Planning Committee
Agenda

Monday, April 27, 2026
Lionel E. Lalonde Centre
239 Montée Principale, Azilda

Councillor Cormier, Chair

11:45 p.m. Closed Session Council Chamber / Electronic Participation
1:00 p.m. Open Session Council Chamber / Electronic Participation

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Pages

1. Call to Order

2. Roll Call

3. Closed Session
Resolution to move to Closed Session to deal with one Proposed or Pending Acquisition or Disposition of Land item, regarding Dennie Street, Hanmer, St. Therese Street, Val Thérèse, and St. Anthony Street, Hanmer in accordance with Municipal Act, 2001, par 239 (2)(c).

4. Recess

5. Open Session

6. Land Acknowledgement

7. Roll Call

8. Declarations of Pecuniary Interest and the General Nature Thereof

9. Public Hearings

9.1 1257 Martindale Road, Sudbury 4
This report provides a recommendation regarding an application to change the zoning classification on the subject property from 'R2-2', Low Density Residential Two, to 'R3(S)', Medium Density Residential Special, to allow for the construction of a ten (10) unit row dwelling, with provisions for site-specific relief.

This report is presented by Joel Therrien, Senior Planner.

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

9.2 2019 Bancroft Drive, Sudbury 42
This report provides a recommendation regarding an application to change the zoning classification on the subject property from 'R1-5', Low Density Residential One, to 'R3(S)', Medium Density Residential Special, with site-specific provisions to allow for the construction of a five (5) unit row dwelling.

This report is presented by Joel Therrien, Senior Planner.

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

10. Matters Arising from 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.

11. Referred and Deferred

11.1 162 Mackenzie Street, Sudbury 60

This report provides a recommendation regarding an application for Official Plan Amendment and Rezoning to permit light industrial use within the existing building.

This report is presented by Wendy Kaufman, Senior Planner.

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

12. Members' Motions

13. Addendum

14. Civic Petitions

15. Question Period

16. Adjournment

1257 Martindale Road, Sudbury

Presented To:	Planning Committee
Meeting Date:	April 27, 2026
Type:	Public Hearing
Prepared by:	Joel Therrien Planning Services
Recommended by:	General Manager of Planning and Growth
File Number:	PL-RZN-2025-00045

Report Summary

This report provides a recommendation regarding an application to change the zoning classification on the subject property from 'R2-2', Low Density Residential Two, to 'R3(S)', Medium Density Residential Special, to allow for the construction of a ten (10) unit row dwelling, with provisions for site-specific relief.

This report is presented by Joel Therrien, Senior Planner.

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

Resolution

THAT the City of Greater Sudbury approves the application by 2538085 Ontario Inc., to amend Zoning By law 2010 100Z by changing the zoning classification from ‘R2-2’, Low Density Residential Two, to ‘R3(S)’, Medium Density Residential Special, on the lands described as PIN 73589-0865, Parts 7, 11 and 13, Plan 53R-21641, Lot 7, Concession 2, Township of McKim, to allow for the construction of a ten (10) unit Row Dwelling structure, as outlined in the report entitled “1257 Martindale Road, Sudbury”, from the General Manager of Planning & Growth, presented at the Planning Committee meeting on April 27, 2026 subject to the following conditions:

That the amending zoning by-law includes the following site-specific provisions:

a) Permit a maximum of 10 dwelling units for a Row Dwelling, whereas a maximum of 8 dwelling units is permitted;

b) Reduce the front yard setback requirement to 0 m for a retaining wall with a height greater than 2.5 m, whereas the setback requirement is 6 m;

c) Reduce the privacy yard depth to 4 m, whereas 7.5 m is required;

d) Reduce the required side yard setback, abutting PIN 73589-0864, Parts 3 to 6 and 10 and 12, Registered Plan 53R-21641, Lot 7, Con 2, Township of McKim (1253 Martindale Road), to 0.5 m for a retaining wall with a height greater than 2.5 m, whereas the setback requirement is 1.2 m;

e) Reduce the required side yard setback, abutting the most southerly side lot line, to 1 m for a retaining wall with a height greater than 2.5 m, whereas the setback requirement is 1.2 m;

f) Increase the height permitted for a retaining wall to 5.5 m whereas a maximum of 5 m is permitted;

g) Reduce planting strip along the rear lot line to 0 m, where 3 m is required; and

h) Reduce planting strip along the side lot line to 0 m, where 1.8 m is required with an opaque fence with minimum height of 1.5 m.

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

The application to amend the City's Zoning By-law is an operational matter under the Planning Act to which the City of Greater Sudbury is responding. The application contributes to the 2019-2027 City of Greater Sudbury Strategic Plan goals related to housing by adding to the range and mix of housing available in this area. The application aligns with the Community Energy and Emissions Plan by supporting the strategy of creating compact, complete communities.

Financial Implications

If approved, staff estimates approximately $46,000 in taxation revenue, based on the assumption of ten (10) dwelling units, based on an estimated assessed value of $275,000 per unit, at the 2025 property tax rates.

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

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

Report Overview

An application for rezoning has been submitted to facilitate the construction of a ten (10) unit row dwelling, with site specific provisions.

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

STAFF REPORT

PROPOSAL:

The purpose and effect of the proposed Zoning By-law Amendment is to change the zoning classification of the lands from the 'R2-2', Low Density Residential Two, to 'R3(S)', Medium Density Residential Special to allow for the construction of a ten (10) unit, row dwelling with the following provisions for site-specific relief:

1. Permit a maximum of 10 dwelling units for a Row Dwelling, whereas a maximum of 8 dwelling units is permitted;

2. Reduce the front yard setback requirement to 0 m for a retaining wall with a height greater than 2.5 m, whereas the setback requirement is 6 m;

3. Reduce the privacy yard depth to 4 m, whereas 7.5 m is required;

4. Reduce the required side yard setback, abutting PIN 73589-0864, Parts 3 to 6 and 10 and 12, Registered Plan 53R-21641, Lot 7, Con 2, Township of McKim (1253 Martindale Road), to 0.5 m for a retaining wall with a height greater than 2.5 m, whereas the setback requirement is 1.2 m;

5. Increase the height permitted for a retaining wall to 5.5 m whereas a maximum of 5 m is permitted;

6. Reduce planting strip along the rear lot line to 0 m, where 3 m is required; and

7. Reduce planting strip along the side lot line to 0 m, where 1.8 m is required with an opaque fence with minimum height of 1.5 m.

The subject property is designated 'Living Area I' in the City of Greater Sudbury Official Plan and is zoned 'R2-2', Low Density Residential Two in the City of Greater Sudbury Zoning By-law.

The subject property is currently vacant and would be fully serviced by municipal sewer and water and would be accessed from one driveway on Martindale Road.

Surrounding land uses are a mix of low and medium density residential with several commercial uses within walking distance, near the Martindale Road and Regent Street intersection.

A concept plan, planning justification brief and sightline sketch were submitted as part of the application package and are attached to the report. A location map and photos of the subject property are also attached for reference.

POLICY & REGULATORY FRAMEWORK:

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

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

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

Provincial Planning Statement:

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

The PPS acknowledges the Province of Ontario's goal of having at least 1.5 million homes built by 2031 and identifies that Ontario will increase the supply and mix of housing options. It states:

> *"Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. 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."*

Several policy sections of the PPS are applicable to the proposed rezoning application for the intended residential use on the subject lands. In general, policy sections 2.1 through 2.3 promote providing for an appropriate range and mix of housing options, densities and complete communities which efficiently use land, resources and infrastructure, particularly in settlement areas.

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

Policy 2.2.1 b) further directs that planning authorities shall provide for an appropriate range and mix of housing options, densities and residential intensification to meet projected needs of current and future residents by permitting and facilitating all housing options and types of residential intensification to meet the social, health, economic, well-being requirements and provide a net increase in residential units. Policy 2.2.1 c) promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and supports the use of active transportation.

Policy 2.3.1.2 speaks to how land use patterns should be based on densities and a mix of land uses that:

a) efficiently uses land and resources;
b) optimizes existing and planned infrastructure and public service facilities;
c) supports active transportation; and
d) are transit supportive.

Policy sections 2.9 and 3.1 mostly speak to reducing greenhouse gas emissions, preparing for the impacts of a changing climate, and efficiently planning for infrastructure and public service facilities.

Policy section 3.5 touches on land use compatibility between sensitive land uses and facilities which generate noise and/or vibrations (such as railways). The policy speaks to requiring buffering and/or separation between these uses to mitigate potential impacts.

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

Growth Plan for Northern Ontario:

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

Official Plan for the City of Greater Sudbury:

The Official Plan establishes goals, objectives and policies to manage and direct physical change and its effects on the social, economic and natural environment in the next 20 years. It forms the basis of the City of Greater Sudbury Zoning By-law and other land use controls. It guides land use and infrastructure decisions and future planning initiatives.

The subject property is designated as 'Living Area 'I in the City of Greater Sudbury Official Plan. This designation includes residential areas in urbanized Communities that are fully serviced by municipal water and sewer. Given the desire to utilize existing sewer and water capacity and to reduce the impacts of un-serviced rural development, areas designated 'Living Area I' are seen as the primary focus of residential development.

Several policy sections of the Official Plan are applicable to the proposed re-zoning for the purpose of constructing a ten (10) unit row dwelling on the subject property.

Policies 2.3.2.1, 2.3.2.2 and 2.3.3 speak to focusing intensification and redevelopment in the settlement area and basing land use patterns on densities and uses that are most efficient regarding land, resources, infrastructure, and public service facilities since this type of intensification minimizes negative impacts on air quality and climate change.

Policy 2.3.3 further describes that the rate and nature of intensification will not be applied uniformly across the city and that the key to intensification is making sure that it is context-specific and compatible with and reinforces the existing and planned character of a given area. Subsequent policies under 2.3.3 further clarify that intensification and development is permitted in established 'Living Area 1' lands and that residential intensification will be assessed so that concerns of the community and the need to provide opportunities for residential intensification are balanced.

Objectives under policy section '3.0 – Living Areas', speak to meeting all housing needs, including those for the elderly, low-income individuals and families, students, and those with disabilities by way of encouraging an adequate supply of affordable rentals and ownership and special needs housing in 'Living Areas'. Further objectives encourage the development of a mix of residential uses and focusing residential development in areas that have sufficient infrastructure and public service capacity, particularly in communities designated as 'Living Area 1'. Additional policies under this section specifically address the development of medium density housing and how it is permitted in all 'Living Area 1' designations, where full municipal services are available.

Subsequent direction under this policy section expresses that medium density development should be in proximity to arterial roads, public transit, employment and commercial areas, open space areas and community/recreational services. These policies also speak to development being compatible with the existing character of the established neighbourhood, with consideration being given to size and configuration of lots, the existing built form, building setbacks and heights, and adequate landscaping and amenity features.

Policy 3.2.1.5 directly addresses items to be considered when a rezoning application is brought forward for lands designated 'Living Area 1', it reads:

> *"In considering applications to rezone land in Living Area I, Council will ensure amongst other matters that:*
>
> *a. the site is suitable in terms of size and shape to accommodate the proposed density and building form;*
>
> *b. the proposed development is compatible with the surrounding neighbourhood in terms of scale, massing, height, siting, setbacks, and the location of parking and amenity areas;*

c. adequate on-site parking, lighting, landscaping and amenity areas are provided; and

d. the impact of traffic on local streets is minimal."

Policy sections 11 and 12 address transportation and utilities, respectively. Regarding transportation in the case of residential intensification, policies that encourage higher densities in the existing built-up area, as referenced above, support the expansion of public transit services and increased ridership. Policy 11.3.2.2 requires that development proposals are reviewed to ensure efficient transit routing so that all dwellings in the development are ideally within 500 meters walking of a bus stop. Similarly, policy 11.7.2 requires that development proposals are reviewed to ensure that there is adequate pedestrian access in new developments.

Policies under section 12 require that the City's water and sewer capacities are adequate to service new developments. Alternatively, proponents of the development must upgrade, at their own expense, the existing sewage and water systems to ensure adequate delivery and treatment facilities consistent with City standards, including adequate fire flows. Section 12.2.2.2 further states that: official plan amendments, rezonings, severances, subdivision approvals, minor variances and building permits will be denied if water or sewage facility problems exists.

Policy section 14 address urban design in the case of residential intensification. The City of Greater Sudbury requires high quality urban design in the review of all *Planning Act* applications, which include applications for rezonings, such as the one proposed. Policies under section 14 are used to evaluate matters that include but are not limited to: patterns of movement and the physical and social connections between people and places, interrelationships between the built and unbuilt spaces on private developments, creating appropriate transitions in scale to neighbouring existing or planned buildings, providing adequate landscaping and buffering between properties, providing safe pedestrian routes and landscaped areas within surface parking lots and providing bicycle parking facilities and, where appropriate, public transit infrastructure within the development site.

Section 17 identifies a key housing goal is to maintain a balanced mix of ownership and rental housing, and to encourage a greater mix of housing types and tenure, including encouraging the production of smaller (one and two bedroom) units to accommodate the growing number of smaller households. The Official Plan is intended to provide direction as to how housing needs and issues can be addressed in concert with the CGS Housing and Homelessness Plan.

Zoning By-law 2010-100Z:

The subject lands are zoned 'R2-2', Low Density Residential Two within the City's Zoning By-law.

The development standards for the proposed *Row Dwelling* in the requested zone, being the 'R3' Medium Density Residential Zone are as follows:

- Min. lot area of 150 m^2 per dwelling unit
- Max. of 8 dwelling units permitted for row dwelling structures
- Min. lot frontage of 18 m
- Min. lot depth of 30 m
- Min. front yard setback of 6 m
- Min. rear yard setback of 7.5 m
- Min. interior side yard setback of 1.2 m for one storey, additional 0.6 m for each full storey above the first storey
- Max. lot coverage of 45%
- A min. privacy yard depth of 7.5 m abutting the full length of at least one exterior wall of each dwelling unit
- Min. landscaped open space of 30%
- Max. building height of 11 m
- Min. 1.5 parking spaces per unit, for a total of 15 spaces required
- Min. 1 accessible/barrier free parking space when 10 or more standard parking spaces are required
- Min. 0.5 bicycle parking spaces per unit, for a total of 4 spaces required

In addition to the above, landscaping provisions require a 3 m wide planting strip along the entire length of the lot line where a medium density zone abuts a low-density zone. Alternatively, the 3 m wide planting strip can be reduced to 1.8 m where an opaque fence with a min. height of 1.5 m is also installed along the length of the applicable lot line.

It is also worth noting that the Zoning By-law considers any retaining wall above 1 m in height to be a structure, as defined in the Zoning By law. Thus, retaining walls surpassing this height need to meet requirements for an accessory structure (ex. setbacks).

Public Consultation:

The statutory Notice of Application was provided to the public by newspaper and to nearby landowners and tenants located within 122 m (400 ft) of the subject lands on February 12, 2026. The statutory Notice of Public Hearing was provided to the public by newspaper on April 4, 2026 and to nearby landowners and tenants located within 122 m (400 ft) of the subject lands on April 2, 2026.

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

At the time of writing this report, Planning Services has received two (2) written submissions and one (1) phone call regarding the application. The following concerns were identified: overall elevation of subject property and associated stormwater management, increased traffic and safety issues, potential parking 'spillover' and reduced privacy.

See complete public comments attached to this report.

Department/Agency Review:

The application and relevant accompanying materials have been circulated to all applicable departments and external agencies. Responses received from departments and agencies have been used to assist in evaluating the application and to inform and identify appropriate development standards regarding amending the City's Zoning By-law, should the application be approved.

During the review of the proposal, comments provided by circulated departments and agencies included the following:

Development Engineering had no objections to the proposed development but offered the following:

- The site is not presently serviced with municipal water or sanitary sewer. A capacity analysis was performed, and the results show that there is sufficient infrastructure capacity for this development.

- The developer's concept site plan shows extensive work at the entrance to Martindale Road. As such, a plan will be required prior to the building permit that details the entrance surface works, sanitary test maintenance hole on the sanitary service (existing or new), the connection of the proposed catch basins to the City storm sewer system, details of the relocation of the hydro pole within the entrance must also be shown (with applicable Municipal Consent request supplied by GSU), along with the required lot grading plan showing all lot grading throughout the lot.

Building Services had no concerns but noted that all future construction, including proposed retaining walls, will require building permit (s) and any required supporting documentation.

Strategic and Environmental Planning had no concerns but advises the applicant 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.

Environmental Services offered the following:

- Multi-Unit residential properties are required to source separate recyclable materials in compliance with provincial legislation 0. Reg 103/94. and should also consider requirements for organics diversion as per Ontario's Food and Organic Waste Policy.

- High density residential properties (7 or more residential units) can receive City waste collection services via an agreement for an annual fee per unit or can choose to receive waste collection via a private waste hauler. Whether the service is provided by the municipality or a private hauler, waste collection vehicles must be able to enter and exit the property in a forward-facing motion. Adequate space must be provided to accommodate the required turn radius to ensure the waste collection vehicles can maneuver effectively on-site (including obstacles such as parked cars).

- The turn radius for a waste collection vehicle is 13.5 meters. Outdoor waste storage/collection areas must be free of overhead obstructions and must be screened from view if visible from a public street or land, or residential properties.

- Based on the conceptual plan it would appear that the waste collection vehicle would block driveway egress for units 6-10 while servicing the bins. It would also appear that there is only 6.0 meters of space for the truck to attempt to turn around.

Financial Services had no concerns but provided general taxation information. These comments are reflected under the 'Financial Implications' heading on page 2 of this report.

All other City departments or agencies either had no concerns or did not provide comments. See a copy of department and outside agencies' comments, attached to this report for complete comments.

PLANNING ANALYSIS:

The proposal is for the medium scale intensification of an existing underutilized residential parcel through the construction of a ten (10) unit, two-storey row dwelling.

The Provincial Planning Statement (PPS, 2024), the Growth Plan for Northern Ontario (GPNO, 2011), and the City of Greater Sudbury Official Plan were reviewed in their entirety. The following section provides a planning analysis of the application with respect to the applicable policies, including issues raised through agency and department circulation.

The PPS and the City of Greater Sudbury Official Plan both encourage appropriate growth and residential intensification to occur within settlement areas on full municipal services. The subject property is in a settlement area and is not currently serviced by municipal sewer and water. However, the results from a completed service capacity analysis show that there is sufficient infrastructure servicing capacity for the proposed development.

The subject property is in a mixed-use area with low and medium density residential, commercial & institutional uses, many of which are within walking distance. Notable commercial and institutional uses include but are not limited to several restaurants, an animal hospital, places of worship, several health-related uses and schools. The general area is well served by sidewalk infrastructure and public transit stops along Martindale Road are less than 200 m from the subject property. The proposed development would help to support climate change mitigation, adaptation, and the reduction of greenhouse gases by adding housing that contributes to compact and complete communities that are transit supportive. The applicant is also proposing to include a concrete sidewalk/pathway on the subject property which would connect to the existing sidewalk infrastructure on Martindale Road.

The PPS and Official Plan also promote residential intensification and encourage a wide range of housing forms to accommodate current and future housing needs. The proposed development would align with the Official Plan housing goal to encourage a greater mix of housing types and tenure. Official Plan policies further encourage the production of smaller (one and two bedroom units). The applicant has specified that it is the intent for the development to provide two (2) bedroom units through this development. The proposal presents an opportunity to increase the net rental housing stock in the City of Sudbury.

Additionally, this proposal supports the City's Municipal Housing Pledge to achieve the target of 3,800 new homes constructed by 2031. The City's Housing Supply and Demand Analysis (N. Barry Lyon Consultants Ltd., 2024) identified that the most significant housing gaps are observed in the rental market. There is an immediate need for 470 additional rental units to achieve a vacancy rate of 5%, and an average of 112 additional rental units per year for the next 30 years to meet anticipated demand. This proposal would help to contribute to the diverse range of housing options and rental unit housing targets.

As addressed earlier in the report, the applicant is requesting several site-specific provisions for the proposed development. These include permitting ten (10) units for a row dwelling where eight (8) is permitted, reducing setback provisions for several retaining walls, increasing the height for one (1) retaining wall, reducing planting strip and privacy yard requirements and reducing the rear yard setback.

The subject property, as it exists today, is significantly higher when compared to Martindale Road. The proposed development includes the construction of several retaining walls and/or engineered rock faces along several edges of the property. As shown earlier throughout the Staff Report, several special provision requests are required for these proposed retaining walls and/or engineered rock faces. The applicant has clarified that the proposed development and access driveway would be sited at a lower elevation than the surrounding dwellings. As such, this would not result in overlooking onto adjacent residential properties.

The applicant will also be required to develop the property in accordance with the City's 'Builders' Bulletin' which would require, among other items: a servicing plan review, a driveway permit, slope and rock face review and certification, lot grading and storm water management. As part of the storm water management requirements, they will also be required to direct the storm water from the developed/impervious portion of the site to the existing municipal storm sewer on Martindale Road.

Staff has identified that the concept plan provided with the application does not identify the required bicycle parking spaces for the development. The City's Zoning By-law requires a minimum of 0.5 bicycle parking spaces per unit, for a total of 4 spaces. Bicycle parking spaces need to be adjacent to a structural element, in a secure rack or in a dedicated lockable enclosed storage space. The applicant has stated that the intent would be for future tenants to store bicycles within their individual units. The intent of the City's bicycle parking policies is for dedicated outdoor storage space or dedicated interior storage space. The applicant's proposal for bicycle storage space within tenants' individual units would not comply with the Zoning By-law. The developer would be required to include the required bicycle parking, as defined in the Zoning By-law at the Building Permit stage.

Regarding refuse storage, the concept plan identifies the potential use of an underground waste storage system (commonly known as the brand name 'Molock'). These systems require waste haulers to pick up material with a mechanical arm from the side of the vehicle, as opposed to a front-loaded mechanism. The concept plan also shows a path which demonstrates that the waste hauler could back into an available parking space to exit the site in a forward-facing motion. Planning Services and Environmental Services Staff are of the opinion that this form of turn-around option would only be functional and appropriate if a dedicated turn-around space for waste haulers were provided.

The applicant has since provided an updated version of the concept plan showing a dedicated space for a waste hauler turn-around. The addition of the proposed dedicated turn-around space required the reconfiguration of two (2) vehicle parking spaces from along the proposed building to the opposite side of the driveway. Environmental Services Staff reviewed the updated concept plan with dedicated a waste hauler turn-around space and suggested that it would be preferable, if possible, to keep the turn-around space separate from vehicle parking areas to reduce the potential of property damage. Planning Staff is of the opinion that regardless of the final approach taken by the applicant for refuse storage and pickup, there is sufficient space on the subject property to provide a dedicated turn-around space for waste haulers to enter and exit the site in a forward-facing motion.

The subject property is in the City's settlement area and has access to the full range of municipal services. The proposed re-development on the subject property for a ten (10) unit row dwelling and would result in an efficient use of land, resources, infrastructure and public service facilities.

Staff have evaluated the proposal and are of the opinion that the built form is compatible with the abutting lower density residential uses in terms of size, shape and siting of the subject property, height, traffic, parking, servicing, and landscaping/amenity space.

CONCLUSION:

Overall, staff is satisfied that the site has been designed with sound urban design principles including required retaining walls and rock faces, fencing and landscaping, parking located no closer to the road than the proposed structure, and pedestrian connectivity. The subject property is in a location that is suitable for medium density development and would be well served by public transit, sidewalks, and is within walking distance to several commercial uses. The development would also help to diversify the housing supply, which is consistent with the Province of Ontario's goal of reaching 1.5 million homes built by 2031.

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

NOTE: THIS SCHEMATIC LEVEL PLAN IS INTENDED FOR INFORMATION ONLY AND MAY NOT NECESSARILY REFLECT FULL BUILDOUT CONDITIONS WHICH ARE SUBJECT TO CHANGE WITH THE PREPARATION OF A SITE GRADING DESIGN AND OTHER PLANS SUPPORTIVE OF BUILDING PERMIT.

THIS SCHEMATIC LEVEL PLAN MAY NOT SHOW THE FULL EXTENT OF RETAINING WALL STRUCTURES AND OTHER SITE FEATURES THAT MAY BE REQUIRED. THOSE WILL BE DETERMINED AT DETAILED DESIGN.

PROPOSED ROCK CUTS SHOWN MUST BE CERTIFIED BY OTHERS AND CONSIDERATION MUST BE MADE FOR ROCK FALL HAZARDS WHERE IN PROXIMITY TO DWELLINGS AND OTHER SITE FEATURES.

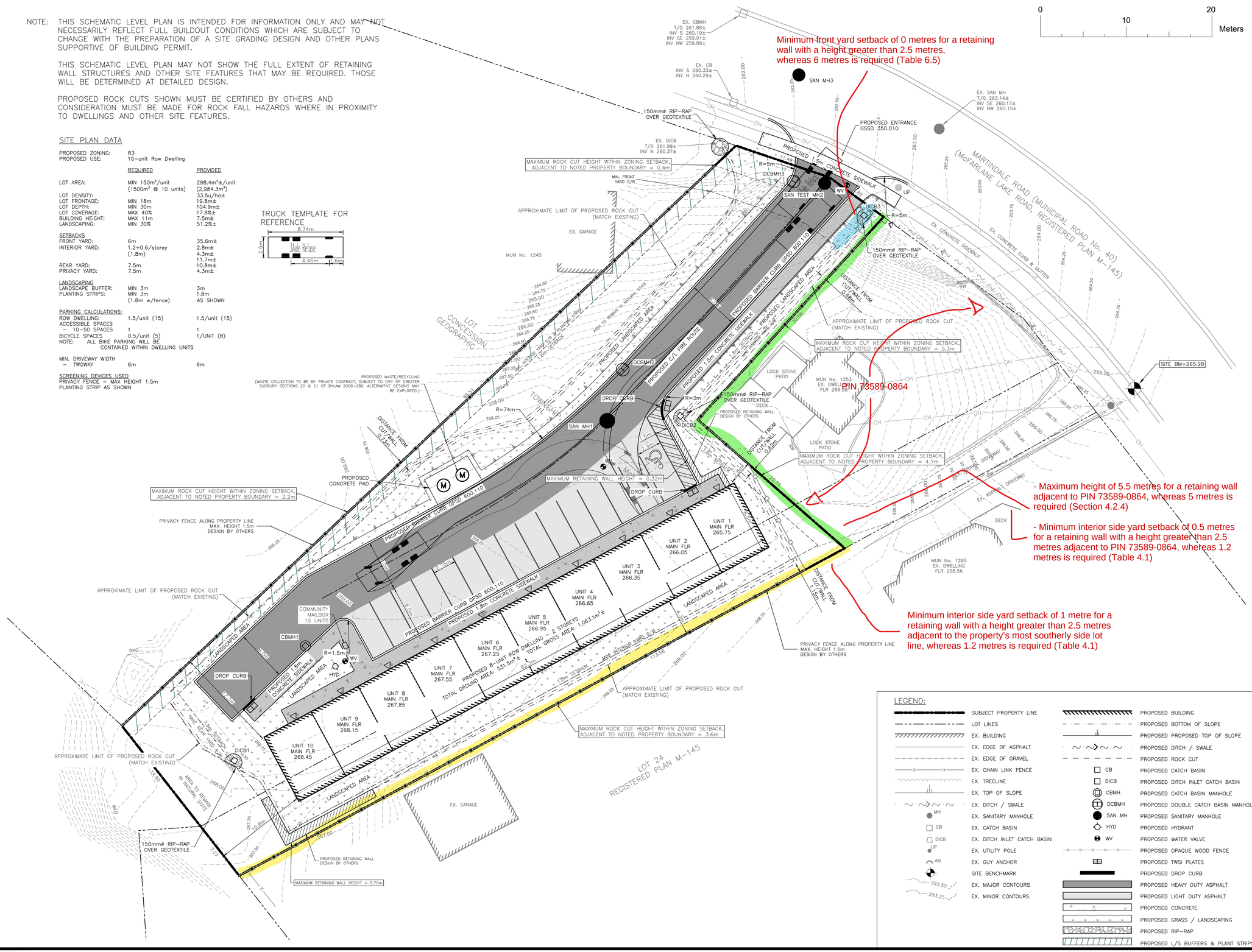
SITE PLAN DATA

PROPOSED ZONING: R3
PROPOSED USE: 10-unit Row Dwelling

	REQUIRED	PROVIDED
LOT AREA:	MIN 150m²/unit (1500m² @ 10 units)	298.4m²±/unit (2,984.3m²)
LOT DENSITY:		33.5u/ha±
LOT FRONTAGE:	MIN 18m	19.8m±
LOT DEPTH:	MIN 30m	104.9m±
LOT COVERAGE:	MAX 40%	17.8%±
BUILDING HEIGHT:	MAX 11m	7.5m±
LANDSCAPING:	MIN 30%	51.2%±
SETBACKS		
FRONT YARD:	6m	35.6m±
INTERIOR YARD:	1.2+0.6/storey (1.8m)	2.8m± 4.3m± 11.7m± 10.8m±
REAR YARD:	7.5m	4.3m±
PRIVACY YARD:	7.5m	
LANDSCAPING		
LANDSCAPE BUFFER:	MIN 3m	3m
PLANTING STRIPS:	MIN 3m (1.8m w/fence)	1.8m AS SHOWN
PARKING CALCULATIONS:		
ROW DWELLING:	1.5/unit (15)	1.5/unit (15)
ACCESSIBLE SPACES – 10-50 SPACES	1	1
BICYCLE SPACES	0.5/unit (5)	1/UNIT (8)
NOTE: ALL BIKE PARKING WILL BE CONTAINED WITHIN DWELLING UNITS		
MIN. DRIVEWAY WIDTH – TWOWAY	6m	6m

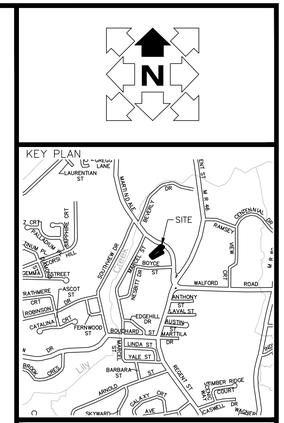
SCREENING DEVICES USED
PRIVACY FENCE – MAX HEIGHT 1.5m
PLANTING STRIP AS SHOWN

TRUCK TEMPLATE FOR REFERENCE



LEGEND:

SUBJECT PROPERTY LINE	PROPOSED BUILDING
LOT LINES	PROPOSED BOTTOM OF SLOPE
EX. BUILDING	PROPOSED PROPOSED TOP OF SLOPE
EX. EDGE OF ASPHALT	PROPOSED DITCH / SWALE
EX. EDGE OF GRAVEL	PROPOSED ROCK CUT
EX. CHAIN LINK FENCE	PROPOSED CATCH BASIN
EX. TREELINE	PROPOSED DITCH INLET CATCH BASIN
EX. TOP OF SLOPE	PROPOSED CATCH BASIN MANHOLE
EX. DITCH / SWALE	PROPOSED DOUBLE CATCH BASIN MANHOLE
EX. SANITARY MANHOLE	PROPOSED SANITARY MANHOLE
EX. CATCH BASIN	PROPOSED HYDRANT
EX. DITCH INLET CATCH BASIN	PROPOSED WATER VALVE
EX. UTILITY POLE	PROPOSED OPAQUE WOOD FENCE
EX. GUY ANCHOR	PROPOSED TWSI PLATES
SITE BENCHMARK	PROPOSED DROP CURB
EX. MAJOR CONTOURS	PROPOSED HEAVY DUTY ASPHALT
EX. MINOR CONTOURS	PROPOSED LIGHT DUTY ASPHALT
	PROPOSED CONCRETE
	PROPOSED GRASS / LANDSCAPING
	PROPOSED RIP-RAP
	PROPOSED L/S BUFFERS & PLANT STRIPS



ENGINEER'S SEAL:

TULLOCH ENGINEERING

PRELIMINARY
NOT FOR CONSTRUCTION
DECEMBER 15, 2025

DATE	REV.	REVISION	BY	APP'D
-	-	-	-	-

CLIENT:

TJ HERAULT
1349 LASALLE BLVD
CITY OF GREATER SUDBURY

CONSULTANT:

TULLOCH

PROJECT TITLE:

MARTINDALE ROAD RESIDENTIAL DEVELOPMENT

DRAWING TITLE:

CONCEPT SITE PLAN FOR ZONING BY-LAW AMENDMENT

EJT/MDJ	EJT	AA	VS
DRAWN	DESIGNED	CHECKED	APPROVED

1:200	DEC 15, 2025
SCALE	DATE

25-0844	0	C2
PROJECT No.	REVISION	DRAWING

P:\2025\250844\Planning\07 Drawings\250844 base5.dwg

PLANNING JUSTIFICATION BRIEF

1253 MARTINDALE ROAD
ZONING BY-LAW AMENDMENT

November 2025

Prepared by: TULLOCH

1.0 INTRODUCTION

TULLOCH is retained by 2538085 ONTARIO INC. as the current owner of those lands known municipally as 1253 Martindale Road in the City of Greater Sudbury to prepare a Planning Justification Brief in support of an application to rezone the subject lands from R2-2, Low Density Residential Two to R3(S), Medium Density Residential Special to facilitate the development of a 10-unit row dwelling building on the subject property.

This report reviews the consistency and conformity of the application in the context of the applicable policies and direction found within the following municipal and provincial documents and plans:

- *Provincial Planning Statement (2024)* ***(PPS)***
- *Growth Plan for Northern Ontario* ***(GPNO)***
- *City of Greater Sudbury Official Plan* ***(OP)***
- *City of Greater Sudbury Zoning By-law 2010-100Z* ***(ZBL)***

This Planning Justification Brief is structured as follows:

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

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

Section 3.0: Describes the proposed development.

Section 4.0: Outlines the land use planning policy context applicable to the lands including provincial and municipal planning documents.

Section 5.0: Provides a review of how the proposed development conforms to or is otherwise consistent with the policies outlined in Section 4.0.

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

2.0 SUBJECT LANDS & SURROUNDING CONTEXT

The subject property is located on Martindale Road, off Regent Street in the City of Greater Sudbury. The property can legally be described as follows:

> *PART LOT 7 CONCESSION 2 TOWNSHIP OF MCKIM, PARTS 11 AND 13, 53R21641 AND PART LOT 24 PLAN M145 TOWNSHIP OF MCKIM, PART 7, 53R21641; TOGETHER WITH AN EASEMENT OVER PART LOT 24 PLAN M145 TOWNSHIP OF MCKIM, PARTS 3 TO 6, 53R21641 IN FAVOUR OF PART LOT 24 PLAN M145, PART 7, 53R21641 AS IN SD518136; CITY OF GREATER SUDBURY (PIN 73589-0865)*

The property is currently designated Living Area 1 in the OP and zoned Low Density Residential Two (R2-2) in the Zoning By-law. Martindale Road is designated as a collector road under Schedule 7 – Transportation Networks of the OP. The lands are also fully serviced by municipal water and sanitary services along Martindale Road.

