

MINUTES – JANUARY 22, 2018 – 751-6/17-27

1916596 Ontario Ltd. – Preliminary Planning Report - 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 December 18, 2017 from the General Manager of Growth and Infrastructure regarding 1916596 Ontario Ltd. – Preliminary Planning Report - Application for rezoning to permit a recreation and community centre in the form of a public arena, Kingsway, Sudbury.

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

Alex Singbush, Senior Planner, outlined the report.

Alex Singbush, Senior Planner, stated that the zoning by-law permits certain land uses within certain land use designations. These lands are currently zoned M1-1 and M2. These zones permit a variety of land uses but they do not permit a recreation and community centre in the form of an arena. Due to this fact, the applicant must seek a rezoning approval in order to allow for this land use on this property and that is why the application has been made. While Council has indicated a preferred location, Council, through the Planning Committee, also has a land use planning decision to make with respect to the appropriateness of the proposed land use on these lands in order to comply with the zoning by-law. The decision the Committee will be making is whether or not to allow this particular land use which is defined in the by-law as a recreation/community centre on the parcel outlined in red.

Carl Tanner, registered professional planner with Dillon Consulting, stated that they are a Canadian based professional services firm that specializes in planning, engineering and environmental matters. They have one of the largest planning groups in Canada. He has been with this agency for 23 years and was previously the real estate sector leader for Dillon Canada which involved him in all planning decisions in that particular sector. He stated that his final analysis and professional opinion about the proposed By-law zoning amendment will show how it is consistent with the Northern Growth Plan, the Provincial Policy Statement and the Official Plan. The planning process is fluid and transparent. They are present to listen as it is very important that they take into consideration the public's comments. Based on his experience this is a fairly straightforward application. They will include the comments regarding the land use issues into the planning documents that they submit for this application. It is interesting to note that a private arena is actually permitted on this property and they are looking to add as a permitted use a public arena in the form of a recreation and community centre. Because the properties are tied together, there are a few property setback requirements for the buildings. They are looking for an amendment as well for a zero (0) set back interior side yard setback and a maximum building height of 35 metres, which will be also tied to the planning approval. It is important to note that this property is also part of a draft plan of subdivision for the purpose of the approval process. What they hear tonight and the continuation of the public engagement process is critical in how he will finalize his opinion. A traffic impact assessment has been completed for this application and his colleague from Dillon Consulting is available should there be any questions in relation to that assessment.

Arthemise Camirand-Peterson, President of the New Sudbury Historical Society and past Chair of the New Sudbury Community Action Network (CAN) in Ward 12, stated that she is supporting the rezoning application to allow for a recreation and community centre in the form of a public arena and a place of amusement in the form of a casino. She stated she has heard from many residents at the Ward 12 CAN meetings expressing the need for a community centre and meeting place which they deem are lacking in New Sudbury. Currently, many gather in the New Sudbury Shopping Centre, which does not fall into the category of healthy activity, especially for youths. The New Sudbury population represents approximately 26,000 residents. She stated that they do have a library and a pool in New Sudbury, but they do not have a community centre or an arena which many other smaller neighbourhoods do have. She would like to have a gathering place where friends can meet and interact with other residents as this is beneficial for mental and physical health. She believes that when the event centre opens, it will promote development of many smaller businesses along the Kingsway and will be easily accessible thanks to all of the major highways leading to the area. She further stated that there are many hotels at which travelers can stay, as well as many restaurants and shopping options. She thanked the Committee for making downtown Sudbury the art hub of Sudbury.

Herve Sauve stated that he would like to speak against the rezoning before they have a referendum on the matter. He feels as though the whole matter did not appear to be genuine as the way they voted did not seem correct. He is speaking as a former lawyer, he always had to be careful in the Crown's office that they did not appear to favour one side or the other, and they had to remain impartial. He stated that the Ombudsman or a third party investigator should look into what transpired to reach this decision to have the event centre on the Kingsway. He stated that they should adjourn this matter until the next election so that the new Council can make this decision. A large sum of money is being spent on an arena on the Kingsway when we already have one. He further stated that it will also cost 30 million dollars to prepare the site on someone else's property. He believes the rezoning would be against the master plan, against the advice of the consultants and staff and the voting procedure was not right. He believed that the tie vote for the first resolution would mean that they kept the old arena. He has been speaking to friends that play hockey at the current arena and they don't have any issues with it. The current arena could use improvements but they should be spending money on it rather than a new one. The current arena is a historic place, everyone knows the current arena and we should leave it there. If Mr. Zulich wants to build another arena, he can, but we should not be paying for it.

