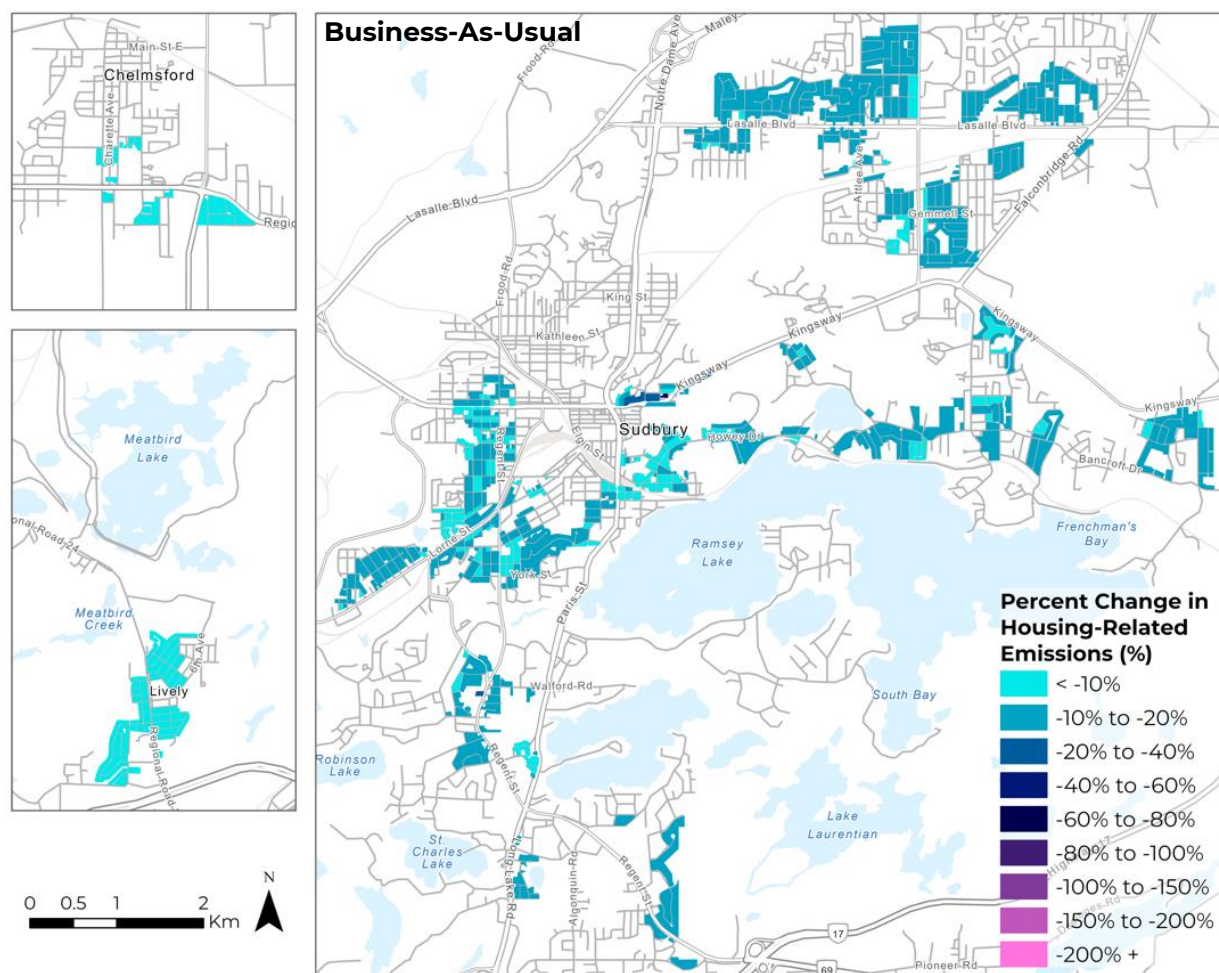


Figure 39. Business-as-Usual - Percent Change in Average Annual Housing-Related Emissions Through 2051 Compared to the Estimated 2025 Baseline

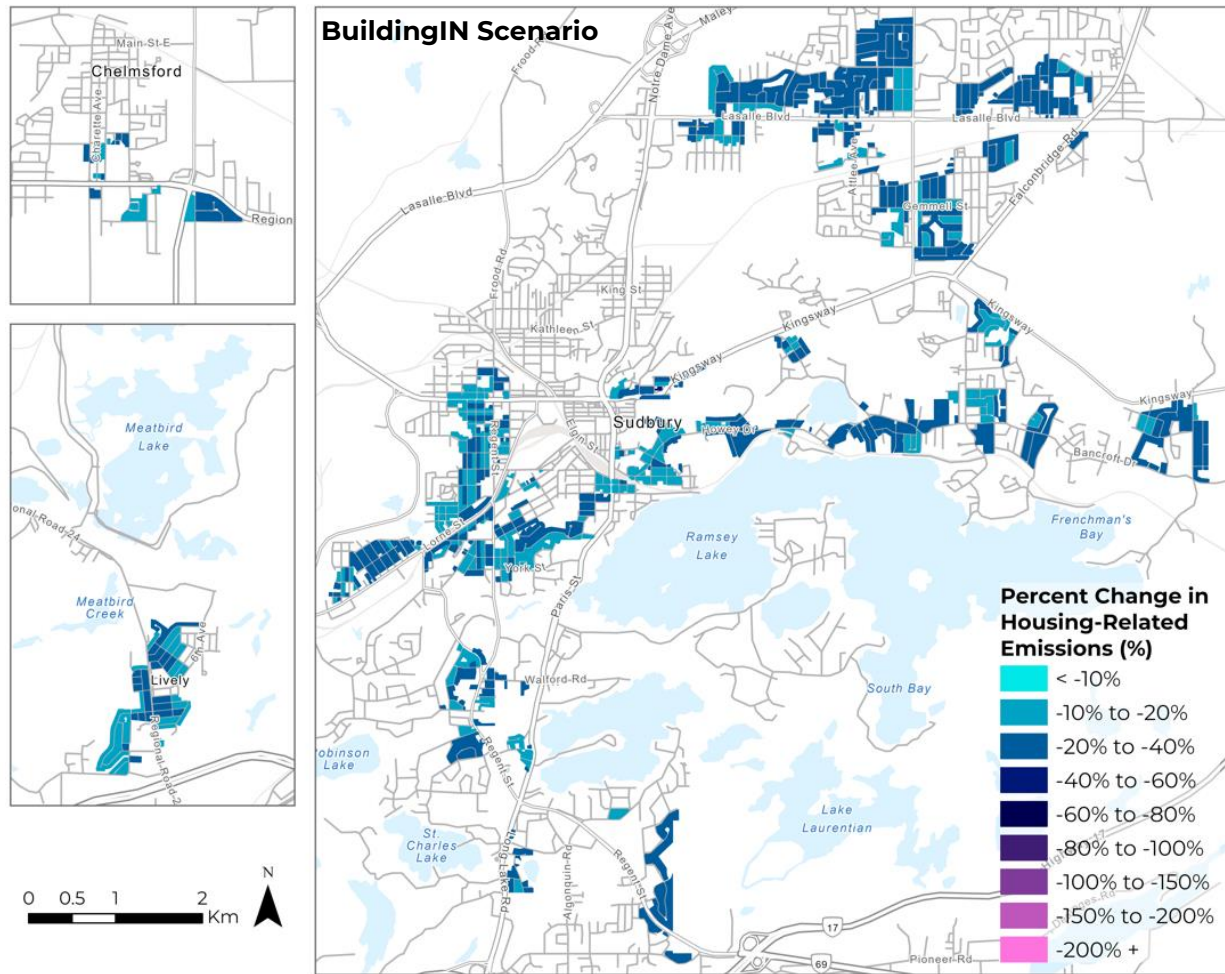


Figure 40. BuildingIN Scenario - Percent Change in Average Annual Housing-Related Emissions Through 2051 Compared to the Estimated 2025 Baseline

Neighbourhood Parking

The BuildingIN Scenario proposes neighbourhood parking—including street permit parking, small neighbourhood lots, and front parking pads—rather than providing parking beside buildings on development sites. Eliminating neighbourhood parking from the recommended scenario shifts industry response and results in cumulative results comparable to the Business-As-Usual scenario.

A neighbourhood parking solution is essential to the BuildingIN recommendations for several key reasons:

- **Supports a strong business model for multi-unit developments:**
Most buyers and renters expect convenient parking, making it critical for sales and occupancy. Multi-unit buildings with smaller units are more profitable for developers, offering a repeatable and scalable business model. By eliminating on-site parking requirements, developers also avoid the added complexity and cost of designing stormwater drainage and filtration for each lot—an expense that can make infill projects unfeasible.
- **Maximizes municipal infrastructure efficiency:**
Removing the need for on-site parking allows more land to be used for housing, making better use of existing infrastructure and increasing the number of units that can be built.
- **Increases housing diversity and affordability:**
Requiring all parking on-site limits the number of units and drives up costs. Neighbourhood parking solutions enable a wider range of unit sizes and more affordable options, supporting greater housing diversity.

Recommended neighbourhood parking solutions for Sudbury include:

- [Street Permit Parking](#)
- [Small Neighbourhood Parking Lots](#)
- [Front Parking Pads](#)

Street Permit Parking

Street permit parking is an off-site parking alternative with the following advantages:

- No increase in hard surfaces or overland stormwater flow
- No reduction in soft landscaping or trees
- No construction cost (lower total construction costs for infill housing)
- Cost-neutral for the municipality

Street permit parking is a good complement to multi-unit low-rise infill proposed within the Qualifying Area, because within these areas the streets aren't arterial roads and are wide enough for parking and snow management.

See Appendix C: Summary of Neighbourhood Residential Parking Examples in Small Towns.

Note: Street permit parking passes should only be available to residents in nearby new housing units that do not have on-site parking. 4-hour short-term parking permissions would remain. Permit or short-term street parking would be permitted on only one side of the street in Qualifying Areas. Outside of the Qualifying Areas, there would be no change to street parking rules.

Streets Well Suited for Permit Parking

To allow space for street permit parking during the winter, the following space is required:

- 5.4m width for two traffic lanes (one in each direction)
- 2.6m wide parking lane – one side only
- 3m wide snow pile where there is no abutting sidewalk, piled up as snowplows pass – this pile can be assumed to be entirely beyond the edge of the pavement
- 2m wide snow pile between a useable roadway and a sidewalk, where a plow passes first and then a bobcat clears the sidewalk

Based on the above dimensions, we recommend that street permits for parking for infill residents be provided only on streets that:

- Have no sidewalks and a pavement width of at least 8m,
- Have a sidewalk on only one side and a pavement width of at least 10m,
- Have sidewalks on both sides and the space between sidewalks exceeds 13m.

Infill developments will be undertaken incrementally. Demand for street permit parking will increase over time, together with transit use and people walking. The city should plan new sidewalks within the Qualifying Area, and locate them 3m from the road edge, to facilitate permit parking and snow removal. This will increase the number of streets suitable for street permit parking.

Note: The extent of the Qualifying Area has been refined to exclude areas where the majority of streets are not wide enough to support street permit parking.

Winter Snow Clearing and Permit Parking

After snowfall, drivers with street parking permits should be required to move their vehicles to the 'other' side of the street (for a day) for a second pass of snowplows. This additional snow clearing would only be required where there are street parking permits within the Qualifying Area.

Where streets have a sidewalk on one side, it is important that permit parking be located on the same side as the sidewalk. After a snowfall, the first plows to pass would push the majority of the snow away from the line of park cars and would not plow snow over the sidewalk. Permit holders would then be asked to switch sides, allowing for a second pass of the plows, which would pile snow on the side of the road, but not over the sidewalk. See Example 2 below.

Example 1: 8m wide street with a planned future sidewalk.

Roads as narrow as 8m in Sudbury typically do not have sidewalks, which means that in the winter, snow can be pushed entirely off the width of the road and onto the right-of-way. Roads without sidewalks generally have a small gravel shoulder that can be kept clear in the winter for pedestrians.

In the future, a sidewalk can be established on one side of the street. However, to ensure adequate space for snow piling, the sidewalk should be located at least 3m from the street edge.

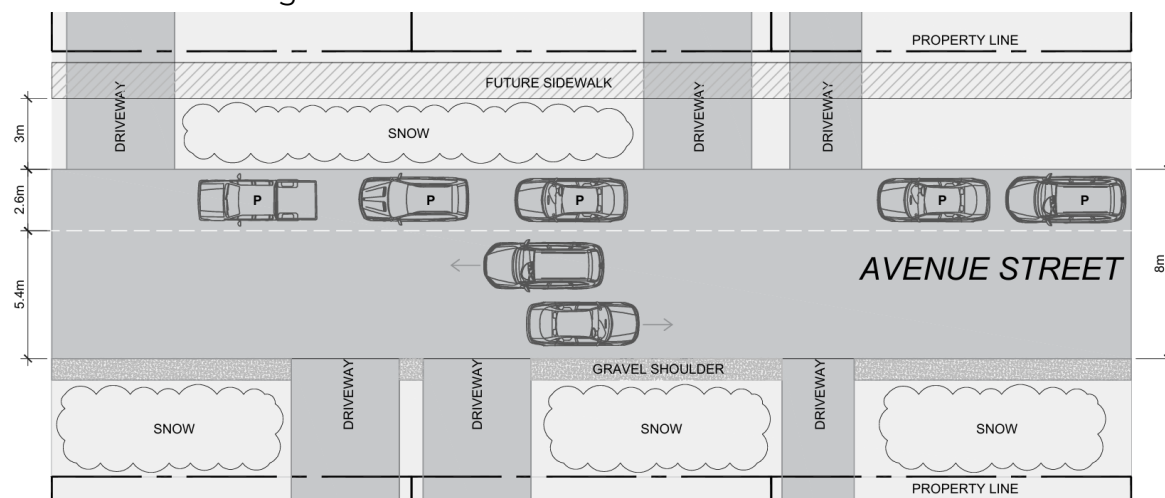


Figure 41. Street permit parking on one side of an 8m wide street and a future sidewalk.

NOTE: Property parcels shown are 50' wide.

Example 2: 10m wide street with a sidewalk

10m-wide streets in Sudbury typically have at least one sidewalk on one side of the road. However, these sidewalks are often too close to the edge of the road for snow to be stored in between the sidewalk and the road. In these instances, the non-sidewalk side of the street is better suited to snow piling, and snowbanks are often 3m in the right-of-way. On the street side next to the sidewalk, a snowbank can be piled on the street, leaving the sidewalk clear – a snowbank about 2m wide.

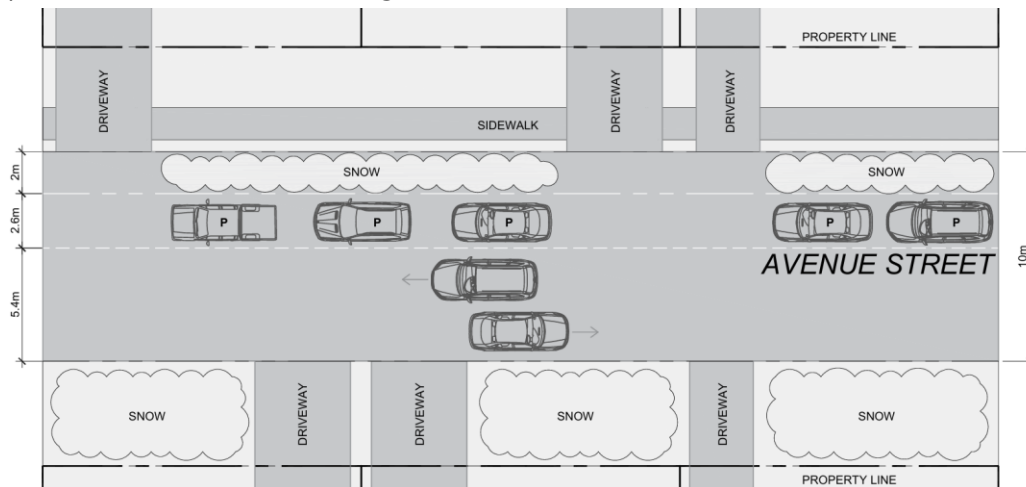


Figure 42. Street permit parking on one side of a 10m wide street with one sidewalk.

NOTE: Property parcels shown are 50' wide.

Over time, as street work is undertaken in areas with street permit parking, sidewalks should be constructed 3m from the road to ensure adequate storage space for snowbanks between the street and the sidewalk.

Example 3: 10m wide street with two sidewalks.

Some streets in Sudbury are 10m wide and have sidewalks on both sides, and in most cases, these sidewalks are close to or abutting the street edge, with no space for snow piling. These streets are not suitable for street permit parking in the winter, as there is no way to clear and pile the snow without either reducing the street to a single traffic lane or covering a sidewalk with a snowbank. We do not propose street permit parking for streets with sidewalks on both sides unless the space between sidewalks exceeds 13m -- allowing for snow, driving and parking.

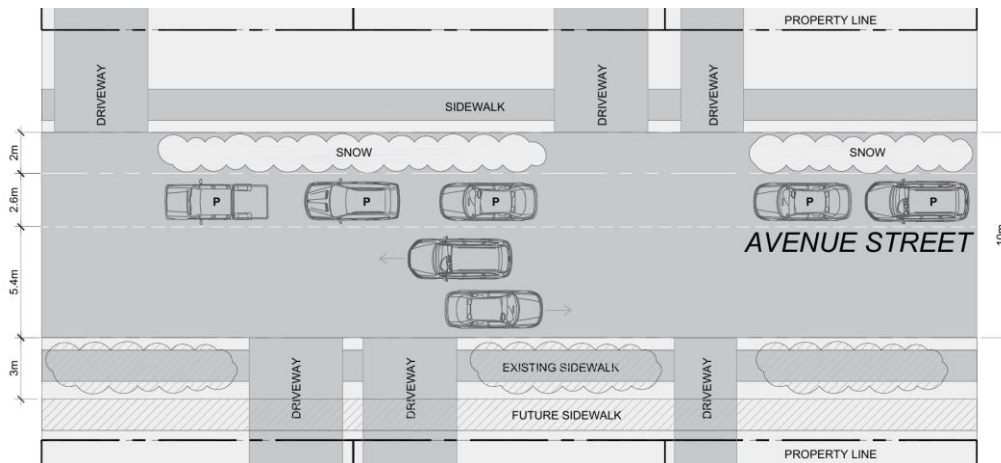


Figure 43. Street permit parking on one side of a 10m wide street with two sidewalks, not recommended at this time, but only after new sidewalks are constructed.

NOTE: Property parcels shown are 50' wide.

Front Parking Pads

In consultation with development industry members and real estate agents, it was evident that there would be a greater industry response if some parking was provided on-site with infill housing, as well as neighbourhood parking.

Front parking pads allow some on-site parking, but with the smallest possible amount of paving. A front parking pad is a short driveway used for parking. Part of the vehicle may be on the road allowance, so long as it does not interfere with traffic, pedestrians or snow clearing – now or in the future if new sidewalks are constructed.

For more information on front parking pads including details and diagrams, see Appendix B: Front Parking Pads.

Small Neighbourhood Parking Lots

Neighbourhood parking lots for residential areas are off-street parking facilities specifically intended to serve residents and their guests within a neighbourhood. Permitting new parking lots creates opportunities for developers who own multiple properties within a neighbourhood. Some properties could be developed as multi-unit homes, close to a property used by residents for parking. Over time, these parking lots may also be redeveloped into additional housing if the need for parking declines.

Neighbourhood parking lots would be managed by their owners — municipalities, private landlords, or housing condominiums.

It's important that neighbourhood parking lots are well-integrated into the community, so zoning regulations should require wood board fencing at side lot lines and tree planting at the front and back.

Neighbourhood parking lots are a good choice in neighbourhoods where properties and/or streets are too narrow for street permit parking. See the Sudbury Memos: Neighbourhood Parking Solutions (separate attachment) for more details.

Complete Streets

Sudbury's planning staff have recently prepared recommendations for Complete Streets, and reviewed this material with our team. This is an important policy document that identifies an ideal outcome after the reconstruction of a street. As with most municipalities, Sudbury's streets are diverse in their existing condition, with a variety of pavement widths and sidewalk locations. A tailored approach for any street renovation will be necessary, and can be guided by the Complete Streets document. Within the Qualifying Areas, contextual design considerations for street reconstruction must include the location of street permit parking permissions.

Waste, Recycling and Organics

In discussions with Sudbury's waste management staff, our team has determined that many of the developments anticipated as a result of the BuildingIN recommendations would qualify for municipal curbside pickup. Developments of 7-10 dwelling units that are located on interior lots may require private pick-up under the existing waste management arrangements. It is important that all low-rise multi-unit buildings provide space within each dwelling unit for sorting and storage of waste, recycling and organics, as well as shared storage outside of dwelling units.

Recommended Regulatory Amendments

Final Qualifying Area

If the council moves ahead with the BuildingIN Scenario, various regulations and bylaws must be amended. These changes are limited in scope and impact, carefully targeted only to qualifying areas (see Figure 44), and are designed to trigger the

desired market responses documented in the BuildingIN Recommended Scenario outcomes.

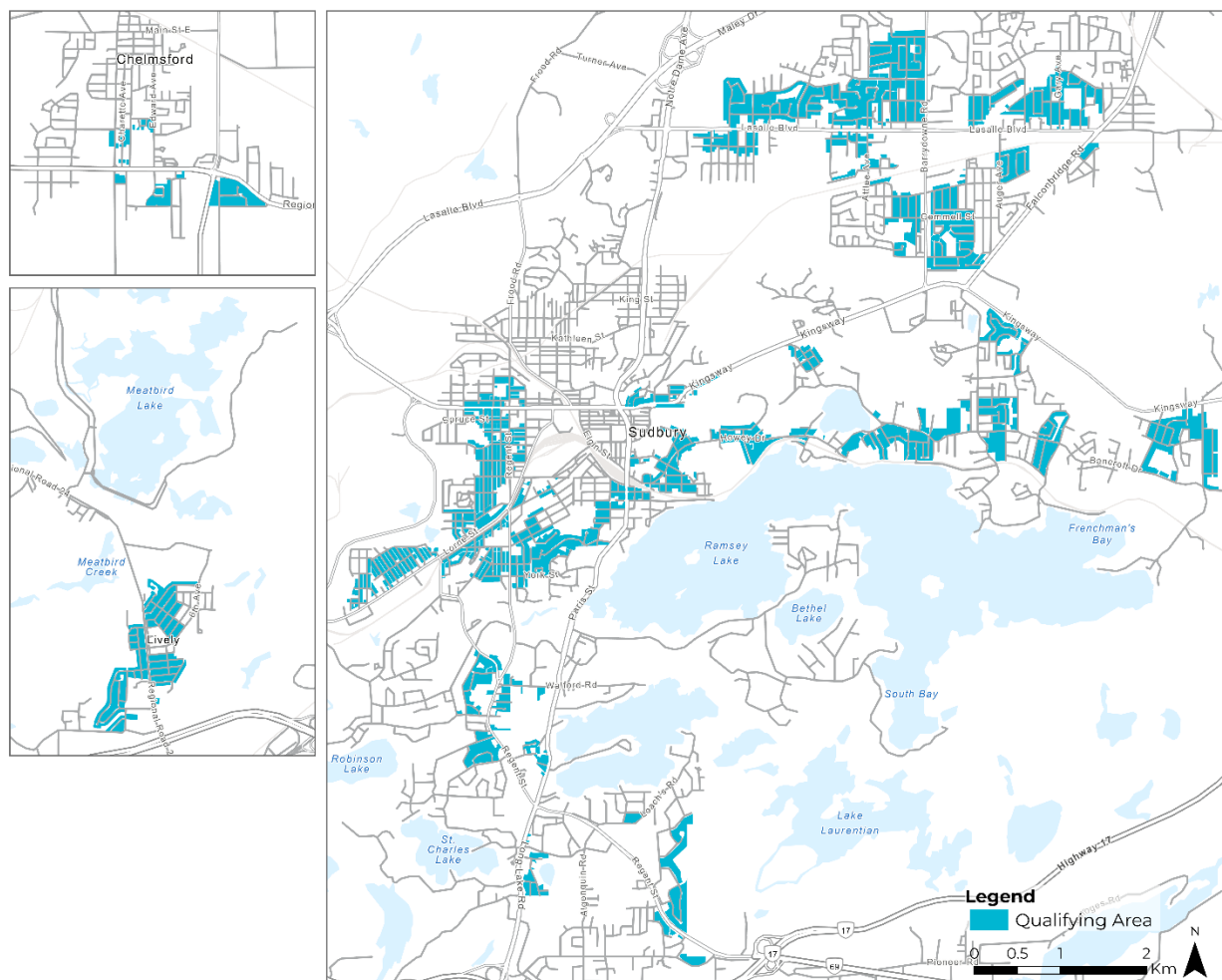


Figure 44. Final Qualifying Areas

Official Plan Amendments Regarding Infill

The Official Plan supports infill development and future growth and development that is focused on existing neighbourhoods, through intensification and redevelopment. The plan provides flexibility in terms of density, with a focus on servicing capacity. The Official Plan supports the development patterns that will be made possible by implementing BuildingIN recommended regulations and investments.

“Looking ahead, the key will be to direct this growth to reinforce the existing urban structure and improve the efficiency of the urban form, as well infrastructure and service provision. Also key will be to continue to allow a range of residential living opportunities to meet housing needs.”
(Greater Sudbury Official Plan, pg. 13)

The BuildingIN Qualifying Area is mostly placed within a 400m walking distance of nodes and corridors in existing older neighbourhoods, in keeping with The Official Plan’s emphasis on nodes and corridors for development.

The Official Plan states in section 2.2.3 Intensification, Programs (pg. 23):

“1. The City will monitor progress towards the residential intensification target outlined in this Plan. The City will review and, if necessary, adjust its policies and programs, including amending this Plan, to ensure that continued progress towards this target is made.”

Even though intensification is well described in the Official Plan, it is appropriate to adjust the Official Plan to more closely reflect this refined approach.

Proposed Amendments to the Official Plan

To eliminate perceived contradictions with the BuildingIN recommendations, the following minor changes to the Official Plan are recommended:

All proposed revisions/additions are shown in **green**.

Section 2.3.1 Objectives (Greater Sudbury Official Plan, pg. 19)

It is the objective of the Reinforcing the Urban Structure policies to provide a growth management policy framework that:

- a. provides an adequate land supply to meet long term needs;*
- b. establishes and maintains an urban growth boundary;*
- c. directs the majority of future growth and development to the settlement area;*
- d. encourages a mix of uses within the settlement area;*
- e. establishes and maintains a built boundary;*
- f. encourages context sensitive intensification and development within the built boundary; and,*
- g. identifies strategic core areas, and nodes and corridors that will be the focus of more intensive forms of mixed use development, active transportation and transit supportive development.*



h. encourages low-rise multi-unit residential intensification close to nodes and corridors, in older neighbourhoods that are transit-served.

Section 3.2 Living Area Designations, General Policies for Living Areas

1. *Low density housing is permitted in all Living Area designations. Consistent with the prevailing built form, only single detached dwellings are allowed in Living Area II.*
2. *Medium density housing is permitted in all Living Area I designations where full municipal services are available. High density housing is permitted only in the community of Sudbury. Low-rise multi-unit residential, up to three storeys, is permitted close to nodes and corridors, in older neighbourhoods that are transit-served .*

Greater Sudbury Official Plan (pg. 30), section 3.2.1 Living Area I - Communities

Communities will absorb the majority of new residential development over the plan period. The Living Area I designation has ~~three~~ four density levels that will be recognized in the implementing Zoning By-law: low, medium and high density residential as well as the low-rise multi-unit residential.

Policies

1. *Low density development permits single detached dwellings, semi-detached dwellings, duplexes and townhouses to a maximum net density of 36 units per hectare. In order to maintain existing neighbourhood character, the Zoning By-law may establish lower densities in certain areas of the City.*
2. *Medium density housing is permitted in all Living Area I designations where full municipal services are available.*
3. *New residential development must be compatible with the existing physical character of established neighbourhoods, with consideration given to the size and configuration of lots, predominant built form, building setbacks, building heights and other provisions applied to nearby properties under the Zoning By-law.*
4. *Low-rise multi-unit residential infill development in close proximity to node and corridors is permitted up to 10 units per building, with building heights of three storeys and no required off-street parking. An alternate section of zoning provisions shall regulate these low-rise multi-unit developments and shall:*
 - a) *Include a map of qualifying areas*

- b) *Include form-based zoning to maintain existing neighbourhood character, and support healthy social dynamics and compatibility in built form.*

Additional Recommendation

The Official Plan could also be amended to include a map of the Qualifying Area and a short description of the development intended in this area.

Amendments for Street Permit Parking

Current Regulatory Context and Challenges

Neighbourhood parking solutions are crucial for supporting infill development at fiscally sustainable densities. These solutions should include on-street permit parking, small neighbourhood parking lots, parking on municipal land, and small front parking pads.

Off-street parking requirements pose a significant barrier to effective infill development. They take up space that could be used for additional dwelling units, reducing potential density and fiscal sustainability. Extensive on-site parking also creates excessive hard surfaces, leading to stormwater management issues.

Proposed Solution: Street Permit Parking, Neighbourhood Parking Lots and Small Front Yard Parking Pads

In the Qualifying Areas, street permit parking is proposed, together permissions for small neighbourhood parking lots, and small front-yard parking pads. This approach allows for some off-street parking, without significant increases in impervious surfaces on infill housing development sites, as well as providing a more affordable parking solution for some households.

The street permit parking program must be expanded to include streets in the Qualifying Area within 6 months of enacting the proposed Section 6.4 in the Zoning By-law. Street parking (both permit parking and 4-hour parking) should be limited to only one side of the street.

Required Amendments to the Official Plan:

Greater Sudbury Official Plan (pg. 22-23), Section 2.3.3 Intensification

9. The following criteria, amongst other matters, may be used to evaluate applications for intensification:



[...]

e. the provision of adequate *pedestrian and vehicular ingress/egress, off street parking and loading facilities, and safe and convenient vehicular circulation, or adequate neighbourhood parking where off-street parking is not required or provided;*

Greater Sudbury Official Plan (pg. 144), section 11.4 Parking

Policies

1. New developments generally must provide an adequate supply of parking to meet anticipated demands.
2. Based on a review of parking standards for various land uses in the City, parking requirements may be reduced in those areas that have sufficient capacity, such as the Downtown and other major Employment Areas.
3. *To support low-rise intensification in older neighbourhoods close to nodes and corridors street permit parking could be implemented, and no minimum requirements for on-site parking should be imposed.*
4. Parking requirements may be reduced where feasible through implementation of the following tools:
 - a. Establishment of minimum and maximum parking standards within the Regional Centre, Secondary Community Nodes and Regional Centres:
 - b. Reducing parking requirements in the Regional Centre, Secondary Community Nodes and Regional Corridors where transit, cycling and pedestrian alternatives exist:
 - c. Provision of shared parking facilities for uses with alternating high peak demand either by virtue of the uses or the time of day, time of week or seasonal demand; and,
 - d. Provision of central, shared parking facilities that may result in greater parking and land use efficiencies. *This may include small neighbourhood parking lots used by the residents of infill housing near to nodes and corridors.*

Required Amendment to Consolidated Bylaw 2010-1

Part III Parking and Stopping

Parking Prohibited

4.-(1) No person shall, at any time, park a vehicle in any of the following places:

[...]



(m) on any roadway for a longer period than four consecutive hours, except on Christmas Day, Boxing Day and New Year's Day; unless the vehicle has a valid Street Parking Permit.

(5) Where a highway or part of a highway has been designated as a permit parking zone in Schedule "Y", an eligible applicant may apply for a parking permit on the designated highway.

(a) Within neighbourhoods close to nodes and corridors, street permit parking permits will be made available to residents of new infill housing.

Other Recommended Actions regarding Parking

The street permit parking program should be expanded to include the Qualifying Area as described in this report, complete with signs posted to indicate the sides of streets designated for parking. A neighbourhood street parking map should be published (in keeping with the mapped area being added to the zoning bylaw) with yearly or monthly fees for Neighbourhood Resident Street Parking Permits.

Infill developments will be undertaken incrementally. Demand for street permit parking will increase over time, together with transit use and people walking. Many streets in the Qualifying Area do not have sidewalks. The city should plan new sidewalks for one side of these streets, and locate them 3m from the road edge as per the diagrams in the street parking section in this report, to facilitate permit parking and snow removal.

Additional snow removal costs as described in the Neighbourhood Parking section in this report should be included in future city budgets, gradually increasing the plowing required in the Qualifying Area as street permit parking slowly increases. No immediate additional cost for snow removal will be incurred.

Site Plan Control Guide

The current Site Plan requirements do not require site plan approval for multiple dwellings not exceeding 10 units, therefore, no site plan approvals will be required for infill made possible by the recommended changes. However, some clarity is

needed in the Site Plan Control Guide. The proposed changes are shown in green below.

Recommended Amendments to the Site Plan Control Guide (January 13, 2022)

Section 1.0 Site Plan Authority (City of Greater Sudbury Site Plan Control Guide, January 13, 2022)

- A. Excluded Zoned Areas:
 - lands zoned R1, Low Density Residential One
 - lands zoned R2-1 and R2-2, Low Density Residential Two
 - lands identified on Schedule XX in the Zoning By-law, using only the zoning provisions in Section 6.4 of the Zoning By-law
 - ...
- B. Notwithstanding the above, the following classes of development are excluded from Site Plan Control:
 - single detached dwellings
 - semi-detached dwellings, linked dwellings or duplex dwellings
 - multiple dwelling not exceeding four units
 - multiple dwellings not exceeding 10 units located on lands identified on Schedule XX in the Zoning By-law, using only the zoning provisions in Section 6.4 of the Zoning By-law
 - seasonal dwellings;
 - buildings accessory to the above four uses

Stormwater Storage Management Requirements

Current Regulatory Context and Opportunity for Streamlining

Properties located within the Qualifying Area are not along shorelines and are not subject to stormwater review by other regulatory agencies. The total increase in hard surfaces in intensifying areas is anticipated to be approximately 0.08% per year. This represents a very low impact on existing municipal stormwater systems. No increase in overland flow from a redevelopment site to neighbouring properties will be permitted (without a Site Plan Approval).

This lower-risk status provides an opportunity to simplify the approval process for infill development in these areas, generally eliminating the need for Site Plan Approval.

Proposed Solution

To attract more developers to build multi-unit infill developments in the Qualifying Areas, a streamlined approval process is necessary. Infill developments within the Qualifying Area should be exempt from Site Plan or Development Agreement processes. Instead, developers should be required to submit standardized overland flow diagrams as part of their permit application, ensuring simplicity, better coordination of civil and architectural drawings, and effective stormwater management.

The zoning regulations will mandate a minimum of 30% soft, absorptive surfaces. With clear requirements for overland flow management and a standardized submission format, permit applications can be reviewed efficiently.

See the Sudbury Memos: Grading and Drainage (separate attachment).

Required Amendments to the Stormwater Management Guide 2023-04-18

2.15 Exemptions for small sites

Subject to the City's discretion, a small site is any development with impervious surface areas (excluding the building) less than 0.085Ha (approx. 25 parking/queuing spaces) and building net floor areas less than 500sq.m and does not include developments where drainage within the site flows through or from an adjacent private property.

Exemptions for small sites will also include residential development sites constructed under Section 6.4 of the Zoning By-Law. These developments will not have off-street parking areas that contaminate overland flow, except for small parking pads close to, and draining toward the road. They are anticipated to cumulatively increase the amount of hard surface in neighbourhoods by very small amounts, and are therefore exempt from requirements to control of the quantity of run-off, including requirements to retain, filter or detain run-off, but they are required to:

- match or reduce pre to post overland flow to side and rear neighbouring properties,*
- direct stormwater to the municipal storm system,*
- include a topographical survey and lot grading plan with permit applications,*
- provide a site diagram with permit applications showing hard surface areas and their flow directions pre and post development, as well as any significant overland flows located on or off a registered easement and*

retaining these flows. See attached BuildingIN Memo: Grading & Drainage.

Required Council Commitment

It is important that the Council commit to study the impacts of anticipated small increases in overland flow that would result from infill in the Qualifying Areas, and plan Stormwater Management upgrades if/when needed.

Fireflow Recommendations

Current Regulatory Context and Challenges

Documenting water supply and satisfying fireflow submission requirements for small multi-unit buildings is time-consuming, costly and confusing. The need to satisfy fireflow requirements introduces a level of uncertainty, enough to entirely deter some developers from building infill housing.

The Fire Underwriters have recommended these fireflow provisions in order to improve the likelihood of retaining buildings and to reduce the cost of repairs after fire events. Fireflow upgrades are not intended to save lives – building code requirements effectively ensure life safety.

Compared to homes built before 1980, every new building constructed under today's building code is significantly less likely to burn and would have significantly lower repair costs if exposed to fire. When an older home is replaced by a new infill building, the life safety from fire is dramatically improved by our building code, and building safety has also greatly improved, even if the building isn't designed to meet fire flow requirements.

Proposed Solution

To encourage multi-unit infill development, we propose eliminating additional fireflow documentation, submission, and upgrade requirements for developments in the qualifying area. All new buildings will be required to meet fire standards in the building code, but no fireflow documentation, submission and upgrade requirements would be applicable. No upgrades to water supply, improvements to water flow, or building upgrades for fire resistance (above building code standards) would be applicable.

Required Council Commitment

An engineering report should be commissioned to review fireflow levels within the qualifying area, along with municipal costing for recommended upgrades. Tax

revenue uplift from infill should be dedicated to this upgrade work, which will benefit not just new homes, but all the existing homes in the area.

Development Charges Bylaw Amendment

Current Regulatory Context and Challenges

Current Development Charges Bylaw 2024-105 exempts residential buildings with 30 dwelling units or less from development charges until June 30, 2027. (Bylaw 2024-105, page 12⁷). Bylaw 2024-105 (section 7, pg. 14) exempts second and third dwelling units in new buildings (single detached, semi-detached and rowhouses) from development charges. The bylaw also credits 50% of development charges if the plot is along nodes or within 100 m of corridors, as set out in the Official Plan.

Some of the low-rise multi-unit buildings that will be constructed as a result of the BuildingIN Program will not fall neatly into the definitions of primary, second and third dwelling units. This will cause confusion and uncertainty in the application of development charges.

Proposed Amendments to the Development Charges Bylaw

Development or redevelopment within the Qualifying Area under Section 6.4 of the Zoning By-law will be subject to Development Charges for no more than one-third of the new dwelling units, with credits for existing units being demolished.

Amendments Required to Development Charge Bylaw

A definition for *Small Multi-Unit Residential Building* should be added to the Development Charge Bylaw 2024-105:

“Residential Use” means the land, Buildings or Structures or portions thereof used,

designed or intended to be used as living accommodation for one or more individuals, but does not include hotel or hotel suite or such temporary accommodation, and “Residential” has a similar meaning;

“Rowhouse Dwelling” has the same meaning as Row Dwelling in the Zoning By-law;

“Semi-Detached Dwelling” has the same meaning as defined in the Zoning By-law;

⁷<https://www.greatersudbury.ca/live/building-and-renovating/development-charges/development-charges-pdfs/dc-bylaw-2024-105/>

“Services” (or “Service”) means those Services designated in Schedule “A” to this By-Law or specified in an agreement made under section 44 of the Act;

“Single Detached Dwelling” has the same meaning as defined in the Zoning By-law;

“Small Residential Unit - Single Detached” means a Single Detached Dwelling with a Gross Floor Area of less than 1,200 square feet, but does not include a private garage, or a basement as those terms are defined in the Zoning By-law;

“Small Residential Unit - Semi-Detached” means a Semi-Detached Dwelling with a Gross Floor Area of less than 1,200 square feet, but does not include a private garage, or a basement as those terms are defined in the Zoning By-law;

“Small Multi-Unit Residential Building” means a building with 2-10 dwelling units, constructed under Section 6.4 of the Zoning By-law.

Section 7, Bylaw 2024-105, pg. 14

Rules With Respect to Exemptions for Intensification of Housing

7, -(1) Notwithstanding the provisions of this By-law, and in accordance with sections 2(3), 2(3.1), 2(3.2) and 2(3.2) of the Act and any amendments thereof, each of the following shall be exempt from Development Charges:

(d) (iiii) In Small Multi-Unit Residential Buildings constructed under Section 6.4 of the Zoning By-law, no more than one third of units shall be subject to development charges, and a credit of one Development Charge shall be applied for each dwelling unit demolished.

Additional Recommended Amendments

Eliminating development charges for multi-unit housing within the Qualifying Area would provide a further incentive to this intensification. It could also be seen as an acknowledgement of the long-term municipal cost benefit represented by this type of development, similar to the exemption in proximity to Nodes and Corridors.

Section 5 of Bylaw 2024-105 could be amended by adding the following:

Small Multi-Unit Residential Buildings constructed under Section 6.4 of the Zoning By-law shall be exempt from Development Charges.

Proposed Zoning Approach

BuildingIN has reverse-engineered additional zoning to match the BuildingIN Scenario within the Qualifying Area. This additional zoning (see below) will attract infill that is a good fit, scaled to suit existing streetscapes, setbacks to complement existing homes, and animated with porches and street-facing features.

The proposed new zoning would be an addition to Section 6 of the existing bylaw, and would become Section 6.4. This new section would function like an overlay or patch, allowing developers to apply existing zoning, **or** the new performance standards set out in Section 6.4.

The new text states the intention of this section to be implemented in its entirety, discouraging variance applications that would propose a mix of performance standards from Section 6.4 and other sections.

Residential developments built under Section 6.4 of the Zoning Bylaw without any variances will not need to control the quality of stormwater run-off, unless there is significant overland flow onto the site, because they will not have off-street parking areas that contaminate overland flow. They will also not need to retain or detain stormwater, because these developments will increase the total amount of hard surface (paving and roofs) in neighbourhoods by very small amounts (about 0.12% each year). See *Sudbury Memos: Grading and Drainage* (attached separately). This will significantly discourage developers from requesting variances, to avoid the need to meet higher standards of stormwater management.

Proposed Additional Zoning Text

6.4 BUILDINGIN ALTERNATE ZONING

6.4.1 APPLICATION OF SECTION 6.4

The following provisions may be applied within the area designated on Schedule X of the City of Greater Sudbury Zoning By-Law No. 2010-100Z, and can only be applied in full, not in part, as alternate provisions to Sections 2-6.3 of the City of Greater Sudbury Zoning By-Law No. 2010-100Z, except where otherwise stated in this section. Development shall also comply with *Part 11: Exceptions*.

In order to maintain the integrity of Section 6.4 below, it is intended to be implemented as written/approved by council in its entirety, and independently from Sections 2-6.3.

Sections 2-6.3 may be applied to *lots* within the area designated on Schedule X, only if Section 6.4 is not applied.

Despite transition clauses herein, the following Section 6.4 will be in full effect beginning the day that it is approved by council.

6.4.2 DEFINITIONS

accessory = as defined herein.

building depth = the depth of the *main* building measured parallel to the to the *side lot lines* at the deepest point of the of the building.

building width = the width of the *main* building measured parallel to the *front lot line* at the widest point of the building.

dwelling unit = One or more inter-connected rooms which:

- a) Is used or intended for *use* in common by one or more *persons* as a single, distinct and self-contained housekeeping establishment;
- b) Contains kitchen and bathroom facilities for the exclusive common *use* of the occupants thereof; and,
- c) Is not a recreation vehicle or any vehicle, as defined herein.
- d) A *dwelling unit* does not include any of the following *uses*:
 - 1) A *Shared Housing*, as defined herein,
 - 2) A *Rooming House*, as defined herein.

edge of the sidewalk = the edge of the sidewalk closest to the nearest *lot line*.

edge of the street = the pavement edge of the street closest to the nearest *lot line*.

finished grade = as defined herein.

floor area = The space on any storey of a building measured from the exterior face of exterior walls, including exits, vertical service spaces and their enclosing assemblies.

home occupation = as defined herein.

lot = An area of land under one ownership, other than a road, which may be used as the site of one or more *main* buildings, structures or *uses*, together with any building, structures or *uses accessory* thereto.



lot, corner = as defined herein.

lot, interior = as defined herein.

lot, through = as defined herein.

lot area = as defined herein.

lot depth = as defined herein.

lot frontage = The length of the *front lot line* measured along the right-of-way to a public road, and in the case of a *corner lot*, not including the curved portion.

lot line = as defined herein.

lot line, front = as defined herein.

lot line, interior side = as defined herein.

lot line, rear = as defined herein.

neighbourhood parking lot = a parking area containing 3 or more *off-street parking spaces* that constitutes the *main use* on the *lot*, providing parking for residents of infill constructed after this section of the bylaw has been enacted.

off-street parking space = as defined herein.

parking pad = paved area for up to two *off-street parking spaces* abutting the *front* or *corner side lot lines*, with vehicles oriented perpendicular to the road or lane.

parking pad, head = that edge of a *parking pad* furthest to the *edge of the street*.

setback = The distance between a *lot line* and the nearest *main* wall of any building or structure not including permitted encroachments.

street exposed façade = exterior building walls visible from the street, including permitted projections.

street line = as defined herein.

use = as defined herein.

use, main = as defined herein.

yard = as defined herein.

yard, corner side = as defined herein, not including permitted encroachments.

yard, front = as defined herein, not including permitted encroachments.

yard, interior side = as defined herein, not including permitted encroachments.

yard, rear = as defined herein, not including permitted encroachments.

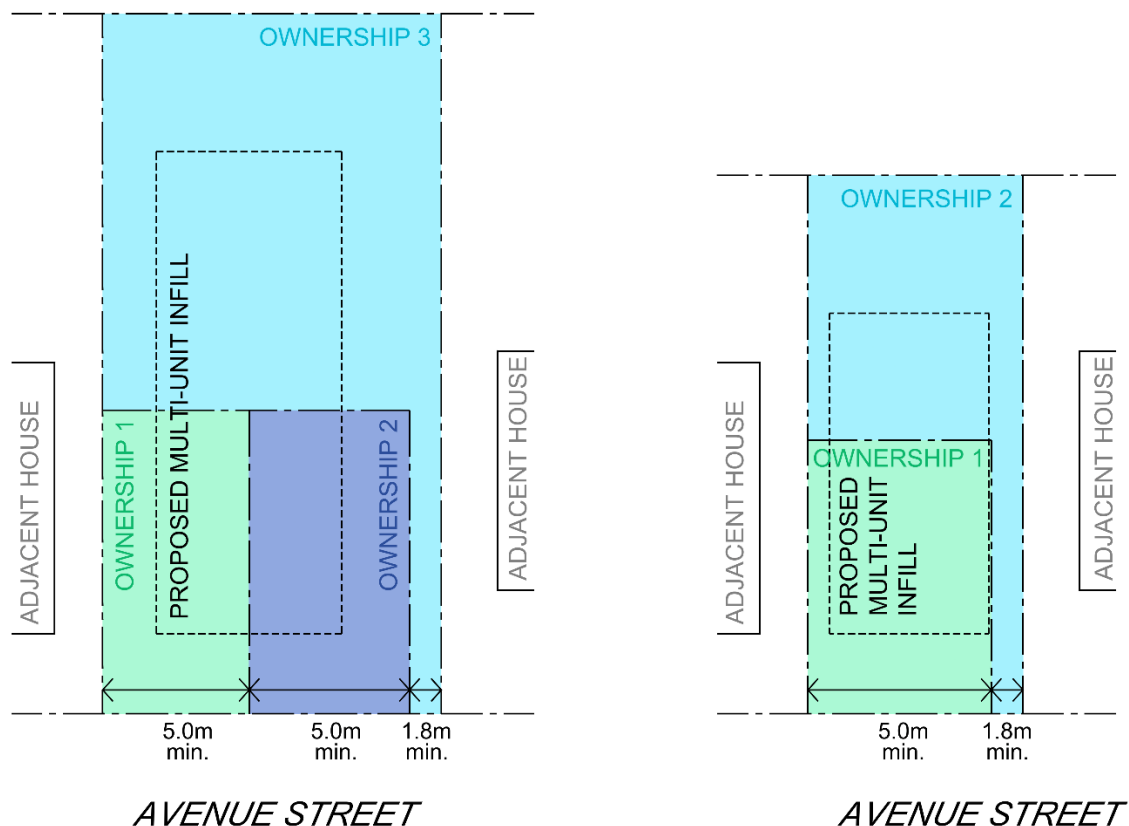
6.4.3 APPLICABLE PART 4: GENERAL PROVISIONS

The following sections of Part 4: General Provisions of this By-Law do apply to development established under this section.

- a) 4.2.4 Home Occupation
- b) 4.3.3 Services Required
- c) 4.3.5 Sight Triangles
- d) 4.3.7.2. Railroads, Special Setbacks

6.4.4 USE AND LOT SIZE

- a) Any configuration of *dwelling units* within a building is permitted, at any *dwelling unit* count to a maximum of 10 *dwelling units* per building, on a *lot* of any *lot area*.
- b) A maximum of one *main* building is permitted on a *lot*. Other permitted uses:
 - i. *Home occupation*, as defined herein, including a private home daycare
 - ii. *Neighbourhood parking lot*
 - iii. *Bed and Breakfast Establishment*, as defined herein
 - iv. *Group Home*, as defined herein
 - v. *Accessory guest room*, as defined herein
- c) A minimum *lot frontage* of 5.0 m is required, except in the case where a single building is severed into multiple ownerships, in which case one of the *lot frontages* is permitted a minimum width of 1.8 m.



- d) A building that includes *dwelling units* (multiple townhouses, triplexes or other configurations) abutting each other in any configuration shall be considered one building on one *lot* for zoning purposes.
- e) The *building width* shall not exceed 13.0 m. The *building depth* shall not exceed 28.0 m.
- f) A minimum of 25% of the *dwelling units* in a building shall contain 2 or more bedrooms, rounded as per Section 1.16.
- g) Direct access to each *dwelling unit* shall be provided by a swing door leading directly to the one *dwelling unit* from outdoors, which is not shared with any other *dwelling unit*.
- h) A condominium is permitted to include buildings that are not on contiguous *lots*, provided they are within 1.0 km of each other, of similar sizes, and built of similar materials.

- i) *Buildings on interior lots, with 7-10 dwelling units*, shall provide an outdoor solid waste shed in the *rear yard*. The solid waste shed shall comply with Section 8.0. The solid waste shed shall have a paved path with a minimum width of 1.5 m, clear of any obstructions from the shed to the street, allowing for private pickup. NOTE: In all other cases, new developments will receive roadside pick-up from the City of Greater Sudbury, and a garbage shed is not required. Should the City's garbage program change to allow curbside pickup from 7-10 unit buildings, the provision of a shed would no longer be required.



- j) Each *dwelling unit* shall have a vented indoor storage closet with a minimum size of 1.2 m x 0.6 m for recycling and household waste. Storage for organics shall be provided in the kitchen.

6.4.5 SETBACKS, FLOOR AREAS AND BUILDING HEIGHT (ZONING ENVELOPE)

- a) The maximum *floor area* of each floor of the *main* building, measured to the exterior face of exterior walls, shall not exceed 45% of the lot area.
- b) *Rear yard* and *interior side yard setbacks* shall comply with one of the following two options:
- i. *Rear yard setback* shall be a minimum of 25% of the *lot depth* measured from the *rear lot line*, the *rear yard* area shall be a minimum of 25% of the *lot area*, and the combined width of the *interior side yards* shall be 17% of the *lot frontage* with no *interior side yard* less than 6% of the *lot frontage*, measured from the *interior side lot line(s)*. On a *corner lot*, the *interior side yard setback* shall be a minimum of 6% of the *lot frontage* and the *corner side yard setback* shall be as per 6.4.5.c.
 - ii. *Rear yard setback* shall be a minimum of 6.0 m measured from the *rear lot line*, and the combined width of the *interior side yards* shall be 45% of the *lot frontage* with no *interior side yard* less than 15% of the *lot frontage*, measured from the *interior side lot line(s)*. On a *corner lot*, the *interior side yard setback* shall be a minimum of 15% of the *lot frontage* and the *corner side yard setback* shall be as per 6.4.5.c.
- c) The location of the front or corner side walls of the *main* building, not including permitted encroachments, shall be as follows:

- i. Within 1.2 m of the average of the *front* or *corner side yard setback* of the immediate neighbours on either side, or within 1.2 m of its single neighbour if there is only one.
 - ii. Regardless of the above, the front or corner side wall of the *main* building shall be no closer than 3.0 m and no further than 8.0 m from the *edge of the street* or *edge of sidewalk* (whichever is closer).
 - iii. Where the average of the neighbours minus 1.2 m exceeds 8.0m from the *edge of the street* or *edge of the sidewalk*, the front or corner side wall of the *main* building shall be 8.0 m from the *edge of the street* or *edge of the sidewalk* (whichever is closer).
 - iv. In no case shall the *front* or *corner side yard setback* be less than 1.2 m.
- d) Maximum *main* building height shall not exceed 11.0 m:
 - i. In the case of a flat roof, measured vertically from the *finished grade* at the base of the building wall facing the *front lot line* to the highest point of the roof membrane, and not including rooftop mechanical equipment or solar collectors.
 - ii. In the case of a roof sloped more than 3/12, measured vertically from *finished grade* at the base of the building wall facing the *front lot line* to the midpoint between the main eave and the topmost peak.
- e) Permitted encroachments into required yards must comply with *Part 4, Table 4.1, except* as follows:
 - i. A porch, deck, patio, terrace or balcony, with or without steps, at *finished grade* or within 6.0 m of *finished grade* is permitted to project up to 2.2 m into any *yard*, but shall be no closer than 1.2 m from any *lot line*.
 - ii. In an *interior side yard*, a porch, deck, patio, terrace, balcony or steps within 1.5 m of *finished grade* may be within 0.0 m of a *side lot line* if a woodboard fence is provided.
 - iii. A balcony 6.0 m above *finished grade* is permitted to project up to 1.2 m into any *yard*, but shall be no closer than 1.2 m from any *lot line*.

6.4.6 SOFT LANDSCAPING REQUIREMENTS

- a) A minimum of 30% of the *lot* shall be soft landscaped, of which a maximum of 5% may be board deck on piles or blocks with mulch below.
- b) Minimum requirements for soft landscaping in *front, corner side* and *rear yards* are as follows:

- i. 50%, which may include board decks on piles or blocks with mulch below.
- c) Areas that are less than 0.6m in width shall not be included in calculations of soft landscaping.
- d) Surface treatments that may be included in the soft landscaped area include: grass, plants, shrubs, trees, mulch, planter boxes, sculptures, retaining walls, wooden decks on piles or blocks with mulch below, upper tiers of window wells if they contain soil and plants artificial grass on a granular base, and permeable pavers provided that only the permeable area is included in the calculation.
- e) Surface treatments that shall not be included in the soft landscaped area include: gravel, paving, stone, artificial grass not on a granular base, and any other materials outlined in Section 5.2.5.
- f) Parking prohibitors shall be provided in the *front* and *corner side yards* located within 1.2 m of the property line, and spaced no more than 3.0 m apart. Parking prohibitors include trees, walkways to more than one dwelling unit, boulders, bushes, planter boxes, retaining walls, bicycle racks, benches, bollards, ornamental fences or garden walls, and planting beds that are mounded to more than 0.4 m above adjacent ground level.

6.4.7 OFF-STREET PARKING SPACES ON PARKING PADS AND IN NEIGHBOURHOOD PARKING LOTS

- a) No *off-street parking space(s)* are required. Off-street parking is permitted only where it does not compromise soft landscaping requirements in Section 6.4.6. Conventional parking options regulated under *Part 5: Parking and Loading Provisions* are not permitted in conjunction with Section 6.4.
- b) No more than 50% of any *street line* shall be paved for parking.
- c) Off-street parking is permitted on *parking pads* and in *neighbourhood parking lots*.
- d) A maximum of 2 *off-street parking spaces* are permitted on a *parking pad*.
- e) A minimum of 3.0 m of soft landscaping (as per Section 6.4.6(d)) is required between *parking pads*.

- f) Dimensions for *parking pads* are as follows:
- i. A minimum of 3.0 m long, measured from the *lot line* to the head of the *parking pad*
 - ii. A minimum of 2.75 m and maximum of 3.0 m wide for a single space
 - iii. A minimum and maximum of 3.0 m wide if abutting a wall or barrier for a single space
 - iv. A minimum 5.5 m and a maximum of 6.0 m wide for a pair of spaces
 - v. A minimum and maximum of 6.0m wide for a pair of spaces if abutting a wall or barrier.
- g) The *head of the parking pad* shall be at least 10.5 m from the *edge of the street*, except in the cases described below,
- i. Where the pavement of the street is 10.0 m - 13.0 m wide, the *head of the parking pad* shall be at least 6.0 m from the *edge of the sidewalk* or at least 9 m from the *edge of the street* if there is no sidewalk.
 - ii. Where the pavement of the street is more than 13.0 m wide, the *head of the parking pad* shall be at least 6.0 m from the *edge of the sidewalk* or at least 7.7 m from the *edge of the street* if there is no sidewalk.
- h) Requirements for *Neighbourhood parking lots* as follows:
- i. shall only be used by residents of *dwelling units* constructed within the area identified on Schedule X after the date that Section 6.4 has been enacted.
 - ii. shall have all parked vehicles display the owner's address in the front window, as well as the name, address and phone number of the property owner or manager.
 - iii. are only permitted on *interior lots* that have a minimum *lot frontage* of 13.5 m, and do not contain a *main building* or *accessory building*.
 - iv. shall have a maximum of 14 *off-street parking spaces*.
 - v. shall have a minimum aisle width of 6.0 m.
 - vi. shall have parking spaces dimensions as in Section 5.2.3.1.
 - vii. shall only be permitted on *lots* that have a minimum of 30% soft landscaping. Refer to Section 6.4.6(d) for surface treatments included in the soft landscaping calculation.
 - viii. shall be *setback* from the *front lot line* equal to the average *front yard setbacks* of the immediate neighbours, or equal to the *front yard setback* of the single neighbour if there is only one.
 - ix. shall have wood board fencing along *rear* and *interior side lot lines*, unless otherwise agreed by the adjacent neighbour(s) in writing. Wood

board fencing shall be *setback* from the *front lot line* as per Section 6.4.7(g)(viii).

- i) Surface treatments of *parking pads, off-street parking spaces, neighbourhood parking lots*, aisles and driveways shall adhere to Section 5.2.5.

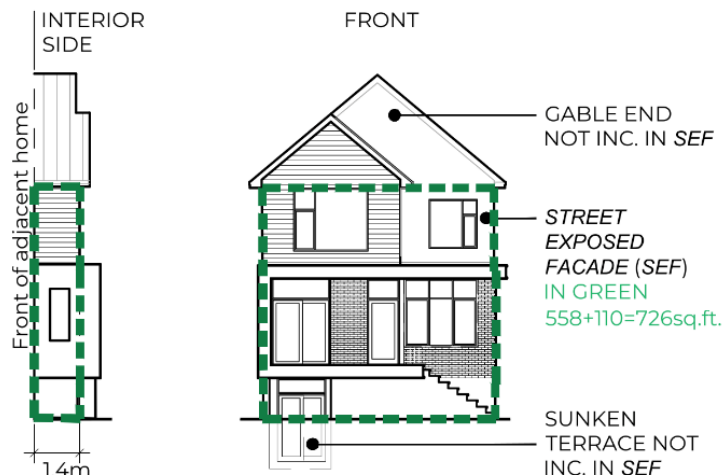
6.4.8 ACCESSORY STORAGE SHEDS AND GAZEBOS

- a) A maximum of two *accessory* sheds (including garbage sheds) are permitted on a *lot*.
- b) Buildings covered with cloth, plastic or similar flexible material shall be considered *accessory* sheds within this section of the by-law.
- c) *Accessory* sheds shall comply with the *side yard setback* requirements of the *main* building. *Accessory* sheds are not permitted in the *front yard* or *corner side yard*.
 - i. In the *rear yard* of an *interior lot*, *accessory* sheds shall be *setback* 0.6 m from any *lot line*.
 - ii. In the rear yard of a *corner lot*, *accessory* sheds shall be *setback* 0.6 m from the *rear lot line* and *interior side lot line* and shall comply with the *corner side yard setback* of the *main* building.
- d) Maximum *accessory* shed height shall not exceed 5.0 m measured to from finished grade to the highest point of the structure.

6.4.9 STREET EXPOSED FAÇADE FEATURES

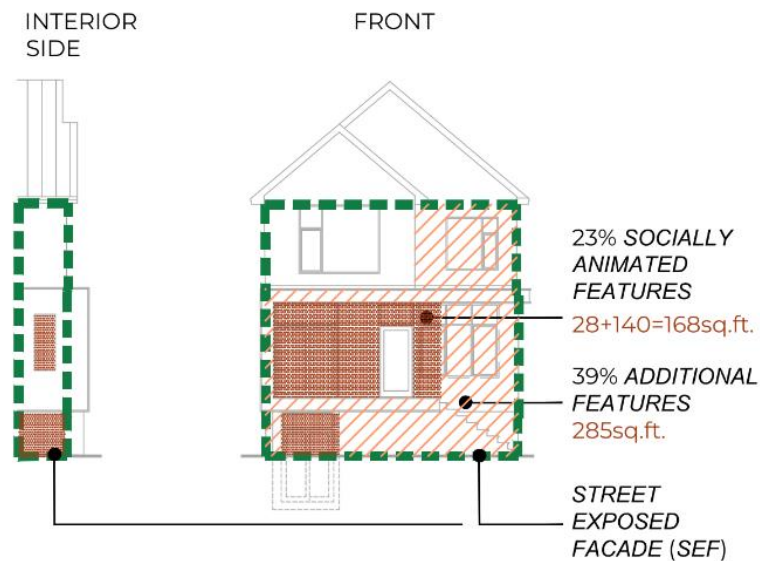
- a) The extent of a *street exposed façade* shall include all walls facing a street, including front and corner side walls.
- b) On *interior lots*, the extent of the *street exposed façade* shall include portions of side walls that are perpendicular or angled to the street but closer to the *street edge* than the *front façade* of the immediately neighbouring building, if they are more than 1.2 m wide.

- c) The extent of the *street exposed façade* shall begin at *finished grade*, not including window wells or sunken areas, and extend up to the top of parapets or undersides of eaves. In the case of a gable end, the *street exposed façade* shall be calculated up the underside of the ceiling behind the gable end.



- d) All *street-exposed facades* shall have a minimum of 15% glazing, which may include clear or frosted glazing in windows and doors, but shall not include tinted or mirrored glass. Windows with sills more than 1.2 m above the floor shall not be included in this calculation.
- e) All *street-exposed facades* shall have at least one door leading to a *dwelling unit*. The door may be turned at 90 degrees to the street if it is visible from the street. Facades facing *interior side yards* are not required to have a door, even if they are *street-exposed facades*.
- f) *Street exposed façades* shall have one or more of the following socially dynamic features such that a minimum of 15% of the *street exposed façades* shall be socially animated with these features;
- i. Porch, deck, patio, terrace or balcony that is covered with a roof or canopy for at least 1.5 m from the building facade, which shall be considered to animate the *street exposed façades* from floor to ceiling of the porch or balcony but shall not include *dwelling unit* entry doors,
 - ii. uncovered porch, deck, patio, terrace or balcony, which shall be considered to animate the *street exposed façade* over an area above the walking surface to a height equal to the depth of the porch or balcony but shall not include *dwelling unit* entry doors,
 - iii. bay window, which shall be considered to animate the *street exposed façade* over the area that is projecting forward of the façade to which the bay window is mounted.

- g) *Street exposed façades* shall have one or more of the following features, or additional features from Section 6.4.9(f), such that an additional 20% of the *street exposed façades* are animated with these features;
- permitted encroachments as per Section 6.4.5(e) or exterior walls that are more than 0.6m farther from the street than the *front façade*.



NOTE: All permit applications shall include a diagram showing the proposed *street exposed façades*, percentage glazing, and the area that would be considered to animate these façades. This diagram shall demonstrate compliance with Sections 6.4.9(d), 6.4.9(f) and 6.4.9(g) above.

Conclusion: A Transformative Path to Sudbury's Growth

The BuildingIN strategy represents a new opportunity for Sudbury—a carefully crafted approach to sustainable urban development that takes advantage of existing infrastructure to allow a more diverse housing supply. This strategic framework offers a nuanced alternative to traditional expansion-based growth.

A Winning Growth Strategy

The BuildingIN Scenario is a carefully developed growth model that emerged through an extensive collaborative process and iterative scenario testing.

This scenario allows infill developments of up to 10 units per building. The maximum projections for this scenario are compelling. Within the focused area for infill development, the following maximum outcomes are possible, up until 2051:

- Dwelling Units: A 104% net increase, translating to 10,250 new infill dwelling units
- Financial Uplift: Expected cumulative tax and development charge uplift of \$755,868,000, a significant contribution to close the infrastructure funding gap
- Community Transformation: Balanced approach to growth that preserves neighbourhood character and provides a variety of unit sizes and tenures
- Emissions: A 20% average annual drop in housing-related emissions due to the number of new homes that would share walls, floors and ceilings.

The scenario outcomes are best visualized by comparing housing, fiscal and emissions outcomes between the existing condition, the Business-As-Usual Scenario and the BuildingIN Recommended Scenario.

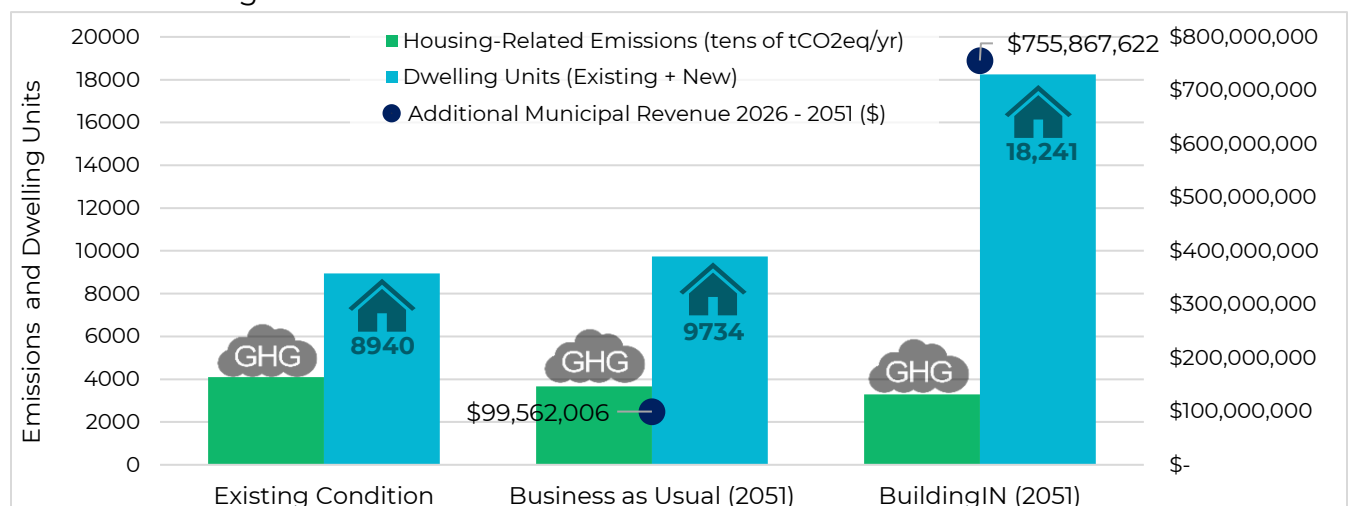


Figure 45. Housing, Fiscal and Emission Outcomes in the Qualifying Area

The success of this approach hinges on several critical implementation strategies:

- Targeted Additions to Zoning: Precise geographical mapping to guide contextually appropriate infill development
- Regulatory Streamlining: Amendments to existing bylaws and development processes to encourage and expedite infill projects
- Parking Solutions: Innovative approaches to neighbourhood parking that support increased density without compromising urban livability

Forward-Looking Perspective

The BuildingIN recommendations represent a proactive, holistic strategy that positions the City of Greater Sudbury as a forward-thinking community prepared to grow sustainably. By embracing this innovative approach, Sudbury can transform its growth trajectory, creating a more resilient, vibrant, and fiscally responsible community for generations to come.

Contact

For questions, further discussion, or to explore collaboration options, please contact:

Ian Morrow, Project Manager: ian@buildingin.ca

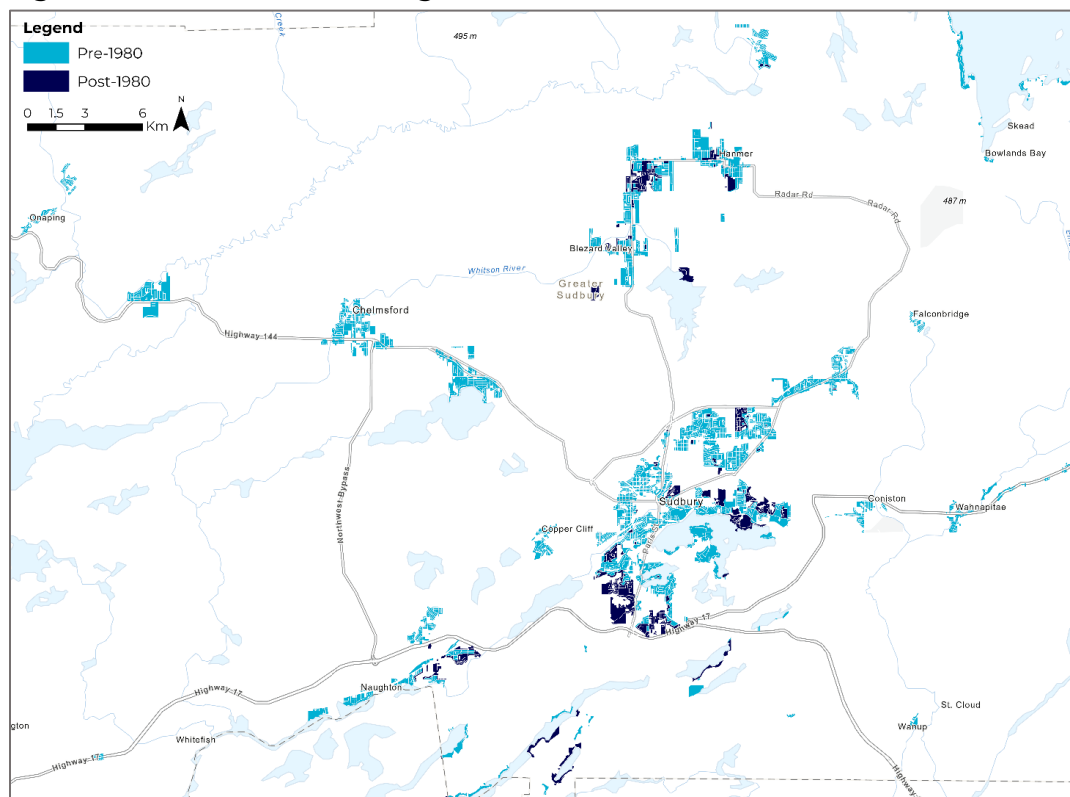
Appendices

Appendix A. Refining the Qualifying Area

The first step was isolating existing low-rise residential areas. This was accomplished by first only selecting Low-Density Residential One, Low-Density Residential Two and Medium Density Residential Zones as per the current Zoning By-Law (see Figure 6). Then, non-urban settlements were excluded as per the current Official Plan. These included Vermillion Lake, Whitefish, Blezard Valley, McCrea Heights, Old Skead Road, Skead, Long Lake (East End), Wanup and Richard-McFarlene Lake Flats.

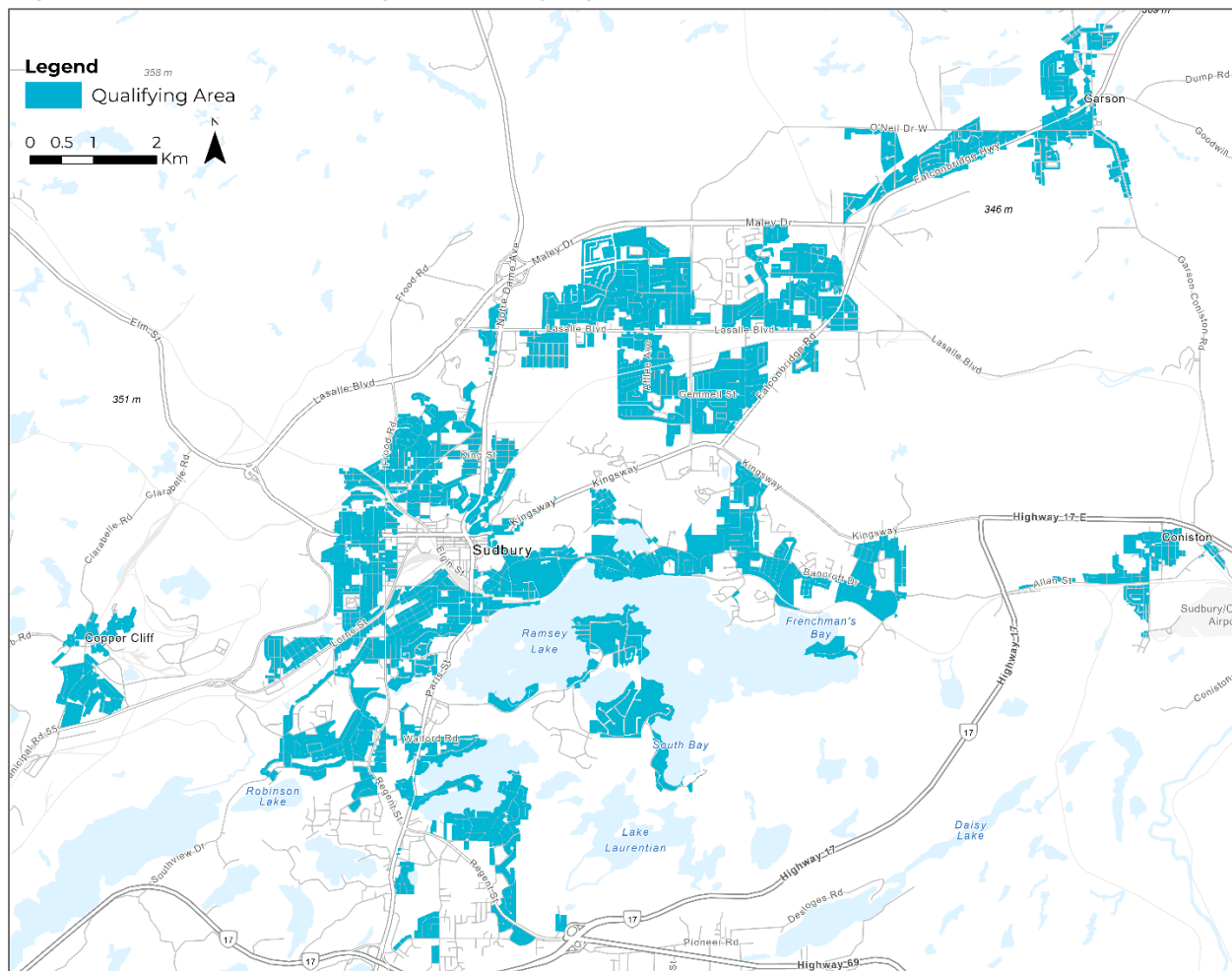
Of the remaining lands, we selected those blocks where the majority of parcels had been developed pre-1980, based on building permit data provided by the municipality. This is because in the last four decades, most Canadian residential developers began to construct significantly larger homes than before and to maximize lot coverage. These neighbourhoods rarely contain much potential for redevelopment or infill development. Infill developers generally purchase small older homes, properties that are valued for their land rather than the building on it. Then, the house is demolished to make way for infill housing.

Figure A1. Older Low-Rise Neighbourhoods.



The areas in light blue above vastly exceeded Sudbury's need for infill housing. As a result, the area was narrowed down to be more central, while still excluding blocks where the majority of parcels were developed after 1980. Simulations from Phase 1 were conducted using this Qualifying Area.

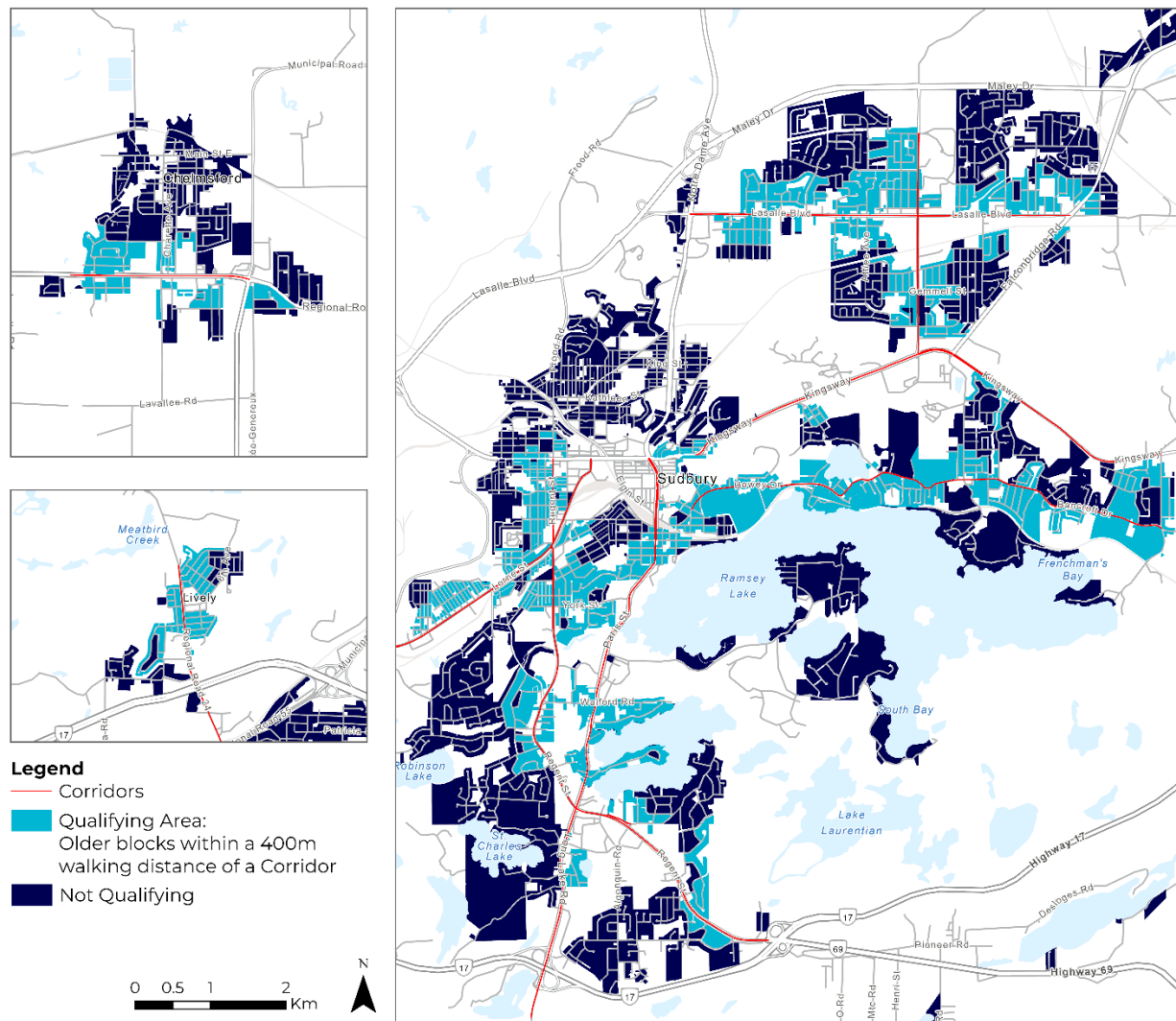
Figure A2. Phase 1 - Refining the Qualifying Area.



This area above still vastly exceeded Sudbury's need, so the area was refined further below to only include older blocks within a 400m walking distance of 'Corridors' as per the Official Plan.

Simulations for Phase 2 were conducted using this Qualifying Area.

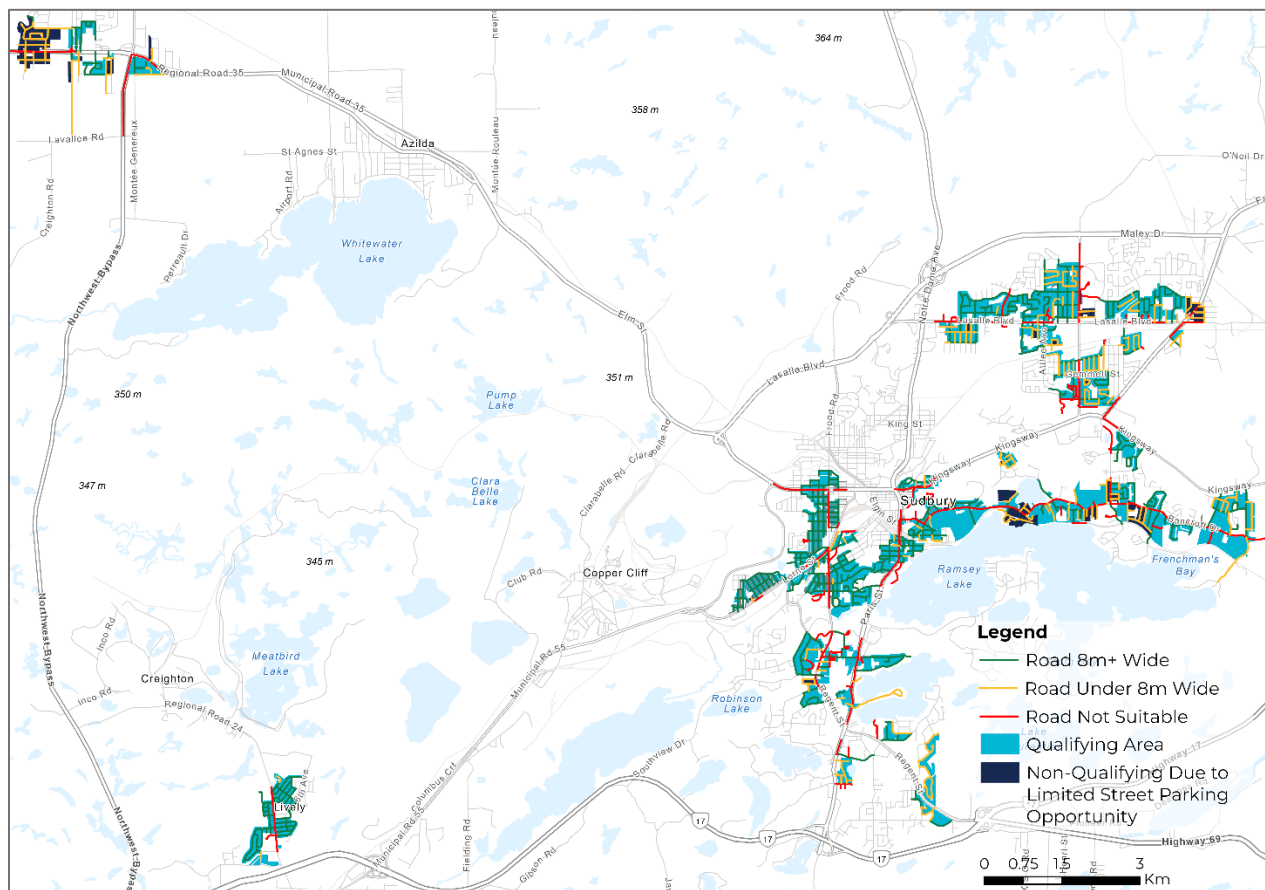
Figure A3. Phase 2 - Refining the Qualifying Area Based on Proximity to Corridors



For Phase 3, we incorporated considerations of a street permit solution into refining the Qualifying Area by excluding blocks that were not suitable for street permit parking. These included blocks that were bound by roads under 8m in width, or that were otherwise inappropriate (i.e. highways, arterials).

Municipal staff have expressed that Chelmsford should have been included in the Qualifying Area. In the map, you can see that a large part of Chelmsford was removed as a result of the narrow streets, which would not be able to support street parking. The municipality can ultimately still include these areas in the overlay, knowing that a neighbourhood parking solution would have to be established. In the meantime, this part of Chelmsford was not included in the Qualifying Area and subsequent simulation exercises.

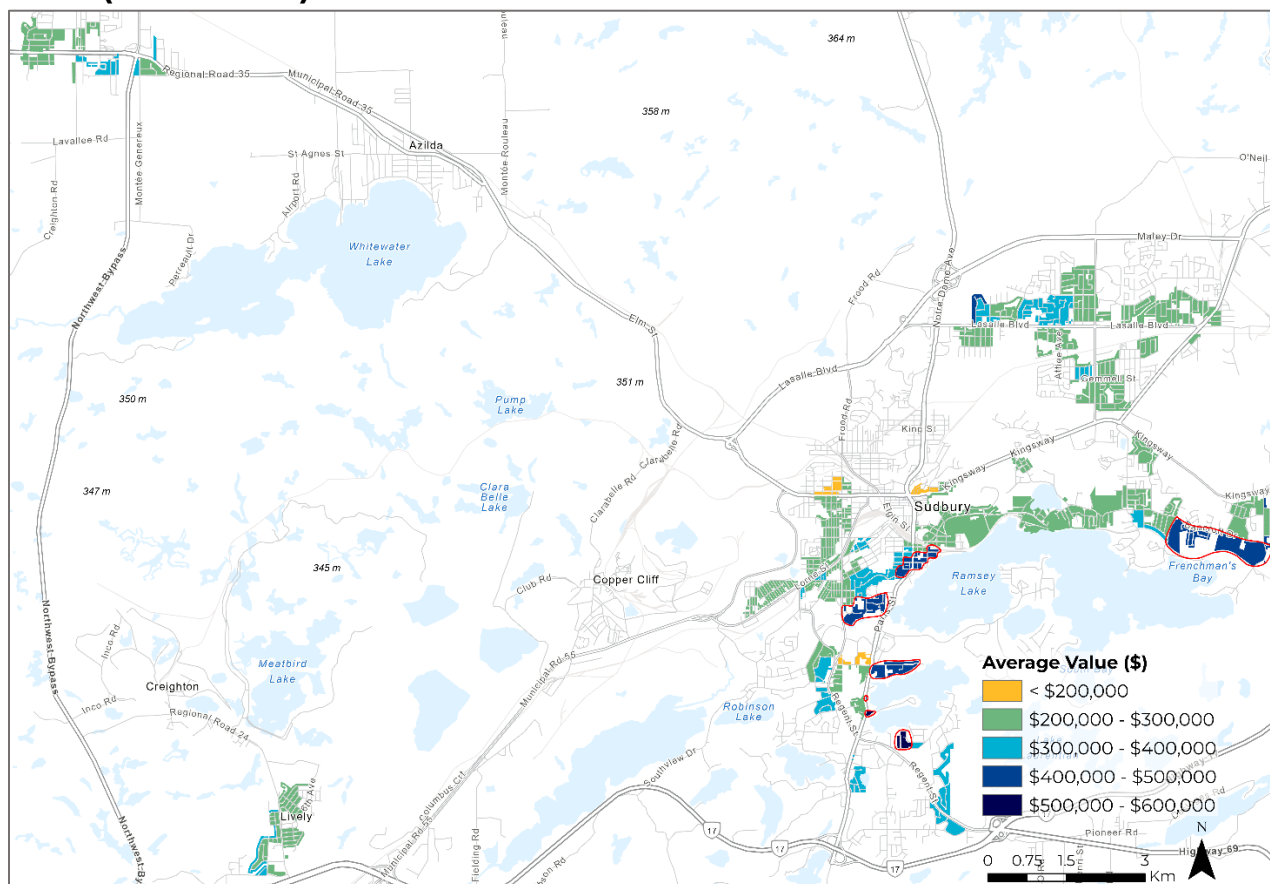
Figure A4. Phase 3 – Refining the Qualifying Area Based on Street Parking Potential.



Blocks within census tracts where the average dwelling value exceeded \$400,000 were also excluded since developers were likely to avoid these areas in favour of cheaper land elsewhere.

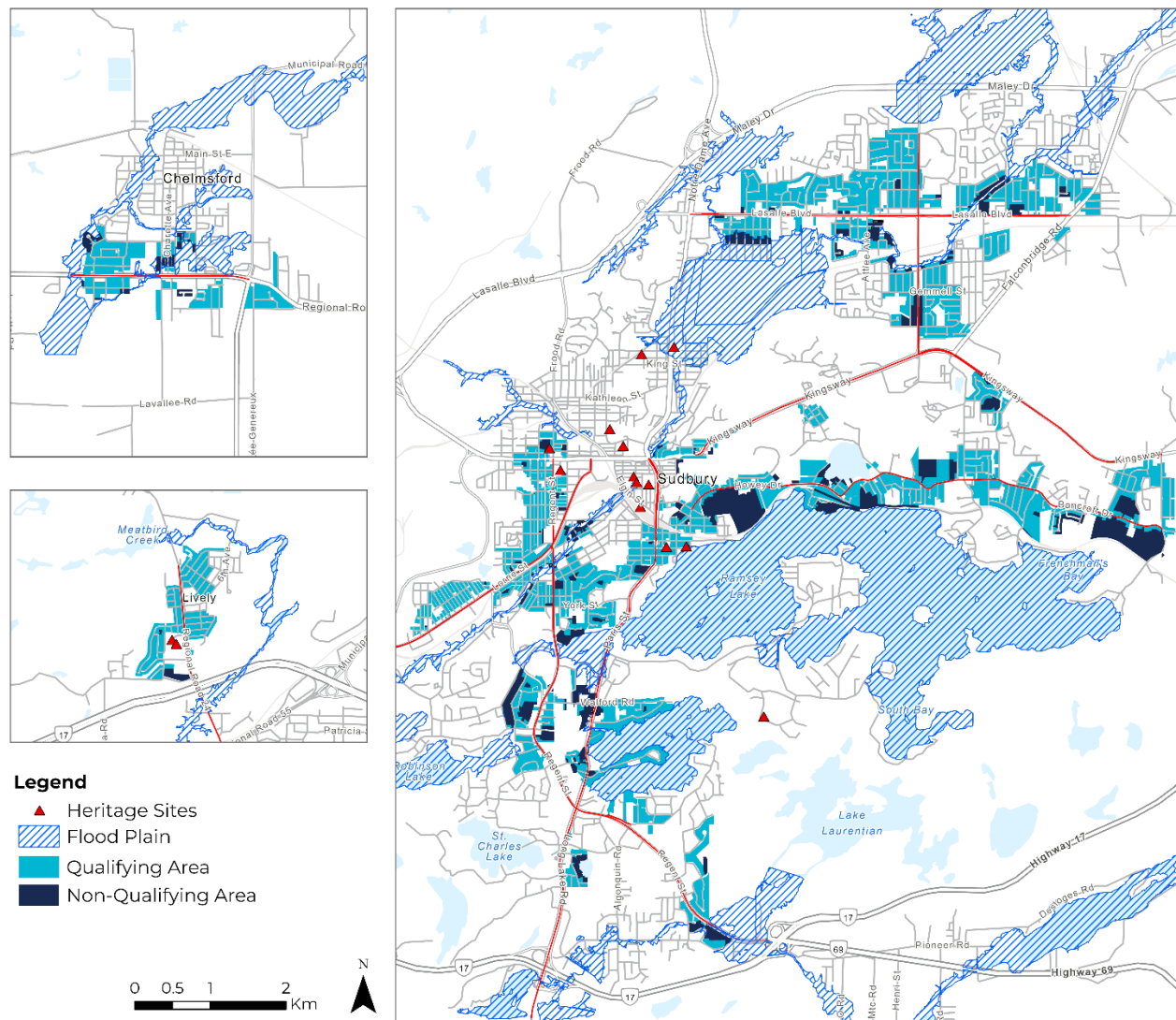
These blocks are circled in red below.

Figure A5. Phase 3 – Refining the Qualifying Area Based on Average Dwelling Value (2016 Census).



Finally, we excluded portions of blocks that contained large empty block centers with no buildings. Parcels were also removed, which seemed to already have apartment buildings. Blocks were removed where the majority of existing development was row housing, unlikely to be redeveloped as infill. Parcels impacted by the floodplain were removed, as well as heritage properties.

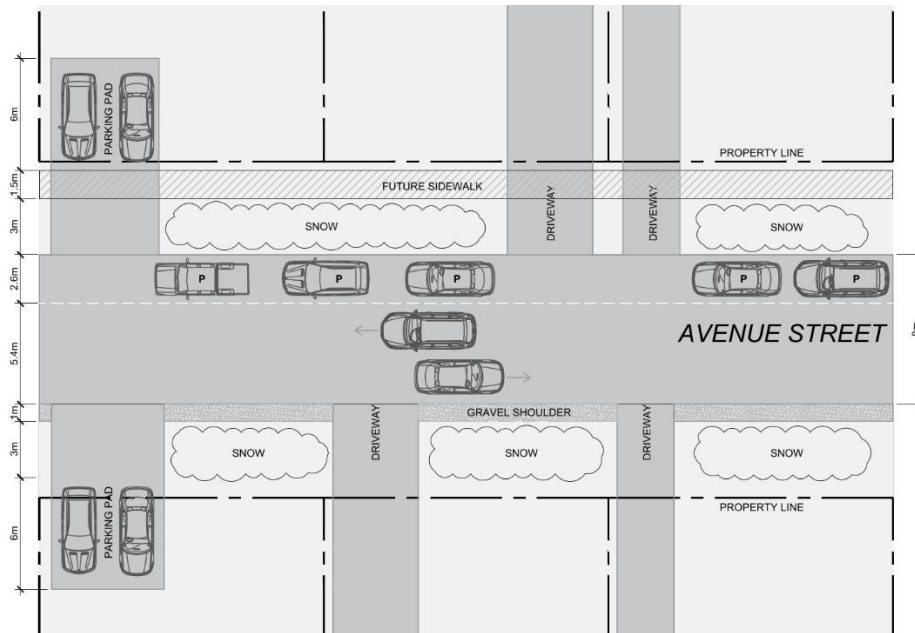
Figure A6. Phase 3 – Final Refinement of the Qualifying Area.



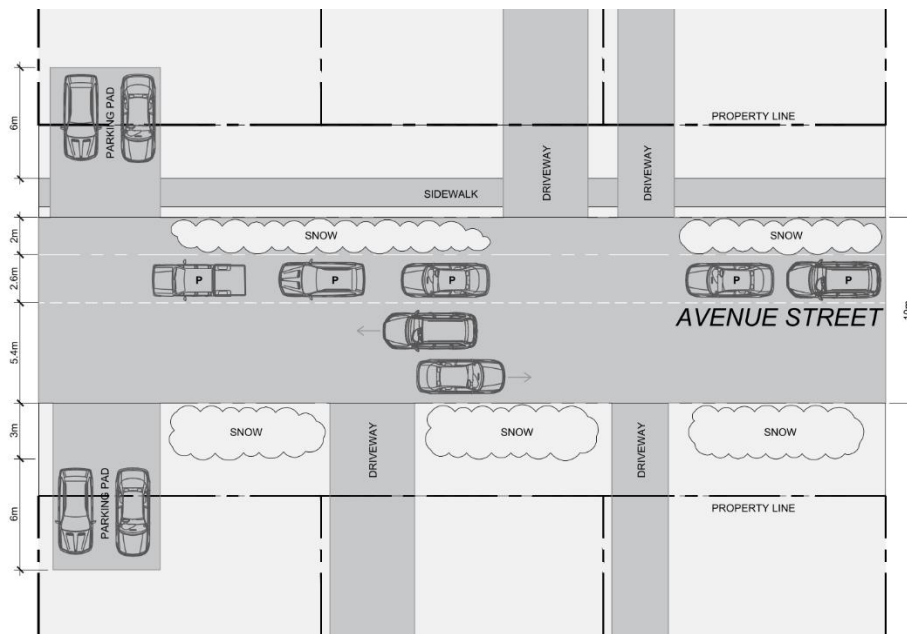
Appendix B: Parking Pads

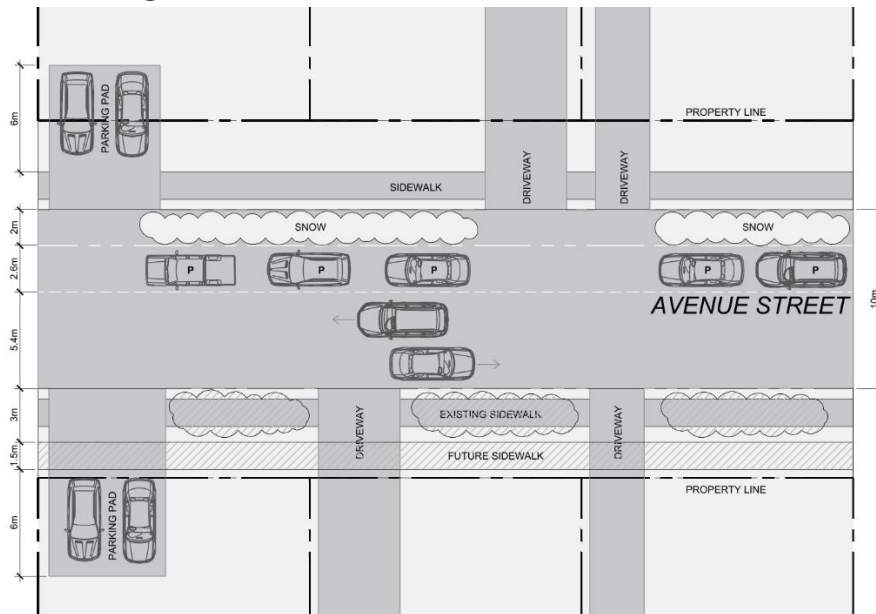
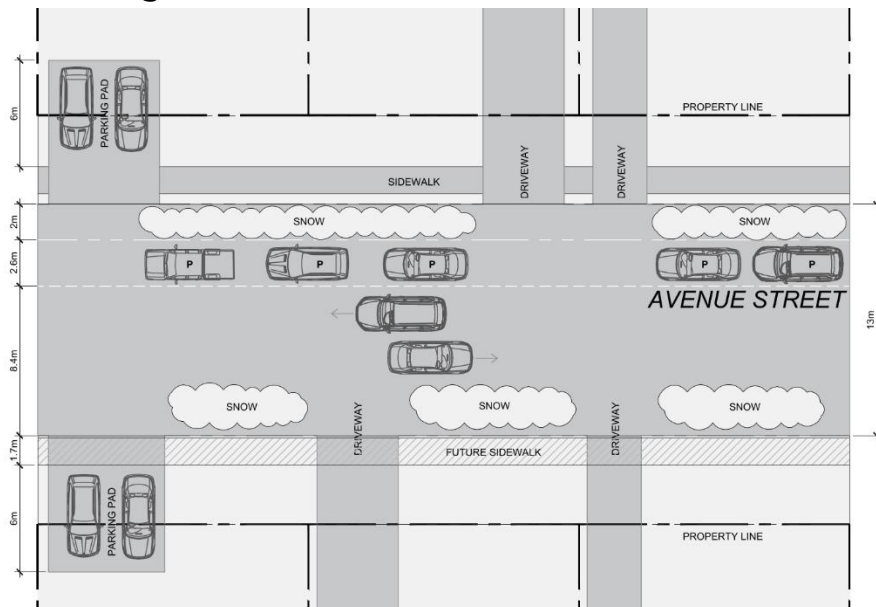
The following diagrams show front parking pads (on the left side of the image), and the critical dimensions required. These dimensions have been used in preparing the recommended zoning language that would make this parking solution possible within the Qualifying Area.

Front Parking Pads on an 8m wide street with no sidewalks



Front Parking Pads on a 10m wide street with a sidewalk



Front Parking Pads on a 10m wide street with sidewalks**Front Parking Pads on an 13m wide street**

Appendix C: Summary of Neighbourhood Residential Parking Examples in Small Towns

- **Niagara-on-the-Lake, ON**
 - Yearly permit (\$35/year) for heritage district allowing residents to park 3 hours without meter payment (meter hours 10am–8pm).
 - Overnight parking ban from 2am to 6am; no parking longer than 12 hours.
 - Niagara-on-the-Green suburban neighbourhood has permits allowing parking 8am–5pm.
 - Residents pushing for 24-hour street permit system in 2025.
- **Stratford, ON**
 - Monthly permits (\$100/month) for urban lots; free permits on Coopers lot for downtown residents.
 - Permits valid for 6 months; allow parking up to 72 hours without moving.
 - Overnight parking ban on streets and paid lots from 2am to 6am.
- **Georgina, ON**
 - Beach parking passes (up to 4 per unit) available to all residents.
 - Winter parking allowed at Rayners Boat Launch and Glenwoods Parkette.
- **Saint Catharines, ON**
 - Annual residential parking permits (\$55/year) for streets with parking limits.
 - Cars must be moved every 12 hours.
 - Downtown exempt from winter parking ban during snow events.
 - Alternatives during snow bans: exempted areas, parking garages, neighbor driveways.
- **Cobourg, ON**
 - Downtown parking permits for municipal lots (\$105/90 days), no overnight parking.
 - East Beach area allows residential parking with overnight parking; summer permit \$20.
- **Caledon, ON**
 - Up to 16 temporary parking passes per vehicle per year.
 - Additional 7 passes for driveway improvements or construction obstruction.
 - Passes invalid during winter weather events with snow clearing.
- **Tiny, ON (Georgian Bay)**

- Residential and seasonal resident permits.
- First permit free; second permit \$30/year (max 2 per household).
- **Cambridge, ON**
 - Monthly 24-hour residential permits for downtown residents in designated lots.
 - Fees range from \$64 to \$96 per month.
- **Milton, ON**
 - 25 visitor parking permits per year per household.
 - 5-hour max parking town-wide.
 - Residents can apply for 15-hour parking zones if 51% of homeowners agree.
 - Street permits suspended during snowstorms; residents can park in designated lots for up to 48 hours during suspension.
- **Prescott, ON**
 - Parking permits for municipal lots: \$325/year for residents.
 - Winter parking restrictions Nov 1 to Mar 31; vehicles off street 12am–7am.
 - Gravel lot monthly rate \$30 + HST; paved lot monthly \$50 + HST.
- **King, ON**
 - 12 visitor permits per household per year.
 - No overnight parking during snow events.
- **Shelburne, ON**
 - Monthly residential parking permits for municipal lots (\$40/month or \$480/year).
 - Lot permits have no winter restrictions.
 - Overnight parking permits available during winter parking bans.
- **Riverview, NB**
 - Overnight parking allowed on most streets except during snow-clearing and ice removal.
 - Residents responsible for monitoring parking bans.
- **Thorold, ON**
 - 12-hour street parking permitted on most streets.
 - Restrictions during snowfall events.
 - Monthly parking permits available for municipal lots.
- **Saint John, NB (Population ~73,000)**
 - Resident street parking permits (\$75/year) only for those without on-site parking.
 - Alternate side parking: odd side 1st–15th of month, even side 16th–end.
 - Changeover between sides occurs evenings of 15th and last day of month.
 - Alternate side parking in effect Dec 1 to May 31 in specific areas.

- King Street East has alternate side parking Dec 1–Mar 31; both sides allowed Apr 1–Nov 30.
- Ongoing parking study shows generally good availability.

End Notes

ⁱ Fiscal outcomes are estimated from assumed assessed values of existing single-family homes versus multi-unit buildings and their associated property tax rates and development charges on new buildings. The table below outlines the assumptions used for Scenario 1a (Business as Usual) and Scenario 2a (BuildingIN).

Fiscal Assumptions for Business-as-Usual and BuildingIN Scenarios.

Market & Tax Lookup	Business as Usual	BuildingIN
Average assessed value of a single-family home in target area	\$260,000	\$260,000
Multi-unit building assessed value per ft ²	\$500	\$500
Property tax rate	1.3%	1.3%
Development Charge	\$13,270.5	\$10,227
Share of units subject to development charge	75%	33%

Average value of an existing single:

Originally, we had estimated this to be \$500,000, but since then we had looked at the census data for average value of occupied dwellings in the qualifying area in order to exclude higher value neighbourhoods (circled in red, see Appendix A, Figure A5). As a result, the value was updated the average value of the remaining blocks in the Qualifying Area, which is \$260,000.

Multi-unit dwelling estimated value per square foot: \$500

Property tax rate: 1.3%

As per the [2025 Tax Rates](#) for Residential/New Multi-res buildings.

Development Charges:

We understand that there is a freeze/moratorium on DCs for the next 3 years. Our model projects 26 years into the future (2026-2051 inclusive), so only 2 years would be impacted. As a result, the model does not account for this.

- The BAU scenario includes new singles (5%), semis (61%) and multis (34%).

-
- The [DC rate summary for July 1, 2024](#) applies a charge of \$22,162 for singles
 - The rate for a semi is \$14,238 and the rate for a dwelling in a small multi building is \$10,227 as per [by-law 2019-100](#).
 - A weighted average of **\$13,270.5** was applied.
 - The BuildingIN scenario includes 99.6% dwellings in small multi-unit buildings, so a charge of **\$10,227** was applied as per [by-law 2019-100](#).

Share of units subject to the Development Charge:

- BAU: **75%**, estimating 25% of new units will be exempt.
- BuildingIN: **33%**, as the program is recommending that only 1/3 of new units in a development be subject to DCs.

Greater Sudbury Memos

Building**IN**

Table of Contents

When Do You Need a Firewall in Low-Rise Multi-Residential Buildings? 3

Non-Combustible Exterior Wall Memo 6

Grading and Drainage for Infill Built Under Section 6.4 of the Zoning By-Law 8

Neighbourhood Parking Solutions 12

Form-Based Zoning for Animated and Socially Dynamic Facades 16

When Do You Need a Firewall in Low-Rise Multi-Residential Buildings?

When it comes to low-rise multi-unit developments, it can get tricky to figure out when you need firewalls between units. This memo provides clarity around interpreting building code requirements for firewalls.

To determine whether you need a firewall, there are two determining factors:

- Whether the party wall is on a property line, and
- Number and configuration of dwelling units.

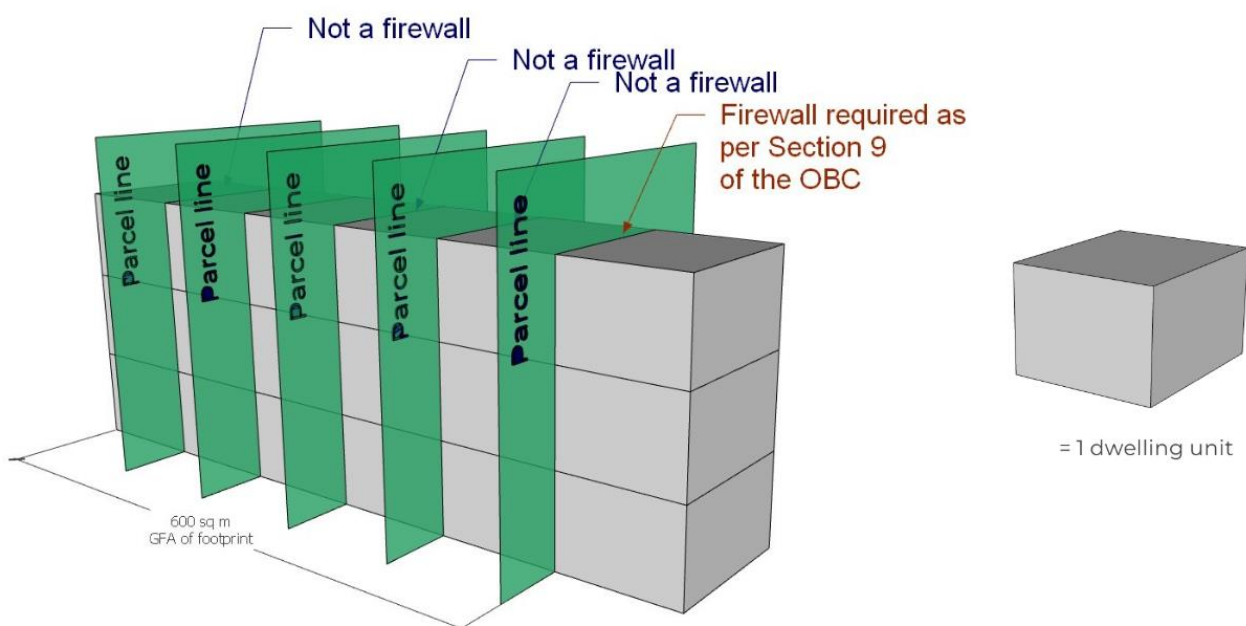
Is your party wall on a property or parcel line?

Are you constructing dwelling units above dwelling units? Units above units and requirements for constructing party walls as firewalls

A line between two parcels becomes a 'property line' only once a severance application is finalized and/or the line is registered on title.

If parcels are not legally severed, the line between them is not considered a property line for building code purposes. In this situation, the party wall does not need to be a firewall, unless the building on either side exceeds 600 sq. m in gross floor area of the building footprint. See image below.

Note: The presence of separate services (e.g., utilities) on each side of the wall cannot, by itself, necessitate a firewall, according to building code.

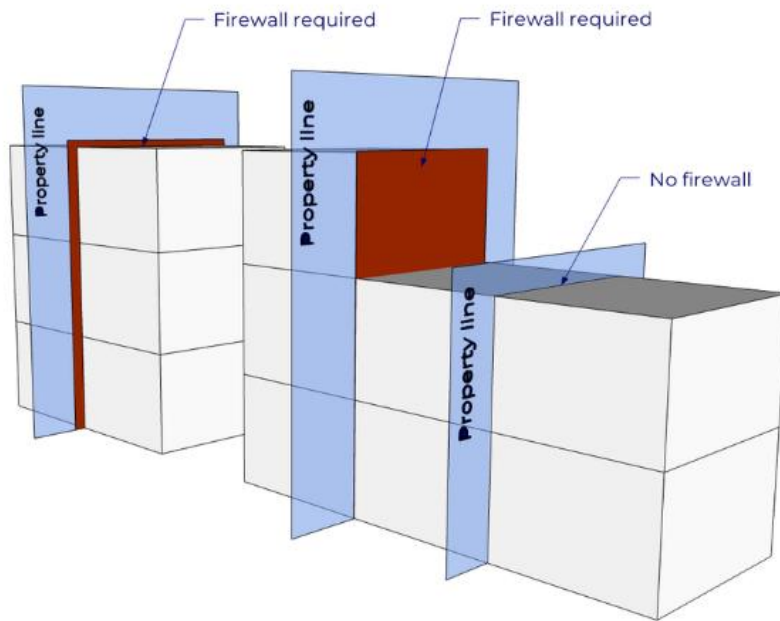


Firewall requirements when building units are above units

Even when a party wall is on a property line, it may not need to be a firewall, depending on the number and configuration of dwelling units.

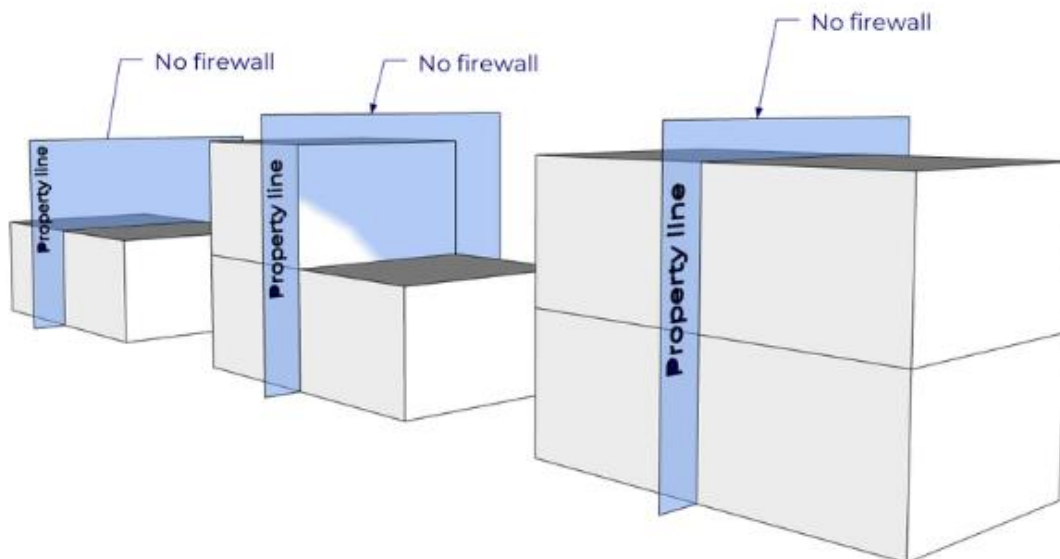
Firewall requirements when building units are above units

When triplexes are paired together in semi-detached or row house configurations, the party wall must be a fire wall.



Configurations when firewalls are not required:

Even when a party wall is on a property line, it may not need to be a firewall if there are no more than two dwelling units stacked vertically, on either side of the party wall. In these cases, the party wall needs to meet fire separation standards with a 1-hour fire resistance rating.



Building Code References

Section 9.10.11. Firewalls

9.10.11.1. Required Firewalls, Ontario Building Code

(1) Except as provided in Article 9.10.11.2, a party wall on a property line shall be constructed as a firewall. (See Note A-3.2.3.4(1))

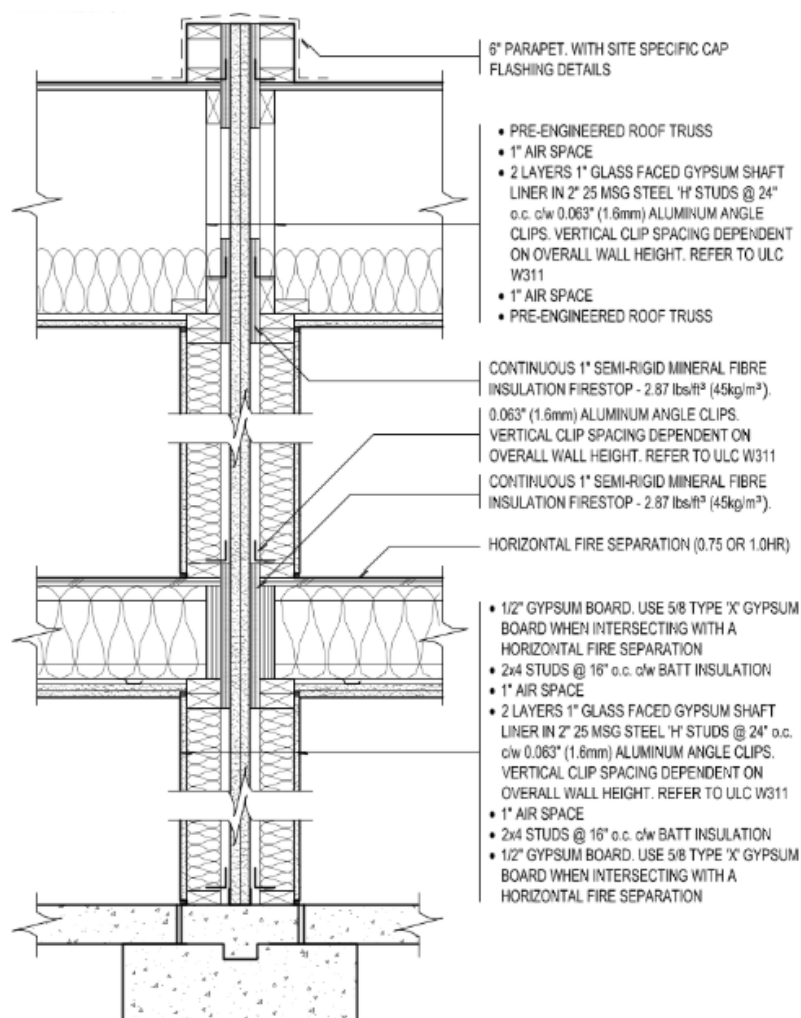
9.10.11.1. Required Firewalls, Ontario Building Code

9.10.11.2. Firewalls Not Required

(1) A party wall on a property line of a building of residential occupancy need not be constructed as a firewall, provided it is constructed as a fire separation having not less than a 1 h fire-resistance rating, where the party wall separates

- (a) two dwelling units where there is no dwelling unit above another dwelling unit,
- (b) a dwelling unit and a house with a secondary suite, including their common spaces, or
- (c) two houses with a secondary suite, including their common spaces.

2-hr Firewall Drawing - Party Wall on a Property Line



Non-Combustible Exterior Wall Memo

Any wood frame builder can tell you — avoid non-combustible walls and save yourselves a world of frustration, slowdowns, and added costs. This memo clarifies how to interpret non-combustible exterior wall requirements for multi-unit buildings.

When are non-combustible walls required?

The building code triggers this requirement specifically when you have three dwelling units stacked vertically (one above the other). The requirement applies to exterior walls that are close to property lines, typically when the side yard setback is less than approximately 5'5" (though the exact calculation depends on the size of your units).

On infill properties, side yards are generally smaller than that, so for triplexes and small apartments, a non-combustible side wall is unavoidable.

Problematic approaches to avoid

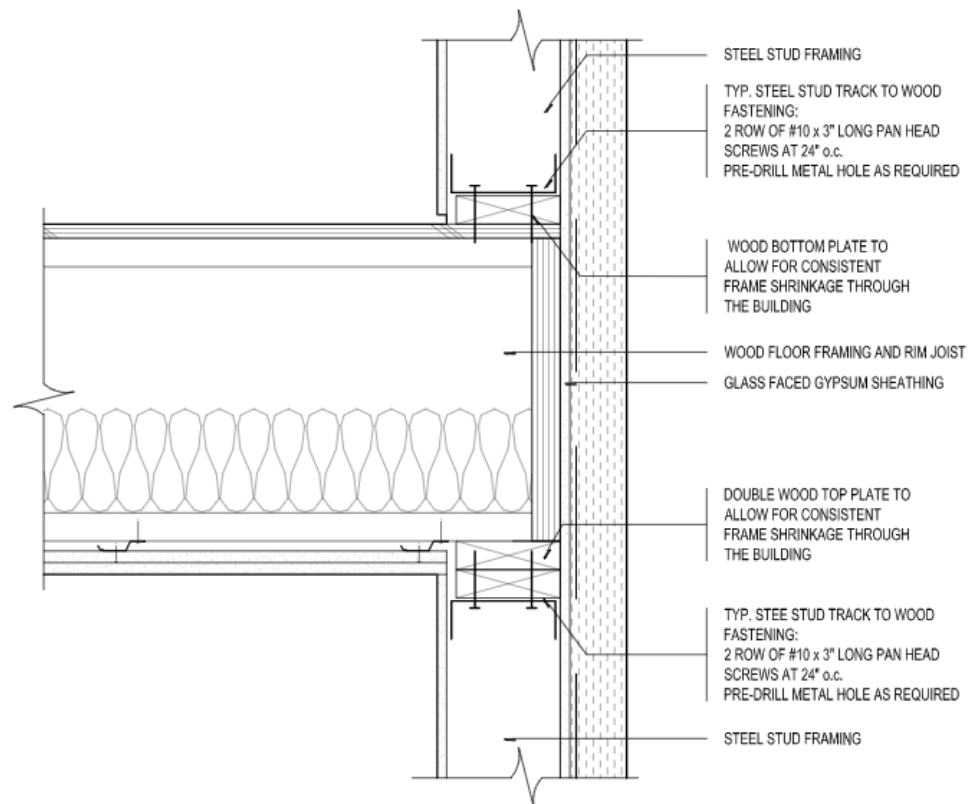
Several common approaches to meeting the non-combustible wall requirement introduce significant complications. Therefore, the following solutions are generally avoided:

- Steel post and beams with steel stud infill substantially increases construction costs. Additionally, it causes differential movement between steel and wood components.
- The wall-on-wall method meets code requirements, but doesn't meet the intent of the building code. A traditional wood platform frame is built first, then a multi-storey steel wall is constructed on the ground nearby, tipped up and attaching to the wood building. This configuration doesn't deliver the fire protection intended by the building code.

The solution

The most effective approach is building a non-combustible load bearing steel stud wall and bearing a wood rim board, wood joists, wood sills and top plates on the steel. It provides the best fire protection as well as dimensional stability; and to top it off, it's actually constructible on infill sites.

Non-Combustible Wall Framing and Wood Floor Intersection Drawing



PLANNING MEMO

Grading and Drainage for Infill Built Under Section 6.4 of the Zoning By-Law

The City of Sudbury is encouraging low-rise multi-unit infill developments in older neighbourhoods close to nodes and corridors, by adding a new Section 6.4 to the Zoning By-law. These developments will not have the usual off-street parking. Instead they will be permitted front parking pads, and residents will have access to street parking permits. In addition, neighbourhood parking lots will be permitted in these areas on empty lots, but only for use by residents of these new buildings.

Many of these areas have pre-existing drainage concerns, and redevelopment must be undertaken with care. It is essential that new developments do not worsen existing overland flow issues. New projects are sometimes incorrectly held responsible for longstanding problems.

These developments are anticipated to increase the total amount of hard surface (paving and roofs) in neighbourhoods by very small amounts (about 0.12% each year).

Neighbourhood Parking Lots under Section 6.4 of the Zoning By-law

Neighbourhood parking lots are permitted to have up to 14 parking spaces on lots with at least 30% soft landscaping. They are subject to Site Plan Approval at the discretion of city staff. Overland flow from paved areas will need to be filtered in ditches and directed into the city storm systems. No overland flow will be permitted from paved areas onto neighbouring properties.

Multi-Unit Buildings under Section 6.4 of the Zoning By-law

Multi-unit low-rise residential developments constructed under Section 6.4 of the Zoning Bylaw without any variances are not required Site Plan Approval, and need not filter, retain or detain stormwater during storm events, unless there is a significant pre-existing overland flow that prevents the orderly development of the site.

All developments must maintain high standards of overland flow control so that there is no impact on neighbouring properties.

BuildingIN

To ensure responsible growth and maintain neighbourhood integrity, it is important that infill projects built under Section 6.4 of the Bylaw adhere to the following requirements:

- Match pre to post overland flow to side and rear neighbouring properties. An increase in overland flow onto neighbouring properties is not permitted.
- Direct stormwater to the municipal storm system (storm sewers or ditches),
- Include a Topographical Survey and Lot Grading Plan with permit applications (as required for all applications),
- Provide existing and Proposed Site Drainage Diagrams with permit applications showing hard surface areas and their flow directions pre- and post-development, as well as any significant overland flows, as described below.

Lot Grading Plan: site plan prepared by an engineer or surveyor showing existing neighbouring grades (these must remain unchanged) and proposing new grades on the development property, including grades at the edge of the proposed building on all sides.

Building Elevations: drawings of all proposed building facades showing a ground line that matches the Lot Grading Plan, and shows downspouts that match the Proposed Site Drainage Diagram.

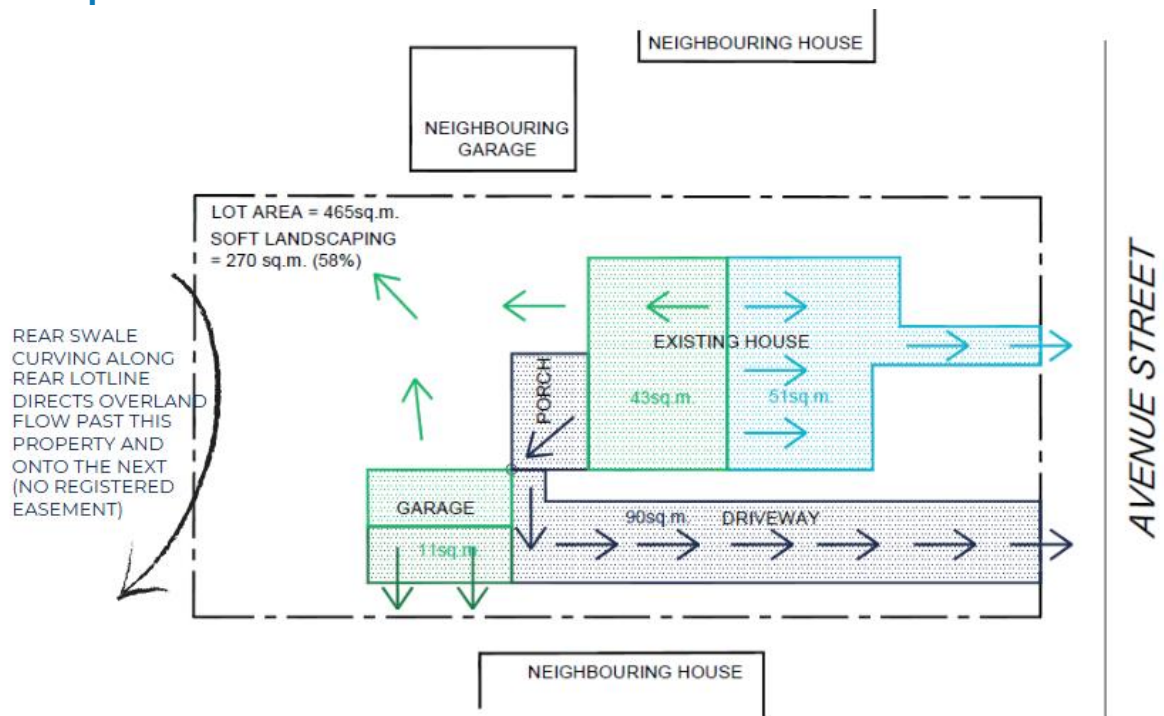
Existing and Proposed Site Drainage Diagrams: (can be on the same sheet as the Lot Grading Plan) Identify overland flow off the site for EXISTING and PROPOSED conditions. Hatch all hard surfaces. Label all flow destinations including streets, municipal swales or ditches. Show any significant overlay flows crossing the site, located on or off a registered easement, retaining predevelopment flow paths. For each flow destination, show the related hard surfaces. Example following.

NOTE 1: The professional who prepares the *Lot Grading Plan* must confirm that the *Existing and Proposed Site Drainage Diagrams* correctly depict grading and flow.

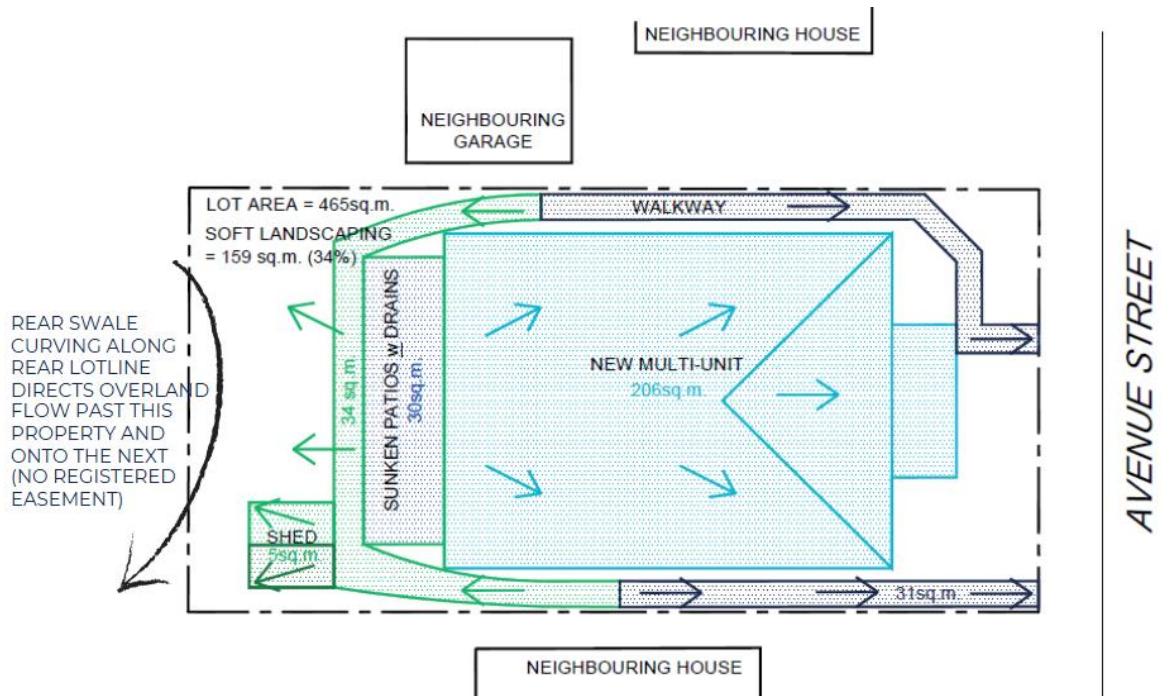
NOTE 2: The building code requirements for multi-unit buildings of this kind are complex. Exiting and fire safety requirements of the building code must be accurately coordinated with the proposed site grading.

BuildingIN

Example 1

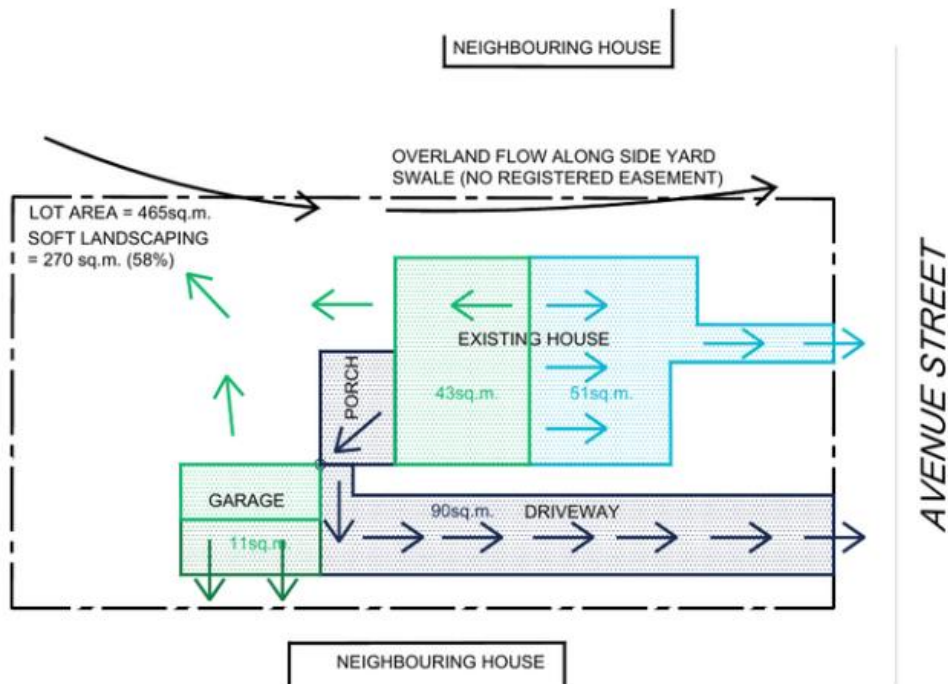


Existing Hard Surfaces and Overland Flow

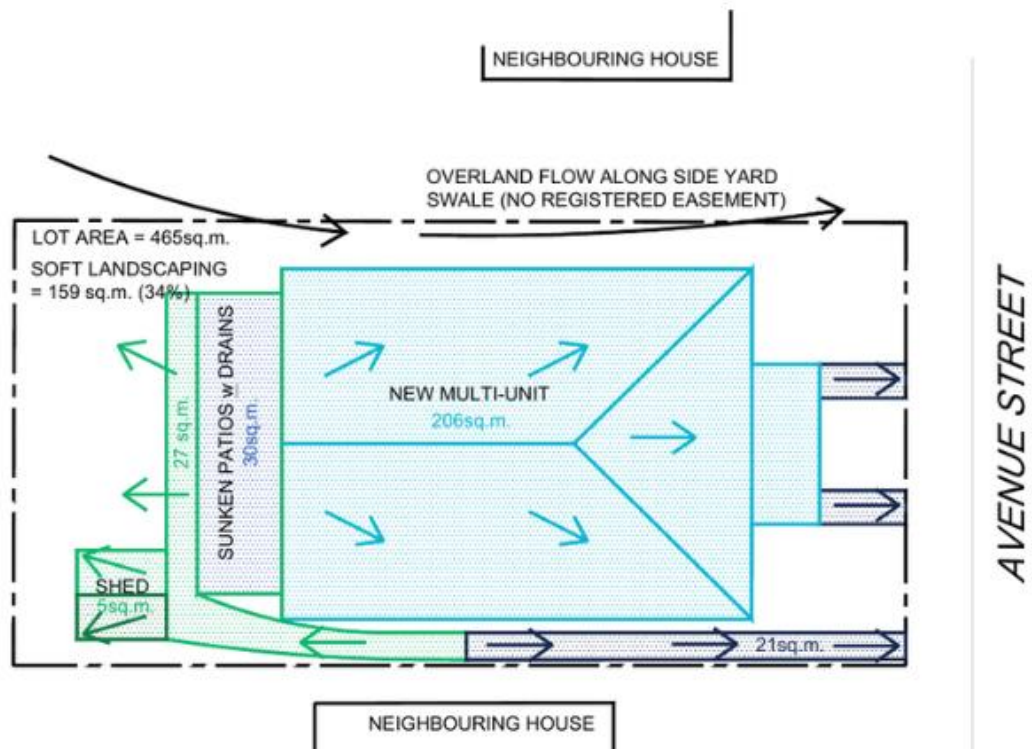


Proposed Hard Surfaces and Overland Flow

Example 2



Existing Hard Surfaces and Overland Flow



Proposed Hard Surfaces and Overland Flow

Neighbourhood Parking Solutions

This memo details proactive neighbourhood parking strategies to stimulate infill development, while balancing landscaping and stormwater management priorities.

Intensification and parking are complicated companions

There are lots of older neighbourhoods that would benefit from BuildingIN with low-rise multi-unit infill that provides housing for a diversity of households. However, most of these neighbourhoods are currently car-dependent, without nearby amenities and public transit. As a result, developers depend on parking to make these projects viable, but there is just not enough space for infill housing and parked cars on our small neighbourhood properties. A 'Catch-22'!

The tax uplift that comes with infill could change that, funding investments in transit and infrastructure for biking and walking, allowing neighbourhoods to transition into walkable and complete communities where some households would be happy to live without a car. Unfortunately, until the infill is constructed, these investments aren't affordable and just don't make sense. But, in the mean time, we need neighbourhood parking to support this transition.

As we plan for neighbourhood parking it's important to be smart, find solutions that are context appropriate, and keep hard surfaces to a minimum. This leaves space for trees, landscaping and stormwater management.



The diagram and table illustrate the advantages of using the total combined area approach to evaluate open-concept spaces, as it more accurately captures actual usage and offers greater flexibility for compliance, in contrast to the limitations of the individual room area approach.

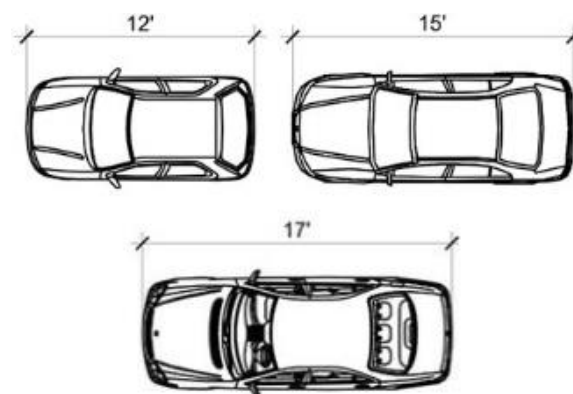
Option 1: Street Permit Parking

In many neighbourhoods, street permit parking is the best solution to meet the parking needs of infill housing without adding more pavement.

Many neighbourhood streets are well suited to street parking on one side, allowing space for pedestrians on the other. In areas with lot widths of 40 feet or wider, there is typically enough street parking to support infill developments for 20 years of growth (see diagram below).

It's important that existing residents use the on-site parking they already have, so a permit system is needed to ensure existing paving is fully used.

To manage winter conditions, municipalities can consider several options: alternating parking sides, designating municipal lots for overnight parking and snow removal, and/or notifying residents about plowing schedules.

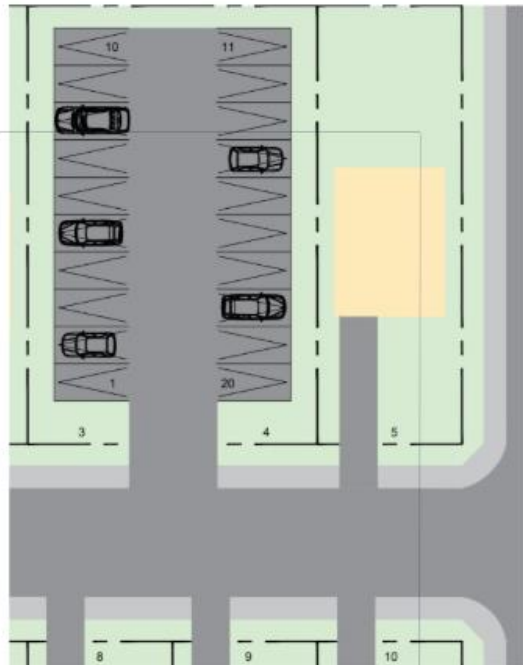


10 street parking spaces in a 40' wide lot neighbourhood



Option 2: Neighbourhood Parking Lots

Small parking lots are present in neighbourhoods across Canada, often as longstanding legal non-conforming uses. New neighbourhood parking lots are generally prohibited.



20 parking spaces on a 33' wide lot

Permitting new parking lots creates opportunities for developers who own multiple properties within a neighbourhood. Some properties would be developed as multi-unit homes, close to a property used by residents for parking. Over time, these parking lots would be redeveloped into additional housing, transitioning away from a parking use as the need for parking declined.

It's important that neighbourhood parking lots are well-integrated into the community, so zoning regulations should require wood board fencing at side lot lines and tree planting at the front and back. Additionally, parking areas should be surfaced with gravel or permeable paving.

Transitional neighbourhood parking lots are a good choice in neighbourhoods where properties and/or streets are too narrow for street permit parking.

Option 3: Parkades

Mainstreet parkades provide neighbourhood parking in a location that naturally populates small shops and can bring vitality to struggling commercial streets. With retail space on the ground floor and parking on the upper levels, these buildings enrich the street and provide parking to support nearby housing. Regulations allowing parkades open up these opportunities for developers.



Option 4: Car-Sharing

Many municipalities have car-sharing businesses already active in their older neighbourhoods. These businesses are an advantage because they reduce the number of parking spaces required for private vehicles. Municipalities can support the expansion of car-sharing by providing free permit parking for car-sharing in dedicated curb side locations close to higher density low-rise housing.

Option 5: Self Driving Cars

Technological advancements in self driving cars open up new options for parking at greater distances from people's homes. Under-used parking areas in light industrial areas could be used for residential parking, and cars can be called to the home when needed. In practice, this manages parking demand and enhances the functionality of both residential and industrial areas.

Form-Based Zoning for Animated and Socially Dynamic Facades

As neighbourhoods intensify, they must become more inviting to pedestrians so that people enjoy walking and tend to leave their cars at home more for local destinations, including small shops. Intensification brings with it a variety of parking alternatives that will result in some new residents walking short distances to neighbourhood parking. Walking is more enjoyable when there are interesting buildings to walk past.

Many municipalities have documents like infill housing guidelines, that provide recommendations for the design of infill housing so that new buildings are more interesting from the perspective of someone walking past. These documents are not rules, just guidelines, so most designers are not particularly working to follow them. Enforcement is almost impossible, and these documents cause a lot of confusion and frustration amongst residents, who assume that the guidelines will influence development outcomes.

BuildingIN proposes a simpler solution using form-based zoning. This approach is rule-based, clear, effective and enforceable.

The BuildingIN form-based overlay zoning regulates street-facing facades, applying simple zoning language so that new infill buildings are:

- interesting to look at,
- animated with architectural features, and
- places that invite social interaction between building residents and pedestrians.

For more details, be sure to read the text on the BuildingIN form-based zoning for *street-exposed facades*.

- includes all walls facing a street, including front and corner side walls
- includes portions of side walls (on interior lots) that stick out past their neighbours more than 1.2m

STREET EXPOSED FAÇADE

BuildingIN's form-based zoning defines a *street exposed façade* in this way:

- includes all walls facing a street, including front and corner side walls

BuildingIN

- includes portions of side walls (on interior lots) that stick out past their neighbours more than 1.2m
- street exposed façades are measured from the proposed grade, not including window wells or sunken areas, up to the top of parapets or undersides of eaves. In the case of a gable end, the street exposed façade is measured to the underside of the ceiling behind the gable end.

GLAZING, WINDOWS AND DOORS

BuildingIN's form-based zoning requires street-exposed facades to have:

- 15% glazing in windows or doors (high windows are not included in this calculation)
- at least one door

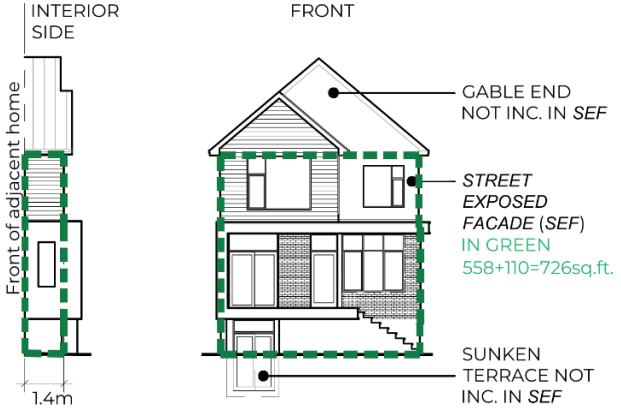
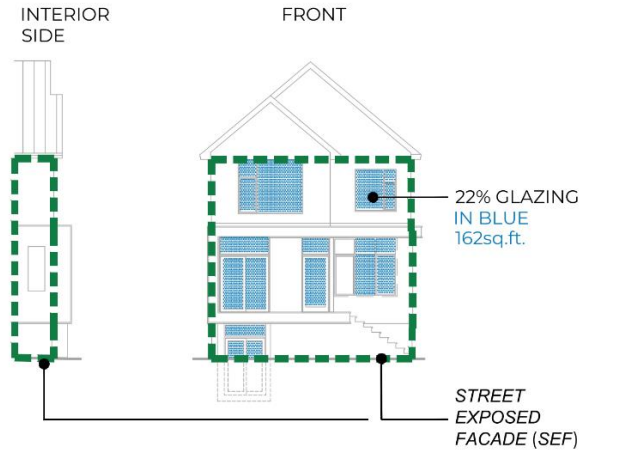
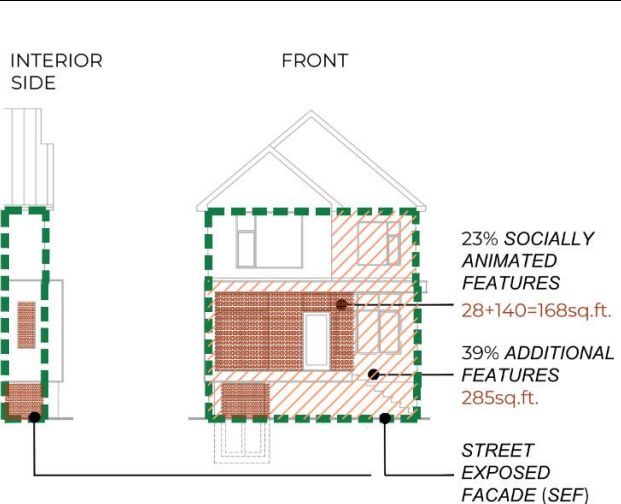
SOCIALLY DYNAMIC AND OTHER ADDITIONAL FEATURES

BuildingIN's form-based zoning requires 15% of street-exposed facades to have socially dynamic features including porches, balconies and bay windows. An additional 20% of street-exposed facades must have more socially dynamic features or permitted projects or indentations that add visual interest.

The following examples show this zoning in practice on various multi-unit low-rise buildings.

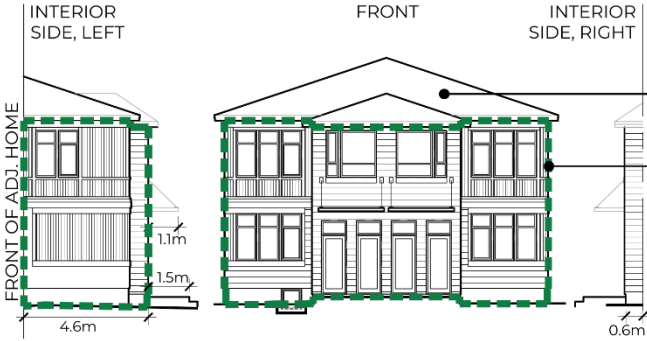


Example 1: 4-plex

✓ This design meets zoning requirements for *street-exposed facades*

<p>IDENTIFYING THE TOTAL STREET EXPOSED FAÇADE</p> <ul style="list-style-type: none"> • from ground to u/s of eave • does not include the lower half of the sunken patio – that is below the adjacent grade • does not include gable end but extends up only to u/s of ceiling • includes side elevation because it projects ahead of the neighbouring house by more than 1.2m 	
<p>QUALIFYING GLAZING AREAS</p> <ul style="list-style-type: none"> ✓ all glazing in windows and doors is included except the portion of the basement patio door that is below the adjacent grade ✓ glazed areas exceed the required 15% 	
<p>SOCIALLY ANIMATED FEATURES</p> <ul style="list-style-type: none"> ✓ porch and basement patio, excluding entry door ✓ socially animated features exceed the required 15% <p>ADDITIONAL FAÇADE FEATURES</p> <ul style="list-style-type: none"> ✓ stairs, canopies, and areas of the façade setback more than 0.6m from front most façade ✓ additional façade features exceed the required 20% 	

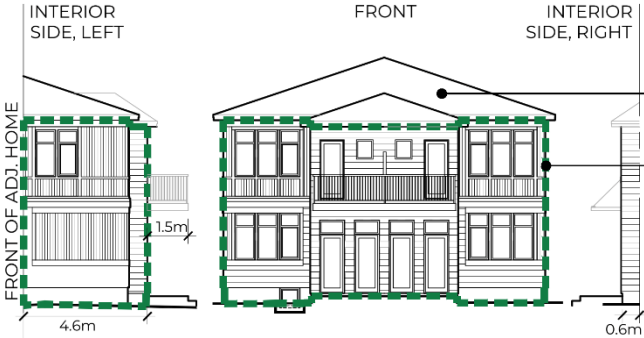

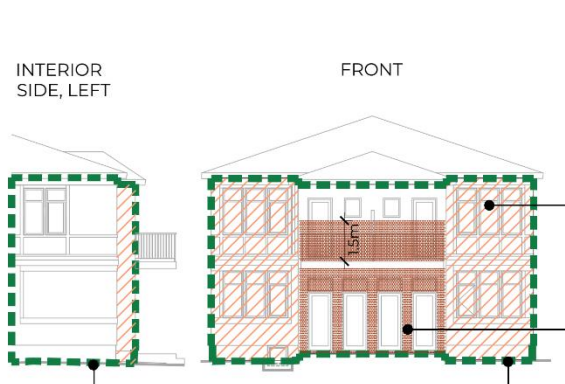
Example 2: 8-plex

✗ This design does not meet zoning requirements for *street-exposed facades*

<p>IDENTIFYING THE TOTAL STREET EXPOSED FAÇADE</p> <ul style="list-style-type: none"> from ground to u/s of eave does not include lower half of basement windows –below adjacent grade does not include roof includes only the side elevation that projects ahead of the neighbouring house by more than 1.2m 	 <p>INTERIOR SIDE, LEFT</p> <p>FRONT</p> <p>INTERIOR SIDE, RIGHT</p> <p>FRONT OF ADJ. HOME</p> <p>1.1m</p> <p>1.5m</p> <p>4.6m</p> <p>0.6m</p> <p>HIP ROOF NOT INC. IN SEF</p> <p>STREET EXPOSED FAÇADE (SEF) IN GREEN</p> <p>850+340=1190sq.ft.</p>
<p>QUALIFYING GLAZING AREAS</p> <ul style="list-style-type: none"> ✓ all glazing in windows and doors is included except the portion of the basement window that is below-grade ✓ glazed areas exceed the required 15% 	 <p>INTERIOR SIDE, LEFT</p> <p>FRONT</p> <p>INTERIOR SIDE, RIGHT</p> <p>1.7m</p> <p>basement floor</p> <p>22% GLAZING IN BLUE</p> <p>20+237=257sq.ft.</p> <p>STREET EXPOSED FAÇADE (SEF)</p>
<p>SOCIALLY ANIMATED FEATURES</p> <ul style="list-style-type: none"> ✓ porch wall to a height equal to the depth of the porch, but not including entry doors ✓ socially animated area does <u>not</u> meet the required 15% <p>ADDITIONAL FAÇADE FEATURES</p> <ul style="list-style-type: none"> ✓ stairs, canopies, and areas of the façade setback more than 0.6m from front most façade ✓ additional façade features exceed the required 20% 	 <p>INTERIOR SIDE, LEFT</p> <p>FRONT</p> <p>INTERIOR SIDE, RIGHT</p> <p>1.5m</p> <p>44% ADDITIONAL FEATURES</p> <p>49+475=524sq.ft.</p> <p>3% SOCIALLY ANIMATED FEATURES</p> <p>31sq.ft.</p> <p>STREET EXPOSED FAÇADE (SEF)</p>

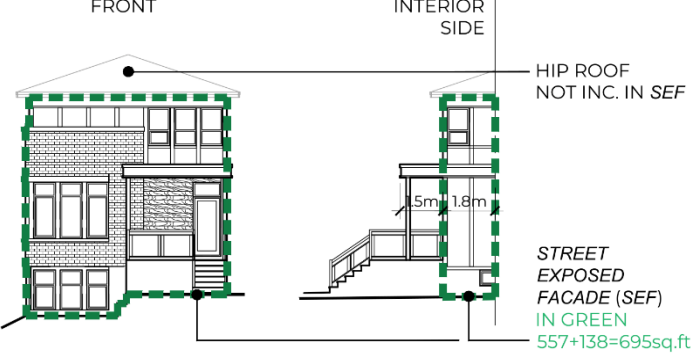
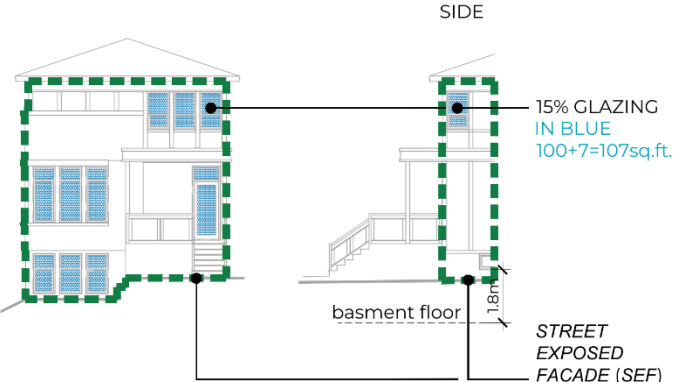
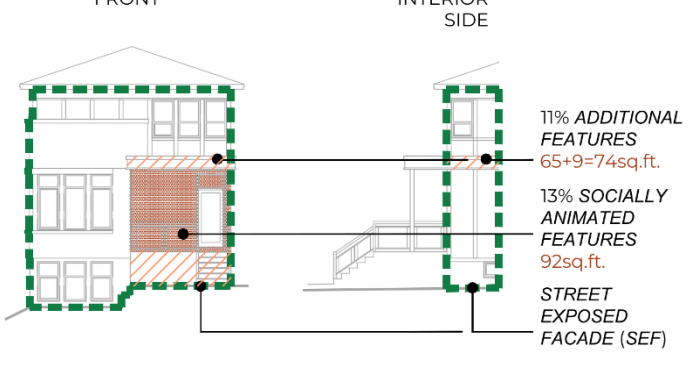
Example 3: 8-plex with front balconies

✓ This design meets zoning requirements for *street-exposed facades*

<p>IDENTIFYING THE TOTAL STREET EXPOSED FAÇADE</p> <ul style="list-style-type: none"> from ground to u/s of eave does not include lower half of basement windows –below adjacent grade does not include roof includes only the side elevation that projects ahead of the neighbouring house by more than 1.2m 	 <p>INTERIOR SIDE, LEFT</p> <p>FRONT</p> <p>INTERIOR SIDE, RIGHT</p> <p>FRONT OF ADJ. HOME</p> <p>1.5m</p> <p>4.6m</p> <p>0.6m</p> <p>HIP ROOF NOT INC. IN SEF</p> <p>STREET EXPOSED FAÇADE (SEF) IN GREEN</p> <p>$850+340=1190\text{sq.ft.}$</p>
<p>QUALIFYING GLAZING AREAS</p> <ul style="list-style-type: none"> ✓ all glazing in windows and doors is included except the side basement window because its sill is more than 1.2m above the floor ✓ glazed areas exceed the required 15% 	 <p>INTERIOR SIDE, LEFT</p> <p>FRONT</p> <p>1.7m</p> <p>basement floor</p> <p>20% GLAZING IN BLUE</p> <p>$20+217=237\text{sq.ft.}$</p> <p>STREET EXPOSED FAÇADE (SEF)</p>
<p>SOCIALLY ANIMATED FEATURES</p> <ul style="list-style-type: none"> covered porch and balconies to a height equal to the balcony depth, but not including entry doors ✓ socially animated area exceeds the required 15% <p>ADDITIONAL FAÇADE FEATURES</p> <ul style="list-style-type: none"> stairs, canopies, and areas of the façade setback more than 0.6m from front most façade ✓ additional façade features exceed the required 20% 	 <p>INTERIOR SIDE, LEFT</p> <p>FRONT</p> <p>1.5m</p> <p>44% ADDITIONAL FEATURES</p> <p>$49+475=524\text{sq.ft.}$</p> <p>16% SOCIALLY ANIMATED FEATURES</p> <p>185sq.ft.</p> <p>STREET EXPOSED FAÇADE (SEF)</p>

Example 4: 4-plex

✗ This design does not meet zoning requirements for *street-exposed facades*

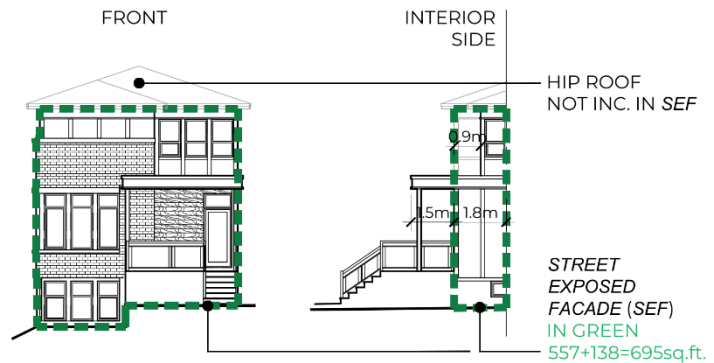
<p>IDENTIFYING THE TOTAL <i>STREET EXPOSED FAÇADE</i></p> <ul style="list-style-type: none"> from ground to u/s of eave includes full front basement window where grade drops below the windowsill does not include roof includes only one side elevation because it projects more than 1.2m ahead of the neighbouring house 	 <p>FRONT</p> <p>INTERIOR SIDE</p> <p>HIP ROOF NOT INC. IN SEF</p> <p>1.5m 1.8m</p> <p>STREET EXPOSED FAÇADE (SEF) IN GREEN 557+138=695sq.ft.</p>
<p>QUALIFYING GLAZING AREAS</p> <ul style="list-style-type: none"> all glazing in windows and doors is included, except the side basement window because its sill is more than 1.2m above the floor ✓ glazed areas meet the required 15% 	 <p>FRONT</p> <p>INTERIOR SIDE</p> <p>15% GLAZING IN BLUE 100+7=107sq.ft.</p> <p>1.8m</p> <p>basement floor</p> <p>STREET EXPOSED FAÇADE (SEF)</p>
<p>SOCIALLY ANIMATED FEATURES</p> <ul style="list-style-type: none"> includes porch from floor to ceiling (because canopy projects at least 1.5m) but not entry door <p>✗ socially animated features do not quite meet the required 15%</p> <p>ADDITIONAL FAÇADE FEATURES</p> <ul style="list-style-type: none"> includes canopy, porch and stairs <p>✗ additional features do not meet the required 20%</p>	 <p>FRONT</p> <p>INTERIOR SIDE</p> <p>11% ADDITIONAL FEATURES 65+9=74sq.ft.</p> <p>13% SOCIALLY ANIMATED FEATURES 92sq.ft.</p> <p>STREET EXPOSED FAÇADE (SEF)</p>

Example 5: 4-plex with additional façade features

✓ This design meets zoning requirements for *street-exposed facades*

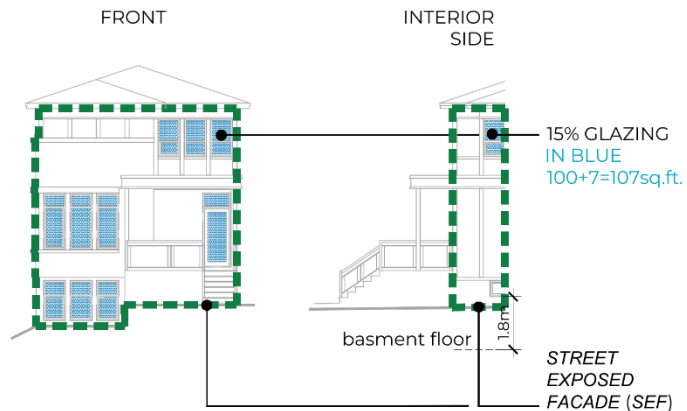
IDENTIFYING THE TOTAL *STREET EXPOSED FAÇADE*

- from ground to u/s of eave
- includes full front basement window where grade drops below the windowsill
- does not include roof
- includes only one side elevation because it projects more than 1.2m ahead of the neighbouring house



QUALIFYING GLAZING AREAS

- all glazing in windows and doors is included, except the side basement window because its sill is more than 1.2m above the floor
- ✓ glazed areas meet the required 15%

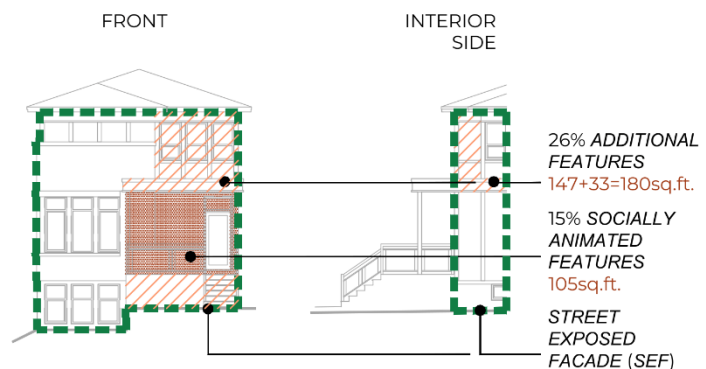


SOCIALLY ANIMATED FEATURES

- includes porch from floor to ceiling (because canopy projects at least 1.5m) but not entry door
- ✓ socially animated area exceeds the required 15%

ADDITIONAL FAÇADE FEATURES

- includes canopy, porch, stairs, and area of façade recessed more than 0.6m
- ✓ additional features exceed the required 20%

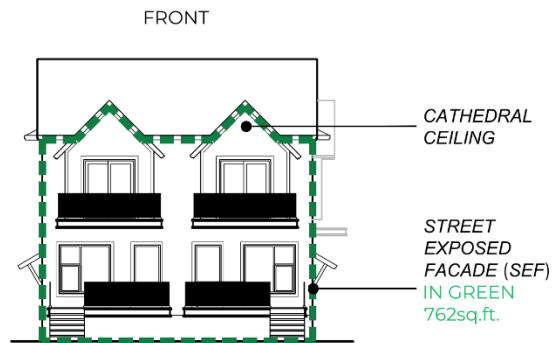


Example 6: Walkway Towns

✓ This design meets zoning requirements for *street-exposed facades*

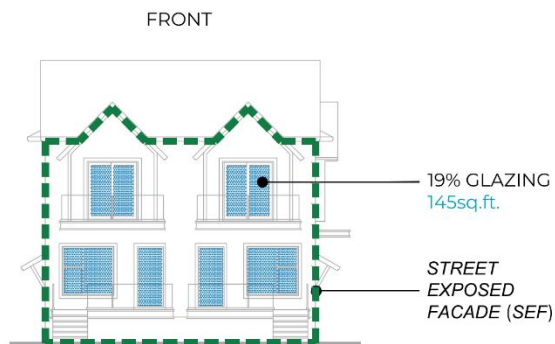
IDENTIFYING THE TOTAL *STREET EXPOSED FAÇADE*

- from ground to u/s of eave or u/s of cathedral ceiling
- does not include roof
- includes only the front, no side elevations because the building is in line with neighbouring buildings



QUALIFYING GLAZING AREAS

- all glazing in windows and doors is included
- ✓ glazed areas meet the required 15%

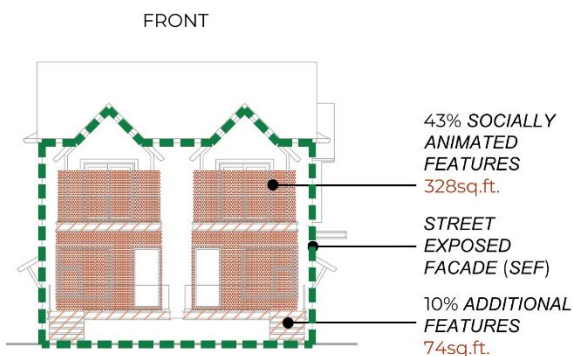


SOCIALLY ANIMATED FEATURES

- includes porch from floor to ceiling (because canopy projects at least 1.5m) but not entry door, and balconies to a height equal to the depth of the balcony
- ✓ The socially animated area is 39% of the façade and exceeds the required 15% by 28%

ADDITIONAL FAÇADE FEATURES

- includes balcony, porch and stairs
- ✓ 10% additional features plus a 28% surplus of social features, exceeds requirements



Example 7: Semi

✗ This design does not meet zoning requirements for *street-exposed facades*

<p>IDENTIFYING THE TOTAL <i>STREET EXPOSED FAÇADE</i></p> <ul style="list-style-type: none">from ground to top of parapet	<p>FRONT</p> <p>FLAT ROOF INC. TO TOP OF PARAPET</p> <p>SIDE DOOR ENTRANCE</p> <p><i>STREET EXPOSED FAÇADE (SEF) IN GREEN 1026sq.ft.</i></p>
<p>QUALIFYING GLAZING AREAS</p> <ul style="list-style-type: none">only living room windows above grade are included because all other windows have sills more than 1.2m above floor level <p>✗ glazed areas do not meet the required 15%</p>	<p>FRONT</p> <p>2nd floor</p> <p>ground floor</p> <p>basement floor</p> <p>1.3m</p> <p>1.6m</p> <p>1.3m</p> <p>8% GLAZING 86sq.ft.</p> <p><i>STREET EXPOSED FAÇADE (SEF)</i></p>
<p>SOCIALLY ANIMATED FEATURES</p> <p>✗ there are no socially animating features on this facade</p> <p>ADDITIONAL FAÇADE FEATURES</p> <p>✗ there are no socially animating features on this facade</p>	<p>FRONT</p> <p>0% SOCIALLY ANIMATED FEATURES</p> <p>0% ADDITIONAL FEATURES</p> <p><i>STREET EXPOSED FAÇADE (SEF)</i></p>

Example 8: Federal Housing Catalogue, Stacked Townhouses, Ontario

✗ This design does not meet zoning requirements for *street-exposed facades*

<p>IDENTIFYING THE TOTAL <i>STREET EXPOSED FAÇADE</i></p> <ul style="list-style-type: none">• from ground to u/s of 3rd floor ceiling• does not include gable ends	<p>SEF MEASURED TO U/S CEILING SO GABLE END NOT INC.</p> <p>STREET EXPOSED FAÇADE (SEF) IN GREEN 1290 sq.ft.</p>
<p>QUALIFYING GLAZING AREAS</p> <ul style="list-style-type: none">• all glazing in windows and doors is included✓ glazed areas meet the required 15%	<p>28% GLAZING IN BLUE 120 sq.ft.</p> <p>STREET EXPOSED FAÇADE (SEF)</p>
<p>SOCIALLY ANIMATED FEATURES</p> <ul style="list-style-type: none">• includes porch from floor to ceiling but not entry door✗ socially animated features are very small and do not meet requirement <p>ADDITIONAL FAÇADE FEATURES</p> <ul style="list-style-type: none">• facades steps back with each pair of units, resulting in a large area of façade that is recessed behind the front-most facade✓ additional features significantly exceed requirement	<p>64% ADDITIONAL FEATURES 828sq.ft.</p> <p>4% SOCIALLY ANIMATED FEATURES 57sq.ft.</p> <p>STREET EXPOSED FAÇADE (SEF)</p>

¹ In Ontario, the Planning Act specifies the features of a development that can be regulated by zoning as follows:

Section 34(1)

Zoning by-laws may be passed by the councils of local municipalities:

(...)

4. Construction of buildings or structures:

For regulating the type of construction and the height, bulk, location, size, floor area, spacing, character and use of buildings or structures to be erected or located within the municipality or within any defined area or areas or upon land abutting on any defined highway or part of a highway, and the minimum frontage and depth of the parcel of land and the proportion of the area thereof that any building or structure may occupy.

Zoning of *Street Exposed Features* is permitted under the Ontario Planning Act as they are the regulation of “use” and “bulk”:

1. *Socially Animated Features* provide space for semi private activities, like sitting, chatting or eating, and are therefore a “use”.
2. *Additional Façade Features* include architectural massing or physical features that project from the building, and are therefore “bulk”.