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Land Use Planning Report

Prepared For: Vista Sudbury Hotel Inc. – Elm Place
Re: Elm Place Warehouse and Self-storage

Date: April 4, 2024

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1 Executive Summary

Planscape Inc. has been retained to provide a Planning Justification Report for Vista Sudbury Hotel Inc. – Elm Place for the redevelopment project in Sudbury. This report will supplement the applications for an Official Plan Amendment and Zoning By-law Amendment. The subject property is located at 40 Elm Street in the downtown area of the City of Greater Sudbury.

Elm Place, like many other downtown retail malls or plazas, continues to be impacted by social and economic change. Earlier retail evolution included big box stores and retail migration outside of traditional downtown cores into outlying community nodes and main corridors. Many efforts over the years have continued to help transform Elm Place into a downtown destination that now hosts a diverse base of commercial businesses that includes office and service based commercial occupancy.

In recent years, retail and commercial based businesses and services have had a tremendous shift in the delivery of goods to their customers. There has been a progression to more online retail shopping and the loss of traditional “bricks and mortar” department stores. There has also been a shift in workforce strategies that allow for more remote and hybrid style employment opportunities versus working solely from the office. This transition has had direct impacts on the need to maintain large office spaces and more typical storefront retail.

The proposed planning applications will permit an increased variety of commercial and related light industrial uses that will include a potential courier service and an associated distribution centre and warehousing and allow for new indoor commercial self-storage within the interior of the existing building. The plans will continue to protect permitted retail and commercial space in downtown Sudbury, adapt to retail and shopping trends and provide a solution to the many vacancies and unused space within the shopping centre and office complex.

It has been determined an Official Plan and Zoning By-law Amendment applications are required under the policies of the Official Plan and the implementing Zoning By-Law, as per the pre-consultation meeting with the City of Greater Sudbury on May 4, 2022.

2 Development Proposal

2.1 Subject Lands

The Elm Place shopping centre and office complex (formerly the Rainbow Centre) has been a main commercial staple and focal point of downtown Sudbury for over 50 years. The property in the downtown core of Sudbury provides a mixed use of commercial space that includes retail, office and service-based businesses.

The following property characteristics apply to these applications:

- Physical Address – 40 Elm Street; PIN 02138-0196; Plan D-132, Units 5 to 12, 14, 16, 20 to 22, Part of Units 1, 3, 4, 13 & 15; Plan 53R-17387, Part 5; Part of Lot 5, Concession 4 (McKim), City of Greater Sudbury;
- The subject property is located at the northeast corner of the downtown Business Improvement Area;
- The City of Greater Sudbury Official Plan designates the property as Employment Area – Downtown;
- The property is Zoned Downtown Commercial (C6) in the City of Greater Sudbury Zoning By-law;
- It is approximately 3.9 ha (9.7 acres) in size with ± 260 m of frontage along Elm Street, 125 metres along Notre Dame Ave. (± 115 m on Ste. Anne Rd);
- There is approximately ± 450,000ft² of Retail Commercial Space in the 2-Storey Mall and 50,000 ft² of Office Commercial Space in the Office Tower;
- Estimated monthly visits are 300,000; and
- Includes parking for approximately 950 vehicles.

The subject property is illustrated in [Figure 1](#).

2.2 Elm Place Vacancy

The focus of the proposal is to redevelop and revitalize the traditional 2-storey Shopping Centre to increase occupancy. The following information was received by the client, Vista Hospitality Co. Canada Inc., describing the vacancies of the subject lands of the applications:

First Floor Mall:

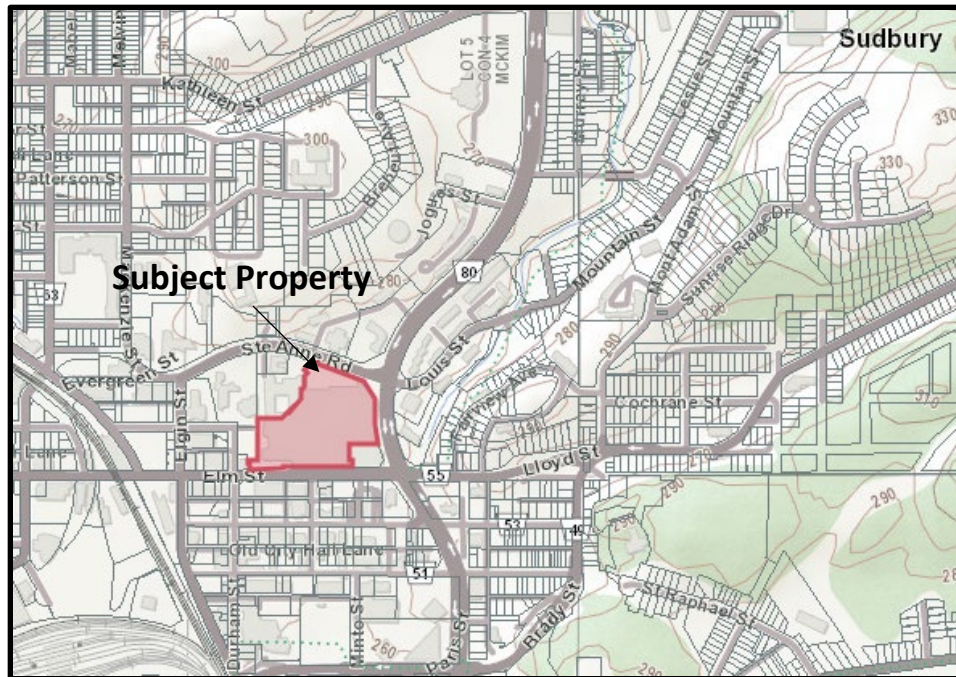
- Leasable Space 262,083 ft² (±24,350 m²)
- 54 Units of various sizes
- **Vacancy:**
 - **19 Units or 35 %**
 - **75,393 ft² or 29%**

Second Floor Mall:

- Leasable Space 195,087 ft² (±18,124 m²)
- 40 Units of various sizes
- **Vacancy:**
 - **17 Units or 43%**
 - **66,893 ft² or 34%**

Additionally, the office tower offers another four storeys of office real estate that currently has 14% vacancy.

