



**DILLON**  
CONSULTING

Gateway Casinos and Entertainment Limited  
**Official Plan and Zoning By-Law  
Amendment**

Planning Justification Report

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## 1.0 INTRODUCTION

### 1.1 Purpose

Dillon Consulting Limited (Dillon) has been retained by Gateway Casino and Entertainment Limited, “the developers”, in conjunction with 1916596 Ontario Ltd., “the present owners”, to assist with a professional planning opinion in support of Official Plan and Zoning By-Law Amendments (Applications #1a and #1b) to allow for the development of the Subject Lands for a ‘Place of Amusement’ in the form of a casino. The Subject Lands will be utilized for other complimentary land uses such as a hotel, restaurants and limited retail uses. While separated by a property line, the Subject Lands will be connected physically and form part of the “Kingsway Integrated Site Development” (Kingsway Development). This development is envisioned as the beginning of a new area for entertainment, providing exciting new opportunities for the expansion of Sudbury-based events for the residents of Greater Sudbury and visitors to the community.

This Planning Justification Report (PJR) is being prepared to provide a professional planning opinion to justify the change in the City of Greater Sudbury’s Official Plan and Zoning By-law for the property located north of Levesque Street on the Kingsway, known as the Jack Nicholas Business and Innovation Industrial Park (refer to **Figure 1.0 - Location Map**).

There is a companion application (Application #2) submitted to amend the City’s Zoning By-law to permit a Recreation and Community Centre on the adjacent lands for the development of a Greater Sudbury Sports and Entertainment Centre, including an arena (refer to **Figure 2.0 –Proposed Official Plan and Zoning By-Law Designations**).

The current site meets the parking requirements of Zoning By-law 2010-100Z. However, based on the Public Consultation Process, it was identified that an overflow parking strategy should be considered. As a result, a second companion application (Application #3) is being submitted to add “parking lot” to the list of permitted uses for the balance of the lands within the Jack Nicholas Business and Innovation Industrial Park (refer to **Figure 2.0 –Proposed Official Plan and Zoning By-Law Designations**).

Refer to **Appendix A – Planning Applications** for copies of the four (4) planning applications discussed.

## 1.2 Background Information

The property is designated in the City of Greater Sudbury Official Plan and Zoning By-law 2010-100Z as follows:

### **City of Greater Sudbury Official Plan – Schedule 1b: Land Use Plan**

*General Industrial*

(Refer to **Figure 3.0 – Existing Official Plan Designations**).

### **City of Greater Sudbury Zoning By-law 2010-100Z – Schedule C: Map 23**

*Business Industrial (M1-1) Zone*

(Refer to **Figure 4.0 – Existing Zoning By-Law Designations**).

The applicant is requesting that Council approve:

- an amendment to the City of Greater Sudbury Official Plan for to include ‘a Place of Amusement’ in the General Industrial designation; and
- an amendment to the City of Greater Sudbury Zoning By-law 2010-100Z for a Site Specific approval to permit a ‘Place of Amusement’ as a permitted use.

(Refer to **Appendix A – Planning Applications**, **Figure 3.0 – Existing Official Plan Designations** and **Figure 4.0 – Existing Zoning By-Law Designations**).

The applicant has met with the Municipality and completed the Pre-Consultation process. The Pre-Consultation process provides a list of information the City will be required prior to an application being deemed completed. The Pre-Consultation process has confirmed that the following background documents are required:

- Official Plan and Zoning By-Law Amendment Applications;
- Draft Official Plan Policy;
- Environmental Impact Study (amended to Ministry of Natural Resources and Forestry (MNRF) Species at Risk (SAR) Assessment);
- Planning Justification Report;
- Public Consultation Process;
- Source Water Protection Plan – Section 59 Application;
- Traffic Impact Study (TIS);
- Concept Plans; and
- Elevation Plans;

Please note that this process continues to evolve and where possible, we have included the requested information in this PJR. However, should the background reports be in process or in draft form they will be provided to the City under separate cover (refer to **Appendix B – Pre-Consultation Understanding**).

In addition, this PJR report will be updated prior to the tentatively scheduled Council Meeting as additional information is collected analysed and made available.

### 1.3 Description of Site

The Subject Lands are located north of Ramsey Lake and Levesque Street in the Jack Nicholas Business and Innovation Industrial Park. The southern portion of the site has frontage on the Kingsway with access from a new right-of-way identified as Street “A” (refer to *Figure 5.0 – Conceptual Development Plan*).

The total site area under application is 6.96ha (17.21 acres) having approximately 287 m (941 ft.) of frontage on Street ‘A’ (refer to *Figure 6.0 – Existing Draft Plan of Subdivision*).

### 1.4 Proposed Development

The applicant wishes to develop the subject site for a ‘Place of Amusement’, including a casino, to be developed in parallel with a new arena adjacent to the subject lands (refer to *Figure 5.0 – Conceptual Development Plan* and *Figures 7.0 and 8.0 – Conceptual Building Elevations*).

The developer intends to develop the subject site for:

- a 5,854 m<sup>2</sup> place of amusement;
- a 15 storey hotel; and
- other complimentary accessory uses.

Access to the development will be provided via a proposed local road, Street “A” connecting to the Kingsway. The property is currently vacant.

An Official Plan Amendment is required to permit the proposed ‘Place of Amusement’. The applicant is requesting to amend the current designation to a site specific designation to add the proposed use to the Official Plan policies.

A Zoning By-law Amendment is also required to add the use, a ‘Place of Amusement’, to the existing Business Industrial (M1-1) zoning to permit the proposed development. In addition, an increase in the maximum height of the building to 55m and a reduction in the required side yard setback from 3m to 0m are required to permit the development and connectivity to the proposed arena.

Refer to *Figure 5.0 - Conceptual Development Plan* and *Appendix A – Planning Applications*.

## 2.0 EXISTING LAND USE

### 2.1 Subject Site

The physical attributes of the site are as follows:

- A total site area of 6.96 ha (17.21 acres) within the Jack Nicholas Business and Innovation Industrial Park;
- An irregularly-shaped parcel with frontage on along the Street “A”, immediately northeast of Kingsway; and
- The site is vacant and contains undulating bedrock with dips and valleys.

### 2.2 Surrounding Land Use

The surrounding land uses are varied as shown in *Figure 9.0 - Surrounding Land Uses* and are described as follows:

#### North

- Vacant and zoned “FD”, Future Development;
- Natural heritage features with undulating bedrock, dips and valleys;

#### East

- Sudbury Landfill Site;

#### South

- Transport Training Centres of Canada; and
- Existing Single Detached Residential Dwellings;

#### West

- Recreational vehicle sales establishment; and
- Automotive dealership

## 3.0 PLANNING EVALUATION

To determine the feasibility and appropriateness of the proposed development, a comprehensive evaluation of the potential planning issues and impacts has been undertaken. The scope and level of detail of the planning evaluation has been based on:

- Provincial Policy Statement 2014;
- Growth Plan for Northern Ontario;
- City of Greater Sudbury Official Plan policies and criteria;
- Zoning By-Law regulations;
- Locational Analysis and Site Selection;
- Kingsway Entertainment District Public Consultation; and
- Visual inspections of the site and surrounding lands.

Recognizing that overlaps exist between the various policies and criteria in the Official Plan, the approach used attempts to consolidate the relevant policies and criteria, and identify and evaluate the potential planning and land use related issues associated with the proposed commercial development.

### 3.1 Growth Plan for Northern Ontario (2011)

The Growth Plan for Northern Ontario (GPNO) provides a framework based on the Places to Grow Act (2005) that guides decision making for cultural, educational, economic, land use decisions in Northern Ontario. The Growth Plan for Northern Ontario was adopted in March 2011. The plan encourages municipalities to nurture and develop new economic sectors with high growth potential and to stimulate new investment and entrepreneurship.

#### Section 2.2 – An Economic Action Plan for Northern Ontario

- The proposed development promotes tourism in the area, not only locally but in a regional fashion, which will help to attract investment in the municipality; and
- The proposed development allows for the collaboration among businesses, industries and other economic development organizations in the immediate area and allows for diversification into value-added business opportunities within the community.

#### Section 2.3.10 Tourism

- The proposed development improves the competitiveness of the local tourism industry through the investment in public infrastructure;
- The proposed development encourages the diversification of Northern Ontario's tourism offerings and will increase tourism visitation and receipts to the area; and

- The proposed development is a new, high-quality tourist attraction which will attract both domestic and international visitors, through the linking of provincial, national and private marketing campaigns promoting the uniqueness of Northern Ontario.

#### Section 4.2: Long-Range Planning for all Communities

- The proposed development provides a high quality, sustainable economic and social environment for the community, while utilizing the existing infrastructure in the area.

#### Section 4.3: Economic and Service Hubs

- The proposed development is being developed as an economic and service hub which promotes a diverse mix of land uses and high quality public spaces by providing a variety of employment uses;
- The proposed development supports the economic development objectives of the Municipality by providing new and diverse employment opportunities within the community;
- The proposed development is located in a strategic core area of the Municipality which is primed for development; and
- The proposed development will be located along both new and existing roadways and will allow for linkages to existing multimodal transportation routes.

#### Section 4.4: Strategic Core Areas

- The proposed development is located within the Greater Sudbury Strategic Core Area and will provide accessible entertainment amenities and transportation connections to residents and visitors.

Refer to ***Appendix C – Growth Plan for Northern Ontario (2011) – Policies.***

### **3.2 Provincial Policy Statement**

The Provincial Policy Statement (PPS) promotes the development of ‘Strong, Healthy Communities’ through the development of lands for an appropriate mix of uses, which includes those related to Tourism uses. As with all planning and land use decisions in the north, the GPNO takes precedence over the PPS; however, the proposed uses must be “consistent with” the PPS and as a broad and general document. The applicants must, through analysis of the policies, determine how the proposed use is appropriate and advances the provinces’ interests. There are a number of sections of the PPS that apply to the proposed development. A copy of the relevant sections of the PPS can be found in ***Appendix D – Provincial Policy Statement (2014) - Policies.*** Our analysis suggests that the proposed development is consistent with the PPS in the following ways, they are:

### Section 1.1: Building Strong Healthy Communities

- The proposed development utilizes lands within the City of Greater Sudbury which have been identified for development for several years;
- The proposal encourages the use of cost effective and efficient development patterns of the underutilized existing industrial lands;
- The proposed development utilizes the existing infrastructure already in place through the development rights-of-ways, as depicted in the previously approved Draft Plan of Submission;
- The subject site is located within an area with full municipal services and will be connected to the systems during construction; and
- The development adds to the long-term prosperity of City of Greater Sudbury, by creating opportunities for increased municipal taxes as well as better use of existing infrastructure.

### Section 1.1.3: Settlement Areas

- The proposed development has been identified as being within the settlement area of the City of Greater Sudbury;
- The proposed development is located along existing transportation service lines and promotes active transportation through the design and integration of the site with the surrounding areas;
- The proposed development will be developed on full services and new infrastructure which meet the current and future needs of the surrounding community; and
- The land use patterns in the proposed development are based on a mix of land uses and provide an opportunity for a range of uses, which are compatible with the surrounding land uses.

### Section 1.3: Employment Areas

- The proposed development provides for an appropriate mix and range of employment uses that meet long-term needs of the community and a diversified economic base; and
- The conversion of lands within the employment areas to non-employment uses was determined through a comprehensive review of the broader planning districts in the City of Greater Sudbury. The review demonstrated that not all of the land on the subject site is required for employment purposes over the long term and that the conversion of the land to non-employment uses is necessary for future growth.

### Section 1.6.7 Transportation Systems

- The proposed development will be located within the existing multimodal transportation system and will utilize and/or establish new transit routes to and from the site.

### Section 1.7: Long-Term Economic Prosperity

- The proposed development supports the long-term economic prosperity of the community by providing opportunities for tourism development through the development of the casino and associated uses.

Refer to **Appendix D – Provincial Policy Statement (2014) – Policies.**

### 3.3 City of Greater Sudbury Official Plan

The City of Greater Sudbury Official Plan determines policy and guidelines relating to land development within the former Regional Municipality of Sudbury. It reiterates the Provincial targets and goals but with specific reference to issues and constraints within the City.

There are a number of Official Plan (OP) Policies that apply to the proposed Official Plan Amendment (OPA) before the City. The OP provides a framework to support economic development initiatives by ensuring that Sudbury is the center of growth, employment opportunities and allow for a full range of services for residents and visitors to the City (refer to **Appendix E – City of Greater Sudbury Official Plan – Policies**).

The subject site is currently designated General Industrial in the City of Greater Sudbury Official Plan. The General Industrial designation allows for a wide range of industrial activities that includes general manufacturing and processing facilities. The Official Plan recognizes that general industrial uses must have minimal environmental impacts on the surrounding areas.

The owners of the subject lands are requesting amendment to the General Industrial designation for lands identified in **Figure 2.0 –Proposed Official Plan Designations**. The amendment would include a ‘Place of Amusement’, in the form of a casino, as a permitted use in the General Industrial designation. In addition it would permit accessory uses, including a festival square on site (refer to **Appendix F - Draft Official Plan Policies**).

Our analysis suggests that the proposed development is consistent with the intent of the Official Plan in the following ways, they are:

#### Section 1.3.2: Economic Development

- The proposed development promotes the attraction of a diverse population through the creation of a curious, adventuresome city, by introducing a new tourist-based destination.

#### Section 4.0: Employment Areas

- The proposed development provides a wider variety of serviced employment lands, also allowing for a diversification of the employment base; and
- The proposed development ensures the efficient use of currently underutilized industrial lands for the development of a tourist-based destination.

#### Section 4.5: Industrial Area Designation

- The proposed use is not currently permitted in the General Industrial designation but is compatible with the surrounding land uses and will have minimal impacts on the viability of the future development of the area; and
- Any environmental impacts will be minimal and can be appropriately buffered from the surrounding land uses.

### Section 8.0: Water Resources

- The subject lands are located within the Lake Ramsey Sensitive Surface Water Feature. As a result, a Section 59 Source water Protection application for Municipal Drinking Water Protection will be submitted as part of this application process; and
- The proposed development will require a Stormwater Management Plan as part of the Site Plan Control (SPC) Approval. Preliminary review of the location of a potential pond has been reviewed; further details will be completed as part of SPC Approval and detailed design.

### Section 9.2.2: Significant Habitat of Endangered Species and Threatened Species

- A Letter of Advice has been received as part of the original Draft Plan of Subdivision approval from the Ministry of Natural Resources and Forestry (MNRF), indicating a low level of likelihood to contravene the Endangered Species Act. During construction, workers will be educated on the potential to encounter Species at Risk (SAR) during their work, particularly Whip-poor-will and Blanding's Turtle, and how to identify these species. If any endangered or threatened species are encountered, work will stop immediately and MNRF will be contacted for direction.

### Section 11.4: Parking

- As part of the development, the subject site is required to provide sufficient on-site parking for the proposed use. The Conceptual Site Plan provides adequate parking on site, as required by the Zoning By-law; however it is understood that there may be a need for additional overflow parking for larger events at both the proposed casino and neighbouring Greater Sudbury Sports and Entertainment Centre. As a result, companion Zoning by-Law Amendment applications are being prepared for the remaining lands in the development to provide an opportunity for overflow parking;
- The proposed development will provide access off of the local streets, referred to as Street "A" and Street "C" on the previously approved Draft Plan of Subdivision. Access to both local roads have been optimized through the configuration of joint access driveways and the appropriate internal site circulation, in order to reduce the impact on traffic flow; and
- The proposed development is subject to Site Plan Control Approval, at which time, the parking requirements and layout will be further reviewed by the Municipality.

Refer to **Appendix E – City of Greater Sudbury Official Plan- Policies**, **Appendix F - Draft Official Plan Policies** and **Figure 2.0 –Proposed Official Plan Designations**.

### 3.4 City of Greater Sudbury Zoning By-Law 2010-100Z

The Subject Lands are currently zoned Business Industrial (M1-1) in the City of Greater Sudbury Comprehensive Zoning By-law 2010-100Z, as amended, which permit a range of Industrial uses (Refer to *Appendix G – City of Greater Sudbury Zoning By-law 2010-100Z - Regulations*).

In September 2014, a portion of this site was rezoned from “M1” and “M1(31)” to “M1-1” to permit a broader range of industrial uses. These uses include an office complex, hotel, bulk retail, warehouse, and commercial recreation centre uses. The applicant is applying for a Zoning By-Law Amendment to a “M1-1 Special” zone to further expand the uses for the subject site.

The following amendments are required to implement the proposed development:

- ‘Place of Amusement’ as a permitted use;
- Side Yard setbacks; and
- Maximum height.

The redesignation of the property along the Kingsway to a new “M1-1 Special” zone will allow for the development of ‘a place of amusement’ in the form of a casino as well as associated accessory uses, and is complimentary to the current permitted uses, including a hotel. Up until this time, the development of the current site as industrial has not come to fruition. Expanding the use to include a casino would provide employment and economic opportunities, and align with the City of Greater Sudbury’s vision for an integrated Kingsway Entertainment Area.

The proposed amendment will implement planning policies and regulations that would permit a broader range of uses to be occupied on-site and are consistent with the long-term Strategic Plan for the City of Greater Sudbury.

Refer to *Appendix G– City of Greater Sudbury Zoning By-law 2010-100Z - Regulations* and *Figure 2.0 – Proposed Zoning By-Law Designations*.

### 3.5 Locational Analysis and Site Selection

The City has worked diligently with their consultant PWC, to complete a Market Analysis and Business Case for the development of a new 5,800 seat event centre and complete a locational analysis for the proposed use (refer to *Appendix H – Greater Sudbury Proposed Sports and Entertainment Centre Background Information*).

The locational analysis identified four (4) potential sites:

- Maclsaac Drive;
- Algonquin Road
- Kingsway; and
- Downtown.

Both the Downtown and Kingsway sites scored high on the criteria analyzed, they were:

- Vision;
- Complimentary benefits;
- Ease of development;
- Access;
- Parking;
- Cost;
- Economic impact; and
- City building.

While the Downtown site scored overall highest with regards to the criteria, Council ultimately decided to invest in the Kingsway site as the “Preferred Location”.

Coupling a new Greater Sudbury Sports and Entertainment Centre with the proposed Gateway Casino provides a unique opportunity to create the “Kingsway Integrated Site Development.” There are obvious synergies in combining these two uses together. Sudbury has a unique opportunity, where other municipalities such as: Medicine Hat, Mississauga and Windsor, have had to wait for market conditions to create opportunities for complimentary and synergistic development.