The property benefits from GOVA Transit Route 29, which runs along Martindale Road. Transit Route 29 is scheduled to run hourly on both weekdays and weekends. The surrounding area primarily consists of a mix of low and medium density residential uses and commercial uses along Regent Street. The immediate surrounding area can be described as follows:

NORTH: Glad Tidings Church, low & medium density residential uses

EAST: Regent Street, Lockerby Composite School, mix of low, medium & high density residential areas, Walford Road

SOUTH: Low & medium density residential uses, mix of commercial uses along Regent Street

WEST: Low density residential areas along Marcel Street & Southview Drive, Lands zoned Open Space Private (OSP)



Figure 1 - Subject Property & Surrounding Context

3.0 PROPOSED DEVELOPMENT

The application proposes to rezone the subject property from Low Density Residential Two (R2-2) to Medium Density Residential Special (R3(S)) to facilitate the development of a two-storey 10-unit row dwelling building on the subject property as shown in Figure 2 – Concept Plan.

Each of the units will feature 2-bedrooms.

A parking ratio of 1.5 parking spaces per unit will be provided for a total of 15 parking spaces (including 1 accessible parking space).

The proposed development would result in a density of approximately 33 units per hectare.

As part of the rezoning application, site-specific relief is being requested to accommodate the proposed development:

- Minimum interior side yard setback of 1 metre for a retaining wall with a height of 4 metres adjacent to the property's most southerly side lot line, whereas 1.2 metres is required
- Maximum height of 5.5 metres for a retaining wall adjacent to PIN 73589-0864, whereas 5 metres is required
- Minimum interior side yard setback of 0.5 metres for a retaining wall with a height of 5.5 metres adjacent to PIN 73589-0864, whereas 1.2 metres is required
- Minimum front yard setback of 0 metres for a retaining wall with a height of 5.5 metres, whereas 6 metres is required
- 0 metre planting strip abutting the property's rear lot line
- 0 metre planting strip with a 1.5 metre opaque fence abutting the property's most southerly side lot line and PIN 73589-0864
- Maximum of 10 dwelling units be permitted in a building containing row dwellings, whereas 8 dwelling units are permitted
- Minimum privacy yard of 4 metres, whereas 7.5 metres is required

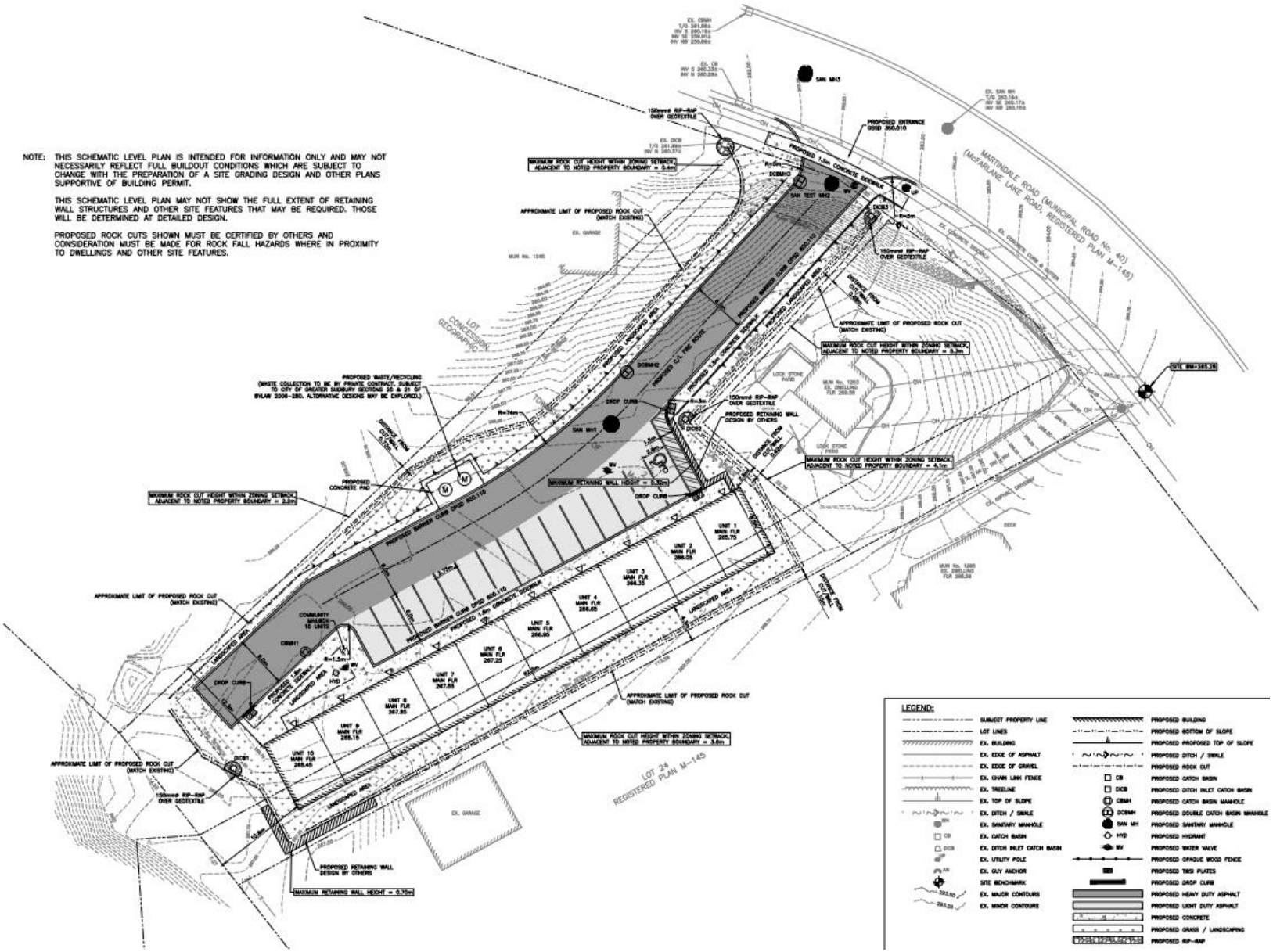


Figure 2 - Concept Plan

4.0 RELEVANT PLANNING POLICIES

The following section sets out the relevant planning policy framework to assess the appropriateness of the proposed application in the context of Provincial and Municipal policies and regulations.

4.1 | PROVINCIAL PLANNING STATEMENT, 2024

Per Section 3 of the Planning Act, 1990 R.S.O., all planning decisions shall be consistent with the PPS. OP policies applicable to the proposed rezoning are outlined below:

2.1.6 *Planning authorities should support the achievement of complete communities by:*

a) 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 child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;

b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and

c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

2.2.1 *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:*

b) permitting and facilitating:

1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities;

2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;

c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and

d) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.

2.3.1.1 *Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.*

2.3.1.2 *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;

2.3.1.3 *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.*

2.3.1.4 *Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.*

2.4.1.1 *Planning authorities are encouraged to identify and focus growth and development in strategic growth areas.*

2.4.1.3 *Planning authorities should:*

c) permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form;

…

3.6.2 *Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.*

4.2 | GROWTH PLAN FOR NORTHERN ONTARIO

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

GPNO policies applicable to the proposed rezoning are outlined below:

3.4.3 *Municipalities are encouraged to support and promote healthy living by providing for communities with a diverse mix of land uses, a range and mix of employment and housing types, high-quality public open spaces, and easy access to local stores and services.*

4.3 | CITY OF GREATER SUDBURY OFFICIAL PLAN

The *City of Greater Sudbury Official Plan* (OP) is the principal land use planning policy document for the City of Greater Sudbury. The OP establishes objectives and policies that guide both public and private development/decision-making. OP policies applicable to the proposed rezoning are outlined below:

2.3.2.1 *Future growth and development will be focused in the Settlement Area through intensification, redevelopment and, if necessary, development in designated growth areas.*

2.3.2.2 *Settlement Area land use patterns will be based on densities and land uses that make the most efficient use of land, resources, infrastructure and public service facilities, minimize negative impacts on air quality and climate change, promote energy efficiency and support public transit, active transportation and the efficient movement of goods.*

2.3.2.3 *Intensification and development within the Built Boundary is encouraged in accordance with the policies of this Plan. Development outside of the Built Boundary may be considered in accordance with the policies of this Plan.*

2.3.2.4 *The Settlement Area is more than adequate to meet short, medium and long term land needs. No Official Plan amendments for the expansion of areas designated Living Area I will be considered until a comprehensive review is undertaken.*

2.3.3.1 *All forms of intensification are encouraged in accordance with the policies of this Plan.*

2.3.3.2 *The City will aim to accommodate 20 percent of future residential growth and development through intensification within the Built Boundary.*

2.3.3.5 *Intensification and development is permitted in established Living Area I lands, in accordance with the policies of this Plan.*

2.3.3.7 *Intensification will be encouraged on sites with suitable existing or planned infrastructure and public service facilities.*

2.3.3.8 *Intensification will be compatible with the existing and planned character of an area in terms of the size and shape of the lot, as well as the siting, coverage, massing, height, traffic, parking, servicing, landscaping and amenity areas of the proposal.*

2.3.3.9 *The following criteria, amongst other matters, may be used to evaluate applications for intensification:*

a. the suitability of the site in terms of size and shape of the lot, soil conditions, topography and drainage;

b. the compatibility proposed development on the existing and planned character of the area;

c. the provision of on-site landscaping, fencing, planting and other measures to lessen any impact the proposed development may have on the character of the area;

d. the availability of existing and planned infrastructure and public service facilities;

e. the provision of adequate ingress/egress, off street parking and loading facilities, and safe and convenient vehicular circulation;

f. the impact of traffic generated by the proposed development on the road network and surrounding land uses;

g. the availability of existing or planned, or potential to enhance, public transit and active transportation infrastructure;

3.2.2 *Medium density housing is permitted in all Living Area I designations where full municipal services are available.*

3.2.3 *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.*

3.2.1.2 *In medium density developments, all low density housing forms are permitted, including small apartment buildings no more than five storeys in height to a maximum net density of 90 units per hectare.*

3.2.1.3 *Medium density housing should be located on sites in close proximity to Arterial Roads, public transit, main employment and commercial areas, open space areas, and community/recreational services.*

3.2.1.4 *Medium density housing are to be located in areas with adequate servicing capacity and a road system that can accommodate growth. Sites should be of a suitable size to provide adequate landscaping and amenity features.*

3.2.1.5 *In considering applications to rezone land in Living Area I, Council will ensure amongst other matters that:*

a. the site is suitable in terms of size and shape to accommodate the proposed density and building form;

b. the proposed development is compatible with the surrounding neighbourhood in terms of scale, massing, height, siting, setbacks, and the location of parking and amenity areas;

c. adequate on-site parking, lighting, landscaping and amenity areas are provided; and,

d. the impact of traffic on local streets is minimal.

Applications for intensification in established Living Area I lands are also subject to Section 2.3.3.

3.2.2.1 *New development in Living Area I will occur adjacent to existing built-up urban areas. Emphasis will be placed on achieving a mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*

11.3.2.2 *Development proposals will be reviewed to ensure efficient transit routing so that all dwellings in the development are ideally within 500 metres walking distance of a bus stop.*

11.3.2.4 *Buildings should be sited as close to the street as possible to reduce walking distances for transit users.*

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

1. Development in urban areas is permitted provided that existing and planned public sewage and water services have confirmed capacity to accommodate the demands of the proposed development. Alternatively, the proponent of the development will upgrade, at their own expense, the existing sewage and water systems to ensure adequate delivery and treatment facilities consistent with City standards, including the adequacy of fire flows.

14.3.1 *The City will encourage community and neighbourhood design that:*

a. creates a distinctive community character and strong sense of place;

b. integrates a mix of land uses such as living areas, employment areas, institutional uses and parks and open spaces;

c. fosters active transportation and public transit;

14.4.1 *Development and intensification will be located and organized to fit with its existing or planned context. It will frame and support adjacent streets, parks and open spaces to improve activity, comfort and safety by:*

a. generally locating buildings parallel to the street or along the edge of a park or open space with a consistent front yard setback. On a corner

site, development and intensification should be located along both street frontages and give prominence to the corner. On a site that terminates a street corridor, the development should acknowledge the prominence of that site;

b. massing buildings to define the edges of streets, parks and open spaces in good proportion;

c. creating appropriate transitions in scale to neighbouring existing or planned buildings;

d. locating main building entrances so that they are clearly visible and easily accessible from the public sidewalk;

e. providing ground floor uses that have views into surrounding streets, parks and open spaces; and,

f. minimizing shadowing and uncomfortable wind conditions on surrounding streets, parks and open spaces to preserve their utility.

14.4.2 *Development and intensification will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and the public realm by:*

a. minimizing the number of curb cuts and driveways that cross the public sidewalk;

b. limiting surface parking between the front face of the building and the public street and sidewalk;

c. locating servicing and utilities towards the sides or rear of the building and screening the servicing from views from adjacent streets;

d. integrating servicing and utility functions within the building, where possible; and,

e. providing adequate landscaping and buffering between adjacent properties.

5.0 PLANNING RATIONALE

The following section of this report provides a summary of the proposed Zoning By-law Amendment with respect to the applicable policy and regulatory framework detailed above.

5.1 | APPROPRIATE USE OF THE LANDS

The application proposes to rezone the subject lands from R2-2, Low Density Residential Two to R3, Medium Density Residential to facilitate the development of a 10-unit row dwelling building on the subject property. The subject property is located within the City's settlement area and built boundary and is located within established Living Area I lands. The intent of the PPS and OP is for future growth

and development to be focused within settlement areas. Per Section **2.3.3.5** of the OP, medium density housing is permitted within the Living Area 1 designation. It is also the intent of **Section 3.2** to accommodate medium density housing within the Living Area 1 designation. Therefore, it is the authors' opinion that the proposed development represents an appropriate use of the lands.

Section 3.2.2 of the OP states that medium density housing is permitted in the Living Area 1 designation where full municipal services are available. Per OP Schedule 10 – Sewer and Water, the subject property is fully serviced by municipal sewer and water services. It was also confirmed by Development Engineering that there is available water and sewer capacity to support the proposed development.

With regard to rezoning lands within the Living Area 1 designation, **Section 3.2.1.5** outlines criteria that must be met for the consideration of such applications. It is the authors' opinion that the proposed development meets these criteria because:

- The property is suitable for limited medium density residential development given its size, shape and topography which allows for the development of linear shaped housing forms such as row dwellings;
- The proposed development is compatible with the surrounding neighbourhood in terms of scale, massing, height, etc. as it proposes a 2-storey medium density development within a mix of existing low and medium density residential uses while providing a compatible height;
- Adequate on-site parking, lighting and landscaping will be provided as shown on Figure 2 - Concept Plan; and
- No concerns regarding traffic to be generated by the proposed development were raised through the pre-consultation process.

Per **Section 3.2.1.3**, the subject property is located in proximity to public transit along Martindale Road.

5.2 | INTENSIFICATION

Intensification in the form of a range and mix of housing options should be supported per Section **2.3.1.3** of the PPS in order to support the achievement of complete communities. Intensification within strategic growth areas is also permitted, per **Section 2.4.1.3** to support the achievement of complete communities. Per **Section 2.3.3**, the intent of the OP aligns with the PPS in that it aims to accommodate all forms of intensification within the built boundary that are compatible with the existing and planned character of the area, and on sites where existing or planned infrastructure is suitable. **Section 2.3.3.9** sets out more specific tests (criteria) for evaluating whether a location and site is appropriate for intensification. It is the authors' opinion that the application meets these tests given that:

- The property is suitable for limited medium density residential development given its size, shape and topographic considerations;
- The proposed development is compatible with the existing character of the surrounding area, being a mix of low and medium density residential uses;
- The proposed retaining walls/engineered rock faces would not result in retaining walls overlooking adjacent residential dwellings given that the proposed development and access driveways would be sited at a lower elevation than existing surrounding dwellings;
- The proposed development is to include the provision of on-site landscaping;
- Adequate ingress/egress will be provided on the property from Martindale Rd;

- The property is fully serviced by municipal sewer and water services, and available capacity has been confirmed, allowing for the efficient use of available infrastructure;
- No concerns regarding traffic to be generated by the proposed development were raised through the pre-consultation process; and
- The proposed development would contribute to the enhancement of existing public transit and active transportation infrastructure.

Per **Section 3.2.1.2**, medium density residential development up to a maximum net density of 90 units per hectare is permitted. The proposed development would result in a density of approximately 33 units per hectare.

It is the authors' opinion that the proposed density is an appropriate intensification of the site and would assist in the City's goal of accommodating 20% of future residential growth through intensification within the built boundary, per **Section 2.3.3.2** in proximity to transit, commercial, institutional and open space uses.

5.3 | SERVICING

Outlined in **Section 3.6** of the PPS is a hierarchy of service levels. Per the PPS and OP, municipal sewer and water services is the preferred servicing option for new developments. The subject property is fully serviced by municipal sewer and water services and through consultation with the City, it was confirmed by Development Engineering that there is available capacity to support the proposed development.

Section 11.3.2.4 states that buildings should be sited as close to the street as possible to reduce walking distances for transit users. Given the shape and topography of the property, the proposed building is located as close as possible to the street. A pedestrian connection to Martindale Road is also being proposed along the driveway to maintain accessibility and to facilitate the provision of public transit and active transportation.

The proposed dwelling units are located within 500 metres of a bus stop, being GOVA Transit Route 29 per **Section 11.3.2.2**.

5.4 | SITE DESIGN

Section 14 of the OP outlines urban design policies for development in the City of Greater Sudbury. The intent of such policies is to encourage well designed, high-quality development that is accessible, safe and sustainable. It is the authors' opinion that the application meets the intent of these policies given that:

- The proposed development represents intensification that is an appropriate transition in scale to existing neighbouring buildings;
- Given the topography of the subject property, the proposed building is proposed to be located as close to the street as possible, while maintaining accessibility to the public sidewalk via a pedestrian connection on the site;
- The proposed retaining walls/engineered rock faces would not result in retaining walls overlooking adjacent residential dwellings given that the proposed development and access driveways would be sited at a lower elevation than existing surrounding dwellings;

- The development proposes landscaping and buffering between abutting properties through the provision of a 1.8-metre wide planting strip and 1.5-metre tall opaque fence abutting the property's most northerly side lot line, and a 1.5-metre tall opaque fence abutting the property's most southerly side lot line and PIN 73589-0864. In addition, approximately 47% of the property is to be landscaped open space;
- The subject property is linked to the nearby school on Walford Road (Lockerby Composite School) via existing sidewalks along Martindale Rd, Regent St and Walford Rd.

5.5 | ZONING RELIEFS

It is the authors' opinion that the proposed zoning reliefs sought through the application are appropriate and maintain the intent of *Zoning By-law 2010-100Z* as:

- The proposed retaining walls/engineered rock faces would be developed at a lower elevation than surrounding properties because of the cut required to enable the proposed development. Therefore, the retaining walls would not be overlooking adjacent residential dwellings, regardless of their height;
- Landscaping features in the form of planting strips and fences can still be provided where the subject property falls adjacent to existing low density residential dwellings. This would aid in providing a transition between low and medium density residential uses, in addition to the property being developed at a lower elevation than surrounding properties;
- 10-units can be accommodated in 1 building without triggering further zoning relief for density (minimum lot area), minimum required rear and interior side yard setbacks, maximum lot coverage and landscaped open space as demonstrated in Table 1 – Zoning Matrix Table; and
- A privacy yard between 4-4.3 metres is conducive to a more compact built form and the production of smaller residential units.

Table 1 - Zoning Matrix Table

	Minimum Lot Area	Minimum Lot Frontage	Minimum Lot Depth	Minimum Required Front Yard	Minimum Required Rear Yard	Minimum Required Interior Side Yard	Maximum Lot Coverage	Minimum Landscaped Open Space	Maximum Height
Provided	298.43 m² per unit *(10-units per building)	19.8 m	104 m	> 6.0 m	10.8 m	2.8 m *(4.3 m privacy yard)	18%	47%	< 11.0 m
Required	150.0 m² per unit (max. 8 units per building)	18.0 m	30.0 m	6.0 m	7.5 m	1.8 m (+ 7.5 m privacy yard)	40%	30%	11.0 m

6.0 CONCLUSION

The application proposes to rezone the subject property from R2-2, Low Density Residential Two to R3(S), Medium Density Residential Special to facilitate the development of a 10-unit row dwelling building on the subject property. It is the authors' opinion that the proposed rezoning application is appropriate as this report found that the application is consistent with the *2024 Provincial Planning Statement*, conforms with the *Growth Plan for Northern Ontario* and the intent if the *City of Greater Sudbury Official Plan*, and represents good land use planning.

A summary of the application and key points regarding its land use planning justification is outlined below:

- The proposed development would assist in the City's goal of accommodating 20% of future residential growth through intensification within the built boundary;
- The proposed development is compatible with the existing character of the surrounding area as it would contribute to the mix of housing options and densities in the area;
- The property is fully serviced by municipal sewer & water services, and available capacity has been confirmed. This would make more efficient use of existing municipal infrastructure;
- The development proposes landscaping and buffering between abutting properties through the provision of planting strips and fences to aid in providing a transition between low and medium density residential uses;
- The proposed building is located as close as possible to the street, given the existing shape and topography of the property;
- Although a medium density built form is proposed, the proposal results in a density of approximately 33 units per hectare which is well below the maximum 90 units per hectare envisioned for medium density developments in the OP; and
- The proposed zoning reliefs sought through the application are appropriate and maintain the intent of *Zoning By-law 2010-100Z* given the analysis provided in Section 5.5 of this report.

Respectfully Submitted,

Prepared by:



Brandon Cormier
Planner

Reviewed by:



Vanessa Smith, M.Pl., RPP
Project Manager | Senior Planner

CC:
Aaron Ariganello, BURP
Land Use Planner

SKETCH SHOWING SIGHTLINES
1253 MARTINDALE ROAD
SUDBURY, ONTARIO
CITY OF GREATER SUDBURY
TULLOCH GEOMATICS INC.
2025
SCALE 1:450

4m 0 4 20m

THE INTENDED PLOT SIZE OF THIS PLAN IS 610mm IN WIDTH BY 457mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:450.

FIELD WORK COMPLETED: FEBRUARY 27th, 2025.

CAUTION: THIS IS **NOT** A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK THIS SKETCH IS PROTECTED BY COPYRIGHT © 2025.

METRIC:
DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

ELEVATION NOTE:
ELEVATIONS SHOWN HEREON ARE GEODETIC, ARE REFERRED TO CANADIAN GEODETIC VERTICAL DATUM OF 1928 (CGVD28) AND ARE DERIVED FROM CITY OF GREATER SUDBURY VERTICAL CONTROL MONUMENT No. 027829035A USING REAL TIME NETWORK (RTN) HAVING A ELEVATION OF 267.847m.

DIMENSION NOTE:
THE DIMENSIONS SHOWN HEREON HAVE BEEN COMPILED FROM LAND REGISTRY OFFICE DOCUMENTATION AND TULLOCH GEOMATICS INC. SURVEY RECORDS.

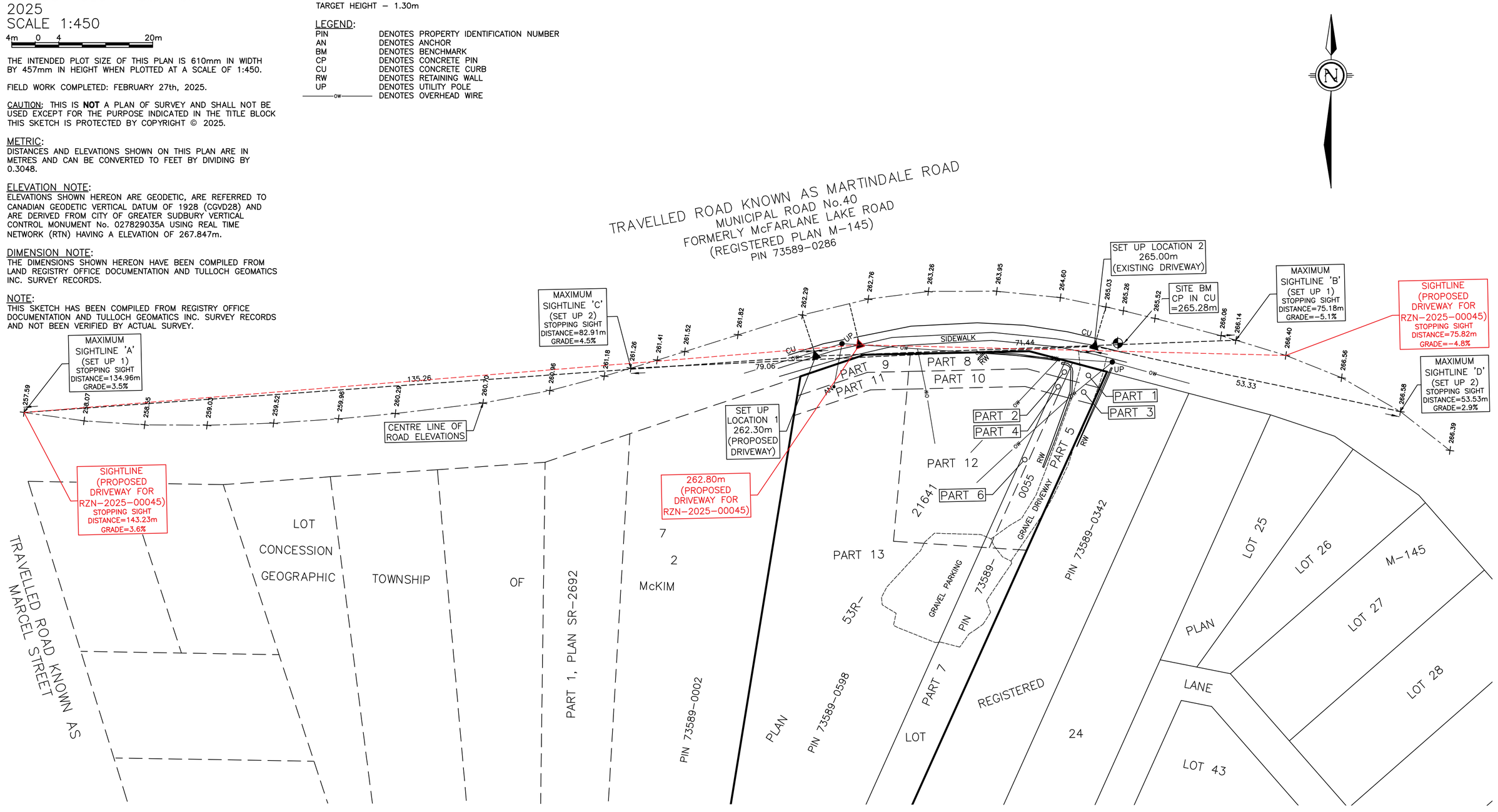
NOTE:
THIS SKETCH HAS BEEN COMPILED FROM REGISTRY OFFICE DOCUMENTATION AND TULLOCH GEOMATICS INC. SURVEY RECORDS AND NOT BEEN VERIFIED BY ACTUAL SURVEY.

BENCHMARK NOTE:
SITE BENCHMARK IS THE CONCRETE PIN IN SIDEWALK HAVING AN ELEVATION OF 265.28m.

NOTE:
SET UP LOCATION 1 ELEVATION – 262.28m
SET UP LOCATION 2 ELEVATION – 265.26m
SET UP HEIGHT – 1.05m
TARGET HEIGHT – 1.30m

LEGEND:

PIN	DENOTES PROPERTY IDENTIFICATION NUMBER
AN	DENOTES ANCHOR
BM	DENOTES BENCHMARK
CP	DENOTES CONCRETE PIN
CU	DENOTES CONCRETE CURB
RW	DENOTES RETAINING WALL
UP	DENOTES UTILITY POLE
——OW——	DENOTES OVERHEAD WIRE

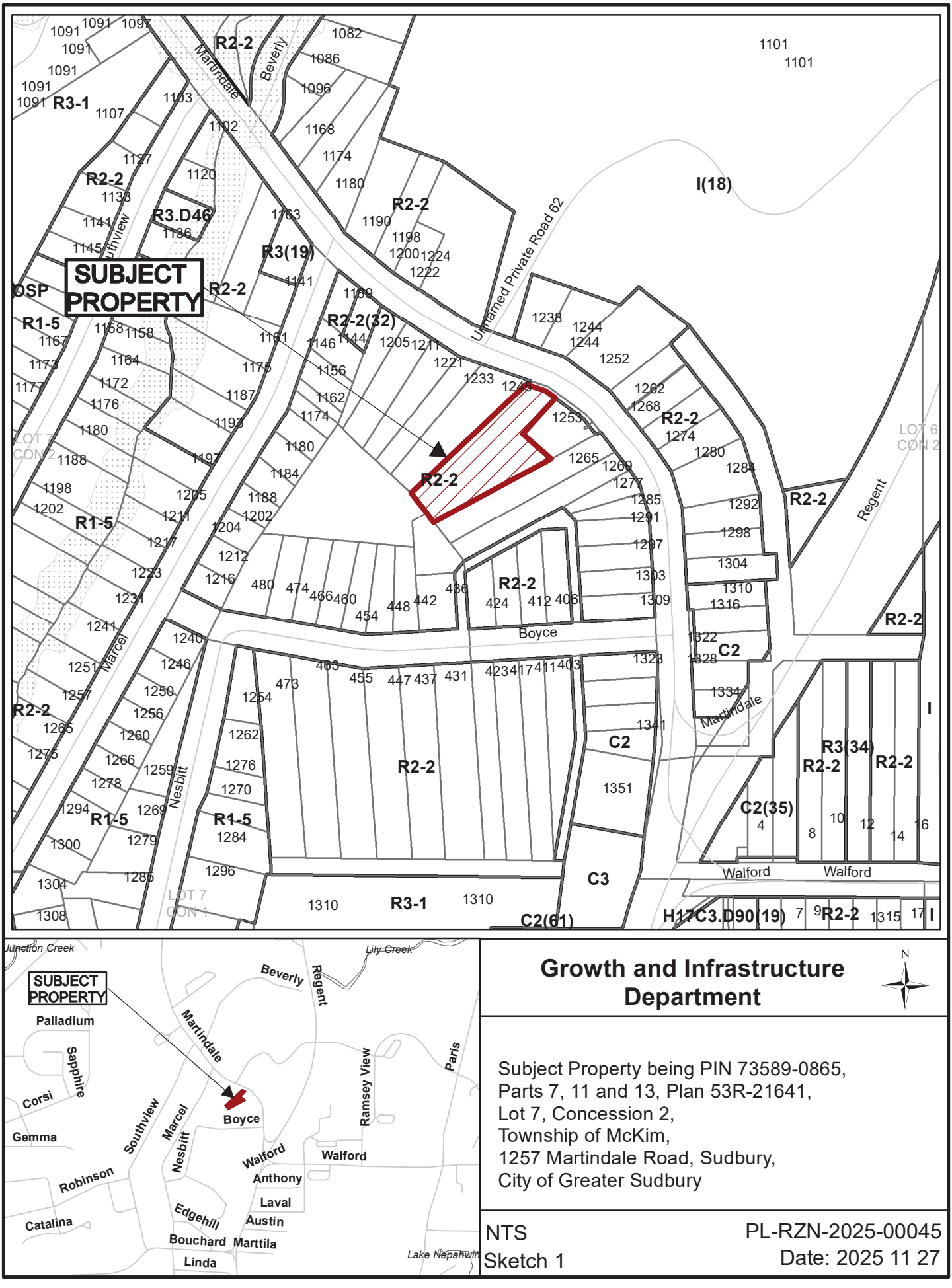


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TULLOCH
TULLOCH GEOMATICS INC.
131 FIELDING RD.
P3Y 1L7
LIVELY, ON
T. 705 671.2295
F. 705 671.9477
TF. 800 810.1937
sudbury@tulloch.ca

DRAWN BY: SL | FILE: 252122

P:\2025\252122 Sightline Analysis – 1253 Martindale\Geomatics\06 Production\02_SIGHT LINE SKETCH\ 252122.DWG


SUBJECT PROPERTY
R2-2
R3-1
R3.D46
R3(19)
R2-2(32)
R1-5
R1-5
R2-2
R2-2
R2-2

PL-RZN-2025-00045 – 1257 Martindale Road, Sudbury – Photos of subject property and surrounding uses



Figure 1: Abutting property to the north, existing detached garage and dwelling (February 12, 2026)



Figure 2: Existing driveway for access to abutting property to the southeast (February 12, 2026)



Figure 3: Approximate location for proposed driveway, to provide access to proposed development (February 12, 2026)



Figure 4: Existing residential use, abutting subject property to the southeast (February 12, 2026)



Figure 5: Existing retaining wall along Martindale Road (February 12, 2026)



Figure 6: Retaining wall and sidewalk along Martindale Road (February 12, 2026)

Box 5000, Station 'A'
200 Brady Street
Sudbury, Ontario P3A 5P3
(705) 671-2489 ext 4295
(705) 673-2200 FAX

COMMENT(S) FOR APPLICATION PL-RZN-2025-00045
1257 Martindale Road
Sudbury, P3E 4J6

Environmental Services	02/25/2026	Multi-Residential properties are required to source separate recyclable materials in compliance with provincial legislation 0. Reg 103/94. and should also consider requirements for organics diversion as per Ontario's Food and Organic Waste Policy. High density residential properties (7 or more residential units) can receive City waste collection services via an agreement for an annual fee per unit or can choose to receive waste collection via a private waste hauler. Whether the service is provided by the municipality or a private hauler, waste collection vehicles must be able to enter and exit the property in a forward-facing motion. Adequate space must be provided to accommodate the required turn radius to ensure the waste collection vehicles can maneuver effectively on-site (including obstacles such as parked cars). The turn radius for a waste collection vehicle is 13.5 meters. Outdoor waste storage/collection areas must be free of overhead obstructions and must be screened from view if visible from a public street or land, or residential properties. Based on the conceptual plan it would appear that the waste collection vehicle would block driveway egress for units 6-10 while servicing the bins. It would also appear that there is only 6.0 meters of space for the truck to attempt to turn around.
Development Engineering	02/20/2026	The site is not presently serviced with municipal water or sanitary sewer. A capacity analysis was performed and the results show that there is sufficient infrastructure capacity for this development. The developer's concept site plan shows extensive work at the entrance to Martindale. As such, a plan will be required prior to the building permit that details the entrance surface works, sanitary test maintenance hole on the sanitary service (existing or new), the connection of the proposed catchbasins to the City storm sewer system, details of the relocation of the hydro pole within the entrance must also be shown (with applicable Municipal Consent request supplied by GSU), along with the required lot grading plan showing all lot grading throughout the lot. We have no objection to this application.
Development Engineering	02/20/2026	No Comment Received
Traffic and Transportation	02/20/2026	No Comment Received
Traffic and Transportation	02/20/2026	No Concerns
Canada Post	02/18/2026	No Comment Received
Drainage	02/18/2026	No Comment Received

Enbridge Gas Inc.	02/18/2026	No Comment Received
Environmental Services	02/18/2026	No Comment Received
Strategic and Environmental Planning	02/18/2026	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	02/18/2026	No Comment Received
Building Services	02/17/2026	Based on the information provided, Building Services has no concerns with this application. For the Owner's information Building Services has the following comment, 1) Future construction will require building permit and building permit documents to be submitted to the satisfaction of the Chief Building Official. 2) Future construction of retaining walls will require building permit and building permit documents to be submitted to the satisfaction of the Chief Building Official.
Source Water Protection	02/17/2026	No Concerns
Conservation Sudbury	02/06/2026	No Concerns
Financial Services	02/05/2026	If approved, staff estimates approximately $46,000 in taxation revenue, based on the assumption of ten multiples dwelling units, based on an estimated assessed value of $275,000 per unit, at the 2025 property tax rates. If there is additional taxation revenue, it will only occur in the supplemental tax year. Any taxation revenue generated from new development is part of the supplemental taxation in its first year. Therefore, the City does not receive additional taxation revenue in future years from new development, as the tax levy amount to be collected as determined from the budget process, is spread out over all properties within the City. The amount of development charges will be based on final review of the property by the Building Services department, at time of building permit issuance.
Transit	02/05/2026	No Concerns
Fire Services	02/03/2026	No Concerns

City of Greater Sudbury | P.O. Box 5000 Stn. A, 200 Brady Street, Sudbury ON P3A 5P3 | 705.674.4455
Ville du Grand Sudbury | CP 5000 Succ A, 200, rue Brady, Sudbury, ON P3A 5P3 | 705 674.4455

April 30, 2025

Attention: Adam Kvas, P.Eng

Re: Sewer and Water Capacity Analysis
1253 Martindale
City of Greater Sudbury, ON

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

A review of the sewage mains downstream from the proposed connection at MH 14-211 Martindale revealed that the downstream mains are capable of conveying the additional 0.68 L/s of flow expected from your development.