Figure 1. Property Location



2.3 Surrounding Land Use

The subject lands are located in the downtown area of the City of Sudbury and represents the northeast block of the Downtown Business Improvement Area, that represents approximately 90 properties and over 400 businesses¹. As shown in [Figure 2](#), most of the surrounding land uses to the south and west are Downtown Commercial (C6) that permits approximately 40 different commercial uses. Other surrounding and nearby uses include Office Commercial (C4), institutional and residential zoning.

Abutting businesses along Elm Street include banking, government buildings and services, the downtown GOVA Transit Hub, professional offices, boutiques and fast-food establishments. Notre Dame Avenue to the east and St. Anne's Street to the north create the border for the downtown BIA; the surrounding areas are generally multi-unit residential and institutional uses that include mainly churches and open space.

The Elm Place shopping and business complex itself, is a mixed-use facility, that include commercial retail, food service and office space that consists of professional, medical, financial, governmental, and other serviced based businesses².

During the pre-consultation meeting with City of Greater Sudbury staff, they requested the submission of a Land Use Compatibility Study, as part of this application submission, to address any potential for noise on the surrounding uses. Aercoustics Engineering Limited were retained and have provided an Impact Study included with this application.

¹ [Downtown Sudbury](#)

² <https://elmplace.ca/elm-place>

Figure 2. Downtown Area Map



2.4 Proposed Elm Place Redevelopment

Vista Sudbury Hotel Inc. – Elm Place proposes to permit additional uses in the downtown core to address the 19 vacant units on the main floor of the Elm Place Shopping Centre. This would occupy approximately 30 percent of the current vacant floor space on the first level alone. The intent is to create a market-ready space for potential tenants.

Elm Place continues to adapt to maintain feasibility and to encourage economic growth. The proposal is intended to preserve existing commercial retail along the street fronts and interior mall corridors, while permitting the abundant vacant space in the unseen core of the mall to be available for expanded tenancy.

The large space generally vacant in the shopping centre is in the locations of historic department stores. These spaces traditionally offered high ceilings, back-room storage and loading docks. The conversion will continue to allow for traditional retail but also open the door for new courier-type service businesses that require storage and warehousing intended for the “last-mile” delivery to local businesses and residents of the downtown area. The proposal will take advantage of existing infrastructure of the mall that include the loading docks and existing access to the main arteries of downtown Sudbury and bring new sources of employment to Elm Place. The proposed indoor self-storage is also intended to benefit local businesses and downtown residents and occupy underutilized floor space within the mall.

As noted earlier, the proposal will include amendments to the Official Plan and Zoning By-law to permit “light industrial” uses that include warehousing, localized distribution space and indoor commercial self-storage. The application will specifically permit approximately 7,020 m² (75,535 ft²) of ground floor mall space to be converted and available for the additional uses, leaving them open to the existing and permitted uses.

2.5 Site Plan

Illustrated below in [Figure 4](#) is the proposed first floor redevelopment. Key components of the concept plan include:

- Green Areas identified as potential areas for rezoning to include Warehousing and Distribution Centre.
- ▨ Green Hatched Areas identified as potential areas for rezoning to include Indoor commercial self-storage.