Combining both uses concurrently has the opportunity to create a critical mass that can transform the underutilized property. In keeping with the policies in the Growth Plan for Northern Ontario (GPNO), the Provincial Policy Statement (PPS), and the Official Plan (OP), this integrated site development can add to the changing northern economy. The City and the region have a unique opportunity to facilitate a change and diversification into the service economy. The creation of an “Entertainment Area” provides a destination for residents and rate payers of Greater Sudbury as well as visitors to the community.

### 3.6 Public Information Process

In April 2016, a new multi-purpose Sports and Entertainment Centre was endorsed by Greater Sudbury City Council as one of its four priority projects. In June 2017, Council approved the Kingsway site for the Arena/Event Centre based on criteria it accepted and its desire to create an integrated site, specifically with a casino and a hotel/conference centre (Gateway Casinos and Entertainment Limited) and the future development of surrounding lands (1915695 Ontario Limited) with the intent to attract visitors from across the region.

As part of the project, Public Open Houses were held during two phases. The first phase held from September 20 to October 4, 2017, residents were invited to public brainstorming sessions to share their ideas and vision for the Kingsway Entertainment Area and Arena/Event Centre integrated site plan. The second phase was to introduce the Draft Integrated Site Plan to the public and provide an opportunity to review conceptual plans, provide additional comment, and to validate feedback from the community.

The results of the Public Consultation will be presented at the November 22, 2017 Council Meeting. It is expected that further comment will be received as we move through the Planning Act approval process and ultimately to Council in the spring of 2018. An interim summary of the process (excluding comments received) has been included in this PJR.

Refer to *Appendix I – Kingsway Entertainment District Public Information Process*.

### 3.7 Draft Plan of Subdivision

Draft Plan of Subdivision approval has been granted for the Subject Lands with an extension granted until October 2018. The Conditions of Approval will need to be met and the appropriate legal plan will be needed to be registered prior to the development of the site for the intended uses. The Draft Plan as previously approved by Council will not require a redline revision (refer to *Figure 6.0 – Existing Draft Plan of Subdivision*).

### 3.8 Background Information and Studies

The City has required the preparation of a number of pieces of background information and studies to support the OPA and ZBA applications. As previously noted, the pre-consultation process allows the applicant and City to discuss the relevant information that must be prepared in order to allow administration to make a recommendation and Council to make an informed decision. The City has requested the following background information and studies, they are:

- Draft Official Plan Amendment;
- Environmental Impact Assessment (amended to Ministry of Natural Resources and Forestry (MNRF) Species at Risk (SAR) Assessment);
- Planning Justification Report;
- Public Consultation Strategy;
- Source Water Protection Plan – Section 59 Application;
- Traffic Impact Study (TIS);
- Concept Plans; and
- Elevation Plans.

#### 3.8.1 Environmental Impact Assessment (EIA)

Based on previous work completed by N.A.R. Environmental Consultants Inc. for the owner during the Draft Plan of Subdivision process, the City has requested that the applicant provide confirmation that the Ministry of Natural Resources and Forestry (MNRF) has provided clearance and confirmed that the development of the site will have a “low likelihood” of contravening the Endangered Species Act (ESA). As result of this clearance the Developer has cleared the lands and provided confirmation that the work was undertaken in compliance with the approvals.

Refer to *Appendix J – Ministry of Natural Resources and Forestry Correspondence*.

### 3.8.2 Public Consultation Process

Working with the City, the applicant has developed a robust Public Consultation Process (PCP) in keeping with the requirements of the OP (s. 1.3.1 – A Healthy Community). The PCP includes the strategy and implementation of the plan since inception in June 2017 for input from the public and interested parties. For ease of reference a copy of the interim PCP (November 2017) has been included in this report (refer to **Appendix I – Kingsway Entertainment District Public Information Process**).

### 3.8.3 Source Water Protection Plan (Section 59 Applications)

In keeping with OP Policy S.8.0 Water Resources and the protection of drinking water in the Ramsey Lake Watershed, the applicants have prepared and submitted the required Section 59 Notice for Restricted Land Use Review Application (refer to **Appendix K – Application for Section 59 Review**). This application provides the potential threat activities that can be expected on-site and suggests that all on-site activities can be managed accordingly.

### 3.8.4 Traffic Impact Study (TIS)

In keeping with OP S. 11.2.3, a Traffic Impact Study (TIS) has been prepared at the request of the City to address issues surrounding the development of the Kingsway. The TIS indicates that sufficient on-site parking can be provided to meet the City requirements for the Kingsway Development. However, we understand that available parking or “overflow parking” is a major concern during the PCP as residents have indicated a need for convenient and accessible parking facilities. To address this request of the public we are recommending that the adjacent lands be subject to a third Zoning By-Law Amendment Application (ZBA) to allow for “parking lot” to be a permitted use.

Access to a site is critical for all entertainment and event centres. While the Kingsway Site is well situated to major arterial roadways and highways, there may be a requirement for a balance between existing infrastructure and off-site improvements. Those discussions will likely continue through the review and approval process. For purposes of this report we will provide the summary of those discussions and decisions in the TIS.

Refer to the Traffic Impact Study Report, completed by Dillon Consulting Limited, submitted under separate cover.

### 3.8.5 Concept Plans and Elevations

To provide administration and Council with appropriate background information, Cumulus Architects (Cumulus) have prepared Conceptual Development Plans and Elevations to provide an idea of the potential development of the site. In keeping with S. 14.1 Urban Design Objectives, these plans provide conceptual details associated with proposed development of the site including:

- The high level of design quality envisioned;
- Encouraging a sustainable mix of uses between the public and private aspects of the development; and

- Taking into account massing, height, scale of the development in the context of the surrounding area.

Refer to *Figure 5.0 – Conceptual Development Plan* and *Figures 7.0 and 8.0 – Conceptual Building Elevations*.

### 3.9 Planning Justification

The Applicants have undergone a comprehensive review to determine the most appropriate land uses for future growth of the Subject Lands and the long-term needs of City of Greater Sudbury.

It has been determined that the proposal is feasible for the following reasons:

- The Growth Plan for Northern Ontario encourages tourism as a key part of the growth and success for development in Northern Ontario;
- Tourism is for both residents and visitors alike;
- The PPS is supportive of these types of endeavours as it is:
  - a wise use of infrastructure;
  - a cost effective and efficient development pattern;
  - can be developed on full services;
  - provides a range of uses which are compatible with the surrounding land uses; and
  - diversifies the economic base of the area.
- The OP allows for a number of different types of land uses within the General Industrial designation. The proposed use is not listed but that is likely due to the fact the use is very site specific and the location of 'Places of Amusement' (casino) should be reviewed on a case by case basis;
- When you couple the Place of Amusement with the synergy of a new Greater Sudbury Sports and Entertainment Centre, including a new community scale arena, there are additional factors at play with critical mass and the ability to create something very new, different and exciting with regards to a regional facility that is needed for residents and tourists. This is a key and major initiative for the community and the catalyst to a new area for Entertainment to service residents and tourists alike;
- Council, through an open and transparent process, looked at four potential locations for the new arena and choose the Kingsway site; this greatly assisted in the decision to locate this development and the potential for a 'Place of Amusement' on the Subject Site;

- While there may not be complete community support for the Greater Sudbury Sports and Entertainment Centre and a 'Place of Amusement' in the form of a casino, that is what one would expect from the planning process. Rarely do we find complete support for these types of land uses; however both are compatible with each other and the surrounding land uses and will support each other. The community often has strong opinions on both of these types of land uses. The public consultation program is underway and will continue for several months leading up to the Council Meeting;
- The proposed development provides both inter-parcel pedestrian walkways as well as connections to the road network. Linkages to transit stops and other modes of active transportation have been included in the design of the site plan. A festival square, located between the proposed casino development and the proposed Greater Sudbury Sports and Entertainment Centre to the northeast, will provide additional public space and connectivity between sites;
- The proposed development will be on full municipal services, to the satisfaction of the Municipality, upon construction.
- We have completed the required background studies and all reports suggest that it is possible to develop the property for the intended use and allow for expansion as required for complimentary uses (i.e., parking);
- The concept of a site specific OPA and ZBA for this use is commonly used in the City of Greater Sudbury and is the appropriate mechanism to implement the use;
- By requiring an OPA and ZBA, the City is weighing the location, the use and the potential impacts carefully to find a balance based on input from the community, direction for council and the private sector initiative that brought this request to Council for a decision;
- Based on a review of the Growth Plan for Northern Ontario, PPS, OP and Zoning By-law, it is our professional opinion that these applications and the proposed development can be considered "good planning".

## 4.0

## CONCLUSIONS

Based on an extensive review of the technical planning and policy related issues, the proposed Official Plan and Zoning By-law Amendment to permit the development of the Kingsway property for a 'Place of Amusement', in the form of a Casino and other accessory uses is appropriate for the site and consistent with good planning principles. We recommend that the Official Plan and Zoning By-Law Amendment applications, as submitted, be approved for the following reasons:

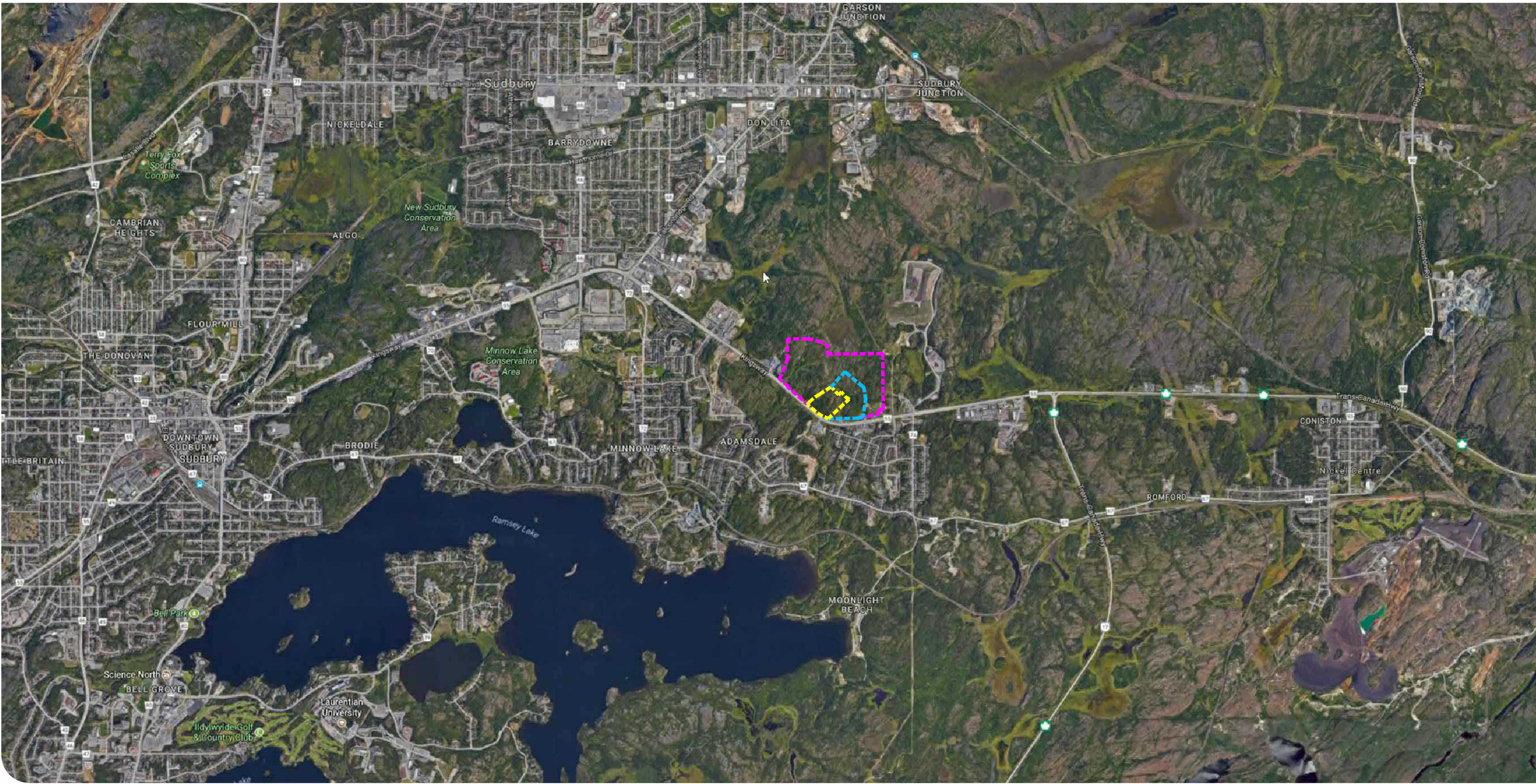
1. The proposed development is "consistent" with the Growth Plan for Northern Ontario and Provincial Policy Statement for the reasons identified in Section 3.1 and 3.2 respectively and of this report.
2. The proposed 'Place of Amusement' use is consistent with the intent of the General Industrial policies of the Official Plan and we are recommending that the existing designation be amended to permit the proposed use, for the following reasons:
  - The site is physically suitable and strategically located to support the proposed land use;
  - The proposed land use maintains the intent of the existing Official Plan designation, specifically:
    - S.1.3.2 and S.4.0, which encourages all tourist based developments and the promotion of the diversification of the employment base.
3. The proposed development will require a Zoning By-Law Amendment to a Site Specific Industrial category to add "Place of Amusement" to the M 1-1.
  - The proposed land use is consistent with the intent of the Zoning-By-law; and
  - The site is physically suitable and strategically located to support the proposed land use.
4. The proposed development reflects a necessary transition from an industrial economy to 'people-oriented', post-industrial employment, as well as addresses the shift to a Tourist based destination.
5. A broad and well developed Site Selection Analysis was undertaken by Council through consultation with administration and leading industry consultants to evaluate and make a balanced decision regarding the Kingsway Site as the preferred choice for an area for Entertainment.
6. The City, as directed by Council and following the OP policies, have developed and implemented a robust Public Consultation Program (PCP). The public input to this project is on-going and will continue for several months leading up to the Council Meeting in early 2018. At this time, it is our understanding that the primary concerns are related to available parking, access for traffic and active transportation both in and off-site, timing of the development and be addressed in due course.
7. The Background Studies provide the technical rationale for the approval of the Official Plan and Zoning By-law Amendment applications.

8. The comprehensive review of the policies presents a broader outlook for the subject site and surrounding areas, resulting in a more appropriate framework and vision for the City that complements the future goals and objectives of the City of Greater Sudbury.

---

Karl Tanner, MCIP RPP

## Figures




**KINGSWAY INTEGRATED SITE DEVELOPMENT**  
 GATEWAY CASINO AND ENTERTAINMENT LIMITED

**LOCATION MAP**  
 FIGURE 1.0

 PROPERTY OWNED BY 1916596 ONTARIO LTD.

 SUBJECT LANDS - GATEWAY CASINO AND ENTERTAINMENT LIMITED

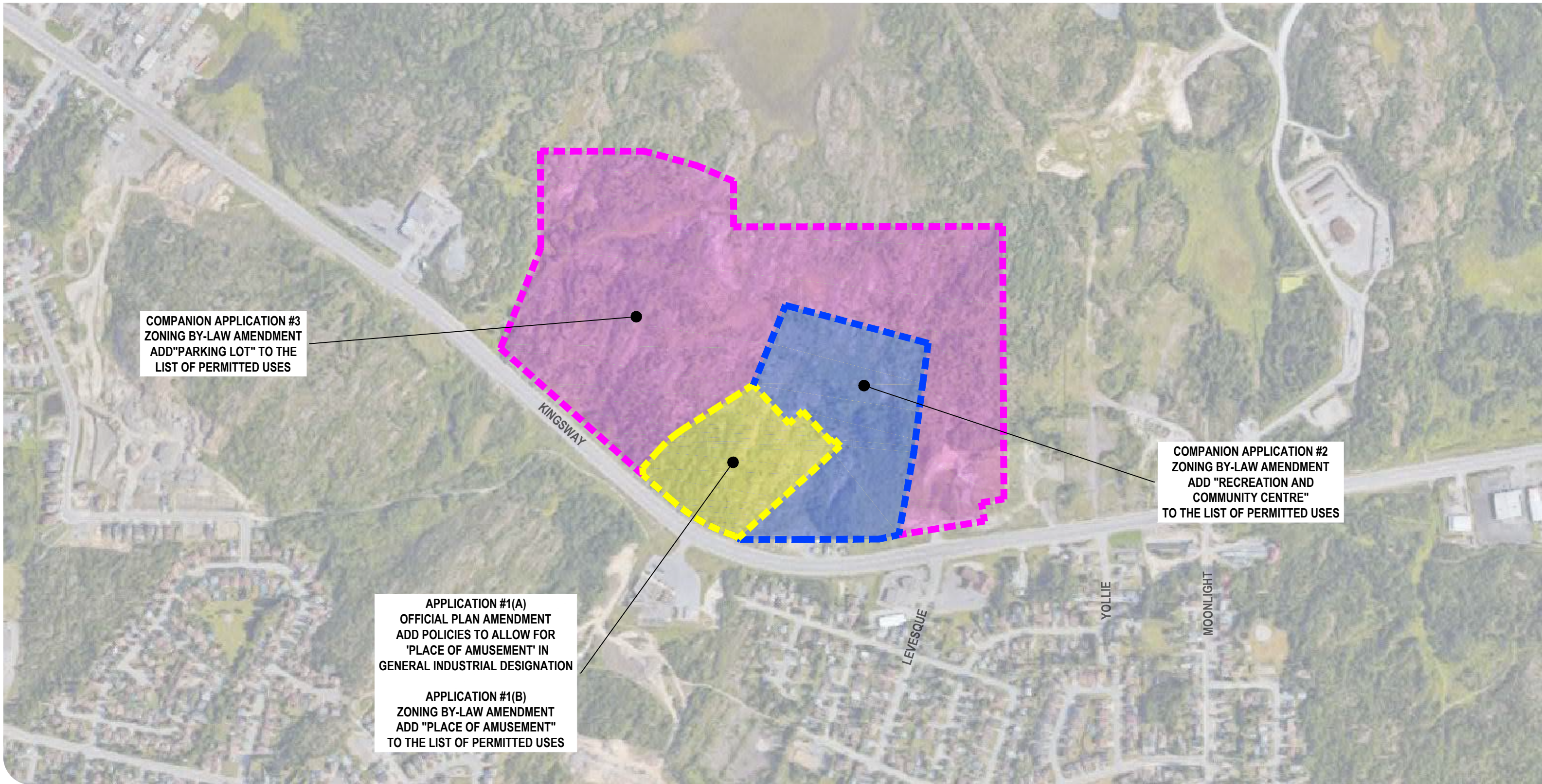
 GREATER SUDBURY SPORTS AND ENTERTAINMENT CENTER

SOURCE: Google Maps (2017)

SCALE: NTS



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



COMPANION APPLICATION #3  
ZONING BY-LAW AMENDMENT  
ADD "PARKING LOT" TO THE  
LIST OF PERMITTED USES

COMPANION APPLICATION #2  
ZONING BY-LAW AMENDMENT  
ADD "RECREATION AND  
COMMUNITY CENTRE"  
TO THE LIST OF PERMITTED USES


APPLICATION #1(A)  
OFFICIAL PLAN AMENDMENT  
ADD POLICIES TO ALLOW FOR  
'PLACE OF AMUSEMENT' IN  
GENERAL INDUSTRIAL DESIGNATION

APPLICATION #1(B)  
ZONING BY-LAW AMENDMENT  
ADD "PLACE OF AMUSEMENT"  
TO THE LIST OF PERMITTED USES


**KINGSWAY INTEGRATED SITE  
DEVELOPMENT**  
GATEWAY CASINO AND ENTERTAINMENT LIMITED

**PROPOSED OFFICIAL PLAN AND ZONING  
BY-LAW DESIGNATIONS**

FIGURE 2.0

 PROPERTY OWNED BY  
1916596 ONTARIO LTD.

