

**PROPOSED AMENDMENT TO THE CITY OF GREATER SUDBURY OFFICIAL PLAN**  
**Preliminary Comments on the Draft 5-Year Official Plan Amendment**

COMMENTS: Numbers refer to section numbers in the Draft Official Plan Amendment “PPS” refers to 2014 Provincial Policy Statement “OP” refers to “Official Plan”		STAFF COMMENTS:
COMMENTS ON PROVINCIAL INTERESTS AND THE PROVINCIAL POLICY STATEMENT, 2014		
	<p><b>Section 1.1. Context</b></p> <p><b>Strategic Core Areas</b></p> <p>Growth Plan for Northern Ontario policy 4.4.1 specifies that the City of Greater Sudbury is one of five municipalities that contain strategic core areas. Strategic core areas are defined in the Growth Plan as “delineated medium-to-high density areas within identified municipalities that are priority areas for long-term revitalization, intensification and investment. These areas may consist of downtown areas, and other key nodes and significant corridors”.</p> <p>The draft Official Plan for the City does not appear to delineate a strategic core area but provides several references to strategic core areas in policy. The draft Official Plan describes Downtown Sudbury as a strategic core area in Policy 1.1 Context and Policy 4.2.1. In Policy 4.2.2, the draft Official Plan identifies Regional Centres as strategic core areas and Policy 4.4 identifies major public institutions as strategic core areas. It also references strategic core areas in Policy 1.4 Vision as being better connected to the Downtown and as an area for intensification in Policy 2.3.3.3. It is unclear whether Downtown Sudbury is the strategic core area or if other areas have been also identified as a strategic core area. For example, Section 1.4 refers to multiple strategic core areas. We recommend that the City identify the strategic core area (e.g., on the land use schedules), clarify references to strategic core areas in the text of the policies to ensure that there is no confusion, and/or include a definition of what area is the City’s strategic core area (e.g., if other areas aside from Downtown Sudbury are considered as “strategic core areas”.</p>	References to the City’s strategic core areas clarified in the preamble of section 2.3.2.
	<p><b>Part II – Managing Growth and Change</b></p> <p><i>Population Growth</i></p> <p>In order to promote appropriate growth and settlement pattern as well as promoting affordable housing within communities, it is important that planning authorities plan for expected growth. Unrealistic growth scenarios which set aside more land than is needed for projected growth can lead to land being used inefficiently, and for larger homes being created on vacant lands. Alternatively, setting aside only those lands needed for projected growth will allow greater opportunities for the creation of smaller, more affordable homes in areas where existing municipal</p>	Staff is proposing no changes to the current settlement area boundaries. Staff has analyzed the population and growth projections, and land supply per section 1.1.2 of the PPS and has determined that, based on current supply and projected growth, settlement area boundary expansions cannot be supported.

	<p>services and other amenities are currently available. Identifying an appropriate target for growth and setting aside lands within settlement areas to accommodate a majority of anticipated growth is essential in ensuring the efficient provision of municipal services and infrastructure as well as in promoting housing affordability within a community. The following comments are offered with this in mind.</p> <p><i>Analysis</i></p> <p>The Hemson Growth study postulates two growth scenarios – a “Reference” scenario, based in part on Ministry of Finance data and likely growth over the planning horizon of the plan, and a “High Growth” scenario which incorporates “deliberately optimistic assumptions” about growth (page 12). The Reference scenario predicts a population increase of 10,500 by 2036, the High Growth scenario predicts more than twice as many people (22,000) during the same time frame. The Draft Official Plan identifies a design population of 20,000 new people by 2036 – closer to the High Growth scenario than the Reference scenario. This design population may not be realistic, based on historical trends and expected outcomes.</p> <p>It is unclear whether the choice of a higher growth scenario for a design population has led to an overabundance of lands being set aside for new development in the settlement area.</p> <p><i>Recommendations</i></p> <p>Please provide a justification of the use of the high growth scenario. In addition, we recommend that an explanation be provided of how development on the basis of infill and existing lots of record (including second units) will occur as a priority over other forms of development. From there, an appropriate determination of the City’s settlement area boundary should follow.</p>	<p>The target identified in the official plan is appropriate: “expected to grow <b>by up to</b> 8,600 jobs and 20,000 people”</p> <p>Considerations such as intensification, settlement area expansion, land supply, etc, were analyzed as part of the Growth and Settlement Policy Discussion paper and incorporated into the draft official plan.</p> <p>No changes are recommended. See Provincial comment below re: “reinforcing the Urban Structure” (re: section 2.3.).</p>
	<p><b>Section 2.3. Reinforcing the Urban Structure</b></p> <p>We recognize the City’s efforts in growth management. 80 percent of all new residential lots have been created in settlement areas, while 20 percent have been created outside the settlement areas. We note too, that the City is establishing and maintaining a built boundary (Section 2.3.1. e; 2.3.2.3) with an intensification target of 20 percent of all future residential growth to occur within the built boundary (2.3.3.1).</p>	<p>No response required.</p>
	<p><b>Section 2.3.2. The Settlement Area</b></p> <p>Designated growth areas are defined in the PPS as “lands within settlement areas designated in an official plan [...]” Policy 2.3.2 of the OP directs that “future growth will be focussed in the <i>Settlement</i> Area through intensification, redevelopment and, development in designated growth area.”</p> <p>Please define and designate designated growth areas on the schedules to the official plan. Note too, that, per PPS policy 1.1.3.6 and section 3.2.2.1 of the OP, new development taking place in designated growth areas should occur adjacent to the built up areas and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.</p>	<p>Staff recommends no schedule changes at this time. The current phasing policies of the official plan make clear that any development in greenfield sites should occur next to the built up area. These current phasing policies are consistent with the PPS, as they were approved by the Province.</p>

		<p>The Urban Structure section of the OP has been expanded to include a new section that speaks to the reinforcement of the city's urban structure. The section clarifies that the settlement area is the urban growth boundary, directs the majority of growth to the settlement area and speaks to the adequacy of the existing land supply.</p> <p>The OP now establishes a built boundary, sets a new target for the amount of growth to be accommodated through intensification in the built boundary, and calls for ongoing monitoring in this area.</p>
	<p><b>Section 2.3.5. Garden Suites</b></p> <p>Subsection 35 (3) of the Planning Act stipulates that a by-law that has the effect of distinguishing between persons who are related and persons who are unrelated is of no effect. We recommend that the City delete and replace "family members" with "persons" in section 2.3.5 of the OP.</p> <p>We also note that, per clause 39.1(1) b) of the Planning Act, the City has the authority to stipulate the period of occupancy of the garden suite by "any of the persons named in the agreement".</p> <p>We encourage the City to reflect recent Planning Act changes that enable the municipality to authorize the temporary use of a garden suite for a period of up to 20 years.</p>	<p>Staff supports the replacement of "family members" with "persons" in section 2.3.5. of the OP.</p> <p>The current OP is silent on the 10-year maximum for garden suites and relies on the Planning Act. Staff recommends no changes to the existing policies.</p>
	<p><b>Section 2.3.6. Secondary Suites</b></p> <p>The proposed policies for second units in existing houses should lead to positive affordability outcomes, in keeping with the City's 10 Year Housing and Homelessness plan.</p> <p>The City may wish to consider developing policies for new residential development (both infill and green field) which offer opportunities for establishing second units at the time that new residential units are built. Second units in new homes can greatly assist young families and others with mortgage payments, and contribute to affordable housing stock in the City.</p> <p>Policy 11 states that "Existing Garden Suites may be considered as accessory dwellings provided they conform with these policies and the Zoning By-law". Temporary garden suites, by definition, are designed to be portable (ss. 39.1 (2) of the Planning Act), while second units are generally more permanent in nature.</p>	<p>Staff recommends leaving the OP as drafted. The existing policy would allow the approval of second units in new builds.</p> <p>Staff does not recommend permitting second suites in "garden suites". The garden suite option is proposed to remain as a temporary housing option for land owners.</p>

	<p>However, the Planning Act doesn't prevent municipalities from permitting a garden suite through a normal (non-temporary) zoning by-law. We encourage the City to articulate the standards by which "second units" in "garden suites" would be permitted.</p>	
	<p><b>Section 3.2.2. Living Area I – Phasing Policies</b></p> <p>The phasing policies of the Living Area I designation are consistent with the phasing policies of the PPS. We recommend that the City clarify clause 2 e), and include monitoring policies (or cross-references to monitoring policies) to ensure that the intensification targets are being met.</p>	<p>Draft OP section 2.3.3, and specifically program 1 of the section, outlines a monitoring program with regards to residential intensification.</p>
	<p><b>Section 3.2.3 Living Area II – Non-Urban Settlements</b></p> <p>To clarify the City's intent, please confirm (in the text of the OP) whether Living Area II lands are settlement areas as defined in the PPS. We note that they're designated as such on the land use schedules.</p> <p>Please add the words "with no negative impacts" after the words "such services" in the last sentence of clause 5 in order to address Section 1.6.6.4 of the PPS.</p>	<p>Living Area IIs are intended to be rural settlement areas, as defined in the 2014 PPS. Settlement area boundaries are depicted on Schedule 3 of the draft official plan.</p> <p>Staff recommends including "with no negative impacts" in the last sentence of clause 5.</p>
	<p><b>Employment Areas</b></p> <p>The 2014 Provincial Policy Statement enables municipalities to plan beyond 20 years for the long-term protection of employment areas provided lands are not designated beyond the planning horizon. Please confirm the amount of lands that are designated for employment areas, to confirm the designation, and to identify those lands that are beyond the 20-year planning horizon. For example, is the Mining/Mineral Reserve part of Employment Areas? This may mean distinguishing between lands that are designated and those that are identified as employment areas in accordance with Section 1.3.2.4 of the PPS.</p>	<p>Staff will clarify the intent of the OP. The OP directs new employment uses to lands designated Downtown, Regional Centre, Town Centre, Mixed Use Commercial, Institutional, General Industrial and Heavy Industrial.</p> <p>The Mineral Mining Reserve should not be considered an employment area. Rather, section 4.6 of the OP is designed, in part, to meet policy 2.4 of the PPS regarding the protection of the long-term resource supply.</p>
	<p><b>Section 4.2.1.2 Downtown Residential Development. Policy 4 &amp; Section 20.5.8 clause h)</b></p> <p>PPS policy 3.2.2 requires the assessment and remediation, as necessary, of sites with contaminants in land or water prior to any activity on the site associated with the proposed use such that there will be no adverse effects.</p>	<p>Staff recommends no change to the OP. The City can require phase 1 and 2 environmental site assessments as part of complete applications. The draft OP also contains a revised section 10.5 on 'Contaminated Lands'.</p> <p>Further, the Environmental Protection Act is applicable law under the Building Code. These matters would have to be addressed prior to the issuance of a building permit.</p>

	<p><b>Section 4.5.1 General Industrial. Policy 4</b></p> <p>Policy 4 states that only dry industrial uses will be permitted in unserviced areas. To strengthen this policy with Policy 1.6.6 of the PPS, we recommend that the City add wording to inform of the need to conduct (an) adequate technical assessment(s) to demonstrate the sustainability of the required water and sewage treatment services and to support approval pursuant to the Ontario Building Code (OBC) or the Ontario Water Resources Act (OWRA).</p>	<p>Staff recommends no change to the OP. Proper assessment of suitable sewage treatment and potable water supply is covered in policy 1 of section 12.2.3 of the OP.</p>
	<p><b>Section 4.6.1. Mining/Mineral Reserve</b></p> <p>Per PPS Policy 2.4.3.1, we recommend that the following wording be added at the end of policy 6 of Section 4.6.1: <b>“Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible.”</b></p> <p>Further to this, we recommend revising the 2<sup>nd</sup> paragraph of section 4.6 as follows: “requiring proper <b>and progressive</b> rehabilitation of closed mines <b>and mineral aggregate operations.</b>”</p>	<p>Staff recommends no change to the OP. The proposed changes are outside the scope of the official plan. Rehabilitation of mineral aggregate operations and closed mines are addressed by the Mining Act and the Aggregate Resources Act.</p> <p>Staff supports the proposed change to the 2<sup>nd</sup> paragraph of section 4.6.</p>
	<p><b>Section 4.6.2. Aggregate Reserve</b></p> <p>Regardless of land designation, all new pit and quarry operations are subject to the <i>Aggregate Resources Act</i>. We recommend deleting and replacing the second last sentence of the first paragraph as follows: <b>“All new pit and quarry operations are subject to the Aggregate Resources Act”</b>.</p> <p>The effect the following changes are to separate and combine those policies seeking to protect the aggregate operations, and those policies that seek to protect the resources:</p> <p>1 - We recommend strengthening policy 1’s consistency with policy 2.5.2.4 of the PPS by deleting and replacing the last two sentences with the following:</p> <p><b>“Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.”</b></p> <p>2 – We recommend deleting and replacing policy 5 with the following:</p> <p><b>“In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:</b></p>	<p>Staff supports these proposed changes with minor modifications (e.g. the Province’s proposed changes to policy 1 is now policy 2; and the proposed policy 5 is now policy 4).</p>

