



THE CITY OF GREATER SUDBURY OFFICIAL PLAN

People Engaged • Places Defined • Progress Driven



Prepared by:

Planning Services Division
Growth and Development Department
City of Greater Sudbury

Notice to Readers of this Plan

This copy of the City of Greater Sudbury Official Plan is a consolidation of the Official Plan as:

- adopted by City Council on June 14, 2006;
- approved by the OMB on December 17, 2007, January 22, 2008, April 10, 2008 and August 20, 2010; and,
- amended by By-laws 2008-20P (OPA 1), 2008-164 (OPA 2), 2008-179 (OPA 3), 2008-273 (OPA 9), 2008-278P (OPA 13), 2009-157P (OPA 15), 2010-174P (OPA19), 2010-286P (OPA 20), 2010-282P (OPA 21), 2011-117P (OPA 22), 2011-189P (OPA 24), 2011-164P (OPA 25), 2011-190P (OPA 26);
- OMB Case No. PL100008, Decision Dated April 8, 2011(OPA17), OMB Order No. 2829(OPA266), OMB Case No. PL070279, Decision Dated June 23, 2009(OPA 276).
- Amended by By-Laws 2011-226P (OPA27), 2011-283P (OPA28), 2011-236P (OPA29), 2011-267P (OPA30),
- Amended by By-Law 2012-102P (OPA31)
- Amended by By-Law 2012-89P (OPA32)
- Amended by By-Law 2013-3P (OPA33)
- Amended by By-Law 2013-55P (OPA 37)
- Amended by By-Law 2013-67P (OPA 38)
- Amended by By-Law 2013-169P (OPA 41)
- Amended by By-Law 2013-284P (OPA 44)
- Amended by By-Law 2014-48P (OPA 40)
- Amended by By-Law 2014-73P (OPA 47)
- Amended by By-Law 2014-167P (OPA 51)
- Amended by By-Law 2014-139P (OPA 52)
- Amended by By-Law 2014-195P (OPA 53)

This consolidation also contains all policies that remain under appeal at the Ontario Municipal Board, for which a Decision has not yet been made. For accurate reference, please consult the official versions of the above-referenced documents, which are available from the City of Greater Sudbury Planning Services Division.

Includes all amendments in effect up to September 4, 2014

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- Schedule 9 Sewer and Water Serviced Areas

Part I: Basis of the Official Plan

The City of Greater Sudbury was formed on January 1, 2001. The new City represents the amalgamation of the municipalities which comprised the former Regional Municipality of Sudbury (Sudbury, Capreol, Nickel Centre, Onaping Falls, Rayside-Balfour, Valley East and Walden), as well as several unincorporated townships.

Encompassing more than 3,600 sq. km. of land and water resources, Greater Sudbury is the largest municipality in Ontario based on total area. Recognized for its diversity of urban, rural and natural landscapes, the City possesses a valuable resource base that includes minerals, forestry and agriculture. There are a number of settlements of varying size spread over a large geographic area, with the largest proportion of population and employment concentrated in the former City of Sudbury.

The historical development of Greater Sudbury is rooted in mining and the railways, both of which remain important to the local economy. Since the region was first settled in the late nineteenth century, both sectors have played an important role in shaping the existing settlement pattern.

The City of Greater Sudbury contains one of the largest mining industrial complexes in the world, as well as a growing mining and supply services sector that offers tremendous opportunities for export development. While the minerals sector remains the foundation of the local economy, the City has diversified significantly in recent years to become a major centre of financial and business services, health care and research, education, government and tourism. This transition reflects Greater Sudbury's function as the service hub for Northeastern Ontario - a market area of 550,000 people.



1.0 Introduction

1.1 PURPOSE OF THE OFFICIAL PLAN

The purpose of the Official Plan is to establish goals, objectives, and policies to manage and direct physical change and its effects on the social, economic and natural environment for the twenty-year planning period. In practical terms, this Plan represents the rationalization of thirteen previous planning documents covering the former Regional Municipality of Sudbury. The goal is to formulate policies that are consistently applied across all areas of the amalgamated City, with an end product that is easier to interpret and more efficient in application.

Greater Sudbury presents a range of challenges and opportunities given its unique planning context. The largest municipality in Ontario based on total area, the City encompasses a broad spectrum of land uses including mining, agriculture, manufacturing and commercial, as well as permanent and seasonal residential uses in urban and rural locales. The physical settlement pattern, largely tied to the historical development of industrial uses, is defined by a number of communities of varying size and distance from the main urban area of Sudbury.

The Official Plan is informed by a number of processes and initiatives. A series of vision statements are established that capture the values and aspirations of the community. The principles that underlie the approach to managing change in the community are then defined. Some specific observations about the planning context are also provided.

1.2 VISION

The Official Plan functions as much more than a land use planning document - it also encompasses our objectives related to social, economic and environmental matters. The vision statements below reflect the collective aspirations of those who live in Greater Sudbury by drawing on past community initiatives and public consultation.

Greater Sudbury is a modern, vibrant and diverse community, offering the amenities and services of a large urban centre as well as immediate access to the natural environment. Consisting of a large central urban area surrounded by a number of smaller communities and neighbourhoods with their own distinct character, Greater Sudbury provides a wide range of lifestyle choices for residents.

Greater Sudbury is a “City of Lakes,” with 330 lakes within its municipal boundaries. The lakes and surrounding watersheds provide a striking natural backdrop for the City, sources of drinking water for residents, natural habitat for wildlife and a wealth of summer and winter, active and passive recreational activities.

Greater Sudbury is a green community and a world leader in environmental protection, rehabilitation and innovation. The City’s internationally recognized Land Reclamation Program continues its work in the restoration of environmentally damaged lands. The goal of the Lake Water Quality Program is to improve and protect the quality of the community’s surface water resources through lake water quality monitoring and the creation of stewardship groups and other volunteer activities. The EarthCare Sudbury initiative has involved numerous stakeholders in defining positive environmental actions based on community participation.

Greater Sudbury is a healthy and sustainable community which recognizes that the quality of life of our citizens is directly related to environmental, economic and social determinants. In making land use choices in our community, there is an opportunity to ensure that the natural and built environments support an excellent quality of life for City residents. Greater Sudbury also values raising children in a child-friendly city, so that they in turn may choose to be educated, live and work here.

Greater Sudbury is open to business and strives to provide an economic environment to retain and grow commercial and industrial enterprises and to attract new investment and human capital. The City’s Economic Development strategic plan has identified five engines of growth and a number of strategic actions and initiatives to be implemented.

Greater Sudbury's *Downtown* will be developed and sustained as the vibrant hub of a dynamic city by preserving its historical built form, promoting arts and culture, improving linkages to neighbourhoods and amenities, integrating natural features, developing residential uses, and creating unique urban spaces through innovative design.

1.3 PRINCIPLES OF THE PLAN

Based on our collective vision for the community, the following four key principles will guide future change, growth and development in the City.

1.3.1 A Healthy Community

It is a Council priority for Greater Sudbury to be a Healthy Community offering a high quality of life to its residents.

The healthy community model recognizes that the quality of life of citizens is a product of the economic, social and natural environments in our City. Some of the determinants of a healthy community identified through a public consultation process include:

- citizen engagement in community decision-making processes;
- employment opportunities;
- accessible recreation programs and facilities;
- accessible health care and fitness facilities;
- protected natural areas;
- sound municipal infrastructure;
- an inclusive, diverse and tolerant community;
- social supports;
- a unified city;
- a safe city;
- a child and family-friendly city;
- educational opportunities; and,
- community vision and leadership.

Many of these can be supported by the land use policies contained in the Official Plan, while others are addressed by City initiatives including the *City of Greater Sudbury Human Services Strategy 2015*, and *Coming of Age in the 21st Century: An Economic Development Strategic Plan for Greater Sudbury 2015*.

1.3.2 Economic Development

Economic development is essential to the future of this community and an important building block of a Healthy Community.

The Official Plan must provide a policy framework which supports economic development initiatives and facilitates the implementation of the Economic Development Strategic Plan.

Quality of place has been identified as a main factor in attracting and retaining community talent. The Official Plan plays an important role in influencing and improving the natural, cultural and lifestyle amenities of Greater Sudbury. Among other matters, this Plan establishes land use policies that will protect and enhance the City's natural environmental assets, as well as urban design guidelines that are intended to improve the quality of our built environment.

The City's economic development strategy focuses on five engines for growth:

- The best mining and supply services in the world;
- A city of the creative, curious and adventuresome (providing a quality of life to attract a diverse population);
- One of Ontario's top four destinations (capitalizing on our natural assets and history to attract residents and visitors);
- A leader in health innovation and biotechnology; and,
- A model for eco-industry and renewable energy.

Four igniters have been identified as necessary to develop the engines:

- Investing in infrastructure (including the look and image of the city);
- A culture of continuous learning;
- Technological-readiness; and,
- Developing quality of place.

This Plan endeavours to support these initiatives through the establishment of straightforward, concise policies that balance the demands of development with the protection and enhancement of the natural and built environments.

1.3.3 Sustainable Development

A healthy and prosperous future depends on Greater Sudbury being a sustainable community.

Our Common Future, the landmark U.N. report presented by the Bruntland Commission in 1987, defines sustainable development as “meeting the needs of the present generation without compromising the ability of future generations to meet their needs.”

Becoming a sustainable community involves adopting a long-term view in assessing options and making choices. It also means recognizing the value of healthy ecosystems, using resources efficiently, and enhancing a locally based economy. Bringing all parts of the community together to meet the goal of sustainability can be accomplished by encouraging and facilitating partnerships among the government, private and non-profit sectors.

The Official Plan recognizes the interdependencies that exist in the natural environment and introduces a watershed-based approach to planning. It provides land use policies which protect our natural resources to support long-term economic growth, including mining, aggregate and agricultural lands. The Plan also recognizes the importance of energy conservation by facilitating alternative modes of transportation, encouraging energy efficient urban design, and anticipating renewable energy projects.

1.3.4 Focus on Opportunities

Greater Sudbury must build upon its strengths and recognize where opportunities exist to improve our community.

The Official Plan recognizes the value of community improvement planning initiatives and identifies opportunities for future work. Under the *Planning Act*, community improvement plans can be undertaken for a variety of environmental, social or economic development reasons. A number of plans providing community-*wide* benefits have been implemented in recent years, including the Ramsey Lake Boardwalk, the *Downtown* streetscape program and the Junction Creek Linear Park. Other areas of the community, such as brownfields, have the potential to become the focus of redevelopment. (OPA #2)

As a “City of Lakes,” there is an opportunity to ensure a healthy future for those lakes more susceptible to human impacts. A new emphasis on watershed-based planning will address issues related to our surface water and groundwater resources.

The Economic Development strategic plan identifies several economic engines as the focus of potential growth. The mining and supply services cluster in particular offers tremendous potential for the development of products, services and expertise that can be exported globally. This sector will be facilitated by research and development centres based at our post-secondary institutions, including the Northern Centre for Advanced Technology (NORCAT), Sudbury Neutrino Observatory, and the numerous research centres affiliated with *the Mining Innovation, Rehabilitation and Applied Research Corporation (MIRARCO)*. (OPA #2)

The development of an environmental services sector is another identified opportunity. Many of the opportunities presented by this sector are captured by the *EarthCare Sudbury Local Action Plan*, which proposes numerous community-based initiatives and programs rooted in sustainable community development.

A focus on urban design and heritage preservation offers opportunities to create a unique lifestyle city. Greater Sudbury's natural beauty and ecology can be protected and celebrated through their integration into the urban landscape. Promoting innovative developments that provide eco-sensitive design will also help us achieve objectives that are set out in the *EarthCare Sudbury Local Action Plan*.

1.4 CONTEXT

The broad pattern of development of the City has been determined by the location of ore bodies, the history of human settlement, the technology of transportation and the geography of the land. Greater Sudbury consists of a large central urban area surrounded by more than 20 smaller urban and non-urban settlements. While this provides a wide variety of living environments for residents, the dispersed pattern of growth poses challenges for the efficient provision of services and infrastructure.

Projecting population change beyond the immediate future is particularly difficult in Northeastern Ontario. Greater Sudbury has made economic development a priority and a strategic plan has charted the way for numerous initiatives. There is optimism that these efforts will yield the necessary employment to fuel population growth. Whatever the future growth scenario, decreasing household sizes, changing demographics, and shifts in housing preferences will continue to create demand for new housing with or without population growth over the plan period.

With proper planning, the changes that do occur will continue to enhance the character and landscape of the community. Future public works projects will similarly provide opportunities to renew and improve our infrastructure.

Key observations about the planning context for this Plan are as follows:

- **The City's infrastructure has the capacity to support new growth.** In certain areas, there is a need to improve both the water and wastewater systems. With strategic upgrades and maintenance, existing water and wastewater treatment infrastructure can accommodate growth for the foreseeable future. The transportation network should also be sufficient to serve new growth with prioritized improvements targeted to specific areas.

- **Greater Sudbury offers a wide range of choice as to where to live.** The City does not need to expand its residential communities beyond what is currently planned. The amalgamated City has many communities that have over time developed their own unique character, built form and quality of life - all within reasonable commuting distance to the former City of Sudbury. These serviced communities should be recognized, supported and allowed to develop further to the limits of existing infrastructure.
- **The community of Sudbury functions as the central urban area and will continue to be a major focus of growth and change.** The former City of Sudbury currently provides three quarters of the jobs for residents of the City. This concentration of employment will grow as the service, educational and health sectors of the local economy expand in the future.
- **The heart of Greater Sudbury, its most urban place, is and will be the *Downtown*.** With the changing role of downtowns, there is a continuing need for appropriate policies and programs to enhance the *Downtown* as a location of government, commerce, cultural and entertainment facilities. Residential development in and around the *Downtown* is needed to support new and expanded facilities and amenities. *Town Centres* will continue to serve the needs of local communities.
- **Greater Sudbury offers immediate access to natural areas - an important element of a Northern Ontario lifestyle.** The current community boundaries form a pattern of natural areas separating communities, offering numerous outdoor recreational opportunities. There is growing appreciation for the value of our natural areas and their contribution to the quality of life in Greater Sudbury.
- **With 330 lakes within our municipal boundaries, Greater Sudbury must show leadership in lake stewardship.** The residents of Greater Sudbury take pride in our “City of Lakes” and enjoy the benefits of having convenient access to clean lakes for recreational purposes, as well as their visual appeal. Our water resources, however, are increasingly subject to the negative impacts of urbanization in the form of agricultural, industrial and urban runoff, pesticide

use, faulty septic systems, site alteration and other activities. In both rural and urban areas, improved lake stewardship practices are required. It is increasingly understood that it is necessary to consider entire watersheds in dealing with the protection of lakes.

- **Like Canada as a whole, the population of Greater Sudbury is aging.** There will be a substantial increase in the proportion of the population over the age of 54 during the planning period. Decreasing household sizes and changing housing preferences will continue to create demand for new housing units.

1.5 PLAN STRUCTURE

The Official Plan consists of the following parts:

Part I: Basis of the Official Plan

The general foundation of Official Plan policies presented as a series of vision statements and principles reflective of our community vision, as well as a description of the City's unique planning context.

Part II: Managing Growth and Change

Objectives and policies for land use designations covering *Living Areas*, *Employment Areas*, *Rural Areas*, *Agriculture*, and *Parks and Open Space*. Policies have been developed with an emphasis on effectively managing resource uses, protecting natural features and developing quality of place.

Part III: Protecting the Natural Environment

Water Resources and *Natural Environment* policies aimed at promoting the sustainability of our natural environment. *Protecting Public Health and Safety* addresses various naturally occurring and human-made conditions that can result in risks to human health and safety.

Part IV: Investing in Infrastructure

Policies and programs for the efficient use and development of the infrastructure network, including *Transportation* and *Utilities*. The Official Plan and related background studies provide a rational framework for making strategic investments decisions.

Part V: Developing Quality of Place

To enhance quality of place, this Plan calls for a renewed emphasis on *Heritage Resources* and *Urban Design* including the integration of the City's natural beauty and ecology into the urban landscape. *Community Improvement Plans* are another tool that will be utilized to improve specific areas of the City.

Part VI: Healthy People, Healthy Places

The Healthy Community approach is rooted in the belief that social, environmental and economic factors are important determinants of our health. *Economic Development* initiatives and adequate access to *Housing* are identified as the necessary foundation to help us achieve Healthy Community objectives.

Part VII: Development Review and Implementation

In order to successfully implement the policies and programs of this Plan, various principles and policies related to *Finance* are established. Drawing from the legislative framework that governs municipalities in Ontario, various planning tools for implementing the policies and programs of this Plan are set out in the chapter on *Implementation*.

Part VIII: *Site and Area Specific Policies and Schedules*

Certain areas within the City are subject to policies being carried forward from previous planning initiatives and are addressed as **Site and Area Specific Policies**. A number of *Schedules* illustrate the land use designations contained in this Official Plan, as well as various constraints related to natural heritage features, resource uses, and hazard lands. (OPA #2)

Part II: Managing Growth and Change

Land use designations derived for this Plan are intended to replace a multitude of land use categories established in thirteen historical planning documents. In developing one Plan for the new City, the goal is to reduce the number of land use designations while also accommodating the broad range of uses and activities found throughout Greater Sudbury.



A number of historical land use issues need to be addressed, including the impacts of unserviced development in *Rural Areas*, the sometimes conflicting nature of resource uses, the desire to protect the City's natural beauty and ecology, and the strategic importance of revitalizing the *Downtown* and maintaining vibrant neighbourhoods. Policies to facilitate objectives set out in the City's long-term economic development strategic plan are also essential to this process.

Despite these challenges, this Plan represents an opportunity for renewal. A simplified Official Plan covering the entire City sets out consistent guidelines for development and an appropriate framework for the improved delivery of municipal services. Policies have been developed with an emphasis on effectively managing resource uses, protecting natural features and developing quality of place. Economic development engines will provide further diversification that is essential to the future prosperity of our City.

Land use policies for residential, employment and recreational uses are contained in the following chapters covering *Living Areas*, *Employment Areas*, *Rural Areas*, *Agriculture*, and *Parks and Open Space*. Land use designations are illustrated on *Schedules 1a, 1b and 1c, Land Use Map* and may be subject to additional policy requirements in accordance with *Schedule 3, Natural Heritage* and *Schedule 4, Hazard Lands*. **Site and Area Specific Policies** are indicated on *Schedules 2a 2b and 2c*. All land use designations may be subject to additional criteria contained in other sections of this Plan. (OPA #2)

2.0 Urban Structure

The City of Greater Sudbury possesses a unique urban structure comprised of a variety of urban, rural and natural environments. The largest municipality in Ontario based on total area, the amalgamated City accommodates a wide range of land uses and living areas spread over 3,627 sq. km.







Traditionally viewed as a resource community, Greater Sudbury contains one of the largest mining industrial complexes in the world. A variety of metal commodities, notably nickel and copper, are extracted and processed at major operations located throughout the City. While the minerals sector continues to play a dominant role locally as our primary industrial activity, efforts to diversify the local economy have led to the expansion of education, health care, government, business, retail, and tourism services. The shift towards a service-based economy is reflected by the City's changing workforce profile - more than 80% of Greater Sudbury's labour force now work in the services-producing sector.

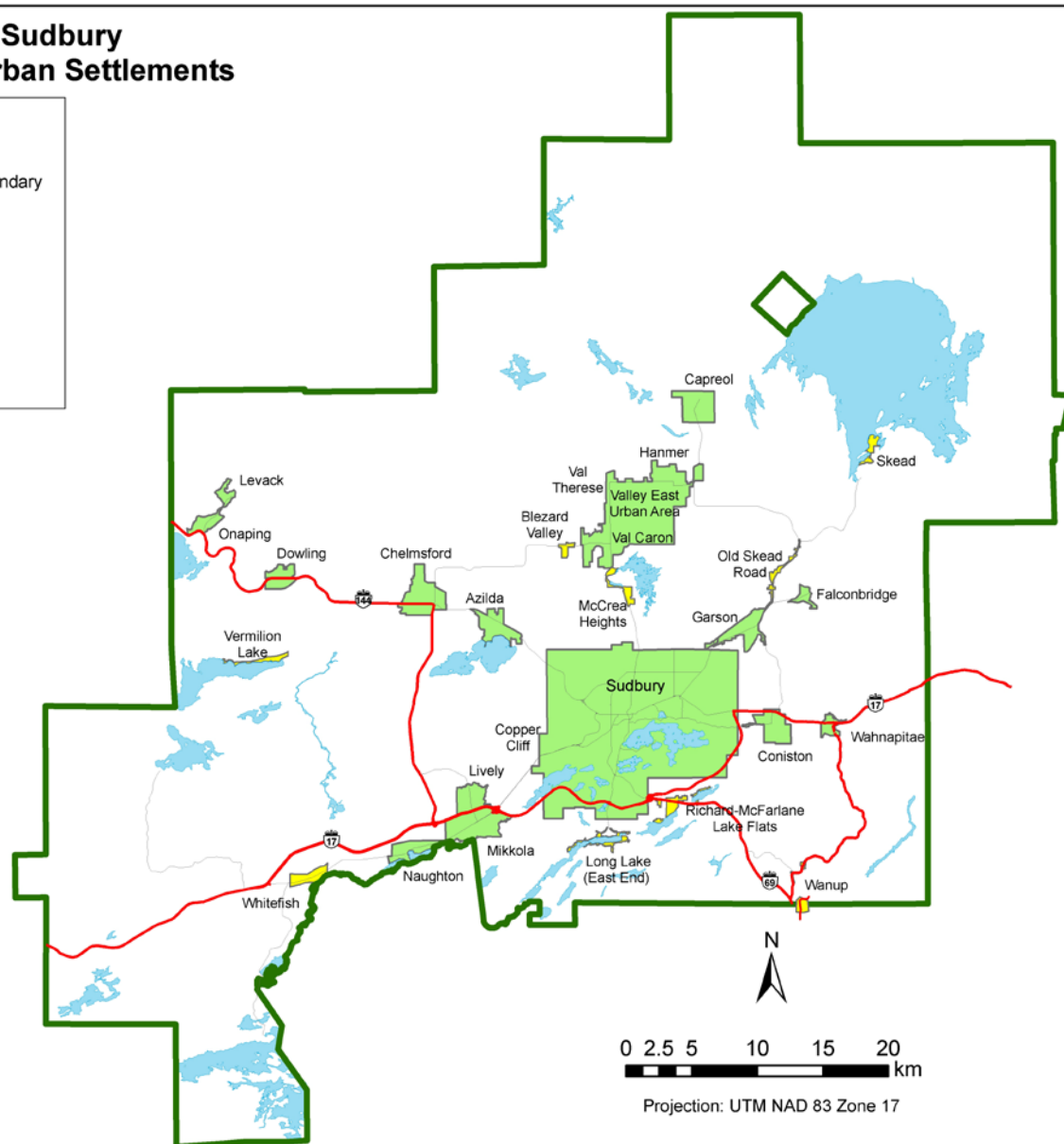
Greater Sudbury is strongly identifiable by its physical geography, offering a diverse mix of urban, rural and wilderness landscapes. Natural areas are abundant and have been expanded even further under amalgamation. Greater Sudbury also has extensive water resources, with 330 lakes more than 10 hectares in size within its municipal boundaries. The agricultural sector has provided food for local consumption for over 100 years, and will play an important role in the development of an environmental services sector.

The creation of the new City of Greater Sudbury on January 1, 2001 represents the most recent transformation of the region. Amalgamation offers opportunities to improve the efficient provision of municipal services, and more importantly, provide a unified, cohesive approach to sustainable community development. The new urban structure, however, also presents significant challenges in dealing with a broad spectrum of uses spread across a large geographic area.

City of Greater Sudbury Communities & Non-Urban Settlements

Legend

-  City of Greater Sudbury Boundary
-  Provincial Highways
-  Major Roads
-  Communities
-  Non-Urban Settlements
-  Major Lakes



August 29th, 2005

2.1 PATTERN OF DEVELOPMENT

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

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

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

2.2 DEFINING THE URBAN STRUCTURE

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

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

structure is thus defined as containing three forms of settlement: Communities, Non-Urban Settlements, and Rural and Waterfront Areas.

2.2.1 Communities

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

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

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

Communities include the following areas:

Sudbury
Capreol
Dowling
Lively - Mikkola - Naughton
Coniston
Falconbridge
Onaping

Azilda
Chelmsford
Garson
Valley East Urban Area
Copper Cliff
Levack
Wahnapiatae

2.2.2 Non-Urban Settlements

Non-Urban Settlements encompass less intensive land uses and are primarily residential in nature. Identifiable by place name, these areas form clustered settlements that in some cases predate the City itself. Some Non-Urban Settlements may have small pockets of urbanized development, but most are rural in nature with few services available. While some areas are partially serviced by municipal water, most households rely on private sewer and water systems. There is no intention to expand services to these areas. Unlike Communities, Non-Urban Settlements do not have *Town Centres*.