 SUBJECT LANDS - GATEWAY CASINO  
AND ENTERTAINMENT LIMITED

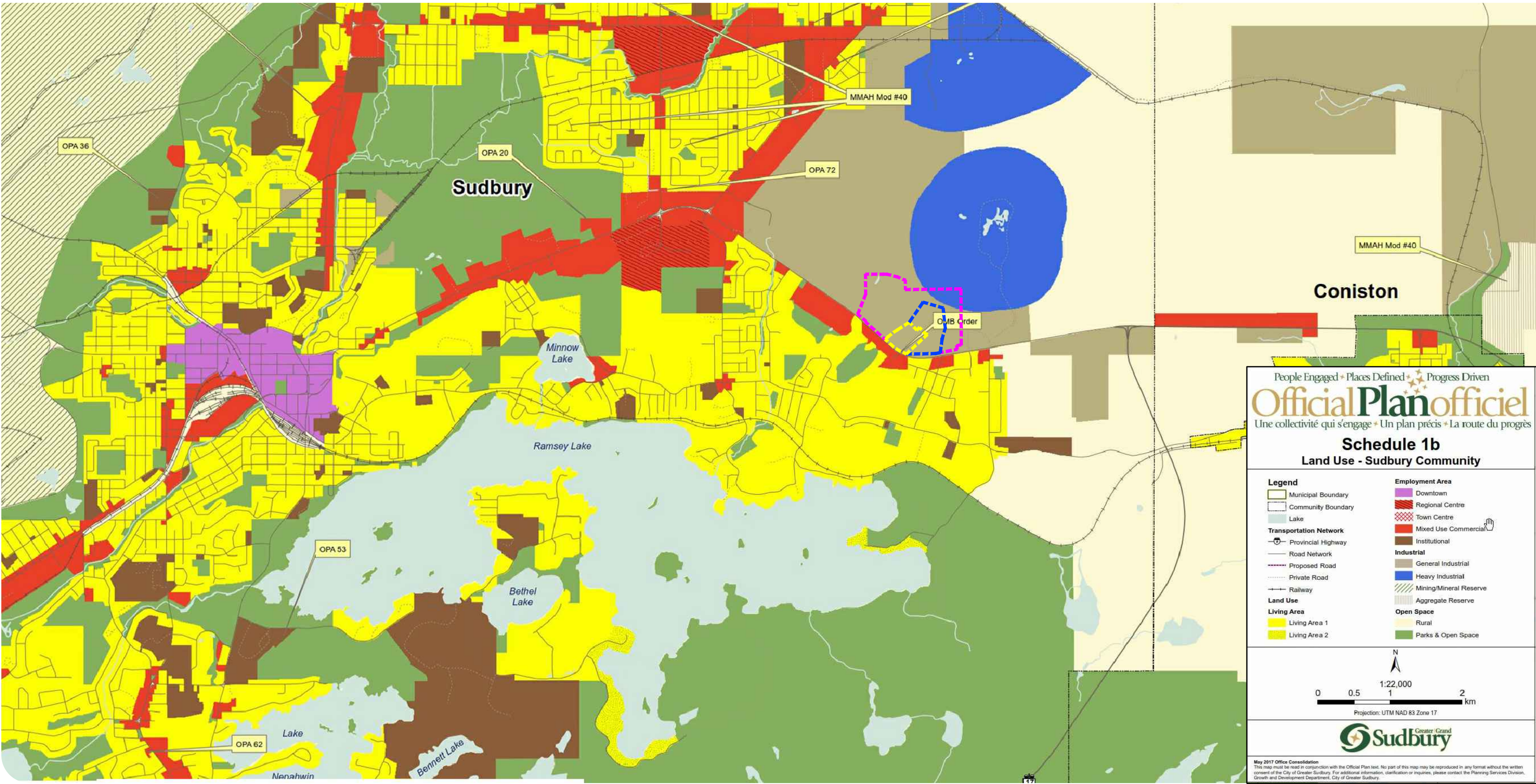
 GREATER SUDBURY SPORTS AND  
ENTERTAINMENT CENTER

SOURCE: City of Greater Sudbury, Official Plan - Land Use, Schedule '1b'

SCALE: NTS



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



People Engaged • Places Defined • Progress Driven

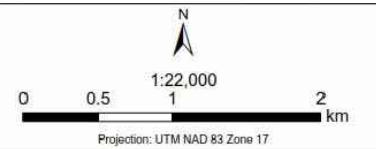
# Official Plan officiel

Une collectivité qui s'engage • Un plan précis • La route du progrès

## Schedule 1b

### Land Use - Sudbury Community

Legend	
	Municipal Boundary
	Community Boundary
	Lake
<b>Transportation Network</b>	
	Provincial Highway
	Road Network
	Proposed Road
	Private Road
	Railway
<b>Land Use</b>	
	Living Area 1
	Living Area 2
<b>Employment Area</b>	
	Downtown
	Regional Centre
	Town Centre
	Mixed Use Commercial
	Institutional
<b>Industrial</b>	
	General Industrial
	Heavy Industrial
	Mining/Mineral Reserve
	Aggregate Reserve
<b>Open Space</b>	
	Rural
	Parks & Open Space



May 2017 Office Consolidation  
This map must be read in conjunction with the Official Plan text. No part of this map may be reproduced in any format without the written consent of the City of Greater Sudbury. For additional information, clarification or inquiries, please contact the Planning Services Division, Growth and Development Department, City of Greater Sudbury.

### KINGSWAY INTEGRATED SITE DEVELOPMENT

GATEWAY CASINO AND ENTERTAINMENT LIMITED

PROPERTY OWNED BY 1916596 ONTARIO LTD.

SUBJECT LANDS - GATEWAY CASINO AND ENTERTAINMENT LIMITED

GREATER SUDBURY SPORTS AND ENTERTAINMENT CENTER

### EXISTING OFFICIAL PLAN DESIGNATIONS

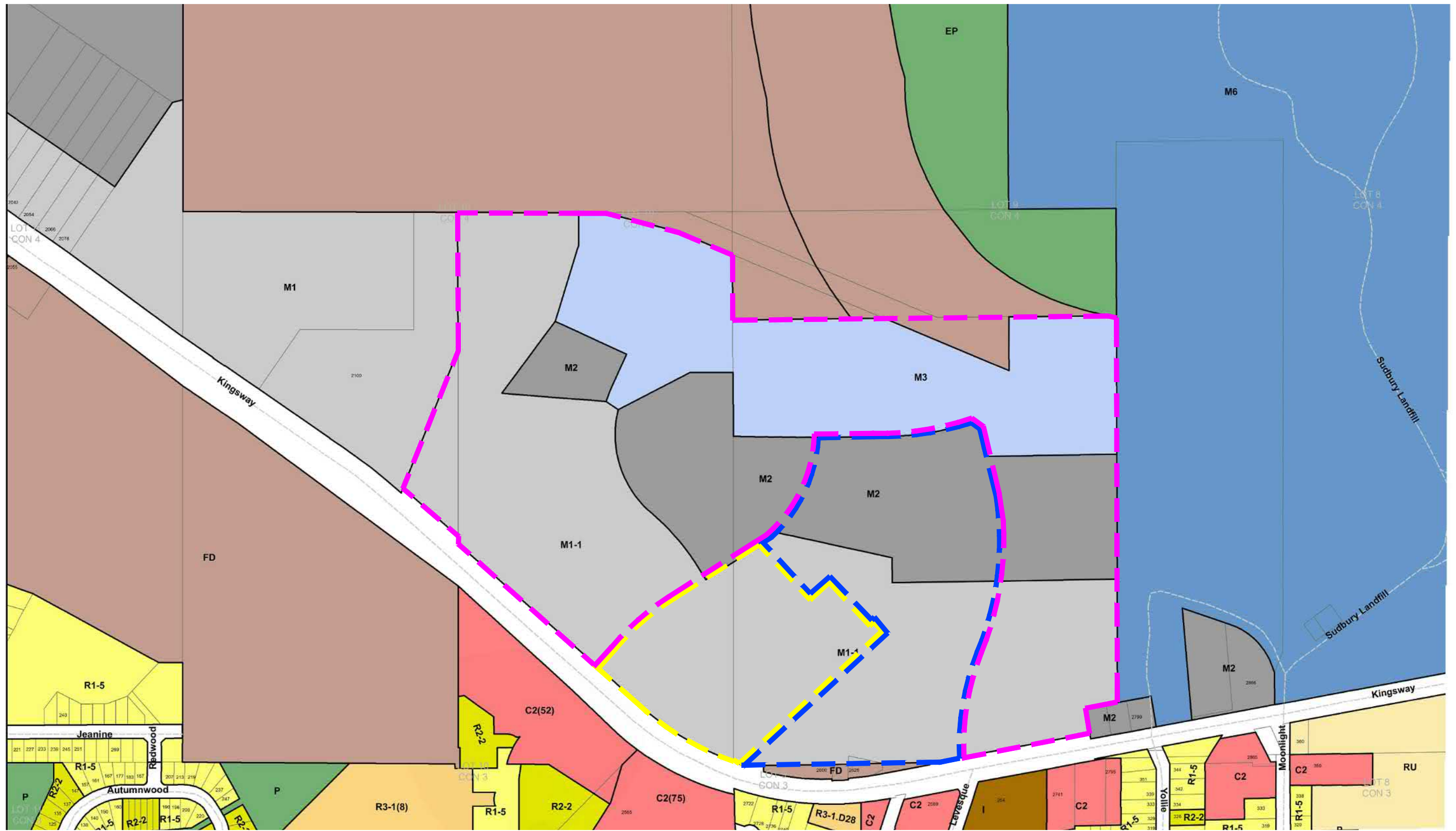
FIGURE 3.0

SOURCE: City of Greater Sudbury, Official Plan - Land Use, Schedule '1b'

SCALE: NTS



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



**KINGSWAY INTEGRATED SITE DEVELOPMENT**  
GATEWAY CASINO AND ENTERTAINMENT LIMITED

- PROPERTY OWNED BY 1916596 ONTARIO LTD.
- GATEWAY CASINO AND ENTERTAINMENT LIMITED
- GREATER SUDBURY SPORTS AND ENTERTAINMENT CENTRE

**EXISTING ZONING BY-LAW DESIGNATIONS**

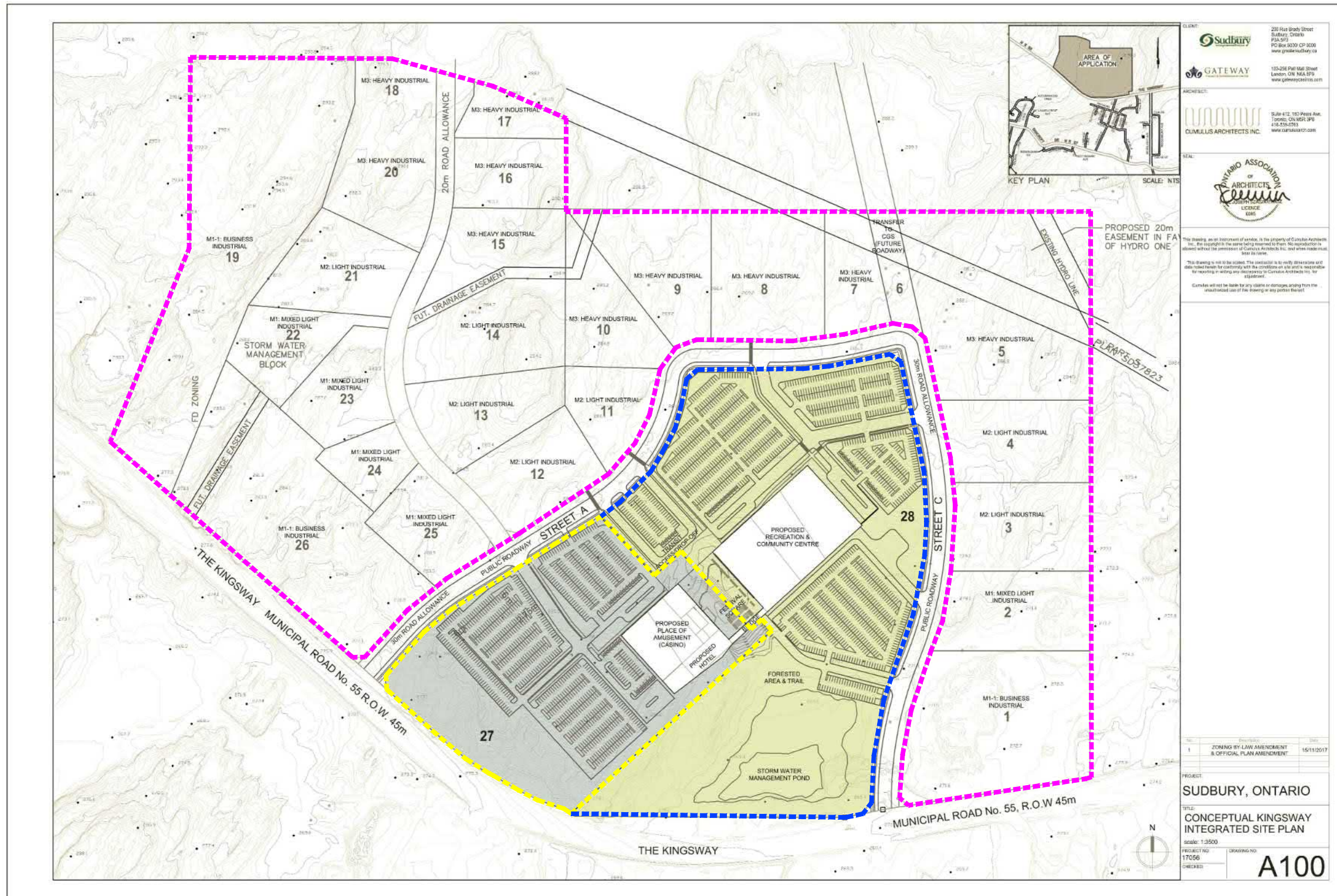
FIGURE 4.0

SOURCE: City of Greater Sudbury, Zoning By-Law 2010-100Z, Schedule 'A', Neelon TWP Lot 9 Con 4, Neelon TWP Lot 10 Con 4.

SCALE: NTS



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



CLIENT: Sudbury Gateway  
 200 Main Street  
 Sudbury, Ontario  
 P3A 0P7  
 PO Box 9000 CP 8000  
 www.gatewaysudbury.ca

ARCHITECTS: CUMULUS ARCHITECTS INC.  
 Suite 412, 180 Pease Ave.  
 Toronto, ON M5R 3P9  
 416-338-0783  
 www.cumulusarch.com

PROFESSIONAL ASSOCIATION OF ARCHITECTS  
 LICENSE 6845

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NO.	REVISION	DATE
1	ZONING BY-LAW AMENDMENT & OFFICIAL PLAN AMENDMENT	16/11/2017

PROJECT: SUDBURY, ONTARIO

TITLE: CONCEPTUAL KINGSWAY INTEGRATED SITE PLAN

SCALE: 1:3500

PROJECT NO: 170566

DRAWING NO: A100

CHECKED:

**KINGSWAY INTEGRATED SITE DEVELOPMENT**  
 GATEWAY CASINO AND ENTERTAINMENT LIMITED

**CONCEPTUAL DEVELOPMENT PLAN**  
 FIGURE 5.0

- 

**GATEWAY CASINO AND ENTERTAINMENT CENTRE**
- 

**GREATER SUDBURY SPORTS AND ENTERTAINMENT CENTRE**
- 

**PROPERTY OWNED BY 1916596 ONTARIO LTD.**

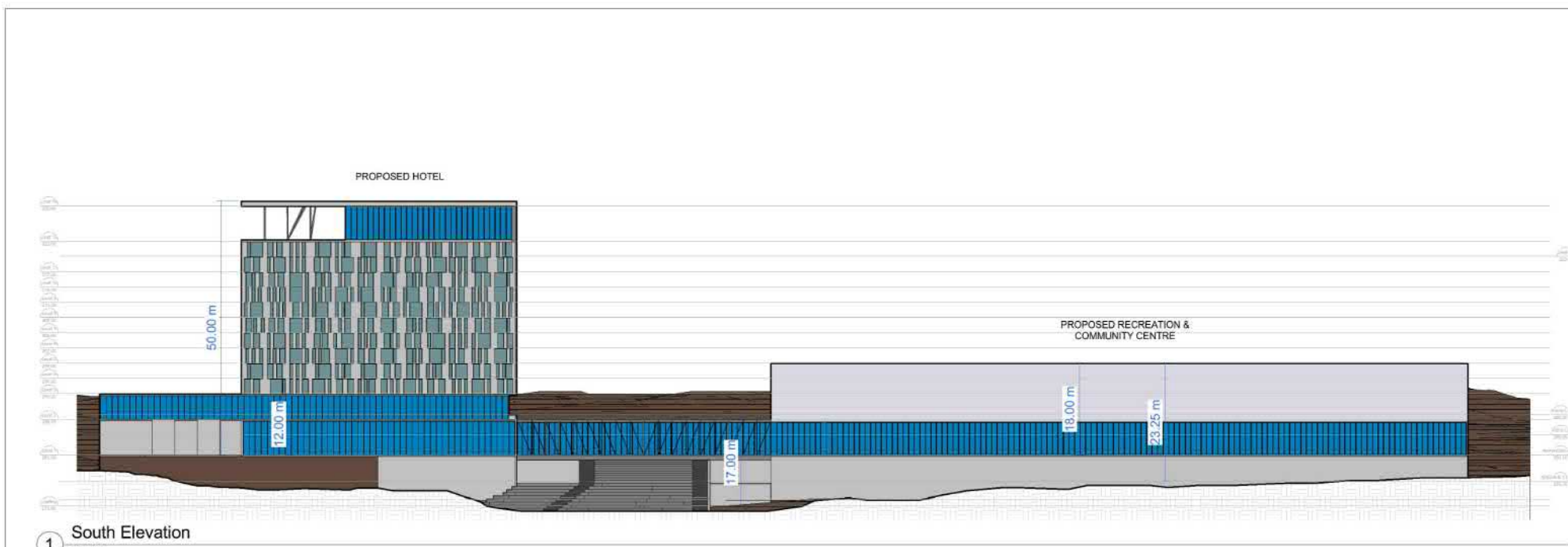
SOURCE: Cumulus Architects Inc.

