

Location:	Tom Davies Square
Commencement:	4:32 PM
Adjournment:	9:46 PM

Minutes

Planning Committee Minutes of 3/28/18

Councillor McIntosh, In the Chair

Present	Councillors Lapierre, Jakubo, McIntosh, Landry-Altmann Councillor Signoretti, Kirwan, Cormier, Reynolds
City Officials	Ed Archer, Chief Administrative Officer; Jason Ferrgian, Director of Planning Services; Eric Taylor, Manager of Development Approvals; Robert Webb, Supervisor of Development Engineering; Alex Singbush, Senior Planner; Mike Jenson, Acting Director of Water/Wastewater; Joe Rocca, Traffic and Asset Management Supervisor; Adam Kosnick, Manager of Regulated Services/Deputy City Clerk; Franca Bortolussi, Acting Administrative Assistant to the City Solicitor and Clerk; Lisa Locken, Clerk's Services Assistant

Declarations of Pecuniary Interest and the general nature thereof

None declared

Public Hearings

- 1 1916596 Ontario Ltd. - Application for rezoning to permit a recreation and community centre in the form of a public arena, 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. - Application for rezoning to permit a recreation and community centre in the form of a public arena, Kingsway, Sudbury.

Karl Tanner of Dillion Consulting, agent for the applicant and David Shelsted, Project Director for the Event Centre were present.

Alex Singbush, Senior Planner, outlined the report.

Alex Singbush, Senior Planner, stated that the only zoning for this hearing is the land use re-zoning for an arena. In terms of zoning by-laws, there are defined land uses. In this application, for Planning purposes staff used the definition of recreation and community centre in the form of a public arena.

Jason Ferrigan, Director of Planning Services, stated that the outdoor plaza is an accessory use of the property, and there are no parking requirements for accessory uses.

Alex Singbush, Senior Planner, stated that the applicant requested a maximum building height of 35 metres.

Jason Ferrigan, Director of Planning Services, advised that the Downtown Masterplan would not have any standing with respect to these applications. He is of the opinion that the Local Planning Appeal Tribunal (LPAT) would have the same view. He advised that Minnow Lake has approximately 9,500 residents within the community today. He also outlined the planned developments of subdivision that were previously approved by Council, and once completed the total number of residents will be close to 12,000 residents. He further stated that the comments regarding the Traffic Impact Study were provided by Mr. Rocca.

Joe Rocca, Traffic and Asset Management Supervisor, stated the initial study was submitted in December and we provided initial comments, as well as hired WSP to provide a peer assessment. An addendum was provided to the initial Traffic Impact Study. The comments regarding the initial study and the addendum outline all of the concerns.

Mike Jenson, Acting Director of Water/Wastewater Services, advised that in the draft Risk Management Plan, they discussed ways to prevent threats to drinking water. Best practices will be used in regards to grading so that a minimal amount of salt is used throughout any of the parking lots.

Robert Webb, Supervisor of Development Engineering, stated that the Storm Water Management Plan was approved in the location it is in now; however, it will need an amendment to relocate it to prevent encroaching on the proposed arena site.

Jason Ferrigan, Director of Planning Services, stated that when they review applications they look at other policies or laws that either the site or application engages, one of which is the Source Water Protection Plan. The application for the parking lot is greater than a hectare and there is a need to look at threats to drinking water from salt and snow. When the Draft Plan of Subdivision was approved, subject to zoning, it depends on the uses proposed for the lots. For this particular case, the need for a Risk Management Plan is triggered by the size of the parking lot. He further stated that there are new requirements from the province regarding the Ministry of Environment Climate Change Enhanced Protection and when the Draft Plan of Subdivision comes up for renewal, they will need to look at conditions to ensure the new requirements are in effect to ensure that this development adheres to the current regulations.

Mike Jenson, Acting Director of Water/Wastewater Services, stated that any concerns with phosphorus levels are in areas that apply fertilizer, such as agricultural areas. They are not anticipating a threat of phosphorous with this application and the Sourcewater Protection Plan does look at chemicals such as phosphorous. He further stated that it is quite cold in our northern environment to apply stratification to the storm tank. When we get further in development and see how large the storm facility will be, we will review best practices regarding stratification. He advised that concerns regarding the sourcewater will be addressed through the Risk Management Plan and the Source Protection Plan. They have studied over seven (7) to ten (10) years of what the impact is of road salt. They will have to take measures

to protect the drinking water source. As well, in detailed design, they will need to ensure that other concerns are addressed as well through best practices. The Risk Management Plan as it is proposed now, and once the detailed design comes forward, they will ensure the best practice for snow removal so that there is not a substantial impact on the environment. He stated the environmental compliance approval process for stormwater management ponds requires sampling. There is not a requirement to measure for sodium or phosphorous. They will be measuring the total amount of suspended salt, as well as oil and grease. At the time of the environmental compliance approval application, they could look at best practices that they could work into the sampling regime. Once the storm facility has been constructed, all the sampling is the responsibility of the City's and maintained by city staff.

Eric Taylor, Manager of Development Approvals, stated that the lands to the north of the proposed development are zoned M3, which is heavy industrial and includes a wide range of industrial uses. The uses include such things as an auto body shop, lube shop, automotive repair shop, service station, building supply outlet, commercial garage, storage facilities, contractor's yard, convenience store, dry cleaners, salvage yard, commercial school or service trades, vehicle sales and rental, warehouse, food processing, fuel depot, gas bar, heavy equipment sales, rental impound yard, medical marijuana facility, public utility, public works or a scientific lab. A smelter would also be allowed but it would depend on whether the land size could accommodate this.

Mike Jenson, Acting Director of Water/Wastewater Services, advised that the introduction of the Risk Management Plan provides the steps the applicant has to take and the owners are responsible to report on an annual basis regarding the Risk Management Plan and effectiveness of the plan. At that point it can be adjusted if needed.

Jason Ferrigan, Director of Planning Services, stated that when a Draft Plan of Subdivision is approved, there are many conditions and they expire after three (3) years. When the plans are approaching the three (3) year date, the applicants often apply for extensions that are brought back to the Planning Committee. At that time, Planning staff can reflect on any changes that have come into effect and modify the requirements.

Dave Shelsted, Project Director for the Event Centre, and Karl Tanner of Dillion Consulting, provided an electronic presentation outlining the application.

David Shelsted, Project Director for the Event Centre, advised that they will be using pickled sand with calcium chloride as the salt portion. The Risk Management Plan addresses using other agents for deicing and they are investigating calcium chloride for use on high pedestrian traffic areas such as the main entrance. It does cost eighteen to twenty times the cost of sodium chloride and there are concerns of it being a more slippery substance and tracking into areas. They are willing to do a pilot project on calcium chloride as an alternative use.