Non-Urban Settlements include the following areas:

Blezard Valley
McCrea Heights
Skead - Old Skead Road
Wanup

Long Lake (East End)
Richard-McFarlane Lake Flats
Vermilion Lake
Whitefish

2.2.3 Rural and Waterfront Areas

Rural and Waterfront Areas form a type of dispersed settlement pattern that characterizes residential development in rural areas, particularly in Northern Ontario. Located outside of urban boundaries, these areas typically take the form of rural strip development along municipal roads, as well as permanent and seasonal waterfront residences on non-urban lakes. Some rural strip development is partially serviced by municipal water, but most areas are not connected to municipal sewer and water services. Similar to Non-Urban Settlements, there is no intention to expand services to these areas.

3.0 Living Areas



The amalgamated City of Greater Sudbury has many Communities and Non-Urban Settlements that have over time developed their own unique character, built form and quality of life. It is the intent of this Plan to protect these special qualities and to establish policies for *Living Areas* that are consistent with the predominant pattern of development and our overall community vision. *Living Areas* are shown on *Schedules 1a, 1b and 1c, Land Use Map*.

The City offers many different forms of *Living Areas*, including traditional inner city neighbourhoods with a distinct urban flavour, mixed use corridors linked to busy Arterial Roads, typical suburban development with easy access to *Centres*, rural properties noted for their open space, and desirable waterfront homes found in both urban and rural locales.

The *Living Areas* designated by this Plan are primarily intended for housing and related uses that are seen as compatible with residential neighbourhoods. These designations will continue to provide for a variety of housing forms and densities at various locations across the City and will accommodate anticipated residential growth over the twenty-year planning period.

3.1 OBJECTIVES

It is the objective of the *Living Area* policies to:

- a. meet Greater Sudbury's housing needs, including the special needs of the elderly, handicapped, low-income individuals and families, and students, by encouraging the provision of an adequate supply of affordable, ownership, rental, and special needs housing in *Living Areas*;
- b. encourage the development of a mix of residential uses;

- c. achieve stability in the City's housing market by ensuring that a sufficient supply of designated and serviceable residential land is available to meet existing and future needs;
- d. ensure that Communities and Non-Urban Settlements permit a variety of complementary and compatible land uses, including community facilities, small-scale commercial uses and open space areas;
- e. focus residential development in areas that have sufficient infrastructure capacity;
- f. promote good community design that provides a balance between the natural environment and urban development; and,
- g. ensure that any expansion of development outside of urban boundaries is properly managed from an environmental and servicing standpoint.

3.2 LIVING AREA DESIGNATIONS

Two *Living Area* designations are established based upon the City's existing *Urban Structure* (see Chapter 2.0). The designations are essentially linked to the level of municipal services available:

Living Area I - Communities

Living Area I includes residential areas located in urbanized Communities that are fully serviced by municipal water and sewer. Given the desire to utilize existing sewer and water capacity and reduce the impacts of unserviced rural development, Areas designated *Living Area I* in Communities are seen as the primary focus of residential development.

Living Area II - Non-Urban Settlements

Living Area II is comprised of several residential clusters in non-urban areas that evolved based on the City's historical pattern of settlement. While some of these Non-Urban Settlements are partially serviced by municipal water, most households rely on private systems. There is no intention to expand services to these areas.

Policies for residential uses in Rural and Waterfront Areas are covered in *Chapter 5.0: Rural Areas*.

General Policies for Living Areas

1. Low density housing is permitted in all *Living Area* designations. Consistent with the prevailing built form, only single detached dwellings are allowed in *Living Area II*.
2. Medium density housing is permitted in all *Living Area I* designations where full municipal services are available. High density housing is permitted only in the community of Sudbury.
3. New residential development must be compatible with the existing physical character of established neighbourhoods, with consideration given to the size and configuration of lots, predominant built form, building setbacks, building heights and other provisions applied to nearby properties under the Zoning By-law.
4. *Parks and Open Space* and private home daycare are permitted in all *Living Area* designations.
5. Bed and breakfast establishments with up to two (2) accessory guest units per single detached dwelling are permitted in all *Living Areas*. Bed and breakfast establishments larger than two (2) units will require a rezoning and are subject to criteria described above in Policy 3 to ensure compatibility with existing neighbourhoods.

6. Elementary schools, libraries, places of worship, day nurseries, retirement homes and other neighbourhood-based institutions form an integral part of community life. Local institutional uses that are compatible with the residential function of neighbourhoods are allowed in all *Living Area* designations subject to rezoning. Existing institutional uses will be recognized in the Zoning By-law.
7. Home Occupations are permitted in all *Living Areas*, provided that the occupation is secondary to the main residential use and does not change the residential character of the property or neighbourhood. The implementing by-law may place limits on the size, location, and proportion of the property and building used as a home occupation, among other matters.
8. Group homes that house not more than ten (10) persons living under responsible supervision are permitted in single detached dwellings in all *Living Area* designations. The Zoning By-law may include area-specific provisions to regulate the type, size and distance between these uses. Larger group homes or homes of a correctional nature are considered to be institutions, and the policies of Section 4.4 apply.
9. Garden Suites are small, self-contained independent living units that are designed for family members who require some level of support. Subject to rezoning under the provisions of the Temporary Use By-law in Section 20.5.3, Garden Suites are permitted in all *Living Area* designations in accordance with the following conditions:
 - a. a single Garden Suite is allowed as an accessory unit on a lot with only one existing dwelling unit;
 - b. services shall be connected to the service lines of the host dwelling unit to City specifications;
 - c. the Garden Suite *can be integrated with the prevailing character of the surrounding area, and* will be removed at no expense to the City at the termination of its use; and, (OPA #2)

- d. an agreement may be required between the applicant and the City dealing with such conditions as the installation, location, maintenance, occupancy, and the removal of the structure.

Mobile homes are not permitted as Garden Suites. (OPA#2)

- 10. Small-scale commercial uses that are intended to serve the convenience needs of local residents are permitted in all *Living Areas* by rezoning. Such uses are intended to be isolated rather than forming a group or cluster that could potentially change the residential character of an area. These uses, which may include confectionary stores, laundromats, and other personal service establishments, are limited to a maximum of 150 m² of floor space per location. Zoning applications for local commercial uses will be reviewed on the basis of general conformity with the following policies:
 - a. access to and traffic generated by the site will not create adverse traffic problems on surrounding roads;
 - b. lighting and signage are located so as not to create any adverse visual impact on the surrounding residences;
 - c. the use will provide landscaping and buffering in a manner that is in harmony with adjoining and nearby residential properties; and,
 - d. the proposed small-scale commercial use must form a good fit with the existing neighbourhood fabric.
- 11. Lot creation in *Living Areas* is permitted in accordance with minimum lot sizes set out in the Zoning By-law.
- 12. Waterfront development in *Living Areas* must also comply with the policies of Section 8.5, Surface Water Resources.

3.2.1 Living Area I - Communities

Communities will absorb the majority of new residential development over the plan period. The *Living Area I* designation has three density levels that will be recognized in the implementing Zoning By-law: low, medium and high density residential.

Policies

1. Low density development permits single detached dwellings, semi-detached dwellings and duplexes to a maximum net density of 36 units per hectare. In order to maintain existing neighbourhood character, the Zoning By-law may establish lower densities in certain areas of the City.
2. In medium density developments, all low density housing forms are permitted, as well as townhouses and small apartment buildings no more than five storeys in height to a maximum net density of 90 units per hectare.
3. High density housing is permitted only in the community of *Sudbury*. All housing types, excluding single detached dwellings, are permitted in high density residential areas to a maximum net density of 150 units per hectare.
4. Medium and high density housing should be located on sites in close proximity to Arterial Roads, public transit, main employment and commercial areas, open space areas, and community/recreational services.
5. Medium and high density housing are to be located in areas with adequate servicing capacity and a road system that can accommodate growth. Sites should be of a suitable size to provide adequate landscaping and amenity features.
6. In considering applications to rezone land in *Living Area I*, Council will ensure amongst other matters that:
 - a. the site is suitable in terms of size and shape to accommodate the proposed density and building form;

- b. the proposed development is compatible with the surrounding neighbourhood in terms of scale, massing, height, siting, setbacks, and the location of parking and amenity areas;
 - c. adequate on-site parking, lighting, landscaping and amenity areas are provided; and,
 - d. the impact of traffic on local streets is minimal.
7. The historic pattern of residential development around the *Downtown* and older sections of the community of Sudbury will be recognized as *Established Residential* in the Zoning By-law. These areas are characterized by a mixture of dwelling types on small lots, often with limited parking. The Zoning By-law will permit infilling and redevelopment of these areas that are compatible with the existing character of the neighbourhood.

3.2.2 Living Area I - Phasing Policies

In order to promote the efficient use of land and achieve the desired land use pattern, phasing policies are established to guide new development in designated growth areas. Within areas designated *Living Area I*, emphasis will be given to intensification, redevelopment and infill opportunities.

- 1. New development in *Living Area I* will occur adjacent to existing built-up urban areas. Emphasis shall be placed on achieving a mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.
- 2. Where expansion onto vacant undeveloped lands is proposed, the following phasing policies shall be considered at the time of application review:
 - a. the proposed development represents a contiguous expansion within the *Living Area I* designation;
 - b. the proposed development represents a logical utilization of existing municipal and social infrastructure;

- c. the proposed development completes or rounds out existing neighbourhood plans with respect to road connections, waterline looping, and public service facilities such as schools and recreation facilities; and,
 - d. the area is experiencing growth pressure as evidenced by adjoining development*, and the available supply of lots/units in existing registered and draft approved plans of subdivision/condominium*. (2007 MMAH Mod #2)
3. Land supply requirements and intensification targets will be monitored and reviewed on a five-year basis.
 4. No Official Plan amendments for the expansion of areas designated *Living Area I* will be considered until a comprehensive review is undertaken.

3.2.3 Living Area II - Non-Urban Settlements

Living Area II encompasses Non-Urban Settlements, a form of clustered settlement that is tied to the historical development of the region. While some Non-Urban Settlements are partially serviced by municipal water, most households rely on private systems. As such, there are restrictions on the types of residential development permitted in these areas.

1. A single detached dwelling is the only housing type permitted in *Living Area II*.
2. Densities for *Living Area II* will be set out in the Zoning By-law based on the service levels currently available in Non-Urban Settlements.
3. It is not the intent of Council to provide or extend municipal sewer and/or water services to areas serviced by private systems or partially serviced areas in *Living Area II* beyond the level of services that these areas currently receive.

4. Non-Urban Settlements are designated to recognize historical development patterns in the City. There is no intention to extend these boundaries or designate additional Non-Urban Settlements.
5. Given the rural nature of Non-Urban Settlements, only infilling and rounding out of existing development may be permitted in *Living Area II*. For those areas that are partially serviced, there must be adequate sewer or water capacity, whichever is applicable (see Section 12.2).

3.3 INTENSIFICATION

Residential intensification is an effective means of ensuring the efficient use of land and infrastructure in the City. Policies aimed at increased intensification are consistent with the desire to concentrate future development in fully serviced Communities, as well as provincial directives on housing policy.

From 2000 to 2004, the proportion of residential development in Greater Sudbury occurring through intensification was 5%. In order to ensure the development of healthy, balanced and efficient Communities, the City will encourage new growth to occur through intensification. It is an objective of this Plan that by 2015, the amount of growth occurring through intensification will double to 10%.

Policies

1. Intensive forms of development can occur without dramatic change in the character and scale of existing neighbourhoods. Opportunities for intensification will be supported on lands:
 - a. that are no longer viable for the purpose for which they were intended, such as older industrial areas;
 - b. where the present use is maintained but the addition of residential uses can be accomplished in a complementary manner;

- c. that are vacant and/or underutilized within previously developed areas;
and,
 - d. in fully-serviced *Living Areas* that could accommodate infill developments.
- 2. Any changes to the land use structure through intensification will be assessed so that the concerns of the community and the need to provide opportunities for residential intensification are balanced.
 - 3. Priority will be placed on meeting housing targets by means of intensification within existing established urban areas. In particular, intensification will be encouraged on major Arterial Roads in close proximity to Employment Areas and public transit.
 - 4. Residential intensification in the *Downtown* will be promoted due to its proximity to services, amenities and employment. Additional *Downtown* policies are found in Section 4.2.1.
 - 5. Council will consider allowing second suites in *Living Area I* through the rezoning process as a means of increasing intensification and addressing affordable housing needs.

Programs

- 1. To support intensification, financial incentives for brownfield redevelopment will be investigated.
- 2. In order to encourage housing intensification through the conversion of vacant commercial space, Council will actively participate in federal and provincial programs to facilitate such activity.
- 3. An inventory of vacant sites suitable for infilling and other forms of intensification shall be maintained.

4. Information on methods of residential intensification and alternative forms of development will be disseminated to local developers and builders.

3.3.1 Monitoring

**Over the next* five years, Council will review the amount of residential development that is occurring through intensification to determine whether or not the 10% intensification target is being reached. *Council will review and, if necessary, adjust its policies and programs, including amending this Plan, to ensure that continued progress towards this target is made.* (2007 MMAH Mod # 3a & 3b)*

4.0 Employment Areas

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

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

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

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





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

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

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

4.1 OBJECTIVES

It is the objective of the Employment Area policies to:

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

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

4.2 CENTRES

Centres essentially form nodes of retail, tourism, business, education and government services. Depending on their location, *Centres* may service a large regional market, or a smaller local neighbourhood. It is the intent of this Plan to provide sufficient lands in appropriate locations to ensure that all consumer and service needs can be addressed by the market.

4.2.1 Downtown

Downtown Sudbury forms the historic core of the amalgamated City, retaining its important function as a centre of retail, arts & culture, government and business services. The *Downtown* services a large catchment area that extends beyond Greater

Sudbury. Compact and walkable, the *Downtown* possesses a distinct built form that sets it apart from other urban areas, offering unique opportunities to protect, develop and sustain its role as the vibrant hub of a dynamic city. The *Downtown* is shown on *Schedules 1a and 1b, Land Use Map*.

Policies

1. A wide variety of uses are permitted in the *Downtown*, consistent with its function as the most diversified commercial Centre in the City. All residential, commercial, institutional, and entertainment uses are permitted, including offices and community facilities, provided that sewer and water capacities are adequate for the site. There will be no height restrictions in the *Downtown*.
2. In order to encourage development in the *Downtown*, Council may:
 - a. reduce parking standards and development-related charges in recognition of existing municipal parking and infrastructure capacity;
 - b. allow parking requirements to be satisfied through off-street municipal or privately owned communal parking areas located elsewhere in the *Downtown*; and,
 - c. accept payment-in-lieu of parking where residential and non-residential development is in close proximity to and can be accommodated by a municipal or privately owned communal parking lot.

Programs

1. Council will develop the *Downtown* as a creative district by promoting arts & culture, encouraging public art initiatives, and partnering with the non-profit sector and other levels of government. The development of a performing arts facility in the *Downtown* core will be a key priority.

2. In addition to the Tax Increment Financing Scheme (TIFS), Council will consider other innovative financial incentives to encourage investment in the *Downtown*.

4.2.1.1 Downtown Residential Development

Residential development in the *Downtown* is key to its future success and is consistent with residential intensification policies. Increasing the number of people living *Downtown* will enhance the existing community dynamic and expand the residential constituency. A residential base also provides support for downtown businesses, acting as a stimulus for small business development.

Policies

1. Residential development is a key priority for the *Downtown* as a means of stimulating increased investment and business activity, and meeting residential intensification targets.
2. The conversion of vacant office and retail floor space to residential uses will be encouraged, where the building being converted was built prior to the year 2000. The provision of parking will not be required for residential uses that are developed from converted vacant office and retail space.

Programs

1. Amenities such as the Farmers' Market, Sudbury Theatre Centre, Greater Sudbury Public Library, Sudbury Arena, and the Centre for Life contribute to the appeal of the *Downtown*. In order to make it more attractive as a place of residence, additional amenities necessary to enhance the livability of the *Downtown* will be identified.
2. Planning regulations will be reviewed to ensure that policies support the development of residential uses in the *Downtown*.

3. In order to enhance the feasibility of residential uses in the *Downtown*, action programs to be considered include developing a profile of the residential target market, as well as a marketing plan to promote residential uses and *Downtown* living.

4.2.1.2 Downtown Urban Environment

The *Downtown* offers a unique urban environment that is characterized by its distinct built form, heritage resources, street configuration, pedestrian spaces, and linkages to neighbourhoods and amenities such as Bell Park. The *Downtown* plays a key role in defining the City's image and quality of place, perceptions that are essential to the success of a number of City initiatives.

Policies

1. It is policy of this Plan to preserve those aspects of the *Downtown* that contribute to the image, character and quality of life in the City, including natural features, landmarks, design attributes, heritage resources, linkages to existing trails, pedestrian walkways and other desirable elements of the built environment.
2. High quality urban design in the *Downtown* will be promoted, compatible with the existing character and scale. A special focus on public spaces is intended, utilizing such design elements as street trees, landscaping, street lighting and furnishings, public art, gateway entrances and playgrounds that are wheelchair and stroller accessible. Additional policies on *Urban Design* are found in Chapter 14.0.
3. Heritage buildings and structures in the *Downtown* core will be protected, as supported by policies on *Heritage Resources* contained in Chapter 13.0.
4. In order to protect the existing built form, the rehabilitation and reuse of existing buildings that are well-suited and economically viable to adaptive reuse will be encouraged.

5. To ensure pedestrian safety and streetscape integrity, drive-throughs are not permitted in the *Downtown*.

Programs

1. The City shall continue its program of streetscape improvements and work towards improving pedestrian linkages to surrounding urban amenities and *Living Areas*.
2. The innovative use of new environmental technologies will be promoted, including the development of green buildings, the utilization of alternative heating and cooling methods, and the re-invention of public spaces utilizing recent advancements in eco-sensitive design.

4.2.2 Regional Centres

Regional Centres service a large catchment area that extends beyond the City of Greater Sudbury. Acknowledging the City's evolving role as a retail and tourism destination, three *Regional Centres* are designated based on the existing pattern of development as indicated on *Schedules 1a and 1b, Land Use Map*:

- Kingsway at Barry Downe Road / Second Avenue;
- Lasalle Boulevard and Barry Downe Road; and,
- the Four Corners in the City's South End.

Traditionally linked to retail and business services, *Regional Centres* may expand to include other uses such as medium and high density residential, as a means of utilizing existing infrastructure and achieving increased urban intensification.

Policies

1. Permitted uses in *Regional Centres* may include retail, service, institutional, recreational, entertainment, office and community-oriented activities.

2. When considering rezoning applications for new or expanded employment uses in *Regional Centres*, Council shall have regard to the following criteria:
 - a. Off-street parking can be adequately provided.
 - b. A traffic impact study may be required to identify any necessary improvements to upgrade the transportation network to ensure that traffic-carrying capacity of the road is not significantly affected.
 - c. No new access to Arterial Roads is permitted where alternate access is available. In general, entrances shall be kept to a minimum and at locations with the least impact on traffic flow. The use of joint entrances will be encouraged.
 - d. Pedestrian walkways will be included, with linkages to transit stops and other modes of active transportation including sidewalks and trails.
 - e. Sewer and water services must be adequate for the site.
3. Medium and high density residential development may be considered as a means of promoting urban redevelopment and achieving residential intensification targets.
4. *Regional Centres* may be appropriate locations for certain light industrial uses which are conducted entirely indoors provided that appropriate landscaping and buffering can be established to shield any adjacent sensitive uses. Outside storage is not permitted unless it is for the purpose of displaying goods for retail sale.

4.2.3 Town Centres

The City of Greater Sudbury is known for its diverse collection of Communities spread across a wide geographic area. Linked to the historical development of the region, each has developed a distinct character, providing a range of alternative lifestyle and housing options for residents. The existing and historic commercial centres of

Communities are thus recognized as *Town Centres*. These areas will provide for the development of commercial uses to service Communities and surrounding residential neighbourhoods and rural areas. *Town Centres* are shown on *Schedules 1a, 1b and 1c, Land Use Map*.

Policies

1. Permitted uses in *Town Centres* may include retail, offices, institutional and other related community services and activities, with the exception of the Valley East Town Centre which is addressed in Section 21.3.2.
2. Medium density residential uses up to a maximum of 30 units per building may be permitted, provided that the net residential density does not exceed 60 units per hectare subject to servicing capacity.
3. When considering rezoning applications for new or expanded uses in *Town Centres*, Council will ensure that the proposed use preserves the character of the area and is harmonious with adjacent uses and their buildings. Council shall also have regard to parking requirements if applicable, traffic impacts and road access. Sewer and water services must be adequate for the site.
4. *Town Centres* may also be appropriate locations for light industrial uses. Outside storage for the display and sale of goods is permitted. Proper landscaping and buffering must also be established for light industrial uses.
5. Parking requirements for new development in *Town Centres* may be reduced where off-street municipal or privately owned communal parking facilities already exist and can accommodate additional automobiles.

4.3 MIXED USE COMMERCIAL

Some areas of Greater Sudbury have been developed with a mix of land uses. Although there are some exceptions, these uses are generally concentrated along certain stretches of Arterial Roads. Designated as *Mixed Use Commercial* and shown on *Schedules 1a, 1b and 1c, Land Use Map*, it is the intent of this Plan to recognize the development potential of these areas by permitting a balance of mixed uses including commercial, institutional, residential, and parks and open space through the rezoning process. General industrial uses may also be permitted subject to their compatibility with surrounding uses and their overall visual impact on mixed use corridors (see Section 14.5).

Given the high visibility of *Mixed Use Commercial* areas, special attention to sound urban design principles is essential. Siting buildings to create a sense of street enclosure, locating parking lots to the rear of buildings, screening service entrances and garbage storage, and effective landscaping can aesthetically enhance the appearance of mixed use corridors. In order to attract viable, high quality residential development, emphasis will also be placed on creating a safe and attractive pedestrian environment, as well as convenient access to public transit and greenspace.

Policies

1. All uses permitted by this Plan except *Heavy Industrial* may be accommodated in the *Mixed Use Commercial* designation through the rezoning process.
2. In order to minimize the disruption of traffic flow along Arterial Roads and promote better development, small lot rezoning will be discouraged and land assembly for consolidated development will be promoted.
3. Subject to rezoning, new development may be permitted provided that:
 - a. sewer and water capacities are adequate for the site;

- b. parking can be adequately provided;
- c. no new access to Arterial Roads will be permitted where reasonable alternate access is available;
- d. the traffic carrying capacity of the Arterial Road is not significantly affected;
- e. traffic improvements, such as turning lanes, where required for a new development, will be provided by the proponent; and,
- f. landscaping along the entire length of road frontages and buffering between non-residential and residential uses will be provided.

4.4 INSTITUTIONAL AREAS

Greater Sudbury's major public institutions form some of our largest employers and have a significant impact on the quality of community life. The *Institutional Areas* designation acknowledges the important role of the City's institutions and their contribution to community-based initiatives. Institutional uses are permitted throughout the municipality in accordance with the needs of area residents and policies set forth below.

Several identified engines of growth are directly linked to the research and product development capacity of our post-secondary institutions, hospitals and research facilities. Council recognizes the opportunities and services provided by our institutional partners by further identifying *Institutional Areas* which form a concentration of Education, Health and Research activity. These areas include the Laurentian University campus including the Willet Green Miller Centre and the Northern Ontario School of Medicine, the campuses of Cambrian College and Collège Boréal, the health care complex comprised of the Hôpital régional de Sudbury Regional Hospital and the adjoining Northeastern Ontario Regional Cancer Centre, and the Sudbury Neutrino Observatory.



Most existing institutional uses and certain vacant lands owned by institutions are designated as *Institutional* on *Schedules 1a, 1b and 1c, Land Use Map*. Small scale institutions compatible with surrounding uses, such as elementary schools, libraries, day nurseries, retirement homes, places of worship and recreation centres, are generally not shown on *Schedules 1a, 1b and 1c* but are incorporated within and permitted by the *Living Areas* designation.

Policies

1. Institutional uses consist of educational institutions such as secondary schools, colleges and universities, as well as government offices, hospitals and other community facilities intended for public use.
2. In considering the establishment of new institutional uses or the expansion of existing facilities on lands not specifically designated for institutional purposes, Council will ensure that:
 - a. sewer and water services are adequate to service the site;
 - b. adequate traffic circulation can be provided;
 - c. adequate parking for the public is provided on-site;
 - d. public transit services can be provided economically for the site;
 - e. the proposed institutional use can be integrated into the area and is compatible with surrounding uses; and,
 - f. adequate buffering and landscaping is provided.
3. In those areas identified as forming a concentration of Education, Health and Research activity, the following uses are permitted:
 - a. hospitals and related medical research and service facilities;

- b. educational and research facilities and related residential facilities; and,
 - c. accessory business uses.
- 4. Smaller scale institutional uses that are compatible with the residential function of neighbourhoods are not shown on *Schedules 1a, 1b and 1c, Land Use Map* as *Institutional*. The precise location of these institutional uses will be determined on a site-specific basis by amendment to the Zoning By-law.
- 5. Rezoning applications related to the conversion of surplus institutional buildings and the rezoning of vacant lands held by institutions shall be considered based on the following criteria:
 - a. the need for such lands or buildings for other public uses, and their long-term value to the community;
 - b. the compatibility of the proposed uses with surrounding land uses and the intent of the policies in this Official Plan with respect to the proposed uses; and,
 - c. for conversion to residential uses, the appropriateness of the proposed density.
- 6. Existing institutional uses not designated in this Plan will be recognized in the Zoning By-law.