	<p>a) resource use would not be feasible; or</p> <p>b) the proposed land use or development serves a greater long-term public interest; and</p> <p>c) issues of public health, public safety and environmental impact are addressed.”</p>	
	<p><b>Section 4.6.2 Aggregate Reserve</b></p> <p>Mineral aggregate policies should also include a requirement for an archaeological assessment. We recommend that policy 4, item v be revised as follows: ‘cultural heritage resources in the area through <b>an archaeological assessment and/or</b> cultural heritage impact assessment”.</p> <p>Per the PPS policy 2.5.3 regarding rehabilitation, we recommend that policy 9 of section 4.6.2. be deleted and replaced with the following:</p> <p><b>“Progressive and final rehabilitation will be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.”</b></p> <p>We also recommend two new policies:</p> <p><b>“10. Comprehensive rehabilitation planning will be encouraged where there is a concentration of mineral aggregate operations.</b></p> <p><b>11. Mineral aggregate resource conservation shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.”</b></p>	<p>Staff supports the first proposed change.</p> <p>Staff does not recommend revising policy 9, and does not recommend adding the 2 proposed policies. These proposed changes are outside the scope of the official plan. Rehabilitation of mineral aggregate operations and closed mines are addressed by the Mining Act and the Aggregate Resources Act.</p>
	<p><b>Section 5.0 Rural Areas</b></p> <p>To strengthen the plan’s consistency with policy 1.1.5 of the PPS, please include two new points under the objectives of Section 5.1. as follows:</p> <p><b>“f. encourage the location of new or expanding uses that require separation from other uses.”</b></p> <p><b>“g. promote opportunities to support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.”</b></p>	<p>Staff supports adding point g) to the OP and does not recommend adding point f). The desired outcomes of PPS policy 1.1.5 f) are captured in several sections of the OP, notably Chapter 4 – employment areas, Chapter 5 – Rural Areas, and Chapter 10 – Protecting Public Health and Safety.</p>
	<p><b>Section 5.2.1. Rural Residential</b></p> <p>The Province has concerns with the proposed non-waterfront rural lot creation policies. The in-effect OP has, amongst other criteria, a 2 hectare (5 acre) minimum lot size coupled with a 3 lot limit from a parent rural parcel</p>	<p>Staff included a revised rural residential severance policy in accordance with Council Resolution</p>

<p>(otherwise known as a “3+1”). The proposed amendment seeks to change those permissions by allowing a 0.8 hectare (2 acre) lot size with a “6+1”.</p> <p>The Ministry wrote the following in a letter to the City dated October 16, 2013,: <b>“Given the number of amendments to the official plan that have been approved to permit the creation of rural non-waterfront lots, it is expected that the official plan review will result in refined criteria by which to assess whether a proposed severance meets the PPS in terms of limiting residential development in Rural areas.</b></p> <p><b>“It is suggested that the current official plan policy mechanism which establishes a large lot size and frontage for new lots (policy 5.2.2.2(a)) is a straightforward policy mechanism which serves to reduce the potential for rural sprawl and limit residential development in Rural areas. However, the reported number of lots that could be created under this policy (1,913) far exceeds the projected demand (300-878), and there may be other policy mechanisms that could be used which have the effect of limiting residential development in rural areas.”</b></p> <p>The City staff report dated October 21, 2013, and presented to Planning Committee on November 4, 2013, outlined a series of 45 options regarding non-waterfront rural lot policy. The report stated that “all 45 scenarios would significantly increase the rural land supply above the existing land supply. In this respect, none of the options can be supported from a planning perspective.”</p> <p>The report subsequently provided 3 options plus a status quo. The individual options represented a 17.5% change, a 33% change, and a 64% change. City staff therefore recommended a status quo, which represents a lot creation potential of 1,494 lots (not including the currently vacant residential lots), for a modelled 29 year lot supply (assuming the take-up of 50 lots per year).</p> <p>The Province does not support the option provided in the draft plan. Based on Attachment E of the October 21, 2013 staff report, the 45 metre frontage, 0.8 hectare, “6+1” scenario represents a 226% change over the status quo, resulting in a potential for 4767 lots. The City has calculated that this represents a 95 year lot supply. The Province supports the findings and recommendations of the City staff report and agrees that the chosen option cannot be considered limited residential development and is not consistent with Section 1.1.5.2 of the PPS.</p> <p>In addition, the chosen option is not consistent with Section 1.1.1(h) of the PPS since it does not promote development and land use patterns which consider the impacts of a changing climate. It is also not consistent with Section 1.8.1 of the PPS which requires planning authorities to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which promote compact form and shorten commute journeys and decreased transportation congestion.</p> <p>Furthermore, and notwithstanding the proposed minimum lot size, “5 lots” is a general trigger for the coordinated growth, i.e. a plan of subdivision. In fact, Ontario regulations require the submission of a servicing options report and</p>	<p>CC2013-342 (November 4, 2013):</p> <p>“THAT the City of Greater Sudbury direct staff to include an Option which provides for:</p> <ul style="list-style-type: none"> <li>•Minimum Lot Area – 0.8 hectares (2 acres)</li> <li>•Minimum lot frontage – 45 metres</li> <li>•Maximum cap on the number of lots created from parent parcel - 6</li> </ul> <p>to be created from the parent parcel based on the date of adoption of the 2006 Official Plan.”</p>
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	<p>a hydrogeological report for a proposal of 5 or more lots (septic) (or more than 5 (wells)) on private services.</p> <p>A significant policy direction of the Plan is to promote development within established and fully serviced settlement areas. Focusing development within settlement areas will often lead to the creation of smaller, more affordable units (including second units) that are efficiently serviced with municipal infrastructure and services and are accessible by public transportation. Generally, the Plan's proposed policy direction is quite strong in this respect, however, we note that reference to proposed new permissive rural residential land division policies may compromise the Plan's ability to guide new development to settlement areas.</p> <p>Changes proposed to rural residential land division policies could see over 4,700 new lots created in the rural area over the lifetime of the Plan. Growth projections for the High Growth scenario of the Hemson study - which have largely been used to develop a design population for the draft Official Plan - indicate that approximately 13,000 new units are needed in the City by 2036. The Hemson study further indicates that only approximately 7,600 of these are to be single-detached units, given the Plan's other policies which promote development within settlement areas, intensification and the creation of smaller, more affordable units. This would mean that 62% of the proposed single detached units could be located in rural areas, which is 37% of the overall total of projected required housing units (4,767 out of a projected 13,000). Section 5.2.1 of the Plan permits single-detached dwellings on lots in the Rural designation. There is already a supply of 8,924 units in the settlement area that are either draft approved subdivisions or subdivisions that are pending approval, (representing a 17 year supply as per the Growth and Settlement Background Paper) as well as a potential lot yield of 10,771 new units in the Living Area 1 designation (or a 20 year supply). According to the Growth and Settlement paper, the existing lot supply in both of these categories therefore "<i>meets and exceeds</i>" provincial requirements. Therefore, expanding the lot supply further in the Rural designation providing for a potential lot yield of 4,767 lots is therefore not consistent with the land supply projections as outlined in the Growth and Settlement background paper and is not supported by the Province.</p> <p>In light of the proposed rural residential land division policies, the outcomes identified in the City's Ten-Year Housing and Homelessness Plan (HHP) may not be achieved. For example, the HHP has objectives to improve housing options across the housing spectrum, and in particular to improve accessibility of new housing and full utilization of existing accessible housing stock; and increasing the diversity of available housing options (i.e., home adaptations to support ageing in place; secondary suites, rental apartments with supports, accessible condominiums; and accessible "age-friendly" bungalows; and unlicensed retirement homes). The objective is also to be achieved by recommending policies in the Official Plan that ensure that new development will be planned, designated, zoned and designed in a manner that contributes to creating "complete communities" which are designated to have a mix of land uses, supportive of transit development, the provision of a full range of housing including affordable housing, inclusive of all ages and abilities, and meets the daily lifetime needs of all residents. Another outcome of the HHP is to tighten the wording of land supply policies in the Official Plan. Therefore, there is concern that transferring such a significant portion of the housing supply from settlement areas to the rural areas would jeopardize the ability of HPP outcomes to be achieved.</p> <p>As a result, it is recommended that proposed rural development policies be scaled back to a more appropriate level</p>	
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	for rural lot creation.	
	<p><b>Section 5.2.4 Agriculture, Conservation and Natural Resource Management – Policies 3 and 4.</b></p> <p>Policy 1.1.5.8 of the PPS applies to rural lands in municipalities. The policy states that “agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices should be promoted and protected in accordance with provincial standards.”</p> <p>We recommend that the City revise the second sentence of policy 4 as follows: “On-farm diversified uses means small scale uses, <b>that are limited in area</b>, are secondary to the principle <b>agricultural</b> use of the property and help support the farm.” The changes would strengthen the draft OP’s consistency with the definitions in the PPS.</p>	<p>This section of the City’s official plan provides direction to agricultural land outside of prime agricultural areas. Therefore the policies do not have to meet the specific policy of the PPS with regards to prime agricultural areas. A change, as proposed by the Province, is not recommended by staff at this time.</p> <p>However, the section, as currently written, goes beyond the minimum standards of the (stricter) prime agricultural area policies of the PPS. A change is therefore recommended in policy 3: “farm operations in the area.”</p> <p>From Province’s comment on page 31 (re:section 5.2.4): “Policy 3 of Section 5.2.4 of the Draft OP provides a definition for agricultural-related uses that goes beyond the minimum standards of Section 1.1.5.8 of the PPS. For example, the PPS addresses agricultural-related uses that “benefit” from being in close proximity to farm operations, rather than “required” in the proposed OP. The PPS definition also defines agricultural-related uses as uses that provide direct products and/or services to farm operations as a “primary” activity, while the draft OP speaks to “exclusive activity.” We understand that the policy is to be applied to the City’s rural lands. Municipalities are permitted to go beyond the minimum standards set out in the PPS however the City may wish to consider whether this is the intent.”</p> <p>Staff recommends changing the OP language to “benefit” and “primary activity”, as outlined in the above comment.</p>