Rowan Faludi stated that he has been asked to look at the Kingsway Entertainment Centre from the perspective of an economist and an urban planner. He advised that he has done a considerable amount of work in the Sudbury area, and has seen amazing things that have been accomplished and what the City has become. Based on extensive research, the proposed Kingsway Entertainment Centre and the relocation of the downtown arena does not make economic sense. Downtown Sudbury is the city's and region's economic and commercial engine. Downtowns are the centres for culture and innovation, which attract workers and businesses to a new community. Cities with a neglected downtown core struggle to attract jobs and businesses. For these reasons, protection and enhancement of the downtown is a necessary commitment. The Sudbury community arena is a leading attraction

downtown and supports major businesses. You cannot remove an important visitor attraction from downtown without major losses to the core. Negative impacts will be doubly worse for the downtown. PWC report rated the downtown as the preferred location for the new arena. He feels that an independent report should be done before relocating the arena to investigate what the economical consequence would be to the downtown area.

Ed Brunet stated that he is concerned with the holding pond and asked if it encompass the total area. He also would like to know what the total acreage of the casino and arena is versus the holding pond, and does it apply to any other developments? He asked if drainage from other developments are going through conduit pipes to the holding ponds and most importantly, where is the line located that effects the Ramsey Lake collection? He would like to see the holding pond located at the top of the property so that drainage could go towards the dump.

Gordon Petch, municipal lawyer retained by the Downtown BIA and Mr. Fortin, stated that there are considerable errors of law being made with these applications. The Planning Act requires that any decision must be consistent with the Provincial Policy Statement (PPS). The PPS also speaks to public health and the proposed arena will be connected to a casino, which is a social gambling issue and you must consider this and the economic impacts on the downtown. Not considering these impacts is contrary to the PPS. The growth plan for northern Ontario encourages, and wants to see community studies that have been completed. To advise that these reports have no weight in the Planning report is wrong and shocking. The transitional projects slated for the downtown cannot be supported in this City. We cannot support two (2) performing art centres and two (2) hotel and convention centres. The economic impacts have not been studied yet. Bad council decisions should not be brought on to future council and residents. Economic hardship in the downtown will cost a lot of jobs. Landlords will not maintain their buildings. Many downtowns have lost all retail anchors and are striving to bring in entertainment. He feels the public process is flawed. There was no commitment from the previous council. In June 2017, Council committed to the Kingsway site for the arena and immediately after the casino. None of these have been approved and they want Council to comply with the law rather than defer to a court order.

Fiona Ferguson stated that since there is neither a satisfactory Transportation Management Plan, especially given the increase in residential and industrial land or Risk Management Plan, this application for rezoning should be rejected. The light industrial land should be reserved as such as there is not enough service land. She feels we should be improving the downtown to make it even better. Amenities such as the farmers market, library, art centre and arena contribute to the appeal of the downtown. It was a promise that many businesses relied on that the downtown would be improved. The Ontario Municipal Board will reject the application for the casino and then what will happen, as they will not want an arena built out on the Kingsway by itself.

Joel Belliveau has been a resident of Sudbury for nine (9) years and also teaches engineering at Laurentian. He stated that the road towards a new arena has been long, and we are still traveling it. Along the way we have all heard many arguments both for and against the proposal to build the new arena and event centre on the Kingsway. This is an important decision and we will all live with the consequences for decades. Whether one likes it or not, this project, should it go ahead, will be a big part of the legacy with which the present Council will be remembered. Winston Churchill was adamant that to have influence, one must retain one's capacity and will to change one's mind. He often said that "to improve is to change, so to be perfect is to change often." He was also fond of repeating George Bernard Shaw's "Those

who cannot change their minds cannot change anything.” He encouraged the Planning Committee to change their minds about the Kingsway location.

John Closs stated that allowing this project to proceed as proposed is a one hundred million dollar mistake. The Event Centre is described as an arena, casino and hotel, surrounded by sea of parking lots, which he does not feel is an entertainment district. We will end up with a community arena isolated from the downtown and other regional centres, as described in the Official Plan. We do not have resources to waste on a project that does not build on our current strengths and he urges the Committee to reject this application as it does not conform with the Provincial Policy Statement. Planning authorities promote intensification and redevelopment in which new development occurs adjacent to the existing built up area. This area is currently zoned for industrial use and a community centre in this area does not conform with the Official Plan and is not keeping with the city’s goals of a well planned, sustainable development. The Ontario Hockey League has only one arena located further than Sudbury’s arena would be and that is Windsor. Twelve (12) of the arenas are within walking distance of the city centre. This proposed site is not in an area of the City’s growth centre. This would not provide growth to the City. Council needs to ensure that adequate transportation be provided to the site, this area is poorly serviced by public transit and only five (5) percent of patrons will use public transportation. This development would encourage automobile travel with over 1000 parking spaces. The Sudbury area would be the only one that had such a development within six (6) kilometers of a landfill facility. The property should remain zoned industrial.

Recess

At 6:05 p.m. the Planning Committee recessed..

Reconvene

At 6:16 p.m. the Planning Committee reconvened.

John Lindsey, Chair of Friendly to Seniors, Vice President of the local Chapter of the Canadian Association of Retired Persons (CARP), a member of Sudbury Citizens for Safety, and a member of three environmental groups concerned about our valuable water resources, stated that the whole matter of ownership of this facility is bothersome to many. When approached by Mr. Zulich, it was understood that his company was prepared to construct the project in an arrangement with the city for some sort of loan guarantee and at a price around 60 million dollars. They encouraged Mr. Zulich to visit an arena in Sydney Nova Scotia that has had some success as an entertainment centre. Mr. Zulich did visit along with the CARP President Hugh Kruzel, and were impressed with the facility. It was discussed with Mr. Zulich what use the present arena could be put to if a new facility were to be built. It was at this and subsequent meetings that many began to question the actual need for new arena especially when the cost for a new facility had ballooned to \$100 million with the city involved. We do not pretend to represent all older citizens in our group or the community, however, almost without exception, most are concerned with the money involved in constructing a new facility when we do have a functional arena in the downtown that according to surveyed experts, could be renovated at low cost. With respect to parking, it seems according to numbers provided that the parking on site according to the plan is over 1,200 parking spaces less than required, and this number will be provided in surrounding vacant subdivision lands, but apparently not included as part of the proposal to be owned by the city. Also, the report indicates that traffic loading on roads and intersections on game nights could experience “capacity restraints” and “have been identified as not having sufficient capacity to accommodate expected volume of

vehicles.” It is interesting to note that hundreds of additional vehicles will use Bancroft Drive, a route that the city has described as being over capacity, as a reason for denying an application for a subdivision on Howey Drive, part of this route which is now before the OMB. The solution to these concerns according to the report and the Transportation Demand Master Plan is to institute more pedestrian and cycle access, car pooling and other measures, of unproven and speculative value, to reduce the number of motor vehicles accessing the site and as well “to accelerate road links identified in the Master Transportation Plan to divert traffic.” These would likely include the completion of Maley Drive through to the Kingsway, and construction of new and widening of roads in the Ramsey Lake Watershed that besides environmental concerns would cost in the hundreds of millions of dollars. With respect to parking in the downtown, I have personally examined this situation and even with events taking place at the same time, at the arena and the Theater Centre, I have found that there is little traffic congestion as there are various routes to and from the site. As well, even with multiple events this winter there still remained available parking in the CPR lot next to the old train station and at other areas in the downtown. I have had to walk a couple of blocks on occasion for events but likely not more than the distance in the large parking lots proposed for the combined projects. If there is a parking “problem” downtown, would it not be better to construct parking structures at far less expense than what is being proposed for the Kingsway site. Plus possible enhancements to our present arena, like what took place for the Memorial Gardens in North Bay, which is the same age as our facility and 30 years younger than myself.