4.5 INDUSTRIAL AREA DESIGNATIONS

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

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

4.5.1 General Industrial

Policies

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

4.5.2 Heavy Industrial

Policies

1. Within areas designated *Heavy Industrial*, all industrial uses are permitted, including sanitary landfill sites, salvage yards, quarrying, and sewage treatment

facilities. Mining and related smelting, refining and processing operations are generally not permitted in *Heavy Industrial* areas, as the *Mining/Mineral Reserve* designation applies to those uses.

2. Buffering and a landscaping strip will be provided along all Arterial Road frontages adjacent to *Heavy Industrial* uses. Buffering in the form of earth berms, opaque fences, natural topographic features or dense vegetation will be provided at the boundaries adjacent to less intensive land uses.
3. Drainage runoff will be controlled such that the water quality of groundwater or downstream watercourses/waterbodies is not impaired. Additional policies on stormwater management are contained in Section *8.6.* (OPA #2)
4. Minimum setback distances from sensitive land uses may be required for certain uses in this designation.

4.6 MINERAL AND AGGREGATE EXTRACTION DESIGNATIONS

Under present legislation, mining activity is regulated by the *Mining Act* and administered by the Ministry of Northern Development and Mines. Various Acts administered by the Ministry of the Environment and other Federal and Provincial legislation also apply. Pits and Quarries are regulated under the *Aggregate Resources Act*. As such, Official Plans do not regulate mining exploration or underground mining operations.

It is the goal of this Plan to responsibly manage mineral and aggregate resources by protecting them for long-term use. This will be achieved by protecting existing and potential resources, controlling and regulating current surface operations, minimizing adverse impacts of operations on the environment, requiring proper rehabilitation of closed mines, protecting mineral resources from incompatible uses, and by providing for sequential uses.



4.6.1 Mining/Mineral Reserve

Lands designated *Mining/Mineral Reserve* are considered to have significant mineral potential including areas forming the Sudbury Igneous Complex, as well as current producing mines, past producing mines, ore processing plants, major tailings areas, and other mineral deposits.

Policies

1. *Mining/Mineral Reserve* areas will be protected from development that would preclude or hinder the establishment of new operations or access to the resource unless:
 - a. the resource use would not be feasible; or,
 - b. the proposed land use or development serves a greater long-term public interest; and,
 - c. issues of public health, public safety and environmental impact are addressed.
2. Lands designated *Mining/Mineral Reserve* may be used for a variety of uses related to the extraction of minerals. Permitted uses may include mining and mining-related uses, mineral aggregate uses, smelting and refining uses, pits and quarries and related uses, and accessory uses and structures associated with mining.
3. For land in the *Mining/Mineral Reserve* to be used for mining purposes, an amendment to the Zoning By-law must occur where such lands are not pre-zoned. In considering an amendment to the Zoning By-law to permit a mining or mining-related use or the expansion of an existing use in the *Mining/Mineral Reserve* area, Council will consider:

- a. the impact on the environment, particularly new mining operations which must be located where there will be little or no impact on natural heritage features and functions;
 - b. indirect impacts on the utilities and services provided by the City;
 - c. the impact on surrounding land uses;
 - d. the aesthetic appearance of the proposed development; and,
 - e. the benefit of the mining or mining-related use to the City.
4. Other uses such as forestry and other resource-related compatible uses, recreation, parks and open space, and wildlife management may be permitted provided they do not preclude future extraction. Other industrial uses that will not preclude future mining activities may be permitted subject to zoning permission and site plan control.
 5. New lot creation for rural residential development is not permitted on lands designated as *Mining/Mineral Reserve* (see Section 5.2.2).
 6. Past producing mining operations or active mining operations are subject to the provisions of the *Mining Act* with respect to rehabilitation and/or closure.

4.6.2 Aggregate Reserve

Aggregates and other industrial minerals extracted through pit or quarry methods are valuable, non-renewable raw materials that are utilized extensively for construction, industrial and manufacturing purposes. The City will protect all primary and secondary deposits identified in an Aggregate Resource Inventory Paper (ARIP) **prepared by the Ontario Geological Survey or aggregate shown on a Northern Ontario Engineering Geology Terrain Study, where an ARIP has not been prepared**, and all sources currently under license and permit under the *Aggregate Resources Act*. New pit and quarry operations in the *Aggregate Reserve* or the *Mining/Mineral Reserve* areas are subject to the *Aggregate Resources Act*. (2007 MMAH Mod #4)

Policies

1. The primary use of lands designated as *Aggregate Reserve* will be pit and quarry operations. Other uses that do not preclude the possibility of future expansion and extraction may also be permitted. Lands designated *Aggregate Reserve* are to be protected from uses and/or activities that may hinder the future expansion and extraction of aggregates. The protection of known aggregate resources will take precedence, wherever possible, over any land use that would prevent their future expansion and extraction.
2. New lot creation for rural residential development is not permitted on lands designated as *Aggregate Reserve* (see Section 5.2.2).
3. In areas designated *Agricultural Reserve*, extraction of mineral aggregate resources is permitted as an interim use provided that rehabilitation of the site will be carried out so that substantially the same areas and same average soil quality for agriculture are restored.
4. In considering an amendment to the Zoning By-law to permit new mineral aggregate operations or expansions of existing operations, the following information will be reviewed:
 - a. the location, nature, extent and economic potential of the mineral deposit;
 - b. the nature and location of adjacent land uses and the effect the pit and quarry operation could have on:
 - i. natural heritage features, including significant geologic formations on the site and in the area;
 - ii. agricultural resources and activities;
 - iii. the character of the area;

- iv. the groundwater recharge functions on the site and in the immediate area;
 - v. the built or cultural heritage resources in the area;
 - vi. surface water features in the area; and,
 - vii. nearby wells used for drinking water purposes.
 - c. the capability of the existing road network to service the proposed location;
 - d. the effect of the noise, odour, dust and vibration generated by the use and the use of haul routes on adjacent land uses; and,
 - e. how the impacts of the proposed pit or quarry will be mitigated in order to lessen the impacts.
5. In cases where the economical and/or physical extraction is not feasible, other uses may be permitted in accordance with the applicable land use designation, if it can be shown that:
- a. the land use pattern in the area has reduced the feasibility of extraction; or,
 - b. the proposed use would not have a negative impact on the natural heritage features and functions on the site and in the area; or,
 - c. the aggregate is low in quality; or,
 - d. there is not enough aggregate in the area to justify its economical extraction.
6. Landscaping and buffering will be used to enhance the physical appearance of lands and structures.

7. On lands not designated as *Aggregate Reserve* but where deposits of aggregate exist, pits and quarries may be permitted by rezoning subject to the criteria under Policy 4 in this Section.
8. Wayside pits and quarries, portable asphalt plants, and portable concrete plants used on public authority contracts are permitted in all areas without the need for an Official Plan amendment, rezoning or development permit approval under the *Planning Act* except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.
9. Once a pit or quarry has been restored, sequential land uses that are compatible with the area will be encouraged. In situations where restoration methods vary depending on the sequential uses permitted, subsequent uses will be considered prior to rehabilitation.

5.0 Rural Areas

Given Greater Sudbury's vast geographic area, a significant proportion of the municipality is comprised of *Rural Areas*. Although some areas are partially serviced by municipal water, most rural households, businesses and farms rely on private water and sewage disposal systems. There is no intention to expand services to these areas.

Due to these constraints, *Rural Areas* require well-defined policies that protect existing uses while recognizing that the focus of future development will be fully serviced areas within Communities. The *Rural Areas* designation supports this overall concept, while also striving to protect those qualities that make *Rural Areas* special for their waterfront areas, open space, natural features, and resource potential.

The intent of this designation is to accommodate a variety of land uses that are appropriate for a rural location, especially those that provide rural economic benefits that are balanced with protection of the natural environment and the agricultural resource base. Intensive development of these lands is not desired, as more suitable locations within Communities have been identified for urban growth. *Rural Areas* are shown on *Schedules 1a, 1b and 1c, Land Use Map*.



5.1 OBJECTIVES

It is the objective of the *Rural Area* policies to:

- a. provide an efficient and orderly pattern of land use in *Rural Areas*, reducing land use conflicts and requiring minimal municipal services;
- b. ensure that all development is adequately serviced and does not negatively impact the environment;
- c. encourage a strong rural economy with a range of rural uses and activities;
- d. recognize the importance of agriculture, silviculture and other rural land uses to the economy; and,

- e. preserve the cultural and historical attributes of rural areas.

5.2 RURAL AREA DESIGNATION

Rural Areas contain a variety of land uses, such as farms, woodlots and forests, small industry, and clusters of rural residential development. These areas also provide for outdoor recreation opportunities such as snowmobiling, skiing, hiking, canoeing, and other activities in natural areas.

Policies

1. The following uses are permitted within the *Rural Areas* designation:
 - a. residential uses;
 - b. agricultural uses;
 - a. conservation, open space and natural resource management activities;
 - b. mineral exploration;
 - e. rural industrial/commercial uses;
 - f. resort and shoreline commercial uses; and,
 - g. public uses including hydroelectric generation and associated facilities.
2. Waterfront development in *Rural Areas* must also comply with the policies of Section 8.5, Surface Water Resources.
3. All new farm and non-farm development in the *Rural Areas* designation will comply with the Minimum Distance Separation (MDS) formulae established by the Province in order to minimize conflicts between livestock facilities and surrounding development.

5.2.1 Rural Residential

Residential uses in *Rural Areas* typically take the form of rural strip development along municipal roads, as well as permanent and seasonal waterfront residences located along the shorelines of non-urban lakes. Although some linear residential development along municipal roads is partially serviced by municipal water, most households are not connected to municipal services.

Policies

1. Rural residential development consistent with the character of surrounding existing uses is permitted, provided no additional public services*, **including the extension of existing or creation of new partial services*** would be required. (2007 MMAH Mod #5)
2. One single detached dwelling is permitted on any existing lot, provided that it fronts onto a public road that is maintained year-round. The lot must also have the capability to provide an individual on-site sewage disposal system and water supply with both quantity and quality suitable for domestic uses.
3. Seasonal residential uses are permitted on waterbodies that have public water access with adequate off-street parking and boat docking facilities.
4. The conversion of existing seasonal dwellings to permanent use is permitted provided that:
 - a. the dwelling has frontage on a public road maintained year-round;
 - b. *Ontario Building Code* standards for permanent dwellings are met;
 - c. minimum lot size requirements of the Zoning By-law have been satisfied;
 - d. approval is obtained for a Class 4 sewage system; and,

- e. there is an adequate supply of potable water.
- 5. This Plan contemplates a seasonal residential zone in the implementing Zoning By-law. New lots proposed for seasonal residential use may be permitted in the *Rural Areas* designation on waterbodies subject to rezoning.
- 6. Based on watershed and lake studies, the Zoning By-law may set different density standards for waterfront developments on different lakes according to their lake and watershed development capacity and ecological sensitivity to development.
- 7. An individual mobile home unit is allowed where a single detached dwelling would be permitted, provided that it is built in accordance with the *Ontario Building Code*.
- *8. A Garden Suite is allowed in accordance with Section 3.2.9. Despite these policies a mobile home may be used as a Garden Suite if it is built on its own foundation and in accordance with the *Ontario Building Code*. None of these policies are intended to result in the creation of new residential lots in the *Rural Area*.* (OPA #2)

5.2.2 Rural and Waterfront Lot Creation

Policies on lot creation in *Rural Areas* are required to mitigate the pressures inherent to unserviced development and the environmental impact of private septic systems. Consistent with the objective to concentrate development within fully serviced Communities, limits on the location, size and number of lot severances in *Rural Areas* are established.

Policies

- 1. New lot creation for rural residential development is not permitted on those lands restricted by:
 - a. the Mining/Mineral Reserve;

- b. the Aggregate Reserve;
 - c. the Flood Plain; or
 - d. significant natural features **and areas**. (2007 MMAH Mod # 6a)
2. For new lots not on a lake or watercourse, the following lot creation policies apply:
- a. The severed parcel and the parcel remaining must have a minimum size of 2 hectares (5 acres) and a minimum **public road** frontage of 90 metres (295 feet). (2007 MMAH Mod # 6b)
 - b. Regardless of the size and frontage of the parent parcel, no more than three (3) new lots may be created from a single parent rural parcel based on the date of the adoption of this Plan.
3. For new lots located on a lake or watercourse, the following lot creation policies apply:
- a. Excluding those lakes/areas covered by *Chapter 21.0, Special Policy Areas*, new lots on lakes and watercourses in *Rural Areas* will be a minimum 0.8 hectare (2 acres) in size and have a minimum water frontage of 45 metres (148 ft.), unless detailed waterbody studies indicate a change in the standard. The appropriate regulations will be set out in the Zoning By-law.
 - b. New lots for permanent waterfront residential use must front onto a public road that is maintained year-round.
 - c. New lots for seasonal waterfront residential uses are permitted on lakes with public water access with adequate off-street parking and boat docking facilities.

- d. Dwellings and accessory buildings must be set back to appropriate levels based on individual lake and watercourse conditions and regulations set out in the Zoning By-law (see additional water resource policies in Section 8.5).
4. Where applicable, all rural residential severances must also comply with the Minimum Distance Separation (MDS) formulae established by the Province in order to minimize conflicts between residential development and adjacent livestock facilities.

5.2.3 Mobile Home Parks

The majority of existing mobile home parks in the City are located in unserviced, rural areas. Due to servicing concerns, no new mobile home parks are permitted. Existing mobile home parks that are already zoned will continue to be recognized in the Zoning By-law.

5.2.4 Agriculture, Conservation and Natural Resource Management

Rural Areas can accommodate a number of uses that are compatible with the natural setting and extensive open space areas, as well as existing uses such as farming. Activities related to outdoor recreation, agriculture, and natural resource management are considered appropriate within a rural setting.

Policies

1. *Rural Areas* may be used for recreational purposes that are primarily outdoor-oriented. Silviculture, reforestation and those activities related to the conservation or management of the natural environment are permitted.
2. Agricultural uses are permitted in *Rural Areas*. Agricultural uses are defined as the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; and maple syrup. Compatible

resource uses such as forestry, and small-scale commercial and industrial uses that are directly related to farm operations are permitted in this designation.

3. Agriculture-related commercial and agriculture-related industrial uses that are small in scale and directly related to the farm operation such as a grain drying, handling and storage facility; and secondary uses such as value-added agricultural products such as custom meat shops, pick-your-own operations, produce market and parking operations, home occupations, home industries, and other similar agri-business, are permitted in *Rural Areas*.

5.2.5 Rural Industrial/Commercial

Some limited rural industrial/commercial uses are permitted in *Rural Areas*, particularly those activities that provide rural economic benefits that are balanced with protection of the natural environment and the agricultural resource base.

Policies

1. Rural industrial/commercial uses are generally resource-based and may include agriculture, dry industrial/commercial uses, and forestry.
2. Pits and quarries are permitted in appropriately zoned areas.
3. Rural industrial/commercial sites are to be located with adequate separation distances from residential areas, and provide proper buffering and landscaping along Arterial Road frontages. Entrances are restricted to Secondary Arterial and Local Roads, and no temporary structures, outside storage or sales displays may be visible from the frontage of abutting roads. All such development is subject to rezoning and site plan control.
4. New resource-related industries should not impact the natural resource base. Rural industrial/commercial uses must generate limited amounts of wastewater and minimize land use conflicts.

5. Small home-based manufacturing operations (cottage industries) such as pottery, repairs or cabinetmaking are permitted subject to appropriate controls in the Zoning By-law to minimize impacts on adjacent uses. Merchandise offered for sale must be manufactured on the property.
6. Hunt and fishing camps are permitted in *Rural Areas*. Such camps will proceed by way of an amendment to the Zoning By-law in order to address specific location, access and development provisions. Hunt and fishing camp lot sizes will be of sufficient size and possess terrain suitable to accommodate the proposed use.

5.2.6 Resort and Shoreline Commercial

Resort and shoreline commercial uses in rural and waterfront areas are permitted as a means of expanding the tourism sector and providing increased recreational opportunities. Additional policies are established to mitigate the impacts of development on lake water quality.

Policies

1. Permitted uses may include resort hotels, lodges, tourist-oriented accommodations and uses, campgrounds, trailer parks, marinas, sale and rental of boats and related equipment, ski, fishing and camping shops, restaurants, outdoor recreational uses, related accessory uses and existing uses.
2. All resort and shoreline commercial applications will be subject to rezoning and site plan agreement procedures.
3. Limits for upgrading, expansion or redevelopment of these commercial uses will be established in the Zoning By-law. Any new commercial land use or expansion of an existing use may require an amendment to the Zoning By-law in order to guide the scale, size and density of the development, and recognize and respond to the characteristics of the particular site. Consideration of a new commercial use through an amendment to the Zoning By-law will ensure that:

- a. the site is suitable for the use proposed in terms of density, intensity, location of buildings and structures, and type of facilities;
- b. where development occurs in areas not fully serviced, resort and shoreline developments are to be serviced by an adequate sewage disposal system;
- c. a hydrogeological assessment may be required to assess the impacts of development and ensure an adequate supply of potable water;
- d. access routes can accommodate additional traffic if required;
- e. the proposed use is compatible with surrounding properties and will provide adequate buffering if required; and,
- f. impacts on the lake that result from the year-round activities associated with the resort development are considered **and mitigated**.

4. The Zoning By-law will ensure that resort and shoreline commercial development on lakes and watercourses has water frontage that is adequate and suitable for the use proposed.

5. Existing resort and shoreline commercial uses within *Living Areas* shall be considered a permitted use in the Zoning By-law.

(2007 MMAH Mod #7)

6.0 Agriculture

Greater Sudbury has an active agricultural sector that has been providing food for local consumption for over 120 years. Much of this activity is concentrated in the 'Valley,' an extensive swath of flat, fertile land that forms the centre of the Sudbury Basin. Area farms continue to function as viable businesses, and have also become part of a community tradition that supports locally grown produce and food products.

The agricultural sector remains an important component of the local economy. Local growers are essential to the success of the Farmers' Market, a community-owned facility in the *Downtown* that contributes to downtown revitalization efforts. The agricultural sector will also play an important role in the development of an environmental services sector as a supplier of inputs. In order to ensure the long-term preservation of the City's agricultural land base, an *Agricultural Reserve* designation is established by this Plan and is shown on *Schedules 1a, 1b and 1c, Land Use Map*.

6.1 AGRICULTURAL OBJECTIVES

It is the objective of the *Agricultural Reserve* policies to:

- a. encourage the retention of prime agricultural land with a good capability for agricultural purposes;
- b. recognize and promote agriculture as an important means of expanding the economic base;
- c. ensure that uses which would result in conflicts with agricultural operations are not established in productive farming areas; and,
- d. minimize the non-farm use of productive agricultural land.

6.2 AGRICULTURAL RESERVE DESIGNATION

Prime agricultural lands have been delineated based on input from the Ontario Ministry of Agriculture and Food. In order to protect existing and potential agricultural land uses, these areas are designated as *Agricultural Reserve*. New lot creation is restricted to only agricultural and agricultural-related uses.

6.2.1 Permitted Uses

Policies

1. Agricultural uses are permitted in *Agricultural Reserve* areas. Agricultural uses are defined as the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; and maple syrup production. Compatible resource uses such as forestry, and small-scale commercial and industrial uses that are directly related to the farm operation are permitted in this designation.* (OPA #2)
2. Agriculture-related commercial and agriculture-related industrial uses that are small in scale and directly related to the farm such as a grain drying, handling and storage facility; and secondary uses such as value-added agricultural products such as custom meat shops, pick-your-own operations, produce market and parking operations, home occupations and home industries, are permitted. Other similar agri-business may be permitted provided there are no reasonable alternative locations outside prime agricultural areas.
3. A single detached dwelling for the owner of a farm is permitted. Accessory buildings, structures and facilities required to accommodate the agricultural uses in the *Agricultural Reserve* area are permitted.
4. In areas designated *Agricultural Reserve*, extraction of mineral aggregates is permitted as an interim use provided that rehabilitation of the site will be carried out so that substantially the same areas and same average soil quality for agriculture are restored.

5. All new farm and non-farm development in the *Agricultural Reserve* will comply with the Minimum Distance Separation (MDS) formulae established by the Province in order to minimize conflicts between livestock facilities and surrounding development.
- *6. A Garden Suite is allowed in accordance with Section 3.2.9. Despite these policies, a mobile home may be used as a Garden Suite if it is built on its own foundation and in accordance with the *Ontario Building Code*. None of these policies are intended to result in the creation of new non-agricultural lots in the *Agricultural Reserve*.* (OPA #2)

6.2.2 Lot Creation

Policies

1. *Agricultural Reserve* areas are to be preserved in large parcels. Lot creation in the *Agricultural Reserve* designation will only be permitted for:
 - a. agricultural uses;
 - b. agriculture-related uses;
 - c. a residence surplus to a farming operation as a result of a farm consolidation; and,
 - d. infrastructure purposes.
2. Severances in *Agricultural Reserve* areas are subject to the following criteria:
 - a. New and retained lots from severances are to be of an appropriate size for the type of agricultural uses common in the area and sufficiently large to maintain flexibility for future changes in the type or size of the agricultural operation;

- b. The severed parcel and the parcel remaining after severance will be a minimum of 30 hectares (74 acres) in size; and,
 - c. Existing Agricultural Reserve operations will not be subdivided into smaller parcels of land where the severance would reduce the long-term flexibility and viability of the existing farm unit. However, Council may consider the creation of smaller lot parcels if the parcel retained is at least 30 hectares and the part severed is less than 30 hectares but is being conveyed to a neighbouring farmer for consolidation.
3. New lots for agriculture-related commercial or industrial uses will be kept to the minimum size needed to accommodate the use and **shall be compatible with and shall** not hinder surrounding agricultural operations. (2007 MMAH Mod #8)
4. In the case of a farm consolidation, a new lot may be created for a residence surplus to a farming operation. The proposed severance must meet the following criteria:
- a. the lot size is kept to the minimum required to site a dwelling, well, sewage disposal system and accessory uses;
 - b. the new lot is separated from agricultural uses in accordance with the Minimum Distance Separation formulae; and,
 - c. new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance.

**6.2.3 Lot Adjustments*

Policies

1. *Lot adjustments may be permitted for legal and technical reasons.** (2007 MMAH Mod #8)

7.0 Parks and Open Space



As a City known for its diversity of urban, rural and wilderness landscapes, *Parks and Open Space* areas take on special significance within the hierarchy of land uses due to their recreational value, environmental functions, and natural beauty. Conservation lands, community parks, trail systems and other open space areas greatly enhance quality of life by providing places where people can gather for special events, participate in sporting activities, learn about our natural environment, exercise, play, or simply relax. These opportunities should be made available throughout the City at locations readily accessible to the public under the guidance of the *Parks, Open Space & Leisure Master Plan*. The *Master Plan* shall be considered the guiding document in relation to operational issues.

Natural areas form an extensive part of the open space system, including Conservation Areas where the predominant intention is to leave the land in its natural state. Consistent with Healthy Community principles, the health, diversity and connectivity of the City's natural features and functions will be protected and enhanced. Additional policies on natural heritage features are found in *Chapter 9.0, Natural Environment*.

Lands in both public and private ownership are covered by the *Parks and Open Space* designation, shown on *Schedules 1a, 1b and 1c, Land Use Map*. This designation recognizes that the open space network should be viewed in its entirety, while allowing additional policies to be established that are relevant to each type of ownership.

7.1 OBJECTIVES

It is the objective of the *Parks and Open Space* policies to:

- a. develop and maintain a balanced distribution of parks, recreation facilities, open space and Conservation Areas that are conveniently accessible and safe;

- b. recognize the importance of these areas to the ecosystem and assist in protecting areas comprised of unique or environmentally sensitive natural heritage features;
- c. facilitate the preservation of natural habitats through the formation of parklands, greenbelts and Conservation Areas;
- d. incorporate school lands and facilities into community parks and recreation programs, wherever possible;
- e. provide parks, trails and leisure facilities that are aesthetically pleasing, multi-purpose, multi-season and appeal to all ages and skill levels in order to attract and retain residents, especially young adults and families, and to enhance local tourism development;
- f. promote the naturalization of City-owned open spaces;
- g. support the formation of partnerships with the public, non-profit and/or private sectors in the provision and operation of recreation facilities and playgrounds, where a benefit to the community can be achieved; and,
- h. capitalize on the location and number of lakes within the City by retaining and acquiring waterfront property to provide public access to area lakes.

7.2 PARKS AND OPEN SPACE DESIGNATION

7.2.1 Parks and Open Space - Public Ownership

Publicly owned lands designated *Parks and Open Space* include a variety of lands used for active and passive recreational uses. Conservation Areas and cemeteries are also considered part of the open space network. Existing and proposed components of the trail network, including the Trans-Canada Trail and other local trails, are indicated on *Schedule 5, Trails*.

