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| Location: | Tom Davies Square |
| Commencement: | 4:35 PM |
| Adjournment: | 8:45 PM |

Minutes

Planning Committee Minutes of 3/26/18

Councillor McIntosh, In the Chair

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| Present | Councillors Lapierre, Jakubo, McIntosh, Landry-Altmann Councillors Signoretti, Vagnini [D 5:45 p.m.], Montpellier, Kirwan, Cormier |
| City Officials | Ed Archer, Chief Administrative Officer; Jason Ferrigan, Director of Planning Services; Eric Taylor, Manager of Development Approvals; Robert Webb, Supervisor of Development Engineering; Alex Singbush, Senior Planner; Joe Rocca, Traffic and Asset Management Supervisor; Mike Jensen, Acting Director of Water/Wastewater Services; Ed Stankiewicz, Executive Director of Finance, Assets and Fleet; Adam Kosnick, Manager of Regulated Services/Deputy City Clerk; Christine Hodgins, Legislative Compliance Coordinator, Franca Bortolussi, Acting Administrative Assistant to the City Solicitor and Clerk; Renée Stewart, Clerk's Services Assistant |

Declarations of Pecuniary Interest and the general nature thereof

None declared

Public Hearings

- 1 1916596 Ontario Ltd. – Applications for official plan amendment and rezoning to permit a place of amusement in the form of a casino, Kingsway, Sudbury

The Planning Committee meeting was adjourned and the Public Hearing was opened to deal with the following application.

Report dated March 14, 2018 from the General Manager of Growth and Infrastructure regarding 1916596 Ontario Ltd. – Applications for official plan amendment and rezoning to permit a place of amusement in the form of a casino, Kingsway, Sudbury.

Paul Szaszkievicz of Cumulus Architects and Karl Tanner of Dillion Consulting, agents for applicant were present.

Alex Singbush, Senior Planner, outlined the report.

Alex Singbush, Senior Planner, stated that the request for the rezoning is for a place of amusement. Other uses are proposed in conjunction with this development including a hotel which is permitted on the lands. The applicant has requested an outdoor accessory space referred to as a festival square and some minor variance relief to setbacks to facilitate development on the property. The zoning by-law does not have a definition of a casino, though the by-law defines a use that is called a place of amusement. This use is defined as a commercial establishment where indoor facilities are provided for participatory entertainment and amusement activities. He believes this captures the definition of the proposed casino use. The only permitted recreational form being proposed for this application is in the form of a casino

Jason Ferrigan, Director of Planning Services, stated that in the first Public Hearing for these applications, there was substantial feedback from the community concerned about the social and economic impacts associated with the proposed use. There was an opportunity to discuss the social and economic impacts of this use when past Council was making the decision of whether or not the City wanted to be a willing host for expanded gaming. At that time, a public meeting was held and attended by over 200 individuals and 450 submissions received in relation to that matter. The concerns were taken into consideration by the past Council and the decision was made to include Sudbury as a site for expanded gaming in Ontario. He further stated that the lands have a vulnerability score of nine (9) in regards to source water protection, and this is based on a scale of one (1) to ten (10); one (1) being the least sensitive and ten (10) being the most. What this scale refers to is the amount of time it takes for the water and possible pollutants to migrate from the surface to the water. Nine (9) is characterized as being a sensitive scoring.

Mike Jensen, Acting Director of Water/Wastewater Services, stated that the Risk Management Plan states that snow will be removed on a frequency based on the amount of snowfall accumulated. There could be years where there is less snow than others. They could specify a certain amount in metric tons or centimeters of snow if necessary. He further stated that the policy is constantly being reviewed by risk management inspectors. If there is a threat to drinking water, it is something that the office proactively keeps an eye on in case there needs to be an adjustment made at that time.

Jason Ferrigan, Director of Planning Services, stated that the Risk Management Plan was prepared in order to allow for the Official Plan Amendment and Rezoning. The plan will continue to be refined if the applications are approved and as it goes through the Site Plan process. The lands are draft approved for a plan of subdivision, and the draft conditions for the approval speak to the owner preparing comprehensive stormwater management reports, together with geotechnical reports to inform the eventual detailed design and construction. The image before the Committee is a representation of what the site could look like but additional work needs to occur. They spoke to the project team regarding the location of the stormwater management facility. This site for the facility was selected for a variety of reasons. Firstly, it is a low lying area within the site and makes sense to place the facility in this location. 95% of this site drains into the Ramsey Lake area, a small portion of the site in the north eastern corner drains to a different watershed. There are a limited number of outlet locations for the stormwater to flow into Ramsey Lake. Therefore, if the stormwater management pond were to be moved elsewhere on the site, the outlet locations are still the

same and the water would still be flowing to Ramsey Lake.

Mike Jensen, Acting Director of Water/Wastewater Services, stated that the Risk Management Plan identifies three (3) risk activities for the application of road salt. One of the activities is to put a minimal amount of road salt and use other traction material, minimizing the amount of salt that is necessary and use it only for safety related purpose during certain times of the year. A second activity is salt storage on site which is limited to 0.5 metric tons. Yellow totes could be located near entrances and doorways where staff can sprinkle salt as necessary. The third activity has to do with the storage of the snow, through the effective removal of snow which would have any residual salt in it. They would be mitigating the amount of salt being retained and going through the stormwater management facility. He believes the Risk Management Plan as it stands, prevents an excess amount of damage to the intake protection zone area. The current plan for the risk management facility does have an Environmental Compliance Approval (ECA) through the Ministry of the Environment and Climate Change. The ECA has restrictions on the amount of discharge that can be released into the natural environment and at this time it does not include monitoring saline. In the third paragraph of the background of the report, they mention other special features in general terms. The Risk Management Plan did take into account the three (3) items that were threats to the drinking water. The other items listed were more for education purposes. They could possibly include a paragraph indicating that that they were considered but do not have implications at this time.

Eric Taylor, Manager of Development Approvals, stated that in respect to the 391 charge, it is a charge that Council has applied under the Municipal Act which goes with the sewer and infrastructure that was constructed back in 2007 along the Kingsway when sewer and water was brought to the area as part of the road expansion and widening. In 2007, Council passed a by-law that that set out a fee schedule for charging developments within the benefiting area to help recoup the cost of the sanitary sewer and water that was constructed and provide for future work downstream from the sewer on the Kingsway that would go the Levesque lift station. There were cost estimates identified at that time for upgrading the Levesque lift station which was estimated to be one (1) million dollars with the City's share being \$100,000 and \$900,000 to be recovered from the section 391 charges. The work associated with upgrading the Levesque lift station have not yet occurred as development has not happened to the point where the upgrade is required. There were also downstream upgrades estimated to be \$1,990,000 with the City's share being \$435,520 with \$900,000 to be recovered from the section 391 charges. There was additional work done in 2011, and the City undertook improvements on Levesque and Rheal streets, including upgrades to their water and sanitary sewers. The sizes of the sanitary sewers were upgrades from 400 milimetres to a combination of 450 and 500 milimetre watermains. It is important to note, because the sanitary sewage that will be generated from the subject lands would be going down those sewers on Levesque Street. The City has looked at the capacity of the downstream sewers and it has been determined that there is sufficient capacity for the proposed development. However, there is an upgrade that will be required of the Levesque lift station. The upgrades are expected to be completed by the end of 2019. The subject development going on this site, at the time of a building permit, will be required to pay the required fees under the section 391 fee charge. The current fee is \$16.49 per square metre of development. This fee is in effect until January 21, 2023, and will increase after to \$22.06 per square metre.

Mike Jensen, Acting Director of Water/Wastewater Services, stated that it is not that the province does not monitor salt, they have the Risk Management Plan that deals with salt. He indicated that they are not currently measuring saline at the discharge of the stormwater

management facility. The source protection plan takes into account a number of threats to drinking water, some of the threats established are the application of road salt, storage of snow and storage of salt on site. There are 21 specific threats to the drinking water and these are three (3) that determine why it was necessary to build a Risk Management Plan in order to mitigate the threat.