Simon Nickson stated that the decision in June 2017 was held with limited opportunities and no public comment was asked until a key decision was already made. He would like to change the holding pattern and keep the Kingsway alive. There was a public information session in November 2017 which was rapidly put together with minimum notice. There were no answers provided on how funding would be provided. The sessions seemed rushed and were largely about the arena and no one took note of any of my comments. He suggested that the committee must ultimately not support this location and it goes against the Official Plan, and public comment came too late. There has not been adequate public input and this location is undesirable by most residents. The heart of Greater Sudbury, as is with most urban places, is located downtown which is where the theater, market and library exist. The Downtown Master Plan shows an upgraded arena and a new four star hotel overlooking Memorial Park. This decision does not conform to the Official Plan or the Downtown Master Plan.

John Caruso stated that it will cost one hundred million plus to build a new community arena that we do not need, in a location that does not make sense. Linking a gaming site to a community arena is offensive. A community arena is an asset that is owned by the community. He advised that he will not take grandchildren or visitors to an arena linked to a gambling emporium. The money earned from the slot machines will pay for the new arena. The casino does not need to be attached to an arena to use the funds from it. Arena patrons will not take their kids for lunch in casino owned restaurants, most of which require you to be eighteen (18) years of age. This is forcing people through the gaming site and children are not allowed in a casino. He feels the arena should be downtown, however, if you insist on building a new arena then choose a site that does not link the community arena to a casino. We are one of the largest geographical municipalities in Ontario and the best we can do is build beside a casino and next to a dump. Is this the legacy you want to be remembered by?

Geoff McCausland stated that there are many evidence based reasons to reject this application. The True North Strong centre is a risky investment which betrays the Downtown

Master Plan and invests in urban sprawl. It is a logistical nightmare getting people in and out for events. We need to protect our drinking water. Lake Ramsey's recommended salt content is twenty (20) grams per litre, and it currently is fifty (50) grams per litre. The Kingsway location has been given a nine (9) out of ten (10) for water rating vulnerability. The extra salt could easily run into Lake Ramsey and it is impossible to stop the excess salt from getting into our drinking water. How can we prioritize parking over the health of our citizens? Putting the event centre at edge of town is a discrimination against youth, elderly, seniors and poor people. It is only for those that own cars to access. Investing in the Kingsway is investing in equality. Bicycle routes in Sudbury are rare and bus service is slow and antiquated. All routes lead to downtown and we need to invest in the downtown. This land use and vision are foolish, discriminatory and should not be approved.

Donald MacDonnell stated that he is aghast about the lack of information. A lot of homework has been done but not enough. We do not know what the impact of salt will be on Ramsey Lake. Making the decision solely on the arena and not the casino and the convention centre impacts everyone. He is against the arena being built on the Kingsway, it is an anchor for this community. Sears was an anchor store for the mall and it is now gone and this is having an impact on other stores in that area. Small businesses have devoted time and effort into the downtown. He stated that the committee is being asked to make a decision without enough information.

Arthur Peach stated that he is speaking on behalf of himself and his business and professional partner, Oryst Sawchuk. He advised that they are an architectural-planning consulting practice that has been, and still is, active in Sudbury and throughout Ontario since 1957. His partner was part of the original Planning Board. The staff report concerning the issues at hand shows contempt for, and betrayal of the philosophical values of the planners. Those who have championed the downtown in the past have shown real vision advocating for the School of Architecture and many other downtown projects. The Planning Committee have been presented with a redemptive opportunity that can still be rejected. He stated that he would like to see the Committee vote down the Kingsway development property as it is against the Official Plan and the future advancement of Sudbury.

Andre Dumais stated that he wants the arena to remain downtown. He stated that no one in the room is in support of this project and no one has spoken in favour of it. He feels it is unfortunate that Planning staff had to swallow their pride to support this application. This proposal is to be built within the limits of urban development, which is the outskirts of the City. Nothing is going to grow around there. He is asking that the Committee not discount work done by past councillors. Everyone speaking has a sincere interest in moving the community forward. If the arena remains downtown there will not be concerns regarding salt since the downtown is not in the Ramsey Lake watershed, and infrastructure already exists. He wanted to know where the detailed costs for the development are and who is paying for the costs involved. Has the effect of salt management been considered in operating costs? The staff report identified that shuttles would be used to transport residents to events; have these costs been considered?

Howard Wideman stated that the runoff should be pumped north since anywhere the runoff goes will go into the drinking area. We should be using our current infrastructure. Fielding Road and Isabelle are not up to standard and this needs to be dealt with. He has concerns about the drinking water. He feels the Planners are defensive. It is important to listen to the taxpayers and citizens and speak to the people and listen, then provide Democratic leadership.

Vicki Jacobs stated it is her understanding that re-zoning applications should only be approved if we are changing our carefully thought out plans to make the city better. Better culturally, economically, socially and environmentally. The applicant and City staff have failed to demonstrate to the public that those improvements exist with this application. There's been a lot of talk and hopeful statements, but no fact-based evidence that this type of project works. She stated that re-zoning to relocate our community arena should only occur if the amassed intelligence of experts and good experiences elsewhere point to this being absolutely the best place for the arena to be. There was discussion at Monday's planning meeting that social and economic concerns are not of interest in these discussions, however the Provincial Policy Statement policies speak to those concerns. These related to sustaining healthy, livable and safe communities, long term economic prosperity, water, employment and infrastructure. The project proposed for this land negatively affects each of those things. Adding infrastructure to support an arena when the infrastructure already exists downtown will cost us maintenance money forever while not reducing any costs downtown. Paving over greenfield lands to provide parking for thousands of cars is an environmental harm and has the potential to add salt to Ramsey Lake. Downtown is not in the Ramsey Lake watershed and the environmental hazard could be avoided. Jobs in existing businesses will be lost if you re-locate the arena. There is no evidence that there will be a net gain if the proposed arena relocation goes through. Or that there would be more jobs than if you left the arena in lands already zoned for that purpose. There is no evidence that a project such as the one proposed for this land will provide long term economic prosperity. The experience of other communities, most recently, Peterborough and Oshawa, has demonstrated that arena/events centres have the best chance of success in downtowns. They can be terrific drains on the taxpayer when located in situations like the applicant has proposed. So, the spirit and language of the Provincial Policy Statement tells us that this application does not meet the standard for re-zoning. Because it's not an improvement for our city relative to land that is already zoned for the purpose of a community arena. City Planners have referenced tourism in their report to justify recommending the re-zoning. City Council's own PWC consultant's report advised our community to not rely on tourism because they're not coming to Greater Sudbury for the purpose of visiting our arena. This is a community arena and events centre. It is not a tourist destination. Even if you attach it to a casino, it is still not a tourist destination. City Planners have given us no explanation of why they have chosen to abandon all of the planning done for our city in favour of creating a brand new entertainment district on the edge of town. Why have plans if you're going to abandon them without doing due diligence? Where's the opportunity cost analysis? Where's the public education campaign on what this is going to cost us year after year? Why are you issuing RFPs for upgrading the Levesque Street lift station before the land has even been re-zoned? These hearings feel like window dressing. Like we're being mollified for a decision on which you're never going to waiver. She advised that she has spent countless hours advocating that planning and development decisions are based on facts and evidence. That has been the frustration for her and many others throughout this process. You would never spend \$100 million dollars of your own money without having a solid understanding of the investment. Please don't spend ours. She is requesting that you hire an independent, competent consultant to undertake a systematic analysis of the impact of relocating our community arena and events centre, including on existing businesses. She also requested that the Committee does not approve this rezoning until we can be assured that we know and understand those numbers.