Policies

1. Permitted uses in *Parks and Open Space* areas may include active and passive recreational uses, arenas, recreation centres and accessory uses, Conservation Areas and cemeteries.
2. Development is generally prohibited in public *Parks and Open Space* areas except for accessory buildings and other compatible structures.
3. Conservation Areas maintained by the Nickel District Conservation Authority are recognized as *Parks and Open Space*.
4. Existing parks will be maintained and improved where warranted under the guidance of the *Parks, Open Space & Leisure Master Plan*. In general, City-owned open space areas shall be maintained in a naturalized state.
5. Properties necessary to complete the parkland system will be acquired through land dedication, land exchange, land purchased with funds from cash-in-lieu-of-parkland dedication, or expropriation.
6. The following policies apply to parkland dedication:
 - a. As a condition of development or redevelopment, the City may require the dedication of land for park or other recreational purposes in accordance with the provisions of Section 42 of the *Planning Act*. Alternatively, in areas where parkland targets have already been met, or lands to be dedicated are unsuitable for *Parks and Open Space*, the City may require payment-in-lieu of the parkland dedication. Such funds are to be used for the acquisition and improvement of new and existing local parks and recreational facilities accessible to the area being developed.

- b. The City may also require the dedication of land for park or other recreational purposes as a condition to the approval of a Plan of Subdivision or Consent. In the case of a subdivision proposed for commercial or industrial purposes, land in an amount not exceeding 2% of the land included in the plan shall be conveyed to the City for park or other public recreational purposes. In all other cases, 5% of the land included in the plan shall be conveyed. In lieu of accepting the conveyance, the City may require the payment of money by the owner of land based on the value of the land otherwise required to be conveyed.
 - c. As an alternative to requiring the conveyance for redevelopment for residential purposes, the City may require that land be conveyed to the municipality for park or other recreational purposes at the rate of one hectare for each 300 dwelling units.
 - d. All lands conveyed as part of parkland dedication must be suitable for recreation purposes and acceptable to the City.
 - e. Council shall ensure that public access is available on waterbodies in the City. In this regard, subdividers of shoreline property shall be required to convey lands which encompass not only five percent of the land being developed, but which also encompass at least five percent of the usable shoreline. Lands thus conveyed must be suitable for public purposes. Special consideration shall be given to those developments that convey more than five percent of the shoreline for public use.
7. To guide the development of a parks system, the City will use as a target for acquisition the objective of four (4) hectares of *Parks and Open Space* per 1,000 residents within 800 meters of residential areas, without having to cross a major barrier such as a railway line or Arterial Roads.
8. Waterfront properties owned by the municipality will generally not be offered for sale or disposal. Other surplus *Parks and Opens Space* lands may be considered for sale subject to the following criteria:

- a. there are overlapping service areas;
- b. there are no facilities or severe underutilization;
- c. there are no important ecological or environmental functions present;
- d. the lands are located within an area that has an oversupply of existing planned parkland;
- e. the lands are not needed for future parks or municipal infrastructure requirements; and,
- f. the lands do not have frontage on a public or private road.

Programs

- 1. A comprehensive multi-use trail system that is linked to major civic facilities, educational institutions, employment areas, waterbodies and tourist attractions will be developed, utilizing the development approval process with a view to developing these linkages for passive and active recreational uses as appropriate.
- 2. A park classification system to address the range of *Parks and Open Space* types and characteristics will be established to guide park acquisition, development, and management. The park classification system will have regard to natural beauty, environmental functions, and recreational value.
- 3. Barrier free access to City-owned parks will be incorporated into the parks upgrading program.
- 4. Further delineate natural environment areas in need of municipal protection along with appropriate strategies for conservation and acquisition.

7.2.2 Parks and Open Space - Private Ownership

Parks and Open Space held in private ownership form an integral part of the open space network. In some instances, public access is provided through arrangements made with private landowners. Such lands could potentially fill missing linkages in the open space network, or provide buffers between incompatible land uses. For these reasons, the City will encourage the protection of privately owned *Parks and Open Space*.

Policies

1. Private lands designated *Parks and Open Space* primarily consist of:
 - a. lands with natural hazards such as flood plains that are not suitable for development;
 - b. lands that are difficult and uneconomical to develop and service;
 - c. lands that are intended to be left undeveloped to serve as buffers between mining or heavy industrial uses and built-up areas;
 - d. hydro corridors; and,
 - e. lands occupied by private outdoor recreational facilities such as golf courses.
2. Permitted uses on privately owned *Parks and Open Space* may include conservation, passive and active recreational uses, agriculture, forestry or other activities where buildings are incidental to those uses.
3. It is not the intent of the City to purchase privately owned *Parks and Open Space* unless these lands could be integrated into the public open space network.

4. Certain lands designated *Parks and Open Space* and identified as Comprehensive Planned Unit Development areas in former Official Plans are indicated on *Schedule 2c, Site Specific Policies*. The subject lands may be considered for residential Comprehensive Planned Unit Development subject to the policies of Section 20.7.

Programs

1. Private lands designated *Parks and Open Space* are not necessarily accessible to the public; however, the municipality will continue to seek arrangements with landowners to provide public access to privately-held lands in order to expand the open space network including the trail system.
2. Landscaping improvements and tree planting initiatives are encouraged within privately owned *Parks and Open Space*.

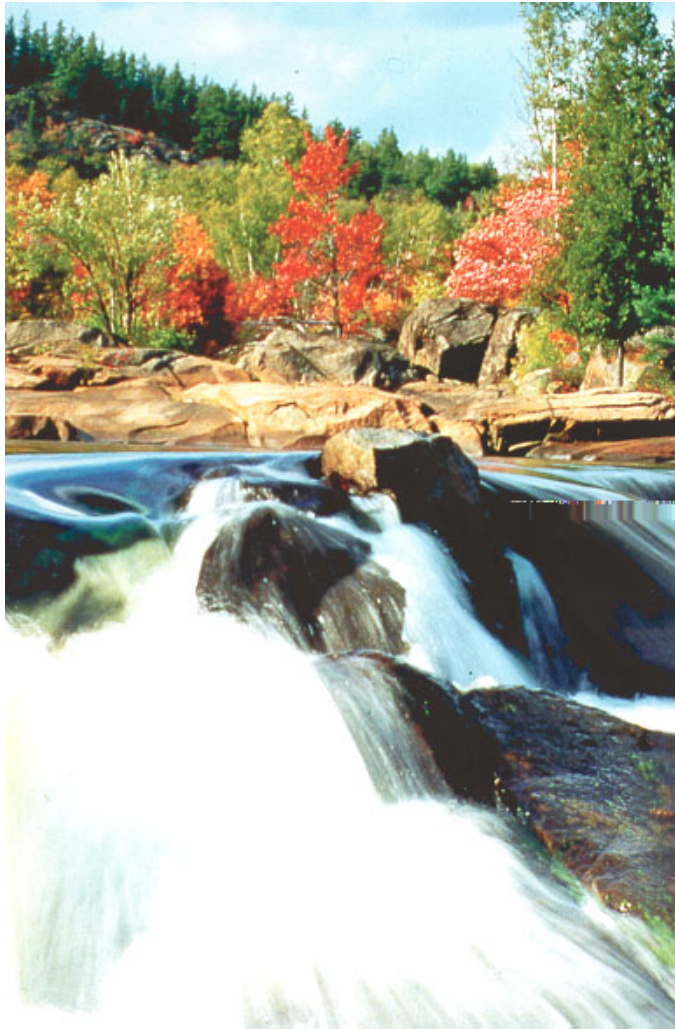
Part III: Protecting the Natural Environment

Greater Sudbury's natural environment is a defining feature of the City's image and appeal. Regreening efforts established three decades ago have resulted in the reclamation of thousands of hectares of environmentally damaged lands and waterbodies. The City is compelled to protect these valuable assets for generations to come.

The conflicts between urban development and the desire to protect natural areas are ongoing and challenging for the community. Water resources are recovering from the effects of metal contamination and deforestation, but are increasingly subject to the negative impacts of urbanization in the form of agricultural, industrial and urban runoff, pesticide use, faulty septic systems, site alteration and other activities.

At the same time, our abundant natural areas offer many possibilities to protect, preserve and integrate these features into the urban form and enhance the visual appeal of the City. Such an approach will further bolster Greater Sudbury's reputation for environmental action.

The policies contained in the following chapters encompass our Water Resources and Natural Environment. All land uses are subject to these policies that are aimed at promoting the sustainability of our natural environment. This Plan also recognizes that various naturally occurring and human-made conditions can result in risks to human health and safety. Protecting Public Health and Safety addresses these concerns with specific land use policies for each type of hazard.



8.0 Water Resources

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

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

8.1 GENERAL PROTECTION OF WATER RESOURCES

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

1. Sensitive surface water features, sensitive groundwater features, and their hydrologic functions and linkages shall be determined through a watershed-based planning approach. Sensitive surface water and groundwater features are defined as areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.
2. Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions and linkages will be protected, improved or restored.

3. Mitigative measures and/or alternative development approaches may be required to protect, improve and restore sensitive surface water features, sensitive ground water features, and their hydrologic functions.
4. Efficient and sustainable use of our water resources, including practices for water conservation, shall be promoted.

8.2 WATERSHED APPROACH - THE LINK BETWEEN LAND AND WATER

This Plan takes a broad perspective on the watershed approach, recognizing that at least three types of watershed-based plans may be developed in various areas of the City, each with a different focus. First, source water protection plans will use relatively large watersheds that include groundwater aquifers as well as all of the lakes and rivers connected in a system. Second, subwatershed plans typically address flooding and water quality due to stormwater using watersheds of moderate size. Third, lake-based recreational and habitat issues can, in some cases, involve only the watershed of the lake in question, which can be relatively small.

While watershed-based plans may differ in scope and issues, these plans will provide the necessary level of detail to identify and assess sensitive environmental features and functions critical to the health of our natural water systems. All agencies and stakeholders involved with water regulation and stewardship may be cooperatively involved in the development of watershed-based plans.

Policies

1. Regardless of the particular focus of the three types of watershed-based plans outlined above, all should fulfill the following requirements in a manner and scope appropriate to the type of plan:
 - a. identify the boundaries of the watershed and, where appropriate, those of its subwatersheds;
 - b. identify and assess human activities in the watershed, surface water features, hydrologic functions, natural heritage features and areas and,

where possible and appropriate, groundwater features, which are necessary for the ecological and hydrological integrity of the watershed; and,

- c. propose recommendations for protecting, improving or restoring vulnerable surface water and groundwater, sensitive surface water features and, where possible and appropriate, sensitive groundwater features, and their hydrologic functions.
2. Once a watershed-based plan is received and, where needed, approved by Council, the City will implement the recommendations of the plan where it has the ability to do so through existing programs, the development review process and other mechanisms, and will encourage other parties to do the same. Where necessary, this Plan will be amended to implement watershed plans.

Program

1. Council will work with key stakeholders to establish a Living With Lakes - Centre of Excellence in Freshwater Restoration in Greater Sudbury whose mission would complement and support City water quality initiatives and provide further recognition to Greater Sudbury as a City of Lakes.

8.3 DRINKING WATER RESOURCES

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

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

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

Policies

1. Council will work cooperatively with other agencies to protect and, where necessary, improve or restore the quality of drinking water resources.
2. Council will support and take part in the development and implementation of watershed-based source water protection plans. These plans will fulfill the requirements outlined in Section 8.2, with an emphasis on identifying sensitive features of the City's drinking water resources as well as identifying measures required to protect, improve or restore these resources. Significant drinking water resources may include municipal Wellhead Protection Areas, significant groundwater recharge areas, and lakes and rivers used as drinking water sources.
3. Until such a time as source water protection plans are developed for an area, known sensitive drinking water resources in the City as shown on *Schedule 8, Municipal Drinking Water Protection* shall be protected from incompatible development and site alteration that could compromise the integrity of the resource. These features currently include:
 - a. Sensitive groundwater features: municipal Wellhead Protection Areas (WHPA) and Sensitive Areas for Groundwater Protection; and,
 - b. Sensitive surface water features: Lake Ramsey, Lake Wanapitei, Wanapitei River and Vermilion River.

8.4 GROUNDWATER RESOURCES

Groundwater use accounts for 21% of total water usage in the City. In some areas, it is an important source of water for domestic supply. Groundwater is also used extensively for commercial and industrial purposes, including mining, irrigation of golf courses, and aggregate washing. Finally, groundwater discharge contributes to

maintaining stream flows and therefore plays a vital role in protecting the integrity of certain aquatic ecosystems.

Particular attention is needed to ensure that municipal wellhead protection areas and sensitive areas for groundwater protection are not compromised during land development. Inappropriate land use in and around these features could lead to permanent damage of the drinking water resources for large numbers of citizens.

8.4.1 Sensitive Groundwater Features - Municipal Wellhead Protection Areas and Sensitive Areas for Groundwater Protection

A Wellhead Protection Area (WHPA) is the surface and subsurface area surrounding a municipal water well or well field from which the well draws water, and for which protective measures are required to ensure the long-term viability of the municipal water supply. Capture Zones are established around the well based on the estimated time needed for a contaminant to reach the well.

Sensitive Areas for Groundwater Protection consist of the primary recharge areas that include the Wanapitei Esker and the Valley East glaciofluvial deposits, and the glaciofluvial deposits extending from Dowling north to Levack. These areas encompass all WHPAs, contain substantial quantities of good quality groundwater, and are a valuable resource for long-term drinking water supplies and for sustaining local aquatic ecosystems. These areas consist of unconfined aquifers that are recharged directly from infiltration of precipitation and overland flow from surrounding bedrock areas.

Policies

1. Establishment of a new WHPA or modification of an existing WHPA will be subject to an amendment to this Plan and the Environmental Assessment process under the *Environmental Protection Act*. Minor modifications to the boundaries of a Sensitive Area for Groundwater Protection can occur without an amendment to this Plan.

2. Council shall work cooperatively with appropriate agencies to ensure that all abandoned, unused or 'dry' wells are properly decommissioned, especially in WHPAs and in Sensitive Areas for Groundwater Protection.
3. The Zoning By-law will restrict land uses that have the potential to cause contamination of the groundwater resource in areas identified on *Schedule 8* as WHPAs and Sensitive Areas for Groundwater Protection.
4. Only those portions of properties that are located within a WHPA will be subject to the restrictions described in the following policies.
5. Activities that may pose a risk to municipal water supplies are categorized from highest risk (Category A) to lowest risk (Category C), as outlined in Section 8.4.1.1. Category A activities are not permitted in the 0-**25** year Capture Zone of a WHPA.
6. Category B activities are not permitted in the 0-2 year Capture Zone of a WHPA. A hydrogeological assessment, as outlined in Section 8.4.1.2, is required to support applications to locate Category B activities within the 2-**25** year Capture Zone of a WHPA.
7. A hydrogeological assessment is required to support applications to locate Category C activities within the 0-**25** year Capture Zone of a WHPA.
8. Manure storage areas and the creation of new lots requiring septic systems will not be permitted within the 0-2 year Capture Zone of a WHPA.

(2007 MMAH Mod #9)

8.4.1.1 Risk Categories

For the purposes of categorizing the risks to groundwater quality, this Plan adopts a three-tiered ranking system of generic activities based on probable chemical usage (or leachate generated from contact with waste materials), and the availability of options to apply engineering Best Management Practices to reduce risks associated with these

materials where practical. These risk categories have been considered in developing land use policies in WHPAs and the Sensitive Areas for Groundwater Protection. The ranking system is as follows:

Category A	Category B	Category C
<ul style="list-style-type: none"> • Use or generate large volumes of potentially hazardous liquid or soluble chemicals, and/or 	<ul style="list-style-type: none"> • Use or generate lesser volumes of potentially hazardous liquid or soluble chemicals, and/or 	<ul style="list-style-type: none"> • Use or generate small volumes, if any, of potentially hazardous liquid or soluble chemicals, and
<ul style="list-style-type: none"> • Have no effective engineering measures to manage chemical usage, and/or 	<ul style="list-style-type: none"> • Have engineering measures to manage chemical usage (or could retroactively engineer systems), and 	<ul style="list-style-type: none"> • Have engineering measures to manage chemical usage (or could retroactively engineer systems), and
<ul style="list-style-type: none"> • Cannot reasonably implement hazard prevention measures, and/or 	<ul style="list-style-type: none"> • Can implement hazard prevention measures, and 	<ul style="list-style-type: none"> • Can implement hazard prevention measures, and
<ul style="list-style-type: none"> • Cannot be reasonably relocated. 	<ul style="list-style-type: none"> • Can possibly be relocated. 	<ul style="list-style-type: none"> • Can readily be relocated.

Category A activities may include mine tailings disposal sites; slag dumps; bulk storage of chemicals or hazardous substances; bulk storage of tires; and, lagoons for sewage treatment. Private septic tanks are not considered as a Category A activity.

Category B activities may include the manufacturing of agricultural, commercial and industrial machinery and, chemicals, resins, paints, varnish printing inks, adhesives, plastics and reinforced fiberglass plastic. Some of these activities could be considered as a lower risk (Category C) where smaller quantities are involved and appropriate engineering measures and management practices are applied.

Category C activities may include automated manufacturing of soft drinks and breweries; automated production of baked or canned goods, frozen goods, processed food and meat; and, machinery equipment rental outlets.

8.4.1.2 Hydrogeological Assessments

A hydrogeological assessment is required where a proposed development includes Category B or C activities that could pose a risk to the municipal aquifer in a WHPA, and for Category A, B or C uses proposed in Sensitive Areas for Groundwater Protection.

A hydrogeological assessment will:

- a. identify the existing groundwater quality and local hydrogeological setting, including:
 - i. the site-specific aquifer vulnerability index (ISI); and,
 - ii. the rate and direction of groundwater flow, water quality and water budget; and,
- b. identify and classify the nature of any predicted adverse impacts, the ability to eliminate or effectively mitigate these impacts and measures that will be taken.

Risk management/reduction measures are to be described, including engineering controls, management (emergency response plans) and monitoring programs. Council may require that a groundwater monitoring well be installed and sampled as part of this process.

8.5 SURFACE WATER RESOURCES - LAKES, RIVERS AND STREAMS

Greater Sudbury's numerous lakes, rivers and streams provide valuable water resources for shoreline living, recreation, wildlife and fish habitat, and, in some cases, drinking water (Section 8.3). Several lakes have been used for long-term monitoring of

aquatic ecosystem recovery (Clearwater, Lohi, Middle, Hannah, Swan, Joe, Nelson, Sans Chambre). Watershed-based plans incorporating accepted lake capacity models will identify the sensitive surface water features of individual watersheds and specific measures required to protect, enhance or restore these features. In areas where a watershed-based plan has not been prepared, the following policies outlined in Sections 8.5.1 and 8.5.2 shall apply.

8.5.1 Environmental Constraints on Development

Even when not used for drinking water, our lakes, streams and rivers are strongly identifiable with the City's quality of life. As such, it is important to maintain and enhance the water quality of these features by controlling not only water-based and shoreline activities, but also activities and land uses occurring within the watershed.

Policies

1. No new lots **or land use changes which result in a more intensive use** will be permitted on lakes that are considered 'at capacity' where on-site subsurface sewage disposal tile beds are closer than 300 metres from the shoreline of the lake or any watercourse flowing into the lake. Lakes considered 'at capacity' include, but are not limited to, the following: Bethel, McCharles, McFarlane, Minnow, Mud, Robinson, Simon, and Whitewater. *(2007 MMAH Mod #10)*
2. New development that fronts on a lake or watercourse which has recognized environmental constraints is prohibited unless detailed studies demonstrate that the problems associated with development in these situations can and will be mitigated. The onus for demonstrating that environmental constraints will be mitigated shall lie with the proponent of the development.
3. Recognized environmental constraints include, among others, some lake trout lakes, sensitive fish spawning areas, unique natural features, and lakes under 50 ha (120 acres) in size. Some but not all environmental constraints are indicated on *Schedule 3, Natural Heritage*. Additional constraints will be identified as part of the watershed planning process. An Environmental Impact

Study may be required for new development proposed in or adjacent to these features.

8.5.2 Vegetative Buffers

Vegetative buffers along shorelines and stream banks are essential to maintaining and improving water quality. Shoreline vegetation acts as a filter, protecting lakes, streams and rivers from urban runoff from lawns and roads. Vegetation also stabilizes the shoreline and helps prevent erosion from storm runoff, wave action and ice. Wildlife and fish also benefit from shoreline vegetation on land and in the water.

New shoreline and stream bank development, such as boathouses, docks or other accessory structures, will be integrated, where possible, into the landscape and maintain and enhance existing shoreline and stream bank vegetation to:

- a. protect the riparian and littoral zones and associated habitat;
- b. protect the quality of the water by preventing erosion, siltation and nutrient migration;
- c. maintain shoreline character and appearance; and,
- d. minimize the visual impact of development.

Policies

1. It is the intent of this Plan to maximize the amount of natural vegetation along shorelines and stream banks. As such, Council may implement controls on the removal of vegetation by establishing limits on clearing, changes to the grade, and the placement of impervious surfaces along shorelines and stream banks. These regulations will be based on achieving the following targets:
 - a. For residential uses, a maximum cleared area of 25% of the shoreline or stream bank frontage or up to 23 metres, whichever is the lesser;

- b. For Resort and Shoreline Commercial uses, 33% of the shoreline or stream bank; and,
 - c. Maintain shoreline buffer zones at a minimum of 12 metres from the high-water mark for all new and existing waterfront development. For existing properties, an educational outreach program shall be developed to encourage revegetation of shoreline buffer zones and upland areas in order to increase the amount of vegetation around shorelines.
2. Requirements for vegetative buffers will be implemented through the Zoning By-law, site plan control and a development permit system, where authorized.

8.6 STORMWATER

Stormwater can be a significant problem, especially in urban areas. Left unchecked, it can lead to increased risk of flooding hazards, increased erosion and pollution of rivers, streams and lakes, subsequent loss of recreation and habitat opportunities, and possible impairment of drinking water resources.

The management of stormwater, which includes water resulting from a storm event or a thaw, is as much about land management as it is about water management. Activities on the land will directly or indirectly determine the manner and intensity with which stormwater affects streams and lakes.

Urbanization increases impervious surface cover, such as roads, driveways and rooftops. These surfaces prevent infiltration of stormwater, which is forced to flow overland, creating significant erosion, pollution, or flooding problems. The purpose of managing stormwater is to control the quantity of stormwater runoff to reduce erosion and flooding, and to improve the quality of runoff to streams, rivers, lakes and groundwater.

8.6.1 Objectives

Stormwater management in the City is needed to:

- a. ensure that the constraints and opportunities associated with urban drainage are properly recognized and are integrated into community plans and designs;
- b. reduce, to acceptable levels, the potential risk of health hazards, loss of life and property damage from flooding;
- c. reduce, to acceptable levels, the incidence of inconvenience caused by surface ponding and flooding;
- d. ensure that the quality of stormwater reaching outlet-receiving lakes and rivers meets provincially accepted criteria;
- e. ensure that any development or redevelopment minimizes the impact of change to the groundwater regime, increased pollution, increased erosion or increased sediment transport, especially during construction; and,
- f. maintain the natural stream channel geometry, insofar as it is feasible while achieving the above objectives.

8.6.2 Subwatershed Plans

It is the intent of this Plan to ensure that proper stormwater management practices are undertaken to foster sustainability of the urban subwatersheds and provide opportunities for the enhancement of urban lakes and watercourses. Such plans will identify measures for stormwater quantity and quality control at a subwatershed scale in order to provide a coordinated strategy for stormwater management for all development within individual subwatersheds.

Policies

1. Priority for subwatershed plan development will be based on existing stormwater problems, sensitivity of the receiving waterbody, and/or development pressure.
2. Subwatershed plans will be developed as funding permits for the following subwatersheds which are ranked in their order of priority:
 - a. Nepahwin/Robinson;
 - b. Ramsey Lake;
 - c. Whitson River;
 - d. Azilda;
 - e. Richard Lake;
 - f. Junction Creek;
 - g. Mud Lake;
 - h. Simon/McCharles Lake;
 - i. Chelmsford;
 - j. Whitson Lake;
 - k. Garson;
 - l. Meatbird Creek - Lively;
 - m. Coniston;
 - n. Wanapitei;
 - o. Dowling;
 - p. Copper Cliff; and,
 - q. Kelley Lake.

The priority ranking for subwatershed plans may change based on the results of the Source Water Protection process or in response to new information.

3. All subwatershed plans will incorporate the primary objective of no net increase in peak flow rates, unless a more stringent criterion has been identified. Subwatershed plans will also assess means of stormwater quality

control to ensure the protection of urban subwatersheds and provide opportunities to improve the quality of receiving waterbodies.

4. Existing watercourses will be left in their natural state whenever possible. The banks must be able to convey either the Regional or 100-year storm peak flow.

8.6.3 Site-specific Policies

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

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

Policies

1. For all new developments, an overland flow route must be clearly defined to provide continuous overland drainage of major system flows to the nearest major watercourse. The overland flow route (major system) shall be entirely contained within the road right-of-way or easements. Conveyance of the 100-year or Regional design storm peak flow is required.
2. Applications for industrial development in areas where there are no municipal stormwater services will require a Stormwater Management Report.
3. Applications for draft plan approval of subdivisions and site plan approvals in areas where a subwatershed plan has been completed will demonstrate, through a Stormwater Management Report, how the proposed development will provide stormwater management in accordance with the subwatershed plan.

