

Ministry of
Municipal Affairs
and Housing

Ministère des
Affaires municipales
et du Logement



Municipal Services Office
North (Sudbury)

159 Cedar Street, 4th Floor
Sudbury ON P3E 6A5
Tel.: 705 564-0120
Toll-free: 1 800 461-1193

Bureau des services aux
municipalités du Nord (Sudbury)

159, rue Cedar, 4^e étage
Sudbury ON P3E 6A5
Tél.: 705 564-0120
Sans frais: 1 800 461-1193

May 16, 2022

Kris Longston
Director of Planning Services
City of Greater Sudbury
P.O. Box 5000 Stn A
200 Brady Street
Sudbury, ON P3A 5P3
kris.longston@greatersudbury.ca

sent via email only

**Subject: Draft Employment Land Community Improvement Plan
City of Greater Sudbury
MMAH File N° 53-CP-238192**

Dear Kris Longston:

Thank you for providing Municipal Services Office North with the opportunity to review and comment on the draft Employment Land Community Improvement Plan (CIP).

I understand that council will consider the proposed CIP at a future meeting and the municipality has requested the ministry's comments on the draft plan in accordance with subsection 28(5) of the *Planning Act*. I offer the comments contained in the attached table for the City's consideration.

I look forward to receiving notice of council's decision to adopt the plan in accordance with subsection 17(23) of the *Planning Act* and section 4 of O. Reg. 543/06. If you would like to discuss any of the comments, please contact Christopher Brown, Senior Planner, at Christopher.R.Brown@ontario.ca.

Yours truly,

A handwritten signature in blue ink, appearing to read "Anna Little".

Anna Little
Manager, Community Planning and Development

Encl.

- c. S. Monet, Manager, Strategic and Environmental Planning, City of Greater Sudbury
- M. Riou, Senior Planner, City of Greater Sudbury

City of Greater Sudbury Employment Land Community Improvement Plan

Comments by Ministry of Municipal Affairs and Housing

Page	CIP Section and Comments
4	3.2.1 (9) phased developments The policy states: "The City may consider phasing incentives for large, multi-phase redevelopment projects, where it can be clearly demonstrated that the provision of the phased incentive does not exceed the eligible costs associated with any particular phase of development and/or redevelopment." Consider clarifying whether the eligibility limits apply to the overall project or whether each phase is treated separately.
5	3.2.1 (11) exceeding program limits The policy states: "The City may receive applications that exceed the maximum program amounts outlined in this Community Improvement Plan. At its sole discretion, the City may provide incentives that are greater than the amounts outlined herein, provided that all other applicable criteria are met." It is recommended that a clear policy be included setting out the conditions under which this discretion might be exercised.
5 and 10	3.2.1 (22) discontinuation 5.0 Monitoring, Review and Amendments In both policies, the CIP notes that the City may discontinue any of the programs without amendment to the CIP. To ensure transparency and accountability we encourage the City to include provisions for notifying the public about discontinuation of programs.
	Schedule A-2 Coniston The preamble to section 3.0 of the Provincial Policy Statement, 2020 (PPS) includes the statement: "Mitigating potential risk to public health or safety or of property damage from natural hazards, including the risks that may be associated with the impacts of a changing climate, will require the Province, planning authorities, and conservation authorities to work together." PPS policy 3.1.3 requires planning authorities to prepare for the impacts of a changing climate that may increase the risk associated with natural hazards. The following comments pertain to flooding hazards on the Coniston lands.

Page	CIP Section and Comments
	PPS policy 3.1.2 prohibits development and site alteration in a floodway regardless of whether the area of inundation contains high points of land not subject to flooding. Schedule A-2 includes an area of land identified in Schedule 6 of the City's official plan as "Floodplain", immediately east, west, and south-west of the residential subdivision. An "Open Space Conservation" (OSC) Zone in the City's zoning by-law covers a portion of the floodplain. For consistency with the PPS, it is recommended that lands designated as floodplain either be removed from the CIP area identified on Schedule A-2, or that policies be added to the CIP to indicate that incentives will not be provided for development within the floodplain.
	Schedule A-3 Fielding Road/ Duhamel Road The lands identified on Schedule A-3 for inclusion in the CIP are designated "General Industrial" and are surrounded on the north and east sides by lands that are designated "Mining/ Mineral Reserve" in the official plan. PPS policy 2.4.2.2 states that known <i>mineral deposits</i> shall be identified and <i>development</i> and activities in these resources or on adjacent lands which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if: a) resource use would not be feasible; or b) the proposed land use or development serves a greater long-term public interest; and c) issues of public health, public safety and environmental impact are addressed. Given the proposed CIP area is adjacent to lands designated in the official plan as "Mining/ Mineral Reserve", the issues set out in criterion 'c)' would need to be considered through appropriate studies in relation to provincial <u>D-series guidelines</u>. Certain uses associated with the strategic industries targeted by the CIP, such as film and television, life sciences, and clean tech, may involve research and development laboratories, offices, and other uses that might be negatively impacted by noise, dust and vibration from future mining activities such as blasting and hauling. The presence of incompatible uses on the CIP lands might preclude or hinder the establishment of a future mine within the lands designated "Mining/ Mineral Reserve." It is recommended the boundaries of the proposed CIP area be reconsidered in the context of <u>Provincial D-series guidelines</u>. For example, under Section 4.1 of the D-6 Guideline, the potential influence area for a Class III use (large-scale manufacturing) is 1000 metres. In Section 4.2, the recommended minimum separation distance for a Class III use is 300 metres, regardless of additional mitigation for adverse effects. The City may wish to consider including provisions in the CIP to require the submission of a land use compatibility study as part of an application within the CIP area shown on Schedule A-3. The City may also wish to consider including criteria for awarding financial incentives, specific to the area shown on Schedule A-3, such as a study detailing how the proposed development meets provincial D-series recommendations for land-use compatibility based on a potential mining operation on the adjacent lands.
	Schedule A-8 Valley East

Page	CIP Section and Comments
	PPS policy 3.1.2 prohibits development and site alteration in a floodway regardless of whether the area of inundation contains high points of land not subject to flooding. Most of the proposed CIP area is zoned "Light Industrial" (M1), however, approximately 22 hectares on the east side of the area is zoned "Rural" (RU), the northernmost portion of which a 6-hectare area is identified as floodplain in the City's Zone Map and designated "Parks & Open Space" in the official plan. A similar-sized area west of Poole Court is shown as floodplain in the City's Zone Map. For consistency with the PPS, it is recommended the floodplain areas either be removed from the proposed CIP area, or that policies be added to the CIP to indicate that incentives will not be provided for development within the floodplain.