Steve May stated that he is not here on behalf of his employer or any organization. He is here as a citizen of our community that has an interest in seeing economic development and seeing that land use planning is carried out in support of economic development initiatives. One of his mentors who used to be an Ontario Municipal Board member once identified the Municipal Official Plan as being akin to a public promise in which a decision should run against it only if there is a very good reason. In 2006, when the City adopted its Official Plan, it made a promise to the Community that decisions would be in line with the policies of that plan. He does not believe that the event centre in this location is in keeping with the City's Official Plan. He stated that staff is under the impression that because section four (4) of the Official Plan provides for institutional uses to be located "throughout" the municipality, Official Plan conformity is not in question. If you are to interpret "throughout the municipality" that would mean arenas and institutional uses would be permitted in land use designations such as floodplains and roads. When reading the Official Plan, one must look if the uses being proposed are appropriate for the location in which it is being proposed. This community arena is a facility that is going to operate at a loss of \$800,000 per year, which as a citizen of the community he is ok with because this establishment would be an amenity to attract economic development and residential

development. Therefore, we need to make sure it is in the right location in order to maximize these opportunities. He would suggest that an industrial park on the urban fringe of our City is not the right location for an important public facility. He suggested that there would have been an opportunity to look at whether or not this location made sense in the context of an industrial park, which has not been fully addressed. The permissions that the Official plan currently allows for an industrial park do not include a public facility in the form of an arena/event centre. This zoning amendment does not conform to the City's Official Plan, it is not in keeping with the Provincial Policy Statement, it does have regard to section two (2) of the Planning Act, and it is not in keeping with the Northern Growth Plan.

David Wood stated that the official website for the City states that the Planning Committee's public hearing will occur today regarding an application for rezoning to permit a recreation and community centre in the form of a public arena and an application for an Official Plan Amendment. An outcome of a successful public hearing in terms of supporting the project, according to the official documentation on the website, indicates that it would lead to an Official Plan Amendment, although they heard otherwise from the applicant. The Official Plan which was adopted by City Council in June of 2016 is a blueprint to help guide Greater Sudbury's development over the next 20 years. It is the principal land use planning document. It presents a vision of Greater Sudbury between 2026 and 2037, and has the policies to provide for development decisions which are consistent with the visions of the City. The Official Plan establishes goals, objectives and policies to manage and direct physical change and its effects on the social, economic and natural environment in this period of time. It also forms the basis of the City's zoning By-law and other use controls. It guides land use, infrastructure decisions and future planning initiatives. Within the Official Plan in section 4.2.1.1, under downtown residential development, it states that residential development of the downtown is the key to its future success and is consistent with residential intensification policies. Increasing the number of people living downtown will enhance the existing community dynamic and expand the residential constituency. A residential base also provides support for downtown businesses and acts as a stimulus for small businesses' development. Amenities such as the farmers' market, Sudbury Theatre Centre, Greater Sudbury Public Library and Sudbury Arena contribute to the appeal of the downtown. In order to make it more attractive as a place of residence, additional amenities are necessary to enhance the livability of the downtown. To expand further upon the development of the downtown, the Downtown Sudbury Master Plan was created in four (4) phases between September 2010 and February 2012. The process of the Downtown Master Plan was to create a healthy, active, and successful downtown to make a positive statement about the prosperity of the City and send a positive message to future residents, businesses and investors. The future of our community is critically associated with downtown; therefore, he suggested that the location of the arena should remain in the downtown. The Master Plan notes that while the downtown has a number of strengths, there is greater potential for improvement. The Downtown Sudbury Master Plan presents a series of recommendations to reinforce the downtown's role as the biggest, brightest and best downtown in northern Ontario. It outlines strategies for improving the downtown's economic, cultural and retail activity. The downtown could be considered the capital of North if the plan is followed. It is in his opinion that Council has decided to follow neither the Official Plan nor the Downtown Master Plan, both of which were created to avoid the issues we are currently discussing.