4. Applications for draft plan approval of subdivisions in areas where a subwatershed plan has not been finalized will include a Stormwater Management Report containing site-specific details as required by the City.
5. A Stormwater Management Report shall contain the following:
 - a. The overall drainage plan for the site, indicating upstream drainage areas conveyed across the site and the ultimate outlet (major overland flow route) from the site to the municipal drainage system;
 - b. A plan of proposed on-site stormwater quantity control measures that will satisfy downstream capacity issues. Post-development peak flow rates from the site will be limited to pre-development peak flow rates, unless detailed analysis shows that such storage is not required;
 - c. A plan for erosion control;
 - d. A description of the measures proposed to control stormwater quality on-site. In particular, special measures must be proposed where a site is intended for industrial development; and,
 - e. A general grading plan, illustrating conformance with the City's overall stormwater management objectives.
6. The City will identify opportunities where retrofits can be effectively utilized to remedy existing stormwater problems.
7. For areas where a subwatershed plan has not advanced in sufficient detail to define regional downstream stormwater management facilities or where a development will result in unacceptable peak flow increases downstream, on-site stormwater management (storage) facilities for peak flow control will be required.
8. For small sites where it is impractical to implement on-site stormwater management measures (due to size or local site conditions), Council may

collect cash-in-lieu of on-site stormwater management facilities to apply toward any regional stormwater facilities required.

9. Developers are required to construct, maintain and monitor the operation of all on-site quality ponds at their expense for a minimum period of two years after completion of housing. On-site stormwater management facilities will be designed in a manner that is compatible with the surrounding environment. Where appropriate, such facilities should be connected to recreational trails.
10. Maintenance will consist of annual monitoring of sediment accumulation in the pond forebay and quarterly inspections for trash removal as well as sediment removal and lawn mowing as required.
11. Stormwater management facilities for subdivisions will be on lands transferred at no cost to the City, in addition to any lands required to be dedicated for park purposes under the *Planning Act*.



9.0 Natural Environment

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

For the purposes of this Plan, the City's significant natural features **and areas** consist of:

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

9.1 OBJECTIVES

It is the objective of the *Natural Environment* policies to:

- a. ensure the continued existence of significant natural features **and areas** and their ecological functions in our City;
- b. protect and enhance the ecological integrity of natural features **and areas**;
- c. achieve a balanced relationship between development and the natural environment by preserving natural features **and areas**; and
- d. minimize the loss or fragmentation of natural features **and areas**.

9.2 SIGNIFICANT NATURAL FEATURES AND AREAS

9.2.1 General Policy Framework

Policies in this Plan place a high priority on maintaining, enhancing and restoring significant natural features **and areas** and their functions.

Most of the City's significant natural features **and areas** are identified on *Schedule 3, Natural Heritage* as overlays and symbols. The map scale and sensitivity of some of the features prevent the identification at a detailed level. As such, an amendment to the Official Plan will not be required to make minor modifications to the boundaries of existing natural **and areas** features depicted on *Schedule 3, Natural Heritage*.

Policies

1. Notwithstanding any land use permissions granted by this Plan, in certain circumstances an Environmental Impact Study (EIS) will be required to demonstrate that a proposed development will not negatively impact significant natural heritage features **and areas** or ecological functions present on or adjacent to a proposed development site. Submission of the EIS will be the responsibility of the applicant. The EIS will be prepared in accordance with Section 9.5. The type of EIS required for a particular development proposal will be determined by the City prior to or at the time of application. (OPA #2)
2. Due to the large geographic area involved and the limited resources of the City, not all of the significant natural heritage features **and areas** are identified on the Schedules to this Plan. Additional significant features **and areas** may exist beyond those shown on *Schedule 3, Natural Heritage*. In areas where, based on new evidence or experience, a significant natural feature **and areas** or function is thought to exist in or adjacent to a proposed development, proponents may be required to prepare a scoped EIS in accordance with Section 9.5. Should the findings of the scoped EIS reveal the occurrence of a significant natural heritage feature **and areas** or function, the proponent may be required to prepare a full EIS. The municipality may waive

the requirements for an EIS if sufficient evidence is available to show that there are no significant natural features **and areas** located on or adjacent to the subject property. (OPA #2)

3. Wherever an EIS is conducted, the City may request a peer review that will be paid for by the development proponent.

(2007 MMAH Mod #11)

9.2.2 Significant Habitat of Endangered Species and Threatened Species

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

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

Policies

1. Municipal staff will determine the potential for significant habitat of endangered species and threatened species at the application stage of any new development or redevelopment proposals.
2. Development and site alteration are not permitted in significant habitat of endangered species and threatened species.
3. Development and site alteration are not permitted on lands adjacent to significant habitat of endangered species and threatened species unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural feature or

their ecological functions. Adjacent lands are considered to be within at least 50 metres of significant habitat of endangered species and threatened species. This area can be modified if justified by a study.

9.2.3 Wetlands

Wetlands cover nine percent of the City. Open wetlands, which include marshes, fens and treeless bogs, make up less than half of these lands. The remainder consists of forested wetlands, such as thicket swamps and treed swamps.

Wetlands require protection from incompatible development to protect the important water-related functions they provide. Wetlands filter pollutants and sediments and reduce shoreline erosion, functions which help keep our lakes clean and healthy. Wetlands can also have a role in groundwater recharge and discharge and help reduce flooding hazards. Finally, wetlands often provide important habitat for fish and wildlife.

Many of the environmental functions performed by a particular wetland are specific to the watershed within which the wetland is located. Wetland occurrence and sensitivity of individual wetlands will therefore be determined by the watershed planning process.

Provincially significant wetlands are identified and delineated by the Ministry of Natural Resources through the provincial Wetland Evaluation System. These wetlands merit special attention during land use planning to ensure that their significant features and functions are protected.

Policies

1. Watershed and subwatershed plans will determine the sensitivity of wetlands and establish appropriate land use policies.



2. In areas without a watershed or subwatershed plan, site-specific wetland occurrence and EIS requirements will be determined by municipal staff prior to or at the time of application.
3. In areas without a watershed or subwatershed plan, development and site alteration are not permitted in a wetland unless it can be demonstrated that there will be no impacts to the quality and quantity of surface water features that are hydrologically linked to the wetland and that losses of significant wetland features and functions will not occur.
4. Development and site alteration are not permitted in a provincially significant wetland. **Where another land use designation in this Plan overlaps with and into lands within a provincially significant wetland, this policy shall prevail to the extent of the overlap.* (2007 MMAH Mod #12).*
5. Development and site alteration are not permitted on lands adjacent to a sensitive wetland or a provincially significant wetland unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on natural features or ecological functions. Adjacent lands are considered to be within 50 metres of any sensitive wetland, and within at least 120 metres of a provincially significant wetland. This area can be modified if justified by a study.

9.2.4 Fish Habitat

The City's numerous lakes, streams, rivers and wetlands offer considerable extents of habitat for over 30 species of fish, including several sport fish. The federal *Fisheries Act* and other provincial legislation protect all fish habitat from incompatible human activities, especially discharges and construction in water. The identification, evaluation and classification of fish habitat are the responsibility of the Federal Government of Canada. All fish habitat is to be protected from harmful alteration, disruption or destruction, and its restoration, enhancement or creation is to be encouraged.

In particular, natural vegetative buffers along shorelines and stream banks are to be maintained to protect fish habitat. Buffer widths as measured from the high-water mark will depend on the characteristics of the buffer, terrain conditions, and the desired buffer function. Buffer width may also vary depending on whether the receiving stream is coldwater or warmwater. Vegetative buffer policies are outlined in Section 8.5.2.

The spawning habitat for walleye, lake trout and brook trout is particularly sensitive to human disturbance occurring both in water and along the shoreline. As such, their habitat is recognized by this Plan as being 'sensitive' and known locations are shown on *Schedule 3, Natural Heritage*. Minor adjustments may be made to the boundaries of sensitive fish spawning habitat without amendment to this Plan.

Policies

1. Development and site alteration are not permitted in fish habitat, unless in accordance with federal requirements.
2. All construction activities shall be mitigated to prevent impacts on receiving waters.
3. All new development on lots **adjacent to** fish habitat **will** be required to demonstrate that no negative impacts will result from the development. **Adjacent lands are considered to be within 30 metres of fish habitat. This area can be modified if justified by a study.**

(2007 MMAH Mod #13a, b, c & d)

9.2.5 Significant Wildlife Habitat

Significant wildlife habitat is ecologically important and contributes to the quality and diversity of the City. For the purposes of this Plan, significant wildlife habitat, includes the following:

- a. Habitat used by moose during the critical late winter period;

- b. Great blue heron nesting sites;
- c. Osprey nesting sites; and,
- d. Nesting sites of Vulnerable raptor species.

All known locations of the above features in the City are shown on *Schedule 3, Natural Heritage*.

Policies



1. Development and site alteration, including removal of vegetation, in moose late wintering habitat are to be sensitive to the critical habitat functions provided by these areas for sustaining moose populations. An EIS **will** be required to demonstrate that ecological features and functions will not be negatively impacted by the proposed development.
2. Development and site alteration, including removal of vegetation, within 120 metres of a nest of a great blue heron, an osprey or a Vulnerable raptor species **will** require an EIS to demonstrate that ecological features and functions will not be negatively impacted. (2007 MMAH Mod #14)

9.2.6 Significant Areas of Natural and Scientific Interest

An *Area of Natural and Scientific Interest* is identified as provincially significant by the Ministry of Natural Resources because of its life science or earth science value related to protection, scientific study or education.

Policies

1. Development and site alteration is not permitted on lands in a significant *Area of Natural and Scientific Interest* unless it has been demonstrated that there will be no negative impacts on natural features or their ecological functions.

2. Development and site alteration is not permitted on lands adjacent to a significant *Area of Natural and Scientific Interest* unless it has been demonstrated that there will be no negative impacts on natural features or their ecological functions. Adjacent lands are considered to be within 50 metres of a significant *Area of Natural and Scientific Interest*.

9.2.7 Sites of Geological Interest

Sites of Geological Interest represent the rich geological heritage of the City and are to be protected from incompatible development, including infrastructure development.

Policies

1. Mitigative measures, including setbacks, may be required during development and site alteration to protect *Sites of Geological Interest*.
2. Public access should be incorporated into development plans, wherever possible.

9.3 FOREST RESOURCES

Wise forestry practices ensure not only the production of wood and wood products, but also maintain and enhance forest ecosystem conditions and productivity, protect and conserve forest soil and water resources, conserve the biological diversity of the City's forests, and provide sustainable economic and social benefits.

Within the City, large tracts of forested land exist primarily on Crown and mining company lands. Forests on Crown lands are managed for timber production and other purposes under the *Crown Forest Sustainability Act*.

Policies

1. On Crown lands, cooperate with the Ministry of Natural Resources, the forestry industry, and other stakeholders to carry out sustainable forest management.
2. On private lands, recognize that forestry is a permitted land use in the *Agricultural Reserve and Rural Areas*.
3. On private lands that do not support production forests, retain trees and major woodlots, whenever possible, as one method of maintaining visual relief and conserving natural resources.

Program

1. Council shall consider passing a tree-cutting by-law under the *Municipal Act* in order to prevent misuse of forest resources which can result from poor land use practices, and as a means of retaining trees and major woodlots in order to maintain visual relief and conserve natural resources.

9.4 ECOSYSTEM RECOVERY: LAND RECLAMATION AND THE URBAN TREE CANOPY

In the early 1970s, small experimental trials established the best greening method to overcome elevated metal levels in Sudbury's industrially impacted soils. These trials quickly evolved into a large-scale undertaking that employed hundreds of workers to apply lime to the soil, spread fertilizer and seed, and plant trees to begin the process of ecosystem recovery. Through its municipal Land Reclamation Program, Sudbury successfully 'regreened' thousands of hectares of formerly barren land, receiving international acclaim for achieving this transformation. This achievement is a vital asset for the City, both now and for the future, that has required large investments in time and money. As such, every effort must be made during development to protect soils and vegetation on land that has been reclaimed.

Thousands more hectares of land still need to be limed and planted to initiate ecosystem recovery. The intent of the Land Reclamation Program is to improve the quality of Greater Sudbury's terrestrial ecosystems and, by so doing, improve the health of the City's watersheds and urban and rural environments. Such initiatives are essential to maintain and improve our quality of place.

In the City's urban areas, trees provide environmental benefits including air quality improvement, stormwater retention, summer cooling of the built environment, wildlife habitat, shade canopy, and beautification of our streets and neighbourhoods. To enhance the urban tree canopy, this Plan supports the development of a municipal tree planting initiative to increase the tree cover in the City's *Living Areas* and *Employment Areas*.

Policies

1. It is policy of this Plan to support the continued reclamation of land that was severely impacted by past mining activities.
2. New development, redevelopment, and municipal infrastructure works on previously restored land will be required to mitigate any impacts to existing soil and vegetation. Where mitigation through avoidance is not possible, onsite soil erosion shall be prevented and all vegetation removed shall be replaced through appropriate and adequate site landscaping and/or land reclamation measures.
3. New development, redevelopment, and municipal infrastructure works on land in need of reclamation, will be required to reclaim the soil and vegetation onsite to a level equal to or greater than would be achieved through the City's Land Reclamation Program.
4. In order to protect and improve the urban tree canopy, applications for subdivision or site plan approval may require a landscape plan. The plans will include the following:

- a. a description of how natural vegetation is being retained as much as possible;
 - b. the identification of trees or stands to be retained;
 - c. measures to protect trees to be retained during and after construction;
 - d. a description of vegetation and trees to be removed and replacement strategy and measures;
 - e. a detailed planting plan to illustrate proposed replacement strategy and measures for lost vegetation, including trees; and,
 - f. the use of native species wherever possible.
5. Municipal road improvement projects will be designed to include the provision of trees where appropriate in order to enhance urban aesthetics and to provide shade canopy and other environmental benefits.

9.5 ENVIRONMENTAL IMPACT STUDIES

Two types of EIS exist - the scoped EIS and the full-site EIS. The nature of the proposed development and its setting will determine the appropriate type of EIS to be applied.

A scoped-site EIS addresses the EIS requirements in an abbreviated report form or checklist prepared by the development proponent or an environmental professional. A scoped-site EIS is usually applied to minor developments, such as single-lot severances, or where negative impacts are known to be minor based on experience with local conditions. The exact requirements of the scoped-site EIS will be established through consultation with municipal staff.

A full-site EIS is prepared by a qualified professional retained by the proponent for development proposals where the scoped-site EIS is insufficient to address potential

impacts. A full-site EIS requires a greater level of detail appropriate to the scale of the proposed development. A qualified professional will prepare the full-site EIS.

Policies

1. A full-site EIS includes:
 - a. a map showing the location of the study area, including the location and extent of any natural feature and the location of the proposed development;
 - b. a description of the natural features and their ecological functions in the study area;
 - c. a description of the proposed development;
 - d. a description of the proposed development's impacts on the natural features and ecological functions (all phases of the proposed development, including post-construction, to be considered);
 - e. a description of the actions that may be reasonably required to prevent, change, minimize or mitigate impacts on the natural features and functions that could result from the proposed development;
 - f. an evaluation of cumulative effects that the proposed development, in light of existing development and activities in the area, may have after mitigation on natural features and ecological functions;
 - g. a professional opinion as to whether or not the proposed development will have negative impacts on natural features and ecological functions; and,
 - h. a description of monitoring activities to be undertaken (and identification of those responsible for the monitoring) to ensure that the mitigative measures are having the desired effects.

10.0 Protecting Public Health and Safety

Various naturally occurring and human-made conditions can result in hazards to human health and safety, and damage or loss of value to property. The natural hazards identified by this Plan are flood-prone areas and unstable soils. Hazards that are the result of human activity are mine hazards, abandoned pits and quarries, contaminated sites and waste disposal areas. Lands impacted by these conditions or constraints are identified on *Schedule 4, Hazard Lands*. The schedule will be amended as additional information on hazard lands becomes available.

It is the intent of this Plan to monitor and manage development in areas that are susceptible to these hazards. New development will only be permitted on such lands if the City is satisfied that there will not be any risk to public health and safety. The policies in this section are intended to eliminate the potential risks such lands may pose to human life and property, thus facilitating the safe development of land.

10.1 OBJECTIVES

It is the objective of these policies to:

- a. identify existing and potential hazards that are constraints to development and threats to life or property;
- b. protect residents from natural and human-made hazards;
- c. ensure that development on or near natural and human-made hazards recognizes and mitigates the potential adverse effects of those hazards; and,
- d. outline the City's requirements for site assessment and clean up prior to the granting of planning approvals.

10.2 FLOODING HAZARDS

It is the goal of this Plan to minimize and eliminate risks to life and property resulting from flooding.

Flood Plain areas are illustrated on *Schedule 4, Hazard Lands*. It should be noted that the Flood Plain boundaries shown are based on Nickel District Conservation Authority (NDCA) mapping and represent a good approximation of the Flood Plain areas. However, to determine exact boundaries, the Nickel District Conservation Authority should be consulted.

It is also recognized that there are large parts of the City for which Flood Plain mapping is not available. Should the Nickel District Conservation Authority complete Flood Plain mapping for these areas, this information will be added through an amendment to the Official Plan. Final decisions on matters related to the Flood Plain are subject to Nickel District Conservation Authority approval*. **Development will not be permitted where there is an unacceptable risk to public health or safety or of property damage.* (2007 MMAH Mod #15a)**

Policies

1. Because flooding and related hazards may cause loss of life and may result in damage to property, development in Flood Plains is generally restricted. In addition, no development is permitted within 15 metres of the Flood Plain boundaries illustrated on *Schedule 4, Hazard Lands*. Only uses that ***by their nature must locate within the Flood Plain including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows*** are permitted. (2007 MMAH Mod #15b)
2. Severances, subdivisions, ***changes in land use***, permanent new buildings and structures and private sewage disposal systems will not be permitted within the Flood Plain, except those severances ***for passive non-structural uses associated with*** roads, drainage, erosion control, utilities, flood protection, agriculture, forestry and outdoor recreation. (2007 MMAH Mod #15c, d & e)

3. Any alterations to the terrain within the Flood Plain which may have an effect on drainage and the erection of any structures must first receive the approval of the Nickel District Conservation Authority and, where applicable, from the Ministry of Natural Resources.

10.2.1 Existing Structures in the Flood Plain

Those buildings and structures existing within the Flood Plain on the date of the adoption of this Plan may be recognized as permitted uses in the implementing Zoning By-law. The improvement, expansion, alteration and replacement of existing structures lying in a Flood Plain may be permitted by site-specific amendment to the Zoning By-law **provided that existing hazards are not aggravated**. Appropriate flood protection measures will meet the approval of the Nickel District Conservation Authority, and where applicable, the Ministry of Natural Resources. (2007 MMAH Mod #16)

10.2.2 Special Flood Plain Areas

There are special circumstances in the former City of Sudbury, Dowling, Azilda, Chelmsford, Lake Wanapitei and Lake Panache where special policies apply. These special policies are addressed in Section 21.7, *Special Flood Plain Policies*.

10.3 UNSTABLE SOILS

In some instances, the nature of the soil can be hazardous, particularly if it is susceptible to erosion and collapse. This Plan recognizes that there are areas of land in Greater Sudbury that have soils unsuitable for normal building practices, thus posing a risk to public safety and property. **Final decisions on matters relating to unstable soils are subject to Nickel District Conservation Authority approval. Development will not be permitted where there is an unacceptable risk to public health or safety or of property damage.** (2007 MMAH Mod #17)

Policies

1. Development is discouraged in areas with known or suspected unstable soils.
2. In order for development to be permitted in these areas, the City will require a geotechnical study to be conducted at the time of application for plans of subdivision and consents. The geotechnical study must provide information to indicate that:
 - a. although the site is identified as having unstable soils, it is in fact suitable or can be made suitable for development by accepted engineering techniques; and,
 - b. alterations to the site will not cause adverse environmental effects, **create new hazards** or aggravate the hazard elsewhere. (2007 MMAH Mod #18)

10.4 MINE HAZARDS AND ABANDONED PITS AND QUARRIES

Mine hazards may include any feature of a mine **or any related disturbance of the ground that has not been rehabilitated**, posing a risk to human safety and property. The approximate locations of potential mine hazards are shown on *Schedule 4, Hazard Lands*. (2007 MMAH Mod #19a)

Abandoned pits and quarries are an area of land not previously licensed or permitted under the *Aggregate Resources Act* from which aggregate has been removed, leaving it in a form that is derelict, unproductive or incompatible with the surrounding landscape.

Policies

1. Mine hazards and abandoned pits and quarries shall be rehabilitated and safety hazards mitigated prior to the approval of new development.

2. Any development on*, **abutting*** or adjacent to lands affected by mine hazards or abandoned pits and quarries must be supported by a study that: (2007 MMAH Mod #19b)
 - a. identifies any potential safety hazard;
 - b. demonstrates that the site can be rehabilitated to mitigate the known or suspected hazard;
 - c. establishes procedures for site rehabilitation and mitigation of the safety hazard; or,
 - c. provides evidence that potential hazards do not exist on the site.

***Program**

1. The City will work with the Ministry of Northern Development and Mines to develop a protocol to be followed prior to decisions on proposals for development on, **abutting** or adjacent to the Potential Mine Hazards shown on Schedule 4 - Hazard Lands.* (2007 MMAH Mod #20)

10.5 CONTAMINATED LANDS

Contaminated Lands are those lands where the environmental condition of the property has been harmed through past activities. Although such lands represent a potential hazard due to real or perceived environmental contamination, opportunities for brownfield redevelopment may exist. The redevelopment of abandoned or underutilized industrial and commercial sites is consistent with policies encouraging increased intensification in built-up urban areas.

Policies

1. In order to ensure that there will be no adverse effects from any proposed development or redevelopment, environmental site assessments and

remediation of contaminated sites are required by this Plan prior to any activity or development occurring on the site that is known or suspected to be contaminated. The City will require the proponent of development on such sites to determine the nature and extent of contamination and the necessary remediation measures in accordance with the policies below.

2. The City will require all applications for development in areas known or suspected of former land use activities that may lead to soil contamination be supported by a Phase I Environmental Site Assessment (ESA).
3. Where a Phase I ESA reveals that a site may be contaminated, a Phase II ESA will be required. A Phase I or II ESA is an assessment of property conducted in accordance with Part XV.1 of the *Environmental Protection Act* and Ontario Regulation 153/04 or their successors by or under the supervision of a qualified person to determine the location and concentration of one or more contaminants on the site proposed for development.
4. Prior to a development being approved on a site where information reveals that the site may be or is contaminated, the applicant will provide a Record of Site Condition in accordance with Part XV.1 of the *Environmental Protection Act* and Ontario Regulation 153/04 or their successors. The Record of Site Condition, which details requirements related to site assessment and clean-up, must be acknowledged by the Ministry of the Environment and registered on title of the subject lands, confirming that the site has been made suitable for the proposed use. The Record of Site Condition and MOE acknowledgment will be provided to the City.
5. All contaminated lands shall be subject to site plan control.

Program

1. The City may consider financial and other incentives to promote the redevelopment and reuse of brownfield properties that are subject to environmental constraints.

10.6 WASTE DISPOSAL ASSESSMENT AREAS

Waste Disposal Assessment Areas are shown on *Schedule 4, Hazard Lands* as an overlay designation. The existing or prior use of the lands for the disposal of waste may have an effect on future uses of these lands and possibly adjacent lands. In recognition of this, Waste Disposal Assessment Areas identify lands that are within the 500 metre area of influence from the property boundary of an open site or the fill area of a closed site. These areas are regulated in order to protect public health and safety and ensure land use compatibility.

Policies

1. No new development shall be permitted on or within 300 metres of active or closed waste disposal sites. For lands between 300 metres and 500 metres of active or closed waste disposal sites, new development may be permitted provided the following requirements are met:
 - a. studies of gas, leachate, hydrogeology and structural stability, soil and surface and groundwater contamination, presence of hazardous wastes and safety are completed which show that the development is compatible and can safely take place;
 - b. written approval is received from the Province that the provisions of the relevant legislation are met; and,
 - c. measures are taken to the satisfaction of the Province in consultation with the City to control and mitigate any problems identified in the study.
2. In areas subject to these policies, only uses compatible with the identified potential impacts may be permitted by an amendment to the Zoning By-law.

10.7 NOISE, VIBRATION AND ODOURS

Depending on the type, purpose and location of a development application, a supporting study that addresses noise, vibration and odours may be required **to ensure compatibility between existing and proposed uses**. The study may recommend various measures that must be implemented by the proponent of a development as a condition of approval. (2007 MMAH Mod #21a)

Policies

1. Incompatible land uses will be appropriately buffered from each other in order to prevent adverse effects from noise, vibration and odours. Potential sources may include major roads, railways and industrial operations.
2. To assist in identifying the necessary mitigation measures, a development proponent may be required to conduct a study in accordance with **provincial** guidelines established for this purpose. (2007 MMAH Mod #21b)

Part IV: Investing in Infrastructure

For Ontario municipalities, the financial costs tied to the upkeep and expansion of existing infrastructure will remain a constraint for years to come. The growing infrastructure deficit has come to dominate the municipal agenda and has instigated a re-examination of the relationship between cities and upper levels of government.