<p><b>Section 6.2. Local Food Production</b></p> <p>Mapping of prime agricultural areas are delineated based on prime agricultural ‘areas’ and not just prime agricultural lands, as defined in the PPS. This distinction between prime agricultural land and prime agricultural area is important and the City should review the OP to ensure the proper terminology is being applied. An example of such is found in the first sentence in section 6.2.</p> <p>We also recommend that wording from the prime agricultural area definition of the PPS be incorporated into section 6.2., given that the section serves to describe the characteristic of lands within the Agriculture designation.</p> <p>We are not opposed to limiting the types of severances in the Agriculture designation as currently written in section 6.2. However, as it is believed the intent is to also allow consideration of additional types of severances (as per OP section 6.2.2., policy 1, c and d), we request that the City revisit the section to clarify its intent and remove any potential contradiction while ensuring consistency with the lot creation and lot adjustment policies set out in Section 2.3.4 of the PPS.</p> <p><b>Identification of Prime Agricultural Lands</b></p> <p>The Province recommends that the prime agricultural area (Agricultural Reserve) be designated as per Section 2.3.1 of the PPS.</p> <p>2.3.1 Prime agricultural areas shall be protected for long-term use for agriculture.</p> <p>Prime agricultural areas are areas where prime agricultural lands predominate. Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority.</p> <p>The following PPS definitions are important for the evaluation of prime agricultural areas.</p> <p><b>Prime agricultural land:</b> means specialty crop areas and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.</p> <p><b>Prime agricultural area:</b> means areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A prime agricultural area may also be identified through an alternative agricultural land evaluation system approved by the Province.</p> <p>While much of the prime agricultural area (Agricultural Reserve) appears to be reasonably mapped, there are areas</p>	<p>Staff recommends changing first sentence of section, and including prime agricultural area definition in the section.</p> <p>Section 6.2 of the OP states that “New lot creation is restricted to only agricultural and agricultural-related uses.” However, section 6.2.2, policy 1 c) and d) would allow lot creation for: a residence surplus to a farming operation as a result of a farm consolidation; and, infrastructure purposes. Staff therefore recommends deleting the last sentence of the first paragraph of 6.2.</p> <p>Staff recommends not changing the prime agricultural area designation. The existing prime agricultural areas were extensively reviewed and revised as part of developing the current OP, were deemed consistent with the PPS, and were approved by the Province in 2007. The definition of prime agricultural areas was not amended as part of the PPS review of 2010-2014.</p>
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	<p>that have not designated prime agricultural areas in a manner that reflects the Province’s position of what constitutes a prime agricultural area as described in the PPS and further in a manner that reflects common OMAFRA’s delineation practices. This would include things such as having approximately 250ha of generally contiguous area where prime agricultural land predominates in order to justify the establishment of a prime agricultural area and conversely requiring approximately 250ha of generally contiguous area where non-prime agricultural land predominates in order to justify the exclusion of lands that are surrounded by a prime agricultural area. As well when identifying these areas they should be delineated to an identifiable boundary such as a lot line, roadway or watercourse. We request that these issues be evaluated and resolved.</p> <p>As an example, two areas which should be designated Agricultural Reserve include lands along the north side of Regional Road 15 south of the Whitson River which are currently shown as Rural. The Rural designation is only acceptable where there is another non-development designation (e.g., the Flood Plain area shown on Schedule 6). In addition, the most northerly of two large Rural blocks northwest of Azilda should also be shown as Agricultural Reserve. OMAFRA may be contacted for technical guidance.</p>	
	<p><b>Section 6.2.1. Agricultural Reserve</b></p> <p>Section 6.2.1 speaks to the permitted uses in the City’s Agricultural Reserve. We recommend that Section 6.2.1 be divided into subsections that separate the types of uses permitted in the Agricultural Reserve (e.g., agricultural uses, agriculture-related use, and on-farm diversified use).</p> <p>Separating the uses would clarify what additional criteria are needed for each use, as each use has varying parameters to ‘qualify’ as a permitted use. This would also assist/clarify implementation when reviewing development proposals that may have cross-references (e.g. consents). We note that these land uses are defined also in Section 5.2.4 of the Official Plan (Rural Areas) and that there may be an opportunity to reduce duplication.</p> <p><i>Policy 1</i></p> <p>Currently, Policy 1 of Section 6.2.1, for example, combines policies related to multiple types of uses and portions such as the inclusion of the following “Compatible resource uses such as forestry, and small-scale commercial and</p>	<p>Staff sees this as an opportunity to provide tailored policies for each type of use permitted in the Agricultural reserve. A change is recommended (revise policy 1a for agricultural uses; a new policy 3 with agriculture-related uses, and so on.)</p> <p>Staff’s opinion is that agricultural uses in ‘Rural Areas’ should not be stricter than their Agricultural Reserve counterparts. Revise ‘Rural Areas’ similar to above.</p> <p>Staff recommends not deleting “Compatible resource uses [...] permitted in this designation.” The City’s intent is to allow uses such as agro-forestry and maple syrup production – uses that</p>

<p>industrial uses that are directly related to “the farm operation are permitted in this designation.” This policy has the potential to permit other uses that should not be permitted in a prime agricultural area as the accompanying criterion is insufficient. Policies to address non-agricultural uses should be left to the on-farm diversified uses, and agriculture-related use policies as they will contain appropriate provisions to ensure all appropriate ‘criteria’ are considered in evaluating the appropriateness of other uses. We recommend that this be deleted so that policy 1 of 6.2.1 speaks to agricultural uses only. Other uses that are not agricultural uses should be addressed under other permitted use policies.</p> <p>We further recommend that “on-farm diversified uses” be placed in a separate subsection and that the word “<b>agricultural</b>” be added after the word “principle”. We also suggest that ‘Small-scale commercial and industrial uses’ does not require additional criteria and that the agriculture-related commercial and agriculture-related industrial uses provision (6.2.2) should be sufficient to permit these types of uses as appropriate.</p> <p>Please ensure that the four categories of land uses permitted in this clause are consistent with the language found in Section 6.2. Section 6.2 may need to be revised to be consistent with the list in Policy 1.</p> <p><i>Policy 2</i></p> <p>We are encouraged to see a separate policy that specifically speaks to agriculture-related uses. However this section’s language speaks to more than just ‘agriculture-related’ uses. It also covers ‘secondary uses’, and ‘other similar agri-business’. We request that subsections be incorporated to clearly establish the provisions that would apply to ‘agriculture-related uses’ and ‘on-farm diversified uses respectively.</p> <p>There is also concern with the inclusion of the final sentence “Other similar agri-business may be permitted provided there are no reasonable alternative locations outside prime agricultural areas.” This sentence should be deleted.</p> <p>Uses that do not comply with 2.3.3.1 of the PPS should not be permitted and would need to be consistent with the non-agricultural uses in prime agricultural areas policies of the PPS (2.3.6.1). If the OP would like to include a policy for other non-agricultural uses, we request that a separate policy be included to reflect the requirements of 2.3.6.1 of the PPS. For example, the City could consider a new policy:</p> <p>“x) limited non-residential uses, provided that all of the following are demonstrated:</p> <ol style="list-style-type: none"> <li>1. the land does not comprise a specialty crop area;</li> <li>2. the proposed use complies with the minimum distance separation formulae;</li> <li>3. there is an identified need within the planning horizon provided for in policy 1.1.2 for additional land to be designated to accommodate the proposed use; and</li> <li>4. alternative locations have been evaluated, and <ol style="list-style-type: none"> <li>i. there are no reasonable alternative locations which avoid prime agricultural areas; and</li> <li>ii. there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.”</li> </ol> </li> </ol>	<p>are specifically referenced in the PPS definition of agricultural uses.</p> <p>Staff recommends separating on-farm diversified uses in a separate policy 1b. Staff also recommends adding “agricultural” after “principle”.</p> <p>New Policy 3 revised to focus solely on agricultural-related uses. Final sentence deleted.</p> <p>Staff recommend not including a new policy regarding limited non-residential uses for the following reasons: a) Greater Sudbury does not have any specialty crop areas; b) the OP contains policy re: minimum distance separation formulae; c) the growth and settlement discussion paper concluded that there was enough land supply [outside of the prime agricultural areas] to accommodate future non-residential land needs.</p>
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	<p>Finally, please note that the PPS policy/definition for agriculture-related uses no longer requires the use to be related to the farm operation (singular). Therefore the City may wish to reconsider if they wish to keep that component of the policy in the provision.</p> <p><i>Policy 3</i></p> <p>Please clarify the intent of ‘facilities’.</p> <p><i>Policy 4</i></p> <p>Please update the wording of this policy to reflect the current language found in 2.5.4.1 of the PPS. “In prime agricultural areas, on prime agricultural land, extraction of mineral aggregate resources is permitted as an interim use provided that the site will be rehabilitated back to an agricultural condition.”</p> <p><i>Policy 5</i></p> <p>As discussed above, further consideration may be given to the MDS provisions in the Official Plan.</p> <p><i>Policy 6 and 7</i></p> <p>We are not opposed to the garden suite and second unit provisions; however a separate well and septic system should not be permitted for a garden suite or a second suite in the Agricultural Reserve designation, these should be connected to the same well and septic as the principal unit and the City should be satisfied that the services are suitable for the garden suite.</p>	<p>Staff recommends changing the text to “farm operations in the area.”</p> <p>Staff recommends no further definition of ‘facilities’ Staff recommends changing policy 4 (new proposed policy 5) as suggested.</p> <p>The proposed changes re: MDS are not recommended by staff. Exceptions to the MDS formulae are exercised through the Minor Variance process.</p> <p>Concerns regarding second units in the agricultural reserves are addressed through the zoning by-law. Staff have considered and discussed the design and location of second units in the October 2013 Second Unit and Other Official Plan Policy Recommendations paper.</p>
	<p><b>Section 6.2.2. Lot Creation</b></p> <p><i>Policy 2</i></p> <p>This section does not clarify that the policies are intended to address lot creation for agricultural uses, and that the requirements found in 6.2.2.2 a)-c) would not necessarily be applicable to other lot creation/adjustment scenarios in the Agricultural Reserve, such as new lot for an agriculture-related use to be 30ha. We recommend that the words ‘for agricultural uses’ be added after the first word ‘Severances’ of policy 2.</p> <p>Also, please note that the recommended minimum lot size for agricultural lots where cash crop and livestock operations are the predominant form of agriculture is typically 40 hectares. Given the background work put into the original Official Plan which resulted in a smaller lot size in Greater Sudbury based on the average lot sizes for agricultural lot sizes in the City, a 30 hectare minimum agricultural lot size will be considered.</p>	<p>For policy 2, staff recommends adding “for agricultural use” as it would clarify the City’s intent – given that the next policy is for agriculture-related use.</p> <p>The minimum lot size for agricultural lots has not changed from the last OP review, which had received input from the Ontario Ministry of Agriculture, Food and Rural Affairs, and approved by the Province as consistent with the PPS. A</p>

		change to the minimum lot size is not recommended.
	<p><b>Section 6.2.3. Lot Adjustments</b></p> <p>The PPS defines “legal or technical reasons” as “severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.” To ensure that this OP’s policy is properly applied, we request that clarification as to what is to be considered ‘legal and technical reasons’ as per the PPS be incorporated into this policy or elsewhere in the OP.</p>	Staff do not support including the PPS definition of “legal or technical reasons” in the OP text. The addition of “legal or technical reasons” was a Provincial modification to the 2006 Plan. The PPS defines “legal or technical reasons”. The OP generally does not contain definitions of terms.
	<p><b>Section 7.0 Parks and Open Space</b></p> <p>We request that a new objective be added to the section 7.1, consistent with policy 1.5.1 d) of the PPS:</p> <p><b>“j. recognize and minimize negative impacts on provincial parks, conservation reserves and other protected areas.”</b></p> <p>Further, in section 7.3.1, we request that “Provincial Parks and” be deleted in policy 4, and that a new policy be created:</p> <p><b>“5. Provincial Parks and Conservation Reserves are regulated and managed by the Ministry of Natural Resources and Forestry, and therefore are not subject to municipal policies reflecting use and development.”</b></p>	<p>Staff supports the addition of the new objective j).</p> <p>Provincial Parks are excluded in the OP schedules. As a result, staff do not recommend adding the Province’s proposed policy 5.</p>
	<p><b>Source Water Protection</b></p> <p>In order to protect municipal drinking water supplies and designated vulnerable areas, municipalities should ensure that their OPs and zoning by-laws are consistent with the broader policies in the 2014 Provincial Policy Statement (section 2.2.1 (e) of the PPS, 2014) as well as conform with/have regard to applicable source protection plan (‘SPP’) policies when the SPP takes effect and within the timelines provided by the SPP.</p> <p>The City of Greater Sudbury is located within the Sudbury Source Protection Area. Please note that the Sudbury SPP was approved by the Minister of Environment and Climate Change and takes effect April 1, 2015. The SPP sets out a requirement that the municipality’s official plan and zoning by-law are to be updated with the revision requirements found in s. 26 of the Planning Act. This timeline was established to afford the municipality the time to align a conformity exercise within the course of the municipality’s review cycle, and given that the OP review is currently underway, the Province recommends that that the SPP conformity exercise proceeds at this time. The SPP and supporting documents (including assessment reports) may be accessed at the Sudbury Source Protection Area website: <a href="http://www.sourcewatersudbury.ca/en/">http://www.sourcewatersudbury.ca/en/</a></p>	