Lilly Noble, representing the Ramsey Lake Stewardship Committee, provided an electronic presentation regarding the proposed rezoning and salt impact it will have to the water in Ramsey Lake. The entire property is in the Ramsey Lake watershed and the water flows south directly to the lake. Significant amounts of water flow under the rock and wetland to the lake, which would flow through the subject property. The entire property is 47 acres and

approximately 27 acres of this property is parking, which will need to be salted and de-iced. Approximately 15,000 - 40,000 pounds of salt will be used per snow event to de-ice the parking lots. Unfortunately, the salt cannot be stopped as it is highly soluble and will flow directly downstream. This salt will then enter our ecosystem. Chloride is toxic at 120mg/L and impedes on osmoregulation of fresh water species. Un-impacted lakes on the Canadian Shield have 1-7 mg/L of Chloride in the water and Ramsey Lake had 100mg/L in 2013. Based on estimates, Ramsey Lake will reach the toxic level of 120mg/L in 13 years without the addition of the salt that will be used on the subject property. Sodium levels are also a concern as they are already over the normal amount. She does not believe that this is a healthy thing for Ramsey Lake, not as an ecosystem on its own or as a drinking water source. There are other good options, therefore she does not understand making this decision that will greatly affect 60,000 citizens' drinking water and a jewel in the centre of Sudbury.

Joel Belliveau stated that he has loved Sudbury since he moved here, and what struck him the most is the potential that the downtown has. He stresses that the downtown is the only spot that can become an area that individuals could meet and walk around outside. He believes the downtown could be at risk given shops beginning to close. He believes that the downtown continues the way it is, it could become a liability and an area that would need to be serviced but bring in very little revenue because it would become a dead zone. Many cities in North America have seen this happen to their downtowns, but it has the potential to be full of people because of the critical mass of things that there are to do. Weekends where there are events and festivals, such as Rib Fest, the downtown thrives. He does not feel that the downtown can risk losing the arena as it would be a big blow, and difficult to overcome. The Kingsway site would be a new urban, recreational and commercial, area somewhere that would take away expendable income from other city centres. This land on the Kingsway is the perfect place for an industrial site and he does not understand why it is not being used as an industrial park. We do not need to go along with the project that a local entrepreneur is taking on because he has not been able to find a use for the property that he has purchased. We should keep our focus firmly on our collective interests as a Municipality. Rather than bringing forward arguments that have already occurred, he is appealing to the independence, openness and any doubts the Councillors may have, as this is an important decision. The project is polarized and this would de-track the project, but it is necessary in order to come up with a project that will rally more of the Community.

Arthur Peach stated that he is part of an architectural and planning consulting practice that has been active in Sudbury since 1957. The Planning Committee is governed in their deliberations and decisions by the Official Plan and other statutes. The Committee and staff have a stewardship obligation to assure the implementation of the Official Plan on behalf of the citizens and institutions of Sudbury. He stated that what is unprecedented is the contemplation of spending well over 100 million dollars for an arena/event centre and tens of millions of dollars on supporting infrastructure in an inappropriate location. He and his colleague have great concern that the application, in almost every category of reference to the Official Plan, cannot be justified and must be rejected in favour of rational planning. He stated that it is the Committee's civic duty to reference the Official Plan, to advocate, and to demonstrate rationally how and why a project of this size should be built in the Downtown. Quoting the Official Plan, "the heart of Greater Sudbury, the most urban place", "to enhance the Downtown as location of government, commerce, culture and entertainment facilities." He stated that the new arena should not be remote on the periphery of the built centre of our community. It should not be on lands designated as Heavy Industrial by the Official Plan. It should not be adjacent and connected to a casino or neighbouring the Municipal landfill site. Many detrimental changes have been made to the downtown, it is being hollowed out to serve private commercial interests

without much thought for the peoples' interests. He believes the Planning Committee and Council have failed their responsibilities to the Official Plan. He stated this is an opportunity to be proactive and make a statement about being proud and improving the downtown.

Vicki Jacobs stated that there are many in the community that have lost faith in this process and she is opposing the rezoning of this property for an arena. It does not comply with the Official Plan, the draft Official Plan or the Downtown Master Plan, all of which Council has approved. These are forward thinking documents that this proposal does not fit within. This proposal also does not fit with the City's economic development plan. All of these plans have taken thousands of hours of the community, staff and experts' time. The land in question is zoned to be an industrial park, which makes sense as it is outside of the City and right beside the City landfill site. This site does not work for what the City wants to be the heart of the community, our community arena. Putting our community arena on this industrial property increases infrastructure sprawl that needs to be built, and will be paid for over many years, and our children will have to pay for it. There has been no economic impact assessment on the impact of putting the arena on the Kingsway in regards to the rest of the City. Making these decisions without having this type of information is a bad business practice. Placing the arena on this property provides no benefit to the rest of the City's commercial sector, and it will harm them. This proposal goes against all expert opinions, planning practices and our own well laid plans. She urged that they stick with the plans the City has built over the years.