The challenges faced in addressing infrastructure needs are particularly relevant to Greater Sudbury. Our vast geographic area, combined with new obligations imposed under amalgamation and other provincial directives, have resulted in a necessarily complex network of infrastructure that needs to be maintained, upgraded, and in some situations, expanded. Given the number of dispersed Communities and Non-Urban Settlements, servicing costs are disproportionate to our population base compared to other cities in Ontario. Although there is no intention by the City to extend services to *Rural Areas*, development in these areas will continue to create pressure to expand municipal services.

At the same time, this Plan presents opportunities to seek out improved efficiencies and implement innovative methods in service delivery. The Official Plan and related background studies provide a rational framework for sound strategic investments. The integration of new environmental technologies is also promoted, as guided by the *EarthCare Sudbury Local Action Plan* and other strategic planning in the energy sector.

The following chapters examine *Transportation* and *Utilities*. Policies and programs for their efficient use and development are presented, from prioritized road improvements to energy conservation initiatives.



11.0 Transportation



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

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

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

11.1 OBJECTIVES

It is the objective of the transportation network policies to:

- a. ensure that the existing transportation network is maintained in a state of good repair;
- b. ensure that the transportation network provides safe, convenient and efficient movement for all people and goods in Greater Sudbury;
- c. support the expansion of the transportation network as demand justifies and ensure that improvements occur in a safe, efficient, environmentally sound and aesthetically pleasing manner;

- d. coordinate the development of Greater Sudbury in order to effectively reduce congestion and the associated environmental impacts;
- e. promote all travel modes, including public transit, walking and cycling;
- f. provide affordable, convenient and reliable public transit service that enhances mobility and access;
- g. consider the needs of the physically challenged in the planning and design of all aspects of the transportation network; and,
- h. support programs that aim to reduce the environmental impacts of certain modes of transportation.

11.2 ROADS

11.2.1 Road Categories

The main component of the transportation network is the road system. The criteria for classification are based on the function of the road, access, daily traffic volume, right-of-way width, design speed, and minimum intersection spacing. There are five road categories recognized by this Plan: Primary, Secondary and Tertiary Arterial, Collector, and Local. Highways 17, 69, 144 and 537 are Provincial Highways under the jurisdiction of the Province of Ontario.

Roads in the City are classified as shown on Table 1. *Schedule 6, Transportation Network* shows the road plan for the City, including proposed and conceptual new roads **and Provincial Highways. New Provincial Highway corridors may be planned, designed and constructed without amendment to this Plan**. Ultimate right-of-way widths required to achieve the desired road network are indicated on *Schedule 7, Road Right-of-Way Widths*. All development adjacent to Provincial Highways is also subject to the safety and geometric requirements and permits of the Ministry of Transportation. (2007 MMAH Mod #22)

Private roads provide access to residential uses in *Rural Areas*, but are not maintained by the City. *Schedule 6* indicates some but not all private roads in Greater Sudbury. It is the City's overall intention not to assume control over such roads beyond what is determined to be feasible. The following eligibility criteria have been established for the assumption of private roads:

- a. a registrable survey plan(s) of the road right-of-way is produced, meeting the minimum widths and geometric design standards for private roads;
- b. property ownership of the right-of-way is acquired and fully transferable to the City at no cost to the municipality;
- c. roads are constructed or improved to meet the minimum maintenance standards for assumption of private roads;
- d. the proposed road is continuous with and/or connects to an existing municipal road or provincial highway;
- e. the road must service year-round residential properties;
- f. industrial, commercial and institutional roads will not be considered; and,
- g. new private roads developed after January 1, 2001 will not be assumed by the City.

11.2.2 Road Improvements

Priority will be given to the maintenance of the existing road infrastructure over the construction of new roads. Council will establish and annually update a construction program for road improvements. Pursuant to the *Planning Act*, all public works must conform to this Plan. The rehabilitation of existing roads and the construction of new roads will include provisions, where appropriate, for:

- a. public transportation in the form of such elements as stopping bays and exclusive transit links or lanes;

- b. loading requirements and links to terminal facilities;
- c. utility corridors and underground sewer and water services; and,
- d. bicycle lanes and paths.

***11.2.3 Traffic Studies**

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

Table 1: Road Classification

Class of Road	Function	Access	Right-of-Way Width (metres)	Daily Traffic Volume (vehicles per day)	Design Speed (km/h)	Minimum Intersection Spacing (metres)	Other Regulations
Primary Arterial (Major Highway)	Connecting City with other major centres outside the City and/or interconnecting communities. Long distance person or goods movement travel through the City or between major activity areas within the City Traffic movement primary consideration.	Intersections with other arterial roads or collector roads Driveways to major regional activity centres	35-45 in urban areas 45-90 in rural areas	10,000-50,000	60-100	400	No on-street parking Buffers between the roadway and adjacent uses
Secondary Arterial	Connecting two or more communities or major activity centres; or Connecting between two primary arterial roads; or Connecting a community or activity centre with a primary arterial road. Trip origin and/or destination along it, an intersecting tertiary arterial, intersecting collector or a local street intersecting with the collector. Traffic movement major consideration	Intersection with other roads Access from adjacent property strictly regulated and kept to a minimum	26-35 in urban areas 30-45 in rural areas	5,000-20,000	50-70	200	No on-street parking Buffers between the roadway and adjacent uses

Class of Road	Function	Access	Right-of-Way Width (metres)	Daily Traffic Volume (vehicles per day)	Design Speed (km/h)	Minimum Intersection Spacing (metres)	Other Regulations
Tertiary Arterial	Connecting small communities or Connecting communities to primary or secondary arterial leading to a recreational area. Trip origin and/or destination along it, an intersecting collector or a local street intersecting with the collector. Traffic movement major consideration	Intersections with other roads Access from adjacent property strictly regulated and kept to a minimum	26-35 in urban areas 30-45 in rural areas	5,000-20,000	50-70	200	No on-street parking Buffers between the roadway and adjacent uses
Collector	Connecting neighbourhoods or Connecting a neighbourhood with an arterial road. Trip origin and/or destination along it or an intersecting local street. Traffic movement and land access of equal importance	Intersections with other roads Regulated access from adjacent property	20-35 metres	1,000-12,000	50-80	60	On-street parking may be permitted Greater setbacks from roadway of adjacent uses
Local	Connecting properties within a neighbourhood. Trip origin and/or destination along its right-of-way. Traffic movement secondary consideration, land access primary function.	Intersections with collectors or other local roads Access from adjacent property permitted	+/- 20	<1,000	30-50	60	On-street parking is generally permitted. Goods movement restricted except for that having origin or destination along the road

11.2.2.1 Road Network Improvements: Implementation Priorities

Short, medium and long-term roadway improvements are based on the recommendations of the *City of Greater Sudbury Transportation Study* (2005). All of the road improvements were assessed to determine implementation priorities based on the following factors:

- a. The degree to which the improvement addressed an existing problem, indicating the relative urgency of the required improvement.
- b. The extent to which the improvement contributed in terms of a transportation benefit to the individual user and the business community.

Short-Term Roadway Improvements:

1. Extend Maley Drive to Lasalle Boulevard (four lanes). Extend Montrose Avenue to the Maley Drive extension.
2. Widen Maley Drive from two lanes to four lanes from Barry Downe Road to Falconbridge Highway.
3. Construct the new University link between Laurentian University and Regent Street.
4. Widen Municipal Road 15 to four lanes from Municipal Road 80 to Belisle Drive.
5. Widen Municipal Road 35 to four lanes from Azilda to Chelmsford.
6. Widen Lasalle Boulevard to four lanes between the CPR overhead and 0.3 km west of Notre Dame Avenue.
7. Widen the Kingsway to five lanes from the intersection of Lloyd Street and Brady Street to 430 metres east of Kitchener Avenue.

8. Provide a northbound right turn channelization at the Paris Street/Ramsey Lake Road intersection.
9. Provide dual eastbound, westbound and southbound left turn lanes and additional northbound and southbound through lanes at the Lasalle Boulevard /Notre Dame Avenue intersection.
10. Provide additional westbound and northbound left turn lanes at the Lasalle Boulevard/Barry Downe Road intersection, as well as one additional northbound through lane.
11. Provide left turn lane improvements and a right turn lane southbound along Falconbridge Highway.
12. Widen Municipal Road 80. Provide a continuous left turn lane from Donaldson Crescent to Second Street.

Mid-Term Roadway Improvements:

1. Widen Notre Dame Avenue to six lanes from Kathleen Street to Lasalle Boulevard.

Long-Term Roadway Improvements:

1. Widen Municipal Road 80 to six lanes between Lasalle Boulevard and Municipal Road 15.
2. Provide a continuous left turn lane on Falconbridge Road from Lasalle Boulevard to Garson-Coniston Road.
3. Extend Barry Downe Road north to Hanmer.

11.2.2.2 Localized Road Improvements

There are a number of local improvements that can be undertaken to provide relief to specific areas within the City. These improvements are expected to address localized capacity and operational issues that currently exist, thereby marginally improving the overall network. Potential local network improvements are indicated on *Schedule 6, Transportation Network*.

11.3 PUBLIC TRANSPORTATION



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

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

11.3.1 Programs

This Plan establishes policies that increase the capacity, enhance the attractiveness, and improve the operational efficiency of the public transit routes that serve the City. Measures to achieve improvements may include, but are not limited to:

- a. the improvement of fare collection methods;
- b. the promotion of public transit use through the introduction of transit passes and other tools;
- c. development of transportation solutions and fare systems that entice students;
- d. expansion of surface transit routes as part of new subdivision design and in accordance with locations where intensification occurs;

- e. the improvement of bus stops with shaded structures integrated into bus shelters, route information displays, bus bay construction, and the addition of bike racks on buses; and,
- f. improvements to the public transit system consistent with the *Greater Sudbury Accessibility Plan*.

11.3.2 Land use policies to support transit needs

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

Policies

1. Urban design and community development that facilitate the provision of public transit will be promoted.
2. Development proposals will be reviewed to ensure efficient transit routing so that all dwellings in the development are ideally within 500 metres walking distance of a bus stop.
3. Mixed uses and higher density housing along Arterial Roads and at other strategic locations are encouraged as a means of enhancing the feasibility of transit services, increasing ridership, alleviating traffic congestion and reducing reliance on the automobile.
4. Buildings should be sited as close to the street as possible to reduce walking distances for transit users.
5. Wherever possible, a well-placed and continuous road grid with relatively close spacing will be provided in order to facilitate the provision of public transit.

6. Pedestrian walkways, intersections of major roads, and pedestrian access systems are to be integrated with transit stops, and wherever possible, connected to trail systems.
7. The provision of public transit will be integrated into the long-term planning of future *Employment Areas*, including facilities for the convenience and comfort of transit users.

11.4 PARKING

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

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

Policies

1. New developments generally must provide an adequate supply of parking to meet anticipated demands.
2. Based on a review of parking standards for various land uses in the City, parking requirements may be reduced in those areas that have sufficient capacity, such as the *Downtown* and other major *Employment Areas*.
3. Opportunities to reduce parking standards for mixed use projects or groups of uses that share parking facilities will be reviewed and implemented if feasible.

4. Payment-in-lieu of providing parking spaces may be required provided that any revenue will be used for the construction of consolidated parking facilities in the general area of the development.
5. Standards for the provision of accessible parking will be reviewed to ensure an adequate supply of parking spaces for persons with disabilities, including additional on-street barrier-free parking in the *Downtown*.
6. Parking areas are subject to site plan control and will be landscaped and adequately screened. Wherever possible, it is desirable to have parking lots located to the rear of buildings in order to preserve built form and create pedestrian-friendly streetscapes that retain a sense of enclosure. Parking areas should be developed in an environmentally friendly manner to reduce the impact of large paved areas.

11.5 GREATER SUDBURY AIRPORT AND AIRFIELDS

Located approximately 24 kilometres northeast of the *Downtown*, Greater Sudbury Airport is one of Northern Ontario's busiest airports, linking the City to major centres such as Toronto, Ottawa, Thunder Bay and Sault Ste. Marie. Most of Northeastern Ontario's smaller communities also receive regular service from Greater Sudbury.

The Greater Sudbury Airport Community Development Corporation assumed ownership and governance of the airport with a mandate to improve the quality of air transportation services and to market the airport as one of the economic development engines of the community.

There are also a number of smaller, privately owned landing strips on land and water located throughout the City.

Policies

1. In order to take advantage of Greater Sudbury Airport's strategic location and function, a wide variety of commercial, institutional and industrial uses may be permitted to develop on the airport property. Notwithstanding existing



designations, uses that supply airport-serving goods and services will be encouraged. All proposed uses must comply with Sudbury Airport Zoning Regulations established by Transport Canada under the *Aeronautics Act*.

2. Development and land uses that may interfere with the function and safe operation of the Greater Sudbury Airport are not permitted. Transport Canada zoning regulations also apply to lands beyond the airport.
3. Greater Sudbury Airport facilities will continue to be improved in order to meet increasing volumes of air traffic and accommodate additional types of aircraft.
4. Areas affected by airport noise are shown as Noise Exposure Forecast Contours on *Schedule 4, Hazard Lands*. In order to protect the airport from incompatible uses, new residential development and other sensitive land uses will not be permitted in areas above 30 NEF/NFP, as set out on maps (as revised from time to time) **reviewed** by Transport Canada. However, the redevelopment of existing residential uses and other sensitive land uses or infilling of residential uses or other sensitive land uses may be considered above 30NEF/NFP if it has been demonstrated that there will no negative impacts on the long-term function of the airport. (2007 MMAH Mod #24)

11.6 RAIL

Settlement in the Sudbury area was first established in the late nineteenth century due to the construction of the trans-continental railway. Greater Sudbury continues to function as the main terminus for rail services in Northern Ontario. CNR and CPR's main lines from Toronto, Montreal and Western Canada all converge in Greater Sudbury. Via Rail offers passenger service to points in Eastern and Western Canada, as well as Southern and Northern Ontario. There are a number of industrial spurs owned by Inco Ltd., as well as a major Huron Central Railway spur to Sault Ste. Marie.

Greater Sudbury's rail infrastructure plays an important role related to our long-term economic growth and serves as an effective and efficient means of moving goods and people. Several historical land use issues, however, have resulted from the history of rail operations. Rail lines within the former City of Sudbury and the location of rail



yards adjacent to the *Downtown* restrict growth in several directions. The rail yards also present aesthetic and environmental concerns.

Policies

1. The City will work with the rail companies to implement any feasible relocation of existing rail lines or rail yards.
2. Conflicts between rail facilities and adjacent land uses shall be minimized, wherever possible. Where conflicts arise, noise, vibration and safety impact mitigation measures implemented by the adjacent land use will be in accordance with Ministry of the Environment standards and the appropriate rail company requirements.
3. Any development proposal within 300 metres of a railway corridor or rail yard may be required to undertake a noise study and any development within 75 metres of a railway corridor or rail yard may be required to undertake a vibration study. Measures to mitigate any adverse effects from noise and vibration that are identified in the approved studies shall be implemented at the applicant's expense through the implementing subdivision or site plan agreements.
4. Any development adjacent to existing rail lines will ensure that appropriate safety measures such as setbacks, berms and security fencing are provided to the satisfaction of the City and in consultation with the appropriate rail company. Where applicable, the City shall seek to ensure that sightline requirements of Transport Canada and the railways are addressed.
5. New at-grade railway crossings on the major road network as shown on *Schedule 6* are discouraged. Council shall cooperate with appropriate agencies and the rail companies to provide grade-separated rail crossings wherever feasible. At-grade crossings may be permitted for industrial spurs on local roads serving industrial areas.

6. Although Via Rail passenger service is currently accessed at Sudbury Junction and Capreol, Council will continue to promote the restoration of service to the *Downtown* utilizing the historic CPR Station on Elgin Street.
7. The establishment of transload facilities is encouraged in appropriate locations as a means of expanding the transportation sector.

11.6.1 Non-rail uses of rail lands

Due to the geographic context of railway rights-of-way and rail yards in Greater Sudbury and the pattern of adjacent land uses, it is important to assess any proposed non-rail use of railway lands on the basis of potential impacts on adjacent uses.

Policies

1. When reviewing proposed non-rail uses of railway lands, Council will:
 - a. maintain railway corridors in public ownership and encourage linear uses such as trail linkages and transit corridors;
 - b. recognize the importance of pre-existing uses adjacent to the railway corridors; and,
 - c. assess non-rail uses in terms of their impact on adjacent uses rather than their relative impact in comparison to current or potential rail use.

11.7 ACTIVE TRANSPORTATION: PEDESTRIAN AND BICYCLE NETWORK

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

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

Policies

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



- d. Pedestrian connections between neighbourhoods; and
 - e. Pedestrian linkages to major attractions/generators.
6. Sidewalks are to be built and maintained to a standard that facilitates the mobility of persons with disabilities.
 7. Barrier-free design of pedestrian facilities will be required through site plans.

Programs

1. The City will update the Bicycle Advisory Committee Reference Manual and undertake a bicycle network plan.
2. The existing bicycle and pedestrian network will be expanded, with special emphasis on major generators such as community centres and educational institutions, as well as enhanced linkages between communities, neighbourhoods and schools.
3. Pedestrian and bicycle safety programs within the City will be supported and coordinated.
4. Appropriate bicycle storage facilities will be provided at City-owned buildings and parks. Other public and private sector development will be encouraged to provide such facilities, especially in areas adjacent to transit corridors, institutional uses, mixed use areas and other *Employment Areas*.
5. Public awareness of the convenience, health and economic benefits of commuter cycling and walking will be promoted.

11.8 ACCESSIBILITY

Accessibility is a key consideration in the planning and development of our Communities, encompassing our streets, parks, public transit, libraries, social housing, and other functions of daily living. To address these concerns, the *City of Greater*

Sudbury Accessibility Plan is to be completed on an annual basis. The report will identify accessibility priorities to be reviewed annually. The Accessibility Plan will also provide policy, program and service direction on accessibility issues to City departments and area businesses in consultation with the Accessibility Advisory Committee.

It is policy of this Plan to support the continued development of integrated, accessible services, programs and facilities that fully respect the dignity and rights of persons with disabilities. Recommendations from the Accessibility Plan are incorporated into relevant sections of this Plan consistent with the *Policy of Universal Access* adopted by Council.

11.9 PROGRAMS: ENVIRONMENTAL IMPROVEMENTS TO TRANSPORTATION

A key transportation-related goal identified by the *EarthCare Sudbury Local Action Plan* involves the reduction of greenhouse gas emissions from transportation sources. The City recognizes that the potential benefits from transportation improvements include, among other things, community-wide savings for transportation energy expenditures, improved air quality, health and quality of life benefits, and reduced wear and tear on roadways.

It is a policy of this Plan to support all programs that reduce the environmental impacts of transportation. These programs may include, but are not limited to the following:

1. To improve fuel efficiency, implement a Fleet Smart program and consider options such as hybrid vehicles.
2. Promote the use of alternative fuels for public transit and the community at large as such fuels become commercially viable.
3. Eliminate unnecessary use of vehicles by promoting public transit, walking and cycling in place of the automobile.

4. Create bicycle-friendly infrastructure, including the provision of additional bike lanes, bike paths and trails throughout the City.
5. Improve the effectiveness of the City's traffic signal programs and systems to reduce travel time and fossil fuel use.
6. Implement anti-idling regulations and a Drive Clean educational program.
7. Adopt transit-supportive land use policies to increase the use of public transit.
8. Implement a Salt Management Plan to address issues surrounding the application of road salt.

12.0 Utilities

Greater Sudbury has an extensive network of infrastructure serving a number of dispersed Communities and Non-Urban Settlements spread over a large geographic area.

The City is responsible for providing residents with three basic utilities and services:

1. The supply and distribution of drinking water;
2. The treatment of wastewater; and,
3. The collection and disposal of solid waste and the management of waste reduction programs.

The City also owns and operates Greater Sudbury Hydro Plus, an energy and telecommunications utility which services the Communities of Sudbury, Coniston and Capreol. Additional energy and communication services are provided by a number of public and private sector organizations. All are subject to regulatory regimes established by government.

12.1 OBJECTIVES

It is the objective of the utility policies to:

- a. provide residents with a reliable supply of high quality water and the safe disposal of wastewater;
- b. ensure that the City's water and sewer capacities are adequate to service existing and proposed developments;
- c. provide for the development of hydro, gas, oil and communications in coordination with the responsible private and publicly regulated agencies in order to service existing and proposed developments;

- d. ensure the long-term disposal of solid wastes occurs in an orderly, environmentally sound and economically efficient manner;
- e. reduce the quantity of solid waste produced by the community;
- f. promote water and energy conservation and water and energy use efficiency across all sectors;
- g. implement innovative concepts relating to energy use conservation through site planning, building design, renewable energy sources, and efficient equipment and operations; and,
- h. reduce and offset community greenhouse gas emissions through the promotion of new energy efficiency programs.

12.2 SEWER AND WATER

12.2.1 Provision of Sewer and Water Services

The City of Greater Sudbury is charged with the sole responsibility for the supply and distribution of water and the collection and disposal of sewage including trunk sewer systems and treatment facilities. The related infrastructure includes ten sewage treatment plants, four sewage treatment lagoons, two water treatment plants, and twenty-one deep wells.

The City will ensure that the sewer and water systems are provided in a manner that:

- a. protects human health and the natural environment;
- b. is financially sound and complies with all regulatory requirements; and,
- c. is sustainable from the perspective of the water resources upon which services rely.

Schedule 9, Sewer and Water Serviced Areas shows the existing urban areas provided with public sewer and water services.

Additional policies on water are found in *Chapter 8.0, Water Resources*.

Policies

1. The City will continue to provide for the operation and maintenance of all existing water distribution systems, sanitary sewers and treatment facilities under municipal jurisdiction.
2. The upgrading or replacement of **sewer and** water infrastructure in need of improvement will be conducted as required, including the potential future development of a Lake Wanapitei water supply system to address long-term water resource needs. (2007 MMAH Mod #25a)
3. Sewage disposal systems and water supply services will be extended to other areas of the City only if:
 - a. alternative sources of water supply are not available or inadequate;
 - b. a health hazard exists;
 - c. environmental degradation is occurring; and/or,
 - d. the area in question is within **a settlement area**. (2007 MMAH Mod #25b)

12.2.2 New Development

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

Policies

1. Development in urban areas is permitted provided that existing ***and planned*** public sewage and water services have ***confirmed*** capacity to accommodate the demands of the proposed development. Alternatively, the proponent of the development will upgrade, at their own expense, the existing sewage and water systems to ensure adequate delivery and treatment facilities consistent with City standards, including the adequacy of fire flows. (2007 MMAH Mod #26a, b)
2. It is policy of this Plan to ensure that water supply and sewer capacity are adequate to service development without major line or plant expansion. Official Plan amendments, rezonings, severance and subdivision approvals, minor variances and building permits ***will*** be denied if a water or sewage facility problems exists. (2007 MMAH Mod #26c)

12.2.3 Individual Systems

Individual systems are privately owned water and wastewater systems, usually taking the form of a well and septic system. Many households also draw water from area lakes. While new development is primarily directed by this Plan to fully serviced areas of the City, developments in the *Agricultural Reserve*, *Rural Areas* and certain parts of *Living Areas* that are either partially serviced or unserviced are permitted to use individual systems subject to the policies of this Plan.

Policies

1. Where development is proposed outside fully serviced areas, the proponent must prove that the soil conditions of the proposed site are suitable for a waste sewage disposal system and that there is a proven source of potable water available. A hydrogeological assessment is required where the minimum lot size is less than 0.8 hectare (2 acres).

2. The City will ensure that a regular system of inspection of individually-operated water and wastewater systems is carried out throughout the City and that faulty systems are repaired, maintained and upgraded to meet health and environmental standards.
3. Connection to communal water and wastewater systems is prohibited without permission of the City.
4. There are many households throughout the City that are partially serviced by municipal water, most of which are located in *Rural Areas*. There are relatively few instances where households are partially serviced by municipal sewer.
 - *a. Within settlement areas, new development may be permitted to allow for infilling and rounding out of partial services provided that there is confirmed reserve sewage system or reserve water system capacity, whichever is applicable, and that site conditions are suitable for the long-term provision of such services.* (2007 MMAH Mod #27a)
 - *b. In the Rural Area where there are existing partial services, new lots may only be permitted on the basis of: limited infilling of the existing partial services provided that there is confirmed reserve sewage system capacity or reserve water system capacity, whichever is applicable; that site conditions are suitable for the long-term provision of such services; and, that the policies of this Plan regarding rural residential development and rural lot creation are met (see Sections 5.2.1 and 5.2.2).* (2007 MMAH Mod #27b)
 - *c. In the Agricultural Reserve where there are existing partial services, new lots may only be permitted provided that: there is confirmed reserve sewage system capacity or reserve water system capacity, whichever is applicable; that site conditions are suitable for the long-term provision of such services; and, that the policies of this Plan regarding lot creation in the Agricultural Reserve are met (see Section 6.2.2).* (2007 MMAH Mod #27c)

12.2.4 Communal Systems

Communal systems are another form of wastewater management. Communal systems are “shared” septic systems where water from each house is piped to a larger central unit. Due to environmental and financial concerns, communal systems are discouraged by this Plan as the availability of full services is quite extensive in the City.