A capacity analysis performed by our WaterCAD model, developed the following results at the 300mm watermain in front of property 1253 Martindale at an elevation of 263.7m.

Values Obtained from Model

Max Hour: 82 psi
Max Day: 83 psi
Fire Flow: 471 l/s

C.G.S. Minimum Requirements

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

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

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

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

Yours truly,

David Longarini
Development Engineering Technician

DVL/

Attachments ()

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

NOTE: THIS SCHEMATIC LEVEL PLAN IS INTENDED FOR INFORMATION ONLY AND MAY NOT NECESSARILY REFLECT FULL BUILDOUT CONDITIONS WHICH ARE SUBJECT TO CHANGE WITH THE PREPARATION OF A SITE GRADING DESIGN AND OTHER PLANS SUPPORTIVE OF BUILDING PERMIT.

THIS SCHEMATIC LEVEL PLAN MAY NOT SHOW THE FULL EXTENT OF RETAINING WALL STRUCTURES AND OTHER SITE FEATURES THAT MAY BE REQUIRED. THOSE WILL BE DETERMINED AT DETAILED DESIGN.

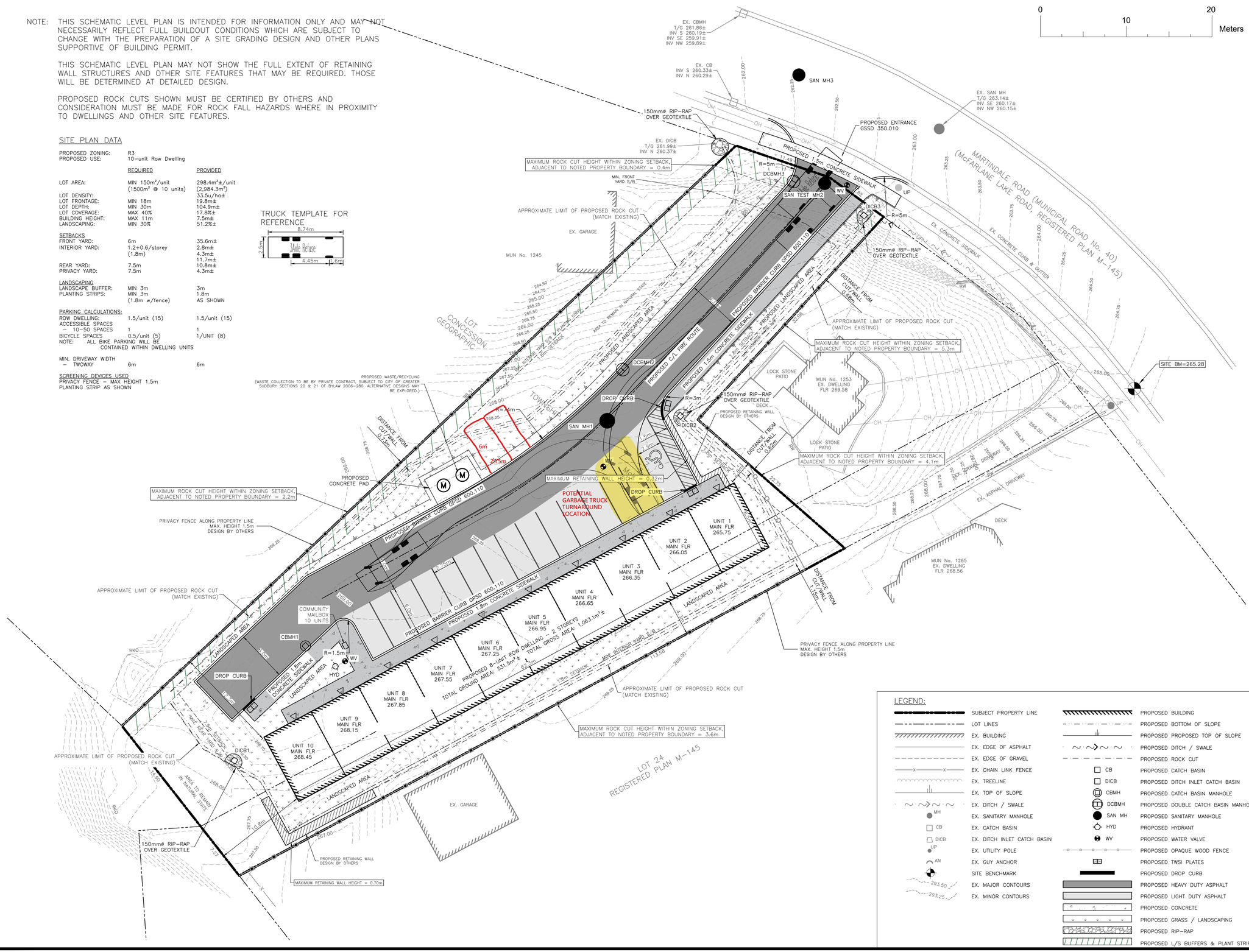
PROPOSED ROCK CUTS SHOWN MUST BE CERTIFIED BY OTHERS AND CONSIDERATION MUST BE MADE FOR ROCK FALL HAZARDS WHERE IN PROXIMITY TO DWELLINGS AND OTHER SITE FEATURES.

SITE PLAN DATA

PROPOSED ZONING: R3
PROPOSED USE: 10-unit Row Dwelling

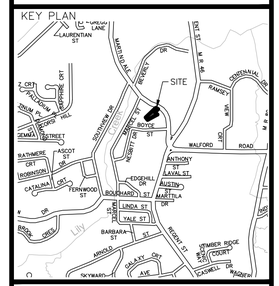
	REQUIRED	PROVIDED
LOT AREA:	MIN 150m²/unit (1500m² @ 10 units)	298.4m²±/unit (2,984.3m²)
LOT DENSITY:		33.5u/ha±
LOT FRONTAGE:	MIN 18m	19.8m±
LOT DEPTH:	MIN 30m	104.9m±
LOT COVERAGE:	MAX 40%	17.8%±
BUILDING HEIGHT:	MAX 11m	7.5m±
LANDSCAPING:	MIN 30%	51.2%±
SETBACKS		
FRONT YARD:	6m	35.6m±
INTERIOR YARD:	1.2+0.6/storey (1.8m)	2.8m± 4.3m± 11.7m± 10.8m±
REAR YARD:	7.5m	4.3m±
PRIVACY YARD:	7.5m	
LANDSCAPING		
LANDSCAPE BUFFER:	MIN 3m	3m
PLANTING STRIPS:	MIN 3m (1.8m w/fence)	1.8m AS SHOWN
PARKING CALCULATIONS:		
ROW DWELLING: ACCESSIBLE SPACES – 10-50 SPACES	1.5/unit (15) 1	1.5/unit (15) 1
BICYCLE SPACES	0.5/unit (5)	1/UNIT (8)
NOTE: ALL BIKE PARKING WILL BE CONTAINED WITHIN DWELLING UNITS		
MIN. DRIVEWAY WIDTH – TWOWAY	6m	6m
SCREENING DEVICES USED		
PRIVACY FENCE – MAX HEIGHT 1.5m PLANTING STRIP AS SHOWN		

TRUCK TEMPLATE FOR REFERENCE



LEGEND:

SUBJECT PROPERTY LINE	PROPOSED BUILDING
LOT LINES	PROPOSED BOTTOM OF SLOPE
EX. BUILDING	PROPOSED PROPOSED TOP OF SLOPE
EX. EDGE OF ASPHALT	PROPOSED DITCH / SWALE
EX. EDGE OF GRAVEL	PROPOSED ROCK CUT
EX. CHAIN LINK FENCE	PROPOSED CATCH BASIN
EX. TREELINE	PROPOSED DITCH INLET CATCH BASIN
EX. TOP OF SLOPE	PROPOSED CATCH BASIN MANHOLE
EX. DITCH / SWALE	PROPOSED DOUBLE CATCH BASIN MANHOLE
EX. SANITARY MANHOLE	PROPOSED SANITARY MANHOLE
EX. CATCH BASIN	PROPOSED HYDRANT
EX. DITCH INLET CATCH BASIN	PROPOSED WATER VALVE
EX. UTILITY POLE	PROPOSED OPAQUE WOOD FENCE
EX. GUY ANCHOR	PROPOSED TWSI PLATES
SITE BENCHMARK	PROPOSED DROP CURB
EX. MAJOR CONTOURS	PROPOSED HEAVY DUTY ASPHALT
EX. MINOR CONTOURS	PROPOSED LIGHT DUTY ASPHALT
	PROPOSED CONCRETE
	PROPOSED GRASS / LANDSCAPING
	PROPOSED RIP-RAP
	PROPOSED L/S BUFFERS & PLANT STRIPS



ENGINEER'S SEAL:

TULLOCH ENGINEERING

PRELIMINARY
NOT FOR CONSTRUCTION
DECEMBER 15, 2025

–	–	–	–	–
DATE	REV.	REVISION	BY	APP'D

CLIENT:

TJ HERAULT
1349 LASALLE BLVD
CITY OF GREATER SUDBURY

CONSULTANT:

TULLOCH

PROJECT TITLE:

MARTINDALE ROAD RESIDENTIAL DEVELOPMENT

DRAWING TITLE:

CONCEPT SITE PLAN FOR ZONING BY-LAW AMENDMENT

EJT/MDJ	EJT	AA	VS
DRAWN	DESIGNED	CHECKED	APPROVED

1:200	DEC 15, 2025
SCALE	DATE

25-0844	0	C2
PROJECT No.	REVISION	DRAWING

P:\2025\250844\Planning\07 Drawings\250844 base5.dwg

Archived: Wednesday, February 18, 2026 9:33:15 AM
From: Carol McCrory
Sent: Tue, 17 Feb 2026 23:09:18 +0000ARC
To: Alex Singbush
Subject: Notice of application file # PL-RZN-2025-00045
Sensitivity: Normal

You don't often get email from [redacted] Learn why this is important

Dear Alex
We(Brian +Carol McCrory) have received many of these notices in the past.We would like to see a visual of the dwelling + surrounding landscape proposed.Our backyard abuts the south side yard.Tulloch wants to raise the land all the way around it seems.Where will the water go? Into our backyard? Our property is definitely lower.Will we get flooded out? If that happens I guess you can figure out where that would go.Also there is a watershed easement that runs beside our property on the left(facing Boyce St) + extends over to Martindale running beside said property.We were informed years ago that no one can build on a watershed easement.So I would like an explanation for that one.
Brian + Carol McCrory

Karen Cardinal

From: Inspiring Health Acupuncture Clinic <[redacted]>
Sent: Friday, February 20, 2026 10:53 AM
To: Alex Singbush
Cc: planningservices
Subject: Comments on Zoning Application PL-RZN-2025-00445 – 1257 Martindale Road (Re: My Property at 1304 Martindale Road)

You don't often get email from [redacted]. Learn why this is important

Dear Mr. Singbush,

I am writing as the owner/occupant of 1304 Martindale Road, Greater Sudbury (P3E 4J5), where I operate a small acupuncture clinic (“Inspiring Health Acupuncture Clinic ”) and maintain a single residential rental unit. My property is located on the same street, only a short distance from the subject lands at 1257 Martindale Road.
I have reviewed the Notice of Application dated February 12, 2026, for File # PL-RZN-2025-00445, which proposes rezoning from R2-2 to R3(S) to permit a 10-unit row dwelling plus multiple site-specific variances (reduced setbacks to 0 m for retaining walls up to 5.5 m, elimination of planting strips, etc.).

My primary concerns are:
Increased traffic and safety risks on Martindale Road from 10 additional households.

Potential on-street parking spillover that could interfere with client access to my acupuncture business and my tenant’s parking.

Loss of neighbourhood character and increased noise/privacy impacts that could affect the quiet, therapeutic environment my clients expect and the livability of my rental unit.

Reduced landscaping buffers and tall retaining walls that may create visual and environmental impacts along the street.

I respectfully request that these compatibility issues be thoroughly assessed, including through a site plan review and traffic study if not already planned. I would also like to be notified of any public meeting or further steps on this file.

Thank you for considering my comments. I am available to discuss or provide additional information.

Sincerely,

Natalie Ramon
[redacted]
Owner, 1304 Martindale Road, Greater Sudbury

2019 Bancroft Drive, Sudbury

Presented To:	Planning Committee
Meeting Date:	April 27, 2026
Type:	Public Hearing
Prepared by:	Joel Therrien Planning Services
Recommended by:	General Manager of Planning and Growth
File Number:	PL-RZN-2026-00004

Report Summary

This report provides a recommendation regarding an application to change the zoning classification on the subject property from 'R1-5', Low Density Residential One, to 'R3(S)', Medium Density Residential Special, with site-specific provisions to allow for the construction of a five (5) unit row dwelling.

This report is presented by Joel Therrien, Senior Planner.

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

Resolution

THAT the City of Greater Sudbury approves the application by 1001130273 Ontario Inc., to amend Zoning By law 2010-100Z by changing the zoning classification from ‘R1-5’, Low Density Residential One, to ‘R3(S)’, Medium Density Residential Special, on the lands described as PIN 73578-0054, Parcel 9408, Lot 12, Concession 3, Township of Neelon, to allow for the construction of a five unit Row Dwelling, as outlined in the report entitled “2019 Bancroft Drive, Sudbury”, from the General Manager of Planning & Growth, presented at the Planning Committee meeting on April 27, 2026, subject to the following conditions:

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

a) To permit refuse storage in the front yard where only permitted in an interior side yard;

b) To recognize the insufficient lot frontage of 15.2 m, where 18 m is required;

c) To reduce the rear yard to 5.9 m where 7.5 m is required;

d) To permit parking in the required front yard, where parking spaces are not permitted in the required front yard;

e) To reduce the number of barrier free parking spaces to 0 where 1 barrier free space is required;

f) To reduce the required privacy yard along the western side to 2.4 m where 7.5 m is required; and

g) To reduce the required planting strip along the eastern property side to 1.2 m where 1.8 m is required, with a 1.5 m opaque fence.

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

The application to amend the City's Zoning By-law is an operational matter under the *Planning Act* to which the city is responding. The application contributes to the 2019-2027 City of Greater Sudbury Strategic Plan goals related to housing by adding to the range and mix of housing available in this area. The application aligns with the Community Energy and Emissions Plan by supporting the strategy of creating compact, complete communities.

Financial Implications

If approved, staff estimates approximately $23,000 in taxation revenue, based on the assumption of five dwelling units, based on an estimated assessed value of $275,000 per unit, at the 2025 property tax rate.

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

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

Report Overview

An application for rezoning has been submitted to facilitate the construction of a five-unit (5) row dwelling, with site specific provisions.

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

STAFF REPORT

PROPOSAL:

The purpose and effect of the proposed Zoning By-law Amendment is to change the zoning classification of the lands from the 'R1-5', Low Density Residential One, to 'R3(S)', Medium Density Residential Special to allow for the construction of a five (5) unit row dwelling on the subject property with the following provisions for site-specific relief:

1. To permit refuse storage in the front yard where only permitted in an interior side yard;
2. To recognize the insufficient lot frontage of 15.2 m, where 18 m is required;
3. To reduce the rear yard to 5.9 m where 7.5 m is required;
4. To permit parking in the required front yard, where parking spaces are not permitted in the required front yard;
5. To reduce the number of barrier free parking spaces to 0 where 1 barrier free space is required;
6. To reduce the required privacy yard along the western side to 2.4 m where 7.5 m is required; and
7. To reduce the required planting strip along the eastern property side to 1.2 m where 1.8 m is required, with a 1.5 m opaque fence.

The subject property is designated 'Living Area I' in the City of Greater Sudbury Official Plan and is zoned 'R1-5', Low Density Residential One in the City of Greater Sudbury Zoning By-law.

The subject property is currently developed with a single detached dwelling and a detached garage in the rear yard. The property is fully serviced by municipal sewer and water and would continue to be accessed from one driveway on Bancroft Drive.

Surrounding land uses mixed with a variety of low and medium density residential, commercial and institutional uses.

A concept plan was submitted as part of the application package and is attached to the report. A location map and photos of the subject property are also attached for reference.

POLICY & REGULATORY FRAMEWORK:

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

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

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

Provincial Planning Statement:

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

The PPS acknowledges the Province's goal of having at least 1.5 million homes built by 2031 and identifies that Ontario will increase the supply and mix of housing options. It states:

> *"Ontario will increase the supply and mix of housing options, addressing the full range of housing affordability needs. 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."*

Several policy sections of the PPS are applicable to the proposed rezoning application for the intended residential use on the subject lands. In general, policy sections 2.1 through 2.3 promote providing for an appropriate range and mix of housing options, densities and complete communities which efficiently use land, resources and infrastructure, particularly in settlement areas.

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

Policy 2.2.1 b) further directs that planning authorities shall provide for an appropriate range and mix of housing options, densities and residential intensification to meet projected needs of current and future residents by permitting and facilitating all housing options and types of residential intensification to meet the social, health, economic, well-being requirements and provide a net increase in residential units. Policy 2.2.1 c) promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and supports the use of active transportation.

Policy 2.3.1.2 speaks to how land use patterns should be based on densities and a mix of land uses that:

a) efficiently use land and resources;
b) optimize existing and planned infrastructure and public service facilities;
c) support active transportation; and
d) are transit supportive.

Policy sections 2.9 and 3.1 mostly speak to reducing greenhouse gas emissions, preparing for the impacts of a changing climate, and efficiently planning for infrastructure and public service facilities.

Policy section 3.5 speaks to land use compatibility between sensitive land uses and facilities which generate noise and vibrations (such as railways). The policy requires buffering and/or separation between these uses to mitigate potential impacts.

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

Growth Plan for Northern Ontario:

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

Official Plan for the City of Greater Sudbury:

The Official Plan establishes goals, objectives and policies to manage and direct physical change and its effects on the social, economic and natural environment in the next 20 years. It forms the basis of the City of Greater Sudbury Zoning By-law and other land use controls. It guides land use and infrastructure decisions and future planning initiatives.

The subject property is designated as 'Living Area I' in the City of Greater Sudbury Official Plan. This designation includes residential areas in urbanized Communities that are fully serviced by municipal water and sewer. Given the desire to utilize existing sewer and water capacity and to reduce the impacts of un-serviced rural development, areas designated 'Living Area I' are seen as the primary focus of residential development.

Several policy sections of the Official Plan are applicable to the proposed re-zoning for the purpose of constructing a five (5) unit row dwelling on the subject property.

Policies 2.3.2.1, 2.3.2.2 and 2.3.3 speak to focusing intensification and redevelopment in the settlement area and basing land use patterns on densities and uses that are most efficient regarding land, resources, infrastructure, and public service facilities as this type of intensification minimizes negative impacts on air quality and climate change.

Policy 2.3.3 further describes that the rate and nature of intensification will not be applied uniformly across the city and that the key to intensification is making sure that it is context-specific and compatible with and reinforces the existing and planned character of a given area. Subsequent policies under 2.3.3 further clarify that intensification and development is permitted in established 'Living Area 1' lands and that residential intensification will be assessed so that concerns of the community and the need to provide opportunities for residential intensification are balanced.

Objectives under policy section '3.0 – Living Areas', speak to meeting all housing needs, including those for the elderly, low-income individuals and families, students, and those with disabilities by way of encouraging an adequate supply of affordable rentals and ownership and special needs housing in 'Living Areas'. Further objectives encourage the development of a mix of residential uses and focusing residential development in areas that have sufficient infrastructure and public service capacity, particularly in communities designated as 'Living Area 1'. Additional policies under this section specifically address the development of medium density housing and how it is permitted in all 'Living Area 1' designations, where full municipal services are available.

Subsequent direction under this policy section expresses that medium density development should be in proximity to arterial roads, public transit, employment and commercial areas, open space areas and community/recreational services. These policies also speak to development being compatible with the existing character of the established neighbourhood, with consideration being given to size and configuration of lots, the existing built form, building setbacks and heights, and adequate landscaping and amenity features.

Policy 3.2.1.5 directly addresses items to be considered when a rezoning application is brought forward for lands designated 'Living Area 1', it reads:

> *"In considering applications to rezone land in Living Area I, Council will ensure amongst other matters that:*
>
> *a. the site is suitable in terms of size and shape to accommodate the proposed density and building form;*
>
> *b. the proposed development is compatible with the surrounding neighbourhood in terms of scale, massing, height, siting, setbacks, and the location of parking and amenity areas;*

c. adequate on-site parking, lighting, landscaping and amenity areas are provided; and

d. the impact of traffic on local streets is minimal."

Policy sections 11 and 12 address transportation and utilities, respectively. Regarding transportation in the case of residential intensification, policies that encourage higher densities in the existing built-up area, as referenced above, support the expansion of transit services and increased ridership. Policy 11.3.2.2 requires that development proposals are reviewed to ensure efficient transit routing so that all dwellings in the development are ideally within a 500 m distance of a public transit stop. Similarly, policy 11.7.2 requires that development proposals are reviewed to ensure that there is adequate pedestrian access in new developments.

Policies under section 12 require that the City's water and sewer capacities are adequate to service new developments. Alternatively, proponents of the development must upgrade, at their own expense, the existing sewage and water systems to ensure adequate delivery and treatment facilities consistent with City standards, including adequate fire flows. Section 12.2.2.2 further states that: official plan amendments, rezonings, severances, subdivision approvals, minor variances and building permits will be denied if water or sewage facility problems exists.

Policy section 14 address urban design in the case of residential intensification. The City requires high quality urban design in the review of all *Planning Act* applications, which include applications for rezonings, such as the one proposed. Policies under section 14 are used to evaluate matters that include but are not limited to: patterns of movement and the physical and social connections between people and places, interrelationships between the built and unbuilt spaces on private developments, creating appropriate transitions in scale to neighbouring existing or planned buildings, providing adequate landscaping and buffering between properties, providing safe pedestrian routes and landscaped areas within surface parking lots and providing bicycle parking facilities and, where appropriate, public transit infrastructure within the development site.

Section 17 identifies a key housing goal is to maintain a balanced mix of ownership and rental housing, and to encourage a greater mix of housing types and tenure, including encouraging the production of smaller (one and two bedroom) units to accommodate the growing number of smaller households. The Official Plan is intended to provide direction as to how housing needs and issues can be addressed in concert with the CGS Housing and Homelessness Plan.

Zoning By-law 2010-100Z:

The subject lands are zoned 'R1-5', Low Density Residential within the City's Zoning By-law.

The development standards for the proposed *Row Dwelling* in the requested zone, being the 'R3' Medium Density Residential Zone are as follows:

- Min. lot area of 150 m^2 per dwelling unit
- Max. of 8 dwelling units permitted in a row dwelling
- Min. lot frontage of 18 m
- Min. lot depth of 30 m
- Min. front yard setback of 6 m
- Min. rear yard setback of 7.5 m
- Min. interior side yard setback of 1.2 m + an additional 0.6 m for each full storey above the first
- Min. privacy yard depth of 7.5 m abutting the full length of at least 1 exterior wall of each dwelling unit
- Max. lot coverage of 45%
- Min. landscaped open space of 30%
- Max. building height of 11 m
- Min. 1.5 parking spaces per unit, for a total of 8 required spaces
- Min. 1 accessible/barrier free parking space when 10 or more standard parking spaces are required
- Min. 0.5 bicycle parking spaces per unit, for a total of 3 spaces required

In addition to the above, landscaping provisions require a 3 m wide planting strip along the entire length of the lot line where a medium density zone abuts a low-density zone. Alternatively, the required planting strip can be reduced to a width of 1.8 m where an opaque fence with a minimum height of 1.5 m is installed along the length of the applicable lot line.

Public Consultation:

The statutory Notice of Application was provided to the public by newspaper and to nearby landowners and tenants located within 122 m (400 ft) of the subject lands on February 12, 2026. The statutory Notice of Public Hearing was provided to the public by newspaper on April 4, 2026 and to nearby landowners and tenants located within 122 m (400 ft) of the subject lands on April 2, 2026.

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

As part of the application, the agent has suggested that they will contact the Ward Councillor to advise them of the proposed development and request their assistance in arranging a neighbourhood information session to present a comprehensive concept plan and to answer questions.

At the time of writing this report, Planning Services received two written submissions. Both written submissions were opposed to the proposed application due to the following concerns: the property being too small for the proposed development, concerns of shading into neighbouring property, reduced privacy and snow storage.

See complete public comments attached to this report.

Department/Agency Review:

The application and relevant accompanying materials have been circulated to all appropriate departments and external agencies. Responses received from departments and agencies have been used to assist in evaluating the application and to inform and identify appropriate development standards regarding amending the City's Zoning By-law, should the application be approved. During the review of the proposal, comments provided by circulated departments included the following:

Development Engineering provided no concerns or objections but offered the following:

- A design lot grading plan must be submitted for review and approval prior to the issuance of a building permit;
- The location of the refuse storage must not conflict with parking stalls and maintained access for collection. Waste truck (s), if applicable, must also enter and exit the site in a forward-facing motion; and
- Bicycle parking stalls must be sized/dimensioned in accordance with the City's Zoning By-law.

Strategic and Environmental Planning commented 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 the sole responsibility of the applicant.

Building Services did not have concerns or objections but offered the following:

- A building permit application and supporting documentation is to be submitted to the satisfaction of the Chief Building Official;
- The applicant will be required to provide the following as part of a complete building permit application: Comprehensive Plot Plan, Site Statistics Table, Design Lot Grading Plan and Site Servicing Plan; and
- A demolition permit for the existing single-family dwelling.

Conservation Sudbury added that a Section 28 permit will be required at the time of the building permit due to the proximity of the existing watercourse to the proposed development.

Source Water Protection noted that the subject property is located within the Ramsey Lake Intake Protection Zone “3” and that no significant water threat is identified at this time.

Financial Services had no concerns but provided general taxation information. These comments are reflected under the ‘Financial Implications’ heading on page 2 of this report.

All other City departments and external agencies either had no concerns or did not provide comments. See department and agencies comments, attached to this report for complete comments.

PLANNING ANALYSIS:

The Provincial Planning Statement (PPS, 2024), the Growth Plan for Northern Ontario (GPNO, 2011), and the City of Greater Sudbury Official Plan were reviewed in their entirety. The following section provides a planning analysis of the application with respect to the applicable policies, including issues raised through agency and department circulation.

The Provincial Planning Statement (PPS, 2024) and City of Greater Sudbury Official Plan both encourage appropriate growth and residential intensification to occur within settlement areas on full municipal services.

The subject property is in a settlement area with a wide variety of residential, commercial, and institutional uses, and is fully serviced by municipal sewer and water. The proposed development would help to support climate change mitigation, adaptation, and the reduction of greenhouse gases by adding housing that contributes to compact and complete communities that are transit supportive. The nearest public transit stops along Bancroft Drive are less than 200 m from the subject property and the general area is also well served by sidewalks and a bicycle path network along the length of Bancroft Drive.

The PPS and Official Plan promote residential intensification and encourage a wide range of housing forms to accommodate current and future housing needs. The proposed development for five (5) row dwelling units would align with the Official Plan housing goal to encourage a greater mix of housing types and tenure. The proposal presents an opportunity for a net increase to the overall housing stock in the city.

Additionally, the proposal helps to support the City’s Municipal Housing Pledge to achieve the target of 3,800 new homes constructed by 2031. The City’s Housing Supply and Demand Analysis (N. Barry Lyon Consultants Ltd., 2024) identified that the most significant housing gaps are observed in the rental market. There is an immediate need for 470 additional rental units to achieve a vacancy rate of 5%, and an average of 112 additional rental units per year for the next 30 years to meet anticipated demand. This proposal will help to contribute to the diverse range of housing options and rental unit housing targets.

As addressed earlier in this report, the applicant is also requesting several site-specific provisions to allow for the proposed development. These include permitting refuse storage in the front yard, recognizing the existing insufficient lot frontage, reduced privacy yard and planting strip width, reduction of accessible parking, reduced rear yard and permitting parking within the required front yard.

While the refuse storage is proposed to be located in the front yard, it would be in excess of 31 m (or 103 ft) from the street and would be largely shielded by way of proposed and existing fences along both side lot lines and the proposed ten (10) parking spaces, which are to be located in front of the refuse storage area. It has been noted by Planning Services Staff that the existing board fence along the abutting commercial property to the west appears to require significant repairs and has been forwarded to the City’s By-law Services Staff for review.

The applicant is also proposing to provide two (2) additional parking spaces for a total of ten (10), where only eight (8) are required for the proposed development. The Zoning By-law requires one (1) accessible/ barrier free parking space when ten (10) or more parking spaces are provided. While the applicant is proposing to eliminate the accessible parking space requirement, they are also providing more standard parking spaces than is required by the Zoning By-law.

The applicant is also proposing a reduction in the privacy yard required for a row dwelling, which abuts the existing commercial use to the west. The proposal also seeks to reduce the width of required planting strip along the proposed parking area from 1.8 m to the proposed 1.2 m, with an opaque fence with a minimum height of 1.5 m. The applicant can meet the required planting strip provisions along the proposed building by way of an opaque fence with a minimum height of 1.5 m and a 2.1 m planting strip.

The proposal is for the medium scale intensification of an existing underutilized residential parcel through the construction of a five (5) unit row dwelling. The built form of the proposed development is compatible with the surrounding land uses, which include a wide variety of low and medium density residential, commercial and institutional uses, most of which are within walking distances. The proposed re-development of the subject property for a five (5) unit row dwelling would result in an efficient use of land, resources, infrastructure and public service facilities.

Staff have evaluated the proposal and are of the opinion that the built form is compatible with the abutting residential and commercial uses in terms of size, shape and siting of the subject property, lot coverage, massing, height, traffic, parking, servicing, landscaping and amenity areas.

CONCLUSION:

Overall, staff is satisfied that the site has been designed with sound urban design principles including fencing and landscape buffering abutting lower density residential housing to the east, additional parking spaces and pedestrian connectivity.

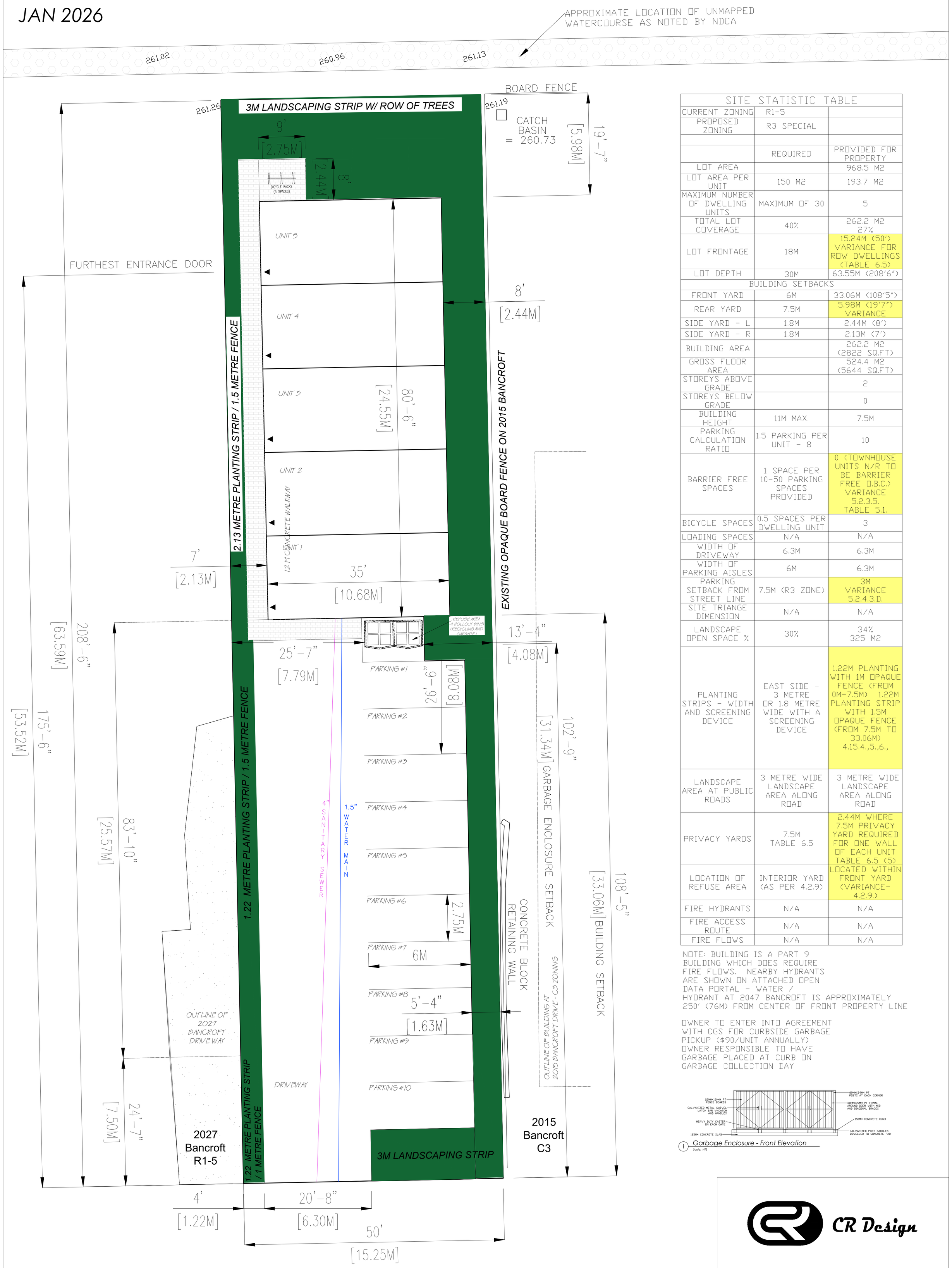
The subject property is in a location that is suitable for medium density development and would be well served by public transit, sidewalks, cycling path along the length of Bancroft Drive, and is in proximity to many commercial and institutional uses, many being walking distance.

Lastly, the development would add to diversifying the housing supply, consistent with the Province’s goal of reaching 1.5 million homes built by 2031.

