

Request for Decision

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

Presented To:	Planning Committee
Presented:	Monday, Mar 26, 2018
Report Date	Wednesday, Mar 14, 2018
Type:	Public Hearings
File Number:	751-6/17-24 & 701-6/17-9

Resolution

Resolution regarding Application for Official Plan Amendment:

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

Resolution regarding Rezoning Application:

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

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

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

Signed By

Report Prepared By

Alex Singbush
Senior Planner
Digitally Signed Mar 14, 18

Manager Review

Eric Taylor
Manager of Development Approvals
Digitally Signed Mar 14, 18

Recommended by the Division

Jason Ferrigan
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Financial Implications

Jim Lister
Manager of Financial Planning and Budgeting
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Recommended by the Department

Tony Cecutti
General Manager of Growth and Infrastructure
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Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
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- c) That a maximum building height of 55 m shall be permitted;
- d) That the streetline of the street intersecting with the Kingsway shall be deemed to be the front lot line.
- e) That a 0 metre interior side yard shall be permitted;
- f) That the amending by-law includes an “H”, Holding provision restricting the use of the subject lands to those uses which legally existed on the date the By-law applying the “H”, Holding symbol. The “H”, Holding symbol shall only be removed by Council upon:
 - i. The submittal of a Transportation Demand Management Plan to the satisfaction of the General Manager of Growth and Infrastructure.
 - ii. The submittal of a Risk Management Plan under Section 58 of the Clean Water Act to the satisfaction of The Risk Management Official.
- 2. That prior to the enactment of the amending by-law the owner shall provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of the by-law.
- 3. That conditional approval shall lapse on April 10, 2020 unless condition #2 above has been met or an extension has been granted by Council.
- 4. That the City of Greater Sudbury’s delegated official be directed to amend the conditions of draft plan approval for plan of subdivision File 780-6/10002, on those described as PIN 73561-0261, PIN 73561-0258 and PIN 73561-0264, Lot 9 and 10, Concession 4, Neelon Township, as follows:
 - i. That a new condition 41 be added as follows:

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

Relationship to the Strategic Plan / Health Impact Assessment

Greater Together, the 2015-2018 Corporate Strategic Plan, identifies a number of strategic priorities with respect to growth and economic development including investing in large projects to stimulate growth and increase conferences, sports and events tourism, and cultural diversity. The proposal is consistent with this priority.

Report Summary

This report provides information for the second of two public hearings on the proposed official plan amendment and rezoning for a place of amusement in the form of a casino on the north side of the Kingsway, west of Levesque Street in Sudbury.

The owner has requested to amend the Official Plan to permit a place of amusement in the General Industrial area and to rezone the subject lands from “M1-1”, Business Industrial to “M1-1(S)”, Business Industrial Special to permit a place of amusement in the form of a casino.

The application to amend the Official Plan and Zoning By-law to permit the development of a casino on the subject lands fits with the City’s long term plans for this area to grow into a mixed residential and employment neighbourhood and relevant provincial policies.

The subject lands are situated at the northwest corner of the Kingsway, Levesque intersection in a developed and growing neighbourhood.

- The lands south of the site, on the opposite side of the Kingsway, are built up with a mix of residential, commercial and institutional land uses. These lands are also expected to see additional residential development over time.
- Lands to the west are approved for additional industrial growth, which will connect the site to the established commercial and industrial corridor around the Third Street area.
- Lands to the north and east include the sanitary landfill and additional commercial and industrial land uses primarily along the south side of the Kingsway corridor.

The subject lands are designated and zoned for a range of industrial and commercial land uses. The frontage along the Kingsway can be developed with office, hotel, bulk retail, warehouse and commercial recreation centre uses. The lands are also draft approved for a 33 block business park/industrial plan of subdivision.

The land use planning question is whether the introduction of this additional commercial land use on the subject lands is appropriate. To address this question, regard must be had to the appropriateness of the location, the appropriateness of the use in this location given the existing and planned context, whether the site is or can be serviced (active transit, public transit, vehicular traffic, water, sanitary and storm-water), whether the development meets the Source Water Protection Plan and other considerations. The evaluation of these considerations is guided by the legislative planning framework, formed primarily by the Provincial Policy Statement, the Growth Plan for Northern Ontario and the City's Official Plan.

The location of the proposed development is appropriate. The site is situated within the community of Sudbury and will reinforce its role as the regional service centre for Greater Sudbury and Northeastern Ontario. The site is also located within the city's settlement area and is adjacent to existing and planned development. The application would improve the mix of land uses in this area, consistent with the long term vision for this area to grow as a mixed residential and employment neighbourhood. The proposed commercial use in this location is also appropriate. The subject lands are situated within an employment area. Provincial and local planning policies recognize and encourage a mix of commercial, industrial and institutional uses in employment areas, subject to various considerations. This flexibility is key to promoting economic development and competitiveness.

As described in this report, the site is or can be serviced by active transportation, public transit, vehicular traffic, municipal water and sanitary services and storm-water management facilities. Upgrades to the Levesque Street Lift Station will be required to accommodate development in the area, including this proposed use. It is anticipated that the lift station improvements will be complete in 2019.

The site is situated in the Intake Protection Zone 3 for the Ramsey Lake Area and is subject to Source Water Protection Plan policies relating to salt and snow. As noted in the report, the applicant is taking the necessary steps to ensure that the development conforms to the Source Water Protection Plan. These discussions are ongoing. As part of this process a Risk Management Plan can be submitted to the Risk Management Official for decision. Until then, any decision to allow the proposed use on the site should be subject to an "H" or hold. This H can be lifted once this additional information is provided.

Similarly, the applicant has identified several Transportation Demand Management related measures to help encourage event centre patrons to take public transit to the site. These measures represent a starting point. These discussions are ongoing. These details can be developed through the site plan process. Until then, any decision to allow the proposed use on the site should also be subject to an "H" or hold.

As summarized above, and as further described in this report, the application represents good planning and should be approved, subject to the conditions noted in the resolution section of the report.

Financial Implications

If approved, there will be an increase in commercial assessment based on the increased size and cost of the new casino. Staff is not able to estimate the change in taxation revenue without an estimate of the assessment from the Municipal Property Assessment Corporation for the proposed casino. The increase in commercial assessment will help decrease the historical shift of taxable assessment from non-residential to residential highlighted in the City's Long Term Financial Plan.

The casino would result in development charges of approximately \$753,000 based on the rates in effect as of the date of this report. Also, this development falls within the Kingsway Industrial Park – Sewer and Water Enhancements project area and would be subject to Section 391 Charges relating to this growth related infrastructure project from 2007. The Section 391 Charge totals \$127,000.

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STAFF REPORT

Applicant:

1916596 Ontario Ltd.

Location:

Part of PINs 73561-0282 & 73561-0264, Part 6 and Part of Part 11, Plan 53R-19391, Lots 9 & 10, Concession 4, Township of Neelon, Kingsway, Sudbury

Application:

1. To amend the [Official Plan](#) for the City of Greater Sudbury to provide a site specific exception to Section 4.5.1.1 to permit a place of amusement in the form of a casino within the General Industrial area.
2. To amend [By-law 2010-100Z](#) being the Zoning By-law for the City of Greater Sudbury by changing the zoning classification of the subject lands from "M1-1", Business Industrial to "M1-1(S)", Business Industrial Special to permit a place of amusement in the form of a casino and to provide exceptions to the required interior side yard setback and maximum height permitted.

Proposal:

The application proposes to amend the Official Plan for the City of Greater Sudbury and to rezone the property to permit a place of amusement in the form of a casino. A 7,696 m² (82,839 sq. ft.) casino, a 15 storey hotel and an outdoor plaza with approximately 825 parking spaces is proposed on the 6.96 ha (17.2 ac.) site contained by the loop formed by Streets A and C on the draft plan of subdivision. The site is proposed to have two points of access on east/west Street A and will have no direct access to the Kingsway.

The casino and hotel site is proposed to be immediately adjacent to a proposed 5,800 seat recreation and community centre project with approximately 1,250 parking spaces on an 11.96ha (29.56 ac.) site that is the subject of a separate rezoning application. The casino and hotel are proposed to be connected, via an enclosed pedestrian bridge, to the recreation and community centre and the projects will share an outdoor plaza referred to as "Festival Square" on the conceptual development plan. The applicant has provided the attached conceptual elevations of the proposed development.

Studies and submittals made with respect to the application and in the review of the application have been attached as Appendix # 2.

Casino Gaming Background:

In March 2012, the Government of Ontario and Ontario Lottery and Gaming Corporation (OLG) launched the modernization of Ontario's lottery and gaming industry. This initiative was launched in response to earlier direction from the Province, when OLG was asked to review its operations and determine how it might improve operational efficiency and market appeal to generate additional review to the Government of Ontario. The modernization initiative is intended, in part, to reconfigure the casino landscape, expand private sector delivery of gaming, as well as responsible gambling programs. Within this context, Greater Sudbury was identified as a site for expanded gaming opportunities.

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May 15, 2012

On May 15, 2012 City Council adopted motion [CC2012-166](#) respecting the implementation of the OLG Report Modernizing Lottery Gaming in Ontario. Council included in their motion, ...“that the City of Greater Sudbury will continue to support gaming and will continue to be a willing host for gaming as it evolves”...

August 14, 2012

On August 14, 2012 City Council adopted motion [CC2012-265](#) as follows:

That the City of Greater Sudbury adopt the following principles as the municipality's position on potential casino development:

1. The City of Greater Sudbury welcomes the results of OLG's Gaming Modernization Initiative and commits to working with the successful proponent of the forthcoming Request for Proposals;
2. The City of Greater Sudbury encourages gaming facility investment proponents to maximize benefits to the community by identifying and developing opportunities for ancillary and complementary amenities as part of their proposal;
3. The City of Greater Sudbury may consider the sale of municipal property or a gaming facility based upon the proponent's commitment to develop ancillary and complementary amenities which benefit the Greater Sudbury community;

FURTHER THAT staff be directed to convey this information to OLG for their information and uses as part of the Request for Proposal for the Sudbury Gaming Zone;

AND FINALLY THAT staff be directed to initiate an open house information session to seek public input on casino development in the four areas identified in the report dated August 2, 2012 from the General Manager of Growth & Development.”

The August 2, 2012 [report](#) from the General Manager of Growth and Development identified four areas of interest for casino development, which were described as, “South End”, “Kingsway East”, “Sudbury Downs” and “Downtown Sudbury”.

In accordance with the August 14, 2012 direction from Council, an Open House was held on October 10, 2012 attended by approximately 200 people with 450 responses provided at the meeting and on-line. The [presentation](#) to Council on February 26, 2013 included a summary of the public consultation and the general responses received from the public.

February 26, 2013

On February 26, 2013 City Council, adopted motion CC2013-71, as follows:

WHEREAS the Ontario Lottery and Gaming (OLG) has conveyed its intention to modernize its gaming infrastructure in Greater Sudbury and other communities in Northern Ontario;

AND WHEREAS the City of Greater Sudbury has confirmed its support for this gaming modernization as approved by City Council on May 15, 2012 and August 14, 2012;

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AND WHEREAS the OLG has asked municipalities for a better understanding of the expectations of the modernization process to inform the development of the request for proposal process and to share with potential bidders;

THEREFORE BE IT RESOLVED THAT the City of Greater Sudbury adopt the following principles as the municipality's position on potential casino development:

- The City of Greater Sudbury requires gaming facility proponents to maximize economic opportunities to the community by working with local groups to develop ancillary complementary amenities as part of their proposals;
- These amenities may include, but not be limited to, a hotel, a convention or multi-use centre, a performing arts centre and/or an Ontario Hockey League-ready arena;
- That Council reaffirms its commitment to the four areas identified in the report dated August 2, 2012 from the General Manager of Growth and Development;
- That staff be instructed to convey these requirements to the OLG and continue its open, accountable and transparent process regarding the future of this project in Greater Sudbury."

December 13, 2016

On December 13, 2016 OLG announced Gateway Casinos and Entertainment Limited as the service provider for the Northern Ontario gaming bundle of casinos, which includes casino facilities in the City of Greater Sudbury, Sault Ste Marie, Thunder Bay, North Bay and Kenora.

August 22, 2017

On August 22, 2017 City Council considered a report from the CAO regarding the creation of an integrated site design strategy, financing plan and other matters. With respect to the principles set out in Council's February 26, 2013 motion, it is noted that the subject lands are considered to be located within the "Kingsway East" area, one of the four areas of interest identified by Council for casino development. In addition, Gateway Casinos and the applicant (1915695 Ontario Limited) have worked with the City in sharing in the costs of preparing the site plan concept for the arena and casino use as provided for in Council's resolution [CC2017-257](#) on August 22, 2017.

November 22, 2017

On November 22, 2017 City Council considered a [report](#) from the General Manager of Community Development on the site design strategy for the arena and casino uses. Council passed resolution [CC2017-330](#) accepting the Design Strategy for the Kingsway Entertainment District as outlined in the staff report.

The design strategy accepted by Council is reflected in the concept plan submitted by the applicant which includes a hotel use as part of the casino site, an enclosed pedestrian link between the arena and casino and an outdoor amenity area, referred to as "Festival Square" serving users of both the arena and the casino.

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Site Description & Surrounding Land Uses:

The subject lands are located on the north side of the Kingsway west of the intersection of Levesque Street and the Kingsway in the settlement area of the community of Sudbury. The community of Sudbury is the regional service centre for the City of Greater Sudbury and Northeastern Ontario providing a mix of employment and residential uses. The lands form a part of the City's employment area and are designated General Industrial in the City of Greater Sudbury Official Plan.

The subject lands are located in a draft approved industrial plan of subdivision referred to as the Jack Nicholas Business and Innovation Park, City file reference 780-6/10002. The plan of subdivision was draft approved on October 26, 2010, proposing a total of 33 blocks of land to the north of the Kingsway in the community of Sudbury. The subdivision is accessed via two proposed roads (Streets "A" and "C" on the draft plan) from the Kingsway.

The south western portion of the place of amusement site has approximately 240 m (787 ft.) of frontage on the Kingsway with another approximately 287 m (941 ft.) of frontage provided by Street "A" on the draft approved industrial plan of subdivision. The property encompasses approximately 6.96 ha (17.2 ac.) and is currently vacant and consists primarily of undulating bedrock. An air photo of the subject lands has been attached to this report. The lands are subject to the [Source Water Protection Plan](#), located within the Intake Protection Zone 3 of the Lake Ramsey Issue Contributing Area.

On the south side of the Kingsway, south and southeast of the subject lands, is a developed and growing area within the Sudbury community referred to as the Minnow Lake area which had a 2016 Census population of approximately 9,500 persons. There are six draft approved residential plans of subdivision and two draft approved industrial subdivisions in this area. Commercial and institutional uses are located in close proximity to the Kingsway and residential land uses are located further to the south.

Lands on the south side of the Kingsway, immediately south of the subject lands are zoned C2(52), General Commercial Special permitting multiple dwellings, retail uses, restaurants, offices or personal service shops and their related accessory uses, C2(75), General Commercial Special permitting a trade school offering transport training, storage for an institutional use; and offices and related accessory uses, and R1-5, Low Density Residential One. These properties are vacant, occupied by a trade school and additional uses, and occupied by a single detached dwelling respectively.

Land to the east, west and north within the draft approved industrial plan of subdivision are vacant and zoned "M1-1", Business Industrial, "M2", Light Industrial and "M", Heavy Industrial. There are two other draft approved industrial plans of subdivision in the area.

Neighbourhood Consultation:

The statutory notice of the public hearing was provided by newspaper along with a courtesy mail out to property owners and tenants within a minimum of 120 metres of the property and to those who requested notice. The owner was advised of the City's policy recommending that applicants consult with their neighbours, ward councillor and key stakeholders to inform area residents on the application prior to the public hearing.

The first public hearing on the application was held before the Planning Committee on January 22, 2018. The staff report considered at the first public hearing is attached for the Committee's reference along with the minutes of the meeting. At the first public hearing 17 members of the public spoke on the application. Comments provided by the public, received at the public meeting and in writing through the Clerk's office can be grouped into the following themes: consistency with the Provincial Policy Statement (PPS), conformity with the City of Sudbury Official Plan, environmental impacts, transit, traffic and accessibility issues, facility design, socio-economic impacts and the public consultation process.

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At the first public hearing, the Planning Committee resolved:

PL2018-16: THAT the City of Greater Sudbury receives the comments and submissions made at the public hearing on Files 701-6/17-9 and 751-6/17-24, 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 the applications and schedule a second public hearing on these matters before the Planning Committee when complete.

The motion carried and was ratified by Council on February 27, 2018.

This staff report will provide additional information with respect these themes with the exception of socio-economic impacts, as the socio-economic impacts of gambling fall outside of the scope of these land use planning matters.

The Planning Framework:

Council's decision on this land use planning matter must be consistent with the Provincial Policy Statement (PPS), conform to/does not conflict with the Growth Plan for Northern Ontario (Growth Plan) and conform to the City of Greater Sudbury Official Plan (Official Plan).

The PPS and Growth Plan indicate that they are to be read in their entirety and the relevant policies are to be applied to each situation; they are more than a set of individual policies. When more than one policy is relevant, consideration should be given to all of the relevant policies to understand how they work together. Similarly, the Official Plan for the City of Greater Sudbury provides a policy framework for the implementation of a wide range of land use planning policies that require consideration when evaluating multiple facets of a development application.

Provincial Policy Statement

The PPS was issued under Section 3 of the Planning Act and came into effect on April 30, 2014.

The following policies of the PPS are relevant to the application:

Policy 1.1.1, relating to sustaining healthy, liveable and safe communities;

Policy 1.1.2, relating to land availability;

Policy 1.1.3, relating to settlement areas;

Policy 1.2.6, relating to land use compatibility;

Policy 1.3, relating to employment;

Policy 1.6, relating to infrastructure and public service facilities;

Policy 1.7, relating to long-term economic prosperity;

Policy 1.8, relating to energy conservation, air quality and climate change;

Policy 2.1, relating to natural heritage; and

Policy 2.2, relating to water.

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These policies are included in Appendix 3 for the Planning Committee's information and will be referenced throughout the remainder of this report.

Growth Plan for Northern Ontario

The Growth Plan was prepared and approved under the Places to Grow Act and came into effect on March 3, 2011.

The following policies of the Growth Plan for Northern Ontario are relevant to the application:

Section 2.2, relating to existing and emerging priority economic sectors;

Section 2.3.10, relating to tourism;

Section 4.2, relating to long range planning for all communities; and,

Section 4.3, relating to economic and service hubs.

These policies are included in Appendix 3 for the Planning Committee's information and will be referenced throughout the remainder of this report.

Official Plan

The Official Plan was adopted on June 14, 2006, approved by the then Ministry of Municipal Affairs and Housing on March 7, 2007 and upheld by the Ontario Municipal Board in an April 10, 2008 decision.

The following policies are relevant to this application:

Section 2.1, relating to pattern of development;

Section 2.2, relating to defining the urban structure;

Section 4.0, relating to employment areas;

Section 8.0, regarding water resources;

Section 9.0, relating to the natural environment; and,

Section 11.0, regarding transportation;

Section 12.2, regarding sewer and water; and,

Section 14.2, regarding community design.

These policies are included in Appendix 3 for the Planning Committee's information and will be referenced throughout the remainder of this report.

The Official Plan contains a holistic set of goals, objectives, and policies to manage and direct growth and change and its effects on the social, economic and natural environment of Greater Sudbury. All applications for rezoning are reviewed against the policies of the Official Plan. It is the policy of Council to ensure that zoning by-law amendments conform to the plan, and the plan indicates that it is the intent of Council to evaluate each rezoning application according to all applicable policies.

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The subject lands are designated “General Industrial” in the City of Greater Sudbury [Official Plan](#). A place of amusement in the form of a casino is a permitted use in the Official Plan’s Mixed Use Commercial Designation, Downtown, Regional Centres and Town Centres but is not expressly permitted in the General Industrial designation and thus the applicant has submitted an application to amend the Official Plan.