Policies

1. Any new development on communal systems will require an Official Plan amendment.
2. The City does not intend to assume control of existing communal systems.
3. The creation or expansion of communal systems may be permitted only where financial tools are in place to ensure any possible future problems with the system would be addressed to the satisfaction of the City.

12.3 SOLID WASTE MANAGEMENT

The location, operation, monitoring, maintenance and rehabilitation of solid waste disposal systems are a City responsibility subject to compliance with the Ministry of the Environment regulations. *Schedules 1a, 1b and 1c, Land Use Map*, indicate the location of existing solid waste disposal and transfer sites.

Policies

1. Existing landfill sites will be utilized for as long as it is economically, environmentally and technically feasible.
2. Landfill sites will be established to meet projected needs, including disposal sites for special types of solid waste such as hauled sewage, as regulated under the *Environmental Assessment Act*.

3. Landfill sites will be closed and monitored in accordance with site Certificate of Approvals and applicable Provincial standards and requirements.
4. The expansion of a solid waste management site onto land not currently designated for waste management use will require an amendment to this Plan. Such an expansion will require an *Environmental Impact Study*, and be subject to appropriate Provincial standards and requirements, including the *Environmental Protection Act* and the *Environmental Assessment Act*.

Program

1. The City will investigate methods to increase waste reduction and waste diversion efforts, and will promote and participate in programs aimed at achieving such objectives.

12.4 ENERGY AND COMMUNICATIONS

There are a number of public and private sector entities which are responsible for the delivery, regulation and maintenance of energy and communication services, including hydroelectric power supply, oil and gas lines, and communications systems. All organizations comply with a regulatory framework established by government.

Greater Sudbury Hydro Plus, an energy and telecommunications utility wholly owned by the City of Greater Sudbury, supplies electricity to residential and commercial customers in the Communities of Sudbury, Coniston and Capreol. This community-owned utility also maintains an advanced fibre optic telecommunications network.

Policies

1. Utility lines and plants will be installed in an efficient and economical manner with minimal disruption to existing development and the natural environment.

2. Where economically feasible, utility and transmission lines are to be installed underground in living, employment and recreational areas so as to minimize their adverse visual impact on the environment.
3. The City will actively participate with the responsible authorities in planning for the future expansion and location of power supply services and communication systems servicing the City. The proponents of such expansions will satisfy the City that there will be no major impacts from the development as related to environmental, economic, social, transportation and other concerns as determined by the City.
- *4. Alternative energy systems and renewable energy systems shall be permitted in settlement areas, rural areas and prime agricultural areas in accordance with municipal, provincial and federal requirements.* (2007 MMAH Mod # 28)

12.4.1 Wind Energy Conversion Systems

Wind power is an emerging energy source and land use. *The EarthCare Sudbury Local Action Plan* identifies wind farms and individual wind power systems suitable for residences, farms or businesses as a major component of the *Community Energy Plan*. This Plan establishes policies aimed at facilitating this economic development initiative and our move towards energy sustainability.

Wind Energy Conversion Systems consist of mechanical devices designed to convert wind energy into electricity. Land use policies to ensure the proper development of wind energy conversion systems at small and large scales are provided below.

12.4.1.1 Individual Generating Systems

Individual generating systems are wind turbines used to generate electricity that are small-scale in size and generally used to produce energy for the property owner. They are permitted in all designations and will be subject to regulations found in the Zoning By-law.

Policies

1. Individual generating systems are permitted as an accessory structure in all designations without amendment to the Zoning By-law.
2. The Zoning By-law will provide regulations for individual generating systems regarding setbacks from road allowances, lot lines, and structures (on-site and off-site) and maximum height provisions.

12.4.1.2 Wind Farms

Wind farms are comprised of more than one wind turbine of commercial scale. Wind farms generally produce energy for the provincial transmission grid.

Policies

1. Wind farms are permitted in the *Agricultural Reserve*, *Rural Areas* and the *Mining/Mineral Reserve* by an amendment to the Zoning By-Law.
2. The City will evaluate the suitability of the location and land use compatibility of the proposed wind farm and require the following:
 - a. a site plan illustrating the location of the proposed turbines, as well as the location and height of all existing buildings and structures on the subject property, and the location and height of all existing buildings and structures within 500 metres of the subject property;
 - b. approval of the base and tower design of the turbines by a professional engineer; and,
 - c. a noise study to determine the off-site noise impacts.

3. Setbacks from road allowances, lot lines, and structures (on-site and off-site), distance separation from *Living Areas*, and maximum height provisions will be established in the Zoning By-Law.
4. Commercial generating systems constructed within 10 km of the Greater Sudbury Airport will require the written approval of Transport Canada.

12.4.2 Energy Efficiency Programs

Policies and programs that incorporate and promote energy efficiency are necessary to achieve goals established by the *EarthCare Sudbury Local Action Plan*. Reducing energy use, providing consumers with access to green energy sources and transportation, and developing energy efficient subdivision, street and building designs are encouraged by this Plan. Attracting new businesses in the energy and environmental services sector to locate in Greater Sudbury is another strategy to make the City a municipal leader in energy efficiency.

The City of Greater Sudbury has initiated a program of municipal energy retrofits utilizing solar wall construction and geothermal heat pumps in City-owned facilities. Additional improvements in energy conserving design will be implemented as part of the *Strategic Energy Plan*. Alternative methods of heating, cooling and constructing buildings need to be promoted as the City works towards reducing greenhouse gas emissions and meeting Kyoto targets.

Programs

1. This Plan supports the continued development of programs to conserve energy and improve energy efficiency across all sectors, including the objectives outlined as part of the *Strategic Energy Plan* and the *Community Energy Plan*.
2. The City of Greater Sudbury will encourage the development of wind farms in order to produce clean energy for the City. Small-scale wind power systems suitable for residences, farms and businesses are also allowed by this Plan subject to policies contained in Section 12.4.1.

3. The City will implement a Landfill Gas Utilization Project to collect and use the energy from landfill gas as an effective means of converting waste to energy where economically feasible.
4. Small-scale hydroelectric projects with a combined capacity of 10 MW will be promoted to enhance the local provision of energy.
5. This Plan supports district energy plants as an efficient method of supplying heating, cooling and electricity to buildings. The environmental benefits of co-generation plants are recognized for their contribution to cleaner energy sources and reduced greenhouse gas emissions.
6. Geothermal projects based on the small district energy system model will be facilitated by this Plan to meet the heating and cooling needs of new clusters of environmental businesses.
7. The introduction of hybrid and alternative fuel vehicles is encouraged in support of the bio-diesel project and other energy efficiency programs.
8. This Plan encourages building and landscape design practices that conserve energy and reduce waste including:
 - a. utilizing techniques and materials that increase energy efficiency;
 - b. siting buildings so as to best exploit the area's passive solar energy potential, and utilizing existing natural shade canopies to reduce summer energy use;
 - c. encouraging compact, mixed use and infill developments that concentrate complementary land uses as a means of conserving energy; and,
 - d. designing buildings that meet LEED (Leadership in Energy and Environmental Design) or equivalent standards.

- *9. This Plan encourages the development and use of small and large scale solar energy conversion systems. Small scale solar energy conversion systems convert energy from the sun to produce electrical or thermal energy for the main use of the lot. In some cases, excess electrical energy produced by small scale solar energy systems may also be distributed to the electrical grid. Small scale solar energy conversion systems are permitted in all land use designations, subject to the standards of the Zoning By-law. Large scale solar energy systems convert energy from the sun to produce electrical energy that is distributed to the electrical grid. Large scale solar energy systems are permitted in General Industrial Areas, Heavy Industrial Areas, the Mining/Mineral Reserve and Rural Areas, subject to the standards of the Zoning By-law and provided that the system is compatible with surrounding land uses.*
(OPA #2)

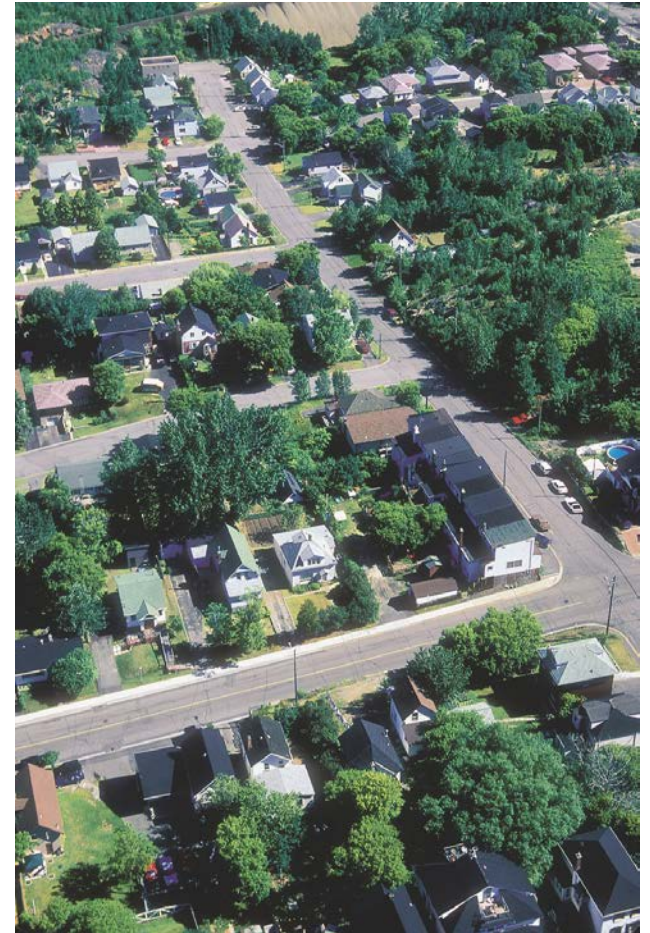
Part V: Developing Quality of Place

Improving the quality of our urban environment, including the preservation and integration of natural features, is necessary to make the city more appealing to residents, visitors and investors. To create such a dynamic involves not only physical design, but all elements that collectively contribute to our urban fabric - what we offer in terms of neighbourhoods, streetscapes, natural features, recreation, arts & culture, and other amenities. Within this context, our cultural heritage assets play an important role in establishing a sense of place and identity, by conveying the activities and processes that have shaped our community.

Urban design guidelines are required to promote high quality architecture and streetscapes, as well as protect the integrity of our existing built form. This is particularly relevant for the *Downtown*, which has suffered in recent years from a deterioration of the built environment that is having a negative impact on the City's image. Although the *Planning Act* offers limited tools to implement good design principles for private development, such initiatives must be encouraged in order to enhance quality of place. The City must show leadership by adopting high standards of design for public spaces.

A focus on urban design and heritage preservation offers opportunities to create a unique lifestyle city. Greater Sudbury's natural beauty and ecology can be protected and celebrated through their integration into the urban landscape. Promoting innovative developments in eco-sensitive design will also help us achieve objectives set out in the *EarthCare Sudbury Local Action Plan*.

To enhance quality of place, this Plan calls for a renewed emphasis on *Heritage Resources* and *Urban Design*. *Community Improvement Plans* are another tool that can be utilized to improve specific areas of the City. Chapter 15.0 presents guidelines for the implementation of *Community Improvement Plans*.





13.0 Heritage Resources

The preservation of Greater Sudbury's heritage resources is directly linked to the identified need to improve quality of place. These highly visible cultural assets will strengthen the City's identity and appeal, instill a sense of pride in local citizens, and attract the interest of visitors.

Heritage buildings also strengthen the diversity of our built form and contribute to an aesthetically pleasing urban environment. With its concentration of older buildings, the *Downtown* retains a number of underutilized properties that offer opportunities for rehabilitation and the potential to create a powerful symbol of revitalization.

Policies aimed at protecting heritage resources are consistent with Healthy Community determinants that form the underlying foundation of this Plan, and will bolster quality of place initiatives that are tied to the *Economic Development Strategic Plan*.

13.1 OBJECTIVES

It is the objective of the heritage resources policies to:

- a. promote the conservation, restoration and rehabilitation of all heritage resources;
- b. ensure that heritage features are passed on for the enjoyment and care of future generations;
- c. prevent the demolition or inappropriate alteration of heritage resources;
- d. identify a range of features so they can be conserved and integrated into the community, including, buildings, sites and artifacts of historical, archaeological and architectural significance; and,
- e. involve the public in heritage resource decisions affecting the City.

13.2 HERITAGE STRUCTURES, DISTRICTS AND CULTURAL LANDSCAPES

The *Ontario Heritage Act* is the legislative tool with which municipalities in Ontario can identify and preserve historic buildings, districts and archaeological sites. The *Act* sets out a prescribed process and criteria for designations, as well as the decision framework for the alteration and demolition of designated properties as determined by Council.

Council, in cooperation with property owners, may designate, by by-law under the *Ontario Heritage Act*, individual buildings and structures as heritage properties.

Certain areas that retain a special character or historical association worth preserving may also be designated under the *Ontario Heritage Act* as heritage conservation districts. These districts may include entire neighbourhoods and their related elements, as well as cultural heritage landscapes closely tied to the history of place.

Policies

1. Council will discourage or preclude the demolition or inappropriate alteration of any heritage resource designated under the *Ontario Heritage Act* by the City or Province.
2. Heritage buildings and structures involved in planning applications will be retained for their original use and in their original location wherever possible to ensure that their heritage value is not compromised. If it is not possible to maintain structures in their original location, consideration may be given for the relocation of the structure.
3. Adaptive reuse projects that conserve the architectural integrity of heritage buildings and structures are encouraged as a means of enhancing the long-term preservation of heritage resources and promoting the rehabilitation of underutilized properties.





4. Development adjacent to a designated heritage building or structure may be permitted provided that it is compatible with the scale, character and form of the designated property.
5. In order to protect the railway heritage connected to the founding of the community of Sudbury, the CPR Station and CPR Telegraph Office on Elgin Street will be preserved and protected from inappropriate development.
6. Heritage districts and cultural heritage landscapes will be protected, maintained and incorporated, specifically through the regulation of uses that detract from the traditional landscape.
7. Where an area is designated as a heritage district, partial demolition, alterations, renovations, repairs, or additions may be allowed provided that the proposed changes are compatible and consistent with the building and its heritage attributes. Infill buildings must also be compatible with the surrounding buildings and streetscape. In both cases, compatibility may include building materials, colour, height, scale and design.
8. Council may permit the transfer of surplus density rights from sites with heritage buildings to adjacent or nearby properties in order to facilitate the preservation, retention or adaptive reuse of a particular heritage resource. Unused density may be transferred to another site provided that:
 - a. the relevant property is designated under the *Ontario Heritage Act*; and,
 - b. the downzoning of the donor site and up-zoning of the recipient site takes place.

Programs

1. The City will prepare and maintain an inventory of heritage resources. Council will support the designation and conservation of those resources listed in the inventory and implement the provisions of the *Ontario Heritage Act*.

2. Council will consider the establishment of a Municipal Heritage Committee to assist and advise them on heritage matters.
3. The establishment of heritage design guidelines that assist in the design and review of adaptive reuse proposals shall be considered by Council. Guidelines may also be established for developments adjacent to heritage properties.
4. Council may establish a grant program for designated heritage properties. The intent of this program would be to help alleviate some of the financial burden placed upon property owners in the maintenance and conservation of heritage resources or the adaptive reuse of a designated heritage property.
5. This Plan supports the creation of a Municipal Archives that could be utilized as a community resource and serve as an introduction to local heritage resources for children and youth.

13.3 ARCHAEOLOGICAL RESOURCES

Archaeological heritage resources may include the remains of any building, structure, activity, place, or cultural feature or object, which, because of the passage of time, are on or below the surface of land or water and are of significance to the understanding of the history of a people or place.

Policies

1. Disturbance of known archaeological sites is discouraged by this Plan. This Plan encourages mapping the archaeological resource potential of the City of Greater Sudbury in order to better determine where an archaeological resource assessment will need to be conducted by an licensed archaeologist. **Until such mapping is completed, development applications will be screened for archaeological potential in accordance with provincial standards.* (2007 MMAH Mod #29)*
 1. Where a development may cause an impact to archaeological resources or areas of archaeological potential, an assessment will take place in accordance

with provincial guidelines. Archaeological resources that are located on a proposed development site will be conserved through either removal and documentation or on-site preservation. Only developments that maintain the heritage integrity of the site will be permitted where archaeological resources are preserved on-site.

- *3. The appropriate authorities will be contacted if an identified human cemetery, marked or unmarked human burial is discovered during land use development.*
(2007 MMAH Mod #30)

Program

1. Council shall consider preparing a comprehensive inventory of archaeological resources, which may include archaeological potential mapping and specific guidelines to assist in cultural heritage conservation.

14.0 Urban Design

Promoting high quality design in private and public development is essential to improve the overall quality of the built environment. While the approach to individual projects is important, guidelines need to be consistently applied so that all forms of development collectively enhance the experience of the City. In order to attract economic development opportunities and the skilled labour required to achieve strategic planning goals, the City must foster environments that emphasize human scale, accessibility, safety, attractiveness, innovation, and integration with both the existing built form and the natural environment.

Urban design policies contained in this Plan will apply to the City's public and private developments. Although there are limited planning tools available to Council to influence the design of private development, good design principles must be encouraged in order to improve the aesthetic quality of our urban spaces. *Community Improvement Plans* may provide additional urban design guidelines for specific areas of the City.

14.1 OBJECTIVES

The objective of the urban design guidelines are to:

- a. encourage a high level of design quality for all types of development and redevelopment;
- b. promote a built environment that is safe, energy efficient, aesthetically pleasing and productive;
- c. encourage public and private developments that achieve a sustainable mix of uses;
- d. encourage developments that respect and take advantage of their contexts by taking into account the existing massing, height, scale, style and other details of existing buildings;

- e. improve the urban design and quality of the environment in the *Downtown*, recognizing that this central place contributes significantly to the public image of the City of Greater Sudbury;
- f. promote the development of attractive corridors which provide access to the City; and,
- g. create and maintain distinctive neighbourhoods.

14.2 COMMUNITY DESIGN

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

Policies

- 1. Buildings, structures and other design elements that complement existing built form and character are encouraged.
- 2. Area streetscapes are to be improved over time through appropriate upgrades, such as landscaping, lighting, sidewalks, paving, and public art. These treatments should complement adjacent built form and open spaces, adding to a neighbourhood's character.
- 3. Wherever possible, natural features and functions should be integrated into the urban landscape in order to preserve and promote the City's natural beauty and ecology.
- 4. Council will promote the design, preservation, enhancement and creation of significant public open spaces that contribute to the City's image. These open spaces will complement and support the uses, scale, design features and activities generated by surrounding uses and buildings.

5. To the extent possible, *Living Areas* will be connected through the use of open space corridors, trails, sidewalks and streets so that neighbourhoods and schools are linked and interaction is facilitated.
6. Landscaping will be required in:
 - a. the design of all new developments; and,
 - b. existing underdeveloped locations as an effective environmental upgrading technique.
7. Grassing and tree planting activities in the area are to be continued under the Land Reclamation Program. Additional policies on land reclamation and the urban tree canopy are found in Section 9.4.
8. Council will encourage urban design solutions that enhance winter livability. Such methods may include:
 - a. fostering building design and orientation to take advantage of climatic conditions and utilizing passive solar heating and cooling techniques;
 - b. encouraging the development of arcades or galleries linking parallel streets at mid-block location within the *Downtown*;
 - c. investigating the feasibility of covered sidewalks at key locations;
 - d. increasing the number of bus shelters at key locations;
 - e. encouraging landscaping treatments which enhance winter microclimatic conditions and minimize wind chill level; and,
 - f. encouraging the planting of evergreen tree species to increase the amount of winter greenery within the City.

9. Adequate weather protection, seating, visibility and lighting at transit stops will be provided wherever feasible.
10. The visual appeal of the urban environment will be enhanced by improving area signage. This may occur through the adoption of new sign regulations.
11. Landscape buffers between non-residential development and adjacent residential areas will be provided.

14.3 SAFETY AND ACCESS

The design of all buildings will have regard for public safety in terms of road and driveway entrances, walkways, vehicle parking and public space. Design treatments that reduce the potential for crime are encouraged by this Plan. In order to improve safety for pedestrians and cyclists, appropriate designs and techniques will be considered by Council.

Policies

1. Traffic speeds will be reduced by appropriate road design and other traffic calming measures.
2. Pedestrians will be provided with separation from traffic and an enhanced sense of safety through such measures as:
 - a. providing medians or islands for pedestrians to use when crossing wider streets; and,
 - b. allowing greater use of on-street parking during appropriate times of the day and year to buffer pedestrians from moving vehicles.
3. Barrier-free access will be provided in all public and publicly accessible buildings and facilities and along pedestrian routes. Barrier-free features such as ramps, curb cuts and railings will be integrated with the building design.

14.4 BUILT HERITAGE AND NATURAL ENVIRONMENT FEATURE INTEGRATION

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

Policies

1. All community design will be properly integrated with the City's Natural Environment features and existing built form. Natural features will be retained and integrated into proposed developments. Mature trees will be protected in order to provide shade canopy and to maintain their aesthetic and heritage value. The use of plant species native to the Sudbury Basin will be encouraged when creating new landscape features.
2. Building designs will effectively utilize their site's distinctive potential, such as its geologic, biologic and hydrologic character.
3. A diversity of architectural styles and building materials is encouraged by this Plan.
4. New development should achieve a complementary design relationship to adjacent heritage resources. Additional policies on *Heritage Resources* are found in Chapter 13.0.
5. In the City's urban areas, urban landform features such as rock outcrops and hilltops provide visual assets that contribute to defining the image of Greater Sudbury. New developments that are proposed on or near an urban landform feature will ensure, to the satisfaction of Council, that there will be no significant change to the visual asset provided by the landform feature. Council may require such developments to include measures that must be taken to mitigate any impacts on these visual assets.

6. New developments should aim at reducing light pollution, preserving the night skies, and conserving energy through appropriate site design and use of external lighting on development sites.

14.5 DESIGN FEATURES, VIEWS AND CORRIDORS

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

Policies

1. New land uses or design features that would detract from the enhancement of major focal point areas within the City, such as Science North, the Big Nickel, Bell Park, Tom Davies Square and Laurentian University are discouraged. The open space character and natural aesthetic environment of the Paris Street corridor, especially that section between Walford Road and York Street, will be preserved and enhanced. In particular, the view corridor to and from Science North shall be protected.
2. Those aspects of the *Downtown* that contribute to the image, character and quality of life in the City will be identified and preserved. Viewpoints to landmark features should be preserved as a means of guiding movement through the core and enhancing the visual appeal of the *Downtown*. New landmark features should be developed and integrated into the *Downtown* landscape, including the completion of the Farmers' Market.
3. Landscaping will be used to frame desired views or focal points, direct pedestrian movement, and satisfy functional requirements, such as providing shade and buffering. All new development proposals will be evaluated for their opportunity to create, maximize or enhance existing views through landscaping.



4. Where development or redevelopment is proposed along any Arterial Road, it will be policy of Council to require the following:
 - a. proponents are to submit a landscaping plan as part of the site plan approval process;
 - b. a three-metre landscape strip along the Arterial Road frontage will be provided;
 - c. all areas on a site not used for parking, driveways, storage, loading and buildings are to be landscaped or retained in a natural state;
 - d. wherever possible, encourage parking to be located to the rear of buildings;
 - e. where outside storage is permitted, require that such facilities be located out of view from the Arterial Road corridor; and,
 - f. signage will be integrated with the building wherever possible.
5. This Plan encourages the design and layout of streets, pedestrian walkways and bicycle routes such that they provide vantage points for significant views and vistas along their lengths, including trails and bike paths.
6. View corridors to lakes should be preserved.

14.6 PROGRAMS

1. The City will develop comprehensive urban design guidelines in order to establish appropriate design criteria for all forms of public and private development. Such guidelines will consider alternative design standards and recent developments in eco-sensitive design.

2. Council will initiate a beautification program including streetscape improvements to enhance the aesthetic quality of the City's major roads, incorporating such elements as street trees, boulevards, sidewalk improvements, bike lanes, bike paths, parking bays, street lights and seating. Program options may include the rehabilitation of Elm Street in the *Downtown* and other streetscape redevelopments as recommended by Community Improvement Plans.
3. When approving infrastructure projects, Council will consider allocating a proportion of project expenditures towards urban design improvements, such as streetscape aesthetics and other components of neighbourhood design.
4. In order to strengthen the visual appeal of the City, design improvements to major entry corridors are required, including Regent Street South, Long Lake Road, Kingsway, Lorne Street, Municipal Road 35, Elm Street, and Municipal Road 86 (Greater Sudbury Airport).
5. Design improvements to Bell Park and the Grace Hartman Amphitheatre will enhance the function and appeal of a valued urban amenity, with consideration given to the *Bell Park Master Plan* and the *Ramsey Lake Community Improvement Plan*. Improved pedestrian linkages to the *Downtown* and surrounding residential neighbourhoods will be a key priority.
6. Programs to beautify the *Downtown* are required to improve the quality of the built form and support its role as a centre of retail, arts & culture, government and business services. Such initiatives will contribute to the viability of *Downtown* residential development.