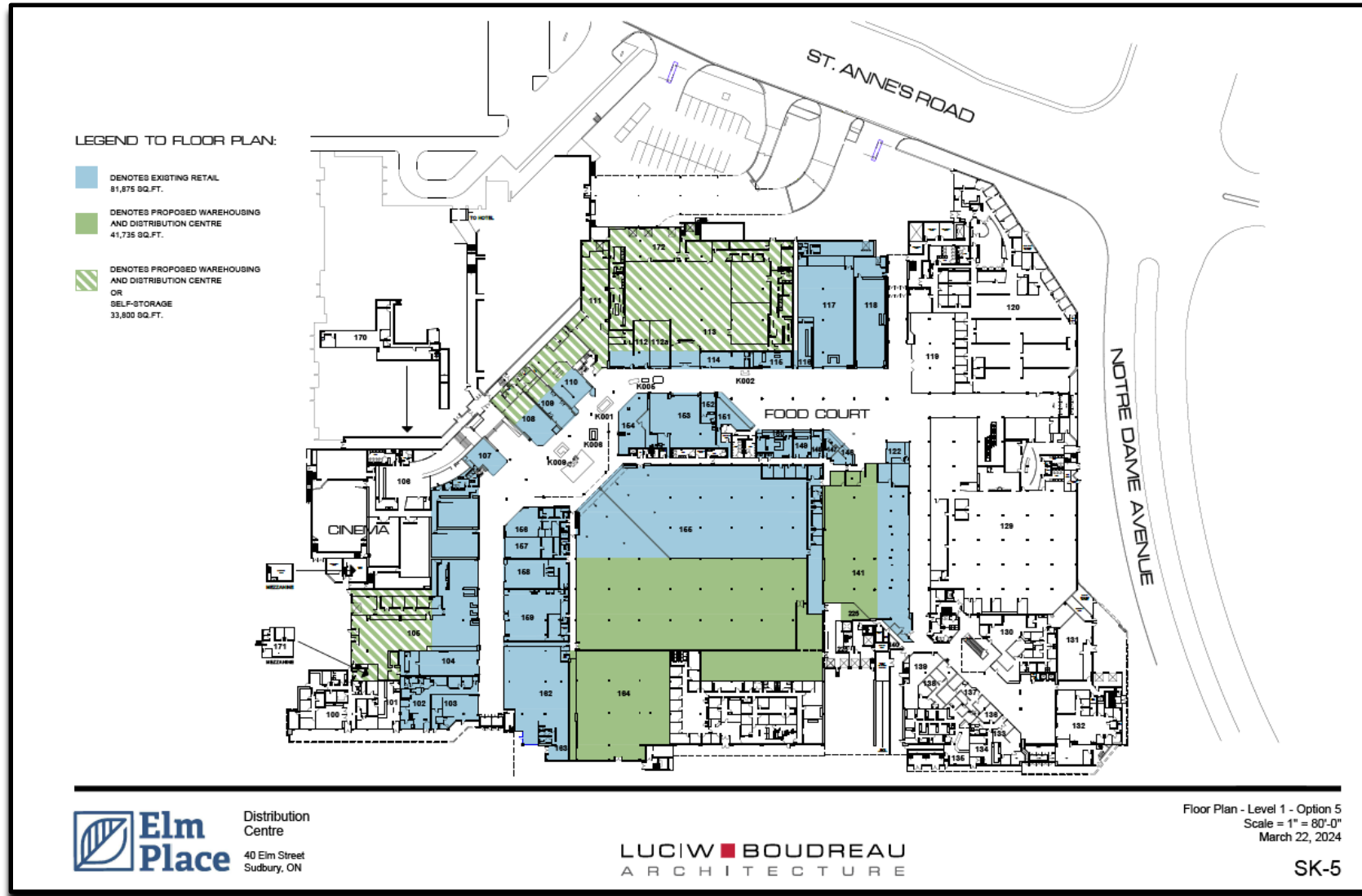
Note: the concept plan shows separate areas for rezoning for proposed uses. The applications would permit 7,020 m² of combined warehousing use and commercial self storage in the interior of the main floor of the building.

- White Areas remain untouched that are predominately service, and office-based tenants.
- Blue Areas indicate areas of Elm Place to remain as existing Commercial Use and will protect the store-front retail of the mall corridors.

Additional features noted in the Site Plan:

- Loading Docks;
- Main delivery and service entrance from Ste. Anne’s Road;
- Elm Street Loading dock will be for interior tenants, additional zoned area can access St Anne’s; Road and parking from Durham Street; and
- Area subject to this rezoning is approximately 7,020 m² (75,535 ft²)

Figure 4: Site Plan Sketch



2.6 Mall Revitalization Trends

Conventional malls and shopping centres across North America continue to evolve with the changing retail market. Even pre-pandemic, large and highly influential retailers were transitioning from the long-established brick and mortar sales to the convenience of shopping from the comforts of home or the palm of your hand; the pandemic arguably accelerated this market change. Store front retail still exists but overnight front porch delivery is the trending new normal. Retailers generally need less store space and an increased effective and efficient delivery model to remain competitive and viable.

Many southern Ontario urban communities are redeveloping malls and shopping centres. They are experiencing the shift in retail trends and are undertaking long-term investments and redevelopment that generally are focused on repurposing major malls and shopping centres into mixed use community nodes predominately increasing residential capacity. Cities like Mississauga³ and Pickering⁴ on the outskirts of Toronto are using the retail trends and need for more housing to redevelop this space, becoming economically viable by creating more housing and drawing more people to the retail centres.

Northern Ontario communities are not projected to see the same trends in population growth as is the case with many southern urban communities and mall revitalization comparisons are difficult to measure. A July 2023 report to Sudbury Finance and Administration Committee⁵ suggests Sudbury will see moderate population growth. Growth and development in Sudbury will be related directly to the local economic growth and employment lands should generally be maintained to maximize opportunities for residents. Sudbury has sufficient lands for new residential growth and further intensification based on 30-year projections.

As identified by Vista Hospitality Co. Canada Inc. in their Elm Place: Retail to Fulfillment and Distribution Conversion – 2022 presentation, e-commerce companies like Amazon are taking advantage of available commercial space to increase “last-mile” delivery services to local customers across North America. The traditional space occupied by department stores of the past lends themselves well to the dimensional space, infrastructure and logistics of the new retail reality that require a level of local warehousing, storage and distribution.

As e-commerce continues to grow, the efficiency hinges partially on ease of delivery. Large distribution and warehousing will continue in light industrial and commercial appropriate lands but a need for localized distribution much like local Canada Post Outlets will also be increasingly valuable.

3 Required Planning Applications

The planned redevelopment of the Elm Place (Mall) in downtown Sudbury as confirmed by the policy review and pre-consultation with the Greater City of Sudbury requires an Official Plan Amendment and a Zoning By-law Amendment. The Amendment Applications will require supporting documents including

³ [Reimagining the Mall | City of Mississauga](#)

⁴ [Pickering City Centre - The New 55 Acre Masterplan](#)

⁵ [Population Projections Report \(escribemeetings.com\)](#)

this Planning Justification Report, a Land Use Compatibility Study, a Public Consultation Strategy, and a Traffic Impact Study.