Zoning By-law

The Zoning By-law came into effect on September 29, 2010. [By-law 2010-100Z](#), the Zoning By-law for the City of Greater Sudbury implements the policies of the City of Greater Sudbury Official Plan by regulating land uses and built form throughout the municipality.

The subject lands are currently zoned “M1-1”, Business Industrial. This zone permits a variety of land uses, including hotels and restaurants, but does not permit a place of amusement and, as such, the applicant is requesting a rezoning to “M1-1(S)”, Business Industrial Special to permit a place of amusement in the form of a casino. The application requests an exception to permit a building height of 55 m (180.45 ft) in the M1-1 Zone where the maximum building height permitted in the by-law is 12.0 m (39.37 ft.). An additional exception to permit a minimum interior side yard of 0 m where the minimum interior side yard required in the by-law is 3.0 m (9.84 ft.) has been requested.

By-law 2010-100Z, the Zoning By-law for the City of Greater Sudbury defines a Place of Amusement as:

A commercial establishment where indoor facilities are provided for participatory entertainment and amusement activities, or where exhibits are displayed for gain or profit, and includes, without limiting the generality of the foregoing, a bowling alley, pool hall, billiards parlour, arcade or game establishment, pinball arcade and wax museum.

A place of amusement is permitted in the “C2”, General Commercial, “C5”, Downtown Commercial and “C5”, Shopping Centre Commercial zones. Sudbury Downs, the current location of the OLG Slots in Rayside Township has a site specific “OSR(2)”, Open Space Recreational Special zoning which permits wagering facilities and a gambling casino.

The parking standard for a place of amusement is 1 parking space for every 20 m² net floor area.

The maximum height permitted in the M1-1 zone is 12.0 m. The applicant has requested an exception to this by-law standard to permit a maximum height on 55.0 m.

The M1-1 zone requires an interior side yard setback of 3.0 m on at least one side of the lot. The applicant has requested an exception to this by-law standard to permit an interior side yard of 0 m. The applicant has requested that the site specific zoning permit the outdoor use referred to as the “Festival Square” as a permitted land use accessory to a place of amusement as the definition of place of amusement does not permit accessory outdoor uses.

Departmental/Agency Circulation:

The Nickel District Conservation Authority advised that they had no concerns with the application. Building Services, Environmental Planning Initiatives, Environmental Services and Transit Services have not indicated any objection to the application and provided additional comments for the information of the applicant.

Development Engineering has advised that municipal water services are available at the Kingsway for the development to connect to as part of the construction of Streets A and C in the subdivision plan and that water supply for the development should be sufficient. With respect to sanitary sewer services Development Engineering has advised that no additional upgrades are required to the linear collection

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system. The Levesque Lift Station is required to be upgraded and the City is in the process of issuing a Request For Proposal (RFP) for the upgrades which are expected to be completed in 2019. Storm water management can be finalized as part of the development of the review of the plans for the subdivision and at the site plan stage.

Infrastructure Capital Planning Services (Roads) have advised that sufficient parking can be provided within the subdivision lands to satisfy the needs of the arena. A single left turn lane is sufficient at Street "A" and Street "C" to accommodate the expected volume of vehicles that will be attending the site on event nights. Improvements to provide the turn lane are required in accordance with the current conditions of draft plan approval for the subdivision.

Water/Wastewater Services has indicated that a Risk Management Plan is required before the development application may receive final approval. These discussions are ongoing.

Detailed department and agency comments are attached in Appendix 1.

Planning Review and Considerations:

Municipalities in the Province of Ontario are required under Section 3 of the [Planning Act](#) to ensure that decisions affecting planning matters are consistent with the [Provincial Policy Statement](#) (PPS). The PPS acknowledges the complex relationships between environmental, economic and social factors in land use planning.

The PPS includes policies designed to build strong and healthy communities. These policies are intended, in part, to ensure that land uses are managed and directed to achieve efficient and resilient development and land use patterns.

The PPS states that healthy, liveable and safe communities are sustained by: promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; ... ; and promoting cost effective development patterns and standards to minimize land consumption and servicing costs (Policy 1.1.1 a) e)). These broad outcomes are further articulated in the PPS policies that speak to settlement areas, rural areas in municipalities and rural lands in municipalities.

Location

With respect to settlement areas, the PPS recognizes that the vitality of these areas is critical to the long-term economic prosperity of communities. The PPS states that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted (Policy 1.1.3.1). The proposal is consistent with this policy as the site is located within the settlement area of the Sudbury community.

The PPS states that land use patterns within settlement areas shall be based on: densities and mix of land uses which efficiently use land and resources, are appropriate for, and efficiently use the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion, minimize negative impacts to air quality and climate change, and promote energy efficiency, support active transportation, are transit-supportive, where transit is planned, exists or may be developed ... (Policy 1.1.3.2 a) 1-5). The proposal for a place of amusement in the form of a casino on the subject lands furthers the goal of providing a mix of land uses in this portion of the Sudbury community through the development of an employment land use on the subject lands, complementing the existing residential, commercial, and industrial land uses in the area. Further comments regarding infrastructure and public service facilities, active transportation, transit, air quality, climate change and energy efficiency are provided later in this report.

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The PPS states that new development taking place in designated growth areas should occur adjacent to the existing built up area and shall have compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities (Policy 1.1.3.6). The proposal is consistent with this policy. It is adjacent to a built up, mixed use area to the south and southeast. There are also six draft-approved residential subdivisions and two draft-approved industrial subdivisions southwest and west of the site. Further comments regarding infrastructure and public service facilities are provided later in this report.

The employment policies of the PPS, contained in Section 1.3, speak to protecting and preserving employment areas for current and future uses. The proposed casino is an employment use, consistent with the PPS; the proposed casino will not result in the conversion of employment lands to non-employment uses.

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters conform/do not conflict with the [Growth Plan for Northern Ontario](#). The Growth Plan for Northern Ontario is “in part an economic development plan, an infrastructure investment plan, a labour market plan and a land-use plan” and as such, only select portions of the plan are relevant to this application for rezoning to permit a place of amusement in the form of a casino.

The Growth Plan contains policies that speak to community planning and design. These policies are intended to support community planning in Northern Ontario that balances the equally important priorities of human, economic and environmental health. These policies speak to long range planning in all communities, economic and service hubs, strategic core areas and regional economic planning. The City of Greater Sudbury can be considered an economic and service hub for the purposes of the Growth Plan.

The Growth Plan states that economic and service hubs should be designed to: accommodate a significant portion of future ... employment growth in Northern Ontario, function as service centres that deliver important region-wide public services to broader surrounding regions, and function as economic hubs linking Northern Ontario with other significant economic regions in Ontario (Policy 4.3.2). The proposal conforms/does not conflict with this policy. The proposed casino and hotel development will allow for the expansion and diversification of the employment base of the City of Greater Sudbury.

The proposal to locate a commercial land use within the settlement area of the community of Sudbury adjacent to existing and planned development is consistent with the PPS, conforms/does not conflict with the Growth Plan and conforms to the pattern of development and urban structure policies of the Official Plan.

In terms of urban structure, the Official Plan recognizes three forms of settlement: communities, non-urban settlements, and rural and waterfront areas. The Official Plan sees communities as the primary focus of residential and employment growth. Within these communities, Sudbury is the regional service centre for the city and region and is the main residential and employment centre (Sections 2.1, 2.2.1). In these respects, the proposal to locate a commercial land use within the settlement area of the community of Sudbury adjacent to existing and planned development is consistent with the PPS, conforms/does not conflict with the Growth Plan and conforms to the pattern of development and urban structure policies of the Official Plan.

Land Use

The application proposes to establish a commercial land use (casino) on the subject lands, which is within an employment area, although designated and zoned for industrial land uses.

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The Official Plan Amendment proposes a site specific amendment to add “place of amusement” as a permitted use in the General Industrial land use designation. The proposed development includes a place of amusement in the form of a casino and an outdoor plaza. The proposed hotel is permitted within the General Industrial land use designation. The proposed Official Plan Amendment is consistent with the Provincial Policy Statement and conforms to the Growth Plan for Northern Ontario.

The proposed development is located on lands designated General Industrial in the City of Greater Sudbury Official Plan and are located within the serviced community of Sudbury, consistent with the policies of Section 1.1 of the PPS. Municipalities are encouraged to support a mix of land uses within settlement areas. The PPS indicates, in Section 1.3.1, that economic development and competitiveness shall be promoted by providing for a mix and range of employment and institutional uses to meet long term needs and by supporting a wide range of economic activities and ancillary uses. The application conforms to Section 4.3 of the Growth Plan respecting Economic and Service Hubs. The City of Greater Sudbury can be considered an economic and service hub for the purposes of the Growth Plan. The Official Plan in Section 4.1 b. indicates that it is the objective of the employment area policies to ensure that a broad range of commercial opportunities be provided for residents, employees and tourists.

The lands are located within a draft approved industrial plan of subdivision within the community of Sudbury abutting another draft approved industrial plan of subdivision. It is anticipated that the existing development in the area and the development of the subject lands will contribute positively to the completion of this portion of the community in terms of encouraging continued development of employment and residential lands in the area.

The vision of the City of Greater Sudbury Official Plan, expressed in Section 1.2 of the Plan, is of a city that is open to business and strives to provide an economic environment to grow commercial and industrial enterprises and to attract new investment. The City’s Official Plan, adopted by City Council in June 2006 was informed by the City’s economic development strategic plan entitled “Coming of Age in the 21st Century. That plan, adopted in 2003, sought to embrace opportunities for investment and growth in the community.

The Official Plan’s Employment Area policies (Section 4.0) speak to ensuring that a broad range of commercial, institutional, industrial, and mining and aggregate sector employment opportunities are provided within the City. Further, in Section 4.1 of the Plan, one of the objectives of the employment area policies is to promote the development of underutilized or unused industrial lands like the subject lands which are within an undeveloped draft approved industrial plan of subdivision. The proposed site specific official plan amendment to permit a place of amusement in the general industrial area furthers the overall objectives of the employment area policies by allowing the expansion and further diversification of the employment base.

Other employment based land uses permitted in the general industrial designation, where the place of amusement is proposed, include offices, hotels, restaurants; commercial recreation centres and bulk retail outlets. These land uses are compatible with and serve to support other employment uses in the general industrial area; the proposed casino use is, similarly, anticipated to be compatible with other employment uses in the general industrial area. No other land use compatibility issues are anticipated, either with the proposed arena project on lands immediately to the east, or with existing land uses in the area.

The proposal to establish a commercial land use within an employment area is consistent with the PPS, conforms/does not conflict with the Growth Plan and conforms to the Employment Area objectives of the Official Plan.

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Transportation System

Infrastructure Capital Planning Services (Roads) have reviewed the traffic impact study and addendum prepared by Dillon for the applicant.

The traffic impact study has considered the traffic volumes to be generated by the casino, arena and employment uses in the area. Roads have advised that a single left turn lane is sufficient at Street "A" and Street "C" to accommodate the expected volume of vehicles that will be attending the casino along with the adjacent arena site on event nights. Condition of approval #15 on the industrial draft plan of subdivision currently requires that the owner agrees to participate in the cost of any improvements or upgrades identified in the Traffic Impact Study. The developer will be required to satisfy this condition before this phase of the subdivision will be permitted to proceed to registration. This is consistent with the PPS (1.3.1 d., and 1.6.1 b.) and conforms to the Official Plan (Section 4.4. 2.b).

Roads have indicated in their comments that they have concerns with respect to the amount of development that can occur in the balance of the industrial subdivision and the impact of that development on the City's road network. Condition of approval #15 on the industrial draft plan of subdivision currently requires that the owner prepare a traffic impact study to identify any roadway improvements or upgrades to traffic control required to accommodate the development. The condition also provides that the owner agrees to participate in the cost of any improvements or upgrades identified in that study. The developer will be required to do additional Traffic Impact Studies to satisfy this condition before further phases of the subdivision will be permitted to proceed to registration.

The Safety and Access policies of the Official Plan (Section 14.3) which addresses traffic speeds, pedestrian safety and barrier free access to buildings have been addressed, in part, in the Traffic Impact Study submitted by the project proponents and will be addressed through the site plan review process.

In these respects, the proposal is consistent with the PPS, conforms/does not conflict with the Growth Plan and conforms to the policies of the Official Plan.

Transit

The site is currently served by four transit routes including Routes 101 (Howey/Moonlight), 102 (Howey/Third), 241 (Howey/Moonlight/Shopping Centre) and 103 (Coniston). Route 101 operates at hourly intervals Monday through Saturday until 10 pm. Route 102 operates at hourly intervals (staggered with Route 101) during weekly peak periods. Route 241 is the "Sunday" service for Routes 101 and 102 and operates on hourly intervals. Route 103 services Coniston and operates every two to three hours, seven days a week. Routes 101 and 102 have a stop approximately 150 south of the Kingsway on Levesque Street. Routes 241 and 103 stop at the Kingsway/Levesque intersection.

The PPS requires that transportation and land use considerations be integrated at all stages of the planning process (Policy 1.6.7.5). The proposal is consistent with this policy. The proposed integrated site plan and Traffic Impact Study include transit considerations and the draft approved plan of subdivision can be serviced by public transit.

The proposal is also consistent with Policy 1.6.7.2 of the PPS, which requires that efficient use be made of infrastructure (including transit corridors and facilities). As indicated in the comments from Transit Services, the three urban routes (101, 102 and 241) that serve the site currently operate at an average capacity of 36 percent. It is anticipated that a proportion (approximately 5%) of patrons and employees of the proposal will rely on public transit. These additional riders will improve the efficiency of the existing service. Comments from Transit Services indicate that during event nights, transit service to the Event Centre can be enhanced by express shuttles to the Downtown and New Sudbury Shopping Centre transit hubs.

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Similarly, the proposal also conforms to Section 5.3.1 and 5.3.2 a) c) of the Growth Plan as it optimizes the capacity and efficiency of existing routes and meets the needs of the tourism sector, which is identified as an emerging priority economic sector.

Finally, the proposal also conforms to Section 11.3.2, Policy 7 in the Official Plan as public transit has been integrated into the long term planning for this Employment Area.

Infrastructure

The site is to be serviced through the construction of Streets A and C along with the associated municipal services in the draft approved plan of subdivision. Sanitary sewers, watermain and storm sewers are to be provided in the subdivision as required in the conditions of draft approval. The site is subject to a Section 391 Municipal Act Charge for water and sanitary sewer upgrades that the City undertook in 2007 and for future sanitary upgrades to be constructed that would benefit the subject lands.

Kingsway Sewer and Water Enhancements – Section 391 Municipal Act Charge February 28, 2007

On February 28, 2007 Council considered a report from the Acting General Manager of Infrastructure and CFO/treasurer respecting [Kingsway Sewer and Water Enhancements](#). Council adopted Resolution 2007-98 as follows:

The City proceed with the installation of new water and wastewater services along the Kingsway from Falconbridge Road to Moonlight Avenue, in conjunction with the 2007 road widening project, an estimated cost of \$2.565 million;

The City fund its share of this project (\$768,800) through the 2006 Water Capital Envelope and the 2008 Water and Wastewater Capital Envelopes;

Proceed with the necessary downstream upgrading works (estimated at \$3 million) as the projects are required, funding the city's share from the appropriate Capital Envelopes, and financing the recoverable portion through the Capital Fund;

Recover \$3.8 million, based on a 6% interest rate and a 20-year recovery period, through a Section 391 Charge, as outlined in Option 2 of the report dated 2007-02-21 from the Acting General Manager of Infrastructure and CFO/Treasurer and in the Hemson Report dated February 2007;

Collect these fees at the building permit stage for all new residential, commercial and industrial development in the catchment area; and

Have the Section 391 Charge By-law prepared for Council approval.

The Section 391 Charge By-law 2007-309F was enacted by Council on December 12, 2007.

The City's Water and Wastewater Policy and Water and Wastewater Rates and Charges in General and for Special Projects, By-law 2017-6, includes on Schedule F, the Section 391 Fee Schedule for the Kingsway Sewer and Water Project. The commercial /industrial fee from January 1, 2018 to December 31, 2022 is \$16.49 per m², increasing to \$22.06 per m² from January 1, 2023 to December 31, 2027.

The subject lands are located within the area benefitting from the installation of new sewer and water services along the Kingsway in 2007 and future upgrades to the Levesque Street Lift Station and downstream sanitary sewer upgrades.

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Wastewater

The 2007 cost estimates for the Levesque lift station upgrade was \$1,000,000 with the City's share being \$100,000 and \$900,000 to be recovered from Section 391 Charges. To date, the works associated with upgrading the Levesque Street Lift Station have not occurred as development in the catchment area of the lift station has not proceeded to the point where the upgrade has been required.

Based on the total peak sewage flow calculations provided by the applicant's agent, J. L. Richards, of 97.9 litres/second to be generated by the arena, casino and ancillary uses and the remainder of the lands in applicant's plan of subdivision, upgrades will be required to the Levesque lift station.

The 2007 cost estimates for downstream upgrades was \$1,990,000 with the City's share being \$435,520 and \$900,000 to be recovered from Section 391 Charges. In 2011 the City undertook improvements to Levesque and Rheal Streets including upgrades to water and sanitary sewers. The sanitary sewers were upgraded from 400 mm to a combination of 450 mm and 500 mm mains.

WSP on behalf of the City has reviewed the impact of the estimated 97.9 litres/second sanitary sewer flows to be generated by the proposed arena, casino and the balance of the applicant's industrial subdivision on the downstream capacity of the sanitary sewer system. Based on hydraulic modeling assessment, the sanitary sewer system has enough capacity to handle these new flows with no additional upgrades to the linear collection system. However, the Levesque Lift station, as previously identified in the development of the Section 391 charge, will need upgrades to remedy existing capacity deficiencies in terms of peak flows and to provide equipment upgrades. The upgrades will also account for new flows coming from the proposed arena, casino and the balance of the applicant's industrial subdivision. The City is in the process of issuing a Request For Proposal (RFP) for the Levesque Lift Station upgrades and it is expected that detailed design/Schedule B Environmental Assessment (EA) will be completed by the end of year 2018 with construction completed by the end of year 2019.

Water

Street A connects to an existing 300 mm diameter main on the north side of the Kingsway and Street C connects to a 200 mm diameter stub provided for the subdivision at the Kingsway/Levesque Street intersection. Both watermains were constructed by the City as part of the Kingsway Sewer and Water Project in 2007. The development is proposing to connect to the watermain to be constructed on Street A. Development Engineering has advised that the municipal water supply for the site should be sufficient provided that the watermain on Street A is sufficiently sized.

Water and Sewer Discussion

The proposed development is to be serviced by municipal sewer and water services consistent with Section 1.6.6.2 of the PPS which provides such services as being the preferred form of servicing in settlement areas. Consistent with Section 1.1.3.6 of the PPS, the proposed development will make efficient use of the investments in infrastructure that the City has already made in sewer and water along the Kingsway.

The proposed development conforms with the Growth Plan policies in Section 5.2.1 respecting the co-ordination of land-use planning and infrastructure investments. In this regard, the City has taken actions to provide water and sanitary services to the east Kingsway area, through the installation of services on the Kingsway in 2007 and the establishment of the Section 391 Municipal Charge and planned upgrades to the Levesque lift station and downstream sewers to accommodate the planned development in the area including on the subject lands. The proposed developments will contribute to the sharing of the costs of the installation and upgrading of the services.

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The Official Plan in Section 12.0 Utilities, Section 12.2.2 New Development Policy 1. Provides that:

1. Development in urban areas is permitted provided that existing and planned public sewage and water services have confirmed capacity to accommodate the demands of the proposed development. Alternatively, the proponent of the development will upgrade, at their own expense, the existing sewage and water systems to ensure adequate delivery and treatment facilities consistent with City standards, including adequacy of fire flows.