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

2019 BANCROFT DRIVE
PART OF LOT 12 CON 3 NEELON
CITY OF GREATER SUDBURY
JAN 2026

70 SECOND AVE
R1-5



SITE STATISTIC TABLE		
CURRENT ZONING	R1-5	
PROPOSED ZONING	R3 SPECIAL	
	REQUIRED	PROVIDED FOR PROPERTY
LOT AREA		968.5 M2
LOT AREA PER UNIT	150 M2	193.7 M2
MAXIMUM NUMBER OF DWELLING UNITS	MAXIMUM OF 30	5
TOTAL LOT COVERAGE	40%	262.2 M2 27%
LOT FRONTAGE	18M	15.24M (50') VARIANCE FOR ROW DWELLINGS (TABLE 6.5)
LOT DEPTH	30M	63.55M (208'6")
BUILDING SETBACKS		
FRONT YARD	6M	33.06M (108'5")
REAR YARD	7.5M	5.98M (19'7") VARIANCE
SIDE YARD - L	1.8M	2.44M (8')
SIDE YARD - R	1.8M	2.13M (7')
BUILDING AREA		262.2 M2 (2822 SQ.FT)
GROSS FLOOR AREA		524.4 M2 (5644 SQ.FT)
STOREYS ABOVE GRADE		2
STOREYS BELOW GRADE		0
BUILDING HEIGHT	11M MAX.	7.5M
PARKING CALCULATION RATIO	1.5 PARKING PER UNIT - 8	10
BARRIER FREE SPACES	1 SPACE PER 10-50 PARKING SPACES PROVIDED	0 (TOWNHOUSE UNITS N/R TO BE BARRIER FREE O.B.C.) VARIANCE 5.2.3.5. TABLE 5.1.
BICYCLE SPACES	0.5 SPACES PER DWELLING UNIT	3
LOADING SPACES	N/A	N/A
WIDTH OF DRIVEWAY	6.3M	6.3M
WIDTH OF PARKING AISLES	6M	6.3M
PARKING SETBACK FROM STREET LINE	7.5M (R3 ZONE)	3M VARIANCE 5.2.4.3.D.
SITE TRIANGE DIMENSION	N/A	N/A
LANDSCAPE OPEN SPACE %	30%	34% 325 M2
PLANTING STRIPS - WIDTH AND SCREENING DEVICE	EAST SIDE - 3 METRE OR 1.8 METRE WIDE WITH A SCREENING DEVICE	1.22M PLANTING WITH 1M OPAQUE FENCE (FROM 0M-7.5M) 1.22M PLANTING STRIP WITH 1.5M OPAQUE FENCE (FROM 7.5M TO 33.06M) 4.15.4.,5.,6.,
LANDSCAPE AREA AT PUBLIC ROADS	3 METRE WIDE LANDSCAPE AREA ALONG ROAD	3 METRE WIDE LANDSCAPE AREA ALONG ROAD
PRIVACY YARDS	7.5M TABLE 6.5	2.44M WHERE 7.5M PRIVACY YARD REQUIRED FOR ONE WALL OF EACH UNIT TABLE 6.5 (5)
LOCATION OF REFUSE AREA	INTERIOR YARD (AS PER 4.2.9)	LOCATED WITHIN FRONT YARD (VARIANCE- 4.2.9.)
FIRE HYDRANTS	N/A	N/A
FIRE ACCESS ROUTE	N/A	N/A
FIRE FLOWS	N/A	N/A

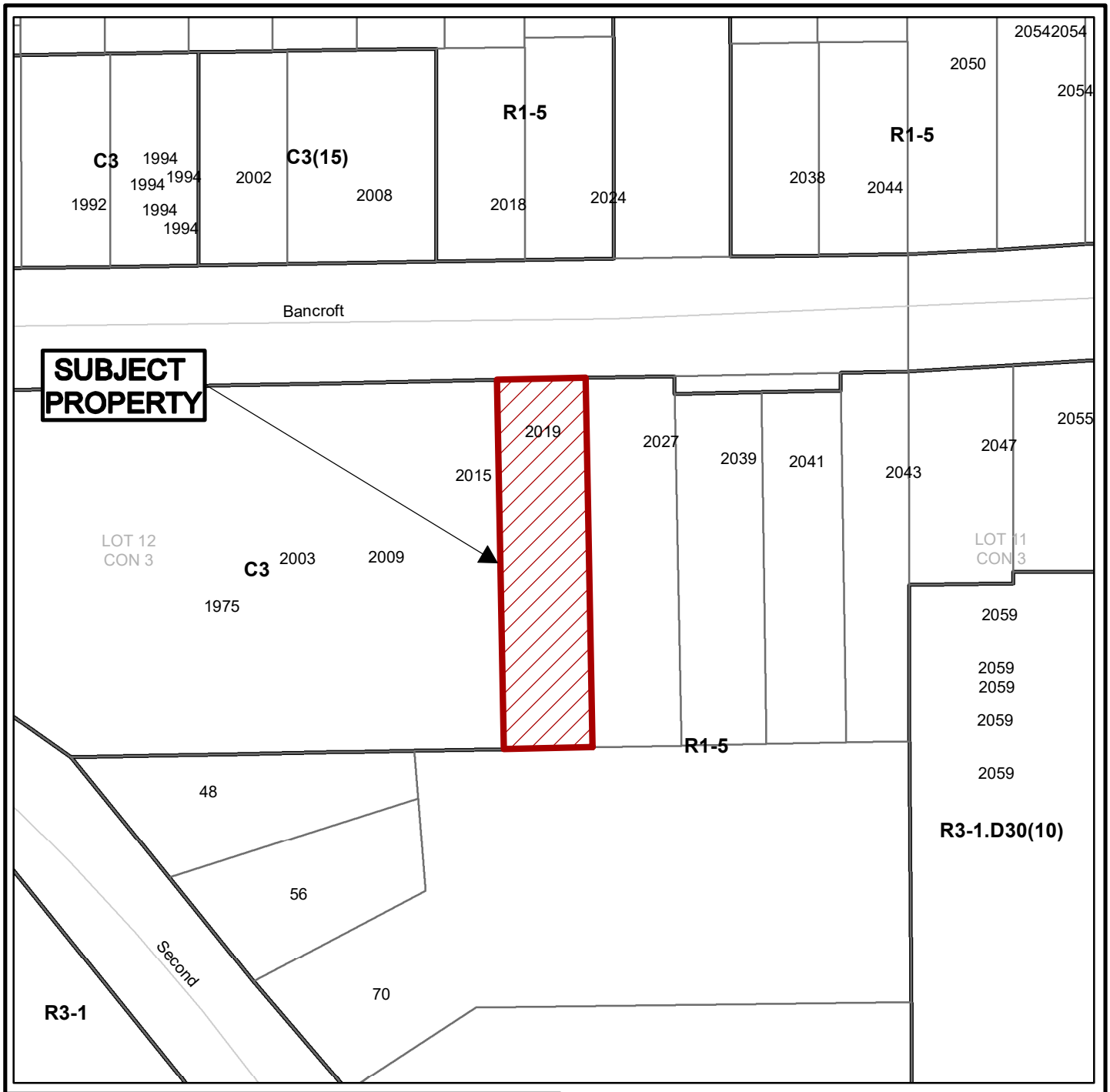
NOTE: BUILDING IS A PART 9 BUILDING WHICH DOES REQUIRE FIRE FLOWS. NEARBY HYDRANTS ARE SHOWN ON ATTACHED OPEN DATA PORTAL - WATER / HYDRANT AT 2047 BANCROFT IS APPROXIMATELY 250' (76M) FROM CENTER OF FRONT PROPERTY LINE

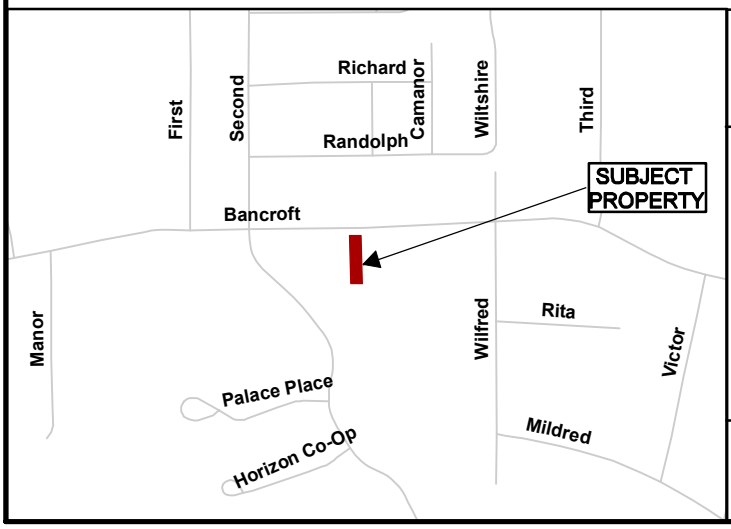
OWNER TO ENTER INTO AGREEMENT WITH CGS FOR CURBSIDE GARBAGE PICKUP ($90/UNIT ANNUALLY) OWNER RESPONSIBLE TO HAVE GARBAGE PLACED AT CURB ON GARBAGE COLLECTION DAY

1 *Garbage Enclosure - Front Elevation*
Scale: NTS

CR Design

PROJECT: 5 UNIT MULTIPLE DWELLING BUILDING	DRAWN: RW	SHEET:
	CHECKED: RW	PROJECT #
ADDRESS: 2019 BANCROFT DRIVE, SUDBURY		DRAWING: PP
TITLE: Plot Plan	DATE: 2026-01-21	
	SCALE: 1/8"=1'-0"	





Growth and Infrastructure Department

N

Subject Property being PIN 73578-0054,
Parcel 9408, Lot 12, Concession 3,
Township of Neelon,
2019 Bancroft Drive, Sudbury,
City of Greater Sudbury

NTS
Sketch 1

PL-RZN-2026-00004
Date: 2026 01 14

PL-RZN-00004- 2019 Bancroft Drive, Sudbury – Photos of subject property and surrounding uses



Figure 1: Existing dwelling and accessory structure on subject property (February 12, 2026)



Figure 2: Wood fence between subject property and abutting medical clinic to the west (February 12, 2026)



Figure 3: Pharmacy at corner of Bancroft Drive and Second Avenue South (February 12, 2026)



Figure 4: Single detached dwelling, gas station & convenience store and several multi-unit structures along Bancroft Drive (February 12, 2026)

Box 5000, Station 'A'
200 Brady Street
Sudbury, Ontario P3A 5P3
(705) 671-2489 ext 4295
(705) 673-2200 FAX

COMMENT(S) FOR APPLICATION PL-RZN-2026-00004
2019 Bancroft Drive
Sudbury, P3B 1T1

Drainage	02/19/2026	No Comment Received
Environmental Services	02/19/2026	No Comment Received
Traffic and Transportation	02/19/2026	No Comment Received
CN	02/18/2026	No Comment Received
CP	02/18/2026	No Comment Received
Development Engineering	02/18/2026	Development Engineering has reviewed the above application. We have no objection amending the zoning classification on the subject lands from 'R1-5' Low Density Residential to 'R3(S)' Medium Density Residential Special to permit a five (5) unit row dwelling, however, the following concerns must be addressed at the building permit stage: - A design lot grading plan must be submitted for review and approval prior to building permit issuance: - The location of the garbage enclosure must not conflict with the parking stalls, with access being maintained for garbage collection. The waste truck must also be able to enter and exit the site in a forward motion. - The bicycle parking stalls must be sized/dimensioned (0.8mx1.6m) in accordance with the zoning by-law.
Enbridge Gas Inc.	02/18/2026	No Comment Received
Strategic and Environmental Planning	02/18/2026	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	02/18/2026	No Comment Received
Building Services	02/17/2026	Building Services has reviewed the submitted documentation and has no concerns regarding the proposed Zoning By-law Amendment. However, Applicant/Owner to be aware of the following additional information:

		1. For the proposed five-unit row dwelling, Applicant is to be advised that a building permit application and supporting documentation is to be submitted to the satisfaction of the Chief Building Official. Applicant/Owner to also be aware that as 5 dwelling units are being proposed, in lieu of Site Plan Control, the following documents will be required for the building permit application: Comprehensive Plot Plan, Site Statistics Table, Design Lot Grading Plan, and Site Servicing Plan. 2. A demolition permit will be required for the existing single family dwelling. Eakamjot Singh Deo, Building Services
Conservation Sudbury	02/17/2026	The drawing circulated for RZN-2026-00004 indicates the approximate watercourse limits without confirmation by a site survey. Conservation Sudbury can accept this site plan for rezoning, but the proponent should be aware that given the proximity of the watercourse to the proposed development, a permit from Conservation Sudbury will be required at the building permit stage. As part of a complete application for development pursuant to Section 28.1 of the Conservation Authorities Act, the exact location of the watercourse, as determined through a site survey, will be required on the site plan. Please note that if the watercourse extends onto the property, the development will need to be amended to accommodate the watercourse.
Source Water Protection	02/17/2026	Parcel is located within the Ramsey Lake Intake Protection Zone "3". Rezoning required for the purpose of developing a 5-unit residential apartment building on subject property. No significant drinking water threat identified at this time.
Fire Services	02/16/2026	No Concerns
Financial Services	02/05/2026	If approved, staff estimates approximately $23,000 in taxation revenue, based on the assumption of five multiples dwelling units, based on an estimated assessed value of $275,000 per unit, at the 2025 property tax rates. If there is additional taxation revenue, it will only occur in the supplemental tax year. Any taxation revenue generated from new development is part of the supplemental taxation in its first year. Therefore, the City does not receive additional taxation revenue in future years from new development, as the tax levy amount to be collected as determined from the budget process, is spread out over all properties within the City. The amount of development charges will be based on final review of the property by the Building Services department, at time of building permit issuance.
Transit	02/05/2026	No Concerns

Karen Cardinal

From: Sylvain Ménard <[redacted]>
Sent: Monday, February 23, 2026 12:20 PM
To: Alex Singbush
Subject: Notice of application, file# PL-RZN-2026-00004 (2019 Bancroft Drive)

You don't often get email from [redacted]. Learn why this is important

Good day Alex,

English is my 2nd language, so there might be some mistakes in my comments. If you need some precisions, please feel free to ask me at anytime. Thanks!
We are against subject matter application dated 12 Feb 2026.

I'm a veteran who decided at my retirement (2019) to buy a house in a ''low density residential zone'' for peace and tranquility with my family. As a matter of respect, we definitely want that it remains that way. When we chose our house (2039 Bancroft Drive), it responded to our main criteria: A back yard with lots of sun (all day). Therefore, we have invested over $75K to install a greenhouse, a large garden and a swim spa.

A year ago, I contacted city hall to request permission to install an urban chicken coop (4 chickens) and it was denied. I respected the decision because I'm following the rules. If it was too loud and disturbing to have 4 chickens in my back yard, can you imagine 5 residents (maybe with additonal family members) in such a small yard just next door (2nd neighbor)!?

The proposal is breaking many site-specific provisions and should be denied. It affects many tax payers in the area; it directly affects us. City Rules/Laws must be followed to preserve partiality, equality and integrity amongst all. We're only looking for justice to all.

We are totally against the proposal as we believe our house will lose value on the market (not a quiet neighbourhood anymore). Also, the proposed construction would block the sun on our yard from mid-afternoon to evening. Finally, our family well-being and intimacy would be affected negatively.

I'm 100% sure that there are many other sites available in Sudbury to construct a row dwelling (5 units) without breaking any city rules/laws nor affecting pre-existing residents in the neighbourhood.

Sincerely,

Sylvain Ménard (co-owner)
Chantal Beaudry (wife and co-owner)
Jean-François Ménard (son, 25 years old)

2039 Bancroft Drive
Sudbury, ON P3B 1T1

[redacted]

Received March 4/26
KC

AS
JT

February 19, 2026

Mr. Alex Singbush, MCIP, RPP
Manager of Development Approvals
Box 5000, Station A
200 Brady Street
Sudbury, Ontario
P3A 5P3

Dear Mr. Singbush:

I am responding to the Notice of Application – File #PL-RZN-2026-00004. I wish to submit my concerns related to the proposal to construct a row dwelling containing a total of five (5) units located on Parcel 9408, Lot 12, Concession 3, Township of Neelon (2019 Bancroft Drive, Sudbury).

Having reviewed the seven proposed amendments to this property it is my contention that the property does not meet the required standards for such construction. While I support additional housing, I also recognize that land for such projects should meet required space standards and allow for tenant recreational space. The location in question is a narrow strip of land that currently contains a small home. The seven suggested amendments risk causing congestion to vehicle and foot traffic in the area and be a snowplow and snow removal challenge.

I am concerned that such activities as vehicle parking are insufficient for five tenants to say nothing of the capacity to accommodate visitor parking. I also question the space that might be required to park such items as boats, snowmobiles etc. that could be owned by tenants. I am citing this item because I anticipate that overflow parking could possibly impact on the parking area located on our nearby property.

Refuse storage and disposal is also a concern. In the past to the present, we have had occasions whereby those who do not reside at our property have used our refuse bins to dispose of garbage. This action has created problems since many items disposed of should have been disposed of at the city dump.

Thank you for your consideration of my reply.

Sister Alice Greer

Sister Alice Greer, CSJ, EdD
Administrator of St. Joseph's Residence
29 Second Ave. South
Sudbury, ON
P3B 4K3

Karen Cardinal

From: james leclair <[redacted]>
Sent: Friday, February 20, 2026 11:14 AM
To: Alex Singbush
Subject: Voicing comments on Notice of Application File#PL-RZN-2026-00004

You don't often get email from [redacted] Learn why this is important

Good day Alex Singbush

I'm interested in voicing my comments on the application File #PLR-ZN-2026-00004 to amend the zoning classification on the subject lands from R1-5 low density residential to R3(S) medium density residential special permit a 5 unit row dwelling at 2019 Bancroft Dr.

I am the neighboring home to the east. I am very concerned that the single family home at 2019 Bancroft Dr that I've lived beside for 30 years would become a row dwelling containing 5 units/families.

To see the amount of site specific provisions that need to take place verify my concerns.

I am against this application to rezone and against these proposed provisions.

This subject land is too small to accommodate such a build.

In all the provisions it's reducing the minimums, it's going to be all building/parking/refuse bin and no yard.

It would change the curb appeal of a nice front yard to a parking lot with a refuse bin.

The row building itself would take up much of the remaining property, leaving a no real backyard.

This is not the area for such a plan.

It would infringe on the reason why I bought my house 30 years ago. It would encroach on the life I live. We are all single family homes in the immediate area, proud ownership and proud property care, large south facing backyards with Sun all day! This proposed dwelling would shade mine for half that time. I don't want this change. I would lose all privacy in my backyard with 5 families windows facing it.

Another concern of mine is in the winter. Where would they put their snow? We already have issues with the snow piles at the entrance from the city clearing, very high and wide. Bancroft drive is a very busy street and timely to get In-N-Out of the driveway. Can't imagine the traffic of 5 families right next door.

I'm not against people rebuilding, but this extreme build would be life-changing.

There are many places in Sudbury that would accommodate such a build, where the zoning is appropriate and no provisions needed.

If I could be notified of the next steps to voice my concerns at the public meeting when the application is scheduled.

Thanks for your time

James Leclair
2027 Bancroft Dr
Sudbury ON
P3B 1T1
[redacted]

Get Outlook for Android

162 Mackenzie Street, Sudbury

Presented To:	Planning Committee
Meeting Date:	April 13, 2026
Type:	Public Hearing
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Planning and Growth
File Number:	PL-OPA-2025-00021 & PL-RZN-2025-00054

Report Summary

This report provides a recommendation regarding an application for Official Plan Amendment and Rezoning to permit light industrial use within the existing building.

This report is presented by Wendy Kaufman, Senior Planner.

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

Resolution

Resolution Regarding the Official Plan Amendment

THAT the City of Greater Sudbury approves the application by Minewise Technology Ltd. to amend the City of Greater Sudbury Official Plan to permit light industrial use in the Downtown designation on lands described as PIN 02138-0201(LT), LTS 308-322 PLAN 1SC; LOWE ST & PT A LANE PLAN 1SC AS IN S5129; PT LOT5, CON 4, AS IN S55853; EXCEPTING PART 1 ON 53R-16310 AS IN LT874281 AND EXCEPTING PARTS 2,3 AND 4 53R20995; S/T EASEMENT OVER PART 1 ON 53R17102 AS IN LT926815; CITY OF GREATER SUDBURY as outlined in the report entitled “162 Mackenzie Street, Sudbury”, from the General Manager of Planning & Growth, presented at the Planning Committee meeting on April 27, 2026.

Resolution Regarding the Zoning By-law Amendment

THAT the City of Greater Sudbury approves the application by Minewise Technology Ltd. to change the zoning classification on the subject lands from “C4(16)", Office Commercial Special Zone to a revised "C4(16)", Office Commercial Special Zone on lands described as PIN 02138-0201(LT), LTS 308-322 PLAN 1SC; LOWE ST & PT A LANE PLAN 1SC AS IN S5129; PT LOT5, CON 4, AS IN S55853; EXCEPTING PART 1 ON 53R-16310 AS IN LT874281 AND EXCEPTING PARTS 2,3 AND 4 53R20995; S/T EASEMENT OVER PART 1 ON 53R17102 AS IN LT926815; CITY OF GREATER SUDBURY as outlined in the report entitled “162 Mackenzie Street, Sudbury”, from the General Manager of Planning & Growth, presented at the Planning Committee meeting on April 27, 2026, subject to the following conditions:

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

   a) Light industrial use or manufacturing, processing and assembly 1 shall be a permitted use within the existing building on PIN 02138-0201 known as 162 Mackenzie Street; and
   b) A parking rate of 1/110 sq m gfa shall apply to a light industrial use or manufacturing, processing and assembly 1 use.

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

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

Financial Implications

There are no financial implications associated with this report.

Report Overview

This report reviews applications for Official Plan Amendment and Zoning By-law Amendment that are intended to permit light industrial use within the existing building. The lands are designated Downtown in the Official Plan and zoned "C4(16)", Office Commercial Special, where industrial use is not currently permitted.

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

Staff Report

PROPOSAL:

The applications propose to amend the City's Official Plan and Zoning By-law 2010-100Z to permit light industrial use within the existing building, where industrial use is currently not permitted. No site-specific zoning relief has been requested.

The applicant specializes in the designing, manufacturing and servicing of industrial control and audio frequency systems and inspection tools, and this added use would permit them to manufacture these systems on site. The use would be located within the existing building, along with office space. The business is expected to include up to 10 office staff with regular business hours (M-F, 9am-5pm). All operations are to be contained inside the building with no noticeable noise, dust, odour or vibration. Daily deliveries would be via small vehicles (e.g. Purolator) and larger shipments would occur on a 6-month basis. No outdoor storage or additional site lighting is planned.

The submission includes a Planning Justification Report with attached Water and Sewer Capacity Analysis, Heritage By-law 2020-183, Open Border Cross-Over Agreement for parking/access and floor plans; copy of the current site plan control agreement; and concept plan.

Existing Land Use Designation: "Downtown"

Section 4.2.1 Downtown, Policy 1, lists the uses permitted in the Downtown designation and does not include industrial use.

Requested Land Use Designation:

The owners are not seeking to redesignate the subject lands. A site-specific exception is requested to permit light industrial use.

Existing Zoning: "C4(16)", Office Commercial Special

The "C4(16)" zoning permits a range of uses and implements C4 zone standards with site-specific relief for maximum gross floor area, and relief from the parking requirements for the majority of non-residential uses, including business offices, professional offices and restaurants with exception for certain uses. Site-specific relief is included for the property known as 30 Ste. Anne Road (100 Mackenzie Street).

(p) C4(16) (ALTERNATIVE PARKING STANDARDS)
McKim Township Maps Lot 5, Con 4; Lot 6, Con 4
(By-law 2021-177Z)

Notwithstanding any other provision hereof to the contrary, within any area designated C4(16) on the Zone Maps, all provisions of this By-law applicable to C4 Zones shall apply subject to the following modifications:

(i) In addition to the uses permitted in the C4 zone, the following uses shall also be permitted:
Assembly hall, audio/visual studio, bake shop, commercial recreation centre, commercial school, retail store including accessory outdoor display and sales, tavern, theatre, and related accessory uses;

(ii) Notwithstanding Section 7.3, Table 7.3, Special Provision (10), there shall be no limit on gross floor area;

(iii) Notwithstanding Sections 5.3 and 5.5 of the Zoning By-law, the parking standards of the "C6", Downtown Commercial zone shall apply subject to the following exceptions:
(a) Day care centre: 1 per 40 m² of net floor area;
(b) Institutional uses: 1 per 40 m² of net floor area;
(c) Medical office: 1 per 30 m² of net floor area;

(d) Personal service shop: 1 per 33 m² of net floor area;
(e) Retail: 1 per 40 m² of net floor area;
(f) Place of worship: 1 per 30 m² of net floor area;
(g) All other uses including residential: applicable C6 parking standard; and,
(h) The accessible parking requirements of Section 5.2.3.5 shall apply.

(iv) On lands described as PINs 02138-0198, 02138-0199, 02138-0200 and 02138-0202 and municipally known as 30 Ste. Anne Road, the following site-specific provisions shall also apply:
(a) The lot line abutting Mackenzie Street shall be deemed to be the front lot line;
(b) The location of the existing building shall be permitted;
(c) A retaining wall shall be permitted with a zero setback abutting Lot 94, Plan RCP 85-S.

Requested Zoning: Amended "C4(16)", Office Commercial Special

The proposed amended C4(16) zoning would additionally permit light industrial use within the existing building.

Location and Site Description:

The subject property is described as PIN 02138-0201(LT), LTS 308-322 PLAN 1SC; LOWE ST & PT A LANE PLAN 1SC AS IN S5129; PT LOT5, CON 4, AS IN S55853; EXCEPTING PART 1 ON 53R-16310 AS IN LT874281 AND EXCEPTING PARTS 2,3 AND 4 53R20995; S/T EASEMENT OVER PART 1 ON 53R17102 AS IN LT926815; CITY OF GREATER SUDBURY (162 Mackenzie Street, Sudbury). The subject lands are located on the north side of the downtown, in the North-West District in the Downtown Master Plan. The lands have an area of 0.9 ha with 84 m of frontage on Mackenzie Street, and a depth of approximately 113 m. Mackenzie Street is a collector road in this location and is serviced by public transit. The lands are serviced by municipal water and sanitary sewer.

The subject land is a designated heritage property with cultural heritage value or interest as described in By-Law 2020-183. The existing building is a 20th century brick former school known as St. Louis de Gonzague.

Surrounding Land Uses:

Surrounding uses include institutional, commercial and residential uses.

North:	laneway, low density residential use beyond
East:	former Diocese building with office/medical use at 30 Ste. Anne Road (100 Mackenzie Street), Marymount Academy
South:	Red Oak Villa retirement home, Main Public Library
West:	Sudbury Secondary School, low density residential use to the north and south of the school

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

Site photos show the uses in this area.

Public Consultation:

The statutory notice of the applications were provided by newspaper along with a courtesy mail-out to surrounding property owners and tenants within 120 m of the property on February 5, 2026. The statutory notice of the public hearing was provided by newspaper on March 21, 2026, and courtesy mail-out on March 19, 2026.

The owner was advised of the City's policy recommending that applicants consult with their neighbours, Ward Councillor, and key stakeholders to inform area residents about the application prior to the public hearing. The Planning Justification Report indicates that an information letter was provided to all landowners within 120 m of the subject lands. No public comments have been received at the time of writing this report.

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:

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

Several sections of the PPS are relevant to the application.

The lands are defined as part of a settlement area under the PPS. Policy 2.3.1.1 states that settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.

Policy 2.3.1.2 states that 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.

Policy 2.3.1.3 states that 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.

Section 2.4 provides direction for Strategic Growth Areas. Section 2.4.1 General Policies for Strategic Growth Areas, policy (1) states that planning authorities are encouraged to identify and focus growth and development in strategic growth areas. Further, policy (2) states that to support the achievement of complete communities, a range and mix of housing options, intensification and more mixed-use development, strategic growth areas should be planned:
a) to accommodate significant population and employment growth;
b) as focal areas for education, commercial, recreational, and cultural uses;
c) to accommodate and support the transit network and provide connection points for inter- and intra-regional transit; and
d) to support affordable, accessible, and equitable housing.

Policy (3) states that planning authorities should (b) identify the appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas; and (c) permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form.

In section 2.8.1 Supporting a Modern Economy, policy (1) states that planning authorities shall promote economic development and competitiveness by:
a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses; and
d) encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities.

Policy (2) states that industrial, manufacturing and small-scale warehousing uses that could be located adjacent to sensitive land uses without adverse effects are encouraged in strategic growth areas and other mixed-use areas where frequent transit service is available, outside of employment areas.

Policy 3.5.1 states that major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

Section 4.6 Cultural Heritage and Archaeology, policy (1) states that protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.

Growth Plan for Northern Ontario:

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters conform to the Growth Plan for Northern Ontario. Section 4.4 of the Growth Plan establishes Greater Sudbury as one of five northern municipalities that contain 'Strategic Core Areas', which are defined as delineated medium-to-high density areas within identified municipalities that are priority areas for long-term revitalization, intensification and investment. These areas may consist of downtown areas, and other key nodes and significant corridors.

Municipalities are required to identify these areas in their Official Plan and are encouraged to plan for these areas to function as vibrant, walkable, mixed-use districts to attract employment uses and clusters including office and retail, accommodate higher densities, and provide a broad range of amenities accessible to residents and visitors including vibrant streetscapes, shopping, entertainment, transportation connections, lodging, and educational, health, social and cultural services.
The City of Greater Sudbury Official Plan identifies that the City's Strategic Core Areas consist of the Downtown, the Town Centres, the Regional Centres, and the major public institutions listed in Section 4.4. of the official plan (Laurentian University, Cambrian College, College Boreal, Health Sciences North, Science North and Dynamic Earth).

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

Official Plan for the City of Greater Sudbury:

The subject lands are designated Downtown, which is a Strategic Core Area and is within the City's settlement area.

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

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

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

Section 4 of the Official Plan identifies areas where people presently work and lands where employment opportunities will be provided in the future. Section 4.2.1 regarding the Downtown designation states that the 'shoulders' of the Downtown where the subject lands are located are generally characterized by mixed land uses in low and mid-rise buildings. Downtown is the heart of Greater Sudbury and functions as a local and regional centre that services a large catchment area and is also a place where people live. Downtown has a distinct built form, and its revitalization is guided by the Downtown Sudbury Master Plan. Policy 1 states that a wide variety of uses are permitted in the Downtown, consistent with its function as the most diversified commercial Centre in the City. Residential, commercial, institutional, entertainment uses, and community facilities are permitted as set out in the Zoning By-law, provided that sewer and water capacities are adequate for the site. Drive-throughs are not permitted in the Downtown. Policies that support non-residential development do not mention the need for industrial use in this area.

Section 4.2.1.3 regarding the Downtown urban environment, Policy 1, states that It is policy of this Plan to preserve those aspects of the Downtown that contribute to the image, character and quality of life in the City, including natural features, landmarks, design attributes, heritage resources, linkages to existing trails, pedestrian walkways and other desirable elements of the built environment. Policy 3 states that heritage buildings and structures in the Downtown will be protected, as supported by policies on Heritage Resources (Chapter 13.0). Policy 4 states that in order to protect the existing built form, the rehabilitation and reuse of existing buildings that are well-suited and economically viable to adaptive reuse will be encouraged.

Section 10.7 of the Official Plan establishes policies for Noise, Vibration and Odour. Policy 10.7(2) of the Official Plan states that, depending on the type, purpose and location of a development application, a supporting study that addresses noise, vibration, odour and other contaminants may be required to ensure compatibility between existing and proposed uses. The study may recommend various measures that must be implemented by the proponent of a development as a condition of approval. These studies will be conducted in accordance with provincial guidelines established for this purpose.

Section 13.0 Heritage Resources states that heritage buildings also strengthen the diversity of our built form and contribute to an aesthetically pleasing urban environment. With its concentration of older buildings, the Downtown retains a number of underutilized properties that offer opportunities for rehabilitation and the potential to create a powerful symbol of revitalization.

Section 13.2 4 Heritage Structures, Districts and Cultural Landscapes, Policy 4, states that heritage buildings and structures involved in planning applications will be retained for their original use and in their original location wherever possible to ensure that their heritage value is not compromised. If the original use is no longer feasible, adaptive reuse of buildings and structures, will be encouraged where the heritage attributes will not be compromised. If it is not possible to maintain structures in their original location, consideration may be given for the relocation of the structure.

Policy 5 states that adaptive reuse projects that conserve the architectural integrity of heritage buildings and structures are encouraged as a means of enhancing the long-term conservation of heritage resources and promoting the rehabilitation of underutilized properties.

Downtown Master Plan:

The Downtown Master Plan was recently updated in 2026. The subject lands are included in the North-West District. More mixed use development opportunities have been identified in this district to help diversify the area while also providing locations for housing. Ste. Anne Road is intended to be extended to Frood Road and College Street, with a cycle route. Development of a Heritage Strategy is identified as a downtown-wide initiative, to protect existing properties from falling into disrepair and to encourage adaptive reuse of structures with heritage interest in the Downtown.

Zoning By-law 2010-100Z:

Light Industrial Use is defined as follows: An industrial use wholly enclosed within a building and engaged in, or used for:

a) Producing apparel and finished textile products, other than the production of synthetic fibres;
b) Warehousing or storing goods or materials indoors;
c) Printing, duplicating or bookbinding;
d) Manufacturing finished paper and allied products other than processing wood pulp;
e) Producing cosmetics, drugs and other pharmaceutical supplies;
f) Manufacturing or assembling of finished lumber products, metal products, machinery, computer software, electronic products, finished plastic-ware, porcelain, earthenware, glassware or similar articles including, without limiting the generality of the foregoing, furniture, housewares, monuments, toys, musical instruments, jewellery, watches, precision instruments, filters, radios and electronic components, but does not include a tannery or any industrial use accessory to an extractive use.

Manufacturing, Processing and Assembly 1 is defined as follows: A use involving manufacturing, processing and assembly of raw materials or other inputs to produce other goods or materials, or the treatment or modification of any goods and materials, and shall exclude any such uses or activities that involve any of the following: frequent or regular output of fugitive emissions; frequent output of noise, odour, dust or vibration; outdoor processing activities; and/or the outdoor storage of raw materials.

The development standards for the C4(16) zone permit a maximum height of 34.0 m and a minimum height of 8.0 m. The minimum required front yard is 6.0 m, rear yard is 7.5 m and interior side yard for a non-residential use is 0 m except where abutting a residential use or Residential Zone. The maximum lot coverage is 50%, and there is no limit on gross floor area. There is no minimum landscaped open space though a 3.0 m landscape area is required to be provided along the right-of-way, and 10% landscaping is required for parking areas with 75 or more parking spaces. Parking is technically not required for an office or light industrial use in the C4(16) zone, though the rates that typically apply are 1/30 sq m nfa for an office and 1/90 sq m nfa for a light industrial use. One loading space is required for a building with up to 4500 sq m gfa.

Site Plan Control:

The lands are currently subject to a site plan control agreement with the City. The agreement was initially registered in 2020 and then amended in 2021 (as a condition of related rezoning file 751-6/20-16) to add a heritage schedule to incorporate the twin entrances and porticoes on the south elevation of the existing building, to revise the adjacent parking layout, and to require a Cultural Heritage Impact Assessment for any new buildings that would impact the view corridor of the south elevation of the building from the street line. The proposed interior alteration of the existing building would not require the agreement to be amended or trigger a Cultural Heritage Impact Assessment. The need for an amendment to the site plan is confirmed through review of a building permit application and is dependent on the scale of site changes proposed.

The site plan control agreement is registered on the properties known as 162 Mackenzie, 30 Ste. Anne Road (100 Mackenzie Street), 38 Xavier Street, and 20 Ste. Anne Road. The agreement reflects the intent to develop the subject lands as an integrated site with shared parking and access (detailed in the Open Border Cross-Over Agreement).