Jim Hallows stated that he has grown up in Greater Sudbury. He agrees with comments made in regard to opposing the location on the Kingsway. He lives on Lake Ramsey and watches the trains go by, and he is concerned at the possibility of a train being derailed and damaging the lake. He stated that he has heard that CPR has offered their land and track to build the arena. He believes this would be the best location as it would be downtown and remove the concern of a train derailment near Lake Ramsey.

John Lindsey, Chair of the Minnow Lake Restoration Group, stated that he is an environmentalist that is concerned about the environment, which in this case is the City of Greater Sudbury. Narrowing it down, this environment consists of 330 lakes, the jewel of the lakes being Lake Ramsey. The environmentalist concerns are specifically in reference to section 1.1.1 of the Provincial Policy Statement relating to sustaining healthy, liveable, and safe communities and also sections 8.0 Water Resources, 8.6 Storm Water, and 12.1 Sewer and Water of the Official Plan. In reference to drawing A110 which shows storm water management areas and retention ponds proposed for the development, their submission addresses the matter of salt contamination of Ramsey Lake, which is in the watershed of the proposed development. The proposed development would contain over several thousands of parking spaces requiring winter maintenance and application of road salt. He would like it noted that salt is not removed by any form of storm water treatment, including sophisticated treatment facilities such as the facility being built for Minnow Lake presently. These treatments will remove silt and some other contaminants, but salt will pass through in solution. This will be the same situation with respect to any storm water treatment on the proposed lands for development. The increased salt levels in Lake Ramsey will not contribute to a healthy liveable and safe community, and will not satisfy the critical objects and requirements of the Water Resource sections of the Official Plan. He lives on Minnow Lake but cannot swim in it due to the salt and chloride levels; Lake Ramsey is not currently at this level, but could be. The elephant in the room is that we cannot treat salt or remove salt from the environment, yet we continue to put salt on our roads/parking lots and it ends up in the drinking water of 50,000-60,000 Sudbury residents. There is a study currently ongoing pertaining to this situation and they are expecting

the report within the next few months. We are already at critical levels of pollution generated by salt in Lake Ramsey. If this development goes ahead, there will be further increases. We all should be environmentalists and address this problem.

Elaine Porter, Vice-Chair of the Greater Sudbury Watershed Alliance, stated that the group works with the City's Official Plan, and referenced section 8.3 for this particular application. This section states that with respect to drinking water resources, the emphasis is on identifying sensitive features of the City's drinking water resources as well as identifying measures to protect, improve or restore these resources. She stated that her other colleagues, John Lindsey and Lilly Noble, have laid out the dimensions of the problem that exists. She emphasized how much the City has gained a reputation for greening for environmental measures and she would like for individuals to think of this when building a large number of impervious surfaces out by the arena. She wants the lake and the water becoming more salinated to be something people consider. It would reduce the aquatic nutrients, affecting many species including the production of milfoil. There is risk management that needs to be considered when making these decisions. Once the salt is in the water, it cannot be removed and it is accumulating without this development. There are practices that can be used for this problem but the best practice is prevention. The prevention in this case is not increasing impervious surfaces, such as a parking lot of asphalt.

Pam Banks stated that she and Mr. Tossell are representing Friends of Sudbury Transit. She does not believe that this is the best location for citizens that need to take transit to the new community arena for a few reasons. The time it would take to get to and from the new arena from the transit terminal downtown is of concern. They understand that there would be special buses during events, however, which events would have special buses and how would they get there at other times? On different days and at different times, access to public transit would change and they are concerned at how this would work. She further stated that they are concerned about the availability of transit during non-events such as a public skate. She inquired where the funding for this transit system would come from. Would it come from existing transit funding and take away from other essential transit services or would money generated from the casino be used to fund this extra transit? What would the impact of parking be on the buses leaving the event when everyone is leaving at the same time? Would this delay people from getting downtown to get to their connections?

Charles Tossell stated that he is appealing the process because he believes that staff should have directed Council to make a decision. Councillors should not have been able to vote for downtown and for the Kingsway, as they should have been required to vote yes to one and no to the other. The City has spent a large amount of money to do studies to support having everything in the downtown core. As an anti-poverty activist and a disability rights activist, he is very disappointed in Council's decision to have an events centre in the eastern part of town instead of downtown. Currently, the City only has one bus an hour which is concerning for transit users anticipating attending an event such as a concert at night. If a bus is running late and prevents riders from transferring to the Moonlight bus route, they will need to take a taxi or have to wait another hour to leave the terminal, which will result in them missing a large portion of the event. If ever a concert exceeds the 11 p.m. deadline, transit users will have to leave early or wait until near midnight for the next available bus route to make a final transfer at the terminal at 12:30 a.m. Traffic impact is not a large problem for the Kingsway as there is the east and west direction for the 2,100 parked cars trying to leave the proposed Kingsway Entertainment District. Had the event centre been located downtown, it would have been much easier for transit users to get themselves to the current transit terminal. It would avoid the

additional costs associated with having to add another later bus route to accommodate the necessary travel for late events. Handi-transit users will also be affected as they will not be able to stay for the entirety of a concert. In conclusion, he stated that tax payer should have been able to use the 100 million dollars to build more housing for those who are homeless frequenting the downtown core.

Cathy Orlando stated that she is international outreach manager to Citizens' Climate Lobby, she trains citizens in 40 countries around the world in how to engage in a civic manner with politicians. She is very concerned with the current process taking place regarding the arena/events centre. In 2009, the former mayor brought in a designer from Sudbury to provide guidance on how to engage a community in building legacy projects in the City, such as the one before the Committee. The City was advised to be audacious and create beautiful projects and be collaborative. The proposed development goes against the City's Official Plan, the Downtown Master Plan and has environmental concerns associated with it. It is the wrong kind of audacious. In relation to the beautiful aspect of this development, it does not meet this requirement either; it is located beside the municipal landfill. She is a highly engaged citizen and she was not aware of when this project was going to be voted on until a week before the vote in June, which coincided with a casino vote. There has been very little collaboration on this matter and the project already feels like a done deal; this is how democracy dies. This project is not following the ABC's of legacy project building advice. She is recommending that there be no rezoning until proper process is followed.

Shawn Ouimet stated that he does not support the proposed rezoning for this development. He is known to be an activist for the downtown and has gone to various cities in order to have a good understanding of what makes for a profitable downtown and businesses. From his understanding there is not a venue, property or arena management company that is guiding staff with this project. When the architects brought the plans for the arena for Council to view, the architects were reminded that we are in the northern Ontario climate. Although the building construction was nice, there was a concern that the north wind would be blowing right through, which the consultant responded that they will put trees and shrubs to block the wind. However, we live in northern Ontario and the trees lose their leaves in the winter time and they will provide no shelter from the wind; yet another reason why we need local project management companies to guide the City on this historically large project. The City has the "puck on their stick" right now, and once the lands are rezoned it will be given to Mr. Zulich and Gateway casinos before knowing all of the terms that could be going on with the property management, the lease agreement, and contracts with those individuals. The casino could have three (3) restaurants and if a local business wanted to open on that property they could not have a similar business in the area because of terms set out by the casino. This is an example of why it is important to see the terms and contracts of what we are investing 100 million dollars into before the rezoning is approved.

Greg Oldenburg stated that he is in a unique position as he has had many conversations with the individuals before him pertaining to the Master Plan, the Official Plan and the Provincial Policy Statement which the Planning staff do have to follow as insight as to how this City is going to be developed. When he purchased his property there was a very clear intention to recreate the downtown as a community. He has spent a large sum of money to bring forward the very plan that will be the most significant adaptive reuse project that the City of Sudbury will ever see in the downtown as it relates to residential heritage adaptive reuse. He would like to question what the intention the City of Sudbury had when deciding the location of this events centre. When you go to any other city, where is the action? People like grit, they do not want to

go to safe places that are benign and have no intention. People want to go where people have invested their own money; independent businesses, club and bars. Residential places that you can go and feel like you're going to some place that you might not want to be all the time but you know you can go there to enjoy yourself and have some fun. We have a transit centre in the downtown, all of the buses lead directly there and all roads lead to downtown. There are clear policies that the provincial government has provided to municipalities that have to be followed. There are clear indications on how cities have to grow and develop existing infrastructure, transit, water and energy. He is asking that these policies be looked at in order to determine if the intention of the arena project on the Kingsway contradicts them. The site on the Kingsway would be an amazing industrial site but does not create the energy that the City of Sudbury needs to have moving forward.

Recess

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

Reconvene

At 6:15 p.m. the Planning Committee reconvened.

Chuck Jacobs stated that he wanted to focus on the lack of informed public consultation that was done as a part of this process. The only actual consultation that was done to his knowledge was on a website on the Internet asking "how do you feel about the future?"; this is a pretty esoteric question. He does not feel like the open houses that took place after the design was completed were consultations, as it was clear that it was not a place to take in new comments from citizens. There was no need for this process to be polarized; however, it became polarized because of the misinformation from the start of the process. For example, there was a poll done and almost half of the public was under the impression that the City did not have to pay for a new arena as it was being paid for by the developer. This type of misunderstanding could have been prevented if there had been informed consultation. He does not believe that the Councillors were representing informed constituents when making their choice during the vote. Informed consultations are needed in order to prevent a lot of the misinformation that was circulated and he would hope that the process be redone before the project continues.

Patty Buchanan stated that she is an active member of the Sudbury community. She is opposed to the application for rezoning of this property for similar reasons that have been articulated by many. She believes that this proposal is not in accordance with the Official Plan and the Downtown Master Plan. There probably is a way around it, but why would they seek a way around it, when the plans have been so supported since their development. She would like the Committee to consider the following: the average annual growth rate of the City of Greater Sudbury's property taxes from 2000 to 2015 was 5.2%, compared to the average growth of property taxes across 33 other communities of 2.8%. From 2011 to 2018, the City of Greater Sudbury's population grew by .08% compared to the Ontario average population growth of 4.6%. It is expected that in northern regions, the population growth and net migration of citizens will remain stagnant or decline. The population of seniors in the demographic is rapidly increasing and is expected to increase more quickly in northern communities. The City of Greater Sudbury has an infrastructure deficit of approximately a billion dollars. Most can attest to the quality of the City's roads and the water and wastewater infrastructure. Why build new infrastructure on land that is not already serviced when we have the opportunity to build new infrastructure on already serviced land. Building on land already serviced gives us tremendous

opportunity to upgrade the roads and inground infrastructure that already exist. If we build new and have to upgrade existing infrastructure, have we not doubled the bill? Who will pay for these costs, does incurring more costs than necessary make any sense in a community where the population is declining, the rise of seniors is increasing and is this the debt we wish to leave to our children and grandchildren? This is not financially responsible or sustainable and these are the principals when thinking about rezoning a property. If we put so much money into a new project, we will see the existing infrastructure continue to crumble and decay.

Jeff MacIntyre stated that he would like to state the difference between a private and public event centre. With a private event centres, the investment is the sole risk of the private owner. If the private owner today would like to build the events centre at his own cost, he has every right to do so. A public event centre is different from a planning perspective; you're investing 100 million dollars of the public purse into this project. During the process of selecting the location, the consultants and experts were clear that event centers cannot survive as a standalone, they need to build around it as there needs to be interaction. To accept a public event centre means you must accept a new development zone. That development zone is not warranted. An event centre needs to be right size, much in the way a city needs to be the right size. You need to have the right amount of zoned land to be able for the property to have value. If we develop a new development zone without the population base to support it, we are damaging the property value of the existing areas, not just the downtown but the entire City. We are adding excess inventory without the demand to fill it. Because this is a public event centre, because this is the public purse and because this Council will be held accountable for the success of the event centre, it is important to make it as successful as possible. He stated they are putting themselves in a conflict of having to deal with the good of the entire community versus the good of this single massive investment that they are looking at making. It is a different use and has a different impact to our community. There are two (2) scenarios; the first is that no changes occur with this events centre, it remains industrial use. Our crown jewel events centre surrounded by industrial uses which is what we will have to tell tourists. He stated that we are going well beyond the bound of rezoning this one property, we are making a statement that they are going to change the development of this community going forward, putting pressure on every retail zone of the community because of the over capacity. This is the most anti-development planning change this community will ever make, we are telling developers that Sudbury is a bad investment.

Dorothy Klein stated that she is a resident in ward 11, she has offered in writing, email and to the Councillors that she would like to participate in the committee being organizing for Mr. Zulich. The process of input from the community was very poor for this application. She stated that individuals have said that Mr. Zulich has met with people in the community; she does not feel as though he spoke to the residents, as she was not aware. She used to live in the area surrounding the proposed development and upon visiting some of her former neighbours, she realized that they did not know the facts and people were very misinformed. She hopes that they will reassess the process used and have real input from those in the community. As taxpayers, they take offence that taxes are going up and they don't have any input.

Mathieu Labonte stated that he has read the traffic report and it is concerning, as it appears it will negatively impact economic activity coming in and out of Sudbury from North Bay. He runs a very small delivery service acting as a local agent for out of town companies and ships overnight to North Bay. The 6:30 to 7:00 ranges hurt him and make it more difficult for him to do his job; getting parts from local suppliers to out of town shops, as opposed to them coming from Toronto. This development is going to negatively affect the ability of other local and small

businesses from Sudbury to maintain their business and grow. He further stated that the City is not listed as an applicant in the application for rezoning; however there is a representative from the City sitting in the applicant's seat as opposed to the actual applicant, the numbered corporation. He feels as though local business owners are being scared away from speaking, and he hopes that the meeting will be repeated in a more welcoming and safe environment.

William Crumplin stated that since the early 1980s he has been a student or professor of urban development issues. Since 2010, he has been continuing his study of urban development as a student and as a professor, but doing so with an environmental outlook. His studies have brought him to look at cities differently, to look at cities as if they could be living organisms. He looks at the application for rezoning as a vital organ being moved away from the core of the body. He agrees that the event centre will be great and stimulate the economy but it is just as vital as the heart or the lungs. He feels as though the event centre should be downtown and close to all the other important functions of the City. He believes they should follow the Official Plan.

Allen O'Neil stated that we have heard from other speakers that there are multiple planning documents that do not support the proposed use of the land. These documents are paid for by taxpayers. The KPMG report states that we have a massive infrastructure deficit. There is also the Constellation Report which stated that we should be looking at our City as a community of communities, not as one city and not as a city where the former City of Sudbury is the downtown. Why are we ignoring all of these reports? Despite the fact that the consultant's report for the proposed arena had criterias that were skewed in favor of the Kingsway location and prioritized in a way that skewed in favor of the Kingsway location, the Downtown still came out on top. He stated he supports the previous statement that a referendum be pursued on this matter due to all of the misinformation that has been circulated throughout the community. Oracle did a poll that found nearly a majority of individuals believed the arena would be free and did not agree with the City having a loan backing with a private proposal. 70% of individuals wanted the arena in an area that was already being serviced. He believes an investigation should be held based on the misinformation provided. Youth migration is a large problem in Sudbury and in northern Ontario, and we are looking at a development that is going to negatively impact many businesses, but the businesses that will be most impacted by this decision are those in the hospitality sector. There are many young people who work in jobs within this sector. Therefore, by putting the development on the Kingsway, it is harming the youth disproportionately.

Andre Dumais stated that he opposes the application. There was a time where he was a proponent of True North Strong. When Mr. Zulich did his presentation on the development, there was a large amount of excitement surrounding the project; however, one of the key factors was that he was paying for the arena. At best, this project would be a private/public partnership. Mr. Zulich had convinced the community that he was paying for the project. In October of 2016, Council decided that they wanted this to be a community asset that the City would pay for, but the public was not educated in order to switch that perception. To this day, three (3) out of five (5) people he speaks to believes this is a free arena. There is a concrete fear of other developers addressing this situation as they do business with the City or have contracts with the City, and they are afraid of speaking out. The City changed the rules for development fees, and they have not seen any for this application which is a concern. In any other application, it would be up to the developer to pay for the addition of street lights, infrastructure, lift stations, etc. A city planner stated that this application conforms with the Official Plan, yet on the agenda there is a section that says "conformity to the Official Plan", in which it states a very loose

interpretation on how this application conforms. He further stated that it is concerning that there are Councillors that believe that the plans are out of date pipedreams created by consultants from Toronto, which he does not believe is true. He sat on the GSDC Board where thousands of hours of consulting over many years took place in order to determine how the City should be built, and what the vision for the future is. The plans were developed after a large amount of work and they should be conformed to. In this Council's term, the GS 20-25 plan was put out, and it has no less than eight (8) references to a downtown arena, which is what we should be following.

Scott Merrifield stated that he is a founder of the Northern Lights Festival Boréal, a former artistic director and since he has stopped doing this, he has put on over 200 concerts in Sudbury. He further stated that he had a 33 year career working with the federal government, during which he worked in regional economic development, employment development and territorial development. Through his work, he has learned that amenities are hugely important to development, in particular, cultural and entertainment amenities. This fact was recognized in the Official Plan and has been supported with decisions to augment the amenities that we already have in the downtown by building more amenities in the downtown. He stated we are counteracting this investment in amenities by ripping out one of the most important amenities and putting it on the Kingsway, which is not going to work. There needs to be a critical mass in any city that is known for its culture and entertainment, people know where the entertainment district is. He agrees that many people are confused and believe this is a public/private investment and not a public investment that is increasing the value of another private property. He further stated that many people think that it is a good thing that we are spreading things around by having some things downtown and the arena on the Kingsway, however, there can only be one heart of a city.

Paul Lowenberg stated that he was the artistic director of the Northern Lights Festival Boréal for the 20 years following Mr. Merrifield. Given this information they understand how to build culture in this City as they been at the grasp of it for all of their adult lives as he continues to do. He is happy to echo the sentiments of the previous speakers that we need to rethink the decision that was made and the application that is being made. He further stated that we need to consider the downtown as the heart of our community. We need to consider all of the restaurants where we employ hundreds of students and young working people, and the creative business people downtown within a four (4) block radius of the community arena. How will we survive not having that kind of business impact, being filled 50 times a year? We need an arena and a primary concert presentation centre downtown. He does not believe that the primary concert facility and arena should be on the outskirts of town or a facility under the guise of a casino. The casino will have a huge proximity clause that impacts being able to book certain artists. We need to move forward with the original downtown development plans, the original plans of Council, and the original ideas that are brought forward by educated people. If you want to attract the best and brightest to your community, you need to have community hubs and the development of the downtown core as the development of arts and culture in your community.

Stephen Caruso stated that putting the arena on the Kingsway is correlated with the casino. We should not be putting a community centre and community hub at the casino. When you are bringing your kids to play hockey, it will be next to a casino. He would like the members of Council to think about putting a Community Centre, a hub for community activity, at a casino.

David Robinson stated that there is not much growth in northern Ontario and the province has been concerned about northern Ontario's communities as they get spread out and become

more costly. The Northern Growth Plan has strongly suggested recently that communities should try and concentrate populations. City Council adopted a plan that took this into account and made the wise decision to try to concentrate the population and limit sprawl. As keepers of the Master Plan, it is the duty of members of this Committee not to break it and to make sure there are no variations that are inconsistent with the intent of the plan. He stated that this development is clearly inconsistent with this plan, and the spirit and intent of the Master Plan. The people who have spoken are community leaders and are almost all universally against this because it is inconsistent with the City's Master Plan. The Master Plan is a good plan, and the role of the Planning Committee is to protect it and make sure it is implemented. He is speaking as a citizen who likes the plan that the City has adopted, and wants to see it realized and maintained.

Councillor Signoretti stated that we have heard this evening that this application goes against the Master Plan, the Official Plan, the Economic Development Plan and the Downtown Master Plan. He stated they have clear policies in place that go against the principal that the arena be rezoned. This land is zoned industrial use and we are dealing with an arena, not an events centre. It is an industrial park within close proximity to the municipal waste disposal facility. This is urban sprawl, not infilling. They went against the consultant's report. The arena/events centre was supposed to be free, now it is costing taxpayers 100 million dollars which is misleading the public. There is the issue of the amount of salt being put into our drinking water through the watershed into Ramsey Lake. He further stated that there are the issues with transit. This application is not financially or fiscally responsible. Developers did not want to speak because they were afraid of the repercussions from the City. Consultation from the City was poor. The Council meeting before the decision for the location of the arena, the greenhouse gas emissions, and now we are telling people to get in their vehicles and drive to the Kingsway location putting more emissions into our atmosphere. We have seen other communities that have arenas downtown, 90% of OHL arenas are downtown and six (6) out of seven (7) NHL teams' arenas are downtown, with the exception of Ottawa which is moving their arena downtown. We have heard from people and leaders in other communities who do not have a vested interest, say that the arena should be downtown. The traffic impact report states that the queue leaving the Kingsway location would be 45 minutes to an hour long wait. We have heard from tax payers from across the city in opposition to the rezoning application.

Jason Ferrigan, Director of Planning Services, stated that for the purposes of these applications, the applicant is the land owner. The agent appointed by the land owner to act on their behalf is Mr. Tanner. Mr. Shelsted is here in his capacity to the City project manager for the arena project.

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:

PL2018-15 Jakubo/Sizer: THAT the City of Greater Sudbury receives the comments and submissions made at the public hearing on File 751-6/17-27, as outlined in the report entitled "1916596 Ontario Ltd." from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of January 22, 2018;

AND THAT staff complete their review of application File 751-6/17-27 and schedule a second public hearing on this matter before the Planning Committee when complete.

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

CARRIED