As set out in this report, a significant portion of infrastructure works included in the Kingsway Sewer and Water Enhancements have been completed, with the upgrades to the Levesque lift station expected to be completed in 2019.

In these respects, the proposal is consistent with the PPS, conforms/does not conflict with the Growth Plan and conforms to the policies of the Official Plan.

Water Quality

The subject lands are located within the Intake Protection Zone (IPZ) 3 of Ramsey Lake with a vulnerability score of 9 in the Greater Sudbury Source Protection Plan. A stormwater management pond is proposed to the east and south of the proposed arena and casino sites, which will also serve the applicant's industrial plan of subdivision.

Stormwater Management

Section 1.6.6.7 of the PPS provides that planning for stormwater management shall address various matters to prevent contaminant loads, minimizing changes in water balance and erosion, risks to human health, safety and property damage, use of pervious surfaces and promoting stormwater management best practices. Section 8.6 of the City's Official Plan includes policies which address storm water management and the requirement for a stormwater management reports for new development. The storm water management for the site will need to address the requirements of the Ministry of Environment and Climate Change (MOECC), respecting source water protection under the Clean Water Act, 2006 as this area is located with the Intake Protection Zone (IPZ) 3 of Ramsey Lake with a vulnerability score of 9 in the Greater Sudbury Source Protection Plan. As a result, storm water facilities in this area, must provide enhanced level water quality control and an additional 20 percent water quantity control in addition to the requirements for the MOECC Stormwater Management and Planning Manual.

The draft plan of subdivision on the subject lands includes conditions 18 and 19, requiring the preparation of a storm water management report and plan. Additional storm water management details will be finalized as part of the required site plan for the casino and arena development. The details of the stormwater management for the site will be finalized as part of satisfying the servicing conditions on the draft plan of subdivision, prior to registration and as part of the site plan for the casino and development plans for the arena.

Sourcewater Protection

The PPS addresses issues related to protecting, improving or restoring the quality of water in Section 2.2 of the PPS. Section 8 of the Official Plan, Water Resources, contains policies with respect to safeguarding drinking water resources (8.3).

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The applicant has submitted an application for Restricted Land Use Review Application for Section 59 Notice in accordance with the Greater Sudbury Source Protection Plan. On January 12, 2018 the applicant was advised that a Risk Management Plan (under Section 58 of the Clean Water Act) is required to manage the future threats related to the handling and storage of road salt, the on-site application of road salt, and the storage of snow. The Clean Water Act requires that decisions under the Planning Act conform to significant threat/condition policies identified in the Greater Sudbury Source Protection Plan.

Two significant threat policies, Sa3EF-RMP and Sa4E-RPM, have been identified by Water/Wastewater Services with respect to the subject lands; these threats are described as follows in the Greater Sudbury Source Protection Plan:

Sa3EF-RMP Where it could be a significant threat and where Policy Sa6F-SA does not apply, the application of road salt (existing and future) and storage of snow (existing) is designated for the purpose of Section 58 of the *Clean Water Act*, requiring risk management plans for those properties with exterior parking lots equal to or greater than one (1) hectare in area. Expansions to existing activities are permitted provided that the activity can be adequately managed.

All land uses except residential in the City of Greater Sudbury Zoning By-Law 2010-100Z are designated for the purpose of Section 59 of the *Clean Water Act* in the vulnerable areas where the application of road salt and the storage of snow could be a significant threat.

Sa4E-RMP The existing handling and storage of road salt is designated for the purpose of s. 58 requiring Risk Management Plans in the vulnerable areas where the activity is a significant threat. In the Ramsey Lake Issue Contributing Area, this policy applies to 0.5 tonnes of road salt and greater.

The risk management plan shall require at a minimum that a permanent structure be constructed to house the salt and/or sand/salt mixture. The structure will be constructed on an impermeable pad and drainage will either be treated (e.g. collected and transferred to an appropriate treatment facility) or directed to flow away from sources of municipal drinking water. If excess outdoor storage space is required, the sand/salt will be stored on an impermeable pad, covered by a tarp, and drainage will either be treated or redirected to flow away from sources of municipal drinking water. Expansions to existing activities are permitted provided that the activity can be adequately managed.

All land uses except residential in the City of Greater Sudbury Zoning By-Law 2010-100Z are designated for the purpose of Section 59 of the *Clean Water Act* in the vulnerable areas where the handling and storage of road salt could be a significant threat.

Dillon Consulting has provided the City with a Preliminary Report on the Risk Management Plan, (RMP), providing a summary of the components to be included and outlining best management practices for design and operation of the site that will be considered for application after additional details regarding the site are determined. The components to be included in the RMP are summarized below:

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1. The identification of traffic areas and sensitive features that may provide an opportunity for increased infiltration of salt into the subsurface or that may need to be protected.
2. The identification of snow storage areas and the transport of snow from these areas to approved snow dump facilities.
3. Consideration of alternatives to the use of road salt, or lower sodium concentrations, such as the application of sand, where it is safe and effective to do so.
4. Engineering measures, such as on-site grading and the location of roof downspouts to reduce ice formation and the use of fencing and vegetation to minimize snow drifting.
5. A winter operations plan with measures to minimize the use of road salt including details on the amount of salt to be stored on-site, the maintenance and washing of snow removal equipment to occur offsite, monitoring of weather conditions to remove snow quickly after snowfall events, and limiting the use of road salt.
6. On-going monitoring and management through logging winter maintenance activities including the amount of road salt used and the creation of a baseline winter maintenance conditions at the site to identify opportunities for improvement.

Planning staff note that the Preliminary Report on the RMP provides an overview of the components to be considered in finalizing the RMP. The discussions regarding the Risk Management Plan are ongoing.

It is recommended that the amending by-law include 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 is enacted.

Holding Provision

In order to ensure a Risk Management Plan has been accepted as part of the planning approvals that services are adequate before development, the use of a holding provision is recommended. Policy 20.5.4 of the Official Plan provides for the use of holding symbols (H) in certain instances which include:

- i. when certain details of development have not yet been determined, or where certain conditions of development have not yet been met such as, but not limited to, development or servicing agreement with the City;
- ii. when the level of community services and/or infrastructure is not yet adequate to support the proposed use;
- iii. where environmental conditions or constraints temporarily preclude development ; and,
- iv. where required studies have not yet been approved by the City.”

The “H” Holding symbol may be removed by Council upon the Risk Management Official advising that a Risk Management Plan under Section 58 of the Clean Water Act has been submitted to his satisfaction.

Subject to the comments noted above, the proposal is consistent with the PPS, conforms/does not conflict with the Growth Plan and conforms to the policies of the Official Plan.

Energy Conservation, Air Quality and Climate Change

The proposal for a casino and a hotel development, which is an employment land use, is located proximate to existing transit routes and will be designed to benefit from direct transit access, consistent with the PPS (1.8.1. c). The PPS promotes improving the mix of employment uses to shorten commute journeys and decrease traffic congestion (1.8.1 e.). The proposed development is located on lands designated General Industrial in the City of Greater Sudbury Official Plan and are located in close proximity to the Living Areas of the Sudbury community, consistent with the PPS.

The PPS promotes design and orientation which maximizes energy efficiency and conservation (1.8.1 f.). The proposed casino and hotel project will be built in compliance with the current Ontario Building Code requirements for energy conservation, consistent with the PPS. As part of the site plan approval process, the applicant will be encouraged to design the facility in accordance with LEED (Leadership in Energy and Environmental Design) standards.

Transportation Demand Management

Transportation Demand Management (TDM) is a term used to refer to a wide range of tools (e.g. policies, programs, services and products) that influence how, why, when and where people travel to make travel behaviours more sustainable. Within the context of this application, TDM means a set of strategies that result in a more efficient use of the transportation system, by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route or cost.

The PPS requires that existing and planned infrastructure be used efficiently, including through the use of transportation demand management strategies, where feasible (Policy 1.6.7.2). This policy complements other policies which speak to connectivity within and among transportation systems, land use patterns that support public transit and active transportation, transit and active transportation supportive land use patterns and infrastructure being provided in a manner that considers climate change while accommodating projected needs (Policies 1.1.3.2, 1.6.1, 1.6.7.3 and 1.6.7.4).

Similarly, the Growth Plan calls for transportation systems to be planned and managed to emphasize opportunities to optimize capacity and efficiency, enhance connectivity between transportation modes and reducing emissions and other environmental impacts (Section 5.3.2).

The Official Plan's public transportation and active transportation policies support these broad policy outcomes. The plan states that pedestrian walkways, intersections of major roads, and pedestrian access systems are integrated with transit stops and connected to trail systems (wherever possible) (Section 11.3, Policy 6). The plan also requires that development proposals be reviewed to ensure adequate pedestrian access and bicycle facilities, required sidewalks on one side of local roads and two sides of collector roads, high quality pedestrian connections to public transit, pedestrian connections to major attractions/generators (Section 11.7 Policies 2, 5).

The subject site is served by public transit. There is a sidewalk along the east side of Levesque Street, which connects to Bancroft Drive. There are bicycle lanes on Bancroft Drive, which form part of the Ramsey Lake Cycle Tour.

Given the location, it is anticipated that the majority of transportation trips to and from the site will be automobile trips. The proposed integrated site plan includes a number of design features intended to influence travel behaviour including: prioritized car pool parking for the proposed event centre; a "looped" driveway that would provide prioritized transit access to the proposed Event Centre and Festival Square;

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prioritized transit egress from the looped driveway; and pedestrian crossings across Street A. City Council's previous approval of the draft plan of subdivision includes conditions that require the owner to construct Streets A and C to an urban standard (including sidewalks) and a sidewalk along the north side of the Kingsway to connect Streets A and C. The provision of bicycle parking is required by the Zoning By-law and implemented through the site plan process.

The Traffic Impact Study Addendum dated March 9, 2018 has identified several Transportation Demand Management (TDM) measures related to events at the arena to help ensure that a minimum of 5% of event goers utilize transit. However, the study did not provide details about how these measures would be operated and what the financial implications would be. With over 2,200 vehicle trips expected to be generated from a sold out OHL game, a small increase in the percentage of event goers utilizing transit will result in a significant reduction in the number of vehicles traveling to the site. It is recommended that a detailed TDM plan be developed for the arena to determine the details of the identified TDM measures and potentially identify additional measures to be implemented during the operation of the event site. These discussions are ongoing.

Holding Provision

In order to ensure that Transportation Demand Management has been addressed before development proceeds, the use of a holding provision is recommended.

The use of an "H" holding provision limiting the use of the property until such time as the Transportation Demand Management Plan has been submitted to the satisfaction of the General Manager of Growth & Infrastructure in conformance with the policies in Section 20.5.4 of the Official Plan is appropriate.

In these respects, the proposal is consistent with the PPS, conforms/does not conflict with the Growth Plan and conforms to the policies of the Official Plan.

Natural Environment

The PPS prohibits development and site alteration in significant wildlife habitat, habitat of endangered and threatened species (except in accordance with provincial and federal requirements) and on adjacent lands, provided certain conditions have been met (Policy 2.15 d., 2.1.7 and 2.1.8). These outcomes are reiterated in Section 9.2.2 of the Official Plan.

The applicant has submitted correspondence from the Ministry of Natural Resources and Forests dated September 23, 2015 indicating that the Ministry has determined that activities associated with development of the site have a low probability of contravening the Endangered Species Act for Blanding's Turtle and Whip-poor-will.

In these respects, the proposal is consistent with the PPS, conforms/does not conflict with the Growth Plan and conforms to the policies of the Official Plan.

Site Plan Control

The City's Site Plan Control By-law 2010-220 designates the whole of the municipality as a site plan control area under Section 41 of the Planning Act and excludes specific zones from being subject to site plan control. Lands zoned Industrial that are located more than 152.4 m (500 feet) from the nearest residential zone and from the nearest Municipal Road (designated with an "MR" number) or Provincial Highway are excluded from site plan control.

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The proposed casino and associated parking would be subject to site plan control as they are located on lands within 152.4 m of lands zoned Residential to the south of the Kingsway and the lands about the Kingsway which forms part of Municipal Road 55.

The Official Plan contains policies with respect to the Community Design (Section 14.2), Built Heritage and Natural Environment Feature Integration (Section 14.4), and Design Features, Views and Corridors (Section 14.5). Review for compliance with the policies will form a part of the City's review of the development project, through the site plan control process. Compliance with the barrier free access policy will be addressed through the City's review of the development project through assessment of both on-site and off-site accessibility and will be integrated with the building design as required by Building Services through their review of the permit drawings for the facility.

The proposed development is adjacent to a landfill site and periodic nuisances should be expected and considered in the design of the site, especially the proposed hotel. The lands are currently zoned for industrial uses and the proposed uses are not expected to pose land use conflicts with the landfill site.

Zoning By-law Standards

The applicant's sketch indicates that all of the parking required by the proposed casino and hotel project can be provided on the subject lands; no exception to the parking standard has been requested or is required.

As noted previously, the maximum height permitted in the M1-1 zone is 12.0 m and the applicant has requested an exception to this by-law standard to permit a maximum height of 55.0 m to accommodate the proposed hotel building. Given the location of the hotel no adverse impacts to adjacent residential land uses with respect to shadow/shade are anticipated. No adverse impacts related to the height of the proposed hotel on other proposed land uses in the industrial subdivision, including the proposed arena, are anticipated.

The applicant has requested an exception to this by-law standard to permit an interior side yard of 0 m in order to permit the proposed enclosed connection between the arena and the proposed casino and hotel project located on lands immediately to the west of the subject lands.

Planning staff are of the opinion that relief requested is appropriate within the context of the area and in keeping with the purpose and intent of both the Zoning By-law and Official Plan.

Conclusion

The proposed Official Plan amendment and rezoning applications are considered to be consistent with the Provincial Policy Statement, in conformity with the Northern Growth Plan and in conformity with the relevant sections of the City of Greater Sudbury Official Plan. The applications represent good planning and are in the public interest. There do not appear to be any adverse impacts that will result from the approval of the applications, and they are therefore recommended for approval subject to the conditions noted in the resolution section of this report.

Appendix 1

Departmental & Agency Comments

File: 701-6/17-9 & 751-6/17-24

RE: Application for Official Plan Amendment and Rezoning – 1916596 Ontario Ltd
Part of PINs 73561-0282 & 73561-0264, Part 6 and Part of Part 11, Plan
53R-19391, Lots 9 & 10, Concession 4, Township of Neelon, Kingsway,
Sudbury

Nickel District Conservation Authority

No concerns or objection.

Building Services

No objection. Building Services has the following comments for the applicant's information:

1. The site is subject to site plan agreement.
2. The site plan sketch provided is not fully dimensioned. Parking spaces and driving aisles are not clearly shown.
3. An interior side yard variance is not required however a variance for rear yard setback is required as it is established that the front yard is along the Kingsway, Municipal Road #55.
4. The applicant is to ensure minimum Ontario Building Code requirements are met for the bridge linking the proposed place of amusement (casino) and the proposed recreation and community centre.
5. The applicant should also be aware that further variances may be required.
6. The portion of Festival Square on the casino property is not a permitted use as a "Place of Amusement" and only permits indoor facilities. Parking will also need to be addressed for this area.

Development Engineering

No objection. The subject property is within the boundaries of the draft approved subdivision known as the Jack Nicholas Business & Innovation Park. The subject property is not presently serviced with municipal water, sanitary sewer, or a storm sewer system. Through the development of the draft approved subdivision, municipal infrastructure will become available.

Municipal water and sanitary sewer has been provided within the Kingsway road allowance through a Section 391 Charge of the Municipal Act, 2001. As such, the owner/applicant will be required to pay \$16.49/square meter of development for the place of amusement and hotel towards the Kingsway Sewer and Water Project provided that a building permit is issued prior to December 31, 2022. Higher rates apply starting in 2023 to 2027. This Section 391 charge offsets the cost of construction relating to the existing infrastructure on the Kingsway and the cost of upgrading the Levesque sewage lift station. The upgrades to the Levesque sewage lift station are required to support this development.

The owner/applicant's agent provided the City with peak sewage flow calculations to determine what, if any, downstream sewage improvements are required as a direct result of the development of these lands as proposed along with the development of the Arena lands and the balance of the lands within the draft approved subdivision known as the Jack Nicholas Business & Innovation Park. The sewage flow from this application was assumed to enter the existing City system at the intersection of Street A and the Kingsway. The total peak sewage flow calculated by the owner/applicant's agent J. L. Richards for the entire development was 97.9 litres/second. In 2011 the City undertook improvements to Levesque and Rheal Streets including upgrades to water and sanitary sewers. The sanitary sewers were upgraded from 400 mm to a combination of 450 mm and 500 mm mains.

The City has reviewed the impact of the estimated 97.9 l/s sanitary sewer flows coming from the new development on Kingsway on the downstream capacity of the sanitary sewer system and based on hydraulic modeling assessment the sanitary sewer system has enough capacity to handle this additional new flows with no additional upgrades to the linear collection system. The Levesque Lift station, as identified in section 391 previously, will need upgrades first to remedy existing capacity deficiencies in terms of peak flows, but also to provide some needed equipment upgrades. The upgrades will also account for new flows coming from the new development. The City is in the process of issuing a Request For Proposal (RFP) for the Levesque Lift Station upgrades and the City is expecting to complete detailed design/Schedule B Environmental Assessment (EA) by the end of year 2018 with construction complete by the end of year 2019.

The municipal water supply for this site should be sufficient provided that the watermain within the Jack Nicholas Business & Innovation Park is sized sufficiently by the subdivision developer's engineer through the subdivision approval process. This site will connect to municipal water within the Street A road allowance once the subdivision has been constructed. Street A connects to an existing 300 mm diameter main on the north side of the Kingsway that was provided as part of the Kingsway Sewer and Water Project and Street C connects to a 200 mm diameter stub provided for this development at the Kingsway/Levesque Street intersection that was also provided as part of the Kingsway Sewer and Water Project.

It is our understanding that this Casino site and the Arena site will utilize a combined stormwater management facility with the stormwater management pond that is required for the overall subdivision. The stormwater management facilities for this development must address the requirements of the Ontario Ministry of Environment and Climate Change (MOECC) sourcewater protection requirements under the Clean Water Act, 2006 as this area within the Intake Protection Zone (IPZ) 3 of Ramsey Lake with a vulnerability score of 9 defines the stormwater works as a significant threat and as such, the stormwater management facilities must provide enhanced level water quality control and an additional 20% water quantity control in addition to the requirements of the MOECC Stormwater Management and Planning Manual. Furthermore, through the review of the detailed design for Phase 1 of the Jack Nicholas Business & Innovation Park, there is a constraint as to the peak flow that can leave this development through the existing 1.8 metre x 0.9 metre concrete box culvert that crosses the Kingsway west of Levesque Street. The peak storm sewer flow that can be released into the area south of the Kingsway is 2,200 litres/second.

This development must proceed by way of a Site Plan Control Agreement concurrent with, or following, the development of the Jack Nicholas Business & Innovation Park subdivision. Our concerns regarding the site, including site servicing, and stormwater management will be addressed at that time.

Environmental Planning Initiatives

Field surveys were undertaken in 2014 and 2015 by NAR Environmental Consultants Inc. to determine if the Blanding's Turtle or the Eastern Whip-poor-will or their habitat were present on the Subject Lands. Both species and their habitat are protected by the Endangered Species Act.

Based on a review of the information provided by NAR Environmental Consultants Inc, the Ministry of Natural Resources and Forestry (MNRF) determined that the activities associated with the development of the site, as currently proposed, have a low probability of contravening section 9 (species protection) and/or section 10 (habitat protection) of the Endangered Species Act, 2007 (ESA 2007) for Blanding's Turtle and Eastern Whip-poor-will. A letter dated September 23, 2015 from the MNRF outlines this determination as well as its conditions.

