

Presented To:	Planning Committee
Presented:	Monday, Jan 23, 2012
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Request for Decision

Special Meeting Under the Planning Act for Five Year Official Plan Review

Recommendation

1. That Staff be directed to undertake a Five Year Review of the City of Greater Sudbury's Official Plan in accordance with the requirements of Section 26 of the Ontario Planning Act;
2. And further that Staff be directed to undertake necessary background studies related to the items outlined in the Report from the General Manager of Growth and Development dated January 10th, 2012 regarding the Five Year Official Plan Review;
3. And further that Staff, as part of the review, be directed to consider any issues or comments related to the Official Plan identified by the public at the January 23rd Special Meeting or through formal submissions to the City, including those issues previously identified by Council.

Finance Implications

The Five Year Review of the City of Greater Sudbury's Official Plan will be funded from the capital budget.

Background

Shortly after amalgamation, the City of Greater Sudbury set out to replace the 1978 Official Plan for the Sudbury Planning Area and 12 other land use planning policies with a single, consistent, efficient and effective policy framework in the form of a new Official Plan (the Plan).

The Plan was developed over a four-year time period, involving several technical background studies, considerable consultation and extensive policy harmonization. It establishes goals, objectives and policies to manage and direct physical change and its effects on the social, economic and natural environment for the next 20 years. In doing so, it speaks directly to:

- where new housing, industry, offices and shops will be located;
- what infrastructure and services, like roads, water mains, sewers and parks will be needed;

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- when, and in what order, parts of the community will grow; and,
- community improvement initiatives.

The Plan was adopted by City Council in 2006 and modified and approved, with modifications by the Ministry of Municipal Affairs and Housing (MMAH) in 2007. The Ministry's decision on the Plan (and the Plan) was appealed in its entirety to the Ontario Municipal Board (the Board). The Board heard the appeals and issued three decisions on the Ministry's decision and the Plan between December 2007 and April 2008. The majority of the Plan came "into effect" with the last of these three decisions.

Section 26 of the *Planning Act* (the Act) requires that municipalities revise their official plans at least every five years after the official plan first comes into effect to ensure that it:

- conforms with provincial plans (e.g. growth plans) or does not conflict with them, as the case may be;
- has regard to matters of provincial interest articulated in Section 2 of the Act;
- is consistent with provincial policy statements issued under Section 3 of the Act; and,
- its policies dealing with areas of employment (including, without limitation, the designation of areas of employment and policies dealing with the removal of land from areas of employment) are confirmed or amended.

The City of Greater Sudbury is legally required to review and revise its Plan by April 2013 to meet the above requirements. The review also provides an important opportunity to review and adjust the plan from a local perspective, to ensure that it continues to reflect local interests. Unlike other official plan amendments dealt with by the City, amendments made pursuant to Section 26 of the Act must be submitted to MMAH for approval.

Purpose

This report provides an overview of the Five Year Review of the City of Greater Sudbury's Official Plan (the Official Plan Review Project) that will be launched by way of a Special Meeting of the Planning Committee on January 23, 2012.

Scope of the Review

As mentioned, a large amount of work was done in the 2000's to bring together the multiple planning documents from the former municipalities into one comprehensive and progressive Official Plan for the entire City of Greater Sudbury. The intent of this Official Plan Review Project, therefore, is not to replace the current Official Plan but instead to "fine tune" it to reflect the current and emerging trends and land use issues in the municipality and changes in Provincial Policy that have arisen since its adoption.

With that in mind, the thrust of the Official Plan Review Project will explore, and propose land use policy solutions for, the following major themes:

- How will our population and employment needs change over the next 20 years?
- How will our transportation and mobility needs change over the next 20 years?
- How can we continue to preserve and maintain the quality of our lakes over the next 20 years and

beyond?

- Where should (water/wastewater) services go over the next 20 years and how do we make the most efficient use of those that already exist?
- What local planning issues have arisen since the adoption of the Official Plan (i.e. rural lot creation)?
- What issues do members of the public feel need to be addressed to help guide the development of the City over the next 20 years.
- What new legislation and directions have been issued by the Province of Ontario and how does the City of Greater Sudbury fit in?

How will our population and employment needs change?

The Official Plan Review provides an important opportunity to update the population and household growth projections undertaken as part of the creation of the new Official Plan, which applied to the 2006 to 2026 period. The Population, Housing and Employment Projections and Land Needs Study will estimate future population, housing and employment growth, together with their corresponding land needs, in the City of Greater Sudbury from 2012 to 2032. The projections will be developed at a city-wide and community level and include a low, middle and high scenario. The population and household projections will also be extended beyond the standard 20-year planning horizon to 2042 to provide an initial picture of what local housing market conditions could look like at that time. The projection will inform various other aspects of the Official Plan Review program.

How do we move around?

One of the most vital aspects of daily life in a municipality is how people and products move around. As part of the Official Plan Review Project, the City is updating the Transportation Background Study undertaken in support of the existing Official Plan. This update will take a comprehensive look at how we, as a City, move around and how our mobility methods and needs will change over the next 20 years. The focus of this update study will be to provide recommendations on current and future transportation routes and also means of transportation, including non-motorized so that we can better balance our mobility system. The public consultation process for this study is already under way.

How do we protect our water?

Lakes cover about 13% of the City of Greater Sudbury's 3630 square kilometers. The City has 330 lakes that are over 10ha in size and thousands of additional smaller water bodies. Not surprisingly, lakes and rivers are an important part of Greater Sudbury's lifestyle. Almost 4000 permanent and seasonal residences are located on water and another 700 existing shoreline lots lie vacant.