Related Applications:

Previous rezoning application 751-6/20-16 resulted in the current "C4(16)", Office Commercial Special Zone, which applies to 162 Mackenzie, 30 Ste. Anne Road (100 Mackenzie Street), and 38 Xavier Street. Previously the "C4(16)" zone only applied to 162 Mackenzie and resulted from a residential proposal that was approved in 2009 but did not proceed.

Minor variance application A0101/2027 provided relief for the location of a proposed retaining wall along the north and east lot line, and parking reduction, which were not incorporated into the site-specific zoning.

Department/Agency Review:

Fire Services, Conservation Sudbury and Transit have advised of no concerns.

Development Engineering advises the site is serviced with both municipal water and sanitary sewer.

Building Services advises that a building permit is required for any construction/alterations and change of use. Parking calculations will be verified at the building permit stage based on the net floor area of the proposed light industrial use, as submitted with the permit application.

Staff from Strategic & Environmental Planning advise that the property is designated pursuant to the Ontario Heritage Act, 1990. Section 29 of the Heritage Act prohibits the alteration of the property if the alteration is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes in By-law 2020-183 available online here: https://www.greatersudbury.ca/play/arts-culture-and-heritage/heritage-sites/designatedheritage-sites/by-law-2020-183-mackenzie-st/. The proposed development does not impact the identified heritage attributes noted in By-law 2020-183. Detailed comments are provided regarding the process if changes to any heritage attributes are proposed. The applicant is also advised that compliance with legislation pertaining to migratory birds, fish and wildlife conservation and endangered species is their sole responsibility.

Planning Analysis:

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

The applications would permit light industrial use within the existing building.

The subject lands are in a Strategic Core Area, which the Growth Plan identifies as being priority areas for long-term revitalization. The Official Plan identifies the lands as within a 'shoulder' area of Downtown as a mix of land uses in low and mid-rise buildings. Enabling the additional use of the property will contribute to it redevelopment and revitalization. It is not anticipated that the proposed additional uses will detract from the overall function of this Downtown area. The applications also align with PPS and Official Plan policies that acknowledge the link between land use planning and economic prosperity and maintaining a range of sites to provide employment opportunities.

The subject lands are within a fully serviced settlement area and within the built boundary. The applications align with the PPS as well as the Official Plan regarding directing development to settlement areas to promote long-term economic prosperity by optimizing the use of land and infrastructure. The Water and Sewer Capacity Analysis confirms sufficient water and sewer capacity for the proposal. The applications will enable the efficient use of the surrounding transportation infrastructure and are not anticipated to cause operational impacts.

Regarding land use compatibility, the PPS and the Official Plan requires separation between industrial and sensitive land uses to protect public health and safety and maintain the long-term operational viability of these areas. Staff has no concerns with the submitted Planning Justification Report which describes the use as a Class I Industry, that there are no sensitive uses within the recommended 20 metre separation distance, and that the proposal is compatible with the surrounding land uses.

The Official Plan and the Downtown Master Plan identify the continued need to enhance the quality of the urban environment, including opportunities to revitalize the Downtown. It is not expected that the proposed additional use will affect the ability to achieve these broader goals.

The lands are a designated heritage property and the exterior of the existing building has cultural heritage value or interest that is protected through a registered site plan control agreement with the City. The proposal to permit light industrial use within the existing building will not compromise the heritage attributes of the building. The additional light industrial use permission will enable the redevelopment of the interior of the building and service to promote the long-term conservation of this heritage resource over the long-term.

Staff recommends that parking be required for the proposed light industrial use at the new rate of 1/110 sq m gfa being implemented through a general amendment to the zoning by-law. The property is located within a Downtown transition area rather than within the Central Business District where requirements are minimal. This will ensure that an adequate amount of parking is maintained on the site for the proposed light industrial use.

Given the timing of the application with respect to general updates to the industrial use definitions in the zoning by-law, staff recommends that the resolution refer to the permitted use as ‘light industrial use’ or ‘manufacturing, processing and assembly 1’. The implementing by-law will likely refer to the use as ‘manufacturing, processing and assembly 1’.

Conclusion:

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

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

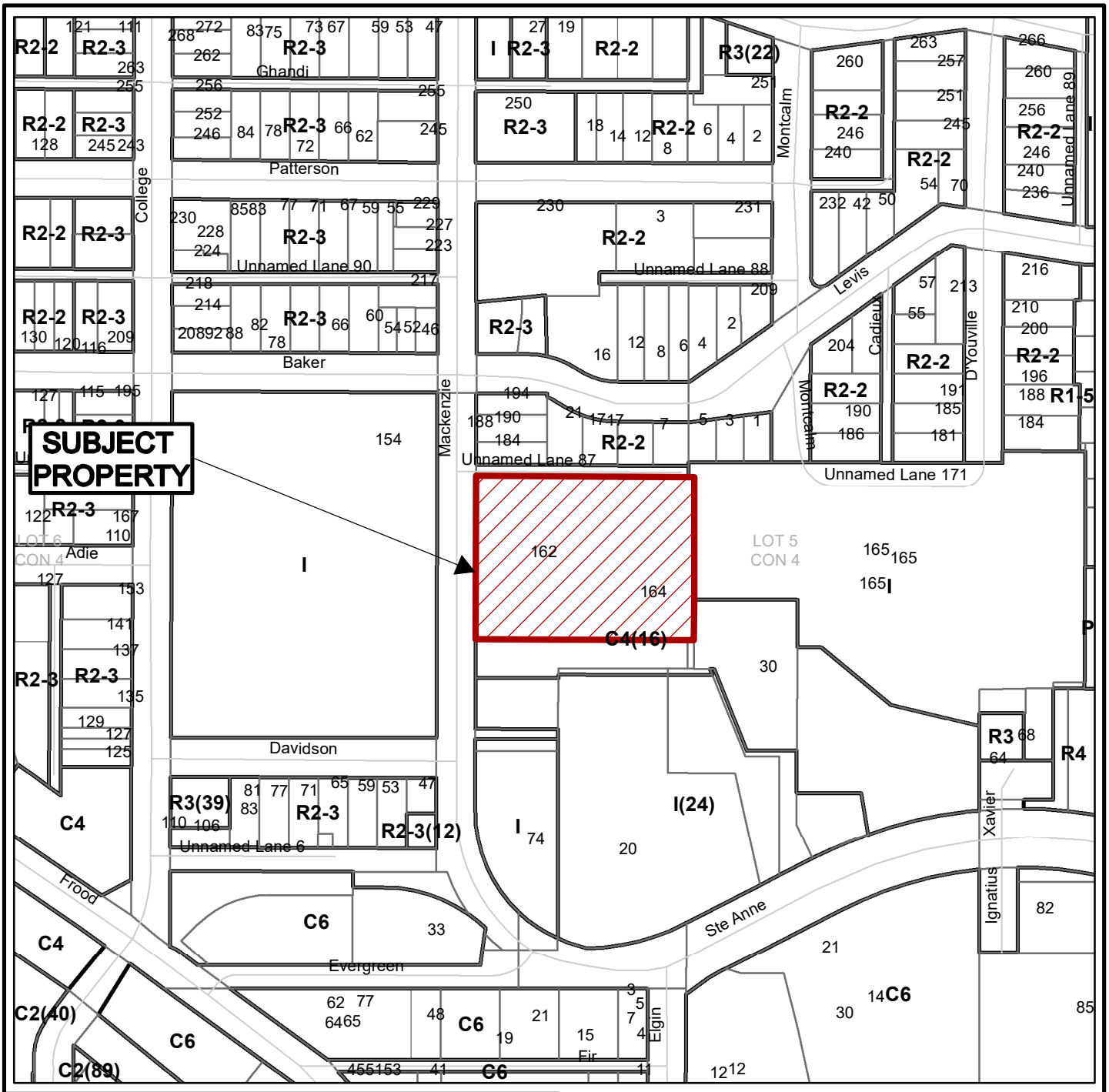
- to permit the development of light industrial use within the existing building, with required parking.

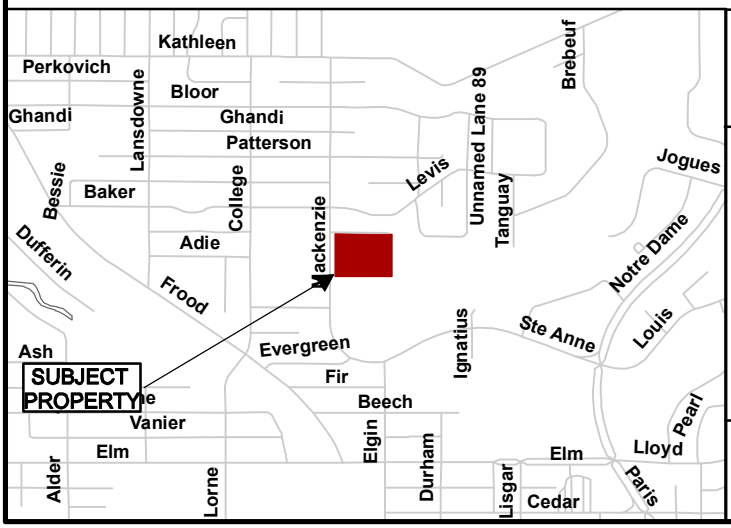
The development of the subject land achieves a number of policy directives, including the promotion of economic development in a manner that considers the available servicing and compatibility with adjacent uses. Staff has considered, amongst other matters, a full range of factors through a detailed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

Staff is satisfied that the applications are consistent with the PPS and conform to 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:

- Enabling additional use of the property will contribute to the overall revitalization of the building.
- It is not anticipated that the proposed additional use will detract from the overall function of the Downtown core.
- There are no identified servicing constraints, and traffic can be accommodated.
- The proposal is compatible with surrounding land uses.

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





Growth and Infrastructure Department

N

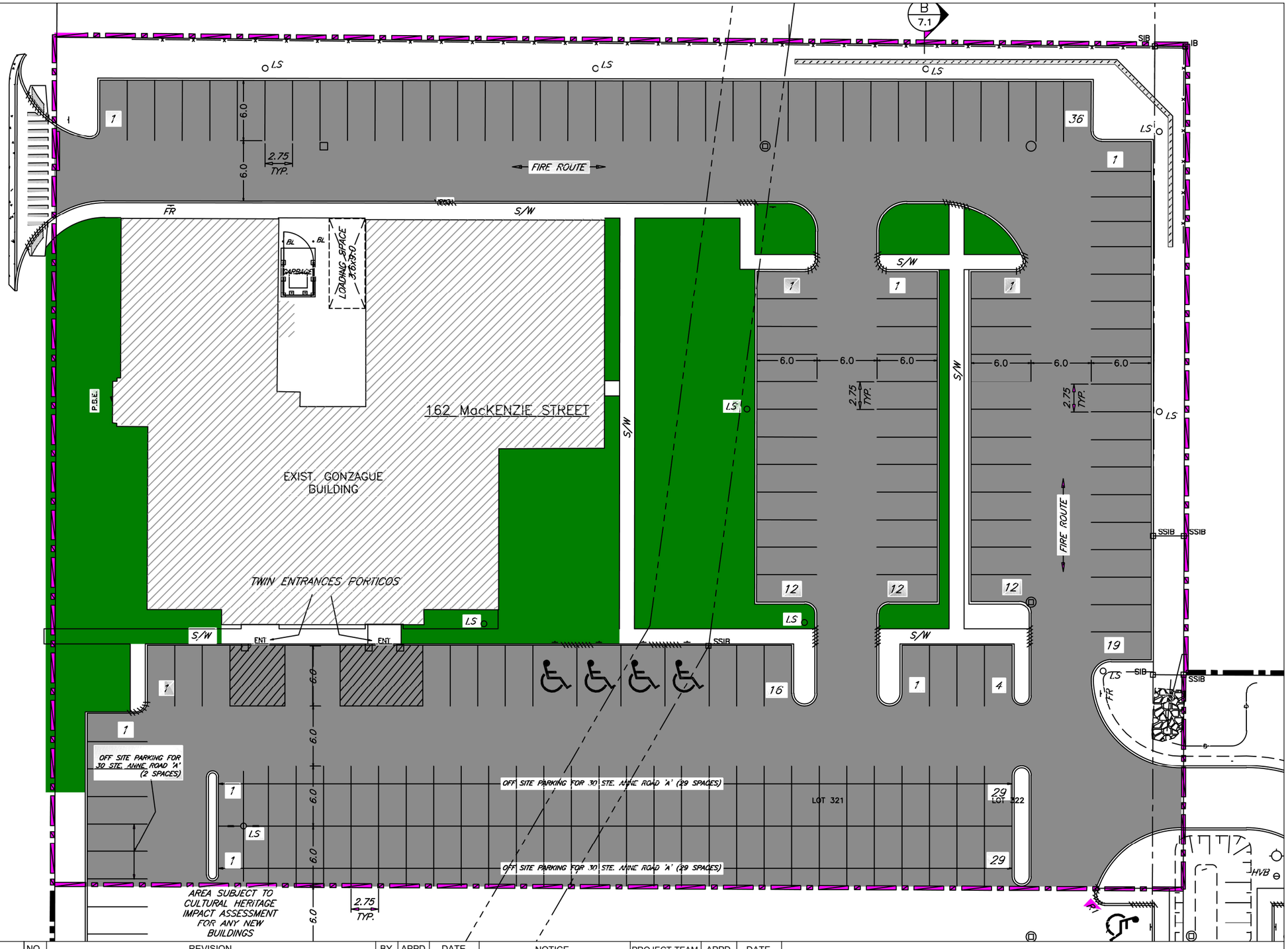
SUBJECT PROPERTY BEING PIN 02138-0201(LT),
LTS 308-322 PLAN 1SC; LOWE ST & PT A LANE
PLAN 1SC AS IN S5129; PT LOT5, CON 4, AS IN S55853;
EXCEPTING PART 1 ON 53R-16310 AS IN LT874281 AND
EXCEPTING PARTS 2,3 AND 4 53R20995; S/T EASEMENT
OVER PART 1 ON 53R17102 AS IN LT926815;
162 MACKENZIE STREET, SUDBURY,
CITY OF GREATER SUDBURY

NTS
Sketch 1

PL-RZN-2025-00054
PL-OPA-2025-00021
Date: 2026 01 22

Green Space:
14,855 ft2

Paved Area:
61,712 ft2



DWG. NO.	REFERENCE	NO.	REVISION	BY	APPD	DATE
		1	---	JH	---	MM/DD/YY

NOTICE

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PROJECT-TEAM	APPD	DATE
---		MM/DD/YY

MINEWISE TECHNOLOGY LTD.

DATE: 2024-05-30	162 Mackenzie St	SCALE: NTS
DWN. BY: J. Henderson	Site Plan	ER No:
CHK'D BY:		CRIO No:
APP'D BY:		MW3009-S001
APP'D BY:		

Site Statistics

Address:McKim Map 1, Lot 5, Conc. 4

ZONING	① 20 STE. ANNE ROAD	Zoning Institutional	I(24)
	② 30 STE. ANNE ROAD	Zoning Office Commercial	C4(16)
	③ 38 XAVIER STREET	Zoning Office Commercial	C4(16)
	④ 162 MacKENZIE STREET	Zoning Office Commercial	C4(16)
LEGAL DESCRIPTION:	Part of Lot 5, Conc. 4, McKim Twp., Sudbury District		

ZONE STANDARDS:	REQUIRED/ALLOWED				PROVIDED			
	①	②	③	④	①	②	③	④
MIN. LOT AREA:	900 m^2	540 m^2	540 m^2	540 m^2	13141 m^2	7318 m^2	6815 m^2	9522 m^2
MIN. LOT FRONTAGE:	30.0 m	18.0 m	18.0 m	18.0 m	90.6 m	46.0 m	99.3 m	84.8 m
MIN. LOT DEPTH:	–	–	–	–	–	–	–	–
MIN. REQUIRED FRONT YARD:	15.0 m	6.0 m	6.0 m	6.0 m	24.3 m (EXIST.)	136.1m (EXIST.)	–	5.6 m (EXIST.)
MIN. REQUIRED REAR YARD:	10.0 m	7.5 m	7.5 m	7.5 m	8.5 m	4.1 m (EXIST.)	–	57.9 m
MIN. REQUIRED INTERIOR SIDE YARD:	10.0 m	SEE ZBL	SEE ZBL	SEE ZBL	4.6 m (EXIST.)	2.1 m (EXIST.)	–	26.2 m (EXIST.)
MIN. REQUIRED CORNER SIDE YARD:	15.0 m	4.5 m	4.5 m	4.5 m	–	–	–	18.0 m (EXIST.)
MAX. LOT COVERAGE:	50 %	50 %	50 %	50 %	36.0 %	18.0 %	–	17.7 %
MAX HEIGHT:	50.0 m	34.0 m	34.0 m	34.0 m	18.0 m	44.0 m	–	12.0 m
MIN. LANDSCAPED OPEN SPACE:	15 %	* SECTION 4.15	* SECTION 4.15	* SECTION 4.15	> 15 %	> 15 %	> 15 %	> 15 %
BUILDING SEPARATION:	15.0 m	–	–	–	13.0 m	13.0 m	–	24.3 m (EXIST.)
MAX. GROSS FLOOR AREA:	–	–	–	–	–	–	0 m^2	–
PARKING VEHICLES:	RETIREMENT: (0.25/UNIT) 207 UNITS=52 MEDICAL: (1/20 SM NFA) 100 SM=5 INSTITUTIONAL: (1/20 SM NFA) 298 SM=15 / 72	MEDICAL: (1/30 SM NFA) 258 SM=9 INSTITUTIONAL USES: (1/40 SM NFA) 959 SM=23 PLACE OF WORSHIP: (1/30 SM NFA) 1010 SM=34 / 66	–	MEDICAL: (1/30 SM NFA) 77 SM=3 PERSONAL SERVICE SHOP: (1/33 SM NFA) 337 SM=10 RETAIL: (1/40 SM NFA) 167 SM=4 / 17	46 ON-SITE 26 OFF-SITE *** / 72	50 ON-SITE 87 OFF-SITE ** / 137	EXISTING 60	88 ON-SITE / 88
BICYCLES:	10	2+(1/500 SM GFA) = 10	–	2+(1/500 SM GFA) = 14	10	10	–	14
ACCESSIBLE PARKING	FOR 72 AUTO SPACES = 2	FOR 155 AUTO SPACES = 4 FOR 66 AUTO SPACES = 2	–	FOR 222 AUTO SPACES = 5 FOR 119 AUTO SPACES = 3	4	4	–	4
LOADING SPACES	1	1	–	1	1	1	–	1
LANDSCAPED PARKING AREA	–	10 %	–	10 %	830 / 4430 = 18 %	658 / 2594 = 33 %	–	1650 / 5450 = 30 %

REFER TO ZONING BY-LAW 2010-100Z
OFF-SITE PARKING SPACES TO BE PROVIDED FROM 162 MacKENZIE STREET.
OFF-SITE PARKING SPACES TO BE PROVIDED FROM 30 STE. ANNE ROAD
= GROSS FLOOR AREA
= NET FLOOR AREA
= SQUARE METRE

Box 5000, Station 'A'
200 Brady Street
Sudbury, Ontario P3A 5P3
(705) 671-2489 ext 4295
(705) 673-2200 FAX

COMMENT(S) FOR APPLICATION PL-RZN-2025-00054
162 Mackenzie Street
Sudbury, P3C 4X8

Development Engineering	02/27/2026	Development Engineering has reviewed the above noted application. These areas is presently serviced with municipal water and sanitary sewer. We have no objection to amend By-law 2010-100Z being the City of Greater Sudbury Zoning By-law from “C4(16)”, Office Commercial Special, to "C4(16)", Office Commercial Special Zone
Strategic and Environmental Planning	02/24/2026	Staff from SEP do not have concerns with the proposed development. 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. The subject property is designated pursuant to the Ontario Heritage Act, 1990. Section 29 of the Heritage Act prohibits property owners from altering the property (or permit the alteration of the property) if the alteration is likely to affect the property’s heritage attributes, as set out in the description of the property’s heritage attributes in By-law 2020-183. By-law 2020-183 can be found here: https://www.greatersudbury.ca/play/arts-culture-and-heritage/heritage-sites/designated-heritage-sites/by-law-2020-183-mackenzie-st/ . The proposed development does not impact the identified heritage attributes noted in By-law 2020-183. To that end, should any changes to any heritage attributes be proposed through the site plan control process, a heritage impact assessment (HIA) will be required prior to the issuance of a building permit. Approval from Council may be required depending on the impacts to the heritage attributes. This HIA must be prepared by a qualified heritage conservation professional, such as a heritage planner, heritage architect and/or heritage landscape architect, with demonstrated knowledge of accepted heritage conservation standards, and experience with historical research and identification/evaluation of cultural heritage value. The professional should be registered with the Canadian Association of Heritage Professionals and in good standing. The qualifications and background of the professional completing the HIA must be included in the report.
Strategic and Environmental Planning	02/24/2026	Staff in SEP have reviewed the proposed development and do not have any concerns for the proposed OPA.
Building Services	02/20/2026	Based on the information provided, Building Services has no concerns with this application other than the following comments: 1) Parking calculations to clearly reflect existing and proposed uses. Parking calculations will be verified at the building permit stage based on the net floor area of the proposed light industrial use, as submitted with the permit application. 2) Proposed construction and alterations require a building permit and submission of all required documents to the satisfaction of the Chief Building Official.

		3) The future change of use will require the submission of a Change of Use Permit and all associated documentation, to the satisfaction of the Chief Building Official.
Fire Services	02/03/2026	No Concerns
Conservation Sudbury	01/29/2026	No Concerns
Financial Services	01/28/2026	There are no financial implications associated with this report.
Transit	01/27/2026	No Concerns

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COMMENT(S) FOR APPLICATION PL-OPA-2025-00021
162 Mackenzie Street
Sudbury, P3C 4X8

Strategic and Environmental Planning	02/24/2026	Staff in SEP do not have any concerns with the proposed OPA.
Development Engineering	02/19/2026	No Concerns
Building Services	02/12/2026	To amend the Official Plan for the City of Greater Sudbury to provide a site-specific exemption to the Downtown designation policies to permit light industrial use. Building Services has reviewed the application for Official Plan Amendment and can advise that we have no concerns with the request. Comments by R.Armstrong Uploaded by A.Dittrich in her absence
Financial Services	02/05/2026	There are no financial implications associated with this report.
Fire Services	02/04/2026	No Concerns
Conservation Sudbury	01/29/2026	No Concerns
Transit	01/27/2026	No Concerns

JLR No.: 33173-000 **December 18, 2025**

Prepared for:

MINEWISE TECHNOLOGY LTD
JAMES HENDERSON
162 Mackenzie Street
Sudbury, ON
P3C 4X8

Prepared by:

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Planning Rationale


Image source from Google maps 2025

Official Plan Amendment & Zoning By-law Amendment

162 Mackenzie Street, Sudbury ON
Minewise Technology Ltd.

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Attachment A Heritage By-law 2020-183 (City of Greater Sudbury)
Attachment B Open Border Cross-Over Agreement
Attachment C Sewer and Water Capacity Analysis (City of Greater Sudbury)
Attachment D Site Plan draft (Minewise Technology Ltd.)
Attachment E Official Plan Amendment DRAFT By-law
Attachment F Zoning By-law Amendment DRAFT By-law

1.0 INTRODUCTION

1.1 Executive Summary

J.L. Richards & Associates Limited (JLR) has been retained by Minewise Technology Ltd. (Minewise) to prepare a Planning Rationale in support of an Official Plan Amendment application and a Zoning By-law Amendment application to be submitted to the City of Greater Sudbury (City) for the subject property located at 162 Mackenzie Street.

The subject property contains an existing heritage building located in the Downtown designation of the City's Official Plan and is zoned Office Commercial (C4(16)). Minewise is proposing to convert and revitalize the existing building and create usable space inside for its current business, consisting of light industrial manufacturing and office space.

The Official Plan Amendment application is required to address the Downtown policies for permitted uses to include light industrial, specific to the subject property. The Zoning By-law Amendment application is required to permit the addition of light industrial uses in the existing C4(16) Zone.

1.2 Purpose

This Planning Rationale is in support of the Official Plan Amendment and the Zoning By-law Amendment applications submitted to permit a light industrial use in the existing building located at 162 Mackenzie Street. As part of the SPART consultation with the City, a Planning Rationale is required as part of the application submission and aims to assist the City in their review.

The purpose of the applications are to support the existing business practices of Minewise Technologies Ltd. that consist of offices and light industrial manufacturing including small to medium size electronics and electronic testing. We will provide an analysis of the surrounding land uses and existing conditions on the subject lands in order to demonstrate how the applications comply with the Planning Act, the Provincial Planning Statement, the Growth Plan for Northern Ontario, the City's Official Plan and Downtown Master Plan, and the City's Zoning By-law and represent good planning.

2.0 SITE CONTEXT

This section will provide an overview of the subject property, a site description and surrounding land context. This will provide the basis for the applicable policies to demonstrate how the proposed OPA and ZBLA applications support the proposed additional use on the subject property.

2.1 Subject Property Description

The subject property is located at 162 Mackenzie Street in the City of Greater Sudbury (see Figure 1). It is legally described as LTS 308-322 PLAN 1SC; LOWE ST & PT A LANE PLAN 1SC,AS IN S5129; PT LOT5, CON 4, AS IN S55853; EXCEPTING PART 1 ON 53R-16310 AS

IN LT874281 AND EXCEPTING PARTS 2,3 AND 4 53R20995; S/T EASEMENT OVER PART 1 ON 53R17102 AS IN LT926815. CITY OF GREATER SUDBURY shown approximately in Figure 1 below.

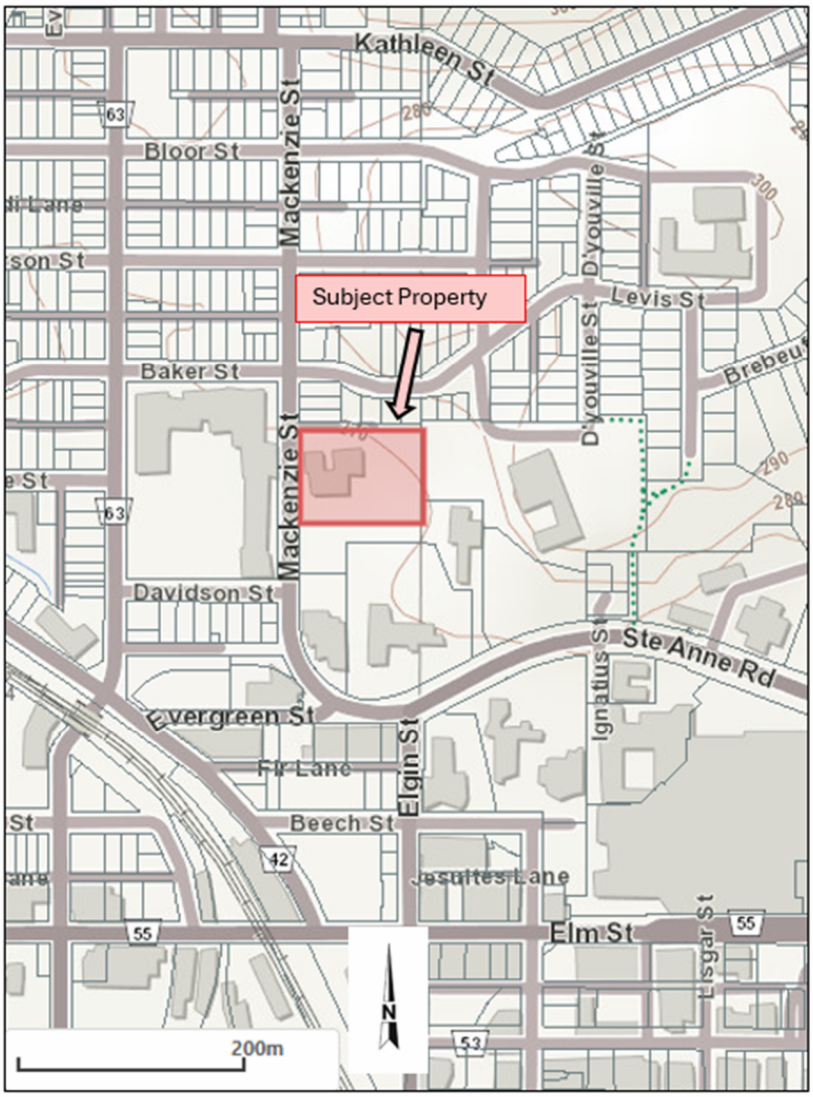


Figure 1 – Subject Property location *(source – City's website Zone Map)*

The property is designated Downtown on Schedule 1a – Land Use Overview in the City's Official Plan. The property is zoned C4(16) on the City's interactive Zoning Map (Zone Map).

The property is approximately 0.95 ha in area with frontage on Mackenzie Street of approximately 84 m (see Figure 2). There is an existing building on the property which is designated under the *Ontario Heritage Act*, 1990 and subject to the City's By-law 2020-183 specific to 162 Mackenzie Street. There are no proposed changes to the building that would affect the attributes of its heritage status. The property is subject to a Site Plan Control Agreement with the City dated 4-OCT-2019 and amended 20-MAY-2021. The agreement captures development that occurred to the property and considered parking requirements, stormwater management, a heritage

assessment, landscaping, outdoor garbage storage, onsite lighting and water and sewer connections. The City has a copy of the agreement on file.

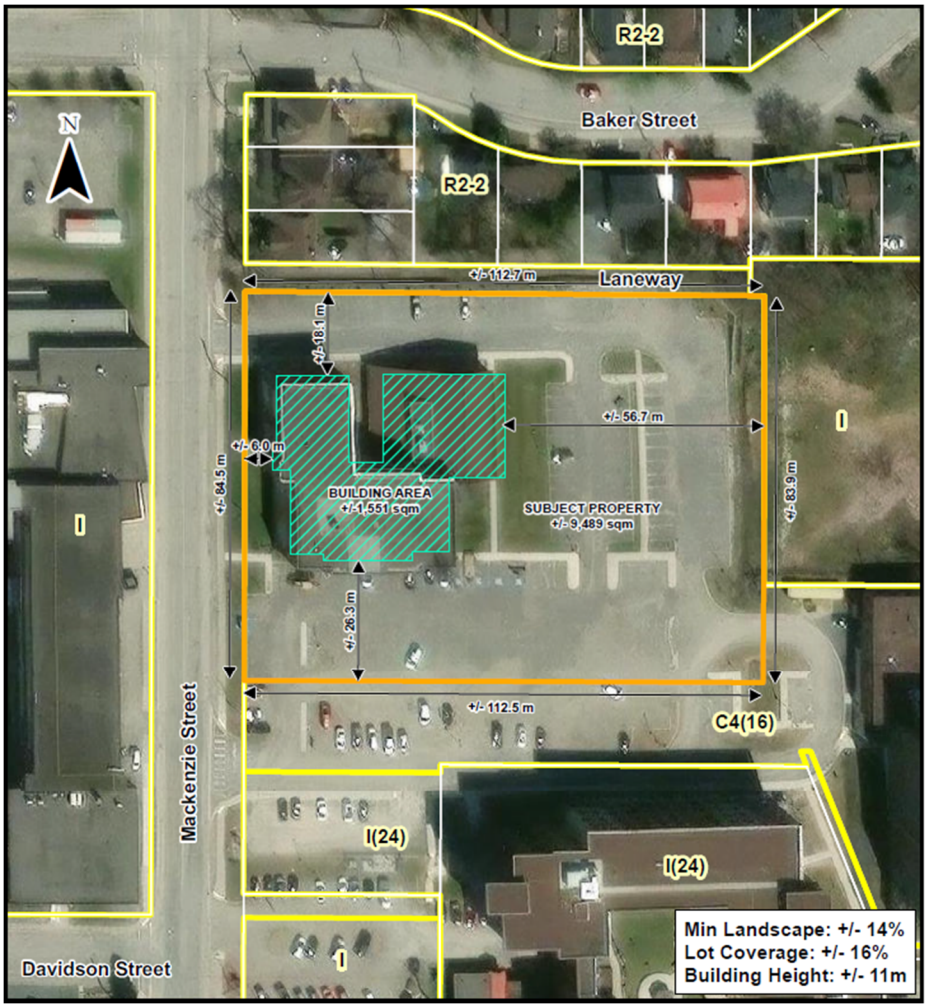


Figure 2 – Subject Property *(approximate location and scale)*

2.2 Surrounding Lands Context

The subject property is adjacent to:

- residential use to the north
  - Living Area 1 designation on the Official Plan Land Use Schedule
  - R2-2 Zone on the Zoning By-law mapping (Figure 2)
- Institutional designation and Zone to the west known as Marymount Academy of the Sudbury Catholic District School Board
- Institutional designation and Zone across Mackenzie Street to the east known as Sudbury Secondary School
- Properties to the south are:
  - Downtown designation
  - I Zone (Institutional) and I(24) Zone (Special Institutional Zone 24) (Figure 2)

3.0 PROPOSED DEVELOPMENT

The applicant proposes to reinvest in upgrades to the inside of the existing building to accommodate their business (office space and light industrial manufacturing) and renovate the rest of the building internally (Figure 3 – Site Plan).

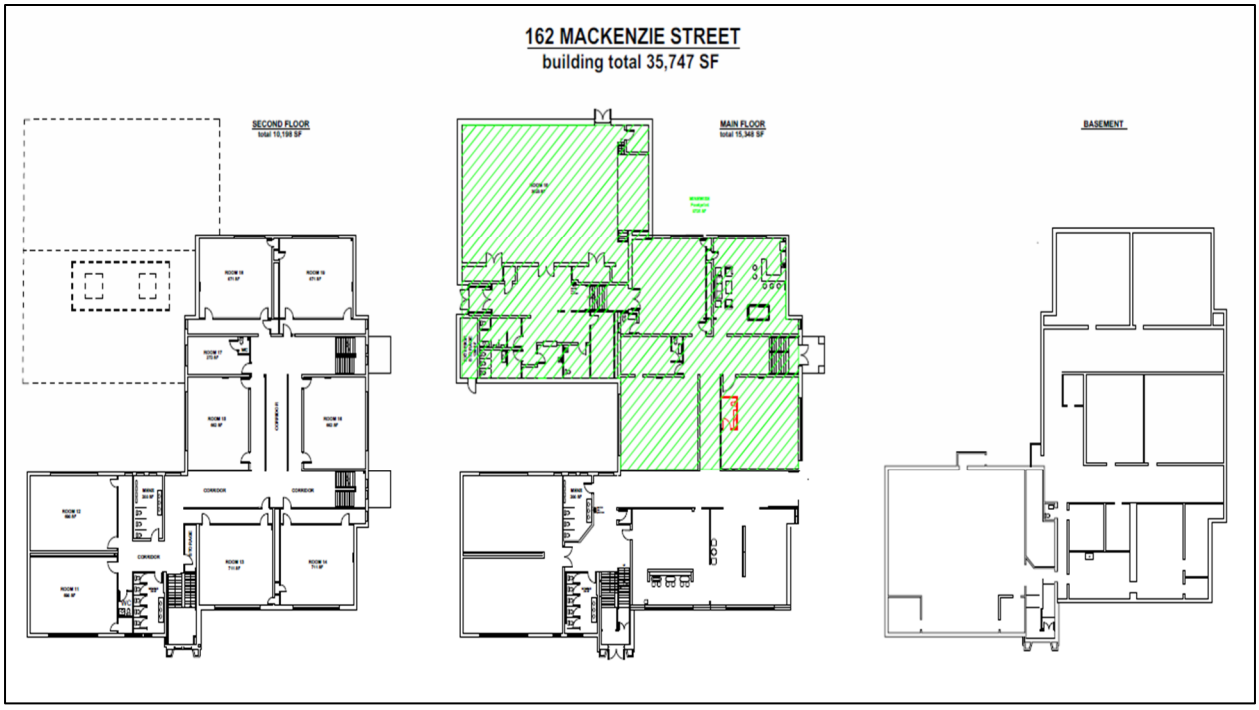


Figure 3 – Proposed Site Plan *(internal renovations – applicant supplied)*

Minewise specializes in the designing, manufacturing and servicing of industrial control and radio frequency systems for the mining, forestry, agricultural and construction industries. This includes inspection tools that provide 3D scans and video for clients (Figure 4). Their location at 162 Mackenzie Street will require a 'light industrial' use be added to the C4(16) Zone to permit the manufacturing of these systems.



Figure 4 – Examples of radio frequency systems proposed to be assembled
(Source = Minewise website https://www.minewise.com/)

Presently, there are three office staff located in the building with the intention of accommodating up to ten staff. The business hours are Monday to Friday, 9am to 5pm. Within the working hours, all operations are to be contained inside the building with no noticeable noise, dust, ordours or vibration being generated. Parking on-site is sufficient for the existing and planned staff, rare client visits, daily deliveries (e.g. Purolator) and larger shipments occurring once every six months. There will be no outside storage required, and no additional outdoor lighting planned.

At the pre-consultation stage, the City described the necessary reports and plans to be submitted with the applications for consideration including:

- Applications submitted through Pronto
- Planning Justification Report
- Public Consultation Strategy
- Concept Plan
- Land Use Compatibility Opinion (part of the Planning Justification Report)
- Sewer/Water Capacity Analysis

4.0 POLICY FRAMEWORK

The applications for an Official Plan Amendment and a Zoning By-law Amendment require that they be assessed against current provincial policies to ensure they conform and/or do not conflict with these policies. Below, we will review the *Planning Act*, the Provincial Planning Statement, the City's Official Plan and Zoning By-law as they relate to the request to include light industrial as a permitted use on the subject property.

4.1 Planning Act, R.S.O. 1990

The *Planning Act* sets the ground rules for land use planning in Ontario. Its purpose is to provide guidelines for planning processes, promote sustainable economic development in a healthy natural environment, lead land use planning through policy, and integrate matters of provincial interest into provincial and municipal planning decisions by requiring that all decisions be consistent with the Provincial Planning Statement and conform/not conflict with provincial plans. The Act details application procedures, notice requirements and public participation requirements, among other matters. These applications are in accordance and in compliance with the requirements of Sections 16 and 34 of the Act for development of this nature.

Section 2 of the Act requires a municipality of council in carrying out their responsibilities under the Act, to have regard to matters of provincial interest such as:

c) *the conservation and management of natural resources and the mineral resource base;*

- There are no natural resource features or mineral resources base identified on the subject property, so there are no potential conflicts.

d) *the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;*

- The subject property is designated under the *Ontario Heritage Act*, 1990. As per By-law 2020-183 (Attachment A), the property is prohibited from being altered in any way that would affect the property's heritage attributes. The applications do not propose any changes to the property or it's building that would alter the Heritage status of the property.

e) *the supply, efficient use and conservation of energy and water;*

- The subject property is serviced by existing infrastructure with no new infrastructure being proposed.

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

- The subject property is serviced by municipal services and there were no reported concerns noted by City staff through pre-consultation.

g) *the minimization of waste;*

- The proposed development will reuse an existing building by renovating internally to repair and modify the existing structure.

h) *the orderly development of safe and healthy communities;*

- The proposed change of use is within an existing building within the Downtown core and identified as a transition zone between the traditional Downtown and the more residential area to the north. This aims to support a mix of uses

including residential, retail, commercial, institutional and light industrial. In addition, a desktop analysis using the Province's D6 Compatibility between Industrial Facilities Guide. Based on the analysis, there are no anticipated impacts on the sensitive land uses within 70 metres of the building, and there are no sensitive land uses within the Province's recommended 20 metre setback from a Class I industrial facility and a sensitive land use.

(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;

- Design considerations and internal renovations will be required to meet AODA requirements.

i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;

- The applications to include 'light industrial' as a permitted use will include the interior renovation of the existing building to accommodate the use, and potential space for community use or compatible business rental spaces.

k) the adequate provision of employment opportunities;

- The applications are proposed to increase employment opportunities in the existing building and neighbourhood by relocating a light manufacturing use associated with an existing office use, and by creating useable space within the existing building for other business rental or lease opportunities.

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

- The applications propose to add an additional use to an existing building that will increase the economic potential of the existing business and create opportunities for other compatible businesses to locate within the renovated building.

o) *the protection of public health and safety;*

- The applications are compatible with surrounding land uses as confirmed by D-Series desktop review. There are no concerns for public health and safety with the proposed change of use on the subject property.

p) the appropriate location of growth and development;

- The proposed applications are requesting a change of use to an existing property located in the Downtown designation of the City that is currently zoned as C4(16) – Office Commercial Special to expand the use to include 'light industrial' which would permit additional growth and development of the economic potential of the area.

q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;

- The applications to include an additional use to the existing zoning will provide for sustainable business development of the existing property. The subject property has access to public transit and is located in a designated pedestrian friendly area as Mackenzie Drive is a collector road with sidewalks for pedestrians.

(r) the promotion of built form that,

(i) is well-designed,

(ii) encourages a sense of place, and

(iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

- The applications propose to keep the existing Heritage designation intact and conduct interior renovations and upgrades to the existing building. This in turn, is to support the current business operations and include an expanded use to be situated all in one location. The Heritage building will remain as a community reminder of the past uses and history of the site – supporting a sense of place in the neighbourhood. With interior renovations to the building, there will be future opportunities for other businesses and potentially community organizations to also use a dedicated space inside.

(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.

- The proposed change of use will enable an existing business to consolidate its operations within one location – reducing their travel, processing and shipping requirements. Providing space in the existing building for other businesses in the community to rent or lease will enable consolidation of uses in a compact form to reduce climate impacts.

4.2 Provincial Planning Statement, 2024

The Provincial Planning Statement 2024 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. Section 3 of the *Planning Act* requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the Act, which includes the PPS. The PPS describes the importance of a prosperous Province that includes building more homes for all Ontarians. It includes support for a strong and competitive economy that is prioritized by a compact and transit-supportive design to optimize infrastructure and public service facilities.

Section 2.4 sets out general policies for Strategic Growth Areas in communities that will be the focus of growth and development. To achieve complete communities, planning authorities are

encouraged to support employment growth that permits development and intensification, and redevelopment for underutilized lands.

Policy 2.8.1 describes employment policies and that planning authorities shall promote development and competitiveness by:

a) providing for an appropriate mix and range of employment, institutional and broader mixed uses to meet long-term needs
b) providing for a diversified economic base of suitable employment sites to support a wide range of economic activities and ancillary uses
c) identifying strategic sites for investment including market-ready sites
d) encouraging intensification of employment uses in compatible, compact, mixed-use development
e) addressing land use compatibility adjacent to employment areas

Policy 2.8.1.2 states that industrial, manufacturing and small-scale warehousing areas that could be located adjacent to sensitive land uses without adverse effects are encouraged in strategic growth areas and other mixed-use areas where frequent transit service is available.

Section 2.9 directs planning authorities to reduce greenhouse gas emissions through supporting compact, transit-supportive and complete communities.

Section 3.5 describes land use compatibility between sensitive land uses and the potential adverse effects from odour, noise and other contaminants relating to industrial, manufacturing or other major facilities while ensuring the long-term operational and economic viability of major facilities. Mitigation of potential impacts are to be minimized in accordance with provincial guidelines, standards and procedures.

Section 4.6 describes, in part, the importance of cultural heritage, and that protected heritage property shall be conserved.

The Official Plan Amendment and Zoning By-law Amendment applications are consistent with the policies of the PPS as they are proposing to add a ‘light industrial’ use to an existing building located in the Downtown area of the City. The addition of this use will direct growth and development to a strategic growth area that aims to provide a mix of employment opportunities while providing an opportunity for redevelopment and intensification of the existing building. The applications consider land use compatibility with the surrounding neighbourhood, including residential use to the north, and will minimize any potential impacts identified through provincial guidelines. The heritage designation of the existing building will remain unchanged as upgrades to the building will be internal to preserve the cultural importance of the exterior design.

4.3 Growth Plan for Northern Ontario, 2011

The Growth Plan for Northern Ontario (GPNO) was developed under the *Places to Grow Act, 2005*, to establish a strategic framework to guide decision-making for investments in economic growth. It contains general policies relating to the promotion of economic prosperity, environmental stewardship, and promoting strong, sustainable communities in the north.

Section 2.2 describes the economic action plan and details that the province will focus economic development within the advanced manufacturing sector as an area of distinct competitive

advantage. This includes attracting investment, strengthening networks and collaboration, growing and retaining existing competitive businesses, including export development activities and diversification into value-added business opportunities. The advanced manufacturing sector should be supporting innovation, research and commercialization of value-added products and services, and working with prospective investors to identify Northern Ontario opportunities.

Section 3.4 describes the importance of municipalities supporting a healthy population by providing for a diverse mix of land uses, a range and mix of employment and housing types, high-quality open spaces, and ease access to local stores and services.

Section 4 refers to communities in the north, and that they be well-planned and thoughtfully designed to attract investment and support economic development. The City of Greater Sudbury is considered one of the economic hubs in the north that has developed strategies to achieve economic, social and environmental sustainability. The City contains strategic core areas – which should be developed with consideration to a revitalization strategy that includes intensification and investment opportunities. Downtown Sudbury is one of the City's strategic core areas. As per Section 4.4.2 of the GPNO, planning for these areas so they function as vibrant, walkable, mixed-use districts will be a priority so they can:

a) attract employment uses and clusters, including office and retail;
b) accommodate higher densities;
c) provide a broad range of amenities accessible to residents and visitors including vibrant streetscapes, shopping, entertainment, transportation connections, lodging, and educational, health, social, and cultural services.

The proposed Official Plan Amendment and Zoning By-law Amendment do not conflict with the policies of the GPNO. The applications support the above listed policies and will act to encourage attracting investment, growing competitive businesses, providing for a mix of land uses and a range of employment types in a strategic core area in a major economic hub in the north.

4.4 Official Plan for the City of Greater Sudbury, 2006

The Official Plan for the City (consolidated to March 2025) contains policies to guide land use planning decisions in the municipality. It has regard to matters of provincial interest in the *Planning Act*, is consistent with the Provincial Planning Statement, and conforms to the Growth Plan for Northern Ontario.

The subject property is designated Downtown on Schedule 1a – Land Use Overview in the City's Official Plan (Figure 5). The Downtown designation is considered a Strategic Core Area and is located within the City's settlement area.

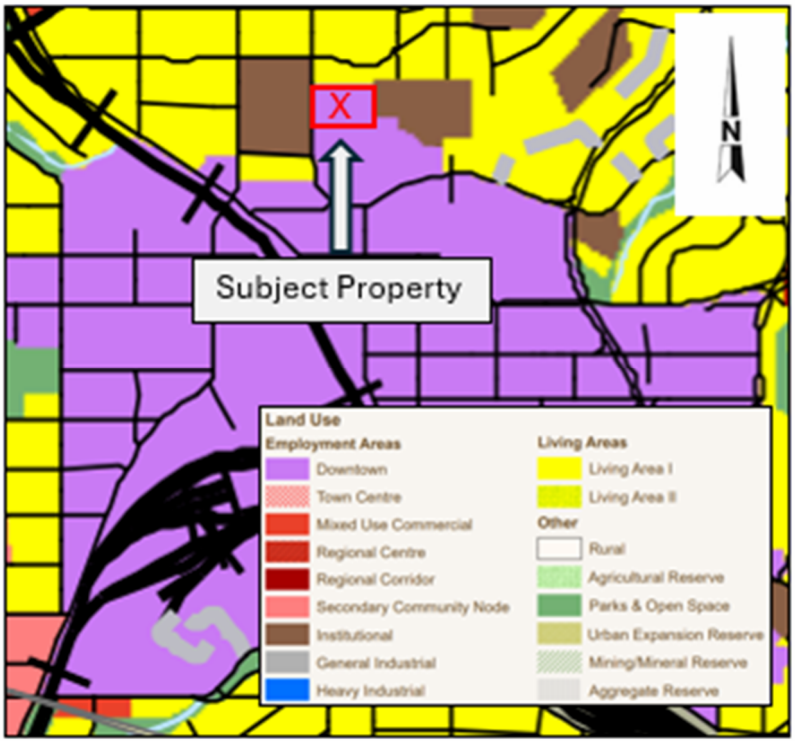


Figure 5 – Official Plan Schedule 1a excerpt *(approximate location)*

Urban Structure, Section 2.3.3 Reinforcing the Urban Structure describes intensification policies for the development of a property in the settlement area at a higher density than currently exists through redevelopment, development of vacant or underutilized lots or the conversion of existing buildings. Policies include encouraging intensification and development within the Built Boundary, on lands with existing infrastructure and public services, and those that are compatible with the character of an area.

Through these applications, Minewise is proposing to redevelop a building with heritage value by renovating the interior to provide consolidated business operations and offer rental or lease space for community businesses or organizations. They aim to increase the use of an underutilized building in the Downtown area where the character of the building will retain its heritage attributes which are compatible with the surrounding neighbourhood.

Employment Areas, Section 4.2.1 Downtown describes land use policies for the Downtown designated area so that the City retains if function as a local and regional centre. The Downtown Sudbury Master Plan guides development for the future in this area (described below). Policies for the Downtown designation include:

> 4.2.1 - Permitting a wide variety of uses consistent with its function as the most diversified commercial Centre in the City. Permitted uses include residential, commercial, institutional, entertainment and community facilities.
> 4.2.1.1 – Downtown Non-Residential Development is a key priority as a means of stimulating increased investment and business activity and reinforcing the City's urban structure by achieving a more efficient pattern of development. Office uses foster a strong business environment and provide a customer base for other uses.

4.2.1.3 – Downtown Urban Environment is characterized by its distinct built form, heritage resources, street configuration, pedestrian spaces and linkages. It is policy to preserve aspects that contribute to the image, character and quality of life including natural features, landmarks, design attributes, heritage resources and other desirable elements of the build environment.

The Official Plan Amendment application is proposing to add 'light industrial' as a permitted site-specific use to an existing property. The 'light industrial' use will complement the existing offices used by Minewise and enable them to consolidate their operations. Being a designated heritage building, there are no proposed modifications to the heritage characteristics of the building, thereby maintaining the image and design attributes expected in the downtown area. Currently, 'light industrial' is a permitted use in Regional Centres and Town Centres with proper landscaping and buffering between adjacent sensitive uses.

Heritage Resources, Section 13 includes built heritage, archaeological resources, and cultural heritage landscapes. The City has a concentration of older buildings in the downtown that are underutilized and offer opportunities for rehabilitation as a symbol of revitalization. Policies for heritage buildings include:

13.2.4 – heritage building will be retained for their original use and in the original location. Adaptive reuse of buildings will be encouraged where the heritage attributes are not compromised. This includes methods of conservation that retain and maintain the visual attributes of the property, and retention of built heritage for viewing.

13.2.5 Adaptive reuse that conserves the architectural integrity of the heritage building as a means of enhancing the long-term conservation and promoting the rehabilitation of underutilized property is encouraged.

The subject property is designated under the Ontario Heritage Act. By-law #2020-183 details the heritage features and attributes along with the obligations of the owners to conserve them. The applications are not proposing any changes or alterations to the heritage features of the property.

The application to amend the Official Plan to include the site-specific use of 'light industrial' to the existing property will reinforce the downtown's role as a diverse commercial centre in the City. A light industrial use is compatible with the surrounding neighbourhood and complementary to the existing continuing use of the business (Attachment E – Draft Official Plan Amendment).

4.5 Zoning By-law 2010-100Z

The City's Zoning By-law 2010-100Z (consolidated to November 2025) shows the subject property as **C4(16) Zone (Office Commercial Special)** on the interactive zoning map from the City's website (Figure 6 - Zone Map). It is noted that "164 MacKenzie Street" as shown on Figure 6 is no longer there and appears to have been removed or torn down.

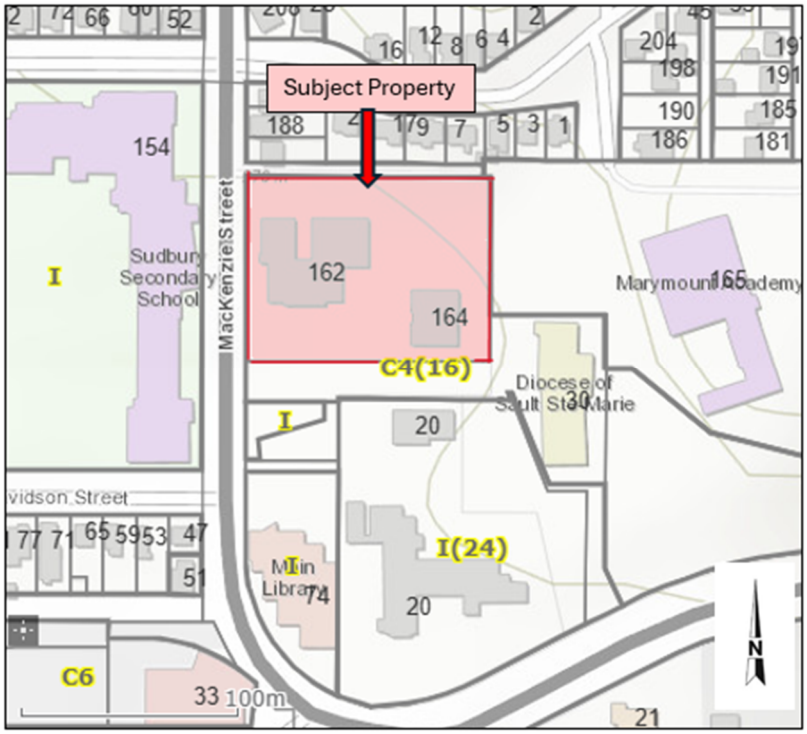


Figure 6 - Zoning By-law online interactive map excerpt *(Approximate location. Source Zone Map)*

The C4 Zone permits the following (Tables 7.3 and General Provisions in the Zoning By-law):

C4 Zone Standards	Required	Existing
Minimum Lot Area	540.0 m²	± 9,489 m²
Minimum Lot Frontage	18.0 m	± 84.5 m
Minimum Front Yard	6.0 m	± 6.0 m
Minimum Rear Yard	7.5 m	± 57.7 m
Minimum Interior Side Yard	3.0 m (14) and 3.0 m (14)	± 26.3 m and 18.1 m
Maximum Lot Coverage	50%	± 16%
Maximum Height	34.0 m (11)	12.0 m
Minimum Landscaped Open Space (S.4.15)	10% (17)	± 14%
Other Provisions	(10)	n/a
Parking* -Business office = 1/30 m² nfa = 36 -Light industrial – 1/90 m² nfa = 11	47	115
Accessible Parking (S.5.2.3.5)	3	4
Parking Aisles (S.5.2.9.2)	6.0 m	6.0 m
Loading Space	1	1
Bikes (s.5.8)	14	14
* note SPART consultation shows no concerns with parking		

(10) A maximum gross floor area of 2.0 times the lot area will apply
(11) A minimum building height of 8.0 metres applies.

(14) (iii) Exclusively for non-residential purposes – where the interior side lot line abuts a residential lot or Residential Zone, 3 metres plus an additional 0.6 metres for each storey in excess of three storeys, and no minimum in any other case.
(17) Except as required by Section 4.15 of this By-law.

The C4(16) Zone states the following:

Notwithstanding any other provision hereof to the contrary, within any area designated C4(16) on the Zone Maps, all provisions of this By-law applicable to C4 Zones shall apply subject to the following modifications:

(i) In addition to the uses permitted in the C4 zone, the following uses shall also be permitted: Assembly hall, audio/visual studio, bake shop, commercial recreation centre, commercial school, retail store including accessory outdoor display and sales, tavern, theatre, and related accessory uses;

(ii) Notwithstanding Section 7.3, Table 7.3, Special Provision (10), there shall be no limit on gross floor area;

(iii) Notwithstanding Sections 5.3 and 5.5 of the Zoning By-law, the parking standards of the "C6", Downtown Commercial zone shall apply subject to the following exceptions:

(a) Day care centre: 1 per 40 m² of net floor area;

(b) Institutional uses: 1 per 40 m² of net floor area;

(c) Medical office: 1 per 30 m² of net floor area;

(d) Personal service shop: 1 per 33 m² of net floor area;

(e) Retail: 1 per 40 m² of net floor area;

(f) Place of worship: 1 per 30 m² of net floor area;

(g) All other uses including residential: applicable C6 parking standard; and,

(h) The accessible parking requirements of Section 5.2.3.5 shall apply.

The application proposes to change the permitted non-residential uses in the C4(16) Zone to include 'light industrial' as a permitted use in the form of manufacturing/assembly of small to medium size electronics, electronic testing and supporting clerical work and office space in the existing building. The proposed operations will include:

- Currently there are three on-site staff with up to ten staff planned
- Hours of operation are Monday to Friday, 9am to 5pm
- Anticipated parking and loading space demand is sufficient to accommodate the planned number of staff and to include client visits, daily parcel deliveries and loading space for larger shipments occurring once every six months

- There are no proposed changes to the outdoor space including no additional lighting and no outdoor storage as all operations are contained within the building.

Parking spaces for the subject property are described in an agreement with the City and are registered on title as an Open Border Cross-Over Agreement (Attachment B). The easements address open access and cross over easements, easements for parking on 162 Mackenzie (with 30 Ste. Anne Road) and discusses maintenance obligations in the existing Site Plan Control Agreement. There are no proposed changes to these easements with these applications. It is noted that current site-specific parking does not require additional parking for the proposed development. The proposed development will not require more parking spaces than are already available on site due to the limited number of staff required (up to 10) and the limited number of visitors anticipated.

The subject property is located in the northern limit of the Downtown area and should be considered for redevelopment and intensification to revitalize the neighbourhood. Compatibility of a 'light industrial' use with surrounding residential use has been considered through the D6 Series Guidelines set out by the Province to guide development. By using a 70 m area of influence for the subject property, the owner/applicant has addressed the potential impacts of a Class 1 industrial use and has addressed the potential for noise, dust, odour, vibration, outside storage and operating times (refer to Section 4.7 below). See Attachment F – Draft Zoning By-law Amendment.

4.6 Other Applicable City Policies or Studies

The City of Greater Sudbury has a Downtown Master Plan, developed in 2012 that sets out a blueprint to guide the revitalization of the City for the next decade and beyond. One of the goals is to reinforce the City's position to become the 'Capital of the North'. The subject property lands within the "Area of Influence" of the Downtown area shown in Figure 7.



Figure 7 – Study Area for the Downtown Masterplan

The North-West District (Figure 8 below) is described in Section 5.5 as being a transition zone between the traditional Downtown and the more residential area to the north. This aims to support a mix of uses including residential, retail, commercial, institutional and **light industrial**. The area aims to incorporate multi-unit residential uses when opportunities arise for road alignment projects. While it appears on Figure 8 that the subject property is just outside of the North-West District zone, it is important to consider its location as being within the transitional area between the Downtown core and residential uses to the north.

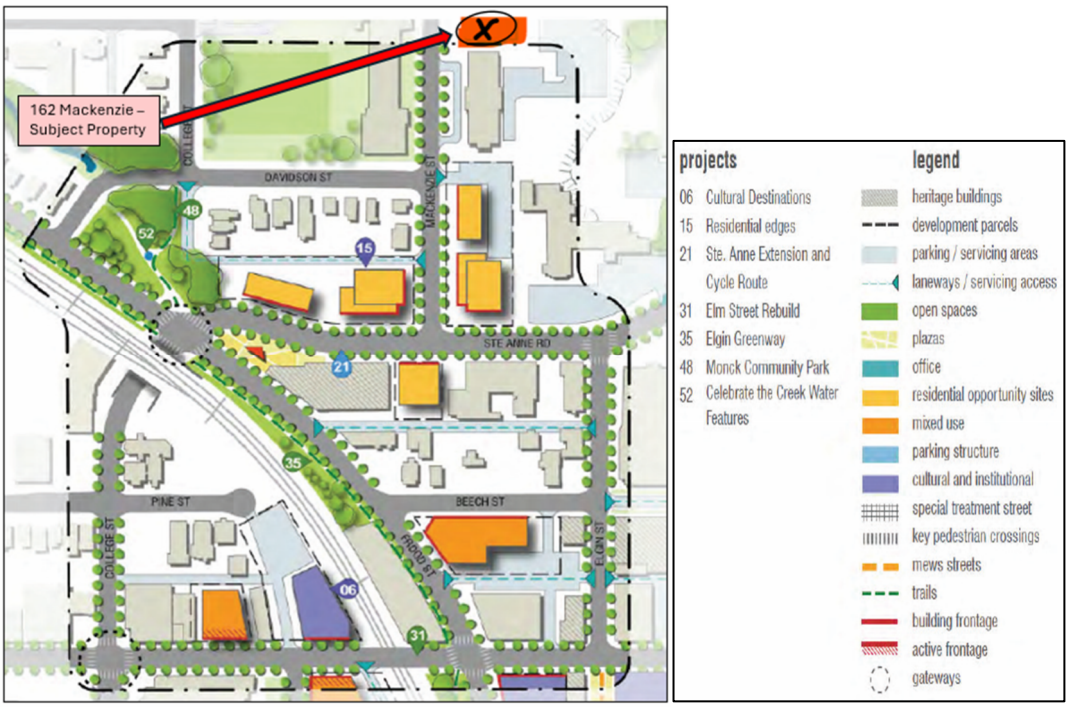


Figure 8 – Excerpt from the Downtown Masterplan "North-West District"

4.7 D-6 Compatibility Desktop Analysis

As requested by the City, a desktop analysis for land use compatibility has been completed following the Province's D6 Compatibility between Industrial Facilities Guide.

Minewise specializes in the designing, manufacturing and servicing of industrial control and radio frequency systems for the mining, forestry, agricultural and construction industries. This includes inspection tools that provide 3D scans and video for clients (Figure 4).

Presently, there are three office staff located in the building with the intention of accommodating up to ten staff. The business hours are Monday to Friday, 9am to 5pm. Within the working hours, all operations are to be contained inside the building with no noticeable noise, dust, ordours or vibration being generated. Parking on-site is sufficient for the existing and planned staff, rare client visits, daily deliveries (e.g. Purolator) and larger shipments occurring once every six months. There will be no outside storage required, and no additional outdoor lighting planned.

Proposed details of the operation are the following:

- Proposed total employees: 10
- Business Hours: Monday to Friday, 9am to 5pm
- All operations are to be contained within the building
- No noticeable noise, dust, odours or vibration will be generated
- No outside storage is proposed
- No additional lighting is proposed

Appendix D-6-1 Industrial Categorization of the guide provides guidance on how to determine the Class of Industrial facility for the purposes of using the D6 guide. The following criteria are noted for a Class I Industrial Facility.

Outputs	Scale	Process	Operation/Intensity
• Noise: Sound not audible off the property • Dust and/or Odour: infrequent and not intense • Vibration: No ground borne vibration on plant property	• No outside storage • Small scale plant or scale is irrelevant in relation to all other criteria for this Class	• Self contained plant or building which produces/stores a packaged product. Low fugitive emissions	• Daytime operations only • Infrequent movement of products and/or heavy trucks

Based on the operational requirements for Minewise, it is our opinion that the proposed Minewise operation would fall within the Class I category using the Industrial Categorization Criteria.

The guide recommends using an influence area of 70 metres for a Class I industrial facility to determine whether there would be any adverse effect. The proposed operation will be entirely contained within the existing building, with no noise, dust, odours or vibration expected beyond the building. The hours of operation are within normal business hours, and there is limited traffic expected. Therefore, it is not anticipated that there will be an adverse impact on the sensitive land uses within the 70 metre influence area.

For Class I industrial facilities, the Province recommends a minimum setback of 20 metres from a sensitive land use. The site has been evaluated to determine whether any sensitive land uses are present within 20 metres of the existing building which will be occupied by the light industrial use (see Figure 9). As illustrated in Figure 9, the 20 metre separation distance from the existing building is contained within the existing site, Mackenzie Street to the east and a small encroachment into the laneway to the north. No sensitive land uses have been identified within the 20 metre separation distance from the existing building.

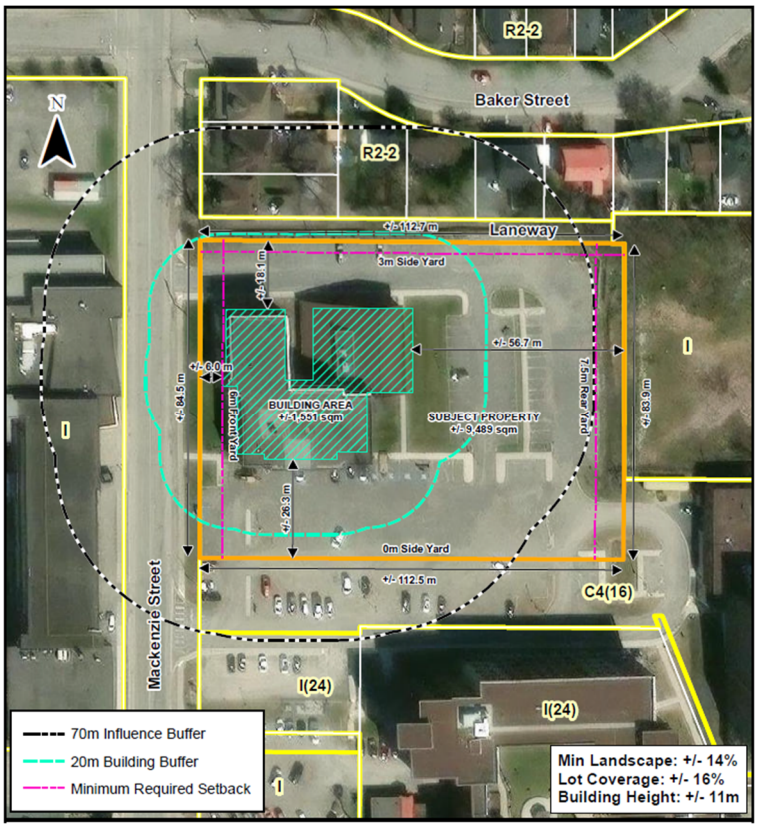


Figure 9 – 20 and 70 metre setbacks from Existing building

The existing zoning requires an interior side yard setback of 3 metres for a non-residential building abutting a Residential Zone plus an additional 0.6 metres for each storey above three stories. There is a laneway between the subject property and the residential properties to the north which measures approximately 6.2 metres. There are four properties to the north zoned R2-2 and have a required rear yard setback of 7.5 metres for single detached dwellings. There is one property to the north which fronts on Mackenzie Street which is zoned R2-2 and has a required interior side yard of 1.2 metres. There is an access/egress drive aisle at the north-west corner of the subject property which provides access to parking and serves as a fire route located between the northern building line and the property line. All of these are constraints that would prevent the existing building from expanding closer to the residential properties to the north. Any further encroachment would require significant changes to the functionality of the site and/or require a Planning Act application, at which time further analysis on land use compatibility could be required by the City. Therefore, it is our opinion that the existing zoning constraints, physical constraints and functional constraints protect the existing sensitive land uses from further encroachment of the light industrial use from future expansion.

The desktop analysis has demonstrated that the operations for the proposed light industrial use will be contained within the existing building, will not result in any noticeable noise, vibration, dust, odours or emissions beyond the building, that there are no sensitive land uses within the recommended 20 metre setback between a Class I industrial facility and a sensitive land use and the existing site is constraint by zoning requirements, physical constraints, and functional constraints from future development encroachment.

4.8 Water and Sewer Analysis

As part of the requirements for this application, JLR submitted a Water and Sewer Capacity Analysis to the City. The analysis was completed based on the drawings provided by the applicant with respect to proposed changes to the interior of the building. The city has provided a letter dated September 23rd, 2025 (Attachment C) confirming the following:

- The sewage mains downstream from the proposed connection is capable of conveying the additional 1.80 L/s of flow expected from the proposed development.
- A capacity analysis performed by the City's Water CAD model indicate that sufficient water capacity and pressure exist for the proposed development.
- The Fire flow available based on the model is 500+ l/s.

JLR completed calculations to estimate the required fire flow for fire fighting purposes to support the building in accordance with the 2020 edition of Water Supply for Public Fire Protection from Fire Underwriters Survey (FUS). Based on the calculations completed for the building, the available fire flow in the City's system exceeds the calculated fire flow requirement estimated for the building.

4.9 Supporting Studies/Plans

Below are studies that were reviewed and/or are included as attachments or were addressed in the report as part of the justification and background of the subject property:

- Heritage By-law 2020-183 – City of Greater Sudbury
- Open Border Cross-Over Agreement (dated 19-SEPT-2019)
- Sewer and Water Capacity Analysis – City of Greater Sudbury (dated 23-SEP-2025)
- D-6 Compatibility Desktop Analysis – JLR (Section 4.7 of this report)
- Floor Plans – Minewise Technology Ltd. (dated 29-JULY-2025, Figure 3 of this report)
- FUS Fire Flow Calculations – JLR (dated 30-SEP-2025)
- Site Plan – Minewise Technology Ltd. (dated 30-MAY-2024)

5.0 PUBLIC CONSULTATION STRATEGY

The public consultation strategy has been developed in accordance with the City of Greater Sudbury's recommendations through the SPART consultation. Public consultation is a requirement under Section 16 and Section 34 of the *Planning Act* for Official Plan Amendments and Zoning By-law Amendments. As such, the statutory requirements including a public meeting will be undertaken to offer the public an opportunity to provide feedback on the proposal. This includes a Notice of the public meeting to be sent to landowners within 120 m of the subject property and posted on site a minimum of 20 days prior to the meeting date or published in a local newspaper. The Notice will also be circulated to relevant agencies.

JLR will circulate an information letter to all landowners within 120 m of the subject site providing a description of the proposed change in land use, general operational details, and clarification on the proposed amendment.

JLR will also reach out to the local Councillor to provide information on the proposed application and to obtain feedback.

6.0 CONCLUSION

This Planning Rationale has been prepared in support of an Official Plan Amendment application and a Zoning By-law Amendment application to permit a 'light industrial' use as a permitted use in the Downtown designation and in the C4(16) Zone in the City of Greater Sudbury. The proposed additional permitted use will enable the existing owner to consolidate their business operations through revitalization of the interior of the building for office and light industrial manufacturing.

The proposed Official Plan Amendment is appropriate to permit a 'light industrial' use in the Downtown designation – as an area planned and designed for economic growth, intensification, and compatible development. The subject property is located in the northern limit of the Downtown area with residential properties abutting the northern lot line. Potential issues that may arise from this light industrial use in close proximity to sensitive residential use have been discussed using the D-6 Guidelines as set out by the Province. Consideration of the subject property being adjacent to lands described in the City's Downtown Masterplan point to 'light industrial' as an acceptable use in this area to support a mix of development.