SCALE: NTS

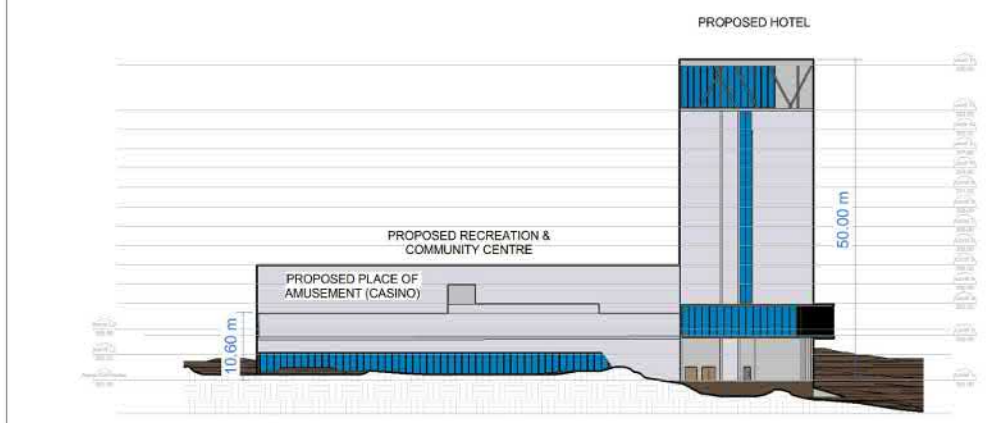


PROJECT: 17-  
 STATUS: DRAFT  
 DATE: 11/13/2017





1 South Elevation  
1:400



2 West Elevation  
1:400

CLIENT:  
**GATEWAY** 190-256 Pal Mar Street  
 London, ON N6A 5P3  
 www.gatewaycasinos.com

ARCHITECT:  
**CUMULUS ARCHITECTS INC.** Suite 412 - 160 Pelee Ave.  
 Toronto, ON M5R 3P8  
 416-539-4783  
 www.cumulusarch.com



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**NOT FOR CONSTRUCTION**

**NOT TO SCALE**

1	Subject for zoning	20171115
Rev.	Description	Date
PROJECT: Kingsway Entertainment District		
TITLE: Elevations		
PROJECT NO: 17096	DRAWING NO: <b>A301</b>	
CHECKED: AT		

**KINGSWAY INTEGRATED SITE DEVELOPMENT**  
 GATEWAY CASINO AND ENTERTAINMENT LIMITED

**CONCEPTUAL BUILDING ELEVATIONS SOUTH AND WEST**

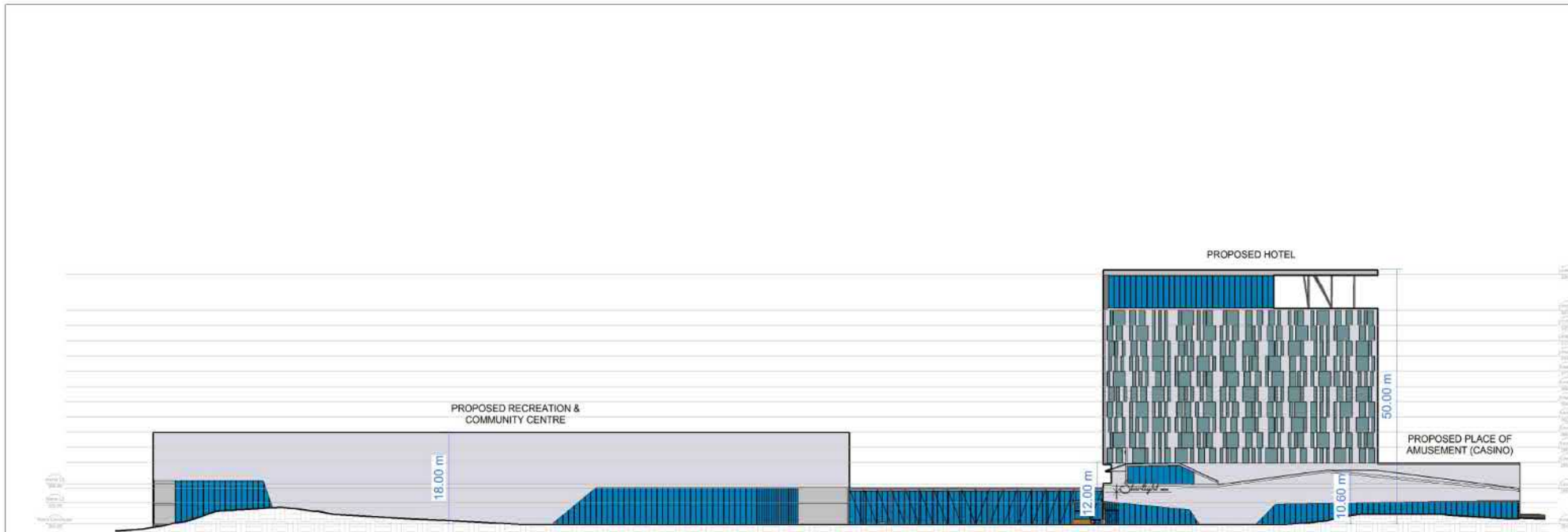
FIGURE 7.0

SOURCE: Cumulus Architects Inc.

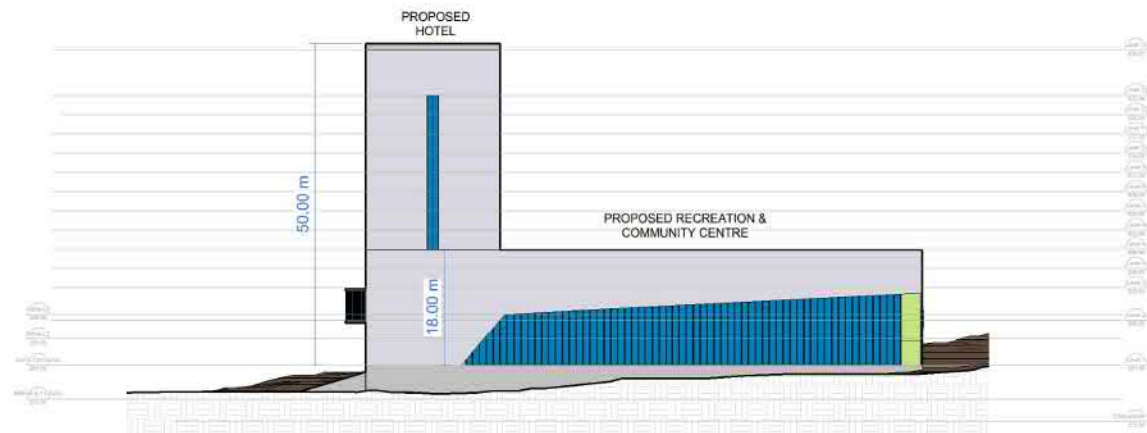
SCALE: NTS



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



1 North Elevation  
1:400



2 East Elevation  
1:400

CLIENT:  
**GATEWAY** 103-256 Pal Mar Street  
London, ON N6A 5P9  
www.gatewaycasino.com

ARCHITECT:  
CUMULUS ARCHITECTS INC. Suite 412 - 160 Peers Ave  
Toronto, ON M5R 2P8  
416-538-8763  
www.cumulusarch.com

SEAL:  
**PROFESSIONAL ASSOCIATION  
OF ARCHITECTS  
ONTARIO**  
LORNE  
2008

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**NOT FOR CONSTRUCTION**

**NOT TO SCALE**

1	Scale for printing	300/11116
No.	Description	Date
PROJECT: Kingsway Entertainment District		
TITLE: Elevations		
PROJECT NO: 17006	DRAWING NO: <b>A300</b>	
CHECKED: AM		

C:\Users\Troy\Documents\17006\_Kingsway\_Entertainment\_District\17006\_A300.dwg

**KINGSWAY INTEGRATED SITE DEVELOPMENT**  
GATEWAY CASINO AND ENTERTAINMENT LIMITED

**CONCEPTUAL BUILDING ELEVATIONS NORTH AND EAST**

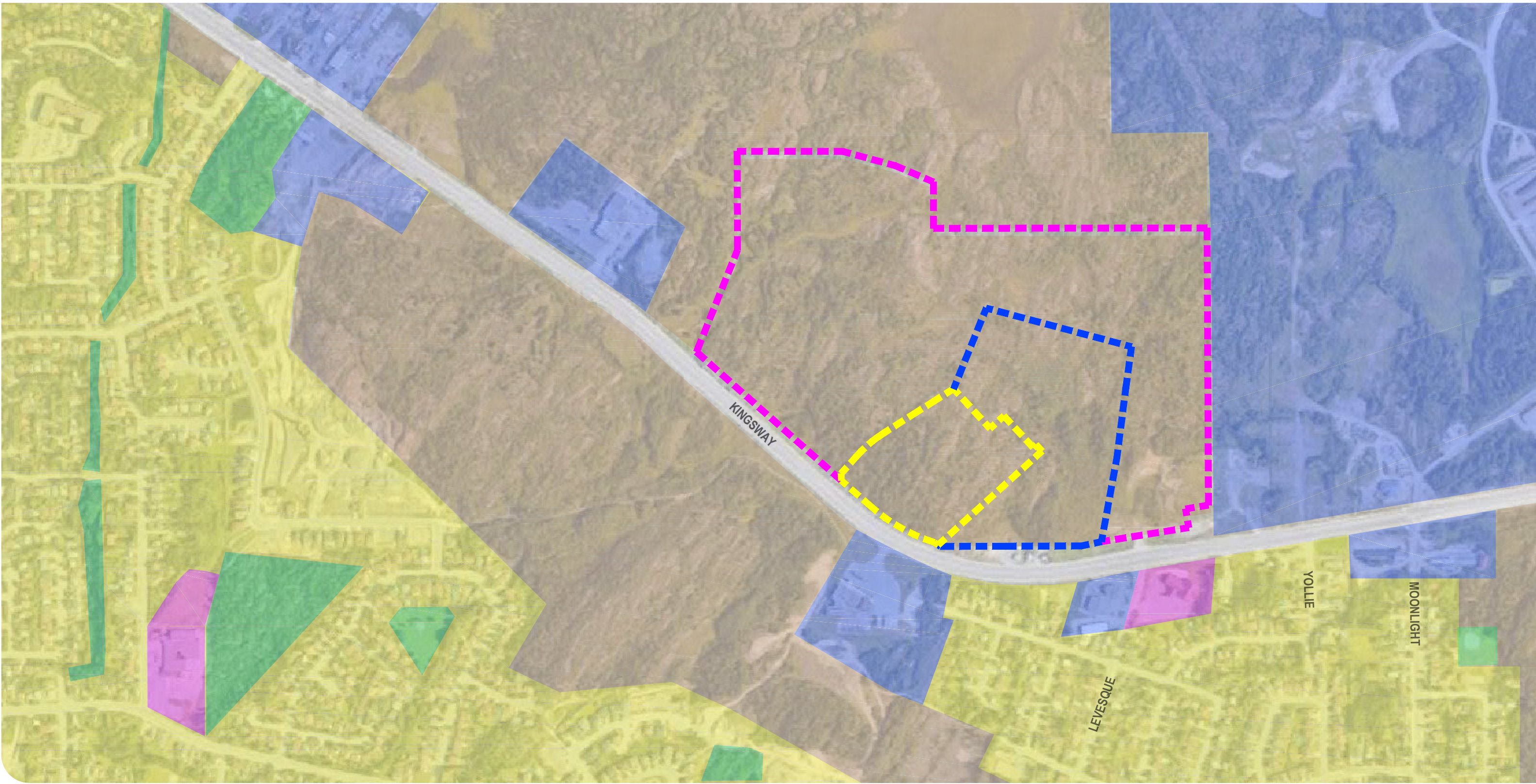
FIGURE 8.0

SOURCE: Cumulus Architects Inc.

SCALE: NTS



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



**KINGSWAY INTEGRATED SITE DEVELOPMENT**  
 GATEWAY CASINO AND ENTERTAINMENT LIMITED

**SURROUNDING LAND USES**

FIGURE 9.0

 PROPERTY OWNED BY 1916596 ONTARIO LTD.	 SUBJECT LANDS - GATEWAY CASINO AND ENTERTAINMENT LIMITED	 GREATER SUDBURY SPORTS AND ENTERTAINMENT CENTER	 COMMERCIAL	 RESIDENTIAL	 INSTITUTIONAL	 VACANT	 OPEN SPACE
--	--	---	--	---	---	--	--

SOURCE: Google Maps (2017)

SCALE: NTS



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

# Appendix A

## *Planning Applications*

**Office Use Only**

File # \_\_\_\_\_

Cross Ref. File(s) \_\_\_\_\_

S.P.P. AREA

NDCA REG. AREA

Yes\_\_\_ No\_\_\_

Yes\_\_\_ No\_\_\_

**Office Use Only**

Date Application Received by City: \_\_\_\_\_ Copy to City Clerk: \_\_\_\_\_

Application Fee Submitted: \_\_\_\_\_

Receipt Number: \_\_\_\_\_

Assigned Planner: \_\_\_\_\_

## APPLICATION FOR OFFICIAL PLAN AMENDMENT

Personal information on this form is collected pursuant to the *Planning Act, R.S.O. 1990 c.P.13*. Any questions regarding the collection of this information may be directed to the Manager of Development Approvals.

In accordance with Section 1.0.1 of the *Planning Act*, information and material required to be provided to a municipality or approval authority as part of this application shall be considered public information and shall be made available to the public.

Applications to amend zoning by-laws in the City of Greater Sudbury are submitted pursuant to Section 22 of the *Planning Act*. The following information is required to be submitted to the Planning Services Division of the Growth and Development Department and shall be accompanied by a debit transaction, cash or cheque, made payable to the City of Greater Sudbury (refer to "Fee Schedule" for applicable application fees).

All applications submitted must be consistent with the Provincial Policy Statements which can be found at [www.mah.gov.on.ca](http://www.mah.gov.on.ca)

In accordance with Section 22(6.1) of the *Planning Act*, the City of Greater Sudbury is required to notify the applicant within 30 days of the application having been submitted, whether additional information is required to be submitted in order for the application to be considered complete. Failure to submit all of the required information may prevent or delay the consideration of the application.

All applicants are required to contact the Manager of Development Approvals, or the designate, to determine the need for a pre-consultation meeting prior to the submission of an application. Where it has been determined that a pre-consultation meeting is required, the pre-consultation meeting shall occur prior to the application being submitted to the City.

It is recommended that applicants consult with their neighbours, ward councillor and key stakeholders and host a neighbourhood meeting to inform area residents as to the nature of the application several weeks prior to the application being scheduled for a public hearing. This will allow all parties to understand the nature of the application and also allow parties to work out contentious issues where possible in advance of the public hearing.

Please print. Schedules may be included if necessary.

1. Pre-consultation:

a) Date of Pre-consultation meeting, if one was held

11/16/2016
Month / Day / Year

b) Please attach Pre-consultation Letter of Understanding Form
See attached

2. The undersigned hereby applies to the City of Greater Sudbury under Section 22 of the Planning Act, Revised Statutes of Ontario 1990 for an amendment to the Official Plan of the City of Greater Sudbury as described in this application.

Registered Owner(s): 1916596 Ontario Ltd. Cell Phone Number:
c/o Dario Zulich Home Number:
Mailing Address: 874 Lapointe Street, Sudbury ON Business Number: (705) 566-5702
Fax Number: (705) 560 -7524
Postal Code: P3A 5N8 E-Mail: dario@dariozulich.com

3. If the application will be represented by someone other than the registered owner(s) and/or the application is prepared and submitted by someone other than the registered owner(s), please specify:

Name of Agent or Solicitor: Dillon Consulting Limited Cell Phone Number:
c/o Karl Tanner Home Number:
Mailing Address: 3200 Deziel Drive, Suite 608 Business Number: (519) 948-5000 Ext 3227
Windsor, ON Fax Number: (519) 948-5054
Postal Code: N8W 5K8 E-Mail: ktanner@dillon.ca

Note: Unless otherwise requested, all communication will be sent to the agent, if any.

4. Legal Description of Subject Property.

PIN 73561-0264; 73561-0258 Township Neelon Lot No. 9 & 10 Concession No. 4
Parcel(s) Subdivision Plan No. Lot(s)
Reference Plan No. 53R-19391 Part(s) Part 6 & Part of Part 11
Municipal Address or Street(s) N/S Kingsway

5) Dimensions in metric units of the land rezoned subject to the the Official Plan Amendment (describe only the portion of land which is to be rezoned).

Frontage: +/- 287 m Depth: Irregular Area: 6.96 ha (17.21 acres) [x]m^2 / [ ]ha]

6) Current Official Plan use designation. General Industrial

7) List the permitted uses in the current land use designation. See attached:
Section 4.5.1 - General
Industrial Policies

8) Why is the official plan amendment being requested? Provide details of proposed development and land uses that the requested official plan amendment would authorize. The OPA is being requested to include 'place of amusement' as a permitted use. The proposed development includes a casino, a hotel and a festival square

NOTE:

If the application is to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement, details of the related Official Plan or Official Plan Amendment are required to be submitted with the application.

If the application is to remove land from an area of employment, details of the current Official Plan policies, if any, dealing with the removal of land from an area of employment are required to be submitted with the application.

9) Does the requested amendment;

- a) Change a policy? [ ] Yes [x] No
b) Replace a policy? [ ] Yes [x] No
c) Delete a policy? [ ] Yes [x] No
d) Add a policy? [x] Yes [ ] No

For each "Yes" answer above, identify the policy number to be amended and include the proposed working below or attach on separate page. Site specific amendment to 4.5.1.1 to include 'place of amusement' as an additional use on the subject site: "Notwithstanding anything to the contrary, a place of amusement in the form of a casino and its foregoing accessory uses may be permitted on lands described as Part of PIN 73561-0264 & 73561-0258, Parts 6 & Part of Part 11, Plan 53R-19391 in Part of Lots 9 & 10, Concession 4, Township of Neelon".