3.1 Pre-Consultation Requirements

The Pre-consultation Meeting with the City of Greater Sudbury outlined the following requirements to be submitted with the application:

- Official Plan Amendment Application;
- Zoning By-law Amendment Application;
- Planning Justification Report;
- Land Use Compatibility (noise) Study;
- Public Consultation Strategy;
- Traffic Impact Study; and
- Concept Plan.

3.2 Official Plan Amendment

The proposed redevelopment of the Elm Place Shopping Centre will include a warehouse and commercial self-storage facility within the Downtown designation. As this use is not expressly permitted within this designation, an Official Plan Amendment is required.

It is suggested that the following be considered (subject to discussions with staff) for including in the Official Plan to permit this new use:

“21.108 Notwithstanding anything to the contrary, for those lands described as Plan D-132, Units 5 to 12, 14, 16, 20 to 22, Part of Units 1, 3, 4, 13 & 15; Plan 53R-17387, Part 5; Part of Lot 5, Concession 4, Township of McKim, in addition to the uses in the Downtown Commercial Employment Area designation, a warehouse and commercial self-storage facility is also permitted.

*(OPA XX)”

3.3 Zoning By-law Amendment

The site-specific Zoning By-law Amendment is also required to identify and permit the proposed commercial uses. The Application will serve to rezone from Downtown Commercial (C6) to Downtown Commercial – Special (C6-S**). The Exception will permit, in addition to the other uses of the C6 zone, the following:

- Warehouse and
- Commercial Self Storage Facility

The effect of the application for the site-specific zoning exception is to add a new subsection to Part 11 - Section 2 (6) - Special Downtown Commercial Zone, as follows:

“(d) C6(4) (Elm Place Mall)

Plan D-132, Units 5 to 12, 14, 16, 20 to 22, Part of Units 1, 3, 4, 13 & 15; Plan 53R-17387, Part 5; Part of Lot 5, Concession 4, Township of McKim

(By-law 2024-xx)

Notwithstanding any other provision hereof to the contrary, within any area designated C6(4) on the Zone Maps, all provisions of this by-law applicable to the “C6(4)”, Downtown Commercial Special zone shall apply subject to the following modification:

- In addition to the uses permitted in the C6(4) zone, Warehouse and Commercial Self Storage Facility uses shall also be permitted; and
- The Warehouse and Commercial Self Storage Facility shall be limited to a maximum gross floor area of 7,020 m²; and
- The Warehouse and Commercial Self Storage Facility shall only be located on the main floor of the mall; and
- A public indoor commercial concourse shall be maintained with a minimum of 6 m of commercial retail space abutting the corridor to preserve the commercial characteristics of the mall concourse.”

4 Summary of Supporting Documentation

As part of the pre-consultation with the City of Greater Sudbury, the following section addresses the required supporting documentation, included in this section is the Land Use Compatibility Study, Public Consultation Strategy and the Traffic Impact Study.

4.1 Elm Place Warehouse Distribution Centre Land Use Compatibility Study and Noise Impact Study by Aercoustics Engineering Ltd.

A Land Use Compatibility Study and Noise Impact Study was completed by Aercoustics Engineering in September 2023 for 40 Elm Street as part of the Amendment Applications. The report describes the surrounding land uses within 300 m and the potential influence area within 70 m. The study recognizes the proposed use of a warehouse and distribution centre as a Class II Industry.

The report concluded that a proposed warehouse distribution centre is compatible with surrounding lands uses and is predicted to comply with noise guidelines of the MECP.

4.2 Public Consultation Strategy by Todd Robson & Associates

Todd Robson and Associates have created a Public Consultation Strategy that will include:

- Email correspondence to the Downtown Sudbury Business Improvement Association and Uptown Community Action Network;
- Poster information for surrounding residential and public use buildings informing of the application and amendment proposals; and
- Public Open House prior to the Planning Committee Meeting.

Following the notice and public open house, comments and potential complaints will be submitted to Planscape Inc. for review.

4.3 Traffic Impact Study for Vista Hospitality Co. (Canada) Ltd. By JD Northcote Engineering Inc.

A Traffic Impact Study was conducted and submitted by JD Northcote Engineering Inc. in December of 2023 to supplement the Amendment Applications for the Elm Place proposal of a distribution and warehousing redevelopment.

The report conclusions are made with an understanding of converting 9,727 m² of the existing mall space on the 2 main floors of the building. The current proposal is a reduced conversion that is approximately half or 5,920 m² of converted space that further reduces impact of the study area.

The impact area included extensive counts and analysis of the potential roadways and associated intersections surrounding the subject property. Specifically, the report also looked at operational flows of courier based vehicular traffic into the existing building parking lots and loading zones.

The thorough report concludes the proposed conversion that permits the use of warehousing and distribution centre is not foreseen to have any operational concerns and would not significantly add to any delay or congestion of the existing road infrastructure.

5 Policy Review

A thorough review of the Provincial Policy Statements, the Growth Plan for Northern Ontario, the City of Greater Sudbury Official Plan and the Zoning By-law was undertaken.

5.1 Provincial Policy Statement 2020

The **Provincial Policy Statement** (PPS) is a consolidated statement of the government's policies on land use planning. It gives provincial policy direction on key land use planning issues that affect communities, such as: efficient use and management of land and infrastructure. Any land use planning approval must comply with the intent and direction of the PPS, or it cannot be approved by the local planning authority.

The existing and proposed development on the subject property would be reflective of policies of **Section 1.1.1** where:

Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; and

d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas.

The subject property is located within the “Employment Areas” as defined by the PPS. **Section 1.3.1** of the PPS recognizes 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;

c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;

d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and

e) ensuring the necessary infrastructure is provided to support current and projected needs.

Specifically, under **Section 1.3.2 Employment Areas** the following would be supportive of the proposed development on the subject lands.

1.3.2.1 Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs.

1.3.2.6 Planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.

The proposed redevelopment would continue to offer employment opportunities under the current locally permitted uses of the Downtown Commercial Zone and expand uses to include additional commercial and light industrial uses.

Section 1.2.6 Land Use Compatibility indicates the following:

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

1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed

adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

- a) there is an identified need for the proposed use;*
- b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;*
- c) adverse effects to the proposed sensitive land use are minimized and mitigated; and*
- d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated*

It is our opinion that the proposed development meets the intentions of the PPS. The proposal will be a key factor in maintaining tenants in the Elm Place Shopping Centre and is an appropriate use within an employment area, compatible with current local commercial and surrounding land uses. The proposal will diversify the economic base, providing an increased range of employment opportunities and provides market-ready units for lease that meet the long-term needs of the city.

5.2 Growth Plan for Northern Ontario

The City of Greater Sudbury is located within the Growth Plan for Northern Area and decisions are required to conform with this Plan. The purpose and guiding principles of the plan provides a 25-year vision of growth for the northern economy, people, communities, infrastructure, environment, and aboriginal peoples.

Section 1.2 outlines the purpose of the plan as follows:

- a) to enable decisions about growth to be made in ways that sustain a robust economy, build strong communities and promote a healthy environment and a culture of conservation;*
- b) to promote a rational and balanced approach to decisions about growth that builds on community priorities, strengths and opportunities and makes efficient use of infrastructure;*
- c) to enable planning for growth in a manner that reflects a broad geographical perspective and is integrated across natural and municipal boundaries;*
- d) to ensure that a long-term vision and long-term goals guide decision-making about growth and provide for the co-ordination of growth policies among all levels of government.*

Section 1.4 of the plan outlines the 6 Guiding Principles:

- a) creating a highly productive region, with a diverse, globally competitive economy that offers a range of career opportunities for all residents;*
- b) developing a highly educated and skilled workforce to support an evolving knowledge-based economy and excellence in the trades;*
- c) partnering with Aboriginal peoples to increase educational and employment opportunities;*
- d) delivering a complete network of transportation, energy, communications, social and learning infrastructure to support strong, vibrant communities;*
- e) demonstrating leadership in sustainable growth and environmental management;*
- f) establishing innovative partnerships to maximize resources and ensure this Plan achieves its ambitious vision and is fiscally sustainable.*

The proposed development is a complimentary service needed to facility economic development in Northern Ontario. The application has been reviewed against the applicable policies and has been found to conform to the intent and purpose of the document.

5.3 City of Greater Sudbury Official Plan, 2006 as Amended

The subject property of the Elm Place Shopping Centre is designated Downtown Employment Area in the City of Greater Sudbury Official Plan. A pre-consultation meeting with the City confirmed the purposed uses of a light industrial use (e.g. warehouse, distribution centre and commercial indoor self-storage) is not a permitted use in the downtown land designation, however, are arguably in keeping with the intent of the policy within the Official Plan.

Section 1.3.2 Economic Development identifies that:

The Official Plan includes clear, reasonable and attainable policies that foster certainty and consistency. It ensures that there is an adequate supply of land to meet a variety of economic opportunities. It provides a framework to reinforce the urban structure and achieve more efficient urban form, infrastructure, public service facilities and transportation system. The Plan also provides policies to improve our quality of place. It protects important economic assets like the Sudbury Basin and Greater Sudbury Airport from incompatible uses. It enhances the viability of Downtown Sudbury, promotes brownfield regeneration and provides opportunities for local food production. It promotes opportunities for economic development and sustainable tourism development.

Section 1.4, the Vision of the Official Plan signals that:

Greater Sudbury is an important centre in northern Ontario and focal point for regional investment and growth. Greater Sudbury's regional role as a centre for business and professional services, higher learning, health and medicine, research and innovation, shopping and tourism is solidified through renewal and expansion of existing assets. Strategic investments in infrastructure and projects in the meeting and conference sector, sports and arts and culture have been completed, further expanding our role. Growth in these economic assets create a ripple effect throughout the economy, fueling further economic and population growth.

Greater Sudbury is a modern, vibrant, efficient and complete community, offering the amenities and services of a large urban centre as well as immediate access to the natural environment. Our settlement area is well defined and efficient, reducing costs and improving the quality of the natural environment. Communities are reaching their planned potential, offering a wide range of lifestyle choices for residents, places to work, shop and play. The rural area complements the settlement area.

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

Strategic Plan has been realized making the city a magnet for new investment and human capital.

Downtown Sudbury is the biggest, brightest and best downtown in northern Ontario. The Downtown Sudbury Master Plan is complete. Downtown is more active and better connected. It exemplifies the best in heritage conservation and urban, architectural and landscape design. A Nodes and Corridors Strategy is fully underway and Downtown is better connected to revitalized Town Centres and other strategic core areas by new and distinctive corridors all featuring mixed uses, a strong public realm and public transit.

The proposed applications will enhance and expand the uses permitted in the Downtown Designation Area of the city. It will protect the dominant use of retail and office commercial uses but allow the Vista Sudbury Hotel Inc. – Elm Place to become more economically viable in an evolving retail market.

The Downtown Employment Area is part of the Urban Structure and is identified as the main Community (Sudbury) area of The City of Greater Sudbury where **Section 2.2.1** states:

Due to its concentration of employment and high-order service activity, the community of Sudbury is the regional service centre for both the City and Northeastern Ontario. Sudbury contains all major commercial nodes, including the Downtown and the three Regional Centres, as well as major educational, research and health facilities. Higher density residential uses are also concentrated in Sudbury, including more than threequarters of the total rental housing stock.

The proposed development as mentioned will allow the commercial space to evolve with growing retail trends. recognizing the high vacancy of the downtown mall, it will turn threat into to opportunity. The existing infrastructure and access to regional roads will help facilitate e-commerce and the associated delivery-service demand of the retail market as supported by **Section 2.3** where:

Looking ahead, the city’s population, households and employment is expected to grow modestly in the next 20 years. This growth must continue to be directed to reinforce the urban structure, capitalize on existing investments, make the most efficient use of existing infrastructure and public service facilities, protect our rural and agricultural assets and preserve our natural features and areas. Reinforcing the urban structure will have other benefits including the creation of a more energy efficient land use pattern and climate change mitigation. This can be achieved through formal growth management policies.

Section 2.3.1 states specific objectives as:

It is the objective of the Reinforcing the Urban Structure policies to provide a growth management policy framework that:

- a. provides an adequate land supply to meet long term needs;*
- b. establishes and maintains an urban growth boundary;*
- c. directs the majority of future growth and development to the settlement area;*

- d. encourages a mix of uses within the settlement area;*
- e. establishes and maintains a built boundary;*
- f. encourages context sensitive intensification and development within the built boundary; and,*
- g. identifies strategic core areas, and nodes and corridors that will be the focus of more intensive forms of mixed-use development, active transportation and transit supportive development.*

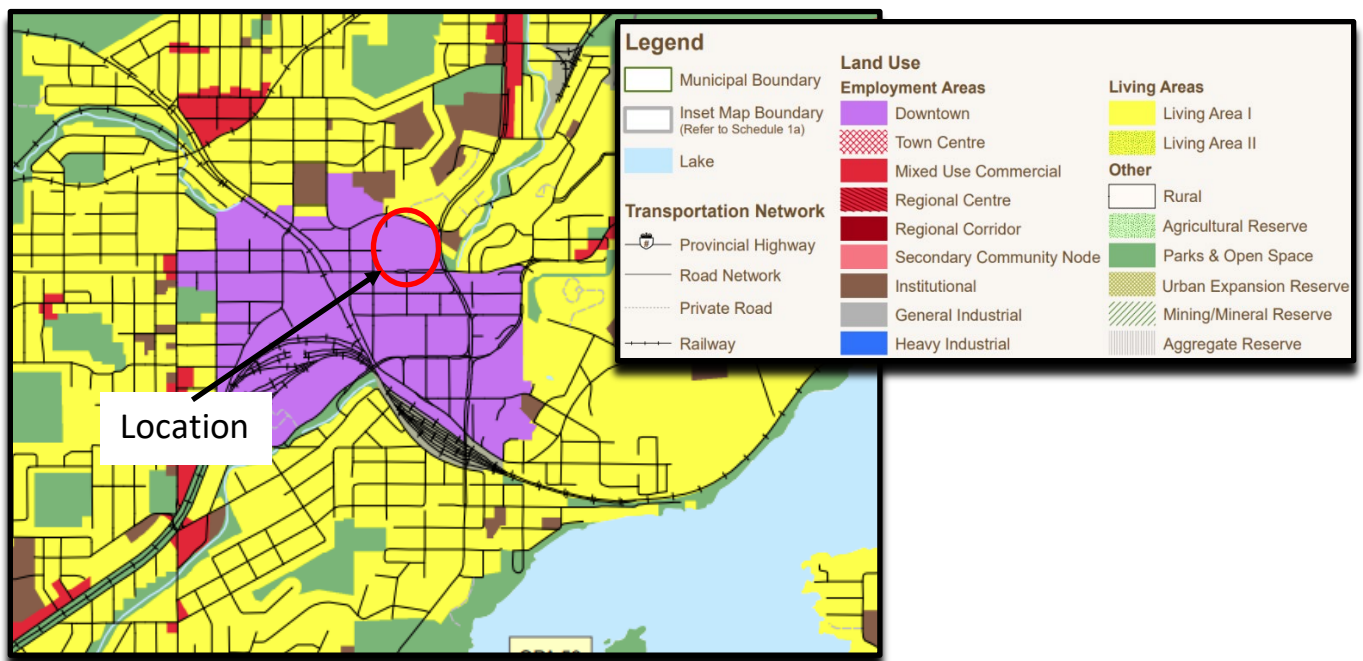
Settlement Area Policy in **Section 2.3.2** is also supportive of the redevelopment where:

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

The redevelopment will allow for a reality of changing retail behaviour and allow for the complimentary courier services needed to facilitate current retail sales. The subject lands have the infrastructure and existing building to provide the “last-mile” delivery of products and goods.

The Official Plan designates the subject area as Downtown Commercial under the Land Use of Employment Area on Schedule 1b shown in [Figure 5](#).

Figure 5: Official Plan Land Use Schedule 1b



Section 4.0 is Official Plan Policy relating to Employment Lands that are generally referred to as Commercial, Institutional, and Industrial where the plan defines the designation in **Section 4.0** as:

Commercial: To service Greater Sudbury's broad market base and high-order service activities, three types of Centres are established in this Plan including Downtown, Regional Centres, and Town Centres. Secondary Community Nodes, Regional Corridors, and Mixed Use Commercial allows a balance of mixed uses including commercial, general industrial, institutional, residential, and parks and open space. Resort and Shoreline Commercial Uses are addressed in Section 5.2.6.

The proposed amendment would meet the general objective policies of **Section 4.1**:

- a. ensure that an adequate supply and variety of serviced employment land exists throughout Greater Sudbury in accordance with the settlement pattern, allowing for the expansion and diversification of the employment base;*
- b. ensure that a broad range of commercial opportunities are provided for residents, employees and tourists;*
- c. promote the intensification and revitalization of commercial, industrial and institutional areas;*
- d. ensure adequate institutional facilities, such as educational, health care and social service facilities and services, are provided at suitable locations to meet the evolving needs of residents of all ages and physical capabilities in the City;*
- e. promote the development of the Downtown as an employment and business centre for the City;*
- f. ensure that existing industrial lands are used efficiently and promote the development and redevelopment of existing, underutilized, or unused sites;*
- g. promote environmentally sound industrial practices and mitigate conflicts with sensitive uses; 37*
- h. ensure that new developments do not preclude future extraction of known or potential mineral or aggregate deposits;*
- i. ensure that mining and aggregate operations are located, designed and developed so as to minimize impacts upon the social and natural environment; and,*
- j. embrace new technologies to harness emerging areas of growth.*
- k. encourage the co-location of public service facilities in community hubs, where appropriate, to promote cost effectiveness and facilitate service integration, access to transit and active transportation.*

Downtown policies of **Section 4.2.1** would permit the following:

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.

Addressed in the pre-consultation was policy relating to parking where **Section 4.2.1** also specifies:

3. To encourage development in the Central Business District, new non-residential development will be exempt from parking. Parking will be required for residential uses in the Central Business District, except residential re-use projects in buildings that were originally constructed five or more years ago.

As a new permitted use of the Downtown area planning justification will be addressed in the Zoning By-law review showing the subject location has ample onsite parking.

Non-residential development in the Downtown area is priority of Official Plan policy in **Section 4.2.1.1**:

Attracting new non-residential uses such as office, retail, cultural uses and institutional uses is key to growing the level of activity in the Downtown. Office uses foster a strong business environment and provide a customer base for other uses. Retail uses and restaurants reinforce the Downtown's role as a destination for niche products and dining. Cultural and institutional uses augment the Downtown's role as an arts, culture, entertainment and event destination.

- 1. Non-residential development is a key priority for the Downtown 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.*
- 2. Significant new office developments will be encouraged to locate in the Downtown. Prestige office development will be encouraged along Paris Street, between Elm and Cedar Street. 41*
- 3. New specialty based retailers that complement and reinforce the existing retail structure will be encouraged in the Downtown.*

Considered the most diversified commercial area of the City, specifically, warehousing, distribution and indoor self-storage are not considered permitted uses, however, are complimentary to online retail operations. The policy suggests the downtown plays an "important function as a local and regional centre" and the proposed uses are permitted in Regional Centres and Town Centres in **Sections 4.2.2 and 4.2.5** respectively:

Regional Centres may be appropriate locations for certain light industrial uses which are conducted entirely indoors provided that appropriate landscaping and buffering can be established to shield any adjacent sensitive uses. Outside storage is not permitted unless it is for the purpose of displaying goods for retail sale.

Town Centres may also be appropriate locations for light industrial uses. Outside storage for the display and sale of goods is permitted. Proper landscaping and buffering must also be established for light industrial uses.

A concern brought forward in the pre-consultation was reflective on land use capacity and the associated noise of potential operations from **Section 10.7**:

There are several areas in the city where sensitive land uses such as residential are in proximity to major facilities such as industrial uses or transportation corridors. The intent of this plan is to ensure that major facilities and sensitive land uses are compatible to protect human health and safety and ensure the long term viability of major facilities.

1. Major facilities and sensitive land uses will be appropriately designed, separated or buffered from each other in order to prevent or mitigate adverse effects from noise, vibration, odour and other contaminants.

2. 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.

A supporting study was undertaken and included with this application. The conclusion of the report is that the predicted noise impact would be minimal and comply with MECP Guidelines and be compatible with surrounding land uses.

It is our opinion that the proposed uses meet the intentions of the Official Plan, and the site-specific amendment will also recognize and permit the intended light industrial uses, such as warehousing, distribution and commercial indoor self-storage in the Downtown Employment Designated area of Sudbury.

5.4 City of Greater Sudbury Zoning By-law 2012-100Z

The subject lands of the Elm Place (Mall) are zoned Downtown Commercial (C6) shown in [Figure 6](#), where the proposed courier/delivery service is a permitted use under **Section 7.2** of the Zoning By-law; the associated warehouse and distribution centre and proposed self-storage operation would not be a permitted use.

The Zoning By-Law defines the following uses:

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

Currently, a warehouse and self-storage are permitted uses in the following industrial zones:

- Business Commercial (M1-1);
- Mixed Light Industrial/Service Commercial (M1); and
- Light Industrial (M2)

The Commercial Self-storage and the Warehouse require a Zoning By-law amendment to permit the use in the Downtown Commercial Zone (C6). The Zoning By-law 2012-100Z define the following uses as:

Commercial Self-Storage Facility:

Lands and buildings used, rented or leased to persons for the storage of household and personal items, including recreation vehicles and automobiles, within separate units forming part of a wholly enclosed building;

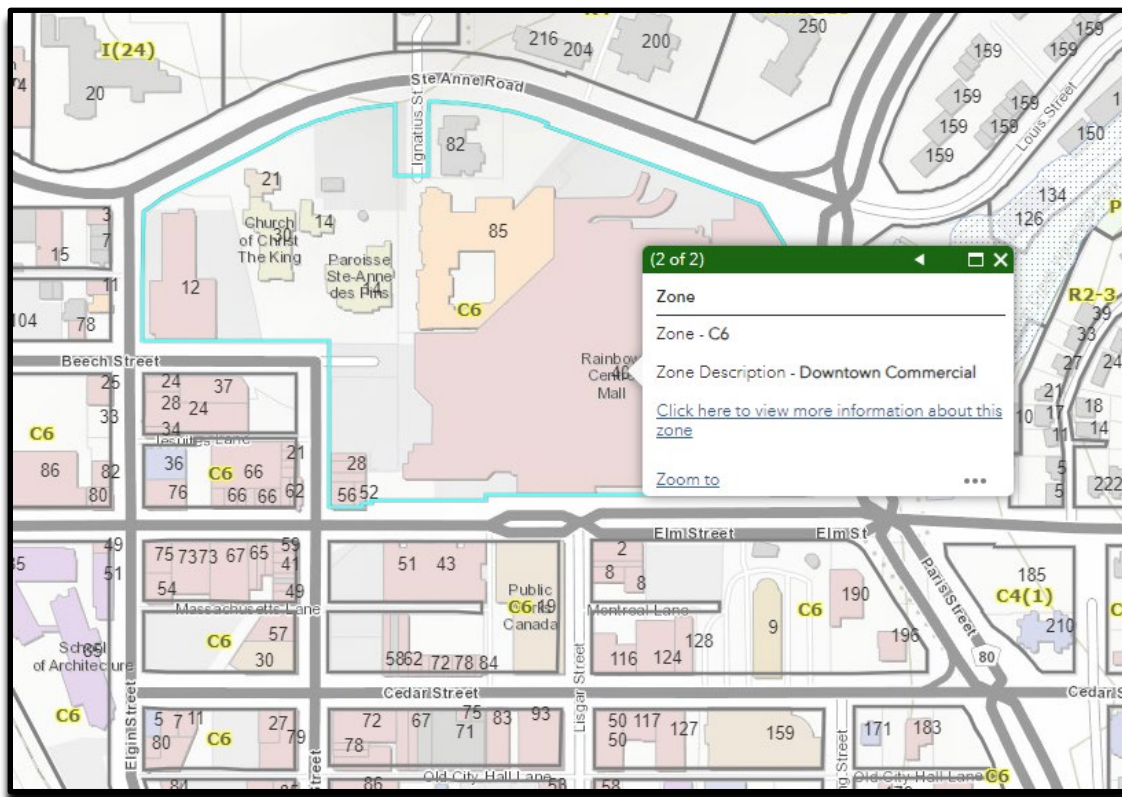
Light Industrial Use, an industrial use engaged in, or used for:

- 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;

Warehouse:

A building or part thereof which is used primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares, merchandise, foodstuffs, substances, articles, or things, other than livestock, and includes a commercial self-storage facility, but does not include a fuel depot, transport terminal or stockyard.

Figure 6. Zoning Map



As noted in the pre-consultation with the City regarding parking under **Section 4.2.1** of the Official Plan, parking provisions would be exempt from new non-residential development. Given the applications are for new permitted uses in the Downtown area, justification was requested. Below, Table 1 shows the parking provisions of each use from **Section 5.3** of the Zoning By-law. The proposed uses have a significantly less parking requirement than the current downtown permitted uses.

The proposed rezoned area of 7,020 m² would require approximately 66 parking spaces compared to 170 or 197 parking spaces required for retail or business office uses. As noted in the property summary, the Elm Place Shopping Centre has an estimated 950 parking spaces available onsite.

Table 1: Zoning By-law Parking Provisions

Zoning Use	Parking Provision (space/floor area)	Parking Requirement Total Lot ($\pm 46,500 \text{ m}^2$)	Parking Requirement Rezoned ($\pm 5,920 \text{ m}^2$)
Retail Store	1/33 m ²	1409	179
Business Office	1/30 m ²	1550	197
Self-Storage	1/100 m ²	465	59
Warehouse	1/90 m ²	517	66
Industrial	1/90 m ²	517	66

5.5 Downtown Master Plan

The subject property is identified in Section 5.4 as the North District of the Downtown Master Plan⁶, referenced as the Rainbow Centre in the 2012 document. The Elm Place Shopping Centre is recognized as a mixed-use opportunity site as both retail and office commercial that encourages employment in the downtown.

The Plan recognizes the important employment block of the north section, shown in Figure 7. Guidelines to improving the site continue to suggest improving the building connection to the street fronts, pedestrian corridors and exterior beautification. The purpose of redevelopment in the interior of the mall space will not impact the current and future direction of the Downtown Master Plan.

⁶[Plans \(greatersudbury.ca\)](https://plans.greatersudbury.ca)

Figure 7: Downtown Master Plan



6 Conclusions

The subject applications request approval for additional commercial and light industrial uses at the downtown Sudbury location known as the Elm Place (Mall). The proposed redevelopment and uses have been evaluated against the applicable policies of the Provincial Policy Statement, the Growth Plan for Northern Ontario, and the City of Greater Sudbury Official Plan and implementing Zoning By-law and found to be in conformity with the intent, purpose, and policies of these planning documents. In addition, the proposal serves to advance the policies of the applicable planning documents which promote and recognize evolving retail and commercial trends and will continue to create new employment opportunities.

The proposed development and planning applications represent good planning and should be supported and approved.

Should you have questions or concerns, please don't hesitate to contact the undersigned.

Yours truly,

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