Given these amazing natural resources and amenities that the City has, it is important to make sure that we preserve and enhance what we have for current and future residents. To that end, the City is developing a watershed-based water quality model to provide scientific input into the development of land-use policies related to shoreline development, which will be incorporated into the Official Plan.

How do we service our community?

Sudbury's vast geography makes for a challenging situation when it comes to providing municipal water and wastewater service to the City's dispersed population. With this in mind, the City will be proceeding with a Water and Waste Water Master Plan to provide an integrated infrastructure planning and policy framework. In order for the Official Plan to accurately guide development in the City for the next 20 years, this study will provide crucial information by evaluating existing infrastructure, analyzing the gaps in the

current system and estimating future demand in terms of water and wastewater infrastructure.

Matters of Provincial Interest

Under the *Planning Act*, municipalities are required to conduct Five Year Reviews of their Official Plans in order to ensure that they are brought into conformity with any new Provincial legislation or matters of interest. At a minimum, the review must address those matters itemized in Section 26 of the Act.

The Official Plan Review Project provides an opportunity to look at the Official Plan in light of changes to legislation, policy and regulation since its adoption to determine if any policy changes are required. Some key changes at the provincial level include *Green Energy Act*, the *Clean Water Act* (and associated source water protection planning process) and the *Endangered Species Act*. One of the biggest pieces of new Provincial legislation that the City of Greater Sudbury Official Plan will have to conform to is the *Growth Plan for Northern Ontario* (which came into effect on March 3, 2011).

There is also a need to update the existing housing study, in response to the *Housing Services Act* (2011), which will require that municipalities prepare local housing and homelessness plans, to be integrated with the Official Plan. The new *Housing Services Act* also requires that municipalities amend their Official Plans to include policies to permit second residential units on a property.

Also, the Province is reviewing the Provincial Policy Statement (PPS). The consultation phase of the PPS review process is complete. The timing of the release of the proposed changes is not known. Staff will continue to monitor this process.

Local Issues

Since the adoption of the Official Plan, a number of significant local land use planning issues have arisen which need to be addressed as part of the Five Year Review process, namely the issues of rural consents, existing town centres and the Valley East Urban Expansion Reserve. These issues will be studied as part of the Official Plan Review Project.

Similarly, some key developments at the local level include the new Fiscal Sustainability Plan, a revised Community Economic Development Plan, an updated Earth Care Action Plan, a new Biodiversity Action Plan and a new Greenspace Advisory Panel Report. These items need to be reviewed and incorporated into the Official Plan, where appropriate.

Matters arising from public consultation

At its most basic level, the Official Plan Review Project is an opportunity for the residents of Greater Sudbury to express their views on matters related to the Official Plan and what can be done to improve the Community. Since there are numerous avenues and opportunities for the public to become involved in the planning process, it is anticipated that there will be other issues brought up that will have to be properly examined through the course of the Five Year Review.

Guiding the Review

Planning service staff will lead the review, in consultation and with the assistance of staff from other

divisions and sections (e.g. roads and transportation, water and waste water, environmental initiatives and housing).

Planning Committee will also serve as the “Steering Committee” for the review. This is consistent with the process followed for the new Official Plan.

Also, the review will receive input from the many advisory panels that are currently in place in the City to advise Council on matters that are important in the community, including but not limited to the:

- Sustainable Mobility Advisory Panel;
- Lakes Advisory Panel;
- Green Space Advisory Panel; and
- Municipal Heritage Advisory Panel

Finally, the process will be augmented by input from the public and other interested parties that is expected to be generated by the robust public consultation program that has been developed for this Five Year Review process.

Process to Date and Public Consultation

The Official Plan Review Project has currently begun as staff met with representatives from the Province and other commenting agencies on October 26th as required under the Planning Act. Additionally, work is underway on the Lake Water Quality and Transportation/Mobility studies.

Staff has also developed a communications and branding strategy for the Official Plan Review process. This strategy includes traditional media advertising as well as a website and social media campaign. This marks the first time the City has used social media in an Official Plan review process. The Official Plan Review Project is being supported by a robust communication and engagement strategy including the following:

- Newspaper notices
- Social media (facebook & twitter)
- Web page
- Television spots (earthcare minute)
- Radio Interviews
- Direct stakeholder outreach

The first official public event of the Official Plan Review Project is the Special Meeting required under the Planning Act taking place on January 23rd.

There will be a number of other public consultation and related events taking place during 2012 and 2013. It is anticipated that the process will end with the adoption of an Official Plan amendment in early 2013.

Conclusion and Next Steps

The City of Greater Sudbury is required to review and revise its Official Plan by April 2013.

The review process has already begun with the formal meeting with the Province and the selection of consultants to undertake key background studies. Over the course of 2012 and into 2013, there will be a

number of phases to the review process taking place, specifically:

- January to March 2012 – Reconnaissance
- April to June 2012 – Issues and Opportunities
- July to September – Preliminary Policy Options
- October to December – Draft Policy
- January to March 2013 – Finalization

A multimedia communications strategy has also been developed and put in place. The first public event related to the Official Plan Review Project will be the mandatory special meeting on January 23rd where members of the public are invited to raise issues they would like to see addressed as part of the process.

Over the course of 2012 staff will be undertaking a number of studies and reviews to update the Official Plan in accordance with Provincial requirements. There will also be a number of public consultation processes and information sessions taking place during 2012 that will allow for ample public input on the Official Plan Review Project.