10) Does the requested amendment change or replace a designation in the Official Plan? [ ] Yes [x] No

If "Yes",

- a) What is the designation to be changed or replace?
b) What is the proposed Official Plan designation?

11) Is the subject land, or land within 120 metres of the subject land, the subject of an application by the applicant under the Planning Act for, (attach a schedule if more space is required)

a) Minor Variance? [ ] Yes [x] No

If "Yes", please provide;

File Number(s) Purpose:

Name of Approval Authority: Land Affected:

Status:

Effect of the Application on the requested Amendment:

b) Plan of Subdivision? [x] Yes [ ] No

If "Yes", please provide;

File Number(s) 780-6/10002 Purpose: Jack Nicholas Business Park

Name of Approval Authority: City of Greater Sudbury Land Affected: Lots 9 &10, Concession 4, Neelon

Status: Draft Plan Approval extension expires October 26, 2018

Effect of the Application on the requested Amendment:

c) Consent? [ ] Yes [x] No

If "Yes", please provide;

File Number(s) Purpose:

Name of Approval Authority: Land Affected:

Status:

Effect of the Application on the requested Amendment:

d) Rezoning? [x] Yes [ ] No

If "Yes", please provide;

File Number(s) N/A Purpose: 'Place of Amusement' as permitted use

Name of Approval Authority: City of Greater Sudbury Land Affected: Part 6 & Part of Part 11, Plan 53R-19391

Status: Being filed concurrently with OPA Application

Effect of the Application on the requested Amendment: Rezoning required for proposed use

e) Minister's Zoning Order? [ ] Yes [x] No

If "Yes", please provide;

File Number(s) Purpose:

Name of Approval Authority: Land Affected:

Status:

Effect of the Application on the requested Amendment:

f) Site Plan? [x] Yes [ ] No

If "Yes", please provide;

File Number(s) N/A Purpose: Proposed casino, hotel, & festival square

Name of Approval Authority: City of Greater Sudbury Land Affected: Part 6 & Part of Part 11, Plan 53R-19391

Status: Being filed concurrently with OPA Application

Effect of the Application on the requested Amendment: OPA/ZBA condition of SPA

12) Describe the existing use(s) on the subject lands. Vacant

13) Will access to the land to be severed or to the land that will be retained, be accessed by;

- a) a provincial highway,  Yes  No
- b) a road which is maintained by the municipality,  All Year  Seasonal
- c) other public road, i.e. Crown  Yes  No
- d) right-of-way  Yes  No
- e) water  Yes  No

If access to the land will be by water only, indicate parking and docking facilities to be used and the approximate distance of these facilities from the land and the nearest public road. Also provide details on the required sketch. N/A

14) What types of water supply and sewage disposal are available?

- Municipally owned and operated piped water system
- Municipally owned and operated sanitary sewage system
- Lake
- Individual Well
- Communal Well
- Individual Septic System
- Communal Septic System
- Pit Privy
- Other \_\_\_\_\_

If the proposed development is to be serviced by a privately owned and operated individual or communal septic system and more than 4500 litres of effluent would be produced per day as a result of the completed development, the following reports must be submitted to the municipality with this application form.

- a) A servicing options report, AND a hydrogeological report.

15) Is the application to amend the Official Plan consistent with the Provincial Policy Statements issued under subsection 3(1) of the Planning Act?  Yes  No

16) Is the subject land within an area of land designated under any provincial plan or plans?

- Yes  No

If "Yes", does the application conform to or not conflict with the applicable provincial plan or plans?

- Yes  No

17) Is this property located within an area subject to the Greater Sudbury Source Protection Plan?

- Yes  No

If "yes", provide details on how the property is designated in the Source Protection Plan. Refer to attached Restricted Land Use Review Application for Section 59 Notice

18) Supporting material to be attached.

- a) If available, a survey of the property.
- b) A sketch drawn to scale showing in metric units, the following;
  - the boundaries and dimensions of the subject lands and where applicable, total land holdings owned by the applicant and encompassing the lands for which the application is being made;
  - the distribution of the proposed land uses, including the location, size and use of all proposed building and structures, landscaping and parking areas on the subject land. In the case of a plan of subdivision, a lotting plan shall be submitted.

c) \_\_\_\_\_

d) \_\_\_\_\_

19) If there is any additional information which may be relevant to your proposal and which should be considered by any of the agencies reviewing this application, please describe below or attach a schedule outlining the particulars of same.

Refer to Planning Justification Report

**PART A: OWNER ACKNOWLEDGEMENT AND CONSENT**

I/We, 1916596 Ontario Ltd. c/o Dario Zulich (please print all names), the registered owner(s) of the property described as Part 6 & Part of Part 11, Plan 53R-19391 in Part of Lots 9 & 10, Concession 4, Township of Neelon

in the City of Greater Sudbury:

**Collection, Use and Disclosure of Information:**

- a) acknowledge that personal information collected on this form is collected pursuant to the *Planning Act*, R.S.O. 1990, c.P.13 for the purpose of processing this planning application;
- b) acknowledge that it is the practice of the City of Greater Sudbury, in accordance with section 1.0.1 of the *Planning Act*, R.S.O. 1990, c.P.13, to provide public access to all planning applications and documents, including but not limited to reports, studies and drawings, required by the City of Greater Sudbury in support of this application ("Supporting Documentation") and provided to the City by me, my agents, my consultants and my solicitors;
- c) in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, consent to the use and disclosure of this application and any Supporting Documentation, inclusive of any personal information, to any person or entity, in any manner chosen by the City, including copying, posting on the City's website, advertising in a newspaper, routine distribution to members of council and in staff reports, or releasing to a third party upon third party request;
- d) grant the City permission to reproduce, in whole or in part, the application and Supporting Documentation for internal use, inclusion in staff reports, distribution to the public for the purpose of public consultation or any other use associated with the purpose of review and implementation of the application;

**Authority to Enter Land and Photograph**

- e) grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- f) acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Municipal Board, the City of Greater Sudbury may not attend at the Ontario Municipal Board hearing unless the City is provided with the City's required fee for attendance at the hearing;

**Appointment of Authorized Agent**

- g) appoint and authorize Dillon Consulting Limited c/o Karl Tanner (please print name of Agent), to act as my/our agent with regard to this application to the City of Greater Sudbury, including but not limited to receiving all correspondence, attending at any hearings, fulfilling any conditions and providing any approvals or consents and ratify, confirm and adopt as my/our own, the acts, representations, replies and commitments made by the agent on my/our behalf.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
(witness)

Original Document Signed

\_\_\_\_\_  
signature of Owner(s) **or** Signing Officer **or** Authorized Agent  
(\*where a Corporation)

Print Name: 1916596 Ontario Ltd. c/o Dario Zulich

\*I have authority to bind the Corporation

**PART B: OWNER OR AUTHORIZED AGENT DECLARATION**

I/We, 1916596 Ontario Ltd. c/o Dario Zulich (please print all names), the registered owner(s) or authorized agent of the property described as Part 6 & Part of Part 11, Plan 53R-19391 in Part of Lots 9 & 10, Concession 4, Township of Neelon.

in the City of Greater Sudbury:

solemnly declare that all of the statements contained in this application and in the Supporting Documentation are true and complete, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Original Document Signed

\_\_\_\_\_  
Commissioner of Oaths

\_\_\_\_\_  
signature of Owner(s) **or** Signing Officer **or** Authorized Agent  
(\*where a Corporation)

Print Name: 1916596 Ontario Ltd. c/o Dario Zulich  
\*I have authority to bind the Corporation

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**NOTES:**

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## 2017 Application Fees

### REZONING

- a) Where the Application for Rezoning is **NOT** made concurrently with an Application for an Official Plan Amendment;
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- Request for **Extension of Rezoning** approval and / or Official Plan Amendment time limits; **\$2,900.00** + legal notice fee
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### DRAFT SUBDIVISION PLAN APPLICATIONS (base fee, plus)

- Per lot for "R1" or "R2" lots **\$ 115.00**
  - Per block where the block is **NOT** intended for Municipal use **\$ 600.00**
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- To a maximum of \$10,927.00**

### DEFERRAL FEES FOR REZONING, OFFICAL PLAN AMENDMENTS AND DRAFT PLAN SUBDIVISION

- 50% of application fee with minimum of **\$ 230.00**

### SUBDIVISION ADMINISTRATION FEE, PER LOT / BLOCK

- Paid prior to registration **\$ 178.00**

### REDRAFTS OF SUBDIVISION

- 50% of above fee based on number of lots or percentage of land area, whichever is greater

### REQUEST FOR SUBDIVISION DRAFT PLAN EXTENSION

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**\$2,900.00**

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**\$ 35.00**

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- Consent to Sever **\$ 61.00**
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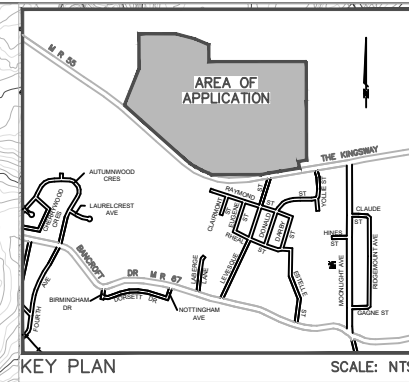
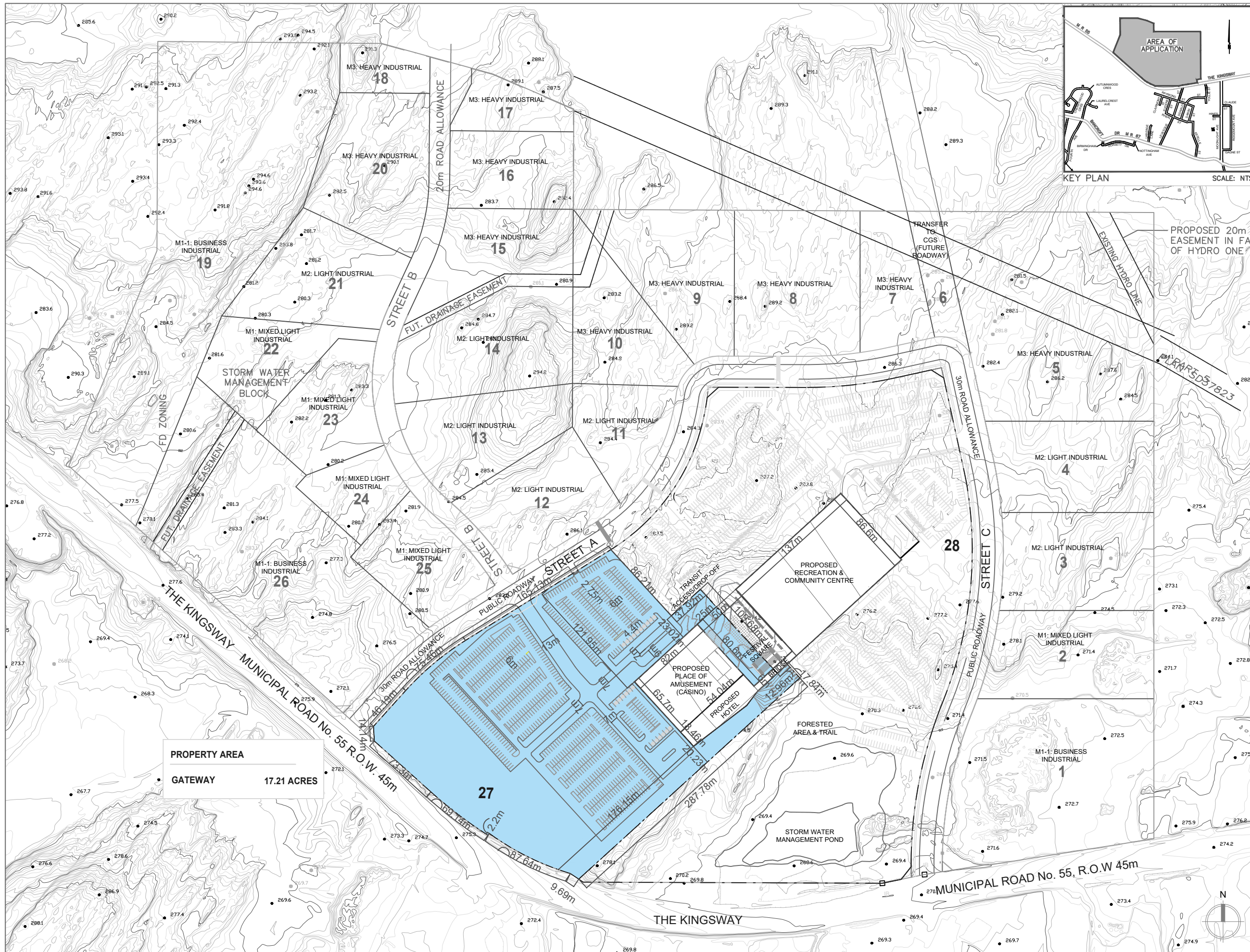
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### PART LOT CONTROL EXEMPTION

**\$1,180.00**

### TELECOMMUNICATION FACILITY

- Non Exempt Antenna System **\$1,550.00**
- Exempt Facility **Nil**



CLIENT:  
**GATEWAY**  
 CASINOS & ENTERTAINMENT LIMITED  
 103-256 Pall Mall Street  
 London, ON N6A 5P9  
 www.gatewaycasinos.com

ARCHITECT:  
  
**CUMULUS ARCHITECTS INC.**  
 Suite 412, 160 Pears Ave.  
 Toronto, ON M5R 3P8  
 416-539-0763  
 www.cumulusarch.com

SEAL:  


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 Cumulus will not be liable for any claims or damages arising from the unauthorized use of this drawing or any portion thereof.

No.	Description	Date
1	OFFICIAL PLAN AMENDMENT	15/11/2017

PROJECT:  
**SUDBURY, ONTARIO**  
 TITLE:  
**CONCEPTUAL KINGSWAY INTEGRATED SITE PLAN**  
 scale: 1:3500  
 PROJECT NO.: 17056  
 DRAWING NO.: **A120**  
 CHECKED:

**Office Use Only**

File # \_\_\_\_\_  
 Cross Ref. File(s) \_\_\_\_\_  
 \_\_\_\_\_  
 S.P.P. AREA                      NDCA REG. AREA  
 Yes \_\_\_ No \_\_\_                      Yes \_\_\_ No \_\_\_

**Office Use Only**

Date Application Received by City: \_\_\_\_\_ Copy to City Clerk: \_\_\_\_\_  
 Application Fee Submitted: \_\_\_\_\_  
 Receipt Number: \_\_\_\_\_  
 Assigned Planner: \_\_\_\_\_

## APPLICATION TO AMEND THE ZONING BY-LAW

Personal information on this form is collected pursuant to the *Planning Act*. Any questions regarding the collection of this information may be directed to the Manager of Development Approvals.

In accordance with Section 1.0.1 of the *Planning Act*, information and material required to be provided to a municipality or approval authority as part of this application shall be considered public information and shall be made available to the public.

Applications to amend zoning by-laws in the City of Greater Sudbury are submitted pursuant to Section 34 of the *Planning Act*. The following information is required to be submitted to the Planning Services Division of the Growth and Development Department and shall be accompanied by a debit transaction, cash or cheque, made payable to the City of Greater Sudbury (refer to "Fee Schedule" for applicable application fees).

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All applicants are required to contact the Manager of Development Approvals, or the designate, to determine the need for a pre-consultation meeting prior to the submission of an application. Where it has been determined that a pre-consultation meeting is required, the pre-consultation meeting shall occur prior to the application being submitted to the City.

It is recommended that applicants consult with their neighbours, ward councillor and key stakeholders and host a neighbourhood meeting to inform area residents as to the nature of the application several weeks prior to the application being scheduled for a public hearing. This will allow all parties to understand the nature of the application and also allow parties to work out contentious issues where possible in advance of the public hearing.

Please print. Schedules may be included if necessary.

1. Pre-consultation:

a) Date of Pre-consultation, if one was held:

11/16/2016 (PC 2016-017)
Month / Day / Year

b) Please attach Pre-consultation Letter of Understanding Form

2. The undersigned hereby applies to the City of Greater Sudbury under Section 34 of the Planning Act, Revised Statutes of Ontario 1990 for an amendment to a Zoning By-law of the City of Greater Sudbury as described in this application.

Registered Owner(s): 1916596 Ontario Ltd. Cell Phone Number:
c/o Dario Zulich Home Number:
Mailing Address: 874 Lapointe Street, Sudbury, ON Business Number: (705) 566-5702
Fax Number: (705) 560-7524
Postal Code: P3A 5N8 E-Mail: dario@dariozulich.com

3. If the application will be represented by someone other than the registered owner(s) and/or the application is prepared and submitted by someone other than the registered owner(s), please specify:

Name of Agent or Solicitor: Dillon Consulting Limited Cell Phone Number:
c/o Karl Tanner Home Number:
Mailing Address: 3200 Deziel Drive, Suite 608 Business Number: 519-948-5000 Ext 3227
Windsor, ON Fax Number: 519-948-5054
Postal Code: N8W 5K8 E-Mail: ktanner@dillon.ca

Note: Unless otherwise requested, all communication will be sent to the agent, if any.

4. Legal Description of Subject Property.

PIN 73561-0264; 73561-0258 Township Neelon Lot No. 9 & 10 Concession No. 4
Parcel(s) Subdivision Plan No. Lot(s)
Reference Plan No. 53R-19391 Part(s) Part 6, Part of Part 11
Municipal Address or Street(s) N/S Kingsway

5. Identify the holders of any mortgages, charges or other encumbrances in respect to the subject lands.

Name(s): N/A
Address:

6. Date land was purchased by the current owner. 04/01/2010
Month / Day / Year

7. Current Zoning: Business Industrial (M1-1); By-Law: 2010-100Z

8. Proposed Zoning: M1-1 Special; to include 'place of amusement' as a permitted use

What is the maximum height permitted in the Zoning By-law for the Proposed Zone? 12.0 m
Metres

What is the maximum density permitted in the Zoning By-law for the Proposed Zone? N/A
(If applicable)

9. Why is the rezoning being requested? Provide details of proposed development or land use. \_\_\_\_\_  
 Site-specific zoning (M1-1 Special) to permit a place of amusement in the form of a casino; a hotel; and a  
 festival square. To include a site specific maximum height requirement of 55.0m and 'no minimum' requirement  
 for the side yard setback. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**NOTE:**

If the application is to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement, details of the related Official Plan or Official Plan Amendment are required to be submitted with the application.

If the application is to remove land from an area of employment, details of the related Official Plan or Official Plan Amendment are required to be submitted with the application.