Mr. Tanner stated that the application conforms and is consistent with the three (3) documents mentioned by Mr. Singbush. After hearing comments from the public and the administration during the Public Hearing in January, additional pieces of information were submitted. These additional submissions include an addendum to the original Planning Justification Report, a Sanitary and Capacity & Flow Analysis, a Transportation Demand Management Report and the Risk Management Plan. He further stated that they received a letter which updates the PWC report during site selection. It states that if applications for the casino and hotel had been submitted prior to finalizing the June 2017 report, it is likely that the Kingsway site would have scored higher in such categories as Economic Impact and Complimentary Development. They are in full support of the administration's position and recommendations to the Committee. He further stated that the stormwater management pond is located on the lowest point on the property and water is leaving the site from that point. By moving it to another location, it would not benefit a great deal. Should it be the Committee's will, they could re-evaluate the location.

Tom Fortin stated that he would like to quote excerpts from the Official Planning Documents. The Provincial Policy Statement states that the municipalities must "maintain, and where possible, enhance the vitality and viability of downtowns and main streets" and Greater Sudbury's Official Plan states the municipality is required to "examine the financial impacts of all major development projects to ensure they are financially sustainable". He would like to point out that the Provincial Policy Statement and the Official Plan have precedence over Council's decisions. They do not have a financial impact study as required by the Official Plan requirements because the casino was added two (2) weeks before the actual vote on the 27th and after the PWC report was prepared. A group of local businesses commissioned a report by Urban Metrics who are experts on Casinos. They have experience with Sudbury market being the main consultants for Science North, and do some consulting work with Dynamic Earth. He would like to outline three (3) findings from the report. First, the proposed Kingsway Entertainment District may not result in a significant number of new jobs. Casinos are very efficient at taking money from the community. For every \$1 million spent in casinos and associated amenities, 4.2 jobs are created. For every \$1 million spent in traditional restaurants/entertainment 10-12 jobs are created. This will result in 7 jobs lost for every million dollars diverted from our local businesses to a casino. A \$30 million increase in spending when converting the current slots into a casino will result in a loss of 2010 jobs in the community. Secondly, a casino would not significantly affect tourism to Sudbury, as it would draw the vast majority of its support from within the City. The available external population is only 28,000 compared to the millions for Southern Ontario casinos. The OLG has been very clear that people do not drive far to go to a casino. We are surrounded by casinos and the North Bay casino is likely to built before Sudbury's. Third, additional revenues to the City from the proposed Kingsway Entertainment Project may not be significant. The expected increase in revenue for the City is expected to be from 1.45 Million to 1.7 Million dollars. Property taxes will be used to support other projects, however they will be used to pay for new infrastructure. Therefore, the money will not be available to subsidize other projects within the City. Council is the "decider" and must not exhibit bias to permit objective view of evidence from all parties. He believes that there have been many instances of bias on behalf of Council during the

Planning process. The alternative to this casino is to encourage and enable our youth and keep revenue in local hands as this is the only path to a sustainable future.

Vicki Jacobs stated that one would rezone properties in an effort to build the best city possible. The staff report stated that a casino is consistent with the corporate strategic plan, that it will stimulate growth and increase conferences, sports and event tourism and cultural diversity. Additionally, it implies that rezoning this land for casino instead of industrial uses promotes economic development and competitiveness. Casinos do not improve a city's competitiveness or attractiveness to investors. They are more likely to have a negative effect and in particular make the City less appealing to young knowledge workers and creative people. Casinos do not stimulate growth they hamper it. Page one (1) of the staff report states that the purpose of a casino is to generate additional revenue to the government of Ontario, which is the case. The casino is not being generously bestowed on us for your own gain or amusement; it is Trojan horse, a "gift" from the province and Gateway Casinos laying siege on our economy causing financial and addiction hardship. She stated that anyone who lived in Greater Sudbury in 2012 knew that the casino operator was supposed to be providing the community with new amenities and not the other way around. Tying the casino to the community arena means that we will be using a municipal asset, our biggest recreational investment, to attract people to a gaming and gambling facility. Since these two (2) developments are being physically linked, she questions why they are being separated for the purposes of the land use discussions. The intent of the Provincial Policy statement is to ensure that land uses are managed and directed to achieve strong and healthy communities. She does not believe that a casino is an efficient and resilient development intended to achieve that purpose. It will benefit the Provincial Government, it will benefit Gateway Casinos, it will benefit the land owner but it will not benefit the citizens. It will not benefit businesses in Greater Sudbury or the Municipal Government. The City did not do a financial impact analysis on the Kingsway Entertainment District, therefore she relies on the Urban Metrics report which indicates a negative economic impact. She believes the planning report is straining to justify a Council decision that goes against all the great planning document the City has previously realized. Municipal staff and the recent draft Official Plan seem to be moving the City forward into a modern community but a casino attached to an arena outside of the city core keeps us firmly rooted in the past. She suggests that the City hire a competent and independent consultant to undertake a systematic analysis of the casino and event centre to give the public a clear understanding of what is happening before the project moves any further.

Christopher Duncanson-Hales stated that he is speaking on behalf of 45 interfaith leaders that are opposed to the rezoning and the amendment to the Official Plan in order to allow for an expanded casino on the subject lands. As stated in the staff report, "the Official Plan contains a holistic set of goals, objectives, and policies to manage and direct growth and change and its effects on the social, economic and natural environment of Greater Sudbury" and that in the opinion of City staff, the applications "represent good planning and are in the public interest. There do not appear to be any adverse impacts that will result from the approval of the applications." Despite these assurances, the report goes on to dismiss, quote, "the socioeconomic impacts, as the socio-economic impacts of gambling fall outside of the scope of these land use planning matters." These matters were apparently covered in previous consultations but the consultation happened after Council had taken a vote on the casino. He questions how the consultation is effective after the vote has happened. The interfaith leaders who have added their names in opposition to this application represent diverse faith communities with unique perspectives, principles, sacred texts, traditions and teachings that

form the basis of their opposition to expanded gambling. They are unified in their position that gambling is contrary to the ethical norms of traditions because it negatively impacts our communities and the wider public. The application before the Committee is not in the public interest. While the economic activity of land use may fall outside of the scope of land use planning matters, the location of certain economic activities on adjacent communities falls well within the scope of these land use planning matters. They are deeply concerned that the relocation and expansion of the casino to the Kingsway will have a serious and disproportionately negative impact on vulnerable communities in close proximity to the proposed Kingsway location. In a 2013 report on the health impacts of expanding casino gambling in Ontario, the Wellesley Institute concluded that people living in poverty are more likely to spend a higher proportion of household income on gambling and seniors living on fixed incomes and accumulated savings are at a greater risk of becoming problem gamblers. The proposed relocation of the casino to the Kingsway is within a 3 km radius of subsidized housing and less than 10 minutes by direct bus from the senior community of Finlandia Village. They are convinced by this and other evidence that this casino's relocation will contribute to family breakdowns, depression, addiction, bankruptcies and crime. The harm caused by the development of a full casino so close to these vulnerable communities is antithetical to their mission as faith traditions and will put a serious strain on their capacity to strengthen individuals, families and communities. Their faith traditions teach that the governments should maintain order, preserve justice and promote the common good. They believe that the government must take a stand to promote the values of education, hard work, social justice and the dignity of labour, and reject the illusion of easy money, for both individuals and public coffers. The governments should protect the most vulnerable in society from casinos that exploit human weaknesses and addictions. They call upon our governments to reject gambling expansion and reject this predatory industry as a solution to economic and fiscal problems. They strongly urge the Planning Committee and City Council to oppose the relocation of the Gateway casino to the Kingsway property of True North Strong. They further urge brothers and sisters in the faith communities to become informed about this issue and voice their opposition to expanded gambling to elected officials. They are not preaching to the choir but rather reminding municipal leaders that the choir votes.

Geoff McCausland stated that he moved to Sudbury a decade ago. Since moving here, he has grown to love the community and urges that they say no to casino. He read a powerful article published by the Atlantic in 2004 entitled "A Good Way to Wreck Local Economies: Build a Casino". One of the opening comments is "expect a casino to disappoint everyone involved; the City looking for tax revenues, the workers hoping for jobs and the investors expecting hefty returns". A 2013 report projected that a casino would take 59 to 100 million dollars a year out of Sudbury's economy based on revenue projections of 100 to 150 million dollars a year. More than half of the revenue would go to the provincial government and up to 6.6 million to the City of Sudbury. If this is the case, for every dollar leaving through the casino we would get 6 to 11 cents back. The slots already take approximately 50 million a year out of Sudbury's economy and we do not need to lose anymore. The math of casinos is simple, take a lot out of a community and give a little bit back. An exposé by the Fifth Estate found that as much as 50% of revenue for casinos comes from problem gamblers. We are quite despicably trying to pay for our health care and provincial bills with money taken from the most vulnerable. In regards to tourism, any tourists that go to the casino will stay at the casino, especially if it is at the edge of a town. They will spend their money to eat, get entertained and sleep there. This will benefit the casino/hotel complex and not much else in the community. To invest in a casino, especially one so far from local restaurants and businesses is to betray everyone who has invested in our community. When governments get addicted to gambling

revenue it is the people and communities that suffer. For gambling to be profitable people need to lose. A new casino development would be morally suspect, financially detrimental to the City, puts the economy at risk, the people at risk and our drinking water at great risk.

Doug Allen stated that he is speaking in favour of the casino. The casino has done nothing but help the community. The casino that is proposed is in a perfect location and he would not want it downtown due to the lack of parking and snow removal. The casino on the Kingsway would be the perfect location and will benefit the City greatly. In the paper a week ago, it was stated that employees of the Sudbury Downs casino will lose their jobs. All those employees will get the first opportunity to work at the new casino. There will be job creation through the construction of this casino as there will be a need for many local contractors. Surely they may have look elsewhere for certain positions but the majority of workers will be hired from the community. He is very much in favour of the casino where it is proposed.

Norm Eady stated that he is a local business owner and he has dealt with the Planning Department in the past during the development of pieces of land. He believes the Planning Department has done good work with this proposal; however, when he pursued his development, it took 10 years. He believes that the way the process is being pushed through is unfair to other developers. This shows the difference between trying to develop on your own versus a corporation taking on a similar type project. He is a catering owner and had the catering contract with the OLG slots, which he lost when he took his position for CasinoFreeSudbury. He stated that this is significant as it shows the constraints affiliated with casinos. Local business owners will lose business. When doing an internet search for Las Vegas, the top hits do not mention gambling. He went to Las Vegas a few years ago and enjoyed his time; however, it was due to the entertainment as he did not gamble. Individuals no longer go to physical buildings to gamble, many do it online. In fact, Las Vegas had to reinvent itself with food and entertainment due to the decline of gambling interest. He believes the City should be reinventing itself and does not understand why it is moving backwards. He stated that 80% of people he has surveyed, once they receive the relevant information they are not in favour of casino in Sudbury.

Richard Denton stated that he was born in Sudbury but has spent the past forty years living in Kirkland Lake, and at one time was a mayor there. He firstly would like to speak to the committee as a family physician informing that gambling is an addiction that will harm the individual gambler, their employment, family and community. Kirkland Lake gets their water from Gull Lake, where no houses are built near it, no boats on it, no sewer that run into it, it is a protected drinking water area. He cannot believe that we are allowing storm systems to run into the Ramsey Lake watershed. He currently lives in the south end and gets his drinking water from Ramsey Lake and is aware of the high salt content, and projections are increasing. When we look at the parking lot area being salted the rates will increase. There is no economical way of removing salt from the water. He inquired if other options were looked into. He inquired if the treatment areas will be overwhelmed by the spring run off. The municipality will be receiving a fraction of the money that citizens will be sending to Gateway Casinos and to the province.

Eric Legendre stated he is resident of ward 5 and he requested that the zoning permit for a casino be denied. Currently, 3% of the adult population has a gambling addiction, and in Sudbury that amounts to roughly 3,700 individuals. Studies show that those who live within a 50 kilometre radius of a casino have a 50% increase in the occurrence of problem gambling. A study in Windsor has shown that problem gambling jumped from 3.1% to 7.2% for those individuals within 15 kilometres of the casino. This statistic is an increase of over 100%. This

fact would increase problem gambling numbers in Sudbury from 3,700 to roughly 8,000 people. This would mean thousands of families that will be negatively impacted by problem gambling. Currently, the slots facility in Azilda drains about 40 million dollars from the community in a year. With a full casino the number will increase to between 100 to 150 million annually. These are projections that have come directly from the OLG. The majority of individuals spending money at the casino will be locals, projected to be 80 to 90% of the local population. Meaning money that would otherwise be spent in the community will be spent at the casino. Seniors are especially vulnerable to gambling problems as they have disposable income and free time on their hands. Sudbury has an aging demographic with over 20% of the population being over 65 by 2020 when the casino is intended to open. He stated that almost all communities that have relied on casinos to be economic drivers have higher than average unemployment rates. In Ontario, Niagara Falls' unemployment rate is 8% and in Orillia it is 10.5%, while the provincial average is 5.5%. He inquired why unemployment rates are higher in cities with casinos. Casinos do create some jobs but they also make the community lose many jobs. Local businesses will close because disposable income is now being spent at the casino. He believes bringing a casino into this community will have devastating consequences that will affect the citizens for years to come. This is not the relocation of an existing facility as there is a significant difference between the existing slot facility and a full casino. He questioned why normalize gambling, and bring in a toxic establishment that will ruin lives and increase addiction. He does not believe that this is a wise investment and it will change the fabric of our community. He believes that there are other options, like a waterpark, that could benefit the community rather than harm it. He thinks this is a risky proposition and Council should rethink their decisions.

Cathy Orlando stated that her biggest concern is the socio-economic impacts. She stated that she is an environmentalist with a master's degree in physiology; therefore, she is also gravely concerned about the water. She inquired if there has been a study that shows how long it will be before the salt levels in the water get too high, how much it would cost to take the salt out and how the proposed casino would impact this issue. She is from Niagara Falls and left due to the casinos, but it made sense in Niagara Falls. An older adult in her family developed dementia, they did not get control of her finances until it was too late. Family members have been accused of stealing money from this individual. When it is said that a certain percentage of people are affected by casinos, there are also entire families behind those people, and it is difficult when the finances get destroyed. She further inquired if the thought leaders in the community have been polled to determine if they would leave should the casino be built.

Matt Labonte stated that the Provincial Policy Statement and the Northern Growth Strategy have been discussed in the staff report but he is confused with the information being portrayed. He stated that Finance Ontario had projections through to 2042 suggesting that there was negligible population growth for Sudbury. Since this Council has been sitting since December 2014, over 4,000 people have left the labour force according to Statistics Canada. A casino is considered a service, and most service jobs, unless they bring tourists in, do not create jobs, they rely on a base sector to drive them. Without anything else, there is not anything to support. The jobs created cannot be counted as a net gain if they are being viewed in isolation instead of the possibility that jobs are moving around back and forth throughout the City. If there is no growth because there are no jobs, we are not in compliance with the Northern Growth Policy. Sudbury's housing density is roughly 2.2-2.4 per household and has been declining since the 70s. The City is not growing and we are losing workers. He inquires where the future development is coming from, and are things simply being moved from one end of the City to another. He further inquired if this development would be

considered in compliance if existing buildings are being torn down and we are developing land that has not been developed. As per section 110 of the Municipal Act, when it comes to the arena, any partnership between the City and a private corporation has to end at the arena. He inquired if Gateways Casinos would still want to continue this project if the arena and City were no longer involved.

Dorothy Klein stated that she is a registered nurse and she is speaking in favour of health and opposing the casino and entertainment centre as she does not believe it is appropriate for the area. She lives in a 3km radius of the proposed property. As a community nurse, she has seen the effects of addiction. She believes that the public has not been informed enough and an assessment of the environmental impacts this development will have on Ramsey Lake has not been thoroughly done. This development is located in the Ramsey Lake watershed. The report did not address the parking and it was stated that overflow parking would be on the streets in the adjacent subdivisions, which she does not believe is appropriate. She stated that governments issue permits for development, and it is the prerogative and right of the citizens and the community to give the permission. She believes that the permission of the community was not received. She offered to be on the committee when input was being given but she never heard from anyone. She is asking that the Committee look at democracy, they can give a permit but must get permission of the community. She is a senior and her family has lived here for over 100 years. She is passionate about Lake Ramsey and the water. She believes they are putting people at risk.

Chuck Jacobs stated that his purpose is to persuade Planning Committee members not to approve the development on the Kingsway. He stated that in this process facts and evidence based information has gone to the wayside. He questioned his Councillor over a year ago asking "what makes Sudbury different?" How can Sudbury develop outside of the downtown core when in other cities they have found that it does not work well? Ottawa and Moncton are moving their development downtown. The City of Windsor moved their development away from downtown and it has cause financial issues. He questions what makes Sudbury different that we do not need to invest in the downtown. Everyone else is infilling, the Official Plan and the Provincial Policy Statement state we should be infilling. What makes Sudbury different that we will be successful in doing things that history has shown in other areas is not successful.

Arthemise Camirand-Peterson stated that the square kilometres of Greater Sudbury is 3,200 of land space with a population of, according to the 2011 census, 160,274 residents. Toronto has 2,707 square kilometres of land space with a population of just over 2.8 million in 2016. Toronto has 9,500 roads or 52,999 square kilometres across the city to maintain according to the City of Toronto website. Greater Sudbury has 2,308 kilometres, 1,434 miles, of paved road to maintain. The gravel roads that are crucial to residents and industry, also need to be maintained. Infrastructure is crumbling and roads are constantly being dug up to repair broken mains and water pipes. Taxpayers demand better roads, sidewalks, bicycle paths and services in Greater Sudbury. She inquired how could the City do this without putting an extra burden on the taxpayers. She believes some of the issues could be addressed with the extra tax revenue from the two (2) complexes. She looks forward to the future of the recreation and community centre.

Cindy Bertolo stated that she works in the social services field and has experience with the vulnerable in society. Addictions and mental health concern her in relation to this application. She is confused by the definition of an amusement centre, she does not believe that going to a casino is the correct definition. The vulnerable in our society will find their way to this casino. She feels like she is being forced to accept a casino. The number nine (9) sensitivity for the

water is a concern to her and she was surprised, as she was not aware of it prior to this meeting. Amusement to her is not a casino. She wishes the City would plan for better subsidized housing and people with financial struggles rather than a casino.

John Lindsey stated that back in 2012, there was a decision made regarding the establishment of casino in Sudbury which he has some doubts about whether there was public consultation prior to the decision being made, and this should be questioned. The article in the Sudbury Star with the headline "Challenging Time Bomb", addresses the elephant in the room referring to the very sensitive environment around the Lake. He is a member of the Minnow Lake Restoration Group, the Ramsey Lake Stewardship Group and the Greater Sudbury Watershed Alliance. The contents of the article in the Sudbury Star dealt with the findings of the public meeting that they held where a number of aquatic scientists expressed real concerns about the salt loading on our lake. Had the opportunity been presented for the Planning Department to present what would be seen as a "negative" report, it would have given Council the opportunity to weight the two (2) options. International studies have been done showing that casinos are not a good idea. It has been determined that 2-4% of the population are problem gamblers which represents roughly 5,000 people in Sudbury. He believes that we need to be aware of what we are doing to the problem gamblers in the way of families being harmed, financial hardship, suicides, etc. He stated that we are already aware of the consequences of problem gambling as we are aware of the harm the salt is causing to the lake that cannot be taken out of the environment. The City has spent over two (2) million dollars more this year than last year on salt for the roads. Any mitigation technique being considered will not significantly reduce the harm on our lake. Any decision regarding this application should be delayed until the report of the Provincial funded draft Ramsey Lake sub-watershed study is released. The H holding in the resolution should not be part of the approval process, they should be after the approval process. This is a very serious situation that needs to be evaluated more closely than it has been.

Recess

At 6:20 p.m. the Planning Committee recessed.

Reconvene

At 6:33 p.m. the Planning Committee reconvened.

Fiona Ferguson stated that the no casino movement is growing. Many communities have formed committees because they are not happy with the large casinos coming in and taking money away from the City. She stated that they have a petition with over 4,000 signatures of individuals opposing the casino. She stated that this is more signatures than Toronto has collected. One of the members of the Toronto No Casino Committee sent an email that stated many suicides happen near or inside the casino but cannot be traced because of the way the province tracks suicides by their home postal codes. She would rather plan an outing with her parents than send them to a casino as she does not see them as fun.

Peter Ridsdill stated that he would speak on the casino, he would like bring up the issue of salt. He worked for the ministry of transportation for 42 years. We should not blame the casino or a building for the salt. The biggest threat on Ramsey Lake is the railway that carries oil. If we ever had a derailment we can say goodbye to Ramsey Lake. He likes gambling and thinks gambling is fun. He gambles every day and does not run out of money, but is not a millionaire. He thinks the casino and new arena are great and looks forward to it.

Erin Danyliw stated that she volunteers in the community and spends all of her time reading

reports for her various volunteer work. She does this volunteer work to improve our community to make it a community that millennials want to live in. She wants Sudbury to represent the millennial values so that the youth population stops dwindling. Millennials want to live in cities with vibrant culture, interesting local restaurants and shops. Cities that are walkable and whose policies care for the environment. Casinos do not align with millennial values. Casinos do not lead to vibrant cultures, they take entertainment spending away from the interesting restaurants that bring us to this City. This project does not align with the environmental values that millennials seek. This planning report gives no rationale as to why we should abandon the planning documents that show us moving into the 21st century. She does not understand why we should back peddle on the progress made, move away from bolstering the urban core, and why the land use planning decision should move us away from a city millennials want to live in.

Jeff Huska stated that when he looks at the decisions the City is making he looks at how it will benefit the City. He commends the change that Mr. Zulich is trying to make. When looking at a casino coming to Sudbury, he relates it to when he was young and no one in the neighbourhood had a colour television. A friend of his down the street got the first colour television and they would go to his house to watch it. Once other people in the neighbourhood started getting the colour televisions, the group at his friend's house grew much smaller. This is the same effect that the casino will have on Sudbury when cities in the surrounding area, such as North Bay and Sault Ste. Marie, have one. He questions where the draw will come from? When it comes to the casino he believes the economic impact will be more of a loss and a detriment than something beneficial.