Environmental Services

The Sudbury Landfill & Waste Diversion Site will continue to receive, process and dispose of waste. Environmental Services expects over time to increase the processing or diverting of waste as new programs develop under the Waste Free Ontario Act. Environmental Services will conduct our operation as required and take the appropriate action to mitigate nuisances associated with the operation of this site. This action will also continue as Environmental Services vertically expands the waste disposal footprint and as we expand the waste diversion/processing areas to the southwest of our property (permitted under our current MOECC Environmental Compliance Approval).

Environmental Services can continue in this fashion with on-going operational funds to conduct inspections, monitoring and regular operational tasks. Capital funding to regularly cap filled areas, manage/expand storm water, leachate and landfill gas systems will also be required.

It is understood that the proponent will manage their storm water on-site and since their property is located outside the 500 meter buffer zone, no assessment will be required. Environmental Services recommends however, that the proponent consider MOECC regulations and guidelines on land use near landfill sites.

Roads, Traffic and Transportation

Initial TIS Review Comments

We have reviewed the submitted Traffic Impact Study (TIS) and provide the comments below. Included separately are comments from a peer review of the study completed by [WSP](#). We require that both sets of comments be addressed.

Trip Generation Rate – Arrival/Departure Rate

We note that the study proposes to use an alternate arrival rate from a 1976 ITE report entitled "Traffic Considerations for Special Events". Although a table from the report was provided, the complete report has not been included so it is unclear what assumptions were made and if it is applicable to the proposed development. To use this reduced arrival rate, the TIS must include the complete report and provide a justification explaining why it is applicable.

Interaction Between Land Uses

We require the TIS provide a justification for interaction reductions that are assumed in the study.

Parking Generation

It is unclear from the TIS how the arena operator will be able to ensure the proposed shared parking areas will not be used during event nights. We require the TIS include details on the types of agreements that will need to be in place and how they will be enforced to ensure parking is available on event nights.

Business Park Trip Generation (Weekday PM Peak)

As indicated in the report, the Business Park component of the site is anticipated to generate approximately 1,510 trips during a typical non-event PM peak. This represents 72 percent of the net total site trips that are anticipated to be generated from the entire proposed site. Based on the trip distribution proposed in the study, there will be approximately 950 vehicle trips travelling westbound on the Kingsway from the site during the PM Peak Hour.

The background traffic analysis indicates that, with some adjustments to the traffic signal timing, the intersections of the Kingsway at Falconbridge Road and the Kingsway at Barry Downe Road will operate near full capacity. The analysis indicates that the addition of the Business Park trips will put these intersections over capacity. No mitigation measures are recommended other than the need to accelerate construction of road links identified in the Transportation Master Plan to divert traffic away from these two intersections.

We require the TIS to identify the amount of site development that can occur prior to these intersections operating over capacity and detail what, if any, measures could be implemented to mitigate these capacity constraints. In addition, we require a phasing plan be included which indicates how much more additional development of the site can occur with the addition of each of the proposed road links in the Transportation Master Plan.

Arena Trip Generation – Pre-Game and Post-Game Peak Hours

The analysis indicates that a single left turn lane will operate at an acceptable level of service at both the intersections of the Kingsway at Street A and the Kingsway at Street C. We require the TIS provide a justification for why a dual left turn lane is required to the satisfaction of the City. Also, we require the review of these left turn lanes to consider and discuss the expected delay to transit vehicles accessing the site during event nights.

Post-Game Peak Hour Capacity - Street A

We have concerns regarding the queue length from the signalized intersection of the Kingsway at Street A during the post-game peak hour and the proposed signals for the internal bus loop. It is unclear if the queue from the Kingsway will reach the exit of the bus loop and impede buses trying to exit. We require the TIS provide details on the expected queue length, how the bus loop signals will operate (ex. actuation, timing, coordination schemes) and what the expected delay will be for buses exiting the bus loop.

Transit Services has also expressed concerns with conflicts between pedestrians walking to their parked vehicles on the north side of Street A and buses trying to exit the bus loop. We require the TIS provide an analysis of how vehicles, pedestrians and transit buses will circulate in the area of the bus loop. This analysis should include details on where fencing will be provided, where the parking lots will exit and where marked crossing areas are proposed. Details must also be provided on how site access will be controlled if and when the temporary parking lot areas are developed.

Active Transportation

The TIS recommends pedestrian crossings be provided east of the exit to the bus loop and west of the parking lot entrance on Street A to the easterly parking lot. While the crossing east of the bus loop entrance can be controlled by the proposed traffic signals, it is unclear if a protected crossing is also proposed for the easterly crossing. Also, the site plan drawing included in Appendix 'A' seems to indicate that a third pedestrian crossing is proposed west of the entrance to the bus loop. We require the TIS clarify the number of pedestrian crossings

proposed, if a protected crossing is proposed for the easterly crossing, and as described in the previous section, how will pedestrians safely access the parking lots on the north side of Street A (fencing, parking lot exits, etc).

The TIS also identifies an opportunity to connect the bicycle lanes on Bancroft Drive to the site. We require the TIS include a detailed analysis of the cycling infrastructure that would be recommended on Street A, Street C and Levesque Street (at a minimum) using the three step bicycle facility selection process that is detailed in Book 18 of the Ontario Traffic Manual. The analysis should consider the expected vehicle volumes for an event night.

Transportation Demand Management

The TIS provides high level recommendations for transportation demand management (TDM) measures that could be considered. It is unclear who would operate or deliver some of the measures described as well as who would provide ongoing financing to fund these initiatives. We require the TIS include details on how these TDM measures will be operated or delivered, how they will be funded and how the ongoing success of these measures will be measured and reported. In addition, the TIS does not explain how many vehicle trips would be expected to be reduced if these measures were implemented. We require the TIS include this trip reduction analysis.

TIS Addendum Comments

A traffic impact study (TIS) completed by Dillon Consulting was provided in support of the rezoning applications submitted for the 5,800 seat community arena, casino and parking lots. The TIS also considered the remainder of the subdivision lands, a 200 room hotel and a potential twin pad arena. A memo was also provided by Dillon Consulting on February 23, 2018 as a supplement to the TIS to provide additional information on the time required for a vehicle to exit the site following an event at the proposed arena. The TIS is intended to be used by the City of Greater Sudbury, Gateway Casinos and Entertainment Ltd., and 1777223 Ontario Ltd.

Staff reviewed and provided comments to Dillon Consulting on the December 2017 study. In addition, WSP was retained by the City to complete a peer review of the study. Both sets of comments are included as part of the staff report. Based on the comments provided, Dillon Consulting provided an addendum to the TIS dated March 9, 2018. Staff's comments are based on the December 2017 TIS, the February 23, 2018 memo and the March 9, 2018 addendum.

Study Methodology

The study considered the impact to the transportation network if the site were developed to include the following uses:

- a 5,800 seat arena
- a casino with 780 gaming positions as well as restaurants
- a 200 room hotel with meeting space
- a twin pad arena
- a 93.67 acre business park

To measure the impact, the study reviewed the weekday afternoon peak hour (PM peak hour), the weekday "pre-game" peak hour (the 1 hour prior to the start of an event) and the weekday "post-game" peak hour (the 1 hour period immediately following the end of an event). In addition, a Saturday mid-day peak hour review of the intersection of the Kingsway and Barry Downe Road was completed due to the high traffic volumes through this intersection from the surrounding commercial district.

The review of the impact on the transportation network during the pre-game peak considered a sold out OHL hockey game. As detailed in the study, this can be considered a conservative approach given that the Sudbury Wolves have typically drawn 3,000 to 4,000 spectators per game over the past 6 seasons and only 5% to 10% of games per season draw a capacity crowd. An OHL team typically hosts 34 regular season games per season.

Based on the time frames identified above, the study reviewed a series of intersections identified by staff. The review considered three scenarios:

- how the intersections are currently operating
- how the intersections are expected to operate in 2022 based on an annual growth factor of 1.5%
- how the intersections are expected to operate in 2022 based on an annual growth factor of 1.5% and the number of trips the overall site is expected to generate.

While the arena, casino and hotel are expected to be built out and operational by 2020, the timing for build out for the remainder of the subdivision is unknown and will depend on market conditions. Based on this unknown condition, the year 2022 was chosen for the analysis.

The study also reviewed the expected parking requirements for the overall site.

Results of Analysis

Required Parking

The study utilized a first principles approach to determine the expected parking required for the arena, casino and hotel. When a hockey game is scheduled, the site is expected to require approximately 3,365 parking spaces. The preliminary site plan indicates a total parking supply of 2,142 parking spaces. It is proposed that the surrounding vacant subdivision lands be used for overflow parking while events are occurring at the arena. To ensure this overflow parking remains available as the surrounding lands are developed, the study has identified the need to register this use on the title of the lands. The study has also identified that maintenance agreements for the parking lots may be required to ensure the appropriate standard of maintenance is provided. Staff is satisfied that sufficient parking can be provided within the subdivision lands to satisfy the needs of the site.

Pre-Game Transportation Network Operations

During the pre-game peak hour, it is expected that approximately 2,285 vehicles will be travelling to the site to attend the event. This value considers that 5% of event goers will utilize transit and that a small percentage of event goers will be people who work within the proposed business park or are already at the casino. During the pre-game peak hour, this volume of vehicles exceeds the capacity of the intersections of the Kingsway at Barry Downe Road and the Kingsway at Falconbridge Road.

Specifically, at the intersection of the Kingsway at Barry Downe Road, the southbound left turn movement and eastbound through movement have been identified as not having sufficient capacity to accommodate this expected volume of vehicles. For the southbound left turn movement, vehicle queue lengths are expected to extend to approximately Palm Dairy Road, while for the eastbound through movement, queue lengths are expected to extend just beyond the driveway entrance which serves the Keg Steakhouse and Bar and other commercial properties. In addition, each southbound left turning vehicle is expected to be delayed 110 seconds before being able to travel through the intersection, while each eastbound through vehicle is expected to be delayed 78 seconds.

Similar capacity constraints are identified at the intersection of the Kingsway at Falconbridge Road. Both the southbound left turn movement and eastbound through movement have been identified as not having sufficient capacity to accommodate this expected volume of vehicles.

The southbound left turn movement is expected to have vehicle queue lengths extend 4 or 5 vehicle lengths beyond the driveway entrance to the Ambassador Hotel, while the eastbound through movement will have vehicle queue lengths extend beyond the Cambrian Ford site. In addition, each southbound left turning vehicle is expected to be delayed 116 seconds before being able to travel through the intersection while each eastbound through vehicle is expected to be delayed 109 seconds.

While the study has identified capacity constraints at these intersections, it is the opinion of staff that the existing road network can sufficiently store these vehicles without impacting nearby intersections. However, as identified above, some existing business driveways may be impacted by the expected vehicles queue lengths.

Based on the expected volume of vehicles that will be travelling from west of the site, the study reviewed the need for dual left turn lanes at the intersections of the Kingsway at the proposed Street A and the Kingsway at the proposed Street C. The analysis identified that although vehicle queue lengths will be substantially longer, a single left turn lane will operate more efficiently than a dual left turn lane and result in less delay for vehicles at both intersections. It is the opinion of staff that a single left turn lane is sufficient at both intersections for the expected volume of vehicles that will be attending the site on event nights.

The study also noted that based on the high volume of vehicles that will be travelling eastbound to the site, it is expected that 10% of these vehicles travelling eastbound will use Bancroft Drive as an alternate route to avoid any anticipated congestion on the Kingsway. This represents approximately 220 additional vehicles during the pre-game hour.

Afternoon Peak Hour Transportation Network Operations

During the afternoon peak hour, it is expected that 600 vehicles will be travelling to the site and 1,575 vehicles will be leaving the site. Of these 2,175 total trips, 72% are expected to be generated by the remainder of the subdivision lands or the business park as identified in the study. Staff are satisfied that there is sufficient capacity in the transportation network to support the vehicle trips being generated by the arena, casino and hotel during the afternoon peak hour. However, with the volume of vehicles expected to be generated by the business park, the study has identified that the intersections of the Kingsway at Barry Downe Road and the Kingsway at Falconbridge Road do not have sufficient capacity to accommodate the expected total volume of vehicles. The study has recommended that the capacity constraint be mitigated by accelerating the construction of new roadway links that are identified in the Official Plan, specifically, the northerly extension of Street C and westerly connection to Falconbridge Road and the bypass around New Sudbury from Highway 17 to Maley Drive.

The study also reviewed the amount of development that could occur in the business park before these intersections are beyond their capacity. Staff are not satisfied with the results of analysis that was completed in this regard. For a typical development, mitigation measures are expected to be implemented as critical movements go beyond 85% of their capacity unless there were existing capacity constraints. The study indicated that the critical movements at these intersections would not be beyond 85% of their capacity in the future without the proposed business park. The analysis completed in the study considered the amount of development that could occur in the business park before the critical movements went beyond 100% of their capacity. Since the remaining subdivision lands are not being considered as part of the submitted applications, staff will continue to work with the developer of the subdivision lands to determine the amount of development that can occur prior to the construction of the new roadway links identified in the Official Plan.

Additionally, the study noted that the intersection of the Kingsway at the proposed Street A may benefit from a dual left turn lane based on the volumes expected to be generated during the afternoon peak hour of the business park. Staff will continue to work with the developer of the remaining subdivision lands to determine the need for a dual left turn lane at the intersection of the Kingsway at Street A.

Transportation Demand Management Measures

The study has identified that casinos typically limit Transportation Demand Management (TDM) measures to those which encourage attendance by larger groups, however no details have been provided to this point as to what is intended for this site. Staff recommends that a detailed TDM plan be developed for the casino to determine the details of the TDM measures which intend to be implemented at this site.

Transit Services

Greater Sudbury Transit currently provides local transit services to the surrounding area as described in the Traffic Impact Study.

Capacity for Increased Demand

In order to assess the Transit System's capacity within existing operating hours, both ridership performance and passenger loading standards have been reviewed.

Ridership Performance: One of the most effective ways to assess ridership performance on a route is to review boarding per vehicle service hours, also known as rides per revenue hours (RRH). Based on Greater Sudbury Transit Service Design Standards, boarding per vehicle hour by class (urban vs. commuter) and time of day is measured against a set of thresholds. For the purpose of this analysis, the weekday peak and midday threshold should be between 13-45 RRH.

Based on a daily average route level analysis, ridership performance of the routes currently operating in the vicinity of the proposed site fall consistently within average thresholds. In 2016, the average RRH for the urban routes (101, 102 and 241) ranged from 17-20 boarding per service hour.

The average RRH on the current route indicates that the area is well served, and current frequency levels meet the demand.

Passenger Loading Standards: The number of buses required for a route may be determined by route loading capacities. Urban routes should not exceed a maximum average load of 150% seating capacity, which equals approximately 55 persons. When passenger loads consistently exceed or fall below the standards targets, a service review is triggered. As the average daily boarding is between 17-20 passengers per service hour, this indicates that the average capacity is at approximately 36%.

Until the passenger loading percentage increases, the current frequency levels would be adequate to meet demand in this urban area.

Transit Action Plan Recommendations

In June 2017, a comprehensive review of Greater Sudbury Transit Services was launched, known as the Transit Action Plan. The service review work plan consists of three Phases. The study is within the final Phase of the work plan, and final recommendations are anticipated to be presented to Council in early Spring 2018.

The second phase of the Transit Action Plan presented draft recommendations to Council in January 2018. The preliminary recommendations proposed a restructuring of the transit route network system, where routes are reorganized by level of service, to address proper frequencies based on demand. The preliminary proposals further indicate that the reduced level of service currently operating after 10pm and on Sundays should be eliminated, leaving all routes to be served based on Transit Service Design Standards. The routes are proposed to be redesigned based on a three hub system, reducing the number of routes requiring to transfer at the Downtown Transit Centre.

In the preliminary recommendations of the Transit Action Plan, one route is being proposed to service the site, which is a combination of all routes currently operating in the area.

The proposed route design consists of:

- Similar route pattern with several minor areas being streamlined for efficiency purposes and to ensure on time performance would be achieved with the addition of this site.
- The route would depart the Downtown Transit Centre and the proposed development would become the terminus. A terminus is usually the mid-point or destination of a route and it provides a safe location for a bus to layover for a few minutes before returning to the hub.
- For passengers travelling from the New Sudbury Centre, a connection can be made to the proposed route at the corner of Bancroft and Second Ave.
- Span of service would extend approximately from 7am to midnight, seven days a week.
- The route would be categorized as a neighborhood service level without the proposed development.
- The route would have potential of being a core service level with the proposed development, should ridership increase due to the additional trip generator to the area.
- As a neighborhood service level, frequencies are proposed to be 30 minutes from start of service to 9am, and 3pm to 6pm Monday to Friday, with 60-minute frequency all other times including all day Sunday. This frequency mirrors what is currently being provided to the area.

The introduction of this trip generator in the urban area would trigger careful monitoring of route performance to ensure proper levels of Transit Services are offered. Any increase in service required would be presented to Council for consideration.

Mitigating Operational Costs and Improving Transit Efficiency

The Traffic Impact Study provides information on mitigation considerations being proposed to provide prioritization of the movement of Transit Buses. These mitigations will be helpful in reducing the number of hours required to service the area during Event Nights.

In order to further improve on the effectiveness of Transit services, and in consideration of reducing traffic impacts by providing more efficient non-automobile modes of access to the site, the following should be considered:

- A robust Transportation Demand Management plan.
- Bus queue jumping lanes, or bus only lanes to prioritize Transit Vehicles over cars
- Site design considerations to mitigate pedestrian and transit vehicle conflict.
- Amenities for spectators waiting for buses near the entrance such as wayfinding and benches.
- Turning radius consideration for both conventional 40 foot buses, as well as 60 foot articulated buses.

Water/Wastewater Services

The land use requires a Risk Management Plan, as identified in Part IV of the Clean Water Act, 2006, in order to be carried out within a vulnerable area. The Risk Management Plan is required to manage the future threats related to the handling and storage of road salt, the on-site application of road salt, and the storage of snow.

A Risk Management Plan must be agreed to or established before a Section 59 Notice of Clearance to proceed will be issued. A Section 59 Notice is required before the Development Application may receive final approval.

Appendix # 2

Studies and Submittals – Place of Amusement

Files: 701-6/17-9 & 751-6/17-24

**RE: Application for Official Plan Amendment & Rezoning – 1916596 Ontario Ltd
Part of PINs 73561-0282 & 73561-0264, Part 6 and Part of Part 11, Plan 53R-
19391, Lots 9 & 10, Concession 4, Township of Neelon, Kingsway, Sudbury**

The following studies and submittals have been submitted in support of and in response to the application and are linked to this appendix:

[Planning Justification Report](#), Official Plan and Zoning By-Law Amendment Planning Justification Report, Dillon Consulting, December 2017 - amended

[Addendum to Planning Justification Report](#), Addendum – Official Plan and Zoning By-law Amendment – Gateway Casinos and Entertainment Limited, Karl Tanner Dillon Consulting, March 7, 2018

[Stage 1 Planning Hearing – Public Comment Summary](#), Planning Meeting #1 – Public Comment Summary – Gateway Casino, Dillon Consulting Limited, March 5, 2018

[Traffic Impact Study](#), Kingsway Sports and Entertainment Complex, Traffic Impact Study, Dillon Consulting, December 2017

[Peer Review Comments – Traffic Impact Study](#), Review for Proposed Kingsway Sports and Entertainment Complex, City of Greater Sudbury, Brett Sears and Ubaid Ali, WSP, February 16, 2018

[Memo – Post event exit time vs. processing time](#), Kingsway Sports and Entertainment Complex Exit Times vs. Processing Times following Arena Events, Brent Hooton Dillon Consulting, February 23, 2018

[Addendum to Traffic Impact Study](#), Kingsway Sports and Entertainment Complex Traffic Impact Study addendum, Mike Walters Dillon Consulting, March 9, 2018

[Species at Risk Submittal](#), Jack Nicholas Business Innovation Park – the Kingsway Sudbury Species at Risk Assessment, N.A.R. Environmental Consultants Inc., August 17, 2014

[Risk Management Plan](#), Risk Management Plan Kingsway Site – Preliminary report, Rob Kell Dillon Consulting Limited, March 9, 2017

Appendix # 3

Policies Cited – Place of Amusement

Files: 701-6/17-9 & 751-6/17-24

RE: Application for Official Plan Amendment & Rezoning – 1916596 Ontario Ltd Part of PINs 73561-0282 & 73561-0264, Part 6 and Part of Part 11, Plan 53R-19391, Lots 9 & 10, Concession 4, Township of Neelon, Kingsway, Sudbury

Provincial Policy Statement, 2014

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 Healthy, liveable and safe communities are sustained by:

- a. promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b. accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c. avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d. avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
- e. promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;
- f. improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;
- g. ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs; and
- h. promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 20 years. However, where an alternate time period has been established for specific

areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.

Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.

Nothing in policy 1.1.2 limits the planning for infrastructure and public service facilities beyond a 20-year time horizon.

1.1.3 Settlement Areas

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within settlement areas shall be based on:

- a. densities and a mix of land uses which:
 - 1. efficiently use land and resources;
 - 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
 - 3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
 - 4. support active transportation;
 - 5. transit-supportive, where transit is planned, exists or may be developed; and
- b. a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

- 1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.
- 1.1.3.5 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.
- 1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.
- 1.1.3.7 Planning authorities shall establish and implement phasing policies to ensure:
 - a. that specified targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas; and
 - b. the orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs.

1.2 Coordination

1.2.6 Land Use Compatibility

- 1.2.6.1 Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities.

1.3 Employment

- 1.3.1 Planning authorities shall promote economic development and competitiveness by:
 - a. providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;
 - b. providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
 - c. encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and

- d. ensuring the necessary infrastructure is provided to support current and projected needs.

1.6 Infrastructure and Public Service Facilities

- 1.6.1 Infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be provided in a coordinated, efficient and cost-effective manner that considers impacts from climate change while accommodating projected needs.

Planning for infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be coordinated and integrated with land use planning so that they are:

- a. financially viable over their life cycle, which may be demonstrated through asset management planning; and
 - b. available to meet current and projected needs.
- 1.6.2 Planning authorities should promote green infrastructure to complement infrastructure.
 - 1.6.3 Before consideration is given to developing new infrastructure and public service facilities:
 - a. the use of existing infrastructure and public service facilities should be optimized; and
 - b. opportunities for adaptive re-use should be considered, wherever feasible.
 - 1.6.4 Infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of emergency management services.
 - 1.6.5 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.

1.6.6 Sewage, Water and Stormwater

- 1.6.6.1 Planning for sewage and water services shall:
 - a. direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing:
 - 1. municipal sewage services and municipal water services; and
 - 2. private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available;
 - b. ensure that these systems are provided in a manner that:
 - 1. can be sustained by the water resources upon which such services rely;

- 2. is feasible, financially viable and complies with all regulatory requirements; and
 - 3. protects human health and the natural environment;
 - c. promote water conservation and water use efficiency;
 - d. integrate servicing and land use considerations at all stages of the planning process; and
 - e. be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5.
- 1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.
- 1.6.6.7 Planning for stormwater management shall:
- a. minimize, or, where possible, prevent increases in contaminant loads;
 - b. minimize changes in water balance and erosion;
 - c. not increase risks to human health and safety and property damage;
 - d. maximize the extent and function of vegetative and pervious surfaces; and
 - e. promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development.

1.7 Long-Term Economic Prosperity

- 1.7.1 Long-term economic prosperity should be supported by:
- a. promoting opportunities for economic development and community investment-readiness;
 - b. optimizing the long-term availability and use of land, resources, infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities;
 - c. maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets;
 - d. encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;
 - e. promoting the redevelopment of brownfield sites;
 - f. providing for an efficient, cost-effective, reliable multimodal transportation system that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;
 - g. providing opportunities for sustainable tourism development;

1.8 Energy Conservation, Air Quality and Climate Change

- 1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which:
- a. promote compact form and a structure of nodes and corridors;
 - b. promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;
 - c. focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;
 - d. focus freight-intensive land uses to areas well served by major highways, airports, rail facilities and marine facilities;
 - e. improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;
 - f. promote design and orientation which:
 - 1. maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation; and
 - 2. maximizes opportunities for the use of renewable energy systems and alternative energy systems; and
 - g. maximize vegetation within settlement areas, where feasible.

2.1 Natural Heritage

2.1.1 Natural features and areas shall be protected for the long term.

2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

2.1.3 Natural heritage systems shall be identified in Ecoregions 6E & 7E1, recognizing that natural heritage systems will vary in size and form in settlement areas, rural areas, and prime agricultural areas.

2.1.4 Development and site alteration shall not be permitted in:

- a) significant wetlands in Ecoregions 5E, 6E and 7E1; and
- b) significant coastal wetlands.

2.1.5 Development and site alteration shall not be permitted in:

- a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;
- b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
- c) significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
- d) significant wildlife habitat;
- e) significant areas of natural and scientific interest; and
- f) coastal wetlands in Ecoregions 5E, 6E and 7E1 that are not subject to policy 2.1.4(b)

unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

- 2.1.6 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.
- 2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.
- 2.1.8 Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

2.2 Water

- 2.2.1 Planning authorities shall protect, improve or restore the quality and quantity of water by:
 - a. using the watershed as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;
 - b. minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;
 - c. identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed;
 - d. maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas;
 - e. implementing necessary restrictions on development and site alteration to:
 - 1. protect all municipal drinking water supplies and designated vulnerable areas;
 - and

- 2. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions;
 - f. planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;
 - g. ensuring consideration of environmental lake capacity, where applicable; and
 - h. ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.
- 2.2.2 Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored.

Mitigative measures and/or alternative development approaches may be required in order to protect, improve or restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.

Growth Plan for Northern Ontario, 2011

2.2 An Economic Action Plan for Northern Ontario

- 2.2.1 The Province will collaborate with the federal government, as well as business and industry, municipalities, Aboriginal communities and organizations, the education and research sectors, and community organizations on economic development strategies for *existing and emerging priority economic sectors* as set out in Policies 2.2.2, 2.2.3 and 2.2.4. This collaboration will include ongoing policy research related to northern economic and community development.
- 2.2.2 The Province will focus economic development strategies on the following *existing and emerging priority economic sectors* and the distinct competitive advantages that Northern Ontario can offer within these sectors:
 - a) advanced manufacturing
 - b) agriculture, aquaculture and food processing
 - c) arts, culture and creative industries
 - d) digital economy
 - e) forestry and value-added forestry-related industries
 - f) health sciences
 - g) minerals sector and mining supply and services
 - h) *renewable energy* and services
 - i) tourism
 - j) transportation, aviation and aerospace
 - k) water technologies and services.
- 2.2.3 Economic development strategies for *existing and emerging priority economic sectors* will examine opportunities to:

- a) strengthen networks and collaboration among businesses, industry, the education and research sectors, economic development organizations and northern communities
- b) attract investment
- c) grow and retain existing competitive businesses, including export development activities and diversification into value-added business opportunities
- d) respond to labour market needs and opportunities through education, training and entrepreneurship supports

2.2.4 The Province will bring an integrated approach to these economic development strategies through the creation of regular, five-year economic action plans for Northern Ontario that address:

- a) the emergence and development of the *existing and emerging priority economic sectors*
- b) *existing and emerging priority economic sectors* that should be the focus of economic development efforts for the next five-year period.

2.2.5 Industry will be encouraged to participate in the development and implementation of the Province's five-year economic action plans and *regional economic plans*.

2.2.6 The Province will work to attract investment to Northern Ontario through:

- a) integrated and timely one-window response to investment opportunities
- b) measures to address barriers to investment, such as *information and communications technology* infrastructure, energy costs, labour and transportation
- c) working with other orders of government to co-ordinate approvals and address complex interjurisdictional issues.

2.3 A Growing and Diversified Economy

2.3.10 Tourism

1. Efforts by the Province, industry and, where appropriate, other partners, to grow and diversify the tourism sector should include:
 - a) investing in strategic public infrastructure and the provincial parks system to improve the competitiveness of the tourism industry and enhance the visitor experience
 - b) improving training and skills development in strategic areas such as e-technology, marketing, business planning and customer service to enable the tourism industry to better serve domestic and international travelers
 - c) encouraging regional co-operation to expand and diversify Northern Ontario's tourism offerings and increase tourism visitation and receipts
 - d) encouraging regions and communities to undertake cultural planning that identifies opportunities for promoting tourism, including Aboriginal niche tourism opportunities, and building on the presence of a strong Francophone community to tap into French-speaking markets
 - e) encouraging new, flexible and high-quality tourism products for domestic and international visitors

- f) linking Northern Ontario tourism to provincial and national marketing campaigns and promoting the uniqueness of the Northern Ontario experience.

4 Communities

4.2 Long-range Planning for all Communities

4.2.1 All municipalities should, either individually, or collaboratively with neighbouring municipalities and Aboriginal communities, prepare long-term community strategies. These strategies should support the goals and objectives of this Plan, identify local opportunities to implement the policies of this Plan, and be designed to achieve the following:

- a) economic, social and environmental sustainability
- b) accommodation of the diverse needs of all residents, now and in the future
- c) optimized use of existing infrastructure
- d) a high quality of place
- e) a vibrant, welcoming and inclusive community identity that builds on unique local features
- f) local implementation of *regional economic plans*, where such plans have been completed.

4.2.2 Municipalities and planning boards are encouraged to:

- a) align their official plan policies with their long-term community strategies developed in accordance with Policy 4.2.1
- b) employ the use of available tools to support and facilitate land-use planning that implements their long-term community strategies.

4.2.3 The Province will encourage collaboration with Aboriginal communities in land-use planning in accordance with the Policies in 7.5.

4.3 Economic and service hubs

4.3.1 The Minister of Infrastructure will work with the Minister of Northern Development, Mines and Forestry and other ministries to identify *economic and service hubs* in consultation with municipalities and other parties, as appropriate.

4.3.2 *Economic and service hubs* should be designed to:

- a) accommodate a significant portion of future population and employment growth in Northern Ontario
- b) function as service centres that deliver important region-wide public services to the broader surrounding regions
- c) function as economic hubs linking Northern Ontario with other significant economic regions in Ontario and beyond.

4.3.3 *Economic and service hubs* shall maintain updated official plans and develop other supporting documents which include strategies for:

- a) developing a diverse mix of land uses, an appropriate range of housing types, and high quality public spaces; and providing easy access to stores, services and recreational opportunities
- b) maintaining up to a 20-year supply of lands, or as otherwise provided by a provincial policy statement, for a variety of employment uses in appropriate locations to support economic development objectives
- c) improving access to public services by local residents and by residents of surrounding communities
- d) encouraging a significant portion of future residential and employment development to locate in existing downtown areas, *intensification corridors*, *brownfield sites*, and *strategic core areas*
- e) providing for a range of transportation options
- f) enhancing community identity, vibrancy and cultural amenities.

4.3.4. *Economic and service hubs* shall be focal areas for investment in regional transportation, energy, *information and communications technology*, and *community infrastructure*.

City of Greater Sudbury Official Plan

2.1 PATTERN OF DEVELOPMENT

The existing urban structure is a result of the historical development of industrial uses. Many outlying settlements were established as company towns linked to specific industrial activities, such as mining and rail transportation. Other settlements originated as agricultural service centres that further expanded in a dispersed nature along major roads. Over time, these communities and settlements have developed their own unique character and demographic mix.

Over half of the total population of Greater Sudbury resides in the former City of Sudbury. The former City of Sudbury, as the location of three quarters of the jobs in the Greater City, is the main employment centre.

The former City of Sudbury has also been the location of most growth. Over the period 1978 – 2002, 58% of approximately 20,000 new residential units were created in areas within the former City of Sudbury. Valley East absorbed the second highest proportion of new housing, at 16% of total units.

2.2 DEFINING THE URBAN STRUCTURE

The *Regional Official Plan* (1978) established a hierarchy of settlements that was largely based on population distribution and urban form. Consistent with its central city role, the former City of Sudbury was designated as the regional centre. A growth centre in each area municipality was

also identified, acknowledging the autonomy and growth potential of the former cities and towns which comprised the Regional Municipality of Sudbury.

The *Official Plan of the City of Greater Sudbury* adopts an alternative approach to defining the urban structure, with the assignation of settlements essentially tied to the level of municipal services available. It also considers prevailing built form, impacts on the natural environment, and the defining character of the settlement. This approach reflects a number of new realities facing the City, including a requirement for increased residential intensification, the need to provide municipal services in an efficient and responsible manner, and the necessity of promoting sound environmental planning policies consistent with provincial directives. The urban structure is thus defined as containing three forms of settlement: Communities, Non-Urban Settlements, and Rural and Waterfront Areas.

2.2.1 Communities

Most people in Greater Sudbury live and work in Communities. Fully serviced by municipal sewer and water, Communities are seen as the primary focus of residential development and will absorb most of our projected growth. Communities also encompass the majority of our designated Employment Areas. A variety of housing forms are permitted in Communities.

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

Smaller in population and total area, the remaining Communities are fully serviced urban areas that offer a mix of employment and residential uses. The predominant housing form is low and medium density in nature. *Town Centres* in these Communities provide mostly local services to surrounding residential neighbourhoods and rural areas.

Communities include the following areas:

<i>Sudbury</i>	<i>Azilda</i>
<i>Capreol</i>	<i>Chelmsford</i>
<i>Dowling</i>	<i>Garson</i>
<i>Lively – Mikkola – Naughton</i>	<i>Valley East Urban Area</i>
<i>Coniston</i>	<i>Copper Cliff</i>
<i>Falconbridge</i>	<i>Levack</i>
<i>Onaping</i>	<i>Wahnapitae</i>

4.0 Employment Areas

Diversification forms the foundation of the City's approach to economic development, and it remains essential to our future growth prospects. While mining continues to function as our core economic activity and primary export generator, Greater Sudbury has diversified over the last three decades to evolve as a regional centre of education, health care, government, business, retail, and tourism services. The establishment of several important advanced institutions and research facilities, combined with the City's growth as a retail and tourism destination, has contributed to a local economy now focused on a full range of services production.

The evolution of the service economy has also impacted the mining sector. The maturation of the mineral extraction industry, combined with entrepreneurship, technological advancement, and locally-based education and research, has led to the creation of a robust mining services sector that supports the existing mining complex and presents excellent opportunities for the development of tradable exports. To bolster our position as a leader in the mining industry, this Plan will protect the use of natural resources and provide for future resource development, while accommodating economic activities related to the provision of products and services to the global mining sector.

Employment Area designations acknowledge Greater Sudbury's changing economy and labour force, and are intended to help implement the City's long-term strategic planning goals. These designations encompass lands where people presently work and lands where employment opportunities will be provided in the future. *Employment Area* designations are shown on *Schedules 1a, 1b and 1c, Land Use Map* and can be grouped into four broad categories:

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

Institutional: The important contribution of the City's institutions and their role in community-based initiatives is acknowledged by creating an *Institutional Areas* designation within the hierarchy of *Employment Area* land uses. In order to harness the potential of the institutional sector in the form of research and product development, *Institutional Areas* that form a concentration of advanced Education, Health & Research activity are identified. Certain compatible uses are permitted in order to facilitate economic development initiatives linked to our post-secondary institutions, hospitals and research facilities.

Industrial: Two broad industrial designations, *General Industrial* and *Heavy Industrial*, are established to support economic activity in the industrial sector. *General Industrial* includes activities such as manufacturing and processing facilities, while the *Heavy Industrial* designation encompasses core infrastructure needs such as water and wastewater treatment plants and landfill sites.

Mining and Aggregate: Reflecting the importance of natural resources to the local economy, separate land use designations are created for the extraction and processing of mineral and aggregate resources. The Plan designates areas to be included as part of the *Mining/Mineral Reserve* and *Aggregate Reserve*.

4.1 OBJECTIVES

It is the objective of the Employment Area policies to:

- a. ensure that an adequate supply and variety of serviced employment land exists throughout Greater Sudbury in accordance with the settlement pattern, allowing for the expansion and diversification of the employment base;
- b. ensure that a broad range of commercial opportunities are provided for residents, employees and tourists;
- c. promote the intensification and revitalization of commercial, industrial and institutional areas;

- d. ensure adequate institutional facilities, such as educational, health care and social service facilities and services, are provided at suitable locations to meet the evolving needs of residents of all ages and physical capabilities in the City;
- e. promote the development of the *Downtown* as an employment and business centre for the City;
- f. ensure that existing industrial lands are used efficiently and promote the development and redevelopment of existing, underutilized, or unused sites;
- g. promote environmentally sound industrial practices and mitigate conflicts with sensitive uses;
- h. ensure that new developments do not preclude future extraction of known or potential mineral or aggregate deposits;
- i. ensure that mining and aggregate operations are located, designed and developed so as to minimize impacts upon the social and natural environment; and,
- j. embrace new technologies to harness emerging areas of growth.

4.5 INDUSTRIAL AREA DESIGNATIONS

Given Greater Sudbury's strong industrial base, the designation of sufficient lands to accommodate existing and potential industrial uses is essential. The adequate provision of industrial lands, including the creation of additional Industrial and Research Parks, is closely aligned with the City's long-term strategic planning goals related to economic development.

Two broad industrial designations are established by this Plan. *General Industrial* allows a range of industrial activities, such as manufacturing and processing facilities. *Heavy Industrial* permits all industrial uses, including core infrastructure facilities such as water and wastewater treatment plants and landfill sites. Any expansion to these areas will require an amendment to the Zoning By-law.

4.5.1 General Industrial

Policies

- 1. Permitted uses may include manufacturing, fabricating, processing and assembling of industrial and consumer products, repair, packaging and storage of goods and materials, and related industrial activities.
- 2. Complementary uses, such as administrative offices, which do not detract from, and which are compatible with, the operation of industrial uses are also permitted.
- 3. *General Industrial* uses must have minimal environmental impacts. Any use which may impact surrounding areas and cause nuisance will be appropriately buffered and screened.
- 4. Where development occurs in areas that are not fully serviced, only dry industries that generate less than 4,500 litres of wastewater a day may be permitted.
- 5. Heavy industrial uses may also be permitted by rezoning.

8.0 Water Resources

Water plays a vital role in defining Greater Sudbury. Healthy surface water and groundwater ensure access to clean and plentiful drinking water. Hundreds of lakes, rivers, and streams also provide important opportunities for recreation, shoreline living, and fish and wildlife habitat. Addressing water-related issues from a watershed-based planning approach is a critical first step in protecting the City's water resources.

In general, policies contained in this section apply to all forms of development in all designations. Supplementary policies on land uses that have a direct impact on water resources are integrated throughout this Plan. Due to the added concerns posed by unserviced development and the impact of septic systems, additional policies on shoreline residential development and lot creation in *Rural Areas* are established in Sections 5.2.1 and 5.2.2. Chapter 9.0 *Natural Environment*, examines features such as wetlands and fish and wildlife habitat. Policies specific to flooding hazards are found in Section 10.2.

8.1 GENERAL PROTECTION OF WATER RESOURCES

The following general policies apply to protect water resources in the City:

1. Sensitive surface water features, sensitive groundwater features, and their hydrologic functions and linkages shall be determined through a watershed-based planning approach. Sensitive surface water and groundwater features are defined as areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.
2. Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions and linkages will be protected, improved or restored.
3. Mitigative measures and/or alternative development approaches may be required to protect, improve and restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.
4. Efficient and sustainable use of our water resources, including practices for water conservation, shall be promoted.

8.3 DRINKING WATER RESOURCES

Drinking water is of paramount importance. Provincial legislation requires that source water protection plans be developed for Ontario's watersheds. The goal is to safeguard human health by ensuring that current and future sources of drinking water in Ontario's lakes, rivers and groundwater are protected from potential contamination and depletion.

Private and municipal drinking water supplies in the City are provided by both surface water and groundwater sources. This Plan recognizes that the waters of Ramsey Lake, Lake Wanapitei, Wanapitei River and Vermilion River, along with various groundwater sources, are and will be maintained as the main sources of drinking water for the City.

In addition to these municipal drinking water sources, numerous other lakes provide drinking water for households utilizing private systems.

Policies

1. Council will work cooperatively with other agencies to protect and, where necessary, improve or restore the quality of drinking water resources.

8.6.3 Site-specific Policies

The City's *Engineering Design Manual* will be kept current and will include Best Management Practices for stormwater management. The *Engineering Design Manual* will be utilized to determine appropriate stormwater management measures for each site, supplemented by the policies included in this section, and technical and procedural guidance provided in the current version of the Ministry of the Environment's *Stormwater Management Planning and Design Manual*.

These documents will provide guidance for stormwater management measures applicable to activities such as waterfront development and the implementation of stormwater quantity and quality control measures for new development, re-development and retrofit situations, including public infrastructure projects.

Policies

1. For all new developments, an overland flow route must be clearly defined to provide continuous overland drainage of major system flows to the nearest major watercourse. The overland flow route (major system) shall be entirely contained within the road right-of-way or easements. Conveyance of the 100-year or Regional design storm peak flow is required.
2. Applications for industrial development in areas where there are no municipal stormwater services will require a Stormwater Management Report.
3. Applications for draft plan approval of subdivisions and site plan approvals in areas where a subwatershed plan has been completed will demonstrate, through a Stormwater Management Report, how the proposed development will provide stormwater management in accordance with the subwatershed plan.
4. Applications for draft plan approval of subdivisions in areas where a subwatershed plan has not been finalized will include a Stormwater Management Report containing site-specific details as required by the City.
5. A Stormwater Management Report shall contain the following:
 - a. The overall drainage plan for the site, indicating upstream drainage areas conveyed across the site and the ultimate outlet (major overland flow route) from the site to the municipal drainage system;
 - b. A plan of proposed on-site stormwater quantity control measures that will satisfy downstream capacity issues. Post-development peak flow rates from the site will be limited to pre-development peak flow rates, unless detailed analysis shows that such storage is not required;
 - c. A plan for erosion control;

- d. A description of the measures proposed to control stormwater quality on-site. In particular, special measures must be proposed where a site is intended for industrial development; and,
 - e. A general grading plan, illustrating conformance with the City's overall stormwater management objectives.
6. The City will identify opportunities where retrofits can be effectively utilized to remedy existing stormwater problems.
7. For areas where a subwatershed plan has not advanced in sufficient detail to define regional downstream stormwater management facilities or where a development will result in unacceptable peak flow increases downstream, on-site stormwater management (storage) facilities for peak flow control will be required.
8. For small sites where it is impractical to implement on-site stormwater management measures (due to size or local site conditions), Council may collect cash-in-lieu of on-site stormwater management facilities to apply toward any regional stormwater facilities required.
9. Developers are required to construct, maintain and monitor the operation of all on-site quality ponds at their expense for a minimum period of two years after completion of housing. On-site stormwater management facilities will be designed in a manner that is compatible with the surrounding environment. Where appropriate, such facilities should be connected to recreational trails.
10. Maintenance will consist of annual monitoring of sediment accumulation in the pond forebay and quarterly inspections for trash removal as well as sediment removal and lawn mowing as required.
11. Stormwater management facilities for subdivisions will be on lands transferred at no cost to the City, in addition to any lands required to be dedicated for park purposes under the *Planning Act*.

9.0 Natural Environment

A healthy natural environment is critical to Greater Sudbury's quality of life. Our forests, wetlands, lakes, streams and wildlife are all part of a living system, contributing to clean air, soil, water, and to our overall well-being. Healthy and plentiful natural features *and areas* also attract people to live, work, visit and invest in our City. As such, significant natural features *and areas* and functions and their relationships must not be compromised in the growth of our City and will be protected for long-term use. The built environment is to be integrated with natural features *and areas* and functions in a manner respectful of the natural system's limits. For the purposes of this Plan, the City's significant natural features *and areas* consist of:

- Significant Habitat of Endangered and Threatened Species;
- Wetlands;
- Fish habitat;
- Significant Wildlife Habitat;
- Significant Areas of Natural and Scientific Interest; and,

- Sites of Geological Interest.

9.2.2 Significant Habitat of Endangered Species and Threatened Species

Endangered species and threatened species are of particular significance due to their low numbers and likelihood of disappearance without protection. Often the disappearance of a particular species is closely linked to the loss of habitat. Loss of species and their habitats are growing problems worldwide, resulting in action by governments at all levels.

The City maintains records of endangered species and threatened species that are present in the municipality based on information provided by the Ministry of Natural Resources. The dynamic nature and sensitivity of these records prevent them from being displayed in the Official Plan.

Policies

1. Municipal staff will determine the potential for significant habitat of endangered species and threatened species at the application stage of any new development or redevelopment proposals.
2. Development and site alteration are not permitted in significant habitat of endangered species and threatened species.
3. Development and site alteration are not permitted on lands adjacent to significant habitat of endangered species and threatened species unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural feature or their ecological functions. Adjacent lands are considered to be within at least 50 metres of significant habitat of endangered species and threatened species. This area can be modified if justified by a study.

11.0 Transportation

The City of Greater Sudbury covers a large geographic area, encompassing a number of Communities and Non-Urban Settlements of varying size and distance from the main urban area of *Sudbury*. Efficient and well-designed transportation links thus become essential to connect *Living Areas*, *Employment Areas* and other important uses such as mining and agriculture.

Despite our continued reliance on the automobile, public transit remains a key component of the transportation network. Under amalgamation, transit routes have been expanded to outlying areas. Enhancing the public transportation system and encouraging increased transit use are important objectives, particularly within the context of improving air quality and contributing to Kyoto targets.

Sidewalks, bike lanes, bike paths and walking trails need to be fully integrated components of the overall transportation system, providing safe access for pedestrians and cyclists supported by good urban design principles. Opportunities to engage in recreational and leisure activities are also tied to the transportation network.

***11.2.3 Traffic Studies**

For proposed developments that may affect the function of any municipal road, the City may require that development applications be accompanied by a traffic study to assess such impacts and to propose mitigating measures.* (2007 MMAH Mod #23)

11.3 PUBLIC TRANSPORTATION

Although the automobile will remain the primary mode of personal transportation for the foreseeable future, public transportation will play an increasingly important role for the municipality. Increased public transit use will help the City improve air quality and achieve Kyoto targets, as well as alleviate traffic congestion on Arterial Roads.

The provision of public transit is also closely aligned with other municipal initiatives. A new emphasis on residential intensification that encourages higher densities within existing built-up urban areas will in turn support the expansion of transit services and increased ridership.

11.3.2 Land use policies to support transit needs

The provision of public transit must be supported by compatible land uses policies and sound urban design principles in order to promote transit use as a viable option for residents. Transit-supportive policies form linkages with other City initiatives, including the need for increased residential intensification, ongoing efforts at downtown revitalization, and objectives established by the *EarthCare Sudbury Local Action Plan*.

Policies

1. Urban design and community development that facilitate the provision of public transit will be promoted.
2. Development proposals will be reviewed to ensure efficient transit routing so that all dwellings in the development are ideally within 500 metres walking distance of a bus stop.
3. Mixed uses and higher density housing along Arterial Roads and at other strategic locations are encouraged as a means of enhancing the feasibility of transit services, increasing ridership, alleviating traffic congestion and reducing reliance on the automobile.
4. Buildings should be sited as close to the street as possible to reduce walking distances for transit users.
5. Wherever possible, a well-placed and continuous road grid with relatively close spacing will be provided in order to facilitate the provision of public transit.
6. Pedestrian walkways, intersections of major roads, and pedestrian access systems are to be integrated with transit stops, and wherever possible, connected to trail systems.
7. The provision of public transit will be integrated into the long-term planning of future *Employment Areas*, including facilities for the convenience and comfort of transit users.

11.4 PARKING

The supply and cost of parking play a key role in the operation of the transportation network. These factors also influence the choices we make each day, on how we get to work and even where we shop. Parking policies may even impact preferences as to where we live, an important consideration in the promotion of residential uses in the *Downtown*.

Parking includes metered and unmetered spaces, private off-street lots, and general purpose off-street lots. The City operates a system of municipal parking lots at moderate short-term rates, most notably in the *Downtown* core. The majority of the parking supply, however, is provided by private operators who establish rates in accordance with market demand.

Policies

1. New developments generally must provide an adequate supply of parking to meet anticipated demands.
2. Based on a review of parking standards for various land uses in the City, parking requirements may be reduced in those areas that have sufficient capacity, such as the *Downtown* and other major *Employment Areas*.
3. Opportunities to reduce parking standards for mixed use projects or groups of uses that share parking facilities will be reviewed and implemented if feasible.
4. Payment-in-lieu of providing parking spaces may be required provided that any revenue will be used for the construction of consolidated parking facilities in the general area of the development.
5. Standards for the provision of accessible parking will be reviewed to ensure an adequate supply of parking spaces for persons with disabilities, including additional on-street barrier-free parking in the *Downtown*.
6. Parking areas are subject to site plan control and will be landscaped and adequately screened. Wherever possible, it is desirable to have parking lots located to the rear of buildings in order to preserve built form and create pedestrian-friendly streetscapes that retain a sense of enclosure. Parking areas should be developed in an environmentally friendly manner to reduce the impact of large paved areas.

11.7 ACTIVE TRANSPORTATION: PEDESTRIAN AND BICYCLE NETWORK

Protecting and expanding the existing pedestrian and bicycle network in the City is essential to creating quality of place. Trails promote healthy lifestyles and provide an alternative transportation network.

Existing and proposed components of the trail network, including the Trans-Canada Trail and Rainbow Routes, are indicated on *Schedule 5, Trail Route Map*.

Policies

1. The existing pedestrian and bicycle network will be maintained and expanded through the creation of additional pedestrian walkways, trails and bikeways with adequate signage throughout the City.
2. Development proposals will be reviewed to ensure that there is adequate pedestrian access in new developments. The City may acquire lands to provide pedestrian facilities as a condition of approval. Wherever possible, the provision of adequate bicycle facilities will be encouraged.
3. Bicycle facilities for all new road links and road widening projects will be considered based on an assessment of safety, potential usage, cost, and linkages to major employment, educational, or recreational centres.
4. The maximum level of separation of pedestrians and bicyclists from motor vehicle traffic will be achieved through good road design practices.
5. Sidewalks facilitate active living and are an essential component of good neighbourhood design, providing a safe pedestrian environment and access to other transportation linkages such as transit stops and trails. Curbs and sidewalks in neighbourhoods also encourage walking and provide safety for children. It is policy of this Plan to provide the following on new and reconstructed roads, when feasible:
 - a. Sidewalks on both sides of urban Arterial Roads and Collector Roads adjacent to developed lands;
 - b. Sidewalks on at least one side of Local Roads;
 - c. High quality pedestrian connections to transit;
 - d. Pedestrian connections between neighbourhoods; and
 - e. Pedestrian linkages to major attractions/generators.
6. Sidewalks are to be built and maintained to a standard that facilitates the mobility of persons with disabilities.
7. Barrier-free design of pedestrian facilities will be required through site plans.

12.2 SEWER AND WATER

12.2.2 New Development

Municipal sewer and water services are the preferred form of servicing for all new developments. Municipal sewer and water systems will accommodate all new development, except in unserviced or partially serviced areas where different land use and servicing policies apply.

Policies

1. Development in urban areas is permitted provided that existing *and planned* public sewage and water services have *confirmed* capacity to accommodate the demands of the proposed development. Alternatively, the proponent of the development will upgrade, at their own expense, the existing sewage and water systems to ensure adequate

delivery and treatment facilities consistent with City standards, including the adequacy of fire flows. (2007 MMAH Mod #26a, b)

2. It is policy of this Plan to ensure that water supply and sewer capacity are adequate to service development without major line or plant expansion. Official Plan amendments, rezonings, severance and subdivision approvals, minor variances and building permits **will** be denied if a water or sewage facility problems exists. (2007 MMAH Mod #26c)

14.2 COMMUNITY DESIGN

Given the number of diverse Communities and Non-Urban Settlements, Greater Sudbury is very much a city of neighbourhoods. Good urban design that respects existing built form and character can enhance the appeal of these neighbourhoods, including the integration of natural features. The following policies are established in order to promote a higher standard of community design.

Policies

1. Buildings, structures and other design elements that complement existing built form and character are encouraged.
2. Area streetscapes are to be improved over time through appropriate upgrades, such as landscaping, lighting, sidewalks, paving, and public art. These treatments should complement adjacent built form and open spaces, adding to a neighbourhood's character.
3. Wherever possible, natural features and functions should be integrated into the urban landscape in order to preserve and promote the City's natural beauty and ecology.
4. Council will promote the design, preservation, enhancement and creation of significant public open spaces that contribute to the City's image. These open spaces will complement and support the uses, scale, design features and activities generated by surrounding uses and buildings.
5. To the extent possible, *Living Areas* will be connected through the use of open space corridors, trails, sidewalks and streets so that neighbourhoods and schools are linked and interaction is facilitated.
6. Landscaping will be required in:
 - a. the design of all new developments; and,
 - b. existing underdeveloped locations as an effective environmental upgrading technique.
7. Grassing and tree planting activities in the area are to be continued under the Land Reclamation Program. Additional policies on land reclamation and the urban tree canopy are found in Section 9.4.
8. Council will encourage urban design solutions that enhance winter livability. Such methods may include:

- a. fostering building design and orientation to take advantage of climatic conditions and utilizing passive solar heating and cooling techniques;
 - b. encouraging the development of arcades or galleries linking parallel streets at mid-block location within the *Downtown*;
 - c. investigating the feasibility of covered sidewalks at key locations;
 - d. increasing the number of bus shelters at key locations;
 - e. encouraging landscaping treatments which enhance winter microclimatic conditions and minimize wind chill level; and,
 - f. encouraging the planting of evergreen tree species to increase the amount of winter greenery within the City.
9. Adequate weather protection, seating, visibility and lighting at transit stops will be provided wherever feasible.
 10. The visual appeal of the urban environment will be enhanced by improving area signage. This may occur through the adoption of new sign regulations.
 11. Landscape buffers between non-residential development and adjacent residential areas will be provided.

14.4 BUILT HERITAGE AND NATURAL ENVIRONMENT FEATURE INTEGRATION

The integration of new development and redevelopment with existing built form and natural features is required to ensure the cohesiveness of neighbourhoods and the integrity of streetscapes. Such integration creates an aesthetically pleasing urban environment and will enhance the City's overall image. This is particularly important in the *Downtown*, where demolitions have negatively impacted the unique built form.

Policies

1. All community design will be properly integrated with the City's Natural Environment features and existing built form. Natural features will be retained and integrated into proposed developments. Mature trees will be protected in order to provide shade canopy and to maintain their aesthetic and heritage value. The use of plant species native to the Sudbury Basin will be encouraged when creating new landscape features.
2. Building designs will effectively utilize their site's distinctive potential, such as its geologic, biologic and hydrologic character.
3. A diversity of architectural styles and building materials is encouraged by this Plan.
4. New development should achieve a complementary design relationship to adjacent heritage resources. Additional policies on *Heritage Resources* are found in Chapter 13.0.

5. In the City's urban areas, urban landform features such as rock outcrops and hilltops provide visual assets that contribute to defining the image of Greater Sudbury. New developments that are proposed on or near an urban landform feature will ensure, to the satisfaction of Council, that there will be no significant change to the visual asset provided by the landform feature. Council may require such developments to include measures that must be taken to mitigate any impacts on these visual assets.
6. New developments should aim at reducing light pollution, preserving the night skies, and conserving energy through appropriate site design and use of external lighting on development sites.

14.5 DESIGN FEATURES, VIEWS AND CORRIDORS

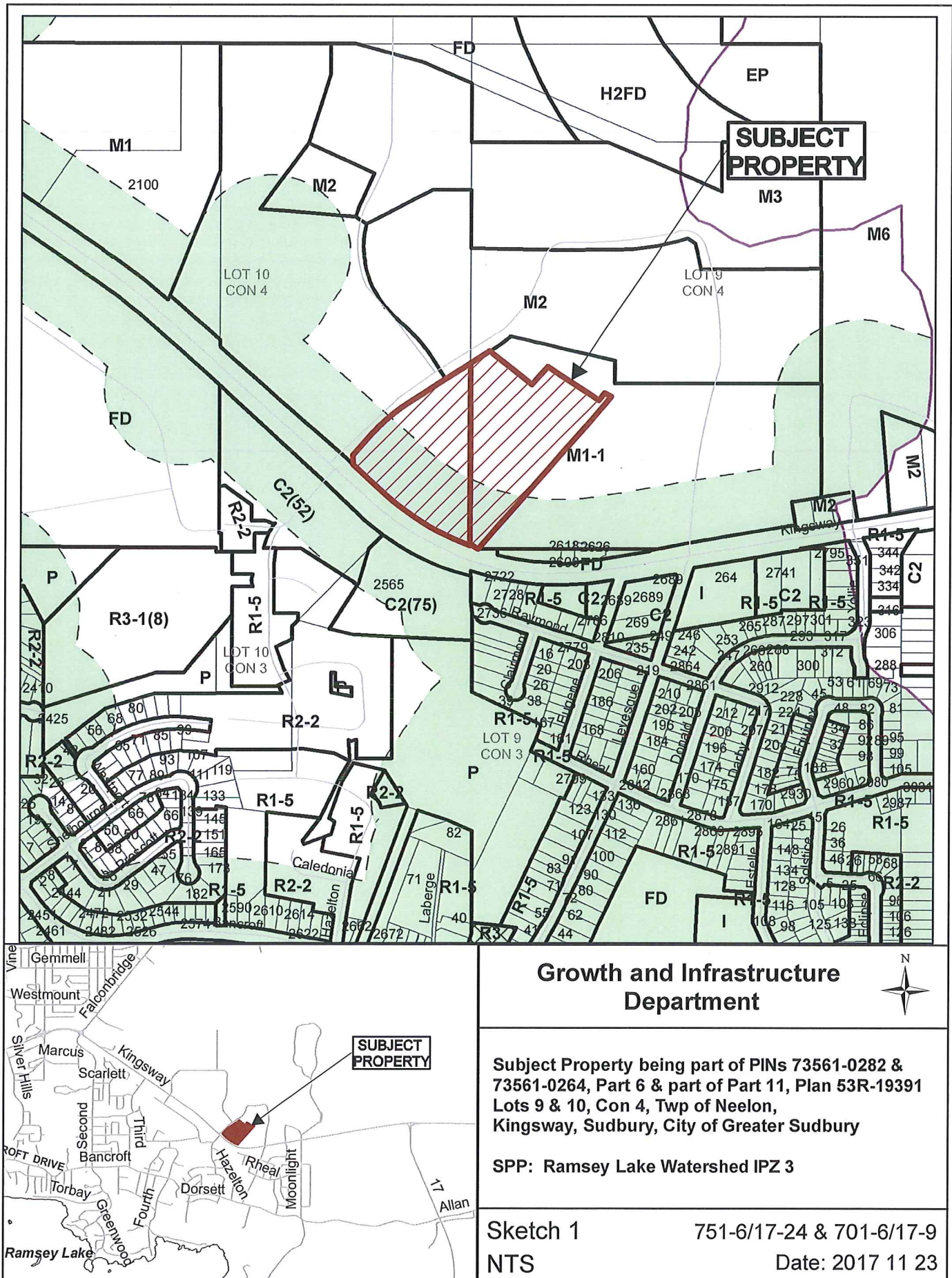
The preservation and enhancement of the City's design features, views and corridors has a direct impact on the day-to-day experience of residents and the impressions made upon visitors. It is important to protect those elements that enhance the quality of the urban environment including scenic vistas and natural features, all of which collectively contribute to the City's overall quality of place.

Policies

1. New land uses or design features that would detract from the enhancement of major focal point areas within the City, such as Science North, the Big Nickel, Bell Park, Tom Davies Square and Laurentian University are discouraged. The open space character and natural aesthetic environment of the Paris Street corridor, especially that section between Walford Road and York Street, will be preserved and enhanced. In particular, the view corridor to and from Science North shall be protected.
2. Those aspects of the *Downtown* that contribute to the image, character and quality of life in the City will be identified and preserved. Viewpoints to landmark features should be preserved as a means of guiding movement through the core and enhancing the visual appeal of the *Downtown*. New landmark features should be developed and integrated into the *Downtown* landscape, including the completion of the Farmers' Market.
3. Landscaping will be used to frame desired views or focal points, direct pedestrian movement, and satisfy functional requirements, such as providing shade and buffering. All new development proposals will be evaluated for their opportunity to create, maximize or enhance existing views through landscaping.
4. Where development or redevelopment is proposed along any Arterial Road, it will be policy of Council to require the following:
 - a. proponents are to submit a landscaping plan as part of the site plan approval process;
 - b. a three-metre landscape strip along the Arterial Road frontage will be provided;
 - c. all areas on a site not used for parking, driveways, storage, loading and buildings are to be landscaped or retained in a natural state;
 - d. wherever possible, encourage parking to be located to the rear of buildings;

- e. where outside storage is permitted, require that such facilities be located out of view from the Arterial Road corridor; and,
 - f. signage will be integrated with the building wherever possible.
5. This Plan encourages the design and layout of streets, pedestrian walkways and bicycle routes such that they provide vantage points for significant views and vistas along their lengths, including trails and bike paths.
 6. View corridors to lakes should be preserved.

Source Protection Plan Map



Growth and Infrastructure Department

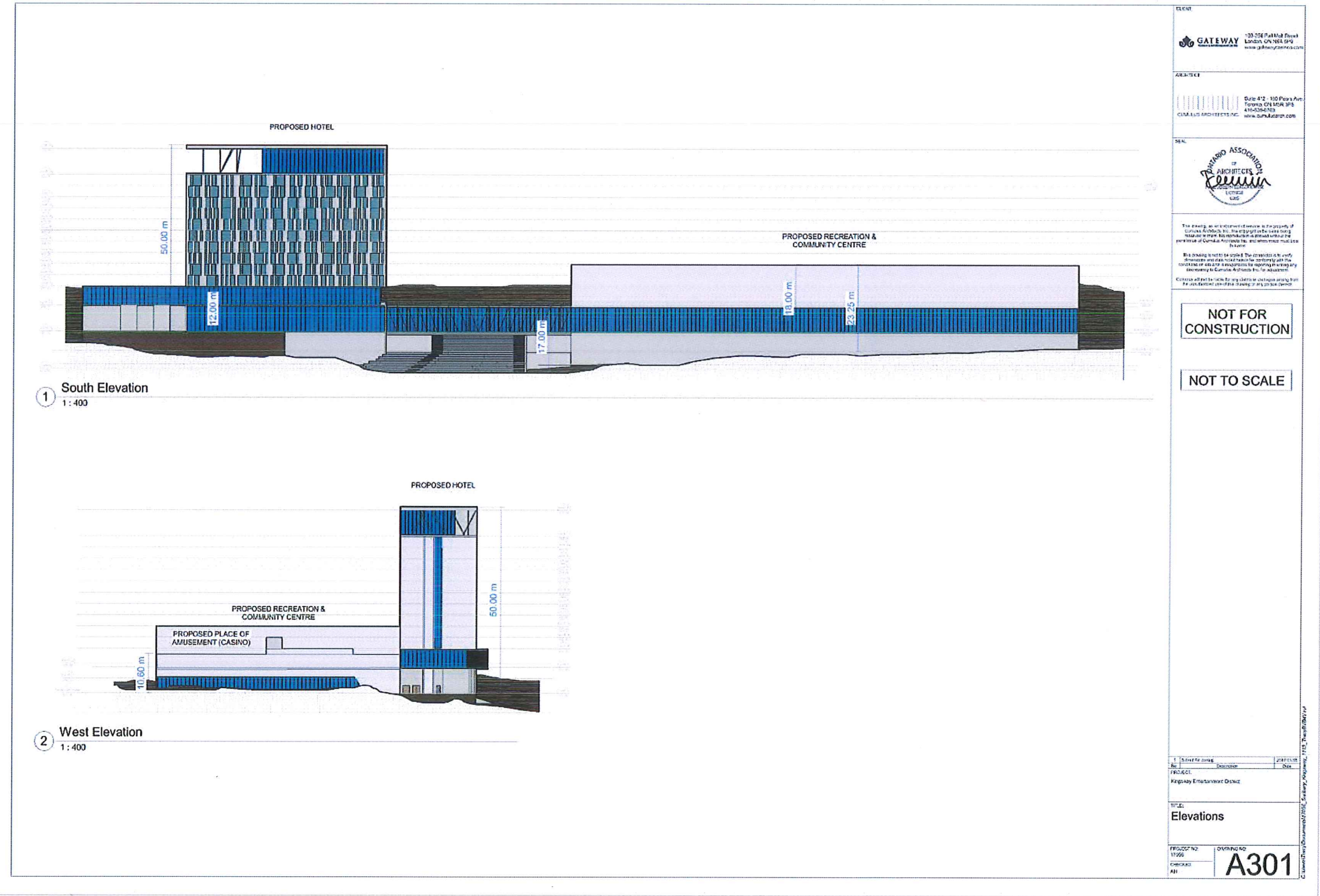


Subject Property being part of PINs 73561-0282 & 73561-0264, Part 6 & part of Part 11, Plan 53R-19391
Lots 9 & 10, Con 4, Twp of Neelon,
Kingsway, Sudbury, City of Greater Sudbury

SPP: Ramsey Lake Watershed IPZ 3

Sketch 1
NTS

751-6/17-24 & 701-6/17-9
Date: 2017 11 23



KINGSWAY INTEGRATED SITE DEVELOPMENT
GATEWAY CASINO AND ENTERTAINMENT LIMITED

CONCEPTUAL BUILDING ELEVATIONS SOUTH AND WEST

FIGURE 7.0

SOURCE: Cumulus Architects Inc.

SCALE: NTS



PROJECT: 17-
STATUS: DRAFT
DATE: 11/13/2017

File: 751-6/17-24
and 701-6/17-9
Kingsway,
Sudbury
2017 Orthophotography



Subject Property



Kingsway

Raymond Street

Eugene Street

Levesque Street

Donald Street

Darby Street

Hazleton Drive



Request for Decision

1916596 Ontario Ltd. – Preliminary Planning Report - Applications for Official Plan Amendment and Rezoning to permit a place of amusement in the form of a casino, Kingsway, Sudbury

Presented To: Planning Committee
Presented: Monday, Jan 22, 2018
Report Date: Monday, Dec 18, 2017
Type: Public Hearings
File Number: 751-6/17-24 &
701-6/17-9

Resolution

THAT the City of Greater Sudbury receives the comments and submissions made at the public hearing on Files 701-6/17-9 and 751-6/17-24, 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 the applications and schedule a second public hearing on these matters before the Planning Committee when complete.

Relationship to the Strategic Plan / Health Impact Assessment

The applications to amend the Official Plan and Zoning By-law are operational matters under the Planning Act to which the City is responding.

Report Summary

This report provides information for the first of two public hearings on the proposed official plan amendment and rezoning for a place of amusement in the form of a casino on the north side of the Kingsway, west of Levesque Street in Sudbury.

The owner has requested to amend the Official Plan and to rezone the subject lands from "M1-1", Business Industrial to "M1-1(S)", Business Industrial Special to permit a place of amusement in the form of a casino.

Planning Staff are recommending that comments and submissions made at the public hearing be received and that Staff be directed to complete their review of the applications, on Files 701-6/17-9 and 751 6/17 24, and schedule a second public hearing on these matters before the Planning Committee.

Signed By

Report Prepared By

Alex Singbush
Senior Planner
Digitally Signed Dec 18, 17

Manager Review

Eric Taylor
Manager of Development Approvals
Digitally Signed Dec 18, 17

Recommended by the Division

Jason Ferrigan
Director of Planning Services
Digitally Signed Dec 18, 17

Financial Implications

Jim Lister
Manager of Financial Planning and
Budgeting
Digitally Signed Jan 3, 18

Recommended by the Department

Tony Cecutti
General Manager of Growth and
Infrastructure
Digitally Signed Jan 3, 18

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jan 8, 18

Financial Implications

There are no financial implications at this time as this is the first of two public hearings on this matter.

Title: 1916596 Ontario Ltd.

Date: December 6, 2017

STAFF REPORT

Applicant:

1916596 Ontario Ltd.

Location:

Part of PINs 73561-0282 & 73561-0264, Part 6 and Part of Part 11, Plan 53R-19391, Lots 9 & 10, Concession 4, Township of Neelon, Kingsway, Sudbury

Provincial Policy Statement and Northern Growth Plan:

Provincial Policy Statement

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters are consistent with the Provincial Policy Statement.

The following policies of the PPS are relevant to the application:

Policy 1.1.1 relating to sustaining healthy, liveable and safe communities;

Policy 1.1.2 relating to land availability;

Policy 1.1.3 relating to settlement areas;

Policy 1.2.6 relating to land use compatibility;

Policy 1.3 relating to employment;

Policy 1.6 relating to infrastructure and public service facilities;

Policy 1.7 relating to long-term economic prosperity;

Policy 1.8 relating to energy conservation, air quality and climate change; and,

Policy 2.1 relating to natural heritage.

These, and potentially other, policies will be considered during the review of the application.

Growth Plan for Northern Ontario

Municipalities in the Province of Ontario are required under Section 3 of the Planning Act to ensure that decisions affecting planning matters conform with the Growth Plan for Northern Ontario.

The following policies of the Growth Plan for Northern Ontario are relevant to the application:

Section 2.2 relating to existing and emerging proprietary economic sectors;

Section 2.3.10 relating to tourism;

Section 4.2 relating to long range planning for all communities;

Title: 1916596 Ontario Ltd.

Date: December 6, 2017

Section 4.3 relating to economic and service hubs; and

Section 4.4 relating to strategic core areas.

These, and potentially other, sections will be considered during the review of the application.

Official Plan and Zoning By-law:

Official Plan

The subject lands are designated "General Industrial" in the City of Greater Sudbury Official Plan. Section 4.1, Employment Area Objectives, states:

It is the objective of the Employment Area policies to:

- a. ensure that an adequate supply and variety of serviced employment land exists throughout Greater Sudbury in accordance with the settlement pattern, allowing for the expansion and diversification of the employment base;
- b. ensure that a broad range of commercial opportunities are provided for residents, employees and tourists;
- c. promote the intensification and revitalization of commercial, industrial and institutional areas;
- d. ensure adequate institutional facilities, such as educational, health care and social service facilities and services, are provided at suitable locations to meet the evolving needs of residents of all ages and physical capabilities in the City;
- e. promote the development of the *Downtown* as an employment and business centre for the City;
- f. ensure that existing industrial lands are used efficiently and promote the development and redevelopment of existing, underutilized, or unused sites;
- g. promote environmentally sound industrial practices and mitigate conflicts with sensitive uses;

General Industrial Policies contained in Section 4.5.1 indicate that:

1. Permitted uses may include manufacturing, fabricating, processing and assembling of industrial and consumer products, repair, packaging and storage of goods and materials, and related industrial activities.
2. Complementary uses, such as administrative offices, which do not detract from, and which are compatible with, the operation of industrial uses are also permitted.
3. General Industrial uses must have minimal environmental impacts. Any use which may impact surrounding areas and cause nuisance will be appropriately buffered and screened.

A place of amusement in the form of a casino is not a permitted use in the General Industrial designation and thus the applicant has submitted an application to amend the Official Plan.

Title: 1916596 Ontario Ltd.

Date: December 6, 2017

Other policies of the Official Plan that are relevant to the application are those respecting:

Water Resources (Section 8.0)

Stormwater (Section 8.6);

Natural Environment (Section 9.0);

Public Transportation (Section 11.3.2);

Parking (Section 11.4);

Active Transportation (Section 11.7);

Sewer and Water (Section 12.2);

Community Design (Section 14.2);

Safety and Access (Section 14.3);

Built Heritage and Natural Environment Feature Integration (Section 14.4); and

Design Features, Views and Corridors (Section 14.5).

These policies, and potentially other policies, will be considered in the review of the application.

Zoning By-law

The subject lands are currently zoned "M1-1", Business Industrial. This zone permits a variety of land uses, including hotels and restaurants, but does not permit a place of amusement and, as such, the applicant is requesting a rezoning to "M1-1(S)", Business Industrial Special to permit a place of amusement in the form of a casino. The application requests an exception to permit a building height of 55 m (180.45 ft) in the M1-1 Zone where the maximum building height permitted in the by-law is 12.0 m (39.37 ft.). An additional exception to permit a minimum interior side yard of 0 m where the minimum interior side yard required in the by-law is 3.0 m (9.84 ft.) has been requested.

By-law 2010-100Z, the Zoning By-law for the City of Greater Sudbury defines a Place of Amusement as:

A commercial establishment where indoor facilities are provided for participatory entertainment and amusement activities, or where exhibits are displayed for gain or profit, and includes, without limiting the generality of the foregoing, a bowling alley, pool hall, billiards parlour, arcade or game establishment, pinball arcade and wax museum.

The parking standard for a place of amusement is 1 parking space for every 20 m² net floor area.

Site Description & Surrounding Land Uses:

The subject lands are located on the north side of the Kingsway west of the intersection of Levesque Street and the Kingsway in a draft approved industrial plan of subdivision referred to as the Jack Nicholas Business and Innovation Park, City file reference 780-6/10002. The plan of subdivision was draft approved on October 26, 2010, proposing a total of 33 blocks of land to the north of Kingsway Boulevard in the community of Sudbury. The subdivision is accessed via two proposed roads (Streets "A" and "C" on the draft plan) from Kingsway Boulevard.

Title: 1916596 Ontario Ltd.

Date: December 6, 2017

The south western portion of the place of amusement site has approximately 240 m (787 ft.) of frontage on the Kingsway with another approximately 287 m (941 ft.) of frontage provided by street "A" of the draft approved industrial plan of subdivision. The property encompasses approximately 6.96 ha (17.2 ac.) and is currently vacant and consists primarily of undulating bedrock. An air photo of the subject lands has been attached to this report. The lands are subject to the Source Water Protection Plan, located within the Intake Protection Zone 3 of the Lake Ramsey Issue Contributing Area.

Land to the east, west and north within the draft approved industrial plan of subdivision are vacant and zoned "M1-1", Business Industrial, "M2", Light Industrial and "M3", Heavy Industrial. Lands on the south side of the Kingsway, south of the subject lands are zoned "C2(52)", General Commercial Special permitting multiple dwellings, retail uses, restaurants, offices or personal service shops and their related accessory uses, "C2(75)", General Commercial Special permitting a trade school offering transport training, storage for an institutional use; and offices and related accessory uses, and "R1-5", Low Density Residential One. These properties are vacant, occupied by a trade school and additional uses, and occupied by a single detached dwelling respectively.

Application:

1. To amend the Official Plan for the City of Greater Sudbury to provide a site specific exception to Section 4.5.1.1 to permit a place of amusement in the form of a casino within the General Industrial area.
2. To amend By-law 2010-100Z being the Zoning By-law for the City of Greater Sudbury by changing the zoning classification of the subject lands from "M1-1", Business Industrial to "M1-1(S)", Business Industrial Special to permit a place of amusement in the form of a casino and to provide exceptions to the required interior side yard setback and maximum height permitted.

Proposal:

The application proposes to amend the Official Plan for the City of Greater Sudbury and to rezone the property to permit a place of amusement in the form of a casino. A 7,696 m² (82,839 sq. ft.) casino and a 15 storey hotel with approximately 825 parking spaces is proposed on the 6.96 ha (17.2 ac.) site contained by the loop formed by Streets A and C on the draft plan of subdivision. The site is proposed to have two points of access on east/west Street A and will have no direct access to the Kingsway.

The casino and hotel site is proposed to be immediately adjacent to a proposed 5,800 seat recreation and community centre project with approximately 1,250 parking spaces on an 11.96ha (29.56 ac.) site that is the subject of a separate rezoning application. The casino and hotel are proposed to be connected, via an enclosed pedestrian bridge, to the recreation and community centre and the projects will share an outdoor plaza referred to as "Festival Square" on the conceptual development plan. The applicant has provided the attached conceptual elevations of the proposed development.

Departmental/Agency Circulation:

Comments from circulated departments and agencies will be provided as part of the review of the application and will be included in the staff report as part of the second public hearing.

Neighbourhood Consultation:

The statutory notice of the public hearing was provided by newspaper along with a courtesy mail out to property owners and tenants within a minimum of 120 metres of the property. The owner was advised of the City's policy recommending that applicants consult with their neighbours, ward councillor and key stakeholders to inform area residents on the application prior to the public hearing.

Title: 1916596 Ontario Ltd.

Date: December 6, 2017

Planning Review and Considerations:

Applicant Studies

The applicant has submitted a Planning Justification report supporting the proposed official plan and zoning by-law amendment for the site; this report is under review. Comments will be provided on this report at the second public hearing on this application.

The applicant has submitted a Traffic Impact Study for the site; this study is under review. Comments will be provided on this report at the second public hearing.

The applicant has submitted correspondence from the Ministry of Natural Resources and Forests (MNRF) dated September 23, 2015 indicating that the MNRF has determined that activities associated with development of the site have a low probability of contravening the Endangered Species Act for Blanding's Turtle and Whip-poor-will.

The applicant has submitted an application for Restricted Land Use Review Application for Section 59 Notice in accordance with the Greater Sudbury Source Protection Plan. Comments will be provided on this application at the second public hearing on this rezoning application.

Preliminary Planning Review and Considerations

The preliminary review of the application has identified the following matters which will be examined as part of the full review of the application. These include but are not limited to the following:

- Consistency with the Provincial Policy Statement;

- Conformity with the Growth Plan for Northern Ontario;

- Conformity with the City of Greater Sudbury Official Plan including but not limited to:

- The relationship between the proposed development and policies respecting the natural environment;

- The impact on the proposed development on the transportation network;

- The adequacy of municipal services;

- Land use compatibility; and

- The relationship between the development and surrounding area.

MINUTES – JANUARY 22, 2018 – 751-6/17-24 & 701-6/17-9

1916596 Ontario Ltd. – Preliminary Planning Report - Applications for Official Plan Amendment and Rezoning to permit a place of amusement in the form of a casino, Kingsway, Sudbury

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

Report dated December 18, 2017, from the General Manager of Growth and Infrastructure regarding 1916596 Ontario Ltd. – Preliminary Planning Report - Applications for Official Plan Amendment and Rezoning to permit a place of amusement in the form of a casino, Kingsway, Sudbury.

Paul Szaszkiewicz of Cumulus Architects and Karl Tanner of Dillon Consulting, agents for applicant were present.

Alex Singbush, Senior Planner, outlined the report.

Alex Singbush, Senior Planner, stated that this application is for a rezoning and Official Plan Amendment.

Mr. Tanner stated that this is a relocation of an existing use within the municipality. This application involves an Official Plan amendment and a Zoning By-law amendment. As part of his professional planning opinion, he will show how it is consistent with the Northern Growth Plan, the Provincial Policy Statement and the City's Official Plan. This application is an Official Plan designation in order to allow a place of amusement in the form of a casino and accessory uses like a hotel and a festival square. The existing Official Plan does not allow for this type of use in this area, and this is the appropriate format for that change. They are listening to comments from the public and will take those away as they relate to land use planning considerations for this particular file. From the pre-consultation process, the municipality did ask for a number of background reports which have been prepared and submitted. It is his experience that these applications are straightforward and the issues they are dealing with can be dealt with quite easily. When they come back in the spring with additional information, it will show how the application is consistent with the three (3) before mentioned plans.

Chris Duncanson-Hales stated that he is opposing the request to amend the Official Plan and rezone the subject lands from M-1 Business Industrial to M1-1 Business Industrial Special to permit a place of amusement in the form of a casino. He believes the land is unsuitable for this use for three (3) main reasons. The first reason is related to the increase in vehicular traffic in residential neighbourhoods; the second reason is the impact the proposed development will have on the health and safety of the community, and the third is the proposed amendments are inconsistent with the spirit the Provincial Policy Statement 2014. With respect to the traffic impact, the traffic report prepared by proponents limits the scope of its analysis to the main intersections. While this study considers the traffic impact on the main and secondary arteries, it fails to take into account the impact of increased volume on the side streets that exit on these primary and secondary arterial roads. For example, the traffic report does not include an analysis of delays to be expected for local residences that are turning left or right onto Second Avenue from Hebert Street, Wiltshire Street, Richard Street or Randolph Street. Having experienced significant delays exiting his street during the expansion of 2nd Avenue in 2017, he is concerned that the increased traffic will incur significant delays that are not accounted for in

the traffic report. He further stated that he suggests a more thorough Traffic Impact Report that takes into account the impact of increased volume of traffic on residential streets, and this needs to be completed before these amendments can be considered. He stated that he has reviewed the Official Planning and Zoning By-law Amendment Report (Dillon Consulting, Dec. 2017 -Amended) and is deeply concerned that "Section 1.1: Building Healthy Communities" does not consider in any way the health impacts of expanded gambling on neighbourhoods surrounding the proposed casino development. This despite the assertion by the proponents that the "scope and level of detail of the planning evaluation has been based on: Provincial Policy Statement 2014; Growth Plan for Northern Ontario; City of Greater Sudbury Official Plan policies and criteria." The absence of any consideration of the adverse health effects of the development of a full-scale casino on the Kingsway is not consistent with the Provincial Policy Statement 2014; Growth Plan for Northern Ontario, or the City of Greater Sudbury Official Plan. Each of these planning documents includes directions for promoting healthy communities. In a briefing note from the then Sudbury & District Board of Health dated February 14, 2013, the City of Greater Sudbury Council was asked to "factor into their deliberations and decision making the anticipated health impacts of casino expansion and gambling." The note goes on to indicate that "although a health-based approach would refrain from increasing local gambling opportunities altogether, there are important mitigation measures that can be taken to reduce risk. The briefing note further indicates that 'Certain population groups are disproportionately affected by problem gambling: youth, older adults, Aboriginal people and individuals with low income'. This, with the public health concern that "communities with greater proximity to casinos are likely to experience greater impacts," strongly suggests that consideration must be given to the particular health impacts of gambling on vulnerable residential communities near the subject land. In 2013, the Sudbury Health Unit produced the "Opportunity for All: The Path to Health Equity" report. This report grouped areas across the City of Greater Sudbury according to their social and economic characteristics. The report stated 25% of ward 11 is an area that is considered economically depressed and of low income. This area is within 2.5 kilometres of the proposed casino. This fact is not consistent with what the Health Unit is saying and it is not consistent with what the other documents are saying with respect to healthy communities. A full healthy impact study of the expanded gambling led by the Health Unit should be conducted.

Stephen Caruso stated that he read an article in the fall in the Economist and it was focused on the casino industry, specifically in Las Vegas. He further stated that casinos in Las Vegas are struggling to bring in new customers. The casino industry is not a booming industry; the younger generation does not go to casinos generally. The City is currently proposing supporting a 100 million dollar investment into a facility that is losing popularity very quickly. There are many negative impacts that other speakers will surely bring up. He would like to stress that money should not be invested in casinos as they are a business that is dying. They should reconsider and use this as the opportunity to not accept the proposal; there are many other ways to go forward in the future.

John Lindsay, Chair of the Minnow Lake Restoration Group, stated the information he has given in regards to the effect of salt on the environment, particularly on water bodies, has recently been learned. Ramsey Lake has reached a level 3 times that that affects people on sodium restricted diets. The levels in Ramsey Lake are close to 60 mg/L, which is well above the provincial guideline of 20 mg/L. We are getting close to a level where we will be harming aquatic life. He is not against development but we do have to protect our environment. If this site goes ahead, over 2000 parking spaces will contribute tons of salt into our environment that cannot be removed except through distillation. The cost of distillation is extremely high and there is basically no other alternative for road salt. Salt is used in parking lots and roads all across the country. Taking all the other factors away, we are poisoning our lake that over 50,000 people

use as drinking water and there is no way we can stop it. If nothing else is considered tonight, take into account that we will be responsible for the contamination of one of our main water supplies. He stated he does not have much to say in regards to the casino, but most people already know that he is not a casino friendly person. At the last annual general meeting of the Chamber of Commerce, the head of Music Canada spoke. This individual is also chair of the Ontario Chamber of Commerce and Mr. Lindsay has him for his opinion on a casino coming to Sudbury. He said it would be a disaster and it will destroy the cultural community. Some of the organizations within the arts and cultural community are already suffering financially; do we want to destroy our cultural community with a casino?

Ursula Sauve stated that this application claims to be straight forward and this may be so, but it is an application with profound impacts on the development of our community for a very long time. The decision was taken by a previous Council that a casino would be accommodated. She was under the impression that this decision was attached to conditions that should a casino come to Sudbury, it would come with a free arena/events centre. If this Council feels bound given previous Council's decision, she would expect that input would be taken before they go ahead and continue with what is assumed to be done deal. The applications are correlated and we are paying 100 million to accommodate a casino in our community. She has not been able to get any answer on what the cost would be, in addition to the 100 million dollars for various additional infrastructure. She is concerned about her children and grandchildren having to deal with the burden of the cost of the arena, additional infrastructure, and the casino money leaving the community. This "straightforward" application requires very careful consideration.

Steve May stated that he is not here on behalf of his employer or any other organization, he is here as a citizen of Greater Sudbury expressing his opinion. He stated that the Official Plan Amendment before the Committee is both premature and for an area that is too small. He is not a frequent visitor of casinos but does partake in black jack, and should a casino be built in the city he would go. It has been stated that this new facility is the relocation of an existing facility which is not the case. This would be a full gaming casino with card tables, dice, roulette, etc., and currently we only have slot machines. Our City's Official Plan requires that multiple studies be submitted at the time where significant development proposals come forward. One of these studies is an economic study that looks at the impacts of the use. We currently do not have this study and they need to have this information in order to make an evaluation of the economic impact that this new use will have. It is in fact a new use, it is not the relocation of an existing use. Without this study an informed decision cannot be made. He further stated that the elements associated with the integrated site plan, such as the festival square and additional transit routes, are not found within any policies associated to this application in order to ensure they happen. It is just a change in use to allow a single facility without supporting policies to make all the elements contained within the integrated site plan happen. He understands that they will be advised that these elements can be addressed at the Site Plan stage, but the Site Plan process, under the Planning Act, is not a public process. It should be public and until they see these things in policy this application is premature. The proposed stormwater management facility for this site is not located on this site. It is to be located on the lands that the City is intending on acquiring, which he does not believe is appropriate. When the City owns land, the process of disposing and planning on the land are very different. This site needs its own unique stormwater management facility in order to function properly.

John Caruso stated that he has spent 25 years of his career in public service and 20 of them doing economic development and industrial adjustment all over northern Ontario. He also served as Chair of the Greater Sudbury Development Corporation. It has been said, by

proponents of the casino, that this will be an economic driver for our community. He asks that they show him a community where a casino has been an economic driver when it is not situated on the border. He encourages members of Council to use taxpayer money to visit Thunder Bay to see the impact that a full service casino has had on their community. OLG built a full service casino in Port Arthur because they believed it would be an economic driver in an economically depressed part of the city. At the time, 90% of the businesses said they believed in it and supported it. It is now an economic wasteland and only 30% of the businesses support a casino. If we go out and learn what happened in Thunder Bay, we could learn what will happen in Sudbury.

Jim Hallows stated that he learned to be an engineer in Manitoba, and while there he noticed that many individuals were gambling and there was a large negative impact. When he heard of a casino coming to Sudbury, he was concerned. He did a lot of research about the negative impacts of casinos. Divorce rates, suicide, and bankruptcies all increase and can be contributed to casinos coming into a town. 94% of people at casinos will lose their money. He stated that guns are considered to be bad, but they are legal, and casinos can be much worse than guns. We should be concerned and care for our city and children. He does not want his children growing up in this environment. He would move from the City should this happen. Taxes are going to go up and will continue to go up with the addition of a casino. There are many individuals that will suffer with all the losses associated with casinos. He strongly believes that we should not allow a casino as we must think of the children, and there are some very serious consequences to take into consideration.

Jeff MacIntyre stated that the reason we are here is because the OLG Modernization Act. The OLG has decided that casinos do not bring tourists anymore. People don't want to travel to go to a casino and even the casinos on borders are not drawing tourists anymore. There have been comments circulated in the community that the casino is just like Costco; a corporate citizen. A casino is a different beast than Costco or a bar, as you cannot self-exclude yourself. Casinos have very specific ramifications around them. He has been told by many that this decision was made by the last Council and we must move forward, which he understands. However, the last Council did not pick a location, which was decided by this Council. When the OLG decided to have this modernization, they made it clear that the location would be decided by the community. We have not had this discussion in this community. The reason the province said this is because many had large concerns. These discussions happened because individuals were concerned about a casino being next to a school, church, etc. We are considering having a casino next to our community arena/events centre, which in the past has hosted "The Wiggles". This arena is said to become "a model OHL franchise", it will be hosting aspiring hockey players as young as 15. These young men can't even go to the casino until they are 19 and they are sharing a space with a casino. The location of this casino matters greatly, we cannot just worry about grabbing as much money as possible. We are looking at spending \$800,000 a year to bring in events and make the events centre a place that encourages entertainment right next to a casino. We will be the only City in Ontario that is paying to try to convince people to go to the casino. It would be bad enough if we were doing this to convince people to go to Costco, but at least business owners can compete with a company like Costco. A business has no chance to compete against a casino because they legally cannot get the licence. However, the casino can at any time open a restaurant and compete with local businesses on an unfair basis. We have a responsibility to locate this casino in an area that has the highest benefit and the least harm to the community through planning decisions.

Dorothy Klein stated that she has been a community nurse in Sudbury for almost 53 years. She has seen addictions and it knows no boundaries. You might think that it only affects people of lower incomes but she has seen wealthy, professional individuals lose everything to addiction. There is health research that shows the problems of addictions. She is speaking about the people and not the economics of this issue. She is thinking of the families and health of those in the community. She stated that this is what people should be thinking about when making this decision. The addition of the casino will change the atmosphere of the City. The proposed location is right within the community, close to schools and where families live. You are bringing children to the entertainment centre on the pretext of sports, and making addiction and gambling a normality. She has seen so many families broken, all of which have said that it started as a game, started as fun but it did not become fun anymore and now we do not know how to get out of it. She is asking that the Committee to really look at the decision they are making. She and other taxpayers do not want to see their money spent on a detriment to the health of our community.

Erin Danyliw stated that she is speaking to represent young people like herself in the City. Sudbury as a whole has a hard time retaining young people. They leave for school and often do not come back. Those who came back did so because they saw Sudbury moving in a certain direction based on the various planning documents set in place by the City such as the Official Plan, the Downtown Master Plan and the From the Ground Up Plan. They chose to stay because they wanted to be a part of the Sudbury those documents envisioned. They chose to stay in a city that focused on establishing a healthy community. Casinos, increasing urban sprawl and spending an hour in your car to exit a parking lot after an event do not create healthy communities. To imagine families will go out to eat before an event to dinner at a casino and advocate this type of entertainment to children and some grandchildren is horrifying in her opinion and will not lead to a healthy future. They chose to stay in a City that was making smart and fact based decisions. Section 19 of the Official Plan asks the City to examine the financial impact of major developments. The financial impact of a casino is not good. It drains money from the community and will harm local businesses, restaurants and retail. These local businesses are owned by citizens who have invested their lives in improving our community. She stated that the casino will also harm charities. Charity bingos will lose their patrons to the OLG casino and our charities will need to look elsewhere for funding or perish. They chose a community that was moving towards a greener future. One of Sudbury's greatest accomplishments is the regreening effort. Part of moving to a greener future is infilling our City instead of sprawling. There are going to be additional costs associated with upgrading the transit system, sidewalks and bike lanes to stay in line with our City's green initiatives. They chose to live in a community that was moving towards rejuvenating the downtown, not building a new downtown in an industrial park. She does not believe an industrial park is a place to send young people for entertainment and is not the first face they want tourists to see when coming into the City. This build also takes opportunity away for industrial projects and makes the industrial park less attractive to industrial ventures. Industrial parks, casinos and arenas do not mix, and forcing them together will lead to reduced economic development. She does not want people her age pushed out of the City due to these poor decisions.

Andre Dumais stated that he is objecting to the Official Plan Amendment and Rezoning applications regarding the casino. There are countless examples in the province where casinos have been added and have had negative impacts on the communities. Casinos compete against local businesses. There are designed with the sole purpose of sucking people in and never letting them go. The casino that most people visualize is what a casino would look like for a few hours on a Friday or Saturday night. However, for the other times during the week it is a depressing place. The province is delegating what is a City service and we are getting into a

situation where the province is imposing a voluntary tax of 100 million dollars every year and give back five (5) million dollars. Only five (5) percent of what we lose is given back to us. We have to stop looking at this as a revenue stream, it is an expense line. Council's predecessors decided to have a casino in Sudbury, but it was predicated with the condition of them bringing us something. Now we are spending our tax dollars to bribe them to come to our community, which is backwards. He does not want the issues of gambling addiction that will occur in the City to be on his conscience.

Vicki Jacobs stated that she is objecting the rezoning and Official Plan Amendment to allow a casino and the proposed expansion of gambling in Greater Sudbury. She finds it morally appalling to have a community arena attached to a casino, and encouraging patrons to go into the casino to use the restaurants. There is no such thing a family friendly casino. There is no evidence of casinos being good for economic development or for people's financial health. They are good for the provincial government and the casino operator. They are not businesses, they are government controlled monopolies. They are bad for businesses and charities in the communities that surround them. Entertainment dollars are limited and the casino and OLG will be pushing Sudburians to spend their disposable income in their facility. Existing businesses, who have invested in Greater Sudbury, will lose out and jobs in the hospitality sector will be lost if the casino expansion goes through. Her primary objection is that the decision to pursue this has been made with no evidence that the casino will be good for the citizens of Greater Sudbury or good for economic development. It will not make us a healthy community.

Daniel Wood stated that the current status and next steps for the Kingsway Entertainment District and Arena/Event Centre says that there will be a Planning Committee Public Hearing regarding an application for rezoning and Official Plan Amendment in order to permit a place of amusement in the form of a casino. We are applying for a place of amusement. He then gave multiple definitions of the word amusement. He stated that none of these definitions represent a casino. He cannot believe that we are discussing a place of amusement and a casino in the same breath.

Tom Fortin stated that he is opposing the Official Plan Amendment and rezoning for a casino. He is at the meeting representing the group "Casino Free Sudbury", a group of local businesses in opposition to the casino strictly on economic terms. The casino was added roughly two (2) weeks before the vote on June 27th for the arena location. There was no discussion and no time for public consultation on the matter. Then the vote on the 27th took place and we defacto approved a casino with the arena. In the process of building large public infrastructure, including arenas, section 19 of the Official Plan requires an examination of the financial impacts, which did not happen after the addition of the casino. Local business owners are concerned about being able to attract people to start companies and produce the wealth needed to grow. He is optimistic about the future because he feels as though many people have woken up.

Charles Tossel stated that he is speaking in opposition to relocating the casino to the eastern part of town. There has been a large amount of evidence and studies across other municipalities that suggest that having a casino with easier access points lead to an economic downturn for people of lower income. This is due to wanting to spend their entire social assistance cheque gambling. Adding more varieties of gambling options is never a good idea and could at times result in individuals becoming homeless. Homelessness can cost taxpayers from \$69/day for shelters, \$140/day to be in jail or \$1100/day to be in a hospital. He believes this will all result in having far more tenants and landlords than property owners in this town. Going to the casino during the day is not enjoyable but rather depressing. Getting only five (5)

percent of the revenue would mean losing 95% of the community's money. Municipalities have a duty and responsibility to ensure they protect the less fortunate and vulnerable population, which includes but is not limited to those of low income. Another concern would be the seniors at Finlandia Village; with their large amount of savings, they can become subject to temptation and would have easy access to the casino through the Moonlight bus route. Other evidence has suggested that there will be the same problem that downtown has with loiterers hanging around the popular area. This will also cost taxpayers in the long run due to the need of additional resources through the police departments, courts, lawyers, etc. Municipalities not near the US borders have had negative economic and social impacts on their communities, which he cannot support. He highly urges the municipality to not have a casino in town at all. He would rather see them invest in other options.

David Robinson stated that he is in favour of modifying the Master to Plan under two (2) circumstances. One, there is a change that is in line with the spirit of the plan. The other is if there is such a big payoff to changing it, that we cannot resist it. He believes the second option is the one that Council believed when it made the decision about this site. It is not the first option because this is not consistent with the Official Plan, which means it is not consistent with this Council's previous decisions. He is inquiring if we are going to make so much money from this development that it will benefit the City's budget or economy. Casinos do not improve the local economy, except in special circumstances to which we do not adhere. The supposed revenue for Council is less than what it loses in damage to property value elsewhere. This decision is not a winner economically. Economically speaking, this is a loser for the City's budget and a loser for the regional economy. These are the reasons why modifying the Master Plan because we are going to make a great deal of money does not hold up. He is in favour of changing the Master Plan when it is good for us, but he does not believe it is in his professional opinion.

Mathieu Labonte stated that the report states that the City retained Dillon Consulting and he is still quite confused regarding who represents who for these applications. He stated that we should go see the communities in Michigan in order to see how degraded they have become because of the casinos in the area. If this is the vision that Council has for the City of Sudbury, they would not be voting on this as it is the death to a city. This gives young people the impression that we are giving up and building a casino so we can gamble our money away and forget our troubles.

Councillor Signoretti stated that he wanted to give a recap of many of the issues brought up by other speakers. There will be traffic issues with only one entrance point. The extra traffic will likely impact the side streets and there is no traffic impact study of this nature. The addition of a casino does not build a healthy community. There is a large concern with the probability of addiction to gambling. Ward 11 is in a desperate area and is not a good location for the casino. Casinos are struggling to thrive, not growing. There will be a negative social and economic impact. Stormwater management is not on the land where the casino is being located. Casinos are not economic drivers. North Bay is getting a casino and Sault Ste. Marie already has one, therefore, where will people travel from to visit the one in Sudbury? We do not draw from a population of millions of people. Taxpayers have a limited amount of disposable income. Business owners do not want a casino close to their community and affecting their employees. Over 100 million dollars will be taken from our community and we will be given very little back. He would rather keep 100 million dollars in our community rather than seeing it go to southern Ontario. Local businesses and charity bingos in Greater Sudbury will suffer and close. The taxpayers are paying for the infrastructure of this casino. Council's decision was supposed to be about an arena, not a casino. He visited Thunder Bay and the casino was supposed to be an

economic driver when it came to their community; however, it ended in disaster for the community. This generation and future generations do not want casinos, they can gamble online. Casinos will not help local businesses; they will open their own restaurants, taking patrons away from others. People who live in communities with casinos often lose their homes to bank repossession. Taxpayers have not had the opportunity to voice their opinions about the casino and its location. He stresses that we should reconsider having a casino in such close proximity to a community arena.

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:

PL2018-16 Jakubo/Sizer: THAT the City of Greater Sudbury receives the comments and submissions made at the public hearing on Files 701-6/17-9 and 751-6/17-24, 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 the applications and schedule a second public hearing on these matters before the Planning Committee when complete.

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

CARRIED