10. Current Official Plan Land Use Designation: General Industrial

a) Explain how the application conforms to the Official Plan. Refer to Planning Justification Report \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

11. Have the lands intended to be rezoned ever been, or are now a part of an application for;

a) Official Plan Amendment?  Yes  No  
 If "Yes", please provide;  
 • File Number(s) N/A  
 • Status of Application(s) Being filed concurrently with rezoning application

b) Plan of Subdivision?  Yes  No  
 If "Yes", please provide;  
 • File Number(s) 780-6/10002  
 • Status of Application(s) Approved October 26, 2010; Draft Approval extension expires October 26, 2018

c) Consent?  Yes  No  
 If "Yes", please provide;  
 • File Number(s) \_\_\_\_\_  
 • Status of Application(s) \_\_\_\_\_

d) Rezoning?  Yes  No  
 If "Yes", please provide;  
 • File Number(s) By-law 2014-246Z  
 • Status of Application(s) Approved November 4th, 2014

e) Have the lands ever been the subject of a Minister's Zoning Order?  Yes  No  
 If "Yes", please provide;  
 • Ontario Regulation Number \_\_\_\_\_

12) Dimensions in **metric** units of the land to be rezoned (describe **only** the portion of land which is to be rezoned).  
 Frontage: +/- 287m      Depth: Irregular      Area: 6.96 ha (17.21 acres)      [ m<sup>2</sup> /  ha]

13) Describe the existing use(s) on the subject land. Vacant

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a) Date that existing uses were established on the subject land. N/A  
 Month / Day / Year

b) Number of existing buildings and structures on land to be rezoned. N/A

14) Particulars of all buildings:	<u>Existing</u>	<u>Proposed</u>
Ground Floor Area:	<u>N/A</u>	Casino - 5,412 m2; Hotel - 1,212 m2
Gross Floor Area:	<u>N/A</u>	Casino - 5,854 m2; Hotel - 18,488 m2
No. of storeys:	<u>N/A</u>	Casino - 3 storeys; Hotel - 15 storeys
Width:	<u>N/A</u>	Refer to Conceptual Plan & Elevations
Length:	<u>N/A</u>	
Height:	<u>N/A</u>	
Date of Construction:	<u>N/A</u>	

a) Are any of existing buildings proposed to be demolished or removed?  Yes  No

If "Yes", identify which buildings are to be demolished or removed? N/A

**If there is more than one existing or proposed building, please attach a schedule to the application form for each additional building.**

15) Location of all buildings and structures on or proposed for the subject lands (specify distances from side, rear and front lot lines).

	<u>Existing</u>	<u>Proposed</u>
Front:	<u>N/A</u>	Refer to Conceptual Site Plan
Rear:	<u>N/A</u>	
Side:	<u>N/A</u>	
Side:	<u>N/A</u>	

**If there is more than one existing or proposed building, please attach a schedule to the application form for each additional building.**

16) Will access to the land to be rezoned be accessed by;

- |  |   |  |
|--|---|--|
| a) a provincial highway,                                       | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |
| b) a municipal road that is maintained all year or seasonally, | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| c) a road which is maintained by the municipality,             | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No            |
| d) by water?   | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> No |

**If access to the land will be by water only, indicate parking and docking facilities to be used and the approximate distance of these facilities from the land and the nearest public road. Also provide details on the required sketch.**  
N/A

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17) What types of water supply and sewage disposal are available?

- Municipally owned and operated piped water system
- Municipally owned and operated sanitary sewage system
- Lake
- Individual Well
- Communal Well
- Individual Septic System
- Communal Septic System
- Pit Privy
- Other

**If the proposed development is to be serviced by a privately owned and operated individual or communal septic system and more than 4500 litres of effluent would be produced per day as a result of the completed development, the following reports must be submitted to the municipality with this application form.**

a) A servicing options report, AND a hydrogeological report.

18) How will storm drainage be provided?

- Storm Sewers
- Ditches
- Swales
- Other \_\_\_\_\_

19) Is the application to amend the zoning by-law consistent with Provincial Policy Statements issued under subsection 3(1) of the *Planning Act*?  Yes  No

20) Is the subject land within an area of land designated under any provincial plan or plans?  
 Yes  No

If "Yes", does the application conform to or not conflict with the applicable provincial plan or plans?  
 Yes  No

21) Is this property located within an area subject to the Greater Sudbury Source Protection Plan?  
 Yes  No

If "Yes", provide details on how the property is designated in the Source Protection Plan.  
Refer to Restricted Land Use Review Application for Section 59 Notice

22) Supporting material to be attached.

- a) If available, a survey of the property.
- b) A sketch drawn to scale showing in metric units, the following;
  - the boundaries and dimensions of the subject land;
  - the location, size and type of all existing and proposed buildings and structures, landscaping and parking areas on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
  - the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that;
    - i. are located on the subject land and on land that is adjacent to it, and
    - ii. in the applicant's opinion, may affect the application.
  - the current uses of land that are adjacent to the subject land;
  - the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way;
  - if access to the subject land will be by water only, the location of the parking and docking facilities to be used, and;
  - the location and nature of any easement affecting the subject land.
- c) The applicant's proposed strategy for consulting with the public on the request to amend the zoning by-law.

.....23) If there is any additional information which may be relevant to your proposal and which should be considered by any of the agencies reviewing this application, please describe below or attach a schedule outlining the particular of same.

Refer to Planning Justification Report  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PART A: OWNER ACKNOWLEDGEMENT AND CONSENT**

I/We, 1916596 Ontario Ltd. c/o Dario Zulich (please print all names), the registered owner(s) of the property described as Part of Lot 9 & 10 Concession 4, Township of Neelon; Part 6 & Part of Lot 11 Plan 53R-19391

in the City of Greater Sudbury:

**Collection, Use and Disclosure of Information:**

- a) acknowledge that personal information collected on this form is collected pursuant to the *Planning Act*, R.S.O. 1990, c.P.13 for the purpose of processing this planning application;
- b) acknowledge that it is the practice of the City of Greater Sudbury, in accordance with section 1.0.1 of the *Planning Act*, R.S.O. 1990, c.P.13, to provide public access to all planning applications and documents, including but not limited to reports, studies and drawings, required by the City of Greater Sudbury in support of this application ("Supporting Documentation") and provided to the City by me, my agents, my consultants and my solicitors;
- c) in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, consent to the use and disclosure of this application and any Supporting Documentation, inclusive of any personal information, to any person or entity, in any manner chosen by the City, including copying, posting on the City's website, advertising in a newspaper, routine distribution to members of council and in staff reports, or releasing to a third party upon third party request;
- d) grant the City permission to reproduce, in whole or in part, the application and Supporting Documentation for internal use, inclusion in staff reports, distribution to the public for the purpose of public consultation or any other use associated with the purpose of review and implementation of the application;

**Authority to Enter Land and Photograph**

- e) grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- f) acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Municipal Board, the City of Greater Sudbury may not attend at the Ontario Municipal Board hearing unless the City is provided with the City's required fee for attendance at the hearing;

**Appointment of Authorized Agent**

- g) appoint and authorize Dillon Consulting Limited c/o Karl Tanner (please print name of Agent), to act as my/our agent with regard to this application to the City of Greater Sudbury, including but not limited to receiving all correspondence, attending at any hearings, fulfilling any conditions and providing any approvals or consents and ratify, confirm and adopt as my/our own, the acts, representations, replies and commitments made by the agent on my/our behalf.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Original Document Signed

\_\_\_\_\_  
(witness)

\_\_\_\_\_  
signature of Owner(s) **or** Signing Officer **or** Authorized Agent  
(\*where a Corporation)

Print Name: 1916596 Ontario Ltd. c/o Dario Zulich  
\*I have authority to bind the Corporation

**PART B: OWNER OR AUTHORIZED AGENT DECLARATION**

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in the City of Greater Sudbury:

solemnly declare that all of the statements contained in this application and in the Supporting Documentation are true and complete, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Original Document Signed

\_\_\_\_\_  
Commissioner of Oaths

\_\_\_\_\_  
signature of Owner(s) **or** Signing Officer **or** Authorized Agent  
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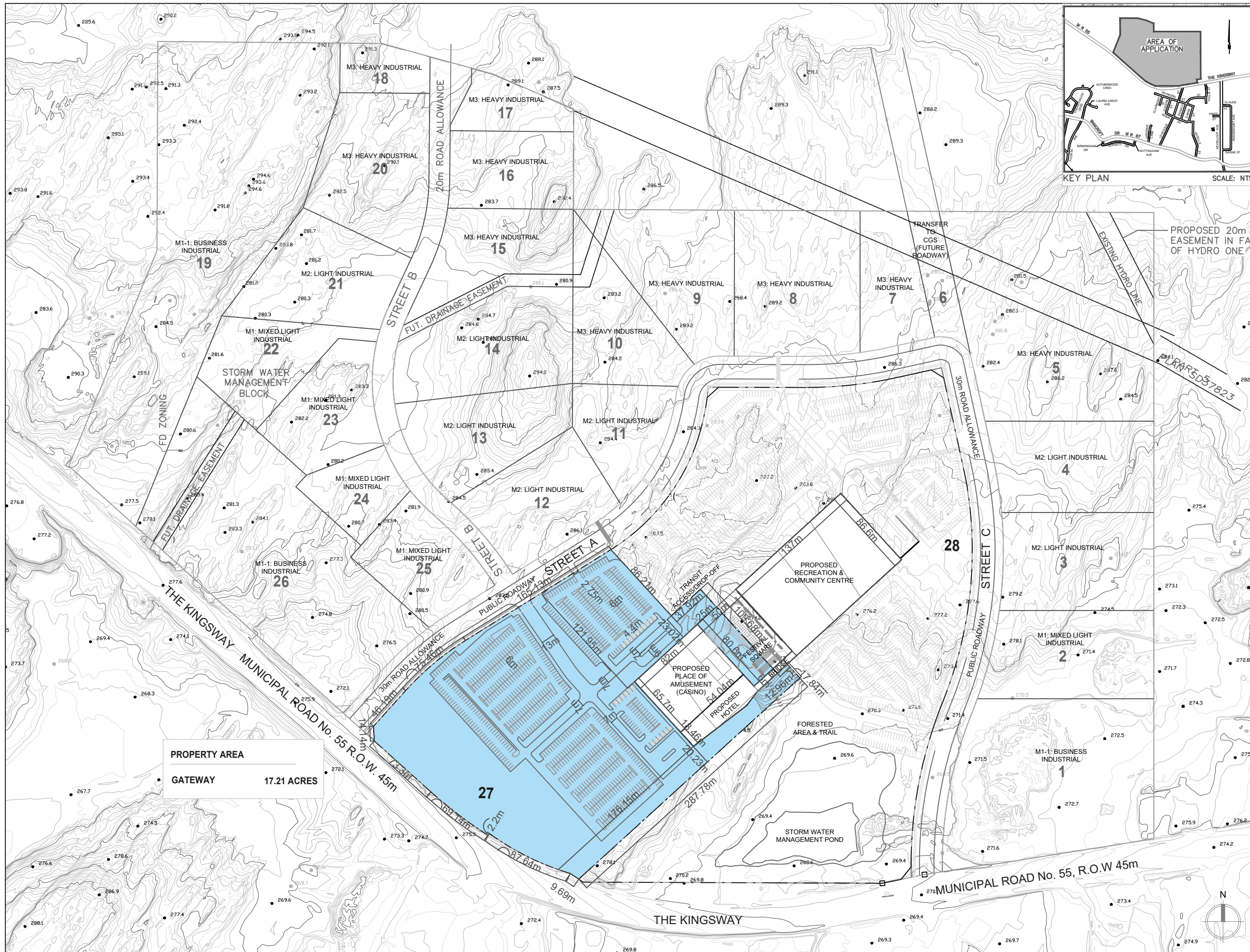
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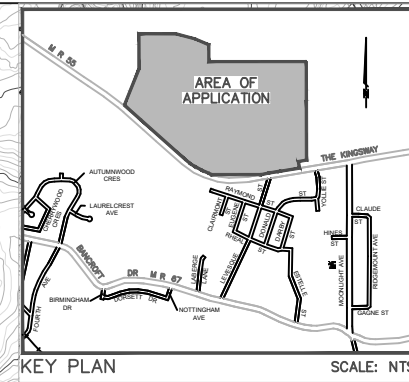
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**PROPERTY AREA**  
**GATEWAY** 17.21 ACRES



CLIENT:  
**GATEWAY**  
 CASINOS & ENTERTAINMENT LIMITED  
 103-256 Pall Mall Street  
 London, ON N6A 5P9  
 www.gatewaycasinos.com

ARCHITECT:  
  
 Suite 412, 160 Pears Ave.  
 Toronto, ON M5R 3P8  
 416-539-0763  
 www.cumulusarch.com

SEAL:  
  
 JOSEPH SZASZEWICZ  
 LICENCE 6085

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No.	Description	Date
1	ZONING BY-LAW AMENDMENT	15/11/2017

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**SUDBURY, ONTARIO**  
 TITLE:  
**CONCEPTUAL KINGSWAY INTEGRATED SITE PLAN**  
 scale: 1:3500  
 PROJECT NO: 17056  
 DRAWING NO: **A110**  
 CHECKED:

**Office Use Only**

File # \_\_\_\_\_  
 Cross Ref. File(s) \_\_\_\_\_  
 \_\_\_\_\_  
 S.P.P. AREA                      NDCA REG. AREA  
 Yes \_\_\_ No \_\_\_                      Yes \_\_\_ No \_\_\_

**Office Use Only**

Date Application Received by City: \_\_\_\_\_ Copy to City Clerk: \_\_\_\_\_  
 Application Fee Submitted: \_\_\_\_\_  
 Receipt Number: \_\_\_\_\_  
 Assigned Planner: \_\_\_\_\_

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It is recommended that applicants consult with their neighbours, ward councillor and key stakeholders and host a neighbourhood meeting to inform area residents as to the nature of the application several weeks prior to the application being scheduled for a public hearing. This will allow all parties to understand the nature of the application and also allow parties to work out contentious issues where possible in advance of the public hearing.

Please print. Schedules may be included if necessary.

1. Pre-consultation:

a) Date of Pre-consultation, if one was held:

10/04/2017
Month / Day / Year

b) Please attach Pre-consultation Letter of Understanding Form
See attached

2. The undersigned hereby applies to the City of Greater Sudbury under Section 34 of the Planning Act, Revised Statutes of Ontario 1990 for an amendment to a Zoning By-law of the City of Greater Sudbury as described in this application.

Registered Owner(s): 1916596 Ontario Ltd. Cell Phone Number:
c/o Dario Zulich Home Number:
Mailing Address: 874 Lapointe Street, Sudbury ON Business Number: (705) 560-5702
Fax Number: (705) 560-7524
Postal Code: P3A 5N8 E-Mail: dario@dariozulich.com

3. If the application will be represented by someone other than the registered owner(s) and/or the application is prepared and submitted by someone other than the registered owner(s), please specify:

Name of Agent or Solicitor: Dillon Consulting Limited Cell Phone Number:
c/o Karl Tanner Home Number:
Mailing Address: 3200 Deziel Drive, Suite 608 Business Number: 519-948-5000 Ext 3227
Windsor, ON Fax Number: 519-948-5054
Postal Code: N8W 5K8 E-Mail: ktanner@dillon.ca

Note: Unless otherwise requested, all communication will be sent to the agent, if any.

4. Legal Description of Subject Property.

PIN 73561-0258 Township Neelon Lot No. Part Lot 9 Concession No. 4
Parcel(s) Subdivision Plan No. Lot(s)
Reference Plan No. 53R-19391 Part(s) Part of Parts 10 & 11, Parts 12 & 13
Municipal Address or Street(s) N/S Kingsway

5. Identify the holders of any mortgages, charges or other encumbrances in respect to the subject lands.

Name(s): N/A
Address:

6. Date land was purchased by the current owner. 04/01/2010
Month / Day / Year

7. Current Zoning: Business Industrial (M1-1); By-Law: 2010-100Z
Light Industrial (M2); Mixed Light Industrial (M1)

8. Proposed Zoning: M1-1 Special; Site specific zoning to include 'recreation and community centre' as a permitted use

What is the maximum height permitted in the Zoning By-law for the Proposed Zone? 12.0 m
Metres

What is the maximum density permitted in the Zoning By-law for the Proposed Zone? N/A
(If applicable)

9. Why is the rezoning being requested? Provide details of proposed development or land use. \_\_\_\_\_  
 To permit the development of a proposed recreation and community centre in the form of a public arena and  
 festival square. To include a site specific maximum height requirement of 35.0m and 'no minimum' requirement  
 for the interior side yard setback \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**NOTE:**

If the application is to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement, details of the related Official Plan or Official Plan Amendment are required to be submitted with the application.

If the application is to remove land from an area of employment, details of the related Official Plan or Official Plan Amendment are required to be submitted with the application.

10. Current Official Plan Land Use Designation: General Industrial

a) Explain how the application conforms to the Official Plan. Refer to attached Letter \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

11. Have the lands intended to be rezoned ever been, or are now a part of an application for;

a) Official Plan Amendment?  Yes  No  
 If "Yes", please provide;  
 • File Number(s) N/A  
 • Status of Application(s) \_\_\_\_\_

b) Plan of Subdivision?  Yes  No  
 If "Yes", please provide;  
 • File Number(s) 780-6/10002  
 • Status of Application(s) Draft Plan Approval extension expires October 26, 2018

c) Consent?  Yes  No  
 If "Yes", please provide;  
 • File Number(s) \_\_\_\_\_  
 • Status of Application(s) \_\_\_\_\_

d) Rezoning?  Yes  No  
 If "Yes", please provide;N/A  
 • File Number(s) Being filed concurrently  
 • Status of Application(s) \_\_\_\_\_

e) Have the lands ever been the subject of a Minister's Zoning Order?  Yes  No  
 If "Yes", please provide;  
 • Ontario Regulation Number \_\_\_\_\_

12) Dimensions in **metric** units of the land to be rezoned (describe **only** the portion of land which is to be rezoned).  
 Frontage: ± 481 m Depth: Irregular Area: 11.96 [ m<sup>2</sup> /  ha]

13) Describe the existing use(s) on the subject land. Vacant

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a) Date that existing uses were established on the subject land. N/A  
 Month / Day / Year

b) Number of existing buildings and structures on land to be rezoned. N/A

14) Particulars of all buildings:

	<u>Existing</u>	<u>Proposed</u>
Ground Floor Area:	<u>N/A</u>	<u>11,865.32 m2</u>
Gross Floor Area:	<u>N/A</u>	<u>28,640 m2</u>
No. of storeys:	<u>N/A</u>	<u>3 storeys</u>
Width:	<u>N/A</u>	<u>Refer to Conceptual Site Plan</u>
Length:	<u>N/A</u>	
Height:	<u>N/A</u>	
Date of Construction:	<u>N/A</u>	

a) Are any of existing buildings proposed to be demolished or removed?  Yes  No

If "Yes", identify which buildings are to be demolished or removed? N/A

**If there is more than one existing or proposed building, please attach a schedule to the application form for each additional building.**

15) Location of all buildings and structures on or proposed for the subject lands (specify distances from side, rear and front lot lines).