The proposed Zoning By-law Amendment is appropriate to permit a 'light industrial' use as a site-specific use in the C4(16) Zone. The use has been evaluated for compatibility in the neighbourhood and there are no adverse impacts expected on adjacent properties.

It should be noted the heritage designation of the property is to be maintained by restricting development to areas inside the building to uphold the character of the outside of the building.

In our opinion, the proposed amendments will be appropriate for the subject lands and represent good land use planning.

J.L. RICHARDS & ASSOCIATES LIMITED

Prepared by:



Tara Michauville, MSc
Planner

Reviewed by:



Jamie Batchelor, RPP, MCIP
Senior Planner

TM:jb

Attachments

Attachment A - Heritage By-law 2020-183 (City of Greater Sudbury)

Attachment B - Open Border Cross-Over Agreement (19-SEPT-2019)

Attachment C – Sewer and Water Capacity Analysis (City of Greater Sudbury)

Attachment D – Site Plan draft (Minewise Technology Ltd.)

Attachment E – Official Plan Amendment DRAFT By-law

Attachment F – Zoning By-law Amendment DRAFT By-law

This report has been prepared by J.L. Richards & Associates Limited for Minewise Technology Ltd.'s exclusive use. Its discussions and conclusions are summary in nature and cannot properly be used, interpreted or extended to other purposes without a detailed understanding and discussions with the client as to its mandated purpose, scope and limitations. This report is based on information, drawings, data, or reports provided by the named client, its agents, and certain other suppliers or third parties, as applicable, and relies upon the accuracy and completeness of such information. Any inaccuracy or omissions in information provided, or changes to applications, designs, or materials may have a significant impact on the accuracy, reliability, findings, or conclusions of this report.

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BEST MANAGED COMPANIES Platinum member

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Attachment A

Heritage By-law 2020-183

By-Law 2020-183

A By-Law of the City of Greater Sudbury to Designate the Property Municipally Known as 162 Mackenzie Street as a Property of Cultural Heritage Value or Interest Under Section 29, Part IV of the *Ontario Heritage Act*

Whereas Section 29, Part IV of the *Ontario Heritage Act* authorizes the council of a municipality to design a property within the municipality to be of cultural heritage value or interest on the terms set out therein;

And Whereas council for a municipality may only designate a property under Section 29 Part IV of the *Ontario Heritage Act*, if the property meets one or more of the criteria as prescribed under O.Reg 9/06;

And Whereas 162 MacKenzie Street was evaluated against the criteria in O.Reg 9/06, and Council for the City of Greater Sudbury determined that the property has cultural heritage value or interest;

And Whereas notice of intent to designate 162 MacKenzie Street as being of cultural heritage value or interest was published in a newspaper having general circulation in the municipality on November 14, 2020 and was also served on the owner and on the Ontario Heritage Trust, in accordance with the requirements of section 29 of the *Ontario Heritage Act*;

And Whereas no notice of the objection to the proposed designation has been served on the Clerk of the City of Greater Sudbury, and the time for filing such objections has passed;

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

Designation

1. Pursuant to the authority granted under section 29 of the *Ontario Heritage* Act, R.S.O. 1990, c. O.18 as amended, Council for the City of Greater Sudbury hereby designates, as being of cultural heritage value and interest, the property:

(a) municipally known as 162 MacKenzie Street, Sudbury;

(b) legally described as PIN 02138-0201(LT), Being Lots 308-322 Plan 1SC; Lowe Street and Part A Lane Plan 1SC as in S5129; Part Lot 5, Con 4, as in S55853; excepting Part 1 on Plan 53R-16310 as in LT87281 and Excepting Parts 2, 3 and

4 on Plan 53R-20995 and as shown in the aerial view attached hereto as Schedule "A";

(c) owned by Red Oak Villa 2015 Inc.; and

(d) further described in the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes as set out in Schedule "B" attached hereto

Schedules Incorporated

2. Schedule "A" and Schedule "B" attached hereto are incorporated into and form a part of this By-law. A copy of Schedule "A" can also be viewed at the office of the City Clerk.

Registration

3. The City Solicitor is hereby authorized and directed to register a copy of this Designating By-law to be registered on title to the property affected in the land titles office for the land registry division of Sudbury (No. 53).

Notice

4. The City Clerk is hereby authorized and directed to cause:

(a) a copy of this By-law to be served on the owner of the land described in section 1 of this By-law, and on the Ontario Heritage Trust;

(b) notice of the passing of this By-law to be published in a newspaper of general circulation within the City of Greater Sudbury; and

(c) the property to be entered into the municipal register of property in accordance with section 27 of the. *Ontario Heritage Act.*

Plaque

5. The General Manager, Growth and Infrastructure is authorized to install a plaque or interpretive panel reflecting the designation of the building as of cultural heritage value or interest, on the building at 162 MacKenzie Street, of a type and in a location to be determined by the General Manager, Growth and Infrastructure.

Effective Date

6. This By-law shall come into full force and effect upon passage.

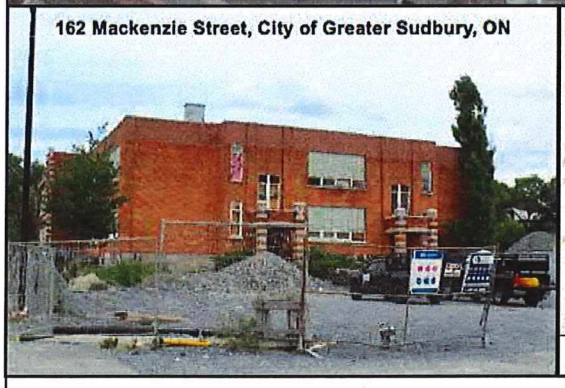
Read and Passed in Open Council this 15th day of December, 2020

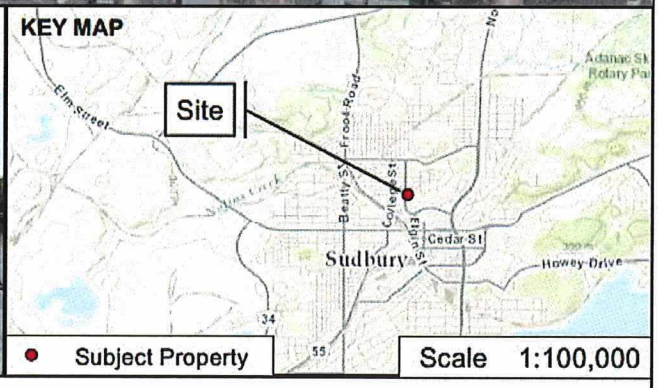
Deputy Mayor

Clerk

Schedule "A"
to By-law 2020-183 of the City of Greater Sudbury







Legend

162 Mackenzie Street, City of Greater Sudbury, ON

Area of Cultural Heritage Value or Interest

REFERENCE(S)
1. Service Layers Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community.
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community.

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162 Mackenzie Street, City of Greater Sudbury, ON	
YYYY-MM-DD	2020-10-15
PREPARED	LHC
DESIGNED	JG

NOTE(S)
1. All locations are approximate.

Greater Grand Sudbury

Description and Statement of Cultural Heritage Value or Interest: 162 MacKenzie Street

Civic Address: 162 MacKenzie Street, Sudbury

Legal Description: PIN 02138-0201(LT), Being Lots 308-322 Plan 1SC; Lowe Street and Part A Lane Plan 1SC as in S5129; Part Lot 5, Con 4, as in S55853; excepting Part 1 on Plan 53R-16310 as in LT87281 and Excepting Parts 2, 3 and 4 on Plan 53R-20995 and as shown on the aerial view attached as Schedule "A" to this By-law and also available for viewing in the office of the City Clerk, heritage file;

Description of Property

The Subject Property known as 162 MacKenzie Street is an "L" shaped property and approximately 12,489 square metres. The Subject Property is located on the east side of MacKenzie Street between Baker and Davidson Street. There is currently one structure located on the Subject Property, the 20th century brick former school known as St. Louis de Gonzague.

Summary of Cultural Heritage Value or Interest

The Subject Property known as 162 MacKenzie Street has cultural heritage value or interest for its physical/design values, its historical/associative values, and its contextual values.

162 MacKenzie Street has design value or physical value because it is a unique and early example of an evolved vernacular school building that exhibits the influences of various styles including Collegiate Gothic and Art Deco architecture. 162 MacKenzie Street also appears to be the third oldest surviving school building in Sudbury.

162 MacKenzie Street has historical or associative value because it has direct associations with the theme, activity, and institution of education in Sudbury – specifically, French-language education of the Sudbury Francophone community. The former school is an example of separate bilingual Catholic Francophone education and the coordinated efforts of Anglophone and Francophone School Board members to defy Regulation 17. The former school also

contributed to the repeal of Regulation 17 through the 1927 Royal Commission Inquiry which used the Sudbury Separate Board as an example of positive bilingual instruction. Operating from 1915 to its closure in 2000, 162 MacKenzie Street is directly associated with the events of Regulation 17 and the teaching of French and English language in the community.

162 MacKenzie Street has historical or associative value as it demonstrates the work of architect P.J. O'Gorman who was significant to the creation of institutional buildings, such as schools, churches, and commercial structures, in Sudbury and Northern Ontario. Many of O'Gorman's works are still present in Sudbury and Timmins, Ontario. St. Louis de Gonzague was one of O'Gorman's earliest institutional buildings constructed in Sudbury and appears to have been the first in a series of educational (as well as other institutional, ecclesiastic, and commercial) buildings designed over a prolific career.

162 MacKenzie Street has contextual value because it is important is defining, maintaining, and supporting the character of the area. The area, defined as the Institutional Block, has a mixture of residential, commercial, and institutional buildings. These buildings include churches, schools, and public/government buildings. Eight schools and six public/government buildings are currently within this block. A higher concentration of these structures reinforces this area as an Institutional Block. The Institutional Block, located in the centre of Sudbury, fulfilled the needs of the community by providing educational, religious, leisure, and governmental needs.

162 MacKenzie Street also has contextual value because it is physically, visually, and historically linked to the Institutional Block. The Institutional Block is defined by its multiple schools and public and government buildings, including 162 MacKenzie Street. The overall relationship of the buildings on this Block reinforces these links.

Heritage Attributes

Heritage attributes that illustrate the cultural heritage value or interest of 162 MacKenzie Street lie in the 20th century brick school building, previously known as St. Louis de Gonzague, including:

- Its location, orientation, and scale and massing *(which illustrates its physical/design and contextual values)*;
- Monochromatic brickwork *(which illustrates its physical/design values)*;

- Art Deco-influenced parapet *(which illustrates its physical/design values)*;
- Twin entrances and porticoes located on the south elevation*(which illustrates its physical/design values)*;
- Tower entrance located on the west elevation *(which illustrates its physical/design values)*; and,
- The locations and configuration of large window openings *(which illustrates its physical/design values)*.

Attachment B

Open Border Cross-Over
Agreement (2019)

Properties

PIN	02138 - 0077 LT
Description	LOT 94 RCP 85S; CITY OF SUDBURY
Address	38 XAVIER STREET SUDBURY
PIN	02138 - 0198 LT
Description	PART OF BLOCK Z ON PLAN 1SC AND PART OF LOT 93 ON PLAN RCP85S TOWNSHIP OF MCKIM PART 6, PLAN 53R-20995; CITY OF GREATER SUDBURY
Address	30 STE ANNE ROAD SUDBURY
PIN	02138 - 0199 LT
Description	LOT 93 ON PLAN RCP 85S AND PART OF BLOCK Z ON PLAN 1SC DESIGNATED AS PARTS 1, 2 & 3 53R16526 EXCEPT PTS 2 AND 3 53R16526 EXCEPT PTS 6 AND 7 53R20995; CITY OF GREATER SUDBURY
Address	30 STE ANNE ROAD SUDBURY
PIN	02138 - 0200 LT
Description	PART OF LOT 319 AND LANE ON PLAN 1-SC TOWNSHIP OF MCKIM PART 2, PLAN 53R-20995; PART OF LOTS 319 TO 322 INCLUSIVE ON PLAN 1-SC AND PART OF LOT 92, PLAN RCP 8559 TOWNSHIP OF MCKIM PART 3, PLAN 53R-20995; PART OF LOTS 315 AND 318 AND ALL OF LOTS 316 AND 317, PLAN 1-SC, TOWNSHIP OF MCKIM PART 4, PLAN 53R-20995; S/T EASEMENT OVER PART 2, PLAN 53R-20995 AS IN LT926815 CITY OF GREATER SUDBURY
Address	30 STE ANNE ROAD SUDBURY
PIN	02138 - 0202 LT
Description	PT BLK Z, PLAN 1SC, TOWNSHIP OF MCKIM PART 5, PLAN 53R-20995 CITY OF GREATER SUDBURY
Address	30 STE ANNE ROAD SUDBURY
PIN	02138 - 0201 LT
Description	LTS 308-322 PLAN 1SC; LOWE ST & PT A LANE PLAN 1SC,AS IN S5129; PT LOT5, CON 4, AS IN S55853; EXCEPTING PART 1 ON 53R-16310 AS IN LT874281 AND EXCEPTING PARTS 2,3 AND 4 53R20995; S/T EASEMENT OVER PART 1 ON 53R17102 AS IN LT926815. CITY OF GREATER SUDBURY
Address	162 164 MACKENZIE STREET SUDBURY
PIN	02138 - 0197 LT
Description	PART OF LOT 93 ON PLAN RCP 85S AND PART OF BLOCK Z ON PLAN 1SC DESIGNATED AS PARTS 7 AND 8 53R20995; CITY OF GREATER SUDBURY
Address	20 STE ANNE ROAD SUDBURY
PIN	02138 - 0203 LT
Description	LT 95, RCP 85S, PT 23, 53R8612; PT BLK Z, PLAN 1SC, PTS 5 TO 22, PLAN 53R8612 EXCEPT PT 5 53R20995 S/T S88858; CITY OF SUDBURY
Address	20 STE ANNE ROAD SUDBURY

Consideration

Consideration $0.00

Applicant(s)

The notice is based on or affects a valid and existing estate, right, interest or equity in land

Name RED OAK REAL ESTATE INC.
Address for Service SUITE 300, 30 STE. ANNE ROAD
SUDBURY, ONTARIO, P3C 5E1

I, JOE DIPIETRO, President, have the authority to bind the corporation.

This document is not authorized under Power of Attorney by this party.

Name RED OAK VILLA 2014 INC.
Address for Service SUITE 300, 30 STE. ANNE ROAD
SUDBURY, ONTARIO, P3C 5E1

I, JOE DIPIETRO, President, have the authority to bind the corporation.

Applicant(s)

The notice is based on or affects a valid and existing estate, right, interest or equity in land

This document is not authorized under Power of Attorney by this party.

Name RED OAK VILLA 2015 INC.
Address for Service SUITE 300, 30 STE ANNE ROAD
SUDBURY, ONTARIO, P3C 5E1
I, JOE DIPIETRO, President, have the authority to bind the corporation.
This document is not authorized under Power of Attorney by this party.

Party To(s) *Capacity* *Share*

Name RED OAK REAL ESTATE INC.
Address for Service SUITE 300, 30 STE. ANNE ROAD
SUDBURY, ONTARIO, P3C 5E1

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Name RED OAK VILLA 2015 INC.
Address for Service SUITE 300, 30 STE. ANNE ROAD
SUDBURY, ONTARIO, P3C 5E1

I, JOE DIPIETRO, President, have the authority to bind the corporation
This document is not authorized under Power of Attorney by this party.

Statements

This notice is pursuant to Section 71 of the Land Titles Act.
This notice is for an indeterminate period
Schedule: See Schedules

Signed By

Ian MacGregor George Sinclair	214 Alder St. Sudbury P3C 4J2	acting for Applicant(s)	Signed	2019 09 20

Tel 705-674-7597
Fax 705-674-4916
I have the authority to sign and register the document on behalf of the Applicant(s).

Submitted By

SINCLAIR & SINCLAIR	214 Alder St. Sudbury P3C 4J2	2019 09 20

Tel 705-674-7597
Fax 705-674-4916

Fees/Taxes/Payment

Statutory Registration Fee $64.40
Total Paid $64.40

File Number

Applicant Client File Number : R-164 (R-R-1010)

APPENDIX "A"

FORM

LAND TITLES ACT
Application to register Notice of an Unregistered estate, right, interest or equity
Section 71 of the Act

To: The Land Registrar for the Land Titles Division of Sudbury (No. 53)

I, IAN M.G. SINCLAIR, am the solicitor for the Applicants, RED OAK REAL ESTATE INC., RED OAK VILLA 2014 INC. and RED OAK VILLAGE 2015 INC.

I confirm that all applicants have an unregistered estate, right, interest or equity in the lands described as PIN 02138-0077 (LT), PIN 02138-0198 (LT), PIN 02138-0199 (LT), PIN 02138-0200 (LT), PIN 02138-0202 (LT), PIN 02138-0201 (LT), PIN 02138-0197 (LT) and PIN 02138-0203 (LT).

The lands described as PINs 02138-0197 (LT) and 02138-0203 (LT) are registered in the name of RED OAK REAL ESTATE INC., the lands legally described as PINs 02138-0077 (LT), 02138-0198 (LT), 02138-0199 (LT), 02138-0200 (LT) and 02138-0202 (LT) are registered in the name of RED OAK VILLA 2014 INC., and the lands described as PIN 02138-0201 (LT) are registered in the name of RED OAK VILLA 2015 INC. I hereby apply under Section 71 of The Land Titles Act for the entry of a Notice in the register for the said PINs, a copy of which is attached hereto.

This notice will be effective for an indeterminate time.

Dated: September 19, 2019

Ian M.G. Sinclair
Solicitor for the Applicant

OPEN BORDER CROSS-OVER AGREEMENT

THIS AGREEMENT made the 19th day of September, 2019

B E T W E E N:

RED OAK REAL ESTATE INC.
a corporation incorporated under the laws of Ontario
(hereinafter called "**Red Oak Real Estate**")

OF THE FIRST PART

- and -

RED OAK VILLA 2014 INC.
a corporation incorporated under the laws of Ontario,
(hereinafter called "**Red Oak 2014**")

OF THE SECOND PART

- and -

RED OAK VILLA 2015 INC.
a corporation incorporated under the laws of Ontario,
(hereinafter called "**Red Oak 2015**")

OF THE THIRD PART

WHEREAS:

A. Red Oak 2014, Red Oak 2015 and Red Oak Real Estate are, respectively, the registered owners of certain adjacent lands and premises located at the intersection of Mackenzie Street and Ste. Anne Road, in the City of Greater Sudbury, all as more particularly hereinafter set out and described;

B. The parties hereto have agreed to enter into this Agreement for the purpose of governing the access between the Properties and the use, maintenance and repair of the Entrances servicing the Properties.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants, terms, conditions and agreements herein contained, the sum of One Dollar ($1) now paid by each party to the other and for other good and valuable consideration, (the receipt and sufficiency of which is hereby acknowledged), the parties covenant as follows:

ARTICLE 1 - INTERPRETATION

1.1 *Definitions*

In this Agreement, the terms in quotation marks, which are set out below, shall have the following respective meanings:

(a) "**Access Driveways**" shall mean, collectively, the Entrances, the Red Oak 2014 Access Driveway, the Red Oak 2015 Access Driveway and the Red Oak Real Estate Access Driveway;

(b) "**Agreement**", "**this Agreement**", "**the Agreement**", "**hereto**", "**hereof**", "**herein**", "**hereby**", "**hereunder**", and similar expressions mean or refer to this Agreement as amended from time to time in writing and any indenture, instrument or instrumental supplemental or ancillary hereto or in implementation hereof, and the expressions "**Article**", "**Section**", and "**Schedule**" followed by a number or letter mean and refer to the specified Article, Section or Schedule of this Agreement;

(c) "**Assigns**" shall mean the applicable Party's successors in title and/or interest, agents, servants, workmen, employees, invitees, customers, tenants, subtenants and licensees;

(d) "**Entrances**" shall mean collectively, the the Red Oak Real Estate Entrance, the Red Oak 2014 Entrance and the Red Oak 2015 Entrance;

(e) "**Heavy Vehicle**" shall mean any truck, automobile, tanker, bus, van, cab and/or tractor trailer, transport or other trailer (or any combination of the foregoing), or any other vehicle whatsoever, having 6 axles or more;

(f) "**Properties**" shall mean the the Red Oak Real Estate Lands, the Red Oak 2014 Lands and the Red Oak 2015 Lands, and "**Property**" refers to any of the Red Oak Real Estate Lands, the Red Oak 2014 Lands and the Red Oak 2015 Lands;

(g) "**Red Oak 2014 Access Driveway**" shall mean those areas of the Red Oak 2014 Lands, not occupied by buildings and structures or designated as parking from time to time, intended for vehicular use and access to allow a means of vehicular ingress and egress between Mackenzie Street and Ste. Anne Road, through the Red Oak 2014 Lands;

(h) "**Red Oak 2014 Entrance**" means that certain parcel or tract of lands owned by Red Oak 2014 or its successors in title and situate, lying and being in the City of Greater Sudbury, in the District of Sudbury in the Province of Ontario, being Part 4 on Reference Plan 53R-20995;

(i) **"Red Oak 2014 Lands"** shall mean that certain parcel or tract of lands and premises owned by Red Oak 2014 and being legally described in the attached Schedule "B";

(j) **"Red Oak 2015 Access Driveway"** shall mean those areas of the Red Oak 2015 Lands, not occupied by buildings and structures or designated as parking from time to time, intended for vehicular use and access to allow a means of vehicular ingress and egress on to Mackenzie Street, through the Red Oak 2015 Lands;

(k) **"Red Oak 2015 Entrance"** means that certain parcel or tract of lands owned by Red Oak 2015 or its successors in title and situate, lying and being in the City of Greater Sudbury, in the District of Sudbury in the Province of Ontario, and which have access on to Mackenzie Street;

(l) **"Red Oak 2015 Lands"** shall mean that certain parcel or tract of lands and premises owned by Red Oak 2015 and being legally described in the attached Schedule "C";

(m) **"Red Oak Real Estate Access Driveway"** shall mean those areas of the Red Oak Real Estate Lands, not occupied by buildings or structures or designated as parking from time to time, intended for vehicular use and access to allow a means of vehicular ingress and egress on to Ste. Anne Road, through the Red Oak Real Estate Lands;

(n) **"Red Oak Real Estate Entrance"** means that certain parcel or tract of lands owned by Red Oak Real Estate or its successors in title and situate, lying and being in the City of Greater Sudbury, in the District of Sudbury in the Province of Ontario, being Part 8 on Reference Plan 53R-20995;

(o) **"Red Oak Real Estate Lands"** shall mean that certain parcel or tract of lands and premises owned by Red Oak Real Estate and being legally described in the attached Schedule "A";

(p) **"Registry Office"** shall mean the Land Registry Office for the Land Title Division of Sudbury (No. 53) located on the third floor at 199 Larch Street, Sudbury, Ontario;

1.2 *Extended Meanings*

Grammatical variations of any terms defined herein have similar meanings to such defined terms; words imparting number include the singular and the plural; and, words imparting gender include the feminine, neuter and masculine genders.

1.3 *Headings*

The division of this Agreement into separate Articles, Sections and Schedules and the insertion of headings are for convenience or reference only and shall not affect the construction or interpretation of this Agreement.

1.4 *Severability*

If any covenant, obligation or agreement contained in this Agreement, or the application thereof to any person or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this Agreement or the application of such covenant, obligation or agreement to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby. Each covenant, obligation and agreement contained in this Agreement shall be separately valid and enforceable to the fullest extent permitted by law.

1.5 *Governing Law*

This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario.

ARTICLE 2 - OPEN BORDER CROSS-OVER

2.1 *Open Access and Cross-Over Easements*

The Parties hereto have agreed to enter into this Agreement for the purpose of governing the access between and through the Access Driveways and the maintenance and repair of the Entrances. The Parties hereby agree, at all times hereafter, to maintain free, easy and open access between and through the Access Driveways so that Red Oak 2014, Red Oak 2015 and Red Oak Real Estate, and their Assigns, and all customers doing business with the parties hereto and their tenants and subtenants, shall be able to pass freely over the Access Driveways on foot and/or with motor vehicles to, from and between the Properties. For the purposes of the foregoing:

(a) Each of Red Oak 2014, Red Oak 2015 and Red Oak Real Estate subject to the provisions hereof, hereby grant to the other and their respective Assigns an easement in the nature of a right-of-way (in common with all others entitled thereto) for the purposes of access over, along and upon their respective Access Driveway. In addition, Red Oak 2014, Red Oak 2015 and Red Oak Real Estate agree that for those portions of the Entrances owned by Red Oak 2014 or Red Oak 2015 or Red Oak Real Estate and subsequent owners of all or part of the Red Oak 2014 Lands, the Red Oak 2015 Lands and Red Oak Real Estate Lands will not construct on the Entrances any buildings, structures, or any other impediment to vehicular access notwithstanding any other provision contained in this Agreement;

(b) The Parties herein each covenant that at no time shall they construct, place or maintain a barrier or other obstacle or erect any building or structure within their respective Access Driveway, which as a result, prevents the continuous access route to and from the Mackenzie Street and Ste. Anne Road. Except for those portions of

the Entrances owned by them which may be redirected for repair purpose only, Red Oak 2014, Red Oak 2015 and Red Oak Real Estate reserve the right to direct, from time to time, the flow of traffic and to designate restricted access points over and upon their respective Access Driveway to insure vehicular and pedestrian safety, the orderly flow and control of traffic, and for repair purposes;

(c) The easement rights granted in paragraph 2.1(c) above are each declared to run individually with and be appurtenant to and for the benefit of each of the Red Oak 2014 Lands, the Red Oak 2015 Lands and the Red Oak Real Estate Lands (as the case may be), as the Dominant Tenement, and are declared to each run separately and individually with and bind the Red Oak 2014 Lands, the Red Oak 2015 Lands and the Red Oak Real Estate Lands, as the Servient Tenement (individually).

2.2 *No Fences, etc.*

Red Oak 2014, Red Oak 2015 and Red Oak Real Estate each covenant with the other that they shall not permit any obstacles along the Access Driveways, and covenant not to in any way impede the Access Driveways. Provided that the foregoing does not apply to such temporary barricades, as may reasonably be required or necessary for safety purposes in connection with any work carried out from time to time on the Access Driveways.

2.3 *Red Oak 2014, Red Oak 2015 and Red Oak Real Estate Negative Covenants*

The negative covenants of each of Red Oak 2014, Red Oak 2015 and Red Oak Real Estate, set out in Sections 2.1(b), (c), (d), 2.2 and 2.7.1 are declared to run with and be appurtenant to and for the benefit of the other parties' Lands, as the Dominant Tenement, and are declared to run individually and separately with and bind each of the Red Oak 2014 Lands, the Red Oak 2015 Lands and the Red Oak Real Estate Lands, as the Servient Tenements (individually) as the case may be.

2.4 *Maintenance*

2.4.1 Subject to Section 2.6, each party covenant with each other that each of them shall at all times hereafter keep and maintain in good order, condition and repair, and renew, rebuild, replace and maintain promptly, if necessary and forthwith upon reasonable written request of the other, their respective Access Driveway and Entrance and every part thereof (including, without limitation, the driveways and all parking areas, sidewalks, pavement, asphalt, curbs, landscape, signs, lighting and similar improvements thereon) in good order, repair and first class condition, free of ice and snow, as would a careful and prudent owner, at their respective sole cost and expense.

2.4.2 Subject to Section 2.6, for the above purposes, each of Red Oak 2014, Red Oak 2015 and Red Oak Real Estate further covenant that all such repairs, maintenance and replacements required of each of them hereunder shall be carried out as expeditiously as possible and without unreasonable interference with the other's business on its own Property.

2.4.3 If any of the parties herein refuses or neglects within fifteen (15) days after receipt of written notice from the other parties, (no prior written notice shall be required in the event of an

emergency) to carry out any maintenance, repairs and replacements and other work properly as required pursuant to this Section 2.5 or pursuant to Section 2.6, then that party may, but shall not be obliged to, perform such construction, maintenance, repairs and replacements without being liable for any loss or damage that may result (except due to negligence during such entry) and, upon completion thereof, the defaulting party shall pay to the party completing the work on demand that party's actual costs incurred in such maintenance, repairs and replacements, together with an administrative fee of ten percent (10%) of the costs thereof and interest pursuant to Section 3.4.

2.5 *Construction and Maintenance of Entrances*

Forthwith following execution and delivery of this Agreement, Red Oak 2014, Red Oak 2015 and Red Oak Real Estate shall:

(a) jointly retain a qualified engineer to prepare plans and specifications for the design and construction of the Entrances, such plans and specifications to be approved by Red Oak 2014, Red Oak 2015 and Red Oak Real Estate, each acting reasonably (the "**Approved Plans**");

(b) instruct the engineer to jointly tender the construction contract for the Entrances in accordance with the Approved Plans (the "**Proposed Work**") to at least three contractors approved by Red Oak 2014, Red Oak 2015 and Red Oak Real Estate, each acting reasonably;

(c) jointly retain the lowest bidder for the Proposed Work (unless otherwise unanimously agreed by Red Oak 2014, Red Oak 2015 and Red Oak Real Estate) to complete the Proposed Work in a first class good and workmanlike manner, as expeditiously as possible, in accordance with applicable laws and in accordance with a construction schedule approved by Red Oak 2014, Red Oak 2015 and Red Oak Real Estate, each acting reasonably; and

(d) each pay one-third of the hard and soft costs of the preparation of the Approved Plans and completion of the Proposed Work in a timely manner on a monthly progress draw basis as such plans and work are completed.

2.6 *Closing or Relocation of the Open Border*

2.6.1 The parties each covenant with the other that they shall not permit any of the existing Access Driveways, to be closed-up, narrowed, barricaded, fenced or materially altered in any other manner, except as may be required by any relevant governmental authority having jurisdiction, subject to the reasonable consent of the then owner of the other parties' Properties, from time to time in the future, for the purpose of maintaining proper traffic control and flow to and from the Properties and the adjoining public highways.

2.6.2 Notwithstanding anything hereinbefore in Section 2.6.1 contained, it is acknowledged that each of Red Oak 2014, Red Oak 2015 and Red Oak Real Estate shall have the right, from time to time in the future, to alter and relocate the portion of the Access Driveway on their respective Property, at their own cost and expense, provided that:

(a) Any such relocation does not materially and/or adversely affect the traffic flow to and from any other party's Property;

(b) The revised site plan with the altered and/or relocated Access Driveways has been approved as required by each relevant governmental authority having jurisdiction; and

(c) Each Property shall itself comply with the parking standards in the applicable City of Greater Sudbury zoning by-law.

2.7 *Insurance*

2.7.1 Red Oak 2014, Red Oak 2015 and Red Oak Real Estate herein shall each place, maintain and carry public liability for death of, or injury to, any person or damage to the property of any person occurring in, upon or about their Properties, respectively. The name of the other of them shall be endorsed on the policy or policies as an additional insured, together with a cross-liability endorsement. Each such policy of insurance shall cover each party in respect of its Property and its operations thereon to the extent of not less than $5,000,000 (Five Million Dollars) with respect to any one occurrence, and each party on written request shall produce a certificate of such insurance to the other from time to time. Notwithstanding anything hereinbefore contained, any party hereto, acting reasonably, shall have the right during a period of 60 (sixty) days following the end of each five (5) year period during the term of this Agreement, to give notice to the other party requiring the amount of the coverage of the liability insurance to be increased; provided that the amount of such increase shall be in an amount commensurate with the then current standards of liability insurance coverage with respect to the operation of cross-access uses in connection with commercial operations.

2.8 *Non -Liability*

2.8.1 It is acknowledged that none of the parties to this Agreement shall be liable for any death or injury arising from or out of any occurrence in, upon, at or relating to the Access Driveways of the other, or damage to personal property of the other or others located on the Access Driveways of the other, nor shall they be responsible for any loss of or damage to any personal property of any other party from any cause whatsoever, unless such death, injury, loss or damage results from the negligence of Red Oak 2014, Red Oak 2015 or Red Oak Real Estate, as the case may be, or those for whom Red Oak 2014, Red Oak 2015 or Red Oak Real Estate are at law responsible.

2.9 *Construction Rights and Future Development*

2.9.1 Red Oak 2014, Red Oak 2015 and Red Oak Real Estate each acknowledge that this Agreement is intended to apply to the Access Driveways and that, subject only to compliance with Sections 2.2, 2.4, 2.7.1 and 2.7.2 above and with all applicable municipal or other relevant governmental by-laws and requirements in connection therewith, Red Oak 2014, Red Oak 2015 and Red Oak Real Estate each covenant and acknowledge that each of them shall have the right, at their own expense, to construct other buildings, improvements or structures, and/or to make alterations and additions to any buildings existing thereon from time to time, and to alter, reduce, redesign or relocate all or any portion of their respective improvements thereon from time to time

(including, without limitation, Access Driveways, the automobile parking areas, sidewalks, loading and service areas and other outside areas and facilities therein and thereon).

2.10 *Shared Parking between Red Oak 2014 Lands, Red Oak 2015 Lands and Red Oak Real Estate Lands*

Red Oak 2014, Red Oak 2015 and Red Oak Real Estate each acknowledge and agree that there will be sharing of parking over the Red Oak 2014 Lands and the Red Oak 2015 Lands. For purposes of clarification, clients of Red Oak Real Estate shall have the right to park on the Red Oak 2014 Lands and clients of Red Oak 2014 shall have the right to park on the Red Oak 2015 Lands, in places designated from time to time for parking. There are a total of 113 parking spaces which are to be shared as follows:

(1) Red Oak 2014 will share with Red Oak Real Estate twenty-six (26) parking spaces that are part of the Red Oak 2014 Lands; and,

(2) Red Oak 2015 will share with Red Oak 2014 eighty-seven (87) parking spaces that are part of the Red Oak 2015 Lands.

ARTICLE 3- MISCELLANEOUS PROVISIONS

3.1 *Duration*

This Agreement shall, subject to compliance with the *Planning Act*, commence on the date of execution hereof (the "**Commencement Date**"), and shall continue thereafter in full force and effect in perpetuity.

3.2 *Building Scheme*

It is hereby declared that the provisions of this Agreement have been entered into for the purpose of bringing into effect a building scheme, and the intention of this Agreement is that the covenants contained herein shall, during the term of this Agreement, run with and bind each of the respective Properties, and to be appurtenant to and be for the benefit of each of the other Properties.

3.3 *Notice*

Where this Agreement requires any notice, demand or request to be delivered by one party to the other, such notice, demand or request shall be in writing and delivered either personally, by courier, or by prepaid registered mail by the party wishing to give such notice, or by the solicitor acting for such party, to the other party, at the addresses noted below. Such notice shall be deemed to have been given, in the case of personal or courier delivery, on the date of delivery and, where given by registered mail, on the 4th (fourth) business day (which, for the purposes of this Agreement, shall be deemed to exclude Saturdays, Sundays and statutory holidays) following the posting thereof. It is understood that in the event of an actual or threatened disruption in the postal service in the

postal area through which such notice must be sent, notice must be given personally or by courier as aforesaid:

(a) To Red Oak 2014 at: 30 Ste. Anne Road, Suite 300
Sudbury, Ontario
P3C 5E1
Attention: Joe DiPietro

(b) To Red Oak 2015 at: 30 Ste. Anne Road, Suite 300
Sudbury, Ontario
P3C 5E1
Attention: Joe DiPietro

(c) To Red Oak Real Estate at: 30 Ste. Anne Road, Suite 300
Sudbury, Ontario
P3C 5E1
Attention: Joe DiPietro

Any party may at any time give written notice in the manner set out in this Section 3.3 to the other of any change of address of the party giving such notice and from and after the date such notice is deemed to have been given as set out in this Section 3.3, the address herein specified shall be deemed to be the address of such party for the giving of such notices herein.