	<p>Although the value of water for drinking is included in the preamble in section 8.0, within the policy text in section 8.1 there is no direct mention of the protection of sources of drinking water. Currently, section 8.1 focusses on protecting water resources for ecological values and functions, and the value of protecting drinking water sources for public health interests should be addressed. In order to strengthen the OP's consistency with section 2.2.1 (e) of the PPS, the Province recommends that a general policy be included in section 8.1 to ensure that municipal drinking water supplies and vulnerable areas are protected as sources of drinking water.</p> <p><b>Section 8.2 Watershed Approach – The Link Between Land and Water</b></p> <p>Section 8.2 introduces the source protection plan as a watershed based plan. The second paragraph states that watershed based plans “will provide the necessary level of detail to identify and assess sensitive environmental features and functions”. Source protection plans do not address water from an environmental/ecological perspective, but rather identify and address threats to vulnerable areas associated with drinking water supplies. Please clarify accordingly.</p> <p>Further, policy 8.2.1 directs watershed plans, including source protection plans, to fulfill certain requirements. The content and objectives of source protection plans is provided in the <i>Clean Water Act</i> and Ontario Regulation 287/07. The purpose of a source protection plan is to ensure threats to sources of municipal drinking water cease to be or never become significant. Fulfilling other requirements is outside of the scope of the source protection plan under the <i>Clean Water Act</i>.</p> <p><b>Section 8.3 Greater Sudbury Source Protection Plan and Ground Water Features</b></p> <p>This section provides a preamble including an overview of municipal drinking water sources, specifically groundwater sources, and section 8.4 addresses the City's surface water sources. Given that source protection policies apply to vulnerable areas associated with drinking water that include both ground and surface water sources, we encourage the City to consider whether a separate source protection section would help to clarify the areas where the policies apply and to avoid any gaps in implementation. For example, based on the heading of this section, policies 8.3.1-8.3.7 appear to apply to groundwater features, whereas the intent of the source protection plan's policies is to apply to all sources of drinking water.</p> <p>In addition, vulnerable areas in the assessment report include highly vulnerable aquifers and significant groundwater recharge areas. It is unclear if the intent of the OP is to have these policies apply to all of the vulnerable areas delineated in the assessment report or if the policies are intended to apply to WHPAs and IPZs. For example, policy 8.3.1 and 8.3.3 apply “in the vulnerable areas” however it may be unclear to a reader that the “vulnerable areas” includes IPZs as well as HVAs and SGRAs, given that the heading specifically identifies groundwater features. The Province suggests that the heading be revised to: Greater Sudbury Drinking Water Source Protection Plan and Vulnerable Areas. The preamble could then include information about surface water features as sources of drinking water in addition to groundwater features as well as describe the other vulnerable areas (HVAs and SGRAs) and clarify where the policies apply.</p>	<p>Staff also recommends removing and adding SWP concepts from section 8.2 to 8.3</p> <p>Staff recommends renaming Section 8.3. to <b>“Greater Sudbury Drinking Water Source Protection Plan”</b>. Further, staff recommends the addition of the following wording as the final sentence of the first paragraph of page 123: <b>“These WHPAs and IPZs represent high risk areas as determined by the Source Protection Plan. The policies of this section apply to the portions of the WHPAs and IPZs where threats to drinking water would be significant, as shown on Schedules 4a and 4b.”</b></p>
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<p><b>Section 8.3 Policies 1 - 7</b></p> <p>We note that policies 8.3.1-8.3.7 provide specific direction to mitigate impacts from urban development on drinking water sources. Further, these OP policies seem to implement policies S5F-LUP, S7F-LUP and WQ2EF-LUP in the source protection plan as the wording is very similar. These SPP policies are found on List A in the SPP (policies which are to be implemented under the <i>Planning Act</i> and have the legal effect “must conform with”). Specific comments on these policies are provided below.</p> <p><u>Policy 8.3.1</u></p> <p>The legal effect “conform with” SPP policies is provided in s. 39 (1) of the <i>Clean Water Act</i> (CWA), and policy 8.3.1 is not required to give legal effect to decisions made under the <i>Planning Act</i>. However, if this policy is included, we recommend that for greater clarity, the phrase “will conform to” in policy 8.3.1 should be replaced with “<b>will conform with the policies on List A of</b>”. The City may also wish to clarify that this requirement would be limited to “<b>portions of the WHPAs and IPZs where threats to drinking water would be significant.</b>”</p> <p><u>Policy 8.3.3</u></p> <p>Please clarify the mechanism by which this policy will be implemented. Some options might be:</p> <ul style="list-style-type: none"><li>• Direct the City to either undertake or review a stormwater master plan to implement this policy</li><li>• Require proponents to provide a report with a development application as to how the proposal satisfies policy 8.3.3.</li></ul> <p>If the latter is intended, it is unclear how this would work with a site development report required in section 8.4.5 and/or a stormwater management report in policy 8.5.3. Further it is unclear how the objectives of policy 8.3.3 will align with the requirements of policy 8.5.5 (contents of a stormwater management report). For clarity, one option would be to include the provisions of policy 8.3.3 in the requirements of the stormwater management report in policy 8.5.5 and provide policy text to ensure that the policy also applies to vulnerable areas where stormwater discharges would be a significant threat to drinking water.</p> <p><u>Policy 8.3.5</u></p> <p>This policy requires amendments to WHPAs and IPZs to proceed via an official plan amendment, and permits other minor modifications to other vulnerable areas to proceed without an amendment. The City may wish to consider whether a reduction in size of a WHPA or IPZ, or a modification to IPZ-3 would need to proceed via an official plan amendment. In addition, the policy states that modifications to “other vulnerable areas” would not need to proceed via an official plan amendment. Other vulnerable areas include significant groundwater recharge areas (SGRAs) and highly vulnerable aquifers (HVAs), however these areas are not mapped (please see comment on schedules, below), therefore it is unclear what is intended for these areas.</p>	<p>Staff supports the change to “will conform <b>with the policies on List A of</b> the Greater Sudbury Source Protection Plan.” Regarding the comments on the “portions of” staff recommend modifying the preamble as noted above: “<b>The policies of this section apply to the portions of the WHPAs and IPZs where threats to drinking water would be significant, as shown on Schedules 4a and 4b.</b>”</p> <p>Staff supports adding a cross reference to policy 3 of Section 8.3 in policy 3 of section 8.5.3.</p> <p>Staff recommends deleting the entirety of policy 5 of section 8.3, as originally presented to the Province, as it is redundant. A change to a vulnerable area would necessitate an amendment to the SPP and the OP, with or without policy 5.</p>
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	<p><u>Policy 8.3.7</u></p> <p>A policy to restrict land uses in the zoning by-law to protect surface water resources in addition to groundwater resources. A stormwater management report, site development reports, vegetative buffer zones for lake trout lakes are required for development of specific land uses related to other objectives. These reports and restrictions could also be considered in areas that are vulnerable to contamination of the municipal drinking water supplies.</p> <p><b>Section 8.5 Stormwater</b></p> <p>Please clarify how the requirements of this section integrate with the policy direction found in section 8.3.3. In setting the objectives for stormwater management, section 8.5.1 should include an objective to address protecting municipal drinking water supplies, such as, “where possible, directing stormwater discharges away from sources of drinking water”.</p> <p><b>S. 59 of the CWA (Restricted Land Uses) on List A of the SPP</b></p> <p>There are policies on List A of the source protection plan which rely on the authorities of Part IV of the CWA for implementation. To assist with implementing Part IV authorities, the CWA enables a process under s.59 to ensure development applications are screened early in the application process so that activities that pose a risk to drinking water are not inadvertently approved. In areas where Part IV applies, a proponent is required to obtain a notice to allow an application to proceed (called the s. 59 notice). This notice is required as part of a complete application under the <i>Planning Act</i> and is applicable law under the <i>Building Code Act</i>. To reflect this requirement, the Province strongly recommends that the s. 59 notice be included as part of the complete application requirements in the official plan. Further, when policies enabling the s. 59 notice are included on List A, the intention is to ensure that the OP maps areas where Part IV applies and the s. 59 notice is required. Areas where Part IV of the CWA applies are not included on the schedules. This can be achieved in a variety of ways, including through an overlay designation.</p>	<p>The Province is suggesting that the City could require stormwater management reports, site development reports and buffer zones when considering development in vulnerable areas. The City could require these reports as part of complete application requirements (section 20.12.2 of the OP). No change recommended at this time.</p> <p>As mentioned above, staff recommends adding a cross reference to policy 3 of Section 8.3 in policy 3 of section 8.5.3.</p> <p>Staff support adding the “s.59 notice” as part of the complete application provisions of the OP.</p>
	<p><b>Section 8.4. Surface Water Resources – Lakes and Rivers</b></p> <p>The Province is providing the following comments on the draft OP’s policies on recreational water quality and lake capacity. The comments are provided to strengthen the draft OP’s consistency with the water policies of the 2014 PPS and the direction provided within the Ministry of the Environment and Climate Change’s Lakeshore Capacity Assessment Handbook.</p> <p><i>General Comment</i></p> <p>The Official Plan includes three types of watershed-based plans for water quality protection: source protection to address municipal drinking water; sub-watershed to address flooding and storm water; and lake-based to address recreational and habitat issues. The following comments relate to the lake-based policies for recreational water</p>	<p>No comment as this is a preamble to the specific comments below.</p>

	<p>quality.</p> <p>The lake-based policies for recreational water quality emerged from considerable technical work done by the City and its consultant and that was summarized in the OP's water quality model background document. The background document aimed to determine how much development and redevelopment of unserved shoreline lots could occur while still meeting the intent of the Provincial Water Quality Objective (PWQO) for phosphorus and the Provincial Policy Statement. It concluded that the water quality model for Sudbury currently has insufficient accuracy to support implementation of the model-based total phosphorus PWQO for Precambrian Shield lakes (modeled background+50%). As an alternative it proposed using watershed-based lake management classifications, along with water quality triggers to address uncertainty of those classifications, to guide Official Plan policies for management of shoreline lot development.</p> <p>Two important underpinnings of the proposed lake classification approach, the contribution of phosphorus from all sources in a watershed (a criterion for lake classification) and water quality monitoring as a safeguard against uncertainty, were not carried over into the water quality protection policies of the final draft Official Plan. Missing from the proposed policies is consideration of non-shoreline and upstream phosphorus sources and downstream receptors, by definition part of watershed-based planning. Also missing is mention of water quality monitoring triggers. These are significant omissions. The following technical review comments identify how the draft policies for water quality protection can include important safeguards against uncertainty of the lake classification approach and can be made more consistent with provincial recommendations in the Lakeshore Capacity Assessment Handbook, Ontario's Water Management Policies, and the 2014 Provincial Policy Statement.</p> <p><b>8.4.1 General Policies</b></p> <p><u>Recommendation 1:</u> State the water quality protection goal for phosphorus. For example: "The guideline for total phosphorus in lakes, rivers and streams is the Interim Provincial Water Quality Objective (PWQO). A goal for development decision-making will be to avoid water quality deterioration to the Interim PWQO."</p> <p><u>Rationale:</u> This statement is needed to ensure that the OP will be consistent with the provincial water quality protection goal for phosphorus. In a situation such as Sudbury where the lakeshore capacity model fails and the model-based total phosphorus PWQO for Precambrian Shield lakes (modeled background+50%) cannot be applied, the Province recommends the Interim PWQO be followed as a guideline. The Interim PWQO for total phosphorus is as follows: "<i>To avoid nuisance concentrations of algae in lakes, average total phosphorus concentrations for the ice-free period should not exceed 20 ug/L. A high level of protection against aesthetic deterioration will be provided by a total phosphorus concentration for the ice-free period of 10 ug/L or less. This should apply to all lakes naturally below this value. Excessive plant growth in rivers and streams should be eliminated at a total phosphorus concentration below 30 ug/L.</i>"</p> <p><u>Recommendation 2:</u> Add, as a general policy, that upstream sources and downstream receptors will be considered. Note this is particularly important when development occurs upstream of (a) a lake trout lake or other cold water</p>	<p>Change recommended in part. Staff proposed policies are consistent with protecting, improving and restoring the quality of water, as well as ensuring consideration of environmental lake capacity, where applicable. Staff proposed policies include criteria of 10-year mean of 20 µg/l and greater TP values for which no new unserved lots are to be permitted.</p> <p>Change not recommended as the lake water quality model considers both upstream sources</p>
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	<p>lake or stream, (b) a lake classified as Moderate or Enhanced, or (c) a lake with flagged water quality monitoring trigger.</p> <p><u>Rationale:</u> Watershed-based planning acknowledges the zone of influence for phosphorus loading is the watershed; upstream sources and downstream receptors need to be considered. Particularly sensitive and valuable natural assets of the City are the lake trout lakes and other cold water lakes and streams. Lakes classified as Enhanced or Moderate and lakes of any classification with flagged monitoring triggers require particular attention to avoid unacceptable water quality change.</p> <p><u>Recommendation 3:</u> Add a general policy “When a lake has documented algal bloom or monitoring shows deteriorating water quality (e.g. TP increase trend; dissolved oxygen decrease trend; water clarity decrease trend) or TP is at Interim PWQO (10 ug/L or 20 ug/L for lakes; 30 ug/L for rivers and streams) there will be a moratorium on un-serviced lot development and additional phosphorus loading.”</p> <p>Rationale: Observations of algal bloom, deteriorating water quality trend or TP that is at the threshold of Interim PWQO trigger a moratorium on additional phosphorus loading, allowing for assessment of measures to maintain or improve water quality.</p> <p><b>8.4.2 Lakes Classified as Enhanced or Moderate</b></p> <p><u>Recommendation:</u> Change the first sentence to “Lot creation, development or redevelopment on shoreline lots <b>or lots within 300 metres of the shoreline or tributary stream</b> of lakes that have been classified as Enhanced or Moderate...”</p> <p><u>Rationale:</u> As detailed in the Lakeshore Capacity Assessment Handbook, the Province considers the zone of influence for phosphorus loading from septic systems to be within 300 m of lake shore or tributary of the lake, unless scientifically demonstrated otherwise.</p> <p><b>8.4.3 Shoreline Lot Creation Is Not Permitted - Conditions</b></p> <p><u>Recommendation 1:</u> Change first sentence to “Lot creation is not permitted on the shoreline of a lake <b>or within 300 m of the shoreline or tributary of a lake</b> where all of the following conditions occur”.</p> <p><u>Rationale:</u> As per Lakeshore Capacity Assessment Handbook, the Province considers the zone of influence for phosphorus loading from septic systems to be within 300 m of lake shore or tributary of the lake.</p> <p><u>Recommendation 2:</u> Remove the second condition: (b) lake is classified as enhanced.</p> <p><u>Rationale:</u> Enhanced classification lakes are not the only lakes that experience water quality deterioration due to human nutrient sources. Indeed, the OP’s water quality model background document lists examples of lakes with</p>	<p>and downstream receptors.</p> <p>Change recommended in part. Staff proposed policies to include triggers and responses to triggers including causation studies.</p> <p>Change not recommended as the staff proposed policies have been revised to no longer mention lake classification.</p> <p>Change recommended in part. Staff proposed policies include lots within 300 metres of the shoreline but not 300 metres of tributary streams.</p> <p>Change recommended.</p>
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	<p><u>moderate</u> classification that have TP&gt;20 ug/L due to anthropogenic phosphorus (e.g. Kelly, Mud, Simon, McCharles, Minnow, Robinson, Beaver E). Avoiding additional phosphorus loading to those lakes is consistent with the Interim PWQO and Ontario's Water Management Policies. Similarly, the OP's background water quality model report recommended avoidance of additional phosphorus loading in any lake with TP&gt;20 ug/L, regardless of management classification.</p> <p><u>Recommendation 3</u>: Change the third condition (c) to "lake has a measured, 10-year running mean for total phosphorus (TP) that exceeds 20 micrograms per litre <b>or if less than 10 years data available then mean TP exceeds 20ug/L</b>".</p> <p><u>Rationale</u>: All lakes in the City do not yet have 10 years of monitoring data. When data from a lower number of years have mean TP&gt;20 ug/L there should be no new development resulting in additional phosphorus loading at least until sufficient data have been collected to determine the 10-year average.</p> <p><u>8.4.5 Site Development Report</u></p> <p><u>Recommendation</u>: Add the following two information requirements for site development reports: (1) evaluation of water quality triggers (measured TP, algal blooms, water clarity, dissolved oxygen, and mean volume-weighted hypolimnetic dissolved oxygen for lake trout lakes); (2) evaluation of impact to downstream lakes.</p> <p><u>Rationale</u>: Water quality triggers address uncertainty in the lake classifications. Evaluating impact to downstream lakes recognizes that the zone of influence for phosphorus loading is the watershed, consistent with watershed-based planning.</p> <p><b>8.4.6.1 Lake Trout Lakes Over Threshold</b></p> <p><u>Recommendation</u>: Change first sentence to "Development within 300 metres of the shoreline <b>or tributary stream or first two lakes upstream of any lake trout lake</b> that the Province has determined to be over threshold...."</p> <p><u>Rationale</u>: As detailed in the Lakeshore Capacity Assessment Handbook's requirements for development on lakes at capacity, the Province considers the zone of influence for P loading from septic systems to be within 300 m of lake shore or tributary, unless scientifically demonstrated otherwise.</p> <p>Upstream lakes are included because part of their phosphorus load is exported downstream. The first two lakes upstream are commonly within the Lakeshore Capacity Assessment Handbook's definition of the watershed for a lake that is at capacity.</p> <p><b>8.4.6.2 Lake Trout Lakes Not Over Threshold</b></p>	<p>Change recommended.</p> <p>Change not recommended. Site-specific technical studies may be required during site plan review but not as OP policy. Technical studies intended to address site specific requirements to ensure best practices are incorporated by the proposed development. Water quality triggers will be addressed by other policies in the OP.</p> <p>Change not recommended.</p>
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	<p>We note that the word “Significant” has been struck out of the title of section 9.2.2 to recognize the changes made to the PPS. Please review the entirety of the OP to ensure that the change is consistent throughout.</p>	
	<p><b>Section 9.2.4. Fish Habitat. Policy 3.</b></p> <p>To strengthen the OP’s consistency with policy 2.1.8 of PPS, we recommend that the City delete and replace the first sentence of policy 3 with the following:</p> <p><b>“Development and site alteration shall not be permitted on adjacent lands to fish habitat 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.”</b></p> <p>We further recommend that the adjacent lands width be modified to <b>120 metres</b> in the 2<sup>nd</sup> sentence, consistent with the guidance established in Section 11.4 of MNR’s Natural Heritage Reference Manual.</p>	<p>Staff recommends replacing the existing policy with ” <b>Development and site alteration shall not be permitted on adjacent lands to fish habitat 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.”</b></p> <p>Staff recommends maintaining the adjacent lands width at 30 metres.</p>
	<p><b>Section 9.2.5. Significant Wildlife Habitat</b></p> <p>The section needs additional direction regarding the protection of other significant wildlife. We recommend the addition of a new clause as follows:</p> <p><b>“d. All other significant wildlife habitat as identified in the appropriate Ministry of Natural Resources and Forestry Criterion Schedules for Significant Wildlife Habitat for Ecoregions 4E and 5E.”</b></p> <p>We also recommend that policy 1 and 2 be deleted and replaced to protect all significant wildlife habitat, consistent with PPS policies 2.1.5 and 2.1.8:</p> <p><b>“1. Development and site alteration is not permitted within significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.</b></p> <p><b>2. Development and site alteration is not permitted on adjacent lands to significant wildlife habitat 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. An Environmental Impact Statement will be required to demonstrate that ecological features and functions will not be negatively impacted by any proposed development.”</b></p> <p>Please see section 9.3.2 (and Figure 9-1) of MNRF’s Natural Heritage Reference Manual for more information on the process for identifying and confirming significant wildlife habitat.</p>	<p>Staff recommends that the MNRF criterion schedules not be referenced in the Official Plan.</p> <p>Staff recommends replacing Policy 1 of Section 9.2.5 with <b>“Development and site alteration are not permitted within significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.”</b></p> <p>Staff also recommends replacing Policy 2 of Section 9.2.5 with <b>“Development and site alteration are not permitted on adjacent lands to significant wildlife habitat 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. Adjacent lands are considered to be within 120 meters of features listed in 9.2.5 a, b, and c.”</b></p>
	<p><b>Section 9.2.6 Significant Areas of Natural and Scientific Interest. Policy 2.</b></p> <p>We recommend revising policy 2 to strengthen its consistency with PPS policy 2.1.8 pertaining to adjacent land to</p>	<p>Staff recommends replacing Policy 2 of section 9.2.6 <b>“Development and site alteration are not permitted on lands adjacent to a significant Area of</b></p>

	<p>ANSIs. We further recommend that the ‘ecological function’ definition be incorporated into the official plan. To this end, please delete and replace elements of the first sentence with the following (in bold):</p> <p>“Development and site alteration is not permitted on lands adjacent to a significant Area of Natural and Scientific Interest unless <b>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. Ecological function refers to the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.</b>”</p>	<p>Natural and Scientific Interest unless <b>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. Ecological function refers to the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.</b>”</p>
	<p><b>Section 9.3. Forest Resources. Policy 2</b></p> <p>Please delete reference to ‘Agricultural Reserve’.</p>	<p>The OP text policy is consistent with the definition of “agricultural uses” of the 2014 PPS. Staff does not support the change.</p>
	<p><b>Section 10.1 Protecting Public Health and Safety</b></p> <p>In order to comply with Brownfields legislation, please “Where appropriate” to “where required” in order to comply with the Brownfields legislation in objective (d). “Where appropriate” implies discretion that isn’t available under the legislation.</p>	<p>Staff supports these proposed changes.</p>
	<p><b>Section 10.4 Mine Hazards and Abandoned Pits and Quarries</b></p> <p>To better match the definitions found in the Mining Act, please revise the first sentence as follows: “Mine Hazards may include any feature of a mine or any related disturbance of the ground that has not been rehabilitated <b>to the prescribed standard</b>, posing a risk to human <b>health and</b> safety, <b>the environment</b>, and property.”</p> <p>Further, not all “pits” are strictly regulated under the <i>Aggregate Resources Act</i>. Please consider revising for clarification in the second paragraph by adding “Abandoned <b>aggregate</b> pits and quarries”.</p> <p><i>Mine Hazards</i></p> <p>There is a clear division with sections 10.4 Mine Hazards and Abandoned Pits and Quarries and section 10.5 Contaminated Lands. However even though contamination emanating from a mine hazard may be subject to the <i>Environmental Protection Act</i>, rehabilitation of <b>any</b> mine hazard falls under Part VII of the Mining Act and more specifically Schedule 1 of O. Reg 240/00. Please clearly identify these requirements in the draft OP.</p> <p>Further, the policy section should have a line that indicates any development on a rehabilitated mine hazard will require consent from the Minister of Northern Development and Mines (sought through the Director of Mine</p>	<p>Staff supports these proposed changes, save and expect the proposed change to policy 2. This is outside the scope of an official plan.</p>



	<p>Rehabilitation) prior to the alteration, destruction, removal or impairment of rehabilitated features.</p> <p>Please add a bullet to the Policies section which indicates “any study or rehabilitation recommendations should be done by an <b>appropriately qualified professional</b> and demonstrate how the rehabilitation will meet the prescribed standard.”</p> <p><i>Policy 2</i></p> <p>Under the Mining Act, a progressive rehabilitation report is to be submitted to the Director of Rehabilitation within 60 days of work being completed. MNM can provide technical assistance on reporting requirements. Please reflect these requirements in the official plan.</p>	
	<p><b>Section 12.3 Solid Waste Management</b></p> <p>This section of the OP speaks exclusively to landfill sites. We encourage the City to include other waste-related facilities such as waste processing and transfer stations that also have important planning considerations due to, for example, off-site impacts. This would be consistent with Section 1.6.10.1 of the PPS which addresses a range of waste management systems.</p>	<p>Staff recommends renaming section to the broader “Waste Management Systems”. Staff also recommends incorporating the PPS definition of “waste management system” in the pre-amble.</p>
	<p><b>Section 13.2 Heritage Structures, Districts and Cultural Landscapes</b></p> <p>Owner consent is not required for designation under the Ontario Heritage Act (OHA), but notice (consultation) is required. We recommend that the City revise the 2<sup>nd</sup> paragraph as follows: “The City, in <b>consultation</b> with property owners, may designate <b>individual property</b> by by-law under <b>Part IV of</b> the Ontario Heritage Act.”</p> <p>In addition to buildings and structures, landscapes and landscape features may be designated under Part IV of the OHA. We recommend that the City revise the first sentence of the third paragraph as follows: “<b>Areas or groupings of properties of cultural heritage value or interest</b> may also be designated under <b>Part V of</b> the Ontario Heritage Act as heritage conservation districts.”</p> <p><i>Policy 1</i></p> <p>Please note that the OHA uses the term “Register” and “cultural heritage value or interest”. Consider updating this policy to reflect the language of the OHA. Also, we recommend that Policy 1 of section 13.2: be modified to replace the words “list properties” with “<b>contain non-designated properties</b>” and by adding the words “<b>or interest</b>” after the word “value”.</p> <p><i>Policy 2</i></p> <p>The Ontario Heritage Act does not contain requirements for heritage impact assessments. The OP should provide minimum requirements for the completion of heritage impact assessments.</p>	<p>Staff supports changing the text to read “individual property” and “Part IV of” as suggested. Staff recommends keeping “cooperation” with property owners.</p> <p>Staff supports these proposed changes.</p> <p>Staff supports these proposed changes.</p> <p>Staff supports reordering steps d through f to: e, f, d, put to greater emphasis on the conservation of</p>

<p>Steps d), e) and f) may be out of order: avoidance of impacts should be the first priority, while mitigation of adverse impacts is considered once it is determined that impacts cannot be avoided.</p> <p>We therefore recommend the following changes to policy 2:</p> <p>2. A cultural heritage impact assessment will be required for development and intensification proposals or public works that include or are contiguous to a property designated under the Ontario Heritage Act or <b>non-designated property included</b> on the Municipal Heritage Register. The cultural heritage <b>impact</b> assessment will be undertaken in accordance with the <b>policies of this plan</b>. The City will determine the need for a cultural <b>impact</b> heritage assessment in consultation with the owner/applicant. A cultural heritage impact assessment <b>must</b> include the following elements:”.</p> <p><i>Policy 3</i></p> <p>The City does not have the authority to regulate demolition or alteration on property designated by the Province. We recommend that Policy 3 be revised as follows: “The City may <b>prevent</b> the demolition or inappropriate alteration of any heritage resource designated under the <i>Ontario Heritage Act</i> by the City.”</p> <p><i>Policy 7</i></p> <p>Please delete and replace “heritage districts” with “<b>heritage conservation districts</b>” to match the wording of the OHA.</p> <p><i>Policy 10</i></p> <p>Prior to amendments to the <i>Ontario Heritage Act</i> in 2005, municipalities could not prevent the demolition of designated properties. The current provisions of the <i>Ontario Heritage Act</i> provide an application process and municipal councils may approve, approve with conditions, or deny any applications. The relevant sections of the <i>Ontario Heritage Act</i> are also applicable law under the <i>Building Code Act</i>. Therefore, demolition control under the <i>Planning Act</i> is not required for designated properties. We recommend that the City delete policy 10 in its entirety.</p> <p><i>Policy 14</i></p> <p>Further to policy 2.6 of the PPS (and its definitions) and the Environmental Assessment Act Municipal Class EA Process, we recommend the following changes to the policy 14:</p> <p>“The City will make every effort to <b>identify</b>, ..... When necessary, the City will require <b>archaeological assessments and</b> heritage impact assessments, ... to mitigate any negative impacts <b>to cultural heritage resources</b>;</p>	<p>resources.</p> <p>Staff supports these proposed changes.</p> <p>Staff supports this proposed change.</p> <p>Staff supports this proposed change.</p> <p>Staff supports the proposed change. Policy 10 has been deleted.</p> <p>Staff supports these proposed changes.</p>
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	<p><i>Policy 16</i></p> <p>Further to policy 2.6 of the PPS (and its definitions) and the OHA, we recommend the following changes to policy 16:</p> <p>“In the event that demolition, salvage, dismantling, relocation <b>and/or</b> irrevocable damage to a cultural heritage resource is <b>determined through heritage impact assessment or other City review process to be unavoidable</b>, thorough archival documentation is required to be undertaken by the proponent and made available to the City for archival purposes....”</p> <p><i>Program 1</i></p> <p>Further to policy 2.6 of the PPS (and its definitions) and the OHA, we recommend the following changes to program 1:</p> <p>“The City may undertake a study to identify and <b>evaluate</b> areas and landscapes of <b>potential</b> cultural heritage value or interest. Landscapes <b>of cultural heritage value or interest</b> may be designated pursuant to the <i>Ontario Heritage Act</i>, or as areas of cultural heritage character and recognized for their specific heritage character in this Plan.”</p> <p><i>Preservation vs Conservation</i></p> <p>There is a good integration of cultural heritage throughout the official plan. We request, however, that the City use the term “<b>conservation</b>” instead of “preservation” throughout the plan.</p>	<p>Staff supports these proposed changes.</p> <p>Staff supports these proposed changes.</p> <p>Staff supports these proposed changes. Find and replace “preservation” with “conservation” where appropriate.</p>
	<p><b>Section 13.3. Archaeological resources</b></p> <p>Please revise the first sentence as follows “Archaeological resources may include [...]” (delete “<b>heritage</b>”)</p> <p><i>Policy 1</i></p> <p>Archaeological potential mapping is typically undertaken by a licensed archaeologist as part of an Archaeological Management Plan, any criteria other than the provincial criteria must be approved by the province before use. We recommend that policy 1 be changed as follows:</p> <p>“Disturbance of known archaeological sites <b>and areas of archaeological potential are</b> discouraged by this Plan. <b>Through the development of an Archaeological Management Plan, the City will undertake</b> mapping the archaeological potential of the City of Greater Sudbury in order to better determine where an archaeological assessment will need to be conducted by <b>a</b> licensed archaeologist. Until such mapping is completed, development</p>	<p>Staff supports the proposed change. Archaeological resource policies should be kept separate from cultural heritage resources policies.</p> <p>Staff supports the proposed change.</p>

	<p>applications will be screened for archaeological potential in accordance with provincial standards.”</p> <p><i>Policy 2</i></p> <p>Please revise the wording of policy 2 as follows: “Any alterations to known archaeological sites <b>and areas of archaeological potential</b> will only be performed by licensed archaeologists in accordance with the Ontario Heritage Act.”</p> <p><i>Policy 3</i></p> <p>Conservation strategies are developed on a site-by-site basis and there may be a range of options. We recommend the deletion of “through either removal [...] are preserved on site” in the second sentence of policy 3. Please add “<b>archaeological</b>” between “an” and “assessment in the first sentence.</p> <p><i>Program 1</i></p> <p>Please consider the interests of Aboriginal communities. We recommend adding the following at the end of program 1: “<b>including how the interests of Aboriginal communities will be considered in the conservation of cultural heritage and archaeological resources.</b>”</p>	<p>Staff supports the proposed change.</p> <p>Staff supports these proposed change.</p>
	<p><b>Section 20.9 Interpretation</b></p> <p>We request further information on this policy in the absence of appropriate mapping for the Agricultural Reserve designation.</p> <p>We are uncomfortable with the ability for uses to locate or expand on lands that are part of the Agricultural Reserve in the absence of appropriate justification under PPS policy 2.3.6.1.</p> <p>This is an additional reason as to why staff requests that the delineation of the Agricultural Reserve be completed as per Ministry identification and delineation guidance, including the use of identifiable boundaries when designating the Agricultural Reserve. If the boundary delineation issue is resolved this would satisfy our concerns related to Section 20.9 (a).</p> <p>Staff request that this be revised to exclude parcels that contain portions designated as Agriculture-Reserve.</p> <p>The first paragraph appears refers to the instances of properties that are designated for more than one purpose (i.e., extraction and agriculture). In these cases, existing uses do not preclude sequential land uses that are compatible with the area. With respect to lands within the agricultural designation, OMAFRA would like to request that this policy be modified to clarify that it is not to be interpreted to permit the expansion or development of new non-agricultural uses on lands within the Agricultural reserve without justification required by Section 2.3.6 of the</p>	<p>Staff recommends adding the following wording to section 20.9: “For greater clarity, this section is not to be interpreted to permit the expansion or development of new non-agricultural uses on lands within the agricultural reserve.”</p>

	PPS	
<b>COMMENTS ON GENERAL PLANNING PRINCIPLES</b>		
	<b>Draft Official Plan Alignment with 10 Year Housing &amp; Homelessness Plan</b>  There appears to be general alignment between the City's draft Official Plan and the 10 Year Housing and Homelessness Plan. Policy connections between the draft Official Plan and the Housing and Homelessness Plan are expected to assist in achieving many of the outcomes identified in the Housing and Homelessness Plan. For example, both plans acknowledge the prioritization of second unit policies to help create new units in existing residences as a strategy which promotes both intensification and affordability. However, the Province has some concerns with policy directions on Section 5.2.1 of the Official Plan (Rural Residential) that may jeopardize achieving the objectives of the Housing and Homelessness Plan (see above).	
	<b>Community Improvement</b>  Section 28(1.1) of the <i>Planning Act</i> includes provision of affordable housing within the definition of community improvement. Therefore the City may wish to include the provision of affordable housing as a rationale for community improvement in the Community Improvement Plan section of the plan. Promoting affordable housing in defined community improvement areas will assist with the creation of more affordable housing stock, and in achieving affordable housing targets. We also suggest delineating community improvement areas on the Official Plan schedules.	The OP relies on section 28 of the Planning Act for direction as to what may qualify under a community improvement plan. Further to this, item q of section 15.2 lists "the provision of affordable housing" as a criterion in identifying areas for community improvement plans. No change is recommended by staff.  Staff also recommends against adding CIP areas on schedules. It would be unnecessarily burdensome to have to amend both the OP and the CIP when a new area is being contemplated.
	<b>Group Homes</b>  The Province supports proposed changes made to group home policies which eliminate group home-related zoning restrictions.	No changes required.
	<b>Minimum Distance Separation (MDS)</b>  OMAFRA is encouraged to see the inclusion of Minimum Distance Separation (MDS) provisions included in the OP to help ensure that the PPS policies requiring application of MDS are addressed. It should be noted that the MDS guidelines provides municipalities with the ability to pursue options/flexibility as to how or when to apply MDS. Of relevance to Official Plan policy, it is recommended that the municipal approach that will be taken with respect to application of MDS for severance of an existing dwelling, application to settlement areas, and application to	No change recommended. Refer to staff response above with regards to Minimum Distance Separation Formulae.

	cemeteries be further considered and additional MDS provisions be included in a revised draft of the Plan. These options should be first considered locally however OMAFRA staff is available for further assistance if needed.	
	<p><b>Section 1.1. Context</b></p> <p>We suggest that the first sentence in the third paragraph on page 5 would be more correct if it were revised to read “Municipal drinking water is taken from Lake Ramsey, the Wanapitae River, <b>the Vermilion River</b>, and various wells in the <b>Valley and other communities</b>.”</p> <p>Even though Vale owns the Vermilion intake, it is a source of municipal drinking water. There are also municipal wells in Garson, Falconbridge, Onaping and Dowling</p>	Staff supports these proposed changes.
	<p><b>Section 1.3.1 A Healthy Community</b></p> <p>Section 1.3.1 of the Proposed 5 year amendment is a shortened version of the Healthy Communities policy of Section 16 of the existing Official Plan.</p>	No further action required.
	<p><b>Section 1.4. Vision</b></p> <p>The plan includes a good sweeping recognition of other plans commissioned or authored by the City (e.g. Earth Care Action Plan, Economic Development Strategic Plan). While the “Transportation Background Study” and the “Water and Waste Water Master Plan” are not yet complete, we encourage the City to include the vision of such studies in section 1.4 of the OP.</p>	Staff will consider this recommendation as part of the Phase 2 5-year official plan amendment.
	<p><b>Section 4.2.1. Downtown</b></p> <p>General policy 3 provides an exemption from parking for “residential use projects in buildings that were originally constructed five or more years ago.” What is the criteria for the “five or more years ago”? (e.g., as of the date of adoption of the Official Plan).</p> <p>Section 4.2.1 of the plan encourages the conversion of pre-2000 era retail and office floor space to residential use. Section 20.5.8 speaks to the conversion of existing buildings to residential use. We recommend that the City mention that, as part of the review and approval process for these types of proposals, the requirements for a Record of Site Condition (RSC) may be triggered. A statement about this requirement should be included in the relevant sections of the official plan.</p>	<p>Staff recommends leaving “five or more years ago” as is.</p> <p>Conversion to a more sensitive use and RSC requirements are addressed in the Ontario Building Code. No change recommended.</p>
	<p><b>Section 4.6.1 – Mining/Mineral Reserve</b></p> <p>This is also the only section in the plan where “major tailings area” is mentioned, yet there is no reference here to the schedule depicting the major tailings areas, Schedule 6. Please make reference to the</p>	Staff recommends adding “ <b>(as shown on Schedule 6)</b> ” after “major tailings areas” in the 3 <sup>rd</sup> line of the preamble to section 4.6.1.

	schedule.	
	<p><b>Section 5.2 Rural Area Designation Policy 3</b></p> <p>The draft OP directs that the Minimum Distance Separation (MDS) formulae will be applied for all development scenarios. The Province is not opposed to maintaining that standard. However, we want to convey to the City that there are options/flexibility as to when and how to apply MDS. This includes application of MDS for consents for existing dwellings, application to settlement areas and application of MDS in relation to cemeteries.</p>	See above discussion re: MDS options. No change recommended.
	<p><b>Section 5.2.4 Rural Area Designation</b></p> <p>Policy 3 of Section 5.2.4 of the Draft OP provides a definition for agricultural-related uses that goes beyond the minimum standards of Section 1.1.5.8 of the PPS. For example, the PPS addresses agricultural-related uses that “benefit” from being in close proximity to farm operations, rather than “required” in the proposed OP. The PPS definition also defines agricultural-related uses as uses that provide direct products and/or services to farm operations as a “primary” activity, while the draft OP speaks to “exclusive activity.” We understand that the policy is to be applied to the City’s rural lands. Municipalities are permitted to go beyond the minimum standards set out in the PPS however the City may wish to consider whether this is the intent.</p>	Staff recommends making the changes. See also discussion above (page 8) re: agricultural uses in rural areas.
	<p><b>Section 7.1. Parks and Open Space – Objectives</b></p> <p>Section 7.1., point c) provides the objective to “facilitate the preservation of natural habitats through the formation of parklands, greenbelts and Conservation Areas.” This use of the term Conservation Areas should be qualified that the formation of such would be the responsibility of the Nickel District Conservation Authority. Alternatively, the term Conservation Area could be defined elsewhere.</p>	Change is not necessary. The formation of conservation areas are the responsibility of the NDCA, with or without OP policy indicating such.
	<p><b>Section 7.3.1. Parks and Open Space Designation – Public Ownership</b></p> <p>Policy 7 g) states that “at the discretion of the City, where land in excess of the amount of land required for dedication has been conveyed to the City for park purposes in association with a development proposal, the excess may be applied as a credit to future development by the same proponent.”</p> <p>We recommend that the City verify that the proposed policy complies with Section 42 of the <i>Planning Act</i>. We also recommend that the City elaborate criteria as to when it would credit proponents, and when excess land will be applied as a credit to future development. For example, is the City thinking of applying the credit of a first phase to the future phases of the same subdivision? We also recommend that it be clarified that lesser parkland will only be considered where there is a sufficient supply of existing parkland to service a proposed development.</p>	The purpose of this policy is the facilitate the acquisition of greenspaces as identified in the Final Report of the Green Space Advisory Panel (2010), and Parks, Open Space and Leisure Master Plan.
	<p><b>Section 8.3 Greater Sudbury Drinking Water Source Protection Plan and Ground Water Features</b></p> <p>“WHPA” is used for the first time in the last paragraph on this page. We suggest that it be defined in the second paragraph, last sentence on page 120 as follows: “Intake protection zones (<b>IPZs</b>) and wellhead protection areas</p>	Staff supports these proposed changes.

	<p><b>(WHPAs)</b> are identified on <i>Schedule 4a, Drinking Water Source Protection</i> and <i>Schedule 4b, Drinking Water Source Protection Insets</i>.”</p> <p><i>Policy 4</i></p> <p>The update to the Tier Three Water Budget Model just applies to the Valley aquifer. The NDCA suggests a clarification in the first sentence such as “The City will ensure that water takings and recharge reduction <b>from the Valley</b> aquifer cease to be or do not become significant threats by only permitting expansions to the settlement boundaries....”</p> <p><i>Policy 6</i></p> <p>We suggest that the phrase "<b>identified in Schedule 4 as WHPAs</b>" be added to the end of Policy 6, which is about properly decommissioning abandoned wells.</p> <p><i>Policies in SPP directing other actions</i></p> <p>MOECC also noted that there are other types of significant drinking water threat policies (e.g. Specify Action, Monitoring, etc.) in the Sudbury SPP where the Municipality is the implementing body. The City may or may not choose to reference their SPP specified responsibilities within the OP with respect to these SPP policies.</p>	<p>Staff supports these proposed changes.</p> <p>Staff supports these proposed changes.</p> <p>Given that these policies are covered by the Source Protection Plan, the proposed change is not recommended by Staff.</p>
	<p><b>Section 8.4.7 Vegetative Buffers</b></p> <p>In item b, we recommend replacing “siltation” with the broader term “sedimentation” here and elsewhere throughout the document. Siltation applies only to the deposition of silt whereas sedimentation also includes particles such as boulder, cobble, gravel, sand and clay.</p> <p><i>Policy 1</i></p> <p>Please revise item b of policy 1 as follows: “for Resort and Shoreline Commercial uses, <b>a maximum</b> of 33% of the shoreline, <b>stream or river</b> bank”</p> <p>In items d and e: rivers have a 20 m setback whereas streams have a 12 m setback. This may be confusing; perhaps clarify that ‘river’ is as defined in 8.4.1.2</p>	<p>Staff supports proposed change to the word ‘sedimentation’.</p> <p>Staff will modify the wording to include the words “a maximum” but will maintain the word ‘shoreline’ since this word is already intended to apply to lakes, rivers and streams.</p> <p>Staff supports this proposed change.</p>
	<p><b>Section 8.5 Stormwater</b></p> <p>We suggest that a reference be made in this section to the stormwater policy for drinking water source protection in</p>	<p>As discussed above. Staff supports this proposed change.</p>



	Section 8.3.	
	<p><b>Section 8.5.3 Stormwater – Site-specific Policies</b></p> <p>We suggest adding a reference in this section to the stormwater policy for source protection in Section 8.3, such as: “The <i>Engineering Design Manual</i> will be utilized to determine appropriate stormwater management measures for each site, supplemented by the policies included in this section <b>and Section 8.3</b>, and technical and procedural guidance provided in the current version of the Ministry of the Environment and Climate Change’s <i>Stormwater Management Planning and Design Manual</i>.”</p>	Staff supports the proposed change noted in bold text.
	<p><b>Section 9.1 Natural Environment – Objectives</b></p> <p>While the identification of natural heritage systems in not a requirement for Ecoregion 5E (where the majority of the City’s land mass is located), we encourage the City to begin identifying these systems where possible.</p>	No change required.
	<p><b>Section 10.5 Protecting Public Health and Safety – Contaminated Lands</b></p> <p>In policy 2) we recommend changing the reference from “Qualified Professional” to “Qualified Person” in order to use the same wording as in the Brownfields legislation.</p>	Change recommended
	<p><b>Section 12.2. Sewage and Water and 11.2.2. Road Improvements</b></p> <p>There are a number of references made as to the need to upgrade/improve existing water and wastewater servicing systems to accommodate growth in Section 12.2. Similarly, as part of the transportation policies, there are references made to the local road improvements that have been identified as necessary following the completion of a master planning exercise.</p> <p>We encourage the City to make reference made to the Municipal Engineers Association (MEA) Class Environmental Assessment (EA) process that is and / or will need to be followed for these improvements. There is benefit in having the OP make reference to the EA process for municipal infrastructure projects, and in the case of servicing, to make reference to the environmental approvals that must also be obtained to ensure that all users of the OP understand the full range of approvals.</p>	The EA process is a public process directed by specific legislation and regulation. An official plan policy as suggested here may be redundant. No change is recommended.
	<p><b>Section 12.4. Utilities and Communications</b></p> <p>Section 12.4 has been renamed Utilities and Communications (previously Energy and Communications) and in its new form, has deleted all of the policies that had the effect of promoting wind energy projects or enabling small-scale hydroelectric projects. Also, all of the urban and landscape design policies that would convert energy and reduce waste and enable small and large solar projects seem to have been deleted as well. If replacement policies are offered, the Ministry did not find them in Draft – Amendment 1. Please provide rationale for removing these policies.</p>	The proposed changes to the OP have considered the <i>Green Energy and Green Economy Act, 2009</i> . No further changes are necessary.
	<b>Section 13.2 Heritage Structures, Districts and Cultural Landscapes</b>	

	<p><i>Policy 4</i></p> <p>The conservation priorities should be clarified and should relate back to the heritage impact assessment process. The City should also explore adaptive reuse as an option to be considered before relocation. We recommend the following changes to the first paragraph of the policy:</p> <p>“Heritage buildings and structures involved in planning applications will be retained for their original use and in their original location wherever possible to ensure that their heritage value is not compromised. <b>If the original use is no longer feasible, adaptive reuse of buildings and structures, will be encouraged where the heritage attributes will not be compromised.</b> If it is not possible to maintain structures in their original location, consideration may be given for the relocation of the structure.”</p> <p>We ask the City to consider separating the first paragraph from the itemized list (for example, starting at “The City will also encourage”) and presenting the conservation methods as a continuum (i.e., most preferred option to least preferred option). We therefore recommend that the first sentence of this new paragraph read as follows: “The City will encourage <b>the following</b> methods of conservation <b>in order of preference</b>.”</p> <p><i>Policy 8</i></p> <p>Alterations and demolition/new construction in a heritage conservation district requires approval of the municipality. Typically this would be administered through a “heritage permit” process, which may also include the requirement for a heritage impact assessment. A Heritage Impact Assessment may be an onerous requirement for a “minor” alteration or for repair or restoration (which are included in the definition of alteration in the OHA).</p> <p><i>Program 2</i></p> <p>Please revise the first sentence as follows: “The City may establish heritage design <b>guidelines and/or</b> cultural heritage impact assessment guidelines [...]”</p>	<p>Staff supports the suggested changes.</p> <p>Staff does not recommend any change. The list is not meant to be exhaustive, nor is it meant to be listed in order of preference.</p> <p>Staff recommends adding “<b>at the City’s discretion and may be</b>” after “may be allowed”.</p> <p>Staff supports the suggested change.</p>
	<p><b>Section 13.3 Archaeological Resources</b></p> <p><i>Policy 4</i></p> <p>We recommend using the same terminology as the <i>Funeral, Burial, and Cremation Services Act, 2002</i>. Please revise policy 4 as follows:</p> <p>“The local police, Cemeteries Regulation Unit of the Ministry of Consumer Services and the Ministry of <b>Tourism</b>,</p>	<p>Staff recommends not adding “City and/or”.</p>

	<b>Culture</b> and Sport will be contacted by the <b>City and/or</b> proponent if an unmarked human burial <b>site</b> is discovered during land use development.”	Responsibility (per the Funeral [...] Act) is on the person discovering or having knowledge of a burial site.
	<b>Section 15.2 Identification</b> “Cultural Heritage Resources” typically includes archaeological resources. Please revise point r as follows: “the area contains significant <b>built</b> heritage resources, <b>cultural heritage landscapes and/or</b> archaeological resources.”	Staff supports the suggested changes.
	<b>15.3 Issues To Address in CIPs</b>  Please revise point d: “natural and <b>cultural heritage</b> features;”	Staff recommends adding “ <b>cultural heritage features</b> ” as a separate point.
	<b>Section 20.4.1 Subdivision of Land – Policies</b>  Clause a) requires that all proposals of land having the effect of creating more than three new lots shall proceed by plan of subdivision, “unless in the City’s opinion a Plan of Subdivision is not necessary for the proper development of the area”. It is recommended that the Plan specify the criteria for determining that a plan of subdivision is unnecessary for the proper and orderly development of the area (e.g., no major extensions of infrastructure or new roads are required, no anticipated negative environmental impacts, etc.).	While this is an opportunity for the City to outline when a plan of subdivision is unnecessary, staff recommends not doing so. The section is almost identical to subsection 53(1) of the Planning Act, and allows staff to recommend plans of subdivision on a case by case basis.
	<b>Section 20.12.2. Complete Application</b>  Please revise point l as follows: “Heritage Impact Assessment and Conservation <b>Plan</b> ”; and delete “site” from point (m).	Staff supports the suggested changes.
	<b>Section 21.7.1 The Community of Sudbury</b>  Reference is made to Schedule 1b in the first paragraph. The alphabetic list which follows refers to areas ‘A’ through ‘H’. The areas are not shown on Schedule ‘1b’ but are shown instead on an inset in Schedule ‘6’. Therefore we recommend a clear linkage between the first paragraph in Section 21.7.1 and Schedule ‘6’.	Staff recommends adding “ <b>See inset on schedule 6 for location of areas A-H.</b> ” at the very end of the preamble.
<b>EDITORIAL COMMENTS</b> The following suggestions should improve readability and make the plan more accessible to residents and other stakeholders.		
	The City should consider including a definition section, or a “how to read this official plan” near the beginning of the plan. Such a section could explain that italicized terms refer back to designations or other found elsewhere in the official plan.	Staff will consider the suggestion as part of the next review to the OP.
	References to the “Ministry of Natural Resources” and “Ministry of the Environment” should be changed to the “Ministry of Natural Resources and Forestry” and “Ministry of the Environment and Climate Change”, respectively, throughout the official plan.	Staff supports the suggested changes.

	Page 7 notes that, “for ease of reference, the land use objectives and policies of this Plan that directly support the determinants of a healthy community are identified with the above symbol.” Please include symbol, or delete reference to symbol.	Staff supports including symbols throughout the OP, with a front section to explain the iconography. Such a section is forthcoming, and could form part of a future consolidation of the OP.
	Please double check to ensure cross-references are accurate throughout the Plan.	Staff will ensure this happens.
	<p><b>Section 4.2.1. Downtown.</b></p> <p>Does the <i>Vision, Plan and Action Strategy</i> correspond to the Downtown Master Plan? If so we encourage the City to consider making the linkage explicit in the text of the Plan. If not we encourage the City to make linkages to the Downtown Master Plan in the Official Plan.</p>	Staff recommends making the link clearer. Yes, the Vision, Plan and Action Strategy is the Downtown Master Plan.
	<p><b>Section 4.6. Mineral and Aggregate Extraction Designations</b></p> <p>Please include “<b>by the Ministry of Natural Resources and Forestry</b>” after “<i>Pits and quarries are regulated</i>” in the first paragraph of the section.</p>	Staff supports the suggested change.
	<p><b>Section 6.2.1 Agricultural Reserve</b></p> <p>Please verify the intent of cross references. For example, should the cross reference in Policy 6 read ‘2.3.4, Guest Rooms’? We recommend that the cross reference to 2.3.4 be evaluated, as it is believed the intent was to refer to ‘2.3.5’.</p>	Staff supports the suggested change. Change to “ <b>2.3.5</b> ”
	<p><b>Section 20.12.2 Complete Application</b></p> <p>There are a number of studies listed in Section 20.12.2 that may be required as part of a complete application, some of which only appear in this section of the OP (Functional Servicing Study, for example). We encourage the City to identify potential study requirements (where, when and why) throughout the OP.</p>	Staff does not support the suggested change. The policies are outcome based, and the OP is meant to be read in its entirety.
	Are the asterisks (*) in sections 4.6.2 Aggregate Reserve and 9.0 Natural Environment deleted or still part of the text? And if they are part of the text, what is the purpose of the asterisk?	Asterisks were provincial modifications from 2006/07 OP.
	<p><b>MTO Requirements</b></p> <p>Very little about MTO requirements is mentioned in the official plan. Please find, attached, a copy of MTO’s OP guidelines. We ask that the City consider the guidelines and incorporate where necessary.</p>	No changes recommended at this time. The OP policies are outcome based and are consistent with the Provincial Policy Statement. Other specific MTO requirements are covered by statute and regulation.
	<p><b>Section 9.2.6 Significant Areas of Natural and Scientific Interest</b></p> <p>Please revise the first paragraph of the section to better reflect the ANSI definition found in the 2014 PPS.</p>	<p>Staff recommends modifying the words to:</p> <p><b>“An Area of Natural and Scientific Interest is an area of land and water containing natural</b></p>

		<b>landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.”</b>
	<b>Section 9.5. Environmental Impact Study</b>  We recommend additional wording as an introductory statement to improve clarity:  <b>“The City will require an appropriate level of assessment to determine the potential impacts of development and site alteration on natural features and areas to determine whether significant features exist.”</b>	Staff has no concerns with the suggested changes.
	<b>Section 11.2.1. Road Category</b>  The last sentence should also mention that Highway 7042 (Secord Road)(Old Wanup Road), Highway 7279 (Estaire Road) and Highway 7286 (Bentley Road) are under the jurisdiction of the MTO. See attached map with indication of the 7000 series highways.	Staff supports the suggested changes.
	<b>Part VIII: Site and Area Specific Policies and Schedules</b>  In the first paragraph the term “special policy areas” is used. In Section 20.1 reference to “special policy areas” has been changed to “Site and Area Specific Policies”. Please change the reference in Part VIII to be consistent with the terminology in Section 20.7. There is another reference to special policy areas in Section 5.2.2 which should also be changed accordingly.	Staff agrees to change the wording when an incorrect cross-reference is being used.  Section 21.7 specifically states that the special policy areas are not ““Special Policy Areas”, as defined in the Provincial Policy Statement.” No further changes are required.
	<b>Section 20.7.1 Comprehensive Planned Unit Developments</b>  In policy e) we suggest referencing Section 37 of the <i>Planning Act</i> and Section 20.5.5 of the Official Plan.	The draft OP introduces a new section 20.5.5 that speaks to Section 37 By-laws.
<b>COMMENTS ON THE SCHEDULES</b>		
	<b>Schedule 1</b>  We encourage the City to illustrate the “built boundary” on schedules 1a, b and c.	Staff does not recommend this change. The schedules are meant to be read together. The built boundaries are illustrated on schedule 3.
	<b>Schedule 1 a b c – Aggregate Resources and Operations</b>  Section 2.5.1 of the PPS states that mineral aggregate resources shall be protected for long-term use, and where information is available, deposits of mineral aggregate resources shall be identified. We recommend that the mapping be updated to include all known aggregate reserves, even reserves located on Crown Land. Identifying these resources on the schedules would better protect the resource and prevent potential conflicts with incompatible land uses. Information regarding aggregate reserves in the City is found in 4 ARIP reports (numbers 140, 170, 173 and 174), and in 4 NOGETS reports. For example, much of the missing information re: aggregates reserves on Crown Land north of Capreol is found in NOGETS report #5001	The PPS defines high quality mineral aggregate resources as primary and secondary sand and gravel resources and bedrock resources as defined in the Aggregate Resource Inventory Papers (ARIP). Staff recommends adding primary and secondary aggregate reserves only.

	<p>We further recommend that all licensed and permitted aggregate operations are delineated in a schedule to illustrate the operations within the municipality. License and permit boundaries can be accessed through LIO. We also ask that the City confirm the land use designations where these existing operations are located.</p>	<p>Identifying mineral aggregate operations is not a PPS requirement. Staff does not recommend this at this time.</p>
	<p><b>Schedule 1 a b c – Public Spaces, Recreation, Parks, Trails and Open Space</b></p> <p>We recommend that provincially protected lands be shown separately to illustrate distinction between lands that can be managed by the municipality and those under the jurisdiction of the Province.</p>	<p>Not recommended at this time. The OP cannot direct the Province's use of its own lands.</p>
	<p><b>Schedule 3 – Growth and Settlement</b></p> <p>We note that the Sudbury Airport, and areas north of Coniston are designated as settlement areas. Designations of such lands may not meet the PPS definition of settlement areas. Please clarify. Please note that the definition for a settlement area in the Provincial Policy Statement refers to “urban areas and rural settlement areas (such as cities, towns, villages and hamlets) that are (a) built up areas where development is concentrated and which have a mix of land uses; and (b) lands which have been designated in an official plan for development over the long-term planning horizon provided for in policy 1.1.2. In cases where land in designated growth areas is not available, the settlement area may be no larger than the area where development is concentrated.”</p> <p>Industrial areas in Lively, Chelmsford, Coniston, for example, are outside the built boundary, while other industrial areas (e.g. Val Caron) are included within. Please clarify.</p> <p>In addition, we recommend that non-urban settlements be distinguished from the urban Settlement Areas.</p>	<p>Settlement area boundaries were established based on the existing Living Areas, Industrial and Employment land use designations. Staff recommends removing the draft settlement area designation on only those lands north of Coniston, per the Province's suggestion.</p>
	<p><b>Schedule 4 – Drinking Water Source Protection</b></p> <p>In addition to the WHPAs and IPZ-1 and IPZ-2, there are designated vulnerable areas within the boundaries of the City of Greater Sudbury including IPZ-3, Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas. These vulnerable areas are not currently delineated on schedules in the OP.</p> <p>To be consistent with section 2.2.1 (e) of the PPS, 2014, the Province recommends that all designated vulnerable areas be identified on the OP schedules.</p> <p>In addition, on Schedule 4b, inset 1, Ramsey Lake intake, the inset does not include all of the areas where source protection plan policies affecting land use planning decisions apply. Ramsey Lake intake has been identified as having increasing trends of sodium and incidents of microcystin LR (blue green algae). In the CWA program, increasing trends of parameters are identified as “issues” and the area that contributes to the issue (otherwise known as the issue contributing area, or ICA) should be included in the inset mapping. The mapping of the ICA for Ramsey Lake is found in the local assessment report.</p>	<p>Staff disagrees. The City should designate only those portions of the WHPAs and IPZs where threats to drinking water would be significant. This has been determined through the Source Water Protection plan exercise.</p>

	<p><b>Schedule 5 – Significant Wildlife Habitat</b></p> <p>We recommend that schedule 5 be updated, if required, to illustrate significant wildlife habitats that are identified in relevant and available draft ecoregion criterion schedules (see comment above related to Section 9.2.5 of the Official Plan, and the need to reflect all significant wildlife habitats).</p>	Schedule does not require to be updated.
	<p><b>Schedule 5 – Natural Heritage</b></p> <p>We recommend the identification of cold water streams and lakes.</p>	Staff does not support the suggested change. Identification of cold water streams and lakes to be undertaken during watershed planning.
	<p><b>Schedule 6 – Wildland Fire</b></p> <p>We recommend that schedule 6 be updated to show forest hazard classifications for wildland fires. Forest hazard mapping for the Sudbury area is attached and otherwise available through LIO.</p>	Staff disagrees with identifying forest hazard classifications in its OP. The Identification and/or designation of wildland fires is not a PPS requirement at this time.
	<p><b>Schedule 6 – Major Tailings Area</b></p> <p>At the scale of this map, the grey shading for “Major Tailings Area” is difficult to discern from the communities that are dense with roads. We recommend using a different symbol or a different colour with current symbol for the “Major Tailings Area”.</p>	Staff supports the suggested changes.
	<p><b>Schedule 7 – Transportation</b></p> <p>The schedule should be updated to indicate the new four lane section of highway 69 and also the re-numbered sections of the old Highway 69 to 7000 series highways. See attached map.</p> <p>Concerning Schedule 7, Transportation Network, the MTO has received Environmental Clearance for the Chelmsford Bypass as well as a future realignment of Highway 17. The MTO request that the alignment indicated on the attached drawings be included in the Schedule.</p> <p>Further information in respect to the bypass can be obtained at <a href="http://www.highway144study.ca">www.highway144study.ca</a></p>	Staff supports the suggested changes.
	<p><b>Mineral Mining Reserve Designation</b></p> <p>There is updated technology used to evaluate mineral potential that may change the boundaries of the Mining/Mineral Reserve” land use designation. It is recommended that the City contact MNDM District Geologist Dan Farrow at 705-670-5741 should be contacted to refine the delineation of “Mining/Mineral Reserve” land use designation. This will ensure the most up-to-date information and any future considerations have been used in the delineation of the “Mining/Mineral Reserve” land use designation.</p> <p>If there are any questions with regards to AMIS sites, please contact Marc Stewart at MNDM's Compliance and Rehabilitation branch at 705-670-5822.</p>	Staff has followed up with MNDM.

	<b>Community Improvement Areas</b>  We encourage the City to consider adding community improvement area boundaries to the Official Plan.	As discussed above, staff recommends not adding the CIP boundaries to the OP.
<b>ADDITIONAL POLICY RECOMMENDATIONS</b>		
	<b>Section 4.2.1 Downtown</b>  The Design Guidelines of Section 14.2 of the Official Plan state that the City will require high quality urban design through the review of all <i>Planning Act</i> applications. We applaud this measure as a key principle of good urban planning. Section 4.2.1.3, Policy 2 of the Official Plan states that high quality urban design in the Downtown will be ' <i>promoted</i> '. We encourage the City to consider language consistent with that used in Section 14.2 by requiring the use of urban design guidelines (as opposed to simply promoting them).	No change required at this time. The proposed OP provides broad urban design direction to improve the quality and character of future public and private projects. The broad directions of the proposed OP will be further articulated through a comprehensive set of urban design guidelines. The City may consider an official plan amendment, if required, upon adoption of urban design guidelines.