	<u>Existing</u>	<u>Proposed</u>
Front:	<u>N/A</u>	<u>Refer to Conceptual Site Plan</u>
Rear:	<u>N/A</u>	
Side:	<u>N/A</u>	
Side:	<u>N/A</u>	

**If there is more than one existing or proposed building, please attach a schedule to the application form for each additional building.**

16) Will access to the land to be rezoned be accessed by;

- a) a provincial highway,  Yes  No
- b) a municipal road that is maintained all year or seasonally,  Yes  No
- c) a road which is maintained by the municipality,  Yes  No
- d) by water?  Yes  No

**If access to the land will be by water only, indicate parking and docking facilities to be used and the approximate distance of these facilities from the land and the nearest public road. Also provide details on the required sketch.**  
N/A

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17) What types of water supply and sewage disposal are available?

- Municipally owned and operated piped water system
- Municipally owned and operated sanitary sewage system
- Lake
- Individual Well
- Communal Well
- Individual Septic System
- Communal Septic System
- Pit Privy
- Other

**If the proposed development is to be serviced by a privately owned and operated individual or communal septic system and more than 4500 litres of effluent would be produced per day as a result of the completed development, the following reports must be submitted to the municipality with this application form.**

a) A servicing options report, AND a hydrogeological report.

18) How will storm drainage be provided?

- Storm Sewers
- Ditches
- Swales
- Other \_\_\_\_\_

19) Is the application to amend the zoning by-law consistent with Provincial Policy Statements issued under subsection 3(1) of the *Planning Act*?  Yes  No

20) Is the subject land within an area of land designated under any provincial plan or plans?  
 Yes  No

If "Yes", does the application conform to or not conflict with the applicable provincial plan or plans?  
 Yes  No

21) Is this property located within an area subject to the Greater Sudbury Source Protection Plan?  
 Yes  No

If "Yes", provide details on how the property is designated in the Source Protection Plan.  
Refer to Restricted Land Use Review Application for Section 59 Notice

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22) Supporting material to be attached.

- a) If available, a survey of the property.
- b) A sketch drawn to scale showing in metric units, the following;
  - the boundaries and dimensions of the subject land;
  - the location, size and type of all existing and proposed buildings and structures, landscaping and parking areas on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
  - the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that;
    - i. are located on the subject land and on land that is adjacent to it, and
    - ii. in the applicant's opinion, may affect the application.
  - the current uses of land that are adjacent to the subject land;
  - the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way;
  - if access to the subject land will be by water only, the location of the parking and docking facilities to be used, and;
  - the location and nature of any easement affecting the subject land.
- c) The applicant's proposed strategy for consulting with the public on the request to amend the zoning by-law.

.....23) If there is any additional information which may be relevant to your proposal and which should be considered by any of the agencies reviewing this application, please describe below or attach a schedule outlining the particular of same.

- Conceptual Plan and Elevations (see attached)
- Draft Public Consultation Strategy (see attached)
- SAR Reports and MNRF Correspondence (see attached)
- Source Protection Plan Section 59 Application (see attached)
- Traffic Impact Study (under separate cover)

**PART A: OWNER ACKNOWLEDGEMENT AND CONSENT**

I/We, 1916596 Ontario Ltd. c/o Dario Zulich (please print all names), the

registered owner(s) of the property described as Part of Lot 9, Concession 4, Township of Neelon;

Part of Parts 10 & 11, Parts 12 & 13, Plan 53R-19391

in the City of Greater Sudbury:

**Collection, Use and Disclosure of Information:**

- a) acknowledge that personal information collected on this form is collected pursuant to the *Planning Act*, R.S.O. 1990, c.P.13 for the purpose of processing this planning application;
- b) acknowledge that it is the practice of the City of Greater Sudbury, in accordance with section 1.0.1 of the *Planning Act*, R.S.O. 1990, c.P.13, to provide public access to all planning applications and documents, including but not limited to reports, studies and drawings, required by the City of Greater Sudbury in support of this application ("Supporting Documentation") and provided to the City by me, my agents, my consultants and my solicitors;
- c) in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, consent to the use and disclosure of this application and any Supporting Documentation, inclusive of any personal information, to any person or entity, in any manner chosen by the City, including copying, posting on the City's website, advertising in a newspaper, routine distribution to members of council and in staff reports, or releasing to a third party upon third party request;
- d) grant the City permission to reproduce, in whole or in part, the application and Supporting Documentation for internal use, inclusion in staff reports, distribution to the public for the purpose of public consultation or any other use associated with the purpose of review and implementation of the application;

**Authority to Enter Land and Photograph**

- e) grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- f) acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Municipal Board, the City of Greater Sudbury may not attend at the Ontario Municipal Board hearing unless the City is provided with the City's required fee for attendance at the hearing;

**Appointment of Authorized Agent**

- g) appoint and authorize Dillon Consulting Limited c/o Karl Tanner (please print name of Agent), to act as my/our agent with regard to this application to the City of Greater Sudbury, including but not limited to receiving all correspondence, attending at any hearings, fulfilling any conditions and providing any approvals or consents and ratify, confirm and adopt as my/our own, the acts, representations, replies and commitments made by the agent on my/our behalf.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Original application signed

\_\_\_\_\_  
(witness)

\_\_\_\_\_  
signature of Owner(s) or Signing Officer or Authorized Agent  
(\*where a Corporation)

Print Name: 1916596 Ontario Ltd. c/o Dario Zulich  
\*I have authority to bind the Corporation

**PART B: OWNER OR AUTHORIZED AGENT DECLARATION**

I/We, 1916596 Ontario Ltd. c/o Dario Zulich (please print all names), the registered owner(s) or authorized agent of the property described as Part of Part 9, Concession 4, Township of Neelon; Part of Parts 10 & 11, Plan 53R-19391

in the City of Greater Sudbury:

solemnly declare that all of the statements contained in this application and in the Supporting Documentation are true and complete, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Commissioner of Oaths \_\_\_\_\_ Original application signed  
signature of Owner(s) **or** Signing Officer **or** Authorized Agent  
(\*where a Corporation)  
Print Name: 1916596 Ontario Ltd. c/o Dario Zulich  
\*I have authority to bind the Corporation

\* Where the owner is a firm or corporation, the person signing this instrument shall state that he/she has authority to bind the corporation or affix the corporate seal.

**NOTES:**

- Questions regarding the collection of personal information should be directed to the Manager of Development Approvals, City of Greater Sudbury, 200 Brady Street, Sudbury, ON, P3A 5P3
- An agent must be authorized in writing by the owner to act on his/her behalf. Unless otherwise requested, all communication will be sent to the agent.
- Schedule of Application Fees is attached.

**REFUND POLICY:**

Half of the application fee (50%) is refunded if an application is withdrawn within five (5) working days of its receipt by the Growth and Development Department. No refund after this time period.

**FEEES FOR EXTENSIONS:**

Approvals with conditions have two years to fulfill conditions. If extensions to this time limit are granted, the following fees shall be applicable.

- Extensions up to one year – 50% of the original application fee
- Extensions beyond one year up to two years – 100% of the original application fee

## 2017 Application Fees

### REZONING

- a) Where the Application for Rezoning is **NOT** made concurrently with an Application for an Official Plan Amendment;
- Change in zoning designation (except "R1" to "R2") **\$2,900.00** + legal notice fee
  - "R1" to "R2" and Temporary zonings or Lifting of "H" Provisions **\$1,150.00** + legal notice fee
  - Garden Suite Temporary Extension **\$ 580.00**, legal notice fee included
- b) Where the Application for Rezoning **IS** made concurrently with an Application for an Official Plan Amendment; **\$4,640.00** + legal notice fee

### OFFICIAL PLAN AMENDMENTS

- Request for **Extension of Rezoning** approval and / or Official Plan Amendment time limits; **\$2,900.00** + legal notice fee
  - 50% of above fees for a one year extension, and
  - 100% for a two year extension

### DRAFT SUBDIVISION PLAN APPLICATIONS (base fee, plus)

- Per lot for "R1" or "R2" lots **\$ 115.00**
  - Per block where the block is **NOT** intended for Municipal use **\$ 600.00**
  - Per block where the block **IS** intended for Municipal use **Nil**
- To a maximum of \$10,927.00**

### DEFERRAL FEES FOR REZONING, OFFICAL PLAN AMENDMENTS AND DRAFT PLAN SUBDIVISION

- 50% of application fee with minimum of **\$ 230.00**

### SUBDIVISION ADMINISTRATION FEE, PER LOT / BLOCK

- Paid prior to registration **\$ 178.00**

### REDRAFTS OF SUBDIVISION

- 50% of above fee based on number of lots or percentage of land area, whichever is greater

### REQUEST FOR SUBDIVISION DRAFT PLAN EXTENSION

- 25% of above fees for a 3 year extension

### DRAFT CONDOMINIUM PLAN APPLICATIONS

**\$2,900.00**

### LEGAL NOTICE FEES

- Rezoning, Official Plan Amendments, Draft Plans of Subdivision or Condominium Applications
  - any one of the above **\$ 570.00**
  - two or more of the above, an additional **\$ 340.00**

### SOURCE PROTECTION PLAN APPLICATIONS

**\$ 35.00**

### NDCA FEES

- Official Plan Amendment **\$ 151.00**
- Zoning By-law Amendment **\$ 85.00**
- Consent to Sever **\$ 61.00**
- Minor Variance **\$ 61.00**
- Site Plan Control Agreement **\$ 85.00**

### Plans of Subdivision

- Initial Draft **\$ 220.00**
- Draft Plan Approval Extension **\$ 114.00**
- Clearance of Conditions (per phase) **\$ 114.00**

### FRONT END AGREEMENT APPLICATION

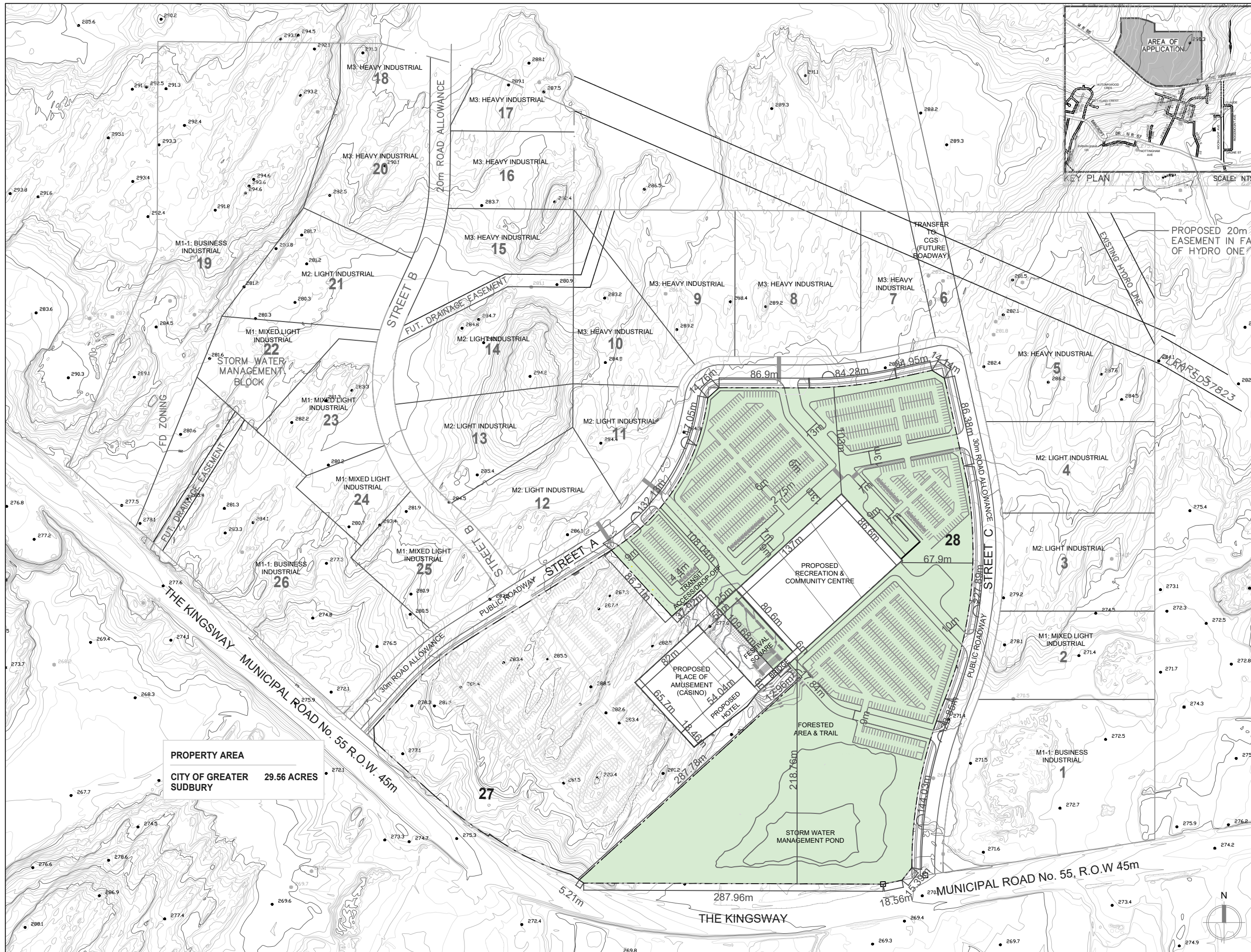
**\$ 700.00**

### PART LOT CONTROL EXEMPTION

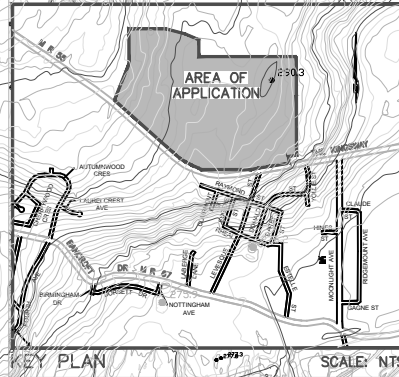
**\$1,180.00**

### TELECOMMUNICATION FACILITY

- Non Exempt Antenna System **\$1,550.00**
- Exempt Facility **Nil**



**PROPERTY AREA**  
**CITY OF GREATER SUDBURY** 29.56 ACRES  
**SUDBURY**



CLIENT:  
**Greater Sudbury**  
 200 Rue Brady Street  
 Sudbury, Ontario  
 P3A 5P3  
 PO Box 5000 / CP 5000  
 www.greatersudbury.ca

ARCHITECT:  
**CUMULUS ARCHITECTS INC.**  
 Suite 412, 160 Pears Ave.  
 Toronto, ON M5R 3P8  
 416-539-0763  
 www.cumulusarch.com



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No.	Description	Date
1	ZONING BY-LAW AMENDMENT	15/11/2017

PROJECT:  
**SUDBURY, ONTARIO**  
 TITLE:  
**CONCEPTUAL KINGSWAY INTEGRATED SITE PLAN**  
 scale: 1:3500  
 PROJECT NO.: 17056  
 DRAWING NO.: **A110**  
 CHECKED:

**Office Use Only**

File # \_\_\_\_\_

Cross Ref. File(s) \_\_\_\_\_

S.P.P. AREA                      NDCA REG. AREA  
 Yes \_\_\_ No \_\_\_                      Yes \_\_\_ No \_\_\_

**Office Use Only**

Date Application Received by City: \_\_\_\_\_ Copy to City Clerk: \_\_\_\_\_

Application Fee Submitted: \_\_\_\_\_

Receipt Number: \_\_\_\_\_

Assigned Planner: \_\_\_\_\_

## APPLICATION TO AMEND THE ZONING BY-LAW

Personal information on this form is collected pursuant to the *Planning Act*. Any questions regarding the collection of this information may be directed to the Manager of Development Approvals.

In accordance with Section 1.0.1 of the *Planning Act*, information and material required to be provided to a municipality or approval authority as part of this application shall be considered public information and shall be made available to the public.

Applications to amend zoning by-laws in the City of Greater Sudbury are submitted pursuant to Section 34 of the *Planning Act*. The following information is required to be submitted to the Planning Services Division of the Growth and Development Department and shall be accompanied by a debit transaction, cash or cheque, made payable to the City of Greater Sudbury (refer to "Fee Schedule" for applicable application fees).

All applications submitted must be consistent with the Provincial Policy Statements which can be found at [www.mah.gov.on.ca](http://www.mah.gov.on.ca)

In accordance with Section 34(10.4) of the *Planning Act*, the City of Greater Sudbury is required to notify the applicant within 30 days of the application having been submitted, whether additional information is required to be submitted in order for the application to be considered complete. Failure to submit all of the required information may prevent or delay the consideration of the application.

All applicants are required to contact the Manager of Development Approvals, or the designate, to determine the need for a pre-consultation meeting prior to the submission of an application. Where it has been determined that a pre-consultation meeting is required, the pre-consultation meeting shall occur prior to the application being submitted to the City.

It is recommended that applicants consult with their neighbours, ward councillor and key stakeholders and host a neighbourhood meeting to inform area residents as to the nature of the application several weeks prior to the application being scheduled for a public hearing. This will allow all parties to understand the nature of the application and also allow parties to work out contentious issues where possible in advance of the public hearing.

Please print. Schedules may be included if necessary.

1. Pre-consultation:

a) Date of Pre-consultation, if one was held:

12/05/2017
Month / Day / Year

b) Please attach Pre-consultation Letter of Understanding Form
See attached

2. The undersigned hereby applies to the City of Greater Sudbury under Section 34 of the Planning Act, Revised Statutes of Ontario 1990 for an amendment to a Zoning By-law of the City of Greater Sudbury as described in this application.

Registered Owner(s): 1916596 Ontario Ltd. Cell Phone Number:
c/o Dario Zulich Home Number:
Mailing Address: 874 Lapointe Street, Sudbury ON Business Number: (705) 566-5702
Fax Number: (705) 560-7524
Postal Code: P3A 5N8 E-Mail: dario@dariozulich.com

3. If the application will be represented by someone other than the registered owner(s) and/or the application is prepared and submitted by someone other than the registered owner(s), please specify:

Name of Agent or Solicitor: Dillon Consulting Limited Cell Phone Number:
c/o Karl Tanner Home Number:
Mailing Address: 3200 Deziel Drive, Suite 608 Business Number: 519-948-5000 Ext 3227
Windsor, ON Fax Number: 519-948-5054
Postal Code: N8W 5K8 E-Mail: ktanner@dillon.ca

Note: Unless otherwise requested, all communication will be sent to the agent, if any.