3.4 *Amounts Past Due*

If any party fails to pay, when the same is due and payable, any amount payable under the provisions of this Agreement such unpaid amount shall bear interest from the due date thereof to the date of payment at the lesser of: (i) an annual rate which is five percent (5%) above the prime rate of interest charged from time to time by the Bank of Nova Scotia, at its main branch in Toronto, Ontario, on commercial demand loans made in Canadian dollars to its most favored commercial borrowers, or (ii) the maximum annual rate permitted by law.

3.5 *Registration*

This Agreement shall be registered against the title to the Properties at the shared cost of Red Oak 2014, Red Oak 2015 and Red Oak Real Estate hereto, and each party covenants, within one hundred and twenty (120) days after the execution and delivery of this Agreement, to deliver an acknowledgement of such priority or postponement of interest from any mortgagee having an interest in its Property. Both Red Oak 2014, Red Oak 2015 and Red Oak Real Estate acknowledge and agree that this Agreement cannot be removed from title without the express written consent of the City of Greater Sudbury.

3.6 *Successors and Assigns*

This Agreement shall extend to and be binding upon the parties hereto and their respective successors, assigns in title and/or interest, and other permitted assigns. For these purposes, it is agreed that each party is required to assign this Agreement and that party's rights and obligations hereunder, to any successor in title to all or part of the assigning party's lands and to obtain an assumption agreement from any assignee. Upon such assignment and the execution and delivery by the assignee of an assumption agreement in respect of the assignor's obligations under this Agreement, the assignor shall be released from all obligations under this Agreement arising from and after the date of such assignment as it relates to the lands assigned to such successor in title.

3.7 *Mortgage*

It shall be a condition precedent to any mortgage or charge, whether by way of leasehold mortgage, assignment, sublease or otherwise (the "**Mortgage**") by a party (the "**Mortgagor**") of any of the Properties (the "**Mortgaged Property**") that the mortgagee or chargee (the "**Mortgagee**") enter into an agreement (the "**Mortgagee Agreement**") with the parties whose Properties are not being mortgaged or charged by the Mortgage (the "**Non-Mortgaging Parties**"), in a form acceptable to the Non-Mortgaging Parties, acting reasonably.

Each party to this Agreement, within ten (10) Business Days after receipt of a written request by any other party or a prospective purchaser, or mortgagee or other encumbrancee of that party's interest in the Properties (the "**Requesting Party**"), shall execute and make available to the Requesting Party, a certificate stating:

(i) whether or not this Agreement has been modified and, if this Agreement has been modified, the certificate shall identify the nature of the modification;

(ii) whether or not this Agreement has been terminated; and

(iii) whether or not the party executing the certificate has given or received a notice of default under this Agreement and, if such notice has been either given or received, stating the nature of the default set out in the notice and whether or not the defaulting party has taken or commenced all reasonable steps necessary to cure such default, whether or not the party executing the certificate has elected to take steps to cure such default, and if so, the amount of the costs and expenses actually or anticipated to be paid or incurred by such party in curing such default.

3.8 *Recitals and Schedules*

The parties further agree that the recitals to this Agreement are incorporated as terms hereof, and the schedules attached hereto form part of this Agreement.

3.9 *Entire Agreement*

This Agreement constitutes the entire agreement among the parties hereto with respect to the subject matter hereof.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the date first above written.

RED OAK REAL ESTATE INC.

Per: _____
Name: Joe DiPietro
Title: President

I have authority to bind the Corporation

RED OAK VILLA 2014 INC.

Per: _____
Name: Joe DiPietro
Title: President

I have authority to bind the Corporation

RED OAK VILLA 2015 INC.

Per: _____
Name: Joe DiPietro
Title: President

I have authority to bind the Corporation

SCHEDULE "A"

Legal Description of Red Oak Real Estate Lands

Firstly: PIN 02138-0197 (LT)
Part of Lot 93 on Plan RCP 85S and Part of Block Z on Plan 1SC
Designated as Parts 7 & 8, Plan 53R-20995
City of Greater Sudbury
District of Sudbury

Secondly: PIN 02138-0203 (LT)
Lot 95, Plan RCP 85S, Part 23, Plan 53R-8612
Part of Block Z, Plan 1SC, Parts 5 to 22, Plan 53R-8612
Except Part 5, Plan 53R-20885
Subject to Inst. No. S88858
City of Greater Sudbury
District of Sudbury

SCHEDULE "B"

Legal Description of Red Oak 2014 Lands

Firstly: PIN 02138-0077 (LT)
Lot 94, Plan RCP 85S
City of Greater Sudbury
District of Sudbury

Secondly: PIN 02138-0198 (LT)
Part of Block Z on Plan 1SC and Part of Lot 93 on Plan RCP85S
Township of McKim
Part 6, Plan 53R-20995
City of Greater Sudbury
District of Sudbury

Thirdly: PIN 02138-0199 (LT)
Lot 93 on Plan RCP85S and Part of Block Z on Plan 1SC
Designated as Parts 1, 2 & 3, Plan 53R-16526
Except Parts 2 & 3, Plan 53R-16526
Except Parts 6 & 7, Plan 53R-20995
City of Greater Sudbury
District of Sudbury

Fourthly: PIN 02138-0200 (LT)
Part of Lot 319 and lane on Plan 1-SC,
Township of McKim, Part 2, Plan 53R-20995
Part of Lots 319 to 322 inclusive on Plan 1SC
and Part of Lot 92, Plan RCP8559, Township of McKim, Part 3, Plan 53R-20995
Part of Lots 315 and 318 and all of Lots 316 and 317, Plan 1SC,
Township of McKim, Part 4, Plan 53R-20995
Subject to Easement over Part 2, Plan 53R-20995 as in Inst. No. LT926815
City of Greater Sudbury
District of Sudbury

Fifthly: PIN 02138-0202 (LT)
Part of Block Z, Plan 1SC
Township of McKim
Part 5, Plan 53R-20995
City of Greater Sudbury
District of Sudbury

SCHEDULE "C"

Legal Description of Red Oak 2015 Lands

Firstly: PIN 02138-0201 (LT)
Lots 308 to 322 on Plan 1SC
Lowe Street & Part of A Lane, Plan 1SC, as in Inst. No. S5129
Part of Lots 5, Conc. 4 as in Inst. No. S55853
Excepting Part 1, Plan 53R-16310 as in Inst. No. LT874281
Excepting Parts 2, 3 & 4, Plan 53R-20995
Subject to Easement over Part 1, Plan 53R-17102 as in Inst. No. LT926815
City of Greater Sudbury
District of Sudbury

Attachment C

Sewer and Water Capacity Analysis
(City of Greater Sudbury)

City of Greater Sudbury | P.O. Box 5000 Stn. A, 200 Brady Street, Sudbury ON P3A 5P3 I 705.674.4455
Ville du Grand Sudbury | CP 5000 Succ A, 200, rue Brady, Sudbury, ON P3A 5P3 I 705 674.4455

September 23, 2025

Attention: Joseph McCabe

Re: Sewer and Water Capacity Analysis
162 Mackenzie
City of Greater Sudbury, ON

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

A review of the sewage mains downstream from the proposed connection at MH 9-675 Mackenzie Street revealed downstream mains are capable of conveying the additional 1.80 L/s of flow expected from your development.

A capacity analysis performed by our WaterCAD model, developed the following results at the 300mm watermain in front of property 162 Mackenzie at an elevation of 267.69m.

Values Obtained from Model	C.G.S. Minimum Requirements
Max Hour: 77 psi	• 40 psi
Max Day: 78 psi	• 50 psi
Fire Flow: 500+ l/s	

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

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

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

Yours truly,

David Longarini
Development Engineering Technician

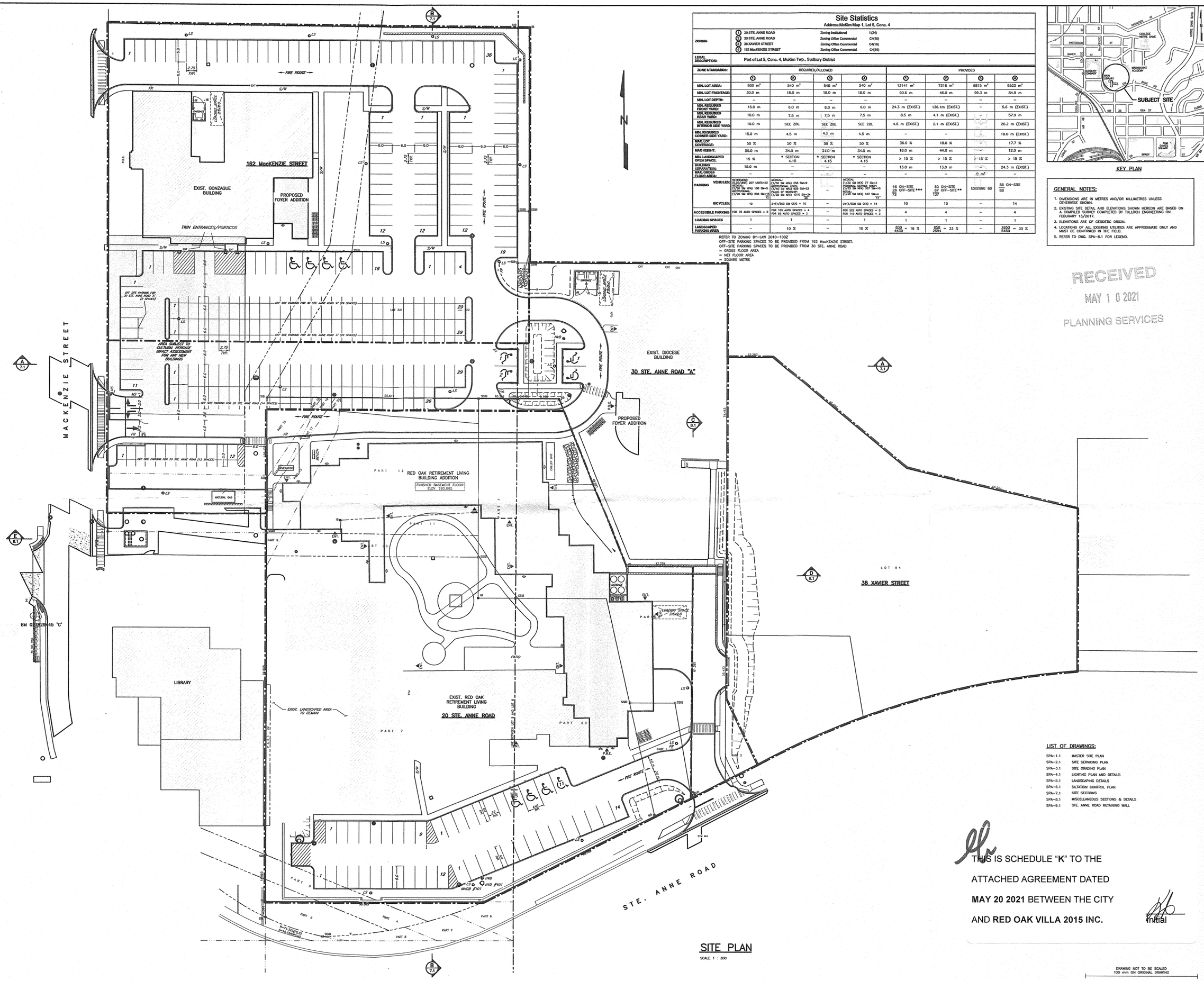
Attachment D

Site Plan Draft
(Site plan agreement)

DWG NAME / FILE NO: AUTUMNWOOD DEVELOPMENT - ADDITION AND RENOVATIONS
CLIENT: C2S ENGINEERING INC.
CITY OF SUDBURY

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SITE PLAN
SCALE 1 : 300

Site Statistics

Address: McKim Map 1, Lot 5, Conc. 4

ZONING	① 20 STE. ANNE ROAD	Zoning Institutional	I (24)
	② 30 STE. ANNE ROAD	Zoning Office Commercial	C4(16)
	③ 38 XAVIER STREET	Zoning Office Commercial	C4(16)
	④ 162 MacKENZIE STREET	Zoning Office Commercial	C4(16)
LEGAL DESCRIPTION:	Part of Lot 5, Conc. 4, McKim Twp., Sudbury District		

ZONE STANDARDS:	REQUIRED/ALLOWED				PROVIDED			
	①	②	③	④	①	②	③	④
MIN. LOT AREA:	900 m²	540 m²	540 m²	540 m²	13141 m²	7318 m²	6815 m²	9522 m²
MIN. LOT FRONTAGE:	30.0 m	18.0 m	18.0 m	18.0 m	90.6 m	46.0 m	99.3 m	84.8 m
MIN. LOT DEPTH:	–	–	–	–	–	–	–	–
MIN. REQUIRED FRONT YARD:	15.0 m	6.0 m	6.0 m	6.0 m	24.3 m (EXIST.)	136.1m (EXIST.)	–	5.6 m (EXIST.)
MIN. REQUIRED REAR YARD:	10.0 m	7.5 m	7.5 m	7.5 m	8.5 m	4.1 m (EXIST.)	–	57.9 m
MIN. REQUIRED INTERIOR SIDE YARD:	10.0 m	SEE ZBL	SEE ZBL	SEE ZBL	4.6 m (EXIST.)	2.1 m (EXIST.)	–	26.2 m (EXIST.)
MIN. REQUIRED CORNER SIDE YARD:	15.0 m	4.5 m	4.5 m	4.5 m	–	–	–	18.0 m (EXIST.)
MAX. LOT COVERAGE:	50 %	50 %	50 %	50 %	36.0 %	18.0 %	–	17.7 %
MAX HEIGHT:	50.0 m	34.0 m	34.0 m	34.0 m	18.0 m	44.0 m	–	12.0 m
MIN. LANDSCAPED OPEN SPACE:	15 %	* SECTION 4.15	* SECTION 4.15	* SECTION 4.15	> 15 %	> 15 %	> 15 %	> 15 %
BUILDING SEPARATION:	15.0 m	–	–	–	13.0 m	13.0 m	–	24.3 m (EXIST.)
MAX. GROSS FLOOR AREA:	–	–	–	–	–	–	0 m²	–
PARKING VEHICLES:	RETIREMENT: (0.25/UNIT) 207 UNITS=52 ADDITIONAL: (1/20 SM NFA) 100 SM=5 ADDITIONAL: (1/20 SM NFA) 256 SM=13 72	MEDICAL: (1/30 SM NFA) 256 SM=9 RETIREMENT: (0.25/UNIT) 209 SM=53 (1/40 SM NFA) 209 SM=6 PLACE OF WORSHIP: (1/30 SM NFA) 1010 SM=34 102	–	MEDICAL: (1/30 SM NFA) 77 SM=3 PERSONAL SERVICES (SPA): (1/30 SM NFA) 337 SM=10 RETAIL: (1/40 SM NFA) 167 SM=4 17	46 ON-SITE 26 OFF-SITE*** 72	50 ON-SITE 87 OFF-SITE** 137	EXISTING 60	88 ON-SITE 88
BICYCLES:	10	2+(1/500 SM GFA) = 10	–	2+(1/500 SM GFA) = 14	10	10	–	14
ACCESSIBLE PARKING	FOR 72 AUTO SPACES = 3	FOR 155 AUTO SPACES = 4 FOR 66 AUTO SPACES = 3	–	FOR 202 AUTO SPACES = 5 FOR 119 AUTO SPACES = 3	4	4	–	4
LOADING SPACES	1	1	–	1	1	1	–	1
LANDSCAPED PARKING AREA	–	10 %	–	10 %	830 = 18 % 4430	858 = 33 % 2594	–	1650 = 30 % 5450

REFER TO ZONING BY-LAW 2010-100Z
OFF-SITE PARKING SPACES TO BE PROVIDED FROM 162 MacKENZIE STREET.
OFF-SITE PARKING SPACES TO BE PROVIDED FROM 30 STE. ANNE ROAD
= GROSS FLOOR AREA
= NET FLOOR AREA
= SQUARE METRE

KEY PLAN

GENERAL NOTES:

1. DIMENSIONS ARE IN METRES AND/OR MILLIMETRES UNLESS OTHERWISE SHOWN.
2. EXISTING SITE DETAIL AND ELEVATIONS SHOWN HEREON ARE BASED ON A COMPILED SURVEY COMPLETED BY TULLOCH ENGINEERING ON FEBUARY 13/2017.
3. ELEVATIONS ARE OF GEODETIC ORIGIN.
4. LOCATIONS OF ALL EXISTING UTILITIES ARE APPROXIMATE ONLY AND MUST BE CONFIRMED IN THE FIELD.
5. REFER TO DWG. SPA-8.1 FOR LEGEND.

RECEIVED
MAY 1 0 2021
PLANNING SERVICES

LIST OF DRAWINGS:

SPA-1.1	MASTER SITE PLAN
SPA-2.1	SITE SERVICING PLAN
SPA-3.1	SITE GRADING PLAN
SPA-4.1	LIGHTING PLAN AND DETAILS
SPA-5.1	LANDSCAPING DETAILS
SPA-6.1	SILTATION CONTROL PLAN
SPA-7.1	SITE SECTIONS
SPA-8.1	MISCELLANEOUS SECTIONS & DETAILS
SPA-9.1	STE. ANNE ROAD RETAINING WALL

THIS IS SCHEDULE "K" TO THE ATTACHED AGREEMENT DATED **MAY 20 2021** BETWEEN THE CITY AND **RED OAK VILLA 2015 INC.**

Initial

DRAWING NOT TO BE SCALED
100 mm ON ORIGINAL DRAWING

NOTES
1. ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE INDICATED.
2. ⊕ DENOTES BUILDINGS PLOTTED FROM O.L.S. PLAN.
3. ⊔ DENOTES BASEMENT FLOOR ELEVATION, WITH HOUSE NUMBER.
4. WATER CONNECTIONS ARE 150mm PVC DR18 UNLESS OTHERWISE INDICATED.
5. ALL SAN. SEWER CONNECTIONS ARE 100mm PVC SDR28 UNLESS OTHERWISE INDICATED.

REVISIONS

DETAILS	DATE	BY
HERITAGE SCHEDULE	MAR 31, 2021	VS
REVISIONS	MAY 7, 2021	VS

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

C2S ENGINEERING
• CIVIL INFRASTRUCTURE • LAND DEVELOPMENT •
• ROADS & HIGHWAYS • WATER & WASTEWATER •
• PROJECT MANAGEMENT •

TULLOCH
1941 KOSKI STREET SUDBURY, ONTARIO P3A 5K8 (705)560-2050

DATE: 2021-03-31
DRAWN: VS
DESIGNED:
CHECKED:
ENGINEER:
APPROVED:

AUTUMNWOOD DEVELOPMENT
ADDITION AND RENOVATIONS
RED OAK VILLA
FOR SITE PLAN AMENDMENT

SCALE: AS NOTED
CONTRACT NO.:
CO./SITE NUMBER:
PAGE NO.: SPA-H

Attachment E

DRAFT Official Plan Amendment

AMENDMENT NO. TO THE CITY OF GREATER SUDBURY OFFICIAL PLAN

Prepared for:

City of Greater Sudbury

December 1st, 2025

Prepared by:
J.L. RICHARDS & ASSOCIATES LIMITED
Engineers • Architects • Planners
314 Countryside Drive
Sudbury, Ontario
P3E 6G2

JLR 33173-000

BY-LAW NO. 2025-XX

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

1. Amendment No. ___ to the City of Sudbury Official Plan, consisting of the attached map and text, is hereby adopted.

2. This By-law shall come into force and take effect on the day of the final passing thereof.

READ a first and second time this_ day of _____,2025.

READ a third time and finally passed this _ day of _____,2025.

_____ SEAL

Paul Lefebvre
Mayor

_____

xx
Clerk

CITY OF GREATER SUDBURY
OFFICIAL PLAN

AMENDMENT No.

This amendment was adopted by the CITY OF GREATER SUDBURY by By-law No.
in accordance with Sections 17 and 22 of the *Planning Act,* on the __ day of _____, 2025.

SEAL	
Paul Lefebvre Mayor	xx Clerk

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

xx
Clerk

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

PURPOSE

The purpose of the proposed Official Plan Amendment No. ___ is to permit 'light industrial' as a permitted use in the Downtown designation specific to 162 Mackenzie Street. The effect of the amendment is to permit a light industrial use on the subject property.

LOCATION

The Official Plan Amendment affects the property described as LTS 308-322 PLAN 1SC; LOWE ST & PT A LANE PLAN 1SC,AS IN S5129; PT LOT5, CON 4, AS IN S55853; EXCEPTING PART 1 ON 53R-16310 AS IN LT874281 AND EXCEPTING PARTS 2,3 AND 4 53R20995; S/T EASEMENT OVER PART 1 ON 53R17102 AS IN LT926815. CITY OF GREATER SUDBURY with municipal address of 162 Mackenzie Street, City of Greater Sudbury.

BASIS

The subject property is designated as "Downtown" and is located within the shoulder area that is generally characterized by mixed land uses. Non-residential development is a key priority for the Downtown to stimulate investment and business activity. The existing building has a heritage designation which will remain, as only interior updates to the building are proposed. The City's Downtown Master Plan describes supporting growth of a mix of land uses including light industrial in the area of influence in the Downtown. This would support the application to add a light industrial use to an existing building that satisfies the general intent of the Official Plan and Downtown development.

All other provisions of the Official Plan are met, and a concurrent Zoning By-law Amendment application has been proposed to add 'light industrial' as a permitted use. The proposed site development will be compliant with all other zoning requirements as set out in the City's Zoning By-law.

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

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

The Details of the Amendment

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

1. By adding in Section 21.0 Site Specific Policies a new Policy 21.121 as follows: Notwithstanding anything to the contrary on those lands described as PIN 021380201; LTS 308-322 PLAN 1SC; LOWE ST & PT A LANE PLAN 1SC,AS IN S5129; PT LOT5, CON 4, AS IN S55853; EXCEPTING PART 1 ON 53R-16310 AS IN LT874281 AND EXCEPTING PARTS 2,3 AND 4 53R20995; S/T EASEMENT OVER PART 1 ON 53R17102 AS IN LT926815. CITY OF GREATER SUDBURY (known as 162 Mackenzie Street), light industrial shall be a permitted use. (OPA XXX)

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

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

Insert Schedule "A" to amendment

Attachment F

DRAFT Zoning By-law Amendment

Proposed Draft By-law

By-law No. xx

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

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

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

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

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

   a) By adding “light industrial” after “commercial school” in Part 11, Section 2, Subsection (4), Paragraph (p), Clause (i) as a permitted use in the C4(16) Zone.

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

READ a first, and second time this ____ day of _____ 2025.

Read a third time and finally passed this _____ day of _____, 2025.

Paul Lefebvre	XX
Mayor	Clerk



Photo 1. Existing building on the subject lands, facing northwest from the south of the subject lands. CGS Files PL-OPA-2025-00021 & PL-RZN-2025-00054). Photo taken February 26, 2026.



Photo 2. Existing building on the subject lands, facing southeast from the laneway north of the subject lands. CGS Files PL-OPA-2025-00021 & PL-RZN-2025-00054). Photo taken February 26, 2026.



Photo 3. Low density residential use to the north of subject lands, facing northeast from the northwest corner of the subject lands. CGS Files PL-OPA-2025-00021 & PL-RZN-2025-00054). Photo taken February 26, 2026.



Photo 4. Low density residential use fronting on Mackenzie Street to the north of subject lands, facing northeast from the northwest corner of the subject lands. CGS Files PL-OPA-2025-00021 & PL-RZN-2025-00054). Photo taken February 26, 2026.



Photo 5. Institutional and commercial uses east of the subject lands (Marymount Academy, former Diocese building (office), Red Oak Villa) facing east from the east side of the subject lands. CGS Files PL-OPA-2025-00021 & PL-RZN-2025-00054). Photo taken February 26, 2026.



Photo 6. Institutional and commercial uses south of the subject lands (Red Oak Villa, Main Public Library, office) facing south from the south of the subject lands. CGS Files PL-OPA-2025-00021 & PL-RZN-2025-00054). Photo taken February 26, 2026.



Photo 7. Sudbury Secondary School to the west of the subject lands, facing southwest from the northwest corner of the subject lands. CGS Files PL-OPA-2025-00021 & PL-RZN-2025-00054). Photo taken February 26, 2026.



Photo 8. Existing building on the subject lands, facing north from the south side of the existing building. CGS Files PL-OPA-2025-00021 & PL-RZN-2025-00054). Photo taken February 26, 2026.



Photo 9. Existing building on the subject lands, facing northeast from the west side of the existing building. CGS Files PL-OPA-2025-00021 & PL-RZN-2025-00054). Photo taken February 26, 2026.

AMENDMENT NUMBER 159
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 159 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 provide a site-specific exemption to the Downtown designation policies to permit a light industrial use on the subject property.

Location: PIN 02138-0201(LT), LTS 308-322 PLAN 1SC; LOWE ST & PT A LANE PLAN 1SC AS IN S5129; PT LOT5, CON 4, AS IN S55853; EXCEPTING PART 1 ON 53R-16310 AS IN LT874281 AND EXCEPTING PARTS 2,3 AND 4 53R20995; S/T EASEMENT OVER PART 1 ON 53R17102 AS IN LT926815; 162 MACKENZIE STREET, CITY OF GREATER SUDBURY

Basis: An Application for Official Plan Amendment (File #PL-OPA-2025-00054) has been submitted for consideration by Planning Committee and Council in order to provide a site-specific exemption to the Downtown designation policies to permit a light industrial use on the subject property. The application, together with a concurrent Application for Zoning By-Law Amendment (File #PL-RZN-2025-00021), would permit the development of light industrial uses.

PART B - THE AMENDMENT

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

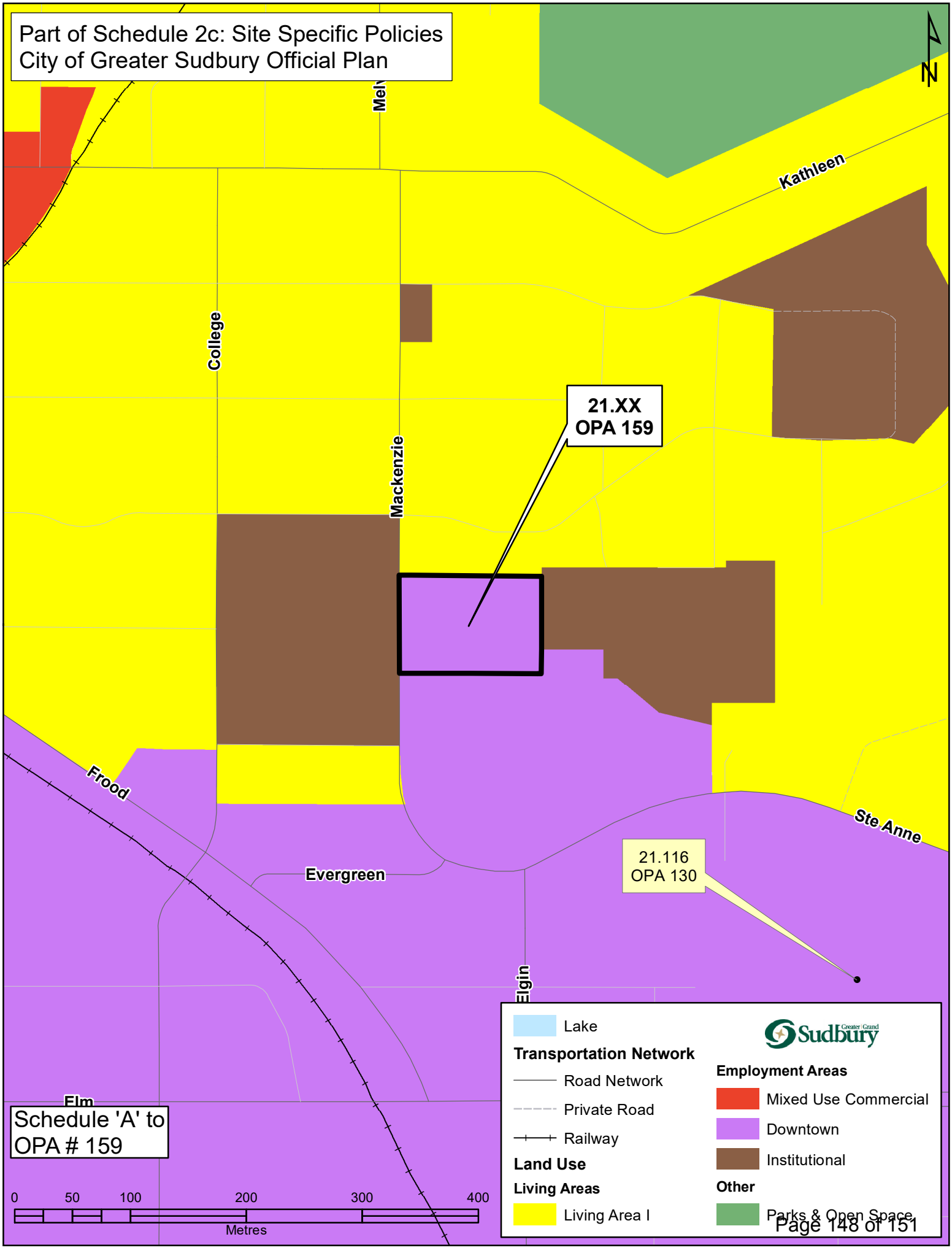
21.XXX Notwithstanding anything to the contrary on lands described as PIN 02138-0201(LT), LTS 308-322 PLAN 1SC; LOWE ST & PT A LANE PLAN 1SC AS IN S5129; PT LOT5, CON 4, AS IN S55853; EXCEPTING PART 1 ON 53R-16310 AS IN LT874281 AND EXCEPTING PARTS 2,3 AND 4 53R20995; S/T EASEMENT OVER PART 1 ON 53R17102 AS IN LT926815; 162 MACKENZIE

DRAFT

STREET, SUDBURY, CITY OF GREATER SUDBURY, light industrial shall be a permitted use.

2) Schedule 2 Site Specific Policies of the Official Plan for the City of Greater Sudbury is hereby amended by adding a site specific policy 21.XXX on PIN 02138-0201(LT), LTS 308-322 PLAN 1SC; LOWE ST & PT A LANE PLAN 1SC AS IN S5129; PT LOT5, CON 4, AS IN S55853; EXCEPTING PART 1 ON 53R-16310 AS IN LT874281 AND EXCEPTING PARTS 2,3 AND 4 53R20995; S/T EASEMENT OVER PART 1 ON 53R17102 AS IN LT926815; 162 MACKENZIE STREET, SUDBURY, CITY OF GREATER SUDBURY, as shown on Schedule “A” attached to this amendment.

DRAFT


Part of Schedule 2c: Site Specific Policies
City of Greater Sudbury Official Plan
N
Kathleen
College
Mackenzie
21.XX
OPA 159
Frood
Evergreen
Ste Anne
21.116
OPA 130
Elgin
Elm
Schedule 'A' to
OPA # 159
0
50
100
200
300
400
Metres
Lake
Transportation Network
Road Network
Private Road
Railway
Land Use
Living Areas
Living Area I
Sudbury
Employment Areas
Mixed Use Commercial
Downtown
Institutional
Other
Parks & Open Space

Karen Cardinal

From: clerks
Sent: Thursday, April 9, 2026 8:31 AM
To: Karen Cardinal
Cc: Alex Singbush
Subject: FW: 162 Mackenzie

Please see the letter of concern below regarding 162 Mackenzie.

Thank you,
Clerk's Services

From: KRYSLYN MOHAN <[redacted]>
Sent: Wednesday, April 8, 2026 7:59 PM
To: clerks <clerks@greatersudbury.ca>
Subject: 162 Mackenzie

> You don't often get email from [redacted]. Learn why this is important

Hello,

My name is Kryslyn Mohan and I am a professor in the School of Community Services at Cambrian College. I am writing this message as it has come to my attention that the owner of 162 Mackenzie, home of **Sudbury Indie Cinema Co-op** is attending a Planning Committee Public Hearing this coming Monday, April 13, 1PM, to ask for a rezoning and Official Plan amendment for the property to permit light industrial use, and renovate the building as a worksite.

As a professional in the field of community services, I recognize the community impact of the Indie Cinema which operates within this space- it is a cornerstone of arts and culture and community building, improving many social determinants of health for our community.

I also recognize the heritage of this building, its role as a community space and its proximity to many recreation and community programs. This site is of immense community interest. I ask that the planning meeting please consider the well-being of the community at the centre of any decisions about rezoning this building. It is important to keep important to keep community spaces alive.

Thank you,

Kryslyn Mohan BSW (She/her)
Professor, Social Service Work (Part-time)
School of Community Services
Cambrian College
1400 Barrydowne Rd
Sudbury, ON
P3A 3V8

Karen Cardinal

From: clerks
Sent: Thursday, April 9, 2026 8:31 AM
To: Karen Cardinal
Cc: Alex Singbush
Subject: FW: Concerns re: rezoning requesor 162 Mackenzie

Please see the letter of concern below regarding 162 Mackenzie.

Thank you,
Clerk's Services

From: ArynnSprague <[redacted]>
Sent: Wednesday, April 8, 2026 8:08 PM
To: clerks <clerks@greatersudbury.ca>
Subject: Concerns re: rezoning requesor 162 Mackenzie

> You don't often get email from [redacted]. Learn why this is important

Good evening,

I'm writing tonight to express concern that the building at 162 Mackenzie in Sudbury is up for consideration for rezoning.

This building is in the heart of a residential area and right across from a school. It is a heritage building that is an important community hub and home to the Sudbury Indie Cinema.

It would be detrimental to the community and the surrounding area to have industrial use right in the residential neighbourhood. Please consider that this area is already busy with buses and foot traffic from the school, and also close to many people's homes. The noise and additional traffic from even light industrial use would not be conducive to the area being used and enjoyed as a quiet residential area.

Kind regards,

Arynn Sprague

Karen Cardinal

From: Coalition for a Liveable Sudbury . <[redacted]>
Sent: Thursday, April 9, 2026 2:53 PM
To: clerks
Subject: Comments - Planning Application - 162 Mackenzie – April 13 Public Hearing

Good afternoon,

An application for a rezoning and Official Plan amendment for 162 Mackenzie will come to Planning Committee Monday, April 13.

There is high public interest in this building because of its heritage status, its role as a community space housing the Sudbury Indie Cinema, and its proximity to community spaces (Sudbury Secondary School across the street, next to the main library) & residences (individual homes, seniors' residences adjacent, supportive housing in-progress behind).

Due to the high level of public interest, we recommend that a decision be deferred to give time for a community meeting. Alternatively, the April 13 Public Hearing could be the 1st of two, with a 2nd Public Hearing and the vote scheduled for a later Planning Committee meeting, also to give time for a community meeting. After speaking to the proponent, I believe there is genuine interest in hearing from the community and building good community relationships. A delay to allow time for a fulsome community meeting prior to the Public Hearing and vote would meet all interests.

Thank you for your consideration,
Naomi Grant
Chair, Coalition for a Liveable Sudbury