Steve May stated that he is not here on behalf of his employer or any other organization, he is present as a citizen of Greater Sudbury expressing his opinion during this public process that is a requirement of provincial statute. In regards to the proposed applications before the Committee, he will first elaborate on economic development. The City's economic development strategy focuses on five (5) engines for growth. The best mining supply services in the world; a City of creative curious and adventurism providing a quality of life to attract diverse populations; one of Ontario's top four (4) tourism destinations capitalizing on natural assets and history to attract residents and visitors; a leader in health innovation and biotechnology; and a model for ecoindustry and renewable energy. These are all principals of the City's Official Plan. It can be noted that the development of a casino is not in keeping of any of the engines. The City's Official Plan does not include any policies regarding how and where a casino should be developed. Further, there is no reference at all of a casino in the City's Official Plan. "From the Ground Up" is the City's new Economic Development Plan and it does not identify a casino as a priority for economic development. He believes that this proves that the development of a casino is not related to economic development in any way. In absence of policy direction, it is City staff's recommendation to evaluate a casino as if it is a land use that is permitted in the Official Plan, even if the City's Official Plan does not permit a casino. Staff are silent on the socio-economic impacts of gambling, which is fine; however, the discussion is concerning a building where gambling will be primary modus operandi of the facility. The Provincial Policy Statement in section 1.1.C. states that "healthy, livable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns". Back in 2013, the Health Unit flagged Council in regards to the health and safety concerns related to the casino development and the City is washing its hands of its obligation under the Provincial Policy Statement to consider the health safety impacts on citizens prior to making a decision. Without an appropriate evaluation of the health and safety impacts of casino gambling, the application to relocate a

gaming facility from a rural area to an industrial area in close proximity to significant residential areas is premature. Section 19 of the City's Official Plan has an objective, to implement the policies and programs of the Official Plan in a financially sound manner in conjunction with the City's long term financial plan. It further indicates that to ensure the long term financial sustainability of the City, monitoring of the long term financial plan to ensure the City's needs are met over the next ten (10) year period is also a requirement. He stated that the financial health of the City is a priority of the City's. The absence of a municipal fiscal impact analysis on how the proposed use will contribute or detract from the fiscal health of the City makes it premature to conclude that the use is appropriate in the City, specifically in the proposed location. The only financial oriented study is the one provided Urban Metrics. This study determines that the economic development impacts of the casino are overstated and are not likely to be achieved, especially when looking at how the casino will impact the downtown. It is clear that the City's Official Plan has never contemplated a casino. The plan has all sorts of policies for separation of land uses, aggregate extraction and manufacturing, and small scale home based businesses. However, it is silent on what some are calling "one of the most toxic land uses a municipality can ever contemplate", being a casino. He believes it is silent because the plan does not contemplate a casino in the City. We have the slots at Sudbury Downs, which is a grandfathered land use. In the absence of Official Plan policies, it is inappropriate to simply add a new use to the Official Plan via an Official Plan Amendment. With regards to the zoning by-law there is no definition of casino or wagering facility in the City's comprehensive zoning by-law. There was a chance to review this in 2010, but it failed to contain any relevant definition of casino or wagering facility despite the fact that they are already referenced in the by-law with regards to the open space recreational zoning that exists in the Sudbury Downs. A place of amusement is not the appropriate zoning for a casino. A place of amusement, such as a bowling alley or an escape room, is something of a much smaller scale when looking at the parking requirements of the by-law. The zoning by-law where places of amusement are currently allowed restricts the number pinball machines that can be located in a facility, and also establishes a separation distance between schools and arcades. He stated that pinball machines are more of a menace than slot machines by this point. A casino is not an employment use, it is a monopoly as it is not in competition with other commercial activities. He stated the approval of the rezoning and Official Plan Amendment are effectively taking lands out of the general industrial cluster that exists in the area without a comprehensive review that is required by the Provincial Policy Statement. He refers to an email that was sent to Council in July of 2017.

Jeff MacIntyre stated that all over northern Ontario, casinos are being introduced by Gateway Casinos. There will be buffers all around Sudbury and there is no longer an incentive for tourism in regards to this casino. The largest casino close to Sudbury, Casino Rama, is now run by Gateway Casinos. Therefore, for them to bring people from southern Ontario to northern Ontario does not make sense because they would be driving by the other casinos and spending more gas. He has an issue with how the procedure of the application has unfolded as he does not believe that the event centre and the casino should be separate applications. It has been made clear by the City that this is the "Kingsway Entertainment District", not just a casino or an event centre. Further, it has been made clear by Councillors that these developments could not exist as stand alones; this casino is apparently the necessity for anything to ever happen in the community. The "magical" fund that is coming will pay for it all, even though they will be losing the tax revenues from Sudbury Downs and impact downtown. The City's Planning report has the PWC for the events centre attached to it. When something acts in the City's interest, they are a combined entity; and when it acts against the Kingsway Entertainment District's interest, they are separated. He believes putting

them together is the worst possible thing that could be done. He stated that a casino next to a community centre is disgusting. At the last meeting someone spoke of how amazing it will be to have a nice community centre in New Sudbury, leaving out the fact that it would be attached to a casino. The projects are tied together. When it is presented by the community, the City or Councillors, it is presented as an entertainment district and that is not what is being talked about for this application. He believes large scale damage will be done to our current entertainment districts, to the downtowns across the City. He has been told by mining suppliers that this is the greatest stall to our development. These individuals need to attract the best and the brightest to our community and it is regularly said that we need a better downtown. The school of architecture students have spoken out and said how they are saddened by the development over the past few years. The style of development is outdated, massive big box development, which does nothing for community growth. He stated that the first vote Council made was the first mistake, because parking was placed before community development. It was decided that the most important thing was where we stored our cars and not how the community is developed.

Derek Young stated that he applauds Council for its vision back in 2015, when the floor was opened to look at ideas and big projects. He is a local arts/events promoter and is very involved in many community organizations. Over the last year, he has travelled across Canada and wonders why we cannot have some of the facilities that other communities have. A few weeks ago he was able to visit the western fair district in London, Ontario. There was a March Break family event happening in the area across from a casino attached to a community arena, by a pedestrian overpass. He further stated it was a great campus like atmosphere. This is the opportunity we have in Sudbury with this development. He believes that a casino can be part of an overall entertainment district. He does think the two can work together. He wishes Council luck on the important decisions ahead.

Howard Wideman stated that he is very impressed by everyone who has come to speak and hopes that the Committee has been listening. Further, he appreciates that the Chair pointed out the water protection for the drinking water. He has engineers in his family and he stated it is hard to get them to stay in Sudbury. Sudbury needs thinking people and not gambling.

Charles Tossell stated that he is an anti-poverty activist and will begin by outlining the concern of the vulnerable people. Casinos only help big municipalities and those near the United States' border. Local businesses are going to suffer because people will no longer be spending their extra income on local retail but rather on the casino. He has never been to a casino and does not intend to. He has heard from many individuals that if one goes to the casino during the day, it is the most depressing thing you could ever imagine as only problem gamblers are present. There are three (3) sets of public housing units and Finlandia Village located near the proposed development, making the Howey/Moonlight bus route the express to the casino for the individuals living there. This is concerning because the citizens nearby will end up losing their homes. There have been many news reports stating that building or relocating a casino to more popular areas, rather than more isolated areas, result in more problematic citizens. As a result, more police and justice department resources will be needed due to problem gamblers and the casino. This leads to multiple issues such as tenants not paying rent and getting evicted, home owners losing their homes, and couples arguing over their finances. It costs taxpayers \$1,100 per day for someone to be in the hospital which includes the Crisis Intervention Services Department at Health Sciences North. It costs taxpayers \$63 per day for someone to be in a psychiatric hospital such as the one at the Kirkwood site. It costs taxpayers \$140 per day for someone to be in Jail. It costs taxpayers \$69 per day for someone to be in a homeless shelter. It costs taxpayers \$31 per day for

someone to be in supportive housing and \$25 per day for social housing units. He is also concerned about the travelling aspect to this development. It is concerning that the Kingsway will be gridlocked with having only two (2) directions to leave once a big event has finished. This site is limited to only eastern and western directions on Highway 17, whereas Downtown there are all four (4) directions available to leave. Transit services for this proposed development will cost the City. Including shuttle bus services, as it is not guaranteed that the casino will pay for these services. He is also concerned about the smell from the landfill. Whenever the wind comes from the north and it is humid in the summer, the smell travels to the moonlight area where he has had friends complain to him. He believes as a municipality we have more important things to do such as providing for more supportive, transitional and affordable housing. This would diminish the amount of homeless and panhandlers in the Downtown making it more appealing for the general citizens. He does not understand why we must create competition between this new event centre and the event centre downtown. He does not believe anyone is willing to pay over 100 million dollars for this development on the eastern part of town when the cost to build it downtown would be less. Building a casino will cause more homelessness; politicians should be focusing on building more accessible housing units and partnering with organizations such as the Canadian Mental Health Association and March of Dimes Disability Services.

Edouard Brunet stated that he had a few questions; he wonders if the slots in Chelmsford will close, why not just keep it in Chelmsford as it was chosen for a good reason. He further inquired if the application for rezoning is denied, will the casino be staying in Chelmsford? He stated that the Chelmsford site was chosen because they did not want it close to downtown and he wonders what changed. Pertaining to an article in the Sudbury Star, for the City to have received 2.2 million, from April 1, 2016, to March 31, 2017, how much money was generated at the Sudbury Downs in Chelmsford?

Greg Oldenburg stated that he is concerned about the private information known by the Councillors in regards to discussions pertaining to a hotel. The original proposal for this development was a much bigger plan. What the Committee has before them is not a much bigger plan but simply an arena and a casino. There is discussion that there is a hotel operator that is looking to come to this site, which has not been disclosed. If information is being promoted it should be disclosed to all members of the public. If the business plan for the casino falls apart due to the arena not being there, then it is not much of a business case. Casinos are lonely, desolate places when people are not in them, and he does not believe that there are enough people in the City of Greater Sudbury to allow for the successful operation of a casino to the extent that the City of Greater Sudbury is going to benefit. He asked that full disclosure be given of who the hotel operator will be and information that councilors have about a downtown hotel operator that will support the Synergy Centre and library/art gallery. He believes this information needs to be publically disclosed so that citizens have a better understanding of the proposed projects. He further stated that he does not see a transit plan that outlines everything that this property would need. There is a fair amount of information that is not being disclosed but heavily publicized and people's opinions are not being listened to.

Councillor Montpellier stated that as the Councillor of Ward 3, which includes the former town of Chelmsford, for obvious reasons he cannot support the staff recommendation to amend the Official Plan and change the zoning classification to allow for casino next to the City's landfill site.

Councillor Signoretti stated that he has listened to many comments from the gallery and

individuals with various planning knowledge. He finds it disturbing that the process has been putting the cart before the horse. He believes it is bias to come to Planning Committee regarding the rezoning when colleagues have already made the decision on the location of the event centre/casino being on the Kingsway. Many have thanked him for what he is standing for. There is stigmatism that he is part of some "downtown group" this is not the case. He is simply standing for what believes is right for the community. Doing what is right for a community is not supporting the casino, as it sucks the money out of the community and gives back pennies on the dollar. The applications lack the social and economic impact of the development, and he believes it is disheartening that the Committee does not take these into consideration. There have been many discussions of Council pertaining to the need for intensification and infilling; however, this is another example of urban sprawl. Intensification is leaving the arena downtown, and the casino will find a place as the only reason they want to be on the Kingsway is because the citizens of Sudbury will be footing the bill for new infrastructure. There are many areas in Sudbury that are in need of new infrastructure and upgrades. These areas have manufacturers and business owners that bring money to the community and we are turning a blind eye to them because the developer has presented this grandiose plan. It was largely circulated, back in June, that the developer was paying for the development and it was not going to cost the taxpayers. The project has evolved; taxpayers are paying and the developer and casino operator are benefitting from the development. As an elected official, he cannot support this project because it goes against all the principals that he believes in, in a city that his children will grow up in. Millennials want to live in a place with walk ability and uniqueness, not urban sprawl. They will not walk to the Kingsway. There are already complaints about congestion of traffic on the Kingsway and Bancroft and it will only increase with this development. He hopes the Committee will be factual and base their decision on what is right for the community as it is not a done deal.

Councillor Kirwan stated that he would like to make it clear that he respects this process as a land use decision. There is a landowner in Greater Sudbury that has an opportunity to make an agreement with other business owners including the City of Greater Sudbury to develop a facility on his property. He has come with an application to amend the Official Plan and amend the zoning to allow for a place of amusement in the form of a casino so that it can be one of the elements to go into this facility. Planning staff are accredited professionals that belong to a national and provincial institution that does not allow them to make any kind of bias reports. They have examined the application that has come from other professionals who have put together the application, in accordance with the legislation that governs their profession. Staff has come to the conclusion that the application should be approved and the Committee will decide if it should be. This decision will then be presented to City Council on April 10, 2018. The report before the Committee has been developed in order to evaluate an application that has come from a business owner in the City. We need to respect staff's recommendation and their report. He has not heard anything that would make him think that staff has made an error in judgment in any way or that could be up held in an official court as being something that proves that the report should be overturned. He questions if the application was looked at by a third party, would they rule that it has met the required criteria? He is urging that his colleagues move to approve the recommendation and move it on to Council to make the decision.

Councillor Cormier stated that he thanks all members of the public who have come to address the Planning Committee and those who have sent emails. He looks forward to April 10, 2018, and the healthy discussion when this matter is brought forward to be ratified. He questioned why the Downtown Master Plan and the Economic Policy are not part of the Official Plan.

Further, if these documents would fit into the new Official Plan as it is currently being reviewed. He further asked why the applications are being dealt with separately? The Master Plans, which are accepted by Council, should be official in some capacity and carry some weight. These are very expensive, time consuming documents which many individuals in the community have spent countless hours working on. If the Master Plans are not part of an Official Plan or cannot be, then the Master Plans should be given enough credibility that they carry weight in decisions such as this one.

Recess

At 7:33 p.m. the Planning Committee recessed.

Reconvene

At 7:50 p.m. the Planning Committee reconvened.

Mike Jensen, Acting Director of Water/Wastewater Services, stated that currently they are monitoring sodium levels in Ramsey lake, under the Ministry of the Environment and Climate Change guidelines, once every five years. But because it is a large concern for the Ramsey Lake Watershed, they take two (2) additional samples per year as part of the drinking water sampling program that the Ministry of the Environment has. The City's levels are slightly elevated over the 20 mg/L; he can provide more details through reports at a later date. The Risk Management Plan, as it relates to the current application to rezone, deals with the salt and snow removal and any salt storage on the site. The Source Protection Committee spent several years surveying, monitoring and getting hydro-geological sub-watershed studies to monitor the impact of the 21 threats to the drinking water and Ramsey Lake. There were three (3) specific threats identified in the report. There are a number of homes in the community surrounding the subject land that have the application of road salt. In the intake protection zone 2, which is adjacent to where the water treatment facility is, it has a risk management plan for the application of road salt. There are a number of Risk Management Plans a person can apply for to mitigate any threats to the drinking water. The Risk Management Plans are designed through science and hard facts. If the Risk Management Plans are properly applied for the application of road salt, salt storage and snow removal, it will mitigate the threat to the drinking water and to Ramsey Lake. There are a number of bodies that revisit the Risk Management Plans as well as the Source Protection Plan. The Nickel District Conservation Authority is heavily involved in the Source Protection Plan, as is City staff. He suggested that the Risk Management Plan from the consultant be revised on an annual basis to see if there are any changes and what the impacts are. Some of the points of discussion brought forward by the Chair were valuable and they will look into them further.

Jason Ferrigan, Director of Planning Services, stated that the Risk Management Plan is a regulatory tool that the City has to ensure that the threats to the drinking water are mitigated or eliminated to the extent possible. As any regulatory tool that the City would be using to impose on property owners, it would be the property owner's obligation to incur the cost to insure that their operations on the site are meeting the terms of the Risk Management Plan. He further stated that the application does conform to the Growth Plan for Northern Ontario. The Growth Plan for Northern Ontario, distinct from the Growth Plan for the Greater Golden Horseshoe, is about facilitating, encouraging and sustaining growth in northern Ontario. Whereas in the Golden Horseshoe Plan, it is about controlling the high rates of growth that they have. There was a statement made about the Ministry of Finance's forecast that suggests the City is not growing. When they did the Official Plan review many years ago, they did forecast population, job and housing growth within the community. The methodology used

is different than the Ministry of Finance but is a professionally accepted methodology for projecting population and employment growth. In those projections, it was estimated that the number of jobs in the City would grow between 2,000 and 8,600 jobs over a 25 year period, depending on the type of economic development projects that are realized within the community. It is in their opinion that this application would help grow the number jobs in the community, particularly the casino application, as it would involve relocation from its existing facility in Chelmsford and would involve more employees on site. The board, when looking at these types of questions, has ruled that all jobs bear the same weight as they hold a value to the person who holds it and therefore has value to the community in which that person resides.

Ed Stankiewicz, Executive Director of Finance, Assets and Fleet, stated that in 2012, the City entered into an enhanced sharing agreement with the OLG from 5% to 5.25 %. The cheque presentation occurred last week and was for approximately 2.2 million dollars, which is 5.25% of the net revenues generated by the slots at Sudbury Downs. This equates to approximately 4.2 million dollars in net revenue.

Jason Ferrigan, Director of Planning Services, stated that the decision to locate gaming at Sudbury Downs in Chelmsford was a decision that was made in regional government times. At that time, the province had an initiative underway to pair gaming with the horse racing industry as a way of sustaining the industry. There was a discussion in the community of where a casino could be located in the community to encourage gaming. The community of Chelmsford said that they would be a willing host for a gaming facility in combination with the horse component. This is what led to the creation of the slots in Chelmsford today.

Mr. Tanner stated that the Chelmsford site will close once the facility relocates.

Jason Ferrigan, Director of Planning Services, stated that in his earlier comments he indicated that the Downtown Master Plan and Economic Development Strategy did form part of the Planning framework that they use to evaluate the applications. In phase one (1) of the Official Plan review, in accordance with the direction received from Council in 2012, they proposed recommended changes to the Official Plan to reflect the work that went into the Downtown Master Plan document. The decision regarding the document was deferred pending the receipt of additional information relating to the cost of growth study and rural in-fill policies. They intend to incorporate the recommendations of the Economic Development Strategy, which was created by the Greater Sudbury Development Corporation in consultation with the community, as part of the second phase of the Official Plan review. They do bring the Master Plans into the planning documents. Their analysis of the application is based on the plan in effect, which would be the plan adopted by City Council in 2006. It was approved by the Minister of Municipal Affairs and Housing with modifications in 2007. The document was appealed to the Ontario Municipal Board and upheld as being consistent with the Provincial Policy Statement in effect at that time, through a series of decisions beginning in 2008. He further stated that in August of last year, City Council received a report from the CAO regarding the approach to the integrated site plan and planning approvals. The City would work in partnership with the property owner together with Gateway on an integrated site plan to understand how the developments can relate to each other. When this work concluded, the City and the property owner would pursue their application and Gateway, working with the property owner, would pursue its application. Staff was directed to submit an application to allow a public arena on these lands, which explains why the applications are dealt with separately. The City staff report states that a casino is permitted in the municipality in various commercial zones including the downtown, regional centers, and the mixed use commercial

designation. They are of the opinion that a casino does fall under the definition of a place of amusement as part of the zoning by-law. In the zoning by-law, the City's Chief Building Official is the named City officer who is responsible for interpreting matters related to zoning within the community. Many years ago when they were aware of the casino file being initiated by the province, there was consultation with the Chief Building Official to review the zoning by-law and it was determined that a casino is permitted within the place of amusement definition. Currently, a casino is permitted elsewhere in the City of Greater Sudbury. He further stated that they regularly entertain amendments to the City's Official Plan. The Official Plan presents a vision of what the City will look like in 20 years time and contains policies to guide both land use and infrastructure decision making. The Planning Act allows individuals to amend the Official Plan if there is a new idea that comes forward that may not have been contemplated at the time that the Official Plan was written. The zoning by-law is exclusionary in nature; an individual cannot use a property for any purpose unless expressly prohibited in the zoning by-law. All of the lands in the City of Greater Sudbury have rights associated with the parcels of land and people have the right to use the parcels in accordance with zoning by-law. The City of Greater Sudbury does not have a tree cutting by-law. The other regulatory tool that the City has to control site alteration is the site alteration by-law. If an individual is working on a property and is altering the grades beyond certain thresholds, they must come forward with engineered plans that demonstrate how they are proposing to change the grade of the property and what impact it will have on run-off to adjoining properties. He suggests that in the absence of the property needing a site alteration permit and a tree cutting by-law, a property owner is well within their rights to initiate those activities. The Ministry of Natural Resources has given the property owner permission to move ahead with site alteration and construction on the property in accordance with the Endangered Species Act. The memo from the Ministry of Natural Resources and Forestry is appended to the staff report for reference.

Mr. Tanner stated that the application still has to go through the Site Plan Control process at which time many details associated with the development are dealt with. He is certain that along with Planning staff, they will ensure that the stormwater management meets or exceeds the requirements of the City.

Jason Ferrigan, Director of Planning Services, stated that the existing draft approval has conditions pertaining to geotechnical reports, lot grading and stormwater management. In order to register the lots to facilitate development, those conditions need to be met to allow registration to proceed. If the Committee chooses to approve, those conditions are already in place and when meeting the conditions they always work to the highest possible standards as permitted under the law and regulations that they are given to work with. Another assurance is the Site Plan Control. It has been indicated that the Risk Management Plan is a living document and makes it so that the Committee can make a decision on the zoning knowing that the threats to source water and drinking water will be mitigated. He anticipated that the Risk Management Plan will evolve as they go through the Site Plan process. There are mechanisms in place to amend the Risk Management Plan as new details become available and as they move forward in other processes. They would look to the relationship between the Risk Management Plan and the Site Plan to look for opportunities to amend the Risk Management Plan.

Mike Jensen, Acting Director of Water/Wastewater Services, stated that he is sure there is a methodology to determine the impact of the salt from this development versus what is currently put the roads. The information regarding the intake protection zones is available on the City's website through the source protection; there are maps that show the three (3) protection zones. The intake protection zone 1 is in the immediate area around the raw water

of Ramsey Lake. The intake protection zone two (2) is another area immediately adjacent to where the intake for the water treatment plant is. The surrounding water bodies around Ramsey Lake are in intake protection zone three (3). These determinations were made by hydro-geological testing and the amount of water that are contributed to Ramsey Lake in the specific areas within those outlined areas in intake protection zones. He does not currently have the amount of salt applied in any given year, as it varies to the amount of salt supplied, the weather patterns, and the amount of sand/salt removal that occurs. There is a direct correlation on the amount of sodium that would go into Ramsey Lake through the intake protection zone. The contributing source of salt, if the Risk Management Plan is adhered to, will not have an adverse impact on the drinking water within Ramsay Lake. He does not have exact figures but should the Committee want to have more information they could request a report as exact numbers would require a study.

Jason Ferrigan, Director of Planning Services, stated that their regulatory approaches that are approved uses relative to the risk that are involved. The Source Water Protection Plan was a seven-year long effort, initiated in 2007 and the plan being approved by the Minister in 2014. It is an evidence based plan that was locally developed. There are three (3) regulatory tools that are available under the Clean Water Act used to help regulate or manage the risk to the drinking water. One of the tools is an outright prohibition on land use activities. The second, which is section 58, allows land uses to continue subject to the Risk Management Plan. The third is section 59 which is a flagging mechanism which brings individuals to a section 58 application. The Source Water Planning Protection Committee looked at this issue and came to the conclusion that this property can be developed subject to the provisions of a Risk Management Plan. They did not say that development on this property should be prohibited. He further stated that the staff report before the Committee recommends that the rezoning be approved subject to the "H" or the hold being placed on the property pending the submission of two (2) technical studies: the Transportation Demand Management Plan and the Risk Management Plan. The Transportation Demand Management Plan has to be submitted to the satisfaction of the General Manager of Growth and Infrastructure. The Risk Management plan is to be submitted to the satisfaction of the City's Risk Management Official, which is an individual that has been trained and certified by the province to help assess and understand these types of applications within these types of areas in communities across Ontario. When the report was written they did not have these pieces of information; therefore it is appropriate to use the "H" so that the Committee and City Council has an opportunity to make a decision on the land use question but reserves its judgment on the technical pieces of information in order to fully implement the zoning rights. The studies were submitted subsequent to the reports being written and received approvals from the necessary individuals. Therefore, it would be appropriate, should the Committee agree, to remove the "H" holding provision in the recommendation.

The Chair asked whether there was anyone in the audience who wished to speak in favour or against this application and seeing none:

The Public Hearing concerning this matter was closed and the Planning Committee resumed in order to discuss and vote on the application.

The following resolutions were presented:

Resolution regarding Application for Official Plan Amendment:

PL2018-43 Jakubo/Lapierre: THAT the City of Greater Sudbury approves the application by 1916596 Ontario Ltd. to amend the Official Plan for the City of Greater Sudbury in order to

provide an exception to 4.5.1.1. to permit a place of amusement in the form of a casino in the General Industrial area for the lands described as .Part of PINs 73561-0282 & 73561 0264, Part 6 and Part of Part 11, Plan 53R- 19391, Lots 9 & 10, Concession 4, Township of Neelon as outlined in the report entitled "1916596 Ontario Ltd.", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of March 26, 2018.

YEAS: Councillors Lapierre, Jakubo, McIntosh and Landry-Altmann.

CARRIED

Rules of Procedure

With the concurrence of the Committee, the reading of the resolution was waived.

Resolution regarding Rezoning Application:

PL2018 44 Jakubo/Lapierre: THAT the City of Greater Sudbury approves the application by 1916596 Ontario Ltd. to amend Zoning By law 2010-100Z to change the zoning classification from "M1-1", Business Industrial to "M1-1(S)", Business Industrial Special to permit a place of amusement in the form of a casino on those lands described as Part of PINs 73561-0282 & 73561-0264, Part 6 and Part of Part 11, Plan 53R-19391, Lots 9 & 10, Concession 4, Township of Neelon, as outlined in the report entitled "1916596 Ontario Ltd.", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of March 26, 2018, subject to the following conditions:

- 1.a) That in addition to the uses permitted in the M1-1 zone, a place of amusement in the form of a casino shall also be permitted.
- b) That an outdoor plaza shall be permitted as an outdoor accessory use to a place of amusement, and that no parking shall be required for the outdoor plaza.
- c) That a maximum building height of 55 m shall be permitted;
- d) That the streetline of the street intersecting with the Kingsway shall be deemed to be the front lot line.
- e) That a 0 metre interior side yard shall be permitted;
- f) That the amending by-law includes an "H", Holding provision restricting the use of the subject lands to those uses which legally existed on the date the By-law applying the "H", Holding symbol. The "H", Holding symbol shall only be removed by council upon:
 - i. The submittal of a Transportation Demand Management Plan to the satisfaction of the General Manager of Growth and Infrastructure.
 - ii. The submittal of a Risk Management Plan under Section 58 of the Clean Water Act to the satisfaction of the Risk Management Official
2. That prior to the enactment of the amending by-law the owner shall provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of the by-law.
3. That conditional approval shall lapse on April 10, 2020 unless condition #2 above has been met or an extension has been granted by Council.
4. That the City of Greater Sudbury's delegated official be directed to amend the conditions of draft plan approval for plan of subdivision File 780-6/10002, on those described as PIN

73561-0261, PIN 73561-0258 and PIN 73561-0264, Lot 9 and 10, Concession 4, Neelon Township, as follows:

i. That a new condition 41 be added as follows:

“41. The owner shall prepare urban design guidelines for the plan of subdivision, which shall provide recommendations respecting, but not limited to, building design and massing, building materials, landscaping, parking lot design, lighting, paving, fencing and signage, to the satisfaction of the Director of Planning Services.”

Councillor Jakubo presented the following amendment:

PL2018-44A Jakubo/Lapierere: THAT the resolution be amended to remove condition 1 (f), which reads as follows:

"f) That the amending by-law includes an "H", Holding provision restricting the use of the subject lands to those uses which legally existed on the date the By-law applying the "H", Holding symbol. The "H", Holding symbol shall only be removed by council upon:

i) The submittal of a Transportation Demand Management Plan to the satisfaction of the General Manager of Growth and Infrastructure.

ii) The submittal of a Risk Management Plan under Section 58 of the Clean Water Act to the satisfaction of the Risk Management Official."

YEAS: Councillor Lapierre, Jakubo, McIntosh and Landry-Altmann.

CARRIED

The resolution as amended was presented:

PL2018-44 Jakubo/Lapierre: THAT the City of Greater Sudbury approves the application by 1916596 Ontario Ltd. to amend Zoning By law 2010-100Z to change the zoning classification from "M1-1", Business Industrial to "M1-1(S)", Business Industrial Special to permit a place of amusement in the form of a casino on those lands described as Part of PINs 73561-0282 & 73561-0264, Part 6 and Part of Part 11, Plan 53R-19391, Lots 9 & 10, Concession 4, Township of Neelon, as outlined in the report entitled "1916596 Ontario Ltd.", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of March 26, 2018, subject to the following conditions:

1.a) That in addition to the uses permitted in the M1-1 zone, a place of amusement in the form of a casino shall also be permitted.

b) That an outdoor plaza shall be permitted as an outdoor accessory use to a place of amusement, and that no parking shall be required for the outdoor plaza.

c) That a maximum building height of 55 m shall be permitted;

d) That the streetline of the street intersecting with the Kingsway shall be deemed to be the front lot line.

e) That a 0 metre interior side yard shall be permitted;

2. That prior to the enactment of the amending by-law the owner shall provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of the by-law.

3. That conditional approval shall lapse on April 10, 2020 unless condition #2 above has been met or an extension has been granted by Council.

4. That the City of Greater Sudbury's delegated official be directed to amend the conditions of draft plan approval for plan of subdivision File 780-6/10002, on those described as PIN 73561-0261, PIN 73561-0258 and PIN 73561-0264, Lot 9 and 10, Concession 4, Neelon Township, as follows:

i. That a new condition 41 be added as follows:

"41. The owner shall prepare urban design guidelines for the plan of subdivision, which shall provide recommendations respecting, but not limited to, building design and massing, building materials, landscaping, parking lot design, lighting, paving, fencing and signage, to the satisfaction of the Director of Planning Services."

YEAS: Councillor Lapierre, Jakubo, McIntosh and Landry-Altmann.

CARRIED

Public comment was received and considered and had no effect on Planning Committee's decision as the application represents good planning.

Addendum

No Addendum was presented.

Civic Petitions

No Civic Petitions were submitted.

Question Period and Announcements

No Questions were asked.

Notices of Motion

No Notices of Motions were presented.

Adjournment

Jakubo/Lapierre: THAT this meeting does now adjourn. Time: 8:45 p.m.

CARRIED

Adam Kosnick, Deputy City Clerk