4. Legal Description of Subject Property.

PIN 73561-0264/0258/0261 Township Neelon Lot No. 9 & 10 Concession No. 4
Parcel(s) Subdivision Plan No. Lot(s)
Reference Plan No. 53R-19391 Part(s) Parts 2,3,5 & 8,Part of Part 10, Parts 14 & 15
Municipal Address or Street(s) N/S Kingsway

5. Identify the holders of any mortgages, charges or other encumbrances in respect to the subject lands.

Name(s): N/A
Address:

6. Date land was purchased by the current owner. 04/01/2010
Month / Day / Year

7. Current Zoning: Light Industrial (M2); Heavy Industrial (M3) By-Law: 2010-100Z

8. Proposed Zoning: To include 'Parking Lot' as a permitted use and exception to Section 5.2.4.2(a)

What is the maximum height permitted in the Zoning By-law for the Proposed Zone? 15.0m/ 30.0m
Metres

What is the maximum density permitted in the Zoning By-law for the Proposed Zone? N/A
(If applicable)

9. Why is the rezoning being requested? Provide details of proposed development or land use. \_\_\_\_\_  
 Site specific zoning to include 'parking lot' as a permitted use and an exception to Section 5.2.4.2(a) - When Offsite  
 Parking May Be Permitted \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**NOTE:**

If the application is to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement, details of the related Official Plan or Official Plan Amendment are required to be submitted with the application.

If the application is to remove land from an area of employment, details of the related Official Plan or Official Plan Amendment are required to be submitted with the application.

10. Current Official Plan Land Use Designation: Light Industrial; Heavy Industrial

a) Explain how the application conforms to the Official Plan. The application conforms with Section 11.4 (Parking); 'Parking' as a permitted use on the sites surrounding the proposed Event Centre/Arena will provide options for overflow parking if required  
 \_\_\_\_\_  
 \_\_\_\_\_

11. Have the lands intended to be rezoned ever been, or are now a part of an application for;

a) Official Plan Amendment?  Yes  No

If "Yes", please provide;

- File Number(s) \_\_\_\_\_
- Status of Application(s) \_\_\_\_\_

b) Plan of Subdivision?  Yes  No

If "Yes", please provide;

- File Number(s) 780-6/10002
- Status of Application(s) Approved October 26, 2010; Draft Approval extension expires October 26, 2018

c) Consent?  Yes  No

If "Yes", please provide;

- File Number(s) \_\_\_\_\_
- Status of Application(s) \_\_\_\_\_

d) Rezoning?  Yes  No

If "Yes", please provide;

- File Number(s) N/A
- Status of Application(s) \_\_\_\_\_

e) Have the lands ever been the subject of a Minister's Zoning Order?  Yes  No

If "Yes", please provide;

- Ontario Regulation Number \_\_\_\_\_

12) Dimensions in **metric** units of the land to be rezoned (describe **only** the portion of land which is to be rezoned).

Frontage: \_\_\_\_\_ Depth: \_\_\_\_\_ Area: \_\_\_\_\_ [ m<sup>2</sup> /  ha]

Refer to Reference Plan 53R-19391

13) Describe the existing use(s) on the subject land. Vacant

---



---

a) Date that existing uses were established on the subject land. N/A  
 Month / Day / Year

b) Number of existing buildings and structures on land to be rezoned. N/A

14) Particulars of all buildings:

	<u>Existing</u>	<u>Proposed</u>
Ground Floor Area:	<u>N/A</u>	<u>N/A</u>
Gross Floor Area:	_____	_____
No. of storeys:	_____	_____
Width:	_____	_____
Length:	_____	_____
Height:	_____	_____
Date of Construction:	_____	_____

a) Are any of existing buildings proposed to be demolished or removed?  Yes  No

If "Yes", identify which buildings are to be demolished or removed? N/A

**If there is more than one existing or proposed building, please attach a schedule to the application form for each additional building.**

15) Location of all buildings and structures on or proposed for the subject lands (specify distances from side, rear and front lot lines).

	<u>Existing</u>	<u>Proposed</u>
Front:	<u>N/A</u>	<u>N/A</u>
Rear:	_____	_____
Side:	_____	_____
Side:	_____	_____

**If there is more than one existing or proposed building, please attach a schedule to the application form for each additional building.**

16) Will access to the land to be rezoned be accessed by;

- a) a provincial highway,  Yes  No
- b) a municipal road that is maintained all year or seasonally,  Yes  No
- c) a road which is maintained by the municipality,  Yes  No
- d) by water?  Yes  No

**If access to the land will be by water only, indicate parking and docking facilities to be used and the approximate distance of these facilities from the land and the nearest public road. Also provide details on the required sketch.**  
N/A

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17) What types of water supply and sewage disposal are available?

- Municipally owned and operated piped water system
- Municipally owned and operated sanitary sewage system
- Lake
- Individual Well
- Communal Well
- Individual Septic System
- Communal Septic System
- Pit Privy
- Other \_\_\_\_\_

**If the proposed development is to be serviced by a privately owned and operated individual or communal septic system and more than 4500 litres of effluent would be produced per day as a result of the completed development, the following reports must be submitted to the municipality with this application form.**

a) A servicing options report, AND a hydrogeological report.

18) How will storm drainage be provided?

- Storm Sewers
- Ditches
- Swales
- Other \_\_\_\_\_

19) Is the application to amend the zoning by-law consistent with Provincial Policy Statements issued under subsection 3(1) of the *Planning Act*?  Yes  No

20) Is the subject land within an area of land designated under any provincial plan or plans?  
 Yes  No

If "Yes", does the application conform to or not conflict with the applicable provincial plan or plans?  
 Yes  No

21) Is this property located within an area subject to the Greater Sudbury Source Protection Plan?  
 Yes  No

If "Yes", provide details on how the property is designated in the Source Protection Plan.  
Refer to Restricted Land Use Review Application for Section 59 Notice

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22) Supporting material to be attached.

- a) If available, a survey of the property.
- b) A sketch drawn to scale showing in metric units, the following;
  - the boundaries and dimensions of the subject land;
  - the location, size and type of all existing and proposed buildings and structures, landscaping and parking areas on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
  - the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that;
    - i. are located on the subject land and on land that is adjacent to it, and
    - ii. in the applicant's opinion, may affect the application.
  - the current uses of land that are adjacent to the subject land;
  - the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way;
  - if access to the subject land will be by water only, the location of the parking and docking facilities to be used, and;
  - the location and nature of any easement affecting the subject land.
- c) The applicant's proposed strategy for consulting with the public on the request to amend the zoning by-law.

.....23) If there is any additional information which may be relevant to your proposal and which should be considered by any of the agencies reviewing this application, please describe below or attach a schedule outlining the particular of same.

- Concept Plan (see attached)
- Source Water Protection Plan Section 59 Application (see attached)
- SAR Report and MNRF Correspondence(see attached)
- Traffic Impact Study (under separate cover)
- Public Consultation Strategy (see attached)

**PART A: OWNER ACKNOWLEDGEMENT AND CONSENT**

I/We, 1916596 Ontario Ltd. c/o Dario Zulich (please print all names), the

registered owner(s) of the property described as Part of Lots 9 and 10, Concession 4, Township of Neelon;

Parts 2,3,5 & 8,Part of Part 10, Parts 14 & 15 on 53R-19391

in the City of Greater Sudbury:

**Collection, Use and Disclosure of Information:**

- a) acknowledge that personal information collected on this form is collected pursuant to the *Planning Act*, R.S.O. 1990, c.P.13 for the purpose of processing this planning application;
- b) acknowledge that it is the practice of the City of Greater Sudbury, in accordance with section 1.0.1 of the *Planning Act*, R.S.O. 1990, c.P.13, to provide public access to all planning applications and documents, including but not limited to reports, studies and drawings, required by the City of Greater Sudbury in support of this application ("Supporting Documentation") and provided to the City by me, my agents, my consultants and my solicitors;
- c) in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, consent to the use and disclosure of this application and any Supporting Documentation, inclusive of any personal information, to any person or entity, in any manner chosen by the City, including copying, posting on the City's website, advertising in a newspaper, routine distribution to members of council and in staff reports, or releasing to a third party upon third party request;
- d) grant the City permission to reproduce, in whole or in part, the application and Supporting Documentation for internal use, inclusion in staff reports, distribution to the public for the purpose of public consultation or any other use associated with the purpose of review and implementation of the application;

**Authority to Enter Land and Photograph**

- e) grant the City permission to attend, photograph and conduct inspections of the lands subject to this application as part of the City's review and processing of this application;
- f) acknowledge that, in the event of a third party appeal of this application (where applicable) to the Ontario Municipal Board, the City of Greater Sudbury may not attend at the Ontario Municipal Board hearing unless the City is provided with the City's required fee for attendance at the hearing;

**Appointment of Authorized Agent**

- g) appoint and authorize Dillon Consulting Limited c/o Karl Tanner (please print name of Agent), to act as my/our agent with regard to this application to the City of Greater Sudbury, including but not limited to receiving all correspondence, attending at any hearings, fulfilling any conditions and providing any approvals or consents and ratify, confirm and adopt as my/our own, the acts, representations, replies and commitments made by the agent on my/our behalf.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Original Application Signed

\_\_\_\_\_  
(witness)

\_\_\_\_\_  
signature of Owner(s) or Signing Officer or Authorized Agent  
(\*where a Corporation)

Print Name: 1916596 Ontario Ltd. c/o Dario Zulich  
\*I have authority to bind the Corporation

**PART B: OWNER OR AUTHORIZED AGENT DECLARATION**

I/We, 1916596 Ontario Ltd., c/o Dario Zulich (please print all names), the registered owner(s) or authorized agent of the property described as Part of Lots 9 and 10, Concession 4, Township of Neelon; Parts 2,3,5 & 8,Part of Part 10, Parts 14 & 15 on 53R-19391

in the City of Greater Sudbury:

solemnly declare that all of the statements contained in this application and in the Supporting Documentation are true and complete, and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Original Application Signed

\_\_\_\_\_  
Commissioner of Oaths

\_\_\_\_\_  
signature of Owner(s) **or** Signing Officer **or** Authorized Agent  
(\*where a Corporation)

Print Name: 1916596 Ontario Ltd. c/o Dario Zulich  
\*I have authority to bind the Corporation

\* Where the owner is a firm or corporation, the person signing this instrument shall state that he/she has authority to bind the corporation or affix the corporate seal.

**NOTES:**

- Questions regarding the collection of personal information should be directed to the Manager of Development Approvals, City of Greater Sudbury, 200 Brady Street, Sudbury, ON, P3A 5P3
- An agent must be authorized in writing by the owner to act on his/her behalf. Unless otherwise requested, all communication will be sent to the agent.
- Schedule of Application Fees is attached.

**REFUND POLICY:**

Half of the application fee (50%) is refunded if an application is withdrawn within five (5) working days of its receipt by the Growth and Development Department. No refund after this time period.

**FEES FOR EXTENSIONS:**

Approvals with conditions have two years to fulfill conditions. If extensions to this time limit are granted, the following fees shall be applicable.

- Extensions up to one year – 50% of the original application fee
- Extensions beyond one year up to two years – 100% of the original application fee

## 2017 Application Fees

### REZONING

- a) Where the Application for Rezoning is **NOT** made concurrently with an Application for an Official Plan Amendment;
- Change in zoning designation (except "R1" to "R2") **\$2,900.00** + legal notice fee
  - "R1" to "R2" and Temporary zonings or Lifting of "H" Provisions **\$1,150.00** + legal notice fee
  - Garden Suite Temporary Extension **\$ 580.00**, legal notice fee included
- b) Where the Application for Rezoning **IS** made concurrently with an Application for an Official Plan Amendment; **\$4,640.00** + legal notice fee

### OFFICIAL PLAN AMENDMENTS

- Request for **Extension of Rezoning** approval and / or Official Plan Amendment time limits; **\$2,900.00** + legal notice fee
  - 50% of above fees for a one year extension, and
  - 100% for a two year extension

### DRAFT SUBDIVISION PLAN APPLICATIONS (base fee, plus)

- Per lot for "R1" or "R2" lots **\$ 115.00**
  - Per block where the block is **NOT** intended for Municipal use **\$ 600.00**
  - Per block where the block **IS** intended for Municipal use **Nil**
- To a maximum of \$10,927.00**

### DEFERRAL FEES FOR REZONING, OFFICAL PLAN AMENDMENTS AND DRAFT PLAN SUBDIVISION

- 50% of application fee with minimum of **\$ 230.00**

### SUBDIVISION ADMINISTRATION FEE, PER LOT / BLOCK

- Paid prior to registration **\$ 178.00**

### REDRAFTS OF SUBDIVISION

- 50% of above fee based on number of lots or percentage of land area, whichever is greater

### REQUEST FOR SUBDIVISION DRAFT PLAN EXTENSION

- 25% of above fees for a 3 year extension

### DRAFT CONDOMINIUM PLAN APPLICATIONS

**\$2,900.00**

### LEGAL NOTICE FEES

- Rezoning, Official Plan Amendments, Draft Plans of Subdivision or Condominium Applications
  - any one of the above **\$ 570.00**
  - two or more of the above, an additional **\$ 340.00**

### SOURCE PROTECTION PLAN APPLICATIONS

**\$ 35.00**

### NDCA FEES

- Official Plan Amendment **\$ 151.00**
- Zoning By-law Amendment **\$ 85.00**
- Consent to Sever **\$ 61.00**
- Minor Variance **\$ 61.00**
- Site Plan Control Agreement **\$ 85.00**

### Plans of Subdivision

- Initial Draft **\$ 220.00**
- Draft Plan Approval Extension **\$ 114.00**
- Clearance of Conditions (per phase) **\$ 114.00**

### FRONT END AGREEMENT APPLICATION

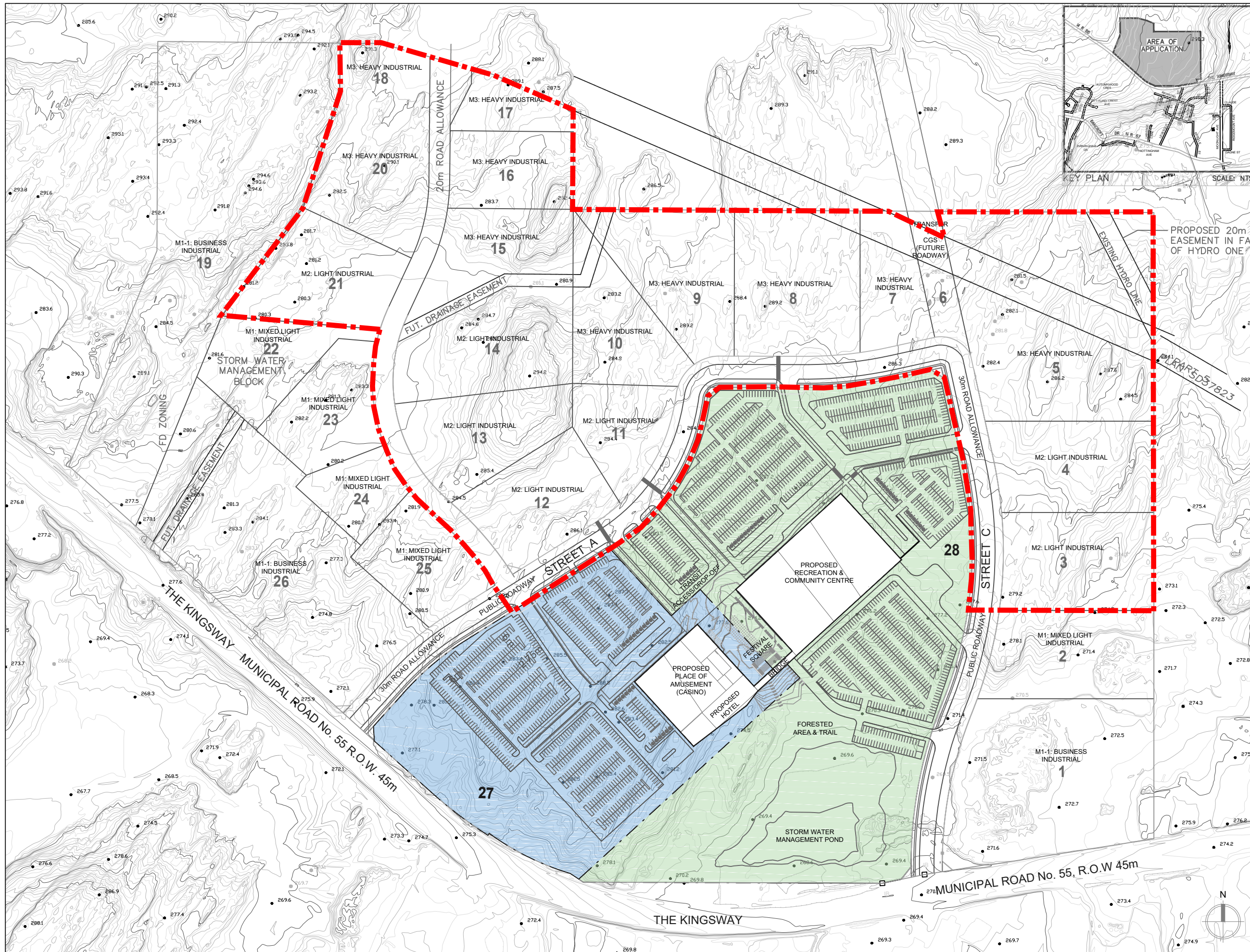
**\$ 700.00**

### PART LOT CONTROL EXEMPTION

**\$1,180.00**

### TELECOMMUNICATION FACILITY

- Non Exempt Antenna System **\$1,550.00**
- Exempt Facility **Nil**



CLIENT:  
 200 Rue Brady Street  
 Sudbury, Ontario  
 P3A 5P3  
 PO Box 5000/ CP 5000  
 www.greatersudbury.ca

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 Toronto, ON M5R 3P8  
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 www.cumulusarch.com

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No.	Description	Date
1	ZONING BY-LAW AMENDMENT & OFFICIAL PLAN AMENDMENT	15/11/2017

PROJECT:  
**SUDBURY, ONTARIO**

TITLE:  
**CONCEPTUAL KINGSWAY INTEGRATED SITE PLAN**

scale: 1:3500

PROJECT NO.: 17056  
 DRAWING NO.: **A100**

CHECKED: