

Appendix A

AMENDMENT NUMBER 124 TO THE CITY OF GREATER SUDBURY OFFICIAL PLAN

Components of the Amendment: Part A, the Preamble, does not constitute part of this Amendment.
Part B, the Amendment, constitutes Amendment 124 to the City of Greater Sudbury Official Plan.

PART A - THE PREAMBLE

Background: The Planning Act, as amended by Bill 23, *the More Built Faster Act, 2022*, removed site plan control for residential development with ten or fewer residential units on a lot. It also removed exterior design as a matter subject to site plan control. The proposed amendment ensures compliance with these changes to the Planning Act.

Purpose: This amendment implements certain changes to the Planning Act with respect to site plan control.

Location: All lands within the City of Greater Sudbury.

Basis: The Planning Act, as amended by Bill 23, *the More Homes Built Faster Act, 2022*, removed the ability for municipalities to apply site plan control to residential development with ten or fewer units on a lot. It also removes exterior design as a matter subject to site plan control. The official plan cannot contravene the Planning Act, therefore an amendment is required.

PART B - THE AMENDMENT

The Official Plan is hereby amended, as follows:

- 1) In Part 8.0 Water Resources, 8.4 Surface Water Resources – Lakes, Rivers and Streams, 8.4.1 General Policies by:
 - a. Removing ‘5. Development or redevelopment on a lot on any shoreline of a lake or river will be subject to site plan control, which will be implemented through a by-law. The City will develop comprehensive site plan control guidelines outlining requirements for applications, including specific technical studies if needed.’
 - b. Replacing ‘6. Matters to be addressed in site plans will include, but are not limited to, the following: a. Appropriate location of buildings, structures and, on lots without municipal wastewater services, sewage treatment systems; b. Retention or restoration of a natural vegetative buffer in accordance with Section 8.4.5 to prevent erosion, sedimentation and nutrient migration; c. Maintenance and establishment of native vegetation cover on the lot whenever possible; d. Appropriate location and construction of roads, driveways and pathways, including consideration of the use of permeable materials; and e. Implementation of stormwater management and construction mitigation techniques, including proper re-contouring, discharging of roof leaders, use of soak-away pits and other measures to promote infiltration. Best management practices for stormwater control, including low impact development techniques, will be encouraged during shoreline development, as appropriate.’ with **‘5. Criteria to assess development or redevelopment on a lot on any shoreline of a lake or river will include, but are not limited to, the following: a. Appropriate**

location of buildings, structures and, on lots without municipal wastewater services, sewage treatment systems; b. Retention or restoration of a natural vegetative buffer in accordance with Section 8.4.5 to prevent erosion, sedimentation and nutrient migration; c. Maintenance and establishment of native vegetation cover on the lot whenever possible; d. Appropriate location and construction of roads, driveways and pathways, including consideration of the use of permeable materials; and e. Implementation of stormwater management and construction mitigation techniques, including proper re-contouring, discharging of roof leaders, use of soak-away pits and other measures to promote infiltration. Best management practices for stormwater control, including low impact development techniques, will be encouraged during shoreline development, as appropriate.'

2) In Part 19.0 Implementation, 19.6 Site Plan Control Areas by:

- a. Replacing 'b. Single detached dwellings, two-family dwellings, triplex dwellings, fourplex dwellings, on individual lots and buildings accessory thereto, regardless of zoning.' with '**b. Development of ten residential units or less, on individual lots and buildings accessory thereto, regardless of zoning.**'
- b. Replacing 'The City may impose site plan control on exempted properties during the development application review process where warranted. Waterfront properties may also be subject to site plan control in order to implement policies and programs related to the protection of water resources (see Section 8.5).'
- c. Replacing 'Site plan control may be applied to the exterior design of new buildings including without limitation the character, scale, appearance and building design features and their sustainable design, where appropriate. Site plan control may also be applied to the sustainable design elements on any public road immediately adjoining a property being developed including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture and bicycle parking facilities.'
- d. Replacing 'Notwithstanding the provisions of b. above, all developments proposed under the provisions of Section 19.7 will be subject to site plan control.'

3) In Part 19.0 Implementation, 19.7 Comprehensive Planned Unit Developments by:

- a. Replacing 'The CPUD provision applies to lands under unified control that are generally intended for mixed use and/or mixed density development. It may form part of a larger proposal that includes traditional development by subdivision. Comprehensive Planned Unit Development will be permitted only through an amendment to the Zoning By-law. The layout and design of streets, services, landscaping, open space and individual buildings are presented in the form of a detailed Concept Plan that is submitted prior to rezoning approval. Once final approval is obtained, a site plan in conformity with the initial Concept Plan must be submitted and approved. This will allow some flexibility in revising the initial concept as circumstances dictate, particularly in the case of multi-phase projects.' with **'The CPUD provision applies to lands under unified control that are generally intended for mixed use and/or mixed density development. It may form part of a larger proposal that includes traditional development by subdivision. Comprehensive Planned Unit Development will be permitted only through an amendment to the Zoning By-law. The layout and design of streets, services, landscaping, open space and individual buildings are presented in the form of a detailed Concept Plan that is submitted prior to rezoning approval. Once final approval is obtained, a site plan in conformity with the initial Concept Plan must be submitted and approved, as applicable. This will allow some flexibility in revising the initial concept as circumstances dictate, particularly in the case of multi-phase projects.'**

4) In Part 19.0 Implementation, 19.7 Comprehensive Planned Unit Development, 19.7.1 Policies by:

- a. Replacing 'a) Comprehensive Planned Unit Development will be permitted only through an amendment to the Zoning By-law based on the submission of a detailed Concept Plan. Once final approval under the Zoning By-law is obtained, the proponent must enter into a site plan agreement pursuant to Section 41 of The Planning Act. The site plan will be consistent with the initial Concept Plan and subject to the site plan standards in Section 20.6. In considering an application under the CPUD provision, the City will have regard to the following factors beyond the normal rezoning criteria:' with **'Comprehensive Planned Unit Development will be permitted only through an amendment to the Zoning By-law based on the submission of a detailed Concept Plan. Once final approval under the Zoning By-law is obtained, the proponent must enter into a site plan agreement pursuant to Section 41 of The Planning Act, as applicable. The site plan will be consistent with the initial Concept Plan and subject to the site plan standards in Section 20.6. In considering an application under the CPUD provision, the City will have regard to the following factors beyond the normal rezoning criteria:'**