Narasim Katary stated that he is pleading for the Committee to commission a rigorous analysis of the impact of the proposed Casino/Events Centre not only on the downtown but also on the wealth of the city as a whole. The staff report has given you ample reason to do

so. He stated that he cannot persuade you, only you can persuade yourself. He advised he is speaking neither as a planner for 14 years with this City, nor as an adjudicator in the province of Ontario for 17 years, but as a deeply saddened resident of Sudbury for 43 years. The City staff report to the Planning Committee is a sincere effort by dutiful civil servants following the Council decision on locating the Casino/Events Centre on Kingsway. They have done their best. The report, however, perhaps because of time constraints, is meticulously mute on some of the most relevant policies of the Official Plan. One of the most important being sections 19.2.1.a and b. It is my view that City staff are fully cognizant of the missing analysis. Legal counsel Gordon Petch and Rowan Faludi have dealt with inadequacies in following established planning practices in Ontario and rigorously addressing the implementation of planning policies. It is somewhat unfair to expect land use planners to undertake analyses of financial and economic impacts that require expertise and experience in applied statistics and econometrics. In not addressing some key policies in the Official Plan in a rigorous fashion, the planning report has denied Council an opportunity to apprise itself of the consequences of its forthcoming decisions on amendments to planning instruments and large-scale public expenditures. This oversight might not be important if the decision dealt with a minor matter. The impending decisions, however, are likely to lead an expenditure of 100 million plus dollars on a project that is highly consequential to the long-term health of the entire city. This is a matter of utmost gravity. It is necessary to ask: what is the merit of rigorous analysis? There are at least three benefits that are worth taking into account. First, if the analysis supports expenditure at the Kingsway location, a heavy burden will be lifted off the shoulders of decision makers. They can make reasoned arguments to overcome any residual objections in the city. Second, if the analysis does not support expenditure at the Kingsway location, the City would know the hill that it has to climb to overcome the hurdle, not only with the objectors in the City but also before anyone else that might get involved as the situation evolves. Third, if the analysis does not support the expenditure, the Council can of course disregard the principal finding. The merit of competent analysis is that the City can anticipate signposts of challenges ahead and be prepared to overcome them when they arise. Foreknowledge, also called intelligence in military circles, is an invaluable asset in confronting adversity. In the absence of analysis the city can be overwhelmed, given negligible growth and modest development that the city has experienced since 1985. There is a larger public interest involved in the need for, and the desirability of, rigorous analysis that transcends the decision on a large-scale expenditure. This Council needs to reflect on the legacy that it will leave behind, that is far more important than bricks and mortar. Planning is the home of reason in a city-state and you have an opportunity to demonstrate leadership. Leadership entails relying on the best evidence rooted in a comprehensive analysis of all factors. My earnest appeal to you is a simple one. Please inform yourself fully by competent experts on the consequences of your decisions prior to amending planning instruments and committing public money on a major project that will affect future generations.

Jeff McIntyre stated that the location of the proposed development will be located five minutes from the proposed Coniston smelter. He stated that this is not a good idea to approve this application. He advised that he is embarrassed that the Downtown Master Plan has not yet become part of the Official Plan. How can something that important be delayed for so long. He feels that the application should not be pushed through as an economic report has not been completed. The Ontario Growth Plan requires the need for transit. I tried to find people or experts to disagree with my position and have not found anyone. An article was recently published regarding casinos and it made it apparent that we are doing this in a way that we cannot get tourism. There should be a clause in the zoning that states the arena cannot be built next to a casino. Zoning for a place of amusement and zoning for casinos is not the

same. This event centre is more than a building; it is a statement of what kind of community we have. All amenities in the city should be located together.

Rock Palmer stated that people are speaking with passion and knowledge against the Kingsway development. In living in Sudbury we should be proud of our city. It is an ugly city in certain ways and it would be nice to see a more vibrant downtown through architecture and infrastructure. Beautification is not increased by urban sprawl or moving things from the downtown core. An arena in the downtown would help with beautification. We should be investing in buildings that provide art and culture, that are located in the downtown. The big metric is doing something for the people, and beautification of the downtown would go a long way towards this.

John Roth stated that he is a Sudbury Wolves fan and a ticket holder for forty-five years. He stated that many of the people speaking out against the arena are not regular attendees to the downtown arena. Our city needs a new arena. He advised he has been to Kingston, Oshawa and London to see Ontario Hockey League games at these arenas. What makes these arenas is the people and fans. Many commentators, at many games, say there are no fans like the Sudbury fans. There are a couple of flaws. If you read the dictionary, downtown is defined as the main business section of a community. He feels our main street is Barrydowne Road. It is the cross section where all the stores are located such as Costco, Winners, Silver City and the New Sudbury Shopping Centre. This area is way closer to the proposed location than the real downtown. In our current downtown area, the Downtown Business Improvement Area encourages events such as the Ribfest. Most people do not go downtown unless they have an appointment or are attending an event such as Ribfest. Ted Silva had a vision for the big nickel and many people mocked him.

Mary Jane Veinott stated that she lives off Howey Drive. In 2012, she attended several Planning Committee meetings regarding a rezoning application from Dalron Construction to rezone all the property on the hill to the west of her street in the vicinity of the Sudbury Curling Club to allow Dalron to build a large subdivision on the property. To make a long story short, the application was denied by the Planning Committee because of the heavy traffic situation along the Minnow Lake corridor. This busy corridor connects Paris Street with the east end of the Kingsway. It was determined that Howey Drive and the corridor in general are at capacity and no further development can occur in this area until these two-lane roadways are widened to at least three (3) lanes. As was well documented in the Dalron matter, this corridor has become a main alternative to the Kingsway, a much lamented bottleneck for traffic flow in our city. This situation remains unchanged since the 2012 Dalron decision and there appears to be no imminent move by the City to remedy this matter. Her concern is that locating the Event Centre (and the Casino) at the east end of the Kingsway across from Levesque Street will only add to the already unacceptable volume of heavy traffic along the Minnow Lake corridor. As well with this development the list of affected roadways will expand to include all of Bancroft Drive, and the Levesque street and Moonlight Avenue connectors to the Kingsway and the Event Centre, as motorists travelling to and exiting from the Event Centre will follow a well established routine of choosing the Minnow Lake corridor to avoid the Kingsway bottleneck. The Minnow Lake corridor is a heavily populated residential area. With most of the affected roadways being two (2) lanes and having bike lanes on both sides, vehicles making a left turn to exit the corridor hold up traffic. This results in many motorists automatically using the bike lanes to get around the left turning vehicle, giving rise to many safety concerns for cyclists and pedestrians alike. This situation will only get worse as motorists use the corridor as a throughway to get from one end of the city to another, focused on arriving on time for events and heading home or to other activities afterwards. Her second concern is that the location of

the Event Centre (and the casino) is against the Official Plan's section 4.1.c., which is to "promote the development of the downtown as an employment and business centre for the City". This plan was created and is maintained in good faith at considerable expense by the taxpayers in order to guide the City's planning efforts. The decision by Council to proceed with this project, which will purposefully draw major development and employment opportunities away from the downtown, shows a flagrant disrespect and disregard for the will of the citizens as stated in the Official Plan. She also stated that she is extremely concerned about the environmental impact that the developments will have on Lake Ramsey, a main source of our drinking water. Already she is tasting salt in the tap water due to questionable water management practices, poor planning and development policies regarding the watershed for the lake. Studies show that the high volumes of salt and other contaminants in the runoff from the large parking areas associated with the development will ultimately be deposited into Lake Ramsey via the ground water, which studies show flows towards the lake. By choosing this location, Council will further contribute to the demise of our lovely lake which is already in a fragile state and will jeopardize the health of our community. Her final concern is regarding the rezoning application for the casino development. Policy 1.1.1 of the Provincial Policy Statement pertains to development which contributes to "sustaining healthy, livable and safe communities." Building a casino next to an Event Centre, which will be a venue for family orientated activities and in close proximity to residential neighbourhoods, does not support our efforts to be a healthy and safe community. Gambling and its well documented negative outcomes of addiction, crime and poor life choices and practices, are certainly not conducive to encouraging our children and youth to adopt a healthy and safe lifestyle. For the sake of our well being as a community, both rezoning applications and the casino development itself should be rejected by Council, and the Event Centre incorporated into the development of our downtown according to the provisions of our Official Plan.

Recess

At 7:25 p.m. the Planning Committee recessed..

Reconvene

At 7:35 p.m. the Planning Committee reconvened.

Derek Young stated that he previously served on the Downtown Business Improvement Area board and he is a resident of the downtown. He said that the downtown previously was identified as unique high end specialty retail; however, the area is now more of a hospitality and entertainment industry. Most businesses are retail and offices that close by 5 p.m. He does not believe that the arena would have an impact on the downtown. With the proposed Art Centre, Convention Centre and library, they are more complimentary to the arts and culture that represent the downtown. The attitude on the street - the Santa Clause Parade brings 30,000 people to the downtown; however, business owners close early so that they can get out of the area prior to the parade starting. The annual Rib Fest is held downtown, which directly competes against downtown food establishments. A single purpose only arena in the downtown would compliment area businesses, but what is being proposed is the vision of a thirty acre arts and entertainment district, which would not fit in the downtown. I support this particular project. Downtown and the Kingsway Entertainment District can work together. In London they have signs pointing to the downtown area and we could do the same to bring people downtown. In Saskatoon, the Performing Arts and Convention Centre is managed by a not for profit board and is owned by the City. Staff is encouraging people to come to their event centre. Our population base can support this community development which is a very innovative and collaborative project. He is looking forward to great things for our community in

the future.

Dorothy Klein stated that she does not feel the Kingsway is an appropriate location for the arena. She has been in health care since 1955 and feels that community arenas are for the community and families. Locating the arena in the Ramsey Lake Watershed is not appropriate. She stated that she lives on Bancroft Drive, in the Ramsey Lake Watershed, and knows how much soot and pollutants come off cars. With all the extra cars parked at the new arena, all of the pollutants will go directly into Ramsey Lake with no filtering. Our water supply is going to be at risk. In the First Nations, the grandmothers are the protectors of the water system. Once the drinking water is polluted, that affects your health. She would like to see the Committee do the right thing and get a third party analysis since there is a health issue. It is important to consider what is going to happen to our water system. It is not just a fear, it is real.

Kathleen Zinn stated that she was born and raised in Sudbury. People want to raise their kids here. She wants to know if the facility is going to be Green Building Certified. She would like to know if asbestos is buried at the dump. She believes that the downtown is very important for a city. The new centre will have a novelty effect which is a brief period of time where people want to see new places, so it will have higher attendance. For CHL arenas, the average length of time for the novelty period is three (3) years. Attendance will go up for those three (3) years and then go back to regular attendance. If the arena is moved to the Kingsway, prices will go up, making it expensive to go out. The proposal originally was to have two ice pads and cost considerably less. The proposal now has one ice pad and will cost one hundred million dollars. She thinks we can do a lot of things with the extra money if we renovate the old arena rather than build a new one. She does believe in change but thinks the downtown is better for this development.

Peter Ridsdill stated that he supports the Sudbury Wolves. He has spoken to people regarding the North Bay arena, and they feel it was not the right thing to renovate the arena and should have built a new one instead. Most people are saying that the proposed area is too far away for the arena. It is a good idea to build in the downtown if there is the space; however, we do not have the space and parking in our downtown. Ottawa is relocating their arena to the downtown area, but it is costing them ten million dollars to do this. He is 100 percent in favour of the Kingsway location for the new arena as well as the casino. The current downtown arena was built in 1951 and would cost too much to renovate it. There is one place in the National Hockey League where the arena is based downtown, and that is Madison Square Gardens in New York. However, that was renovated at a cost of a billion dollars. A new arena will bring entertainment into our City. The Essar Centre was built in 2007 for 25 million dollars. The Oshawa Centre cost 110 million dollars ten (10) years ago. He is surprised about how many people do not want something new. The downtown area has changed and it is a different place now.

Charles Tossell stated that he is speaking on behalf of Friends of Sudbury Transit. As transit users and full contributors to the cost of this publicly-funded "Public Service Facility", we find it unfair that the selection of a community site is poorly serviced (actually last minute serviced) by transit, has little in the way of bike lane infrastructure and no sidewalks or lighting along the Kingsway to access this facility. Section 1.6.5 of the Provincial Policy Statement states that "Public service facilities should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and active transportation." This site does not do this. The former arena did. It will be costly to bring the entire infrastructure needed to make this site useable. Section 1.5 of the PPS discusses

public spaces, recreation, parks, trails and open space, and states, “1.5 Healthy, active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources.” This site does not provide equitable access for all Sudburians like the downtown arena did, as it is easily accessible by foot, bike and transit. Therefore, we do not approve of the rezoning of this land for a community centre.

Greg Oldenberg stated that he has a unique history with this City and following through with the Downtown Masterplan and the Community Improvement Program. He currently owns the Northern Brewery building. The City of Sudbury has indicated that they planned to invest in the downtown and do the right thing. Removal of the arena downtown will be hollowing out the downtown. He has memories of walking to the arena with his grandfather to see games. If we look at our own experience compared to Toronto, there is a transit hub – Union Station that brings many people to the downtown. Imagine if the Maple Leafs or Raptors decided to close their current arena in downtown and build in the Portlands area of Toronto. Effectively the walking and driving distance are equal from our transit hub. It is almost impossible to transport people to the new arena site on the Kingsway. With the transit hub we currently have, the arena should be located in the downtown. The viability of the downtown is in jeopardy if the arena is moved out of the downtown. Council is disregarding the downtown Master Plan and investment money is not being spent here.

Councillor Signoretti stated that he is not supporting the rezoning application. He presented an article regarding Peterborough City Hall and locating their arena in the downtown location. Many Ontario cities locate their arena facilities in the downtown area. The casino does not bring any money into the community; it actually takes out more than it brings in. The developer wants to develop his land with no regards to the citizens of Sudbury. The Elgin Greenway, Place des Arts and the McEwan School of Architecture are good things the City has built in the downtown area. Removing the arena will have a huge economic impact, and this is being ignored. We are not giving our thoughts to intensification and are going back to urban sprawl. We need to keep our current arena or a new arena downtown. We do not need to build this on the Kingsway and near the dump. We were promised a Motorsports park, Great Wolf Lodge and soccer dome. Developers are not speaking up because they are afraid of repercussions from the City. Business owners are not speaking up because they are in awe that this is happening. There are a lot of residents who want to speak against this and we are ignoring this. He is encouraging his colleagues not to pass this rezoning.

Councillor Kirwan stated that the emotions need to be taken off the table and we should not be discussing where the arena should be located as this was decided on June 27, 2017. The City has decided to become a partner with four (4) other businesses. We became a partner with a land developer and each partner is applying for rezoning for the facility to be built. In order to build this cluster we need to go through the process. We have applied for rezoning and staff has reviewed the applications and are recommending that they be approved. The location is not even a question at this point. There has been a lot of talk about a hockey team, we are not building a hockey arena, we are building an event centre for many activities. We have some of the finest professionals that have reviewed these applications and believe it should be approved. The consultant has even come back and advised that the Kingsway is the best location.

Recess

At 8:14 p.m. the Planning Committee recessed..

Reconvene

At 8:25 p.m. the Planning Committee reconvened.

Rob Webb, Supervisor of Development Engineering, advised that the Stormwater Management Plan for the original subdivision was designed for the north/south road and the lots on both sides; but with this redesign for the casino and arena, the Stormwater Management Plan would be for the casino, arena and lots on the east side. The balance of the subdivision would have a second storm water pond to the west. This would be in the Ramsey Lake Watershed area. The Stormwater Management Plan cannot be moved to the north as it is uphill and the Ramsey Lake Watershed is a fairly small watershed. If you divert the water, less water fills the lake each year causing water depth issues. It cannot be located to the north as this would divert the water past the dump and travel to Coniston. The Nickel District Conservation Authority (NDCA) has placed restrictions to prevent the flooding of Coniston.

Mike Jensen, Acting Director of Water/Wastewater Services, advised that for surface water intakes, source and area vulnerability factors are given to determine an overall vulnerability score. The factor options for a Type D intake are 0.8, 0.9 or 1.0. A source vulnerability factor of 1.0 was given for Ramsey Lake since the intake is only 300 metres from shore; the water treatment plant has experienced past water quality issues related to iron and manganese from bottom sediments; and the intake was raised by 3 metres due to high magnesium levels in the thermocline. The area vulnerability factor is based on the percentage of the protection area covered by land, land cover, soil type, permeability of the land, the slope of any setbacks, the hydrological and hydrogeological conditions of any transport pathway, and the proximity to the intake (Rule 92). An area vulnerability factor for Ramsey Lake was given to each sub- watershed as each sub-watershed is relatively small and mainly consists of overland flow to the lake. The factor was primarily based on land cover and permeability of the land. Proximity to the intake was not weighted as heavily as the land cover and permeability of the land, due to the relatively long retention time in the lake. The majority of the Ramsey Lake Watershed is covered in bedrock and therefore has little infiltration capacity to attenuate contaminant runoff. Many of the tributaries into the lake are intermittent in nature and respond quickly to storm events. If it abuts to land, you will need a 250 metre setback. The sub-watersheds have been assigned a vulnerability score of 9. Where this development is proposed is in the far north-east corner and is located far away from other developments and where the Frenchman Bay sub-watershed is located. The 250 metre setback is from any water course.

David Shelsted, Project Director for the Event Centre, stated that the detailed costs of the event centre were outlined in the June 2017 report from Price Waterhouse Cooper. This report outlined the cost of lands and building development. He advised that the report was used to estimate a cost of one hundred million dollars and they are still in line for this amount. He stated that area development costs, road improvements, sanitary sewer and infrastructure costs would be shared and the cost of hydro for the site would be the applicant's responsibility.

Jason Ferrigan, Director of Planning Services, stated that the upgrades for the Levesque Street lift station were identified many years ago as part of a three (3) part project which also included development on this property.

David Shelsted, Project Director for the Event Centre, stated that the salt management operating cost covers the parking lot as well.

Jason Ferrigan, Director of Planning Services, stated that the staff report outlines that there are currently three (3) separate transit routes servicing the area on the Kingsway and they operate at approximately thirty-six percent capacity. The Transit Action Plan outlines improvements that would include consolidation of these three (3) routes into one single route that would service this area. The percentage of trips accommodated by public transit would be approximately five (5) percent so they anticipate that the number of trips would grow. The five (5) percent split for public transit is consistent with journey to work trips throughout the city. Shuttles would be used for peak times when there are events occurring at the centre costing between \$300,000 to \$540,000 depending on the frequency of trips.

David Shested, Project Director for the Event Centre, stated that they are looking at many options to improve energy efficiency when constructing the facility; however, they are not contemplating Leed certification.

Mike Jenson, Acting Director of Water/Wastewater, stated that the landfills have a standard operating procedure regarding the disposal of asbestos. One of them is contacting the landfill site to advise asbestos is coming and it is immediately covered over once it arrives.

Jason Ferrigan, Director of Planning Services, stated that the City has not conducted an economic study. Speakers are referencing section 19.2 (a) of the Official Plan that states Council will examine the financial impacts of all major development projects or proposals to ensure that they are financially sustainable. This does not ask for the economic impacts. The Planning staff interpret this in the financial implications section of the staff reports for these applications, and work closely with colleagues in the Financial Services department to prepare these reports. The financial implications were approved for this complex last year. We have addressed that policy through the Official Plan. As far as back as 1987 when the Secondary Plan for the old city of Sudbury was created, there was a specific policy of Council that stated when we have commercial structures in the City, we will let market forces dictate where they will locate and retail market studies are no longer required. It has been the practice of our department for many years not to require those studies as per this policy.

Joe Rocca, Traffic and Asset Management Supervisor, stated that the Traffic Impact Study considers the peak hours of traffic for the proposed development. Many residents are mentioning the Howey Drive subdivision and how there is insufficient capacity to accommodate the subdivision. For residential subdivisions, the peak hour coincides with the peak hour of our road network. The arena being proposed falls outside of the regular peak hour, so the increase of vehicle traffic on Bancroft Drive will be accommodated with the existing road network.

Ed Brunet asked what the total area of all the properties around this area is that is using the same draining pond?

Robert Webb, Supervisor Development Engineering, stated that the drainage to the pond in question takes into account the casino site, arena site, the lots along the eastern boundary and the lots across the top of the property. The remainder of the lots drain into a pond in the west. The reasoning is due to the topography of the site as there is a height of land that blocks drainage from going from the west to the east. There is a drainage outlet at the location of the proposed pond and at the location for the new pond across the Kingsway.

Mike Jensen, Acting Director of Water/Wastewater Services, stated that the Chelmsford

Lagoon was previously the wastewater treatment plant for the town of Chelmsford until the new plant was built. There is the capacity to move wastewater during storm events to the Chelmsford Lagoon and back again for conventional treatment. It is not a storm water holding facility and they do not have capacity to move water from Azilda as they are two separate systems. He further stated that the draft Risk Management Plan is for the three (3) applications for the arena, casino and parking lot. Any future development will have to be considered at that time for risk.

Jason Ferrigan, Director of Planning Services, stated that the zoning by-law does not define a casino specifically. However, in the opinion of the Chief Building Official, a casino falls under the definition of a place of amusement.

David Shested, Project Director for the Event Centre, stated that 100 percent salt is used for salt routes unless the temperature drops below minus twelve (12) when the salt would not be effective at which point we use sand. Most cases we use 100 percent salt. Class one (1) to three (3) roads are held at a higher standard, which takes into consideration public safety and minimum maintenance standards.

Resolution to Proceed past 9:00 p.m.

Jakubo/Lapierre: THAT the meeting proceeds past the hour of 9:00 p.m.

CARRIED BY TWO-THIRDS MAJORITY

Jason Ferrigan, Director of Planning Services, stated that these hearings have had a two (2) part hearing, which is done for major applications. In the first hearing in January, residents were encouraged to express their views and they collected the feedback and used that in preparing the planning recommendations. One form of participation for a public hearing is speaking at a public meeting and the other is providing a written submission to the City. Every submission is reviewed and considered and is important for feedback. He further stated that for the lots on the north and west side of this property, which are zoned M3, the Committee could request an amendment to the recommendation so that the property owner will be required to initiate an application prior to rezoning.

Karl Tanner of Dillion Consulting, stated that they are looking for compatible uses for the lots to the north and west side of the property, and are looking for less intense uses such as offices, and are agreeable for the rezoning to require less intensive uses.

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 resolution was presented:

PL2018-45 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 and "M2", Light Industrial to "M1-1(S)", Business Industrial Special to permit a recreation and community centre in the form of a public arena on those lands described as PIN 73561-0282, Part of Parts 10 & 11, Parts 12 & 13, Plan 53R-19391, Lot 9, 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 28, 2018, subject to the following conditions:

1.a) That in addition to the uses permitted in the M1-1 zone, a recreation and community centre shall also be permitted;

b) That an outdoor plaza shall be permitted as an outdoor accessory use to a recreation and community centre, and that no parking shall be required for the outdoor plaza;

c) That a maximum building height of 35 m shall be permitted;

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

e) 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 submitted 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 Site Plan Control By-law 2010-220 as amended be further amended to provide that the lands abutting Streets A and C on draft plan of subdivision, prepared by Terry DelBosco O.L.S, dated May 7, 2010, file 780-6/10002, in Lots 9 and 10, Concession 4, Township of Neelon, are subject to site plan control.

5. 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:

PL2018-45A1 Jakubo/Lapierre: THAT the resolution be amended to remove condition 1.e), which reads as follows:

e) 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 submitted to the satisfaction of The Risk Management Official.

YEAS: Councillor McIntosh, Lapierre, Jakubo, Landry-Altmann
CARRIED

Councillor Jakubo presented the following amendment:

PL2018-45A2 Jakubo/Lapierre: THAT the resolution be amended to replace item 2 with the following:

2. That prior to the enactment of the amending by-law the owner shall:

a) provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of the by-law;

b) initiate the process and submit a SPART application to amend the Zoning By-law to change the zone category on surrounding lands from M3 Heavy Industrial to lighter industrial zones to improve compatibility with the recreation and community centre use.

YEAS: Councillor McIntosh, Lapierre, Jakubo, Landry-Altmann
CARRIED

The resolution as amended was presented:

PL2018-45 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 and "M2", Light Industrial to "M1-1(S)", Business Industrial Special to permit a recreation and community centre in the form of a public arena on those lands described as PIN 73561-0282, Part of Parts 10 & 11, Parts 12 & 13, Plan 53R-19391, Lot 9, 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 28, 2018, subject to the following conditions:

1.a) That in addition to the uses permitted in the M1-1 zone, a recreation and community centre shall also be permitted;

b) That an outdoor plaza shall be permitted as an outdoor accessory use to a recreation and community centre, and that no parking shall be required for the outdoor plaza;

c) That a maximum building height of 35 m shall be permitted;

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

2. That prior to the enactment of the amending by-law the owner shall:

a) provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of the by-law.

b) initiate the process and submit a SPART application to amend the Zoning By-law to change the zone category on surrounding lands from M3 Heavy Industrial to lighter industrial zones to improve compatibility with the recreation and community centre use.

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 Site Plan Control By-law 2010-220 as amended be further amended to provide that

the lands abutting Streets A and C on draft plan of subdivision, prepared by Terry DeBosco O.L.S, dated May 7, 2010, file 780-6/10002, in Lots 9 and 10, Concession 4, Township of Neelon, are subject to site plan control.

5. 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, Landry-Altmann

NAYS: Councillor McIntosh

CARRIED

Public comment was received and considered and effected Planning Committee's decision in the following manner :

a) The addition of 2 additional conditions.

2 1916596 Ontario Ltd. – Application for rezoning to permit parking lots in addition to the uses permitted in the M2, Light Industrial and M3, Heavy Industrial zones, 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. – Application for rezoning to permit parking lots in addition to the uses permitted in the M2, Light Industrial and M3, Heavy Industrial zones, Kingsway, Sudbury.

Karl Tanner of Dillion Consulting, agent for applicant, and David Shelsted, Project Director for the Event Centre, were present.

Alex Singbush, Senior Planner, outlined the report.

Jason Ferrigan, Director of Planning Services, stated that this parking application is a separate application to add a use for these lands in conjunction with the arena application. If there was an application to change the rezoning for the arena, it would not change the zoning for this application.

Karl Tanner of Dillion Consulting, stated that this site will have a cross use agreement and will be utilized during the daytime hours as parking for employees and used as parking for the event centre in the evening. He also suggested that like the previous application for the arena, they would like to have a clause so that the uses would be for less intense zoning.

John Lindsey stated that we need to consider the parking areas required for the arena and casino which, according to which planning document you read, could be anywhere from around 2, 500 to 3,500. These parking areas need to be kept clear of snow and ice to be safe underfoot and for vehicles as well. These areas will, like parking areas in a mall, need to be

maintained not just a portion. For Sudbury area malls, virtually all contractors employ similar standards and methods to ensure safety and to avoid liability to themselves and to the mall itself. It is generally accepted that snow will be removed when two (2) centimetres falls. Besides plowing, a mixture of sand and five (5) percent salt is used (to keep the sand from freezing and to provide traction). For the area to be cleared at the casino and arena, including sidewalks and driveways, approximately 575 kilograms of sand/salt mix will be needed per event. There has been an average of 50 events per winter season. Over a tonne of salt in the mixture would be applied per event or over 50 tonnes per season, which would go directly into the environment and the contributing and recharge area for Lake Ramsey. In ten (10) years this would result in 500 tonnes of salt or over 100 years, 5000 tonnes of salt going into Lake Ramsey. A little salt goes a long way, a tablespoon pollutes five (5) gallons of water. We could become known as Salt Lake City of the North. Sodium, one of the two elements which make up salt, is already in the lake at almost three (3) times the limit for those on salt restricted diets. Chloride, the other element, is approaching the limit where aquatic life will be harmed. This is well documented in preliminary reports by the Lake Ramsey Sub-Watershed study, and the draft plan should soon be released, and certainly is, one of the reasons why this application should not be approved at this time. It is curious that our Conservation Authority had no issue with the application while the Lake Simcoe Conservation Authority expressed real concerns about Lake Simcoe chloride levels reaching 50 milligrams per litre (half of our current 100 milligrams per litre) and that lake's current rate of increase will exceed the chronic chloride level (120 milligrams per litre) by the year 2120. Their public report stated "while that seems a long way off, it means there is time to make changes that will protect the lake for future generations". I would hope that we could be as forward looking and considerate as those responsible for the health of Lake Simcoe. We must keep uppermost in mind the objectives of the Ramsey Lake and Watershed Community Improvement Plan, a 100 year vision prepared and accepted by the city in 1991. The study indicated "as a municipal water supply for the foreseeable future, Ramsey Lake should be carefully maintained to ensure that sufficient quantity and quality of water will be available year round" and "only those uses which are compatible with the water supply should be permitted and planned within the total watershed"; and finally "looking forward to the next 100 years, it is time to ensure that the ecological integrity of Ramsey Lake will be preserved and enhanced for future generations." This means that all future decisions affecting the watershed and lake must contribute to its health and continuing role as the environmental focus for the community.

Charles Tossell stated that he is concerned as a handicapped individual that the City exceed's the Provinces' requirements regarding the amount of handicapped spaces available.

Ed Brunet stated that it is very upsetting that the event centre is going forward. There are too many small holding ponds within the water basin that goes into Lake Ramsey. He would like the City to respect the law and keep the water table for Lake Ramsey. He is concerned about the other properties that may be developed. He feels the property should not have been developed due to the Ramsey Lake water table being so close and the lake is turning salty.

Howard Wideman stated that he is concerned about the water. There will not be enough drinking water and you will be putting polluted water into Ramsey Lake.

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 resolution was presented:

PL2018-46 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 "M2", Light Industrial and "M3", Heavy Industrial to "M2(S)", Business Industrial Special and "M3(S)", Heavy Industrial Special on those lands described as Part of PINs 73561-0261, 73561-0264 & 73561-0282, Parts 2, 3, 5, 8, 14, 15, and part of Part 10, 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 28, 2018, subject to the following conditions:

1. a) That in addition to the uses permitted in the M2 and M3 zones, a parking lot shall also be permitted;
- b) 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 & Infrastructure.
 - ii. The submittal of 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 Site Plan Control By-law 2010-220 as amended be further amended to provide that the lands abutting Streets A and C on draft plan of subdivision, prepared by Terry DelBosco O.L.S, dated May 7, 2010, file 780-6/10002, in Lots 9 and 10, Concession 4, Township of Neelon, are subject to site plan control.
5. 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 :

PL2018-46A1 Jakubo/Lapierre: THAT the resolution be amended to remove condition 1.b), which reads as follows:

- b) 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-Jaw 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 & Infrastructure.
- ii. The submittal of Risk Management Plan under Section 58 of the Clean Water Act to the satisfaction of the Risk Management Official.

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

CARRIED

Councillor Jakubo presented the following amendment :

PL2018-46A2 Jakubo/Lapierre: THAT the resolution be amended to replace item 2 with the following:

2. That prior to the enactment of the amending by-law the owner shall:

- a) provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of the by-law;
- b) initiate the process and submit a SPART application to amend the Zoning By-law to change the zone category on surrounding lands from M3 Heavy Industrial to lighter industrial zones to improve compatibility with the recreation and community centre use.

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

CARRIED

The resolution as amended was presented:

Rules of Procedure

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

PL2018-46 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 "M2", Light Industrial and "M3", Heavy Industrial to "M2(S)", Business Industrial Special and "M3(S)", Heavy Industrial Special on those lands described as Part of PINs 73561-0261, 73561-0264 & 73561-0282, Parts 2, 3, 5, 8, 14, 15, and part of Part 10, 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 28, 2018, subject to the following conditions:

1. a) That in addition to the uses permitted in the M2 and M3 zones, a parking lot shall also 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.
 - a) provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of the by-law;
 - b) initiate the process and submit a SPART application to amend the Zoning By-law to change the zone category on surrounding lands from M3 Heavy Industrial to lighter industrial zones to improve compatibility with the recreation and community centre use.

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 Site Plan Control By-law 2010-220 as amended be further amended to provide that the lands abutting Streets A and C on draft plan of subdivision, prepared by Terry DelBosco O.L.S, dated May 7, 2010, file 780-6/10002, in Lots 9 and 10, Concession 4, Township of Neelon, are subject to site plan control.

5. 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, Landry-Altman

NAYS: Councillor McIntosh

CARRIED

Public comment was received and considered and effected Planning Committee's decision in the following manner :

a) The addition of 2 additional conditions.

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 Motion were presented.

Adjournment

THAT this meeting does now adjourn. Time: 9:46 p.m.

CARRIED

Adam Kosnick, Deputy City Clerk