15.0 Community Improvement

Community Improvement Plans (CIP) passed under Section 28 of the *Planning Act* may contain a variety of initiatives and activities, including comprehensive improvement of a designated area, single purpose improvement projects (e.g., road reconstruction), as well as improvements to individual sites, buildings or structures. All programs are intended to maximize efficiencies in the use of existing public services and facilities.

The use of Community Improvement Plans will also be encouraged for lakes and watersheds. In these areas, CIPs can serve as a tool to foster land and lake stewardship practices. Such plans are expected to be developed in conjunction with the community affected, and may include area-specific policies which will be inserted by amendment into the Official Plan.

15.1 OBJECTIVES

The objectives of Community Improvement Plans are to:

- a. enhance the quality of the physical and social environment through the development, redevelopment, preservation and rehabilitation of certain areas of the City;
- b. undertake comprehensive community improvement programs with respect to identified projects or designated community improvement areas; and,
- c. increase employment, economic activity and investment in the City.

15.2 IDENTIFICATION

The entire City of Greater Sudbury is designated as a Community Improvement Project Area under Section 28 (2) of the *Planning Act*. The following criteria will be utilized to identify specific areas for community improvement plans:

- a. the area can be significantly improved for the betterment of the entire community;
- b. the area contains a number of identifiable community improvement projects;
- c. improvement within this area would have a significant fiscal, social, or economic impact;
- d. the area contains incompatible land uses either in the form of commercial/residential, industrial/residential or commercial/industrial conflicts, which may prejudice the functional or economic role of the area for residential, commercial or industrial purposes;
- e. the area has been identified as being deficient in terms of the level of municipal services such as water mains, sanitary and/or storm sewers, in that such services do not conform to municipal standards;
- f. the area has been identified as being deficient in terms of streets, traffic circulation, street lighting and/or sidewalks which do not conform to municipal standards or which require substantial improvements relative to the level of service required to adequately service the area;
- g. the area has been identified as being deficient in terms of neighbourhood and/or community parkland, recreational or community facilities inclusive of such facilities as swimming pools, play and rest areas, athletic fields, outdoor recreation trails, community centres, daycare centres, libraries, senior citizen facilities or other similar social and/or recreational facilities;
- h. the area or a portion thereof lies within a flood-susceptible area or has natural drainage characteristics which require that such measures as floodproofing or stormwater management be undertaken to alleviate storm-related flooding situations;

- i. the area contains man-made hazards, such as vacant and abandoned buildings or structures, which should be eliminated in order to ensure a greater degree of public safety and to further enhance community function;
- j. the area contains vacant and underutilized lands and buildings or structures which could be developed or redeveloped in a manner which reinforces the functional role of the area, provides opportunities for energy conservation, and, at the same time, provides for the enhancement of the municipal tax base;
- k. the area has been identified as one where the housing stock or commercial or industrial buildings are approaching the end of their functional life. Such buildings should either be rehabilitated and restored for sequential uses in keeping with the nature of the area, or demolished so as to allow for redevelopment of the area for a use more compatible with adjacent land uses;
- l. the area includes commercial or industrial areas that are in need of upgrading and/or streetscape improvements to improve the area's economic viability in the community;
- m. there is a commercial area that is designated by by-law as a Business Improvement Area which is actively pursuing measures to surmount problems of declining viability and physical deterioration;
- n. the area has significant latent opportunities that have not yet been capitalized on, which would significantly improve the community in a qualitative way;
- o. the area has potential development projects which could act as catalysts for increased cultural-social-economic interaction;
- p. the proposed improvement program for the area would have potential for short and/or long-term job creation; and,
- *q. the area would benefit from the provision of affordable housing or improvement of energy efficiency.* (OPA #2)

Utilizing the above criteria, Council will identify specific areas for community improvement plans through the preparation of a by-law. The following areas have been identified in the City of Greater Sudbury (not listed by priority). Additional areas may be added without amendment to this Plan:

- Valley East Town Centre Area;
- Val Caron Main Street Area;
- Hanmer Main Street Area;
- Whitson River Linear Park;
- Whitson Lake and Watershed;
- Valley East Trails-Oriented Parks System;
- Rayside-Balfour Policy Area;
- Onaping Falls Policy Area;
- Coniston;
- Falconbridge;
- Garson;
- Garson Lake;
- Walden Policy Area;
- Bowland's Bay;
- Skead;
- Downtown Sudbury;
- Junction Creek Waterway Park;
- Copper Cliff Heritage District;
- Ramsey Lake Waterfront Development;
- Flour Mill;
- Donovan Community Improvement Area;
- Minnow Lake Community Improvement Area;
- Industrial Rehabilitation Areas;
- Five Lakes Area;
- Nepahwin Lake Watershed;
- West End Community Improvement Area; and,
- Capreol.

15.3 ISSUES TO ADDRESS IN CIPS

Once identified, Community Improvement Plans must address, but are not limited to, the following plan components:

- a. the basis for selection of the area for a CIP;
- b. the boundaries of the area of the plan;
- c. the existing land uses and levels of services;
- d. natural and built heritage features;
- e. the nature of the improvements proposed;
- f. the estimated costs and means of financing the project;
- g. the staging and administration of the project;
- h. revision flexibility as circumstances warrant;
- i. phasing of improvements; and,
- j. citizen involvement in the plan.

Along with those requirements, Community Improvement Plans can also be developed for lakes and watersheds where they will reflect and respond to the character and physical capabilities of the waterbody. The following items will also be identified and addressed, among other matters:

- a. location in relation to the watershed;
- b. drainage basin and related watercourses;
- c. size and shape of the lake;

- d. distinct areas or neighbourhoods on larger lakes;
- e. number and location of islands and narrow waterbodies;
- f. topography, shoreline features and hazards and Natural Environment features;
- g. ecological improvements;
- h. allocation of water quality capacity;
- i. cultural heritage features;
- j. existing land uses;
- k. access; and,
- l. development potential and capacity.

Community Improvement Plans may include the preparation of detailed urban design guidelines and recommendations. These guidelines will be employed in the design and construction of all new public projects and the evaluation of all development applications. The guidelines may direct the overall character of the improvement area through such design features as sidewalk and street light design, park and open space design, and building design.

Community Improvement projects may include, but are not limited to:

- a. the development of recreational trails and park space;
- b. improvements to sidewalks, public spaces, and streetscapes;
- c. improvements to wastewater management systems in *Rural Areas*;
- d. comprehensive stormwater management programs for subwatershed areas; and,

- e. brownfield redevelopment.

15.4 IMPLEMENTATION

In order to effectively implement the principles and policies in Community Improvement Plans, a variety of initiatives will be used. These initiatives may include, but are not limited to:

- a. the utilization of programs available through senior levels of government to undertake community improvement projects;
- b. the establishment of partnership ventures between public and private sectors for the achievement of certain community improvement programs;
- c. encouraging the establishment or continuation of Business Improvement Areas for the conservation and improvement of commercial locations;
- d. the enforcement of the City's Property Standards By-law;
- e. the municipal acquisition of land;
- f. the enactment of Zoning By-law adjustments which support community improvement objectives;
- g. the application of the *Ontario Heritage Act*;
- h. the coordination of capital works;
- i. the implementation and enforcement of site plan control;
- j. encouraging the private sector to utilize available government programs and subsidies which implement the objectives of this Plan; and,
- k. the use of financial incentives to achieve objectives of the CIP including the Tax Increment Financing Scheme.

Part VI: Healthy People, Healthy Places

The Healthy Community approach is rooted in the belief that social, environmental and economic factors are important determinants of our health. The City of Greater Sudbury has supported the Healthy Community approach to community development for a number of years. Community partners have been brought together to share expertise and knowledge to implement a wide range of initiatives.

A diverse and vital economy is an essential quality of a Healthy Community. Greater Sudbury has adopted an economic development strategic plan that identifies several key engines of growth. In addition to mining and supply services, other targeted sectors include tourism, arts & culture, health care services and research, and the development of an environmental services sector that will build upon the City's well-established land reclamation and lake water quality programs. This Plan adopts a broad and flexible approach to land use policies in order to facilitate economic activity in existing industry sectors as well as all emerging areas of growth.

Healthy Community determinants developed as part of an extensive public input process form the underlying foundation of the Official Plan. Although these principles inform all aspects of this Plan, they are presented here by major theme. Adequate access to *Housing* is a core need and is addressed in a separate chapter. To help us achieve our Healthy Community objectives, our essential approach to *Economic Development* is also presented as a series of objectives, policies and programs. Although not normally included as part of an Official Plan, these chapters are intended to provide policy direction for Council.

16.0 Healthy Community

As noted in the introduction to this Plan, the City of Greater Sudbury has adopted a "Healthy Community" approach to its growth and development. The Healthy Communities model recognizes that the quality of life of our citizens is a product of the economic, social and natural environments in our City.

While there are a wide range of factors that contribute to a Healthy Community, an Official Plan is best suited to addressing how land use policies can support Healthy Community goals. Although the focus of this section is the Healthy Community model, it should be remembered that Healthy Community principles underlie the entire Plan.

Concurrent with the preparation of the Official Plan and in partnership with the Social Planning Council, the City has also prepared a separate document entitled the *City of Greater Sudbury Human Services Strategy 2015*, which addresses a broader range of social development issues - many of which are relevant to the Healthy Community model.

Listed below are various policies intended to advance the City's Healthy Community strategy. Many of these policies reinforce or relate to policies and programs found in other chapters of this Plan.

16.1 HEALTHY COMMUNITY DETERMINANTS

During the early stages of preparing the Official Plan, citizens of the City of Greater Sudbury were asked to identify the factors that contribute to a Healthy Community. This process resulted in the following twelve Healthy Community determinants:

1. Citizen engagement in community decision-making
2. Accessible recreation programs and facilities
3. Employment opportunities



Healthy Communities Model

Source: Ontario Healthy Communities Coalition

4. Accessible health care and fitness facilities
5. Protected natural areas
6. Sound municipal infrastructure
7. An inclusive, diverse and tolerant community
8. Social supports
9. A unified city
10. A safe city
11. Educational opportunities
12. Community vision and leadership

The City recognizes the link between the physical design of communities, health and quality of life. The intent is to develop a community where adequate community and human services for people of all ages, backgrounds and abilities are provided through opportunities for employment, recreation, learning, culture, and physical and emotional well-being.

The policies within this Plan are intended to support and promote the concept of a Healthy Community by maintaining and enhancing the environment, providing and supporting a range of community services and housing options, and facilitating a strong economy.

16.2 POLICIES

16.2.1 Citizen engagement in community decision-making

1. Recognize that citizen engagement is an essential component of local decision-making and continually seek ways to increase citizen participation in civic affairs. Section 20.11 contains policies related to public participation in planning matters.
2. Ensure the City continues to recognize and facilitate the participation of non-profit community organizations that contribute valuable volunteer resources to enhance Greater Sudbury's position as a Healthy Community.
3. Appoint citizen advisory panels to obtain input into specific municipal matters.
4. Utilize Community Action Networks (CANs) as a means of engaging citizens at the neighbourhood level.

16.2.2 Accessible recreation programs and facilities

In addition to the more detailed discussion of *Parks and Open Space* contained in *Chapter 7.0*, the following policies will apply:

1. Strive to provide a network of parks, recreation facilities and open space areas that serve all communities in the City.
2. Provide leisure and recreation facilities and programs that are accessible to all citizens. The needs of persons with disabilities shall be considered in the design and construction of public facilities including buildings and outdoor activity centres.

3. Work with local school boards to maximize potential use of schoolyards and surplus buildings for recreational uses. Consider acquiring surplus school sites for leisure, parks and open space purposes where feasible.
4. Ensure opportunities for public access to all major waterbodies in the City.

16.2.3 A Prosperous community with employment opportunities

In addition to the more detailed discussion of *Economic Development* contained in *Chapter 17.0*, the following policies will apply:

1. Have regard for the City's economic development strategic plan in assessing development applications.
2. Recognize the importance of "quality of place" in attracting new residents and investment to our community. Related to this, the image of a City is often associated with its *Downtown* and main streets. On this basis, there is a need to promote a high standard of urban design in the City.
3. Recognize that arts, culture, heritage and libraries are integral to healthy communities, and that the support, preservation and promotion of these are fundamental in attracting and retaining skilled, entrepreneurial individuals to the community. In addition, public libraries play a vital role in forming a literate society and fostering lifelong learning, are community-gathering places where people interact and share ideas, and most importantly, offer an array of services to all people breaking down barriers that are fundamental to building a strong and healthy community.
4. Where compatible, encourage the location of wealth-creating businesses in close proximity to existing communities.
5. Natural resources such as minerals, aggregate, forests and agricultural land should be protected from other development so as to be available for future utilization.

6. Provide an adequate supply of employment lands for commercial and industrial development.
7. Recognizing the trend towards home-based employment, provide for home occupations and cottage industries in certain areas not otherwise designated for commercial or industrial use.

16.2.4 Accessible health care and fitness facilities

1. Encourage residents to lead active lifestyles by promoting appropriate programs and infrastructure.
2. Continue efforts to attract health care professionals to the community, particularly in areas identified as underserved.
3. Promote policies that support the growing health care needs of the elderly, such as seniors' apartments, assisted-living complexes and nursing homes.

16.2.5 Protected natural areas

In addition to the policies contained in *Part III - Natural Environment*, the following policies shall apply:

1. Environmental sustainability principles shall be applied in evaluating changes in land uses in the City.
2. Ensure the protection of sensitive and significant natural features identified in this Plan.
3. Recognize the uniqueness of our "City of Lakes" and provide good environmental stewardship of area lakes and rivers.
4. Recognize the importance of our natural areas in contributing to our quality of life.

16.2.6 Sound municipal infrastructure

In addition to the policies contained in *Part IV - Investing in Infrastructure*, the following policies shall apply:

1. Provide an effective and efficient distribution of piped municipal services within serviced areas of our communities.
2. Provide transportation infrastructure that provides convenient and safe access throughout the City.
3. Provide and maintain the infrastructure to support safe alternative transportation options such as walking and bicycling.
4. Implement transit-supportive land use initiatives such as placing buildings close to streets to reduce walking distances, providing street amenities along transit routes and encouraging a mix of land uses along Arterial Roads offering a high level of transit service.
5. Encourage design excellence to enhance the character of neighbourhoods and support the principles of Healthy Communities.

16.2.7 An inclusive, diverse and tolerant community

1. Seek out and support public/private sector partnerships that enhance culture, inclusiveness and diversity.
2. Encourage policies and programs that meet the needs and requirements of all age groups, including youth and seniors.
3. Encourage policies and programs that meet the accessibility requirements of our citizens and are consistent with the goals of the City's Accessibility Plan.
4. Continue support for the Diversity Thrives Here program.

5. Review and implement the recommendations of the *City of Greater Sudbury Human Services Strategy 2015*.

16.2.8 Social supports

1. Recognize the need to work cooperatively with social agencies and organizations to identify social needs and develop planning policies that foster a healthy, caring community.
2. Provide through partnerships with the non-profit sector, the social support network to address the basic necessities of life including food and shelter, and related initiatives such as the Food Charter. *Chapter 18.0: Housing* addresses a range of issues related to housing.
3. The design and construction of public buildings and outdoor facilities shall have regard to the needs of the physically disabled as identified within the City's Accessibility Plan. Barrier free design should be encouraged.
4. Encourage the use of churches, schools and community centres for child day care facilities.
5. Encourage participation from volunteers and the non-profit sector in providing programming for older citizens, youth, families and special needs groups.

16.2.9 A unified city

1. Recognize that we are a city of neighbourhoods and communities each contributing in a unique way to the overall character of the City of Greater Sudbury.
2. Recognize that volunteers and non-profit agencies enhance community spirit and pride.
3. Encourage volunteerism by making public facilities available for meetings and activities.

4. Use community improvement policies of the *Planning Act* to celebrate the cultural diversity of Greater Sudbury and further build community-wide support for its multi-cultural heritage.
5. Promote physical linkages between outside communities and the city core as a means of fostering unity and the sense of one community.

16.2.10 A safe city

1. Design streets, buildings, and public places with due regard to public safety. Consideration shall be given to such matters as visibility, lighting and pedestrian/bicycle/vehicle conflicts.
2. Provide a safe walking and cycling environment for all citizens with linkages and corridors between neighbourhoods.
3. Encourage neighbourhoods to participate in programs such as Neighbourhood Watch.
4. The community-wide emergency plan will be maintained in a state of readiness in the City in the event of a major disaster.

16.2.11 Educational opportunities

1. Work with the City's post-secondary institutions to facilitate new construction and ongoing expansion of facilities and buildings in both on-campus and off-campus locations.
2. Co-operate with local institutions to keep abreast of educational attainment and needs in the community.
3. In partnership with Greater Sudbury's education sector, identify opportunities to support lifelong learning for all residents.

16.2.12 Community vision and leadership

1. Decisions and actions taken by Council and City staff, including public investments and service delivery, should be guided by the policies contained within the Official Plan and on the principles of a Healthy Community.
2. Recognize the need to work cooperatively with major educational and health care institutions to forge common strategic visions and develop policies to support a Healthy Community.
3. Promote the concept of a “City of Neighbourhoods” with active neighbourhood centres and problem solving at the local level.
4. Consider the use of public incentives as permitted under Section 37 of the *Planning Act* to promote outstanding projects that would achieve the City’s Healthy Community goals with clearly defined community benefits.
5. Children are the next generation and need to be supported in all ways in order to be encouraged to stay in Greater Sudbury.

17.0 Economic Development

Economic Development is an important building block of a Healthy Community. Sustainable community development has become a necessary foundation to attract the investment and human capital required to compete with other cities in the global marketplace. An emphasis on cultural diversity and quality of place are also essential to building a dynamic city.

Traditionally linked to its resource base, Greater Sudbury continues to face ongoing challenges to further transform the local economy in the face of globalization. Although the mining sector remains the predominant industrial activity, diversification efforts over the last three decades have resulted in a transition to a service-based economy - more than 80% of Greater Sudbury's labour force are now employed in the services-producing sector. A key approach of the economic development strategy targets high-order service activities that offer tremendous opportunities for export development, particularly in the mining and supply services cluster.

Coming of Age in the 21st Century: An Economic Development Strategic Plan for Greater Sudbury 2015 presents various strategic actions and initiatives to help us achieve our community vision. The Economic Development Strategic Plan targets five economic engines:

- The best mining and supply services in the world;
- A city of the creative, curious and adventuresome;
- One of Ontario's top four destinations;
- A leader in health innovation and biotechnology; and,
- A model for eco-industry and renewable energy.

Land use policies contained in the Official Plan are intended to facilitate *four key igniters* that have been identified as essential to developing the economic growth engines. These igniters include creating a culture of continuous learning, maintaining technology-readiness, investing in infrastructure, and developing quality of place.

17.1 OBJECTIVES

It shall be the objective of Council to:

- a. enhance the comparative advantage of the City in the global economy;
- b. encourage further diversification of the local economy, especially in the value-added sectors that generate new wealth for the community;
- c. facilitate a smooth transition into the knowledge economy;
- d. ensure that a full range of infrastructure is in place to support economic development;
- e. enhance the conditions that encourage economic development by fostering a culture of entrepreneurship, encouraging lifelong learning and innovation, establishing a standard of excellence in all endeavours, nurturing human capital, and constantly improving the quality of life of the community;
- f. strive for the development of the City as a Centre of Excellence for selected fields of knowledge;
- g. achieve sufficient job creation for the desired growth in the labour force and expand the type and number of employment opportunities, especially for younger persons;
- h. facilitate and assist the development of economic development projects including tourism opportunities; and,
- i. continue the development of Greater Sudbury as the Centre for Northeastern Ontario.

17.2 A CULTURE OF CONTINUOUS LEARNING

With its three post-secondary institutions, Greater Sudbury has a strong base from which to develop a competitive workforce. Our educational resources are a key enabler for each strategic engine and are directly linked to the City's future prosperity. Applied research opportunities, increased enrolment and recruitment activities, and partnerships with private and public sector organizations will collectively harness the potential presented by the educational sector.

Policies

1. Local businesses are encouraged to nurture their own human capital, and to invest in research and innovation and the appropriate information technologies in order to gain a competitive edge in the global marketplace.
2. Local school boards, post-secondary institutions, businesses and non-profit organizations are encouraged to promote lifelong learning as a means to anticipate and benefit from change.

17.3 TECHNOLOGY-READINESS

Greater Sudbury has been at the forefront of technological integration. Our advanced telecommunications network allows us to share knowledge and resources, access business opportunities, participate in global markets, and create efficiencies in day-to-day business.

Policies

1. Innovation is recognized as the driving force for wealth creation in the knowledge-based economy. The transition of our local economy requires the concerted effort of all sectors of the community in order to leverage the potential of our advanced communications infrastructure.

2. Home-based businesses are permitted in all *Living Areas* as a strategy for promoting small business start-up, given the growing trends of telework and self-employment.

17.4 INVESTING IN INFRASTRUCTURE

The infrastructure deficit must be addressed if Greater Sudbury is to attract and retain the investment and human capital required to grow and prosper. Essential services such as sewer, water and roads need to be maintained, upgraded and expanded in order to keep the City competitive. The image and appeal of the City also needs to be enhanced through high quality urban design that can be successfully integrated into infrastructure projects.

Policies

1. Council will ensure that all conventional infrastructure under its jurisdiction are constructed and maintained at a high standard, and will work with other agencies and service providers to ensure that infrastructure under their jurisdiction are also maintained at high standards.
2. Infrastructure expenditures will also be directed towards improving the aesthetic appeal of the City through urban design programs including streetscape improvements.

17.5 DEVELOPING QUALITY OF PLACE

Improving quality of place is directly tied to the success of our economic engines. Council must recognize the importance of recreation, arts & culture, and cultural diversity for attracting and retaining the creative talent that will contribute to the economic prosperity of the City and its entrepreneurial spirit. Given its impact on the City's image and appeal, the physical appearance of the urban landscape must be improved through a renewed focus on good urban design.

Policies

1. Recognizing that quality of life is a key component of its economic development strategy, Council will strive to protect the community's natural environment, to improve its built form, and to enhance its social environment.
2. The development of venues to showcase local and visiting talent, as well as our vibrant ethnic and cultural activities and organizations, is essential to improving quality of place. Special emphasis on creating a youth-friendly city is required.

17.6 PROGRAMS

Council in conjunction with the Greater Sudbury Development Corporation and other stakeholders as appropriate:

- a. Shall prepare Economic Development Action Plans to implement the Economic Development Strategic Plan.
- b. Shall continually assess the market (especially the international market) to search for new opportunities in emerging industries and markets and prepare action plans to promote their development in the City.
- c. Shall encourage and work with private businesses and public agencies to:
 - i. develop e-commerce to serve the global market, building upon the work of e-sudbury.com;
 - ii. promote a culture that embraces information technologies to facilitate the evolution of the City into a recognized virtual community in the global marketplace;
 - iii. promote the efficiency, effectiveness and reputation of the City as a focus for business growth;

- iv. exploit the opportunities offered by telework from around the world as one job creation strategy;
 - v. develop a strategy on telework; and,
 - vi. develop the local capability for wireless and satellite communications technologies so that Greater Sudbury can maintain its technological edge in telecommunications.
- d. Will support small business development by:
- i. providing incubator opportunities and facilitating the supply of a variety of incubator space to suit diverse demands;
 - ii. encouraging and working with educational institutions and businesses to provide training, retraining, counselling and consulting services to support the start-up, continual growth and development of small businesses;
 - iii. encouraging more experienced business persons (both working and retired) to volunteer their time to serve as mentors for new small businesses;
 - iv. supporting the Regional Business Centre; and,
 - v. encouraging home-based businesses.
- e. Will pursue the development of Centres of Excellence as a means of creating leading edge knowledge in the fields of mining technology and environmental restoration technology.
- f. Will develop a strategy for industrial and business park development.

- g. Will reinforce its commitment to economic development and job creation initiatives by facilitating and expediting emerging development projects. This demonstration of commitment may include:
 - i. developing approval processes which are more customer friendly;
 - ii. establishing rapid response teams to assist and expedite projects to fruition;
 - iii. establishing high priority on response times; and,
 - iv. assigning a caseworker to assist applicants to obtain the required approvals.
- h. Will continue to develop tourism infrastructure and promote the City as an outstanding vacation destination and place to live and work by:
 - i. leveraging natural amenities, environmental successes and geological history as recreational and lifestyle attractors;
 - ii. selectively enhancing arts and cultural amenities to fit unique heritage and local strengths;
 - iii. building on existing world-class attractions such as Science North and Dynamic Earth to create a critical mass of tourism opportunities;
 - iv. promoting and developing Greater Sudbury's outdoor recreation opportunities, including snowmobiling and the continued support of the Sudbury Trail Plan; and,
 - v. creating a comprehensive marketing strategy to bring Greater Sudbury's tourism and lifestyle advantages to key markets.

18.0 Housing

Adequate and affordable housing for all residents is a fundamental component of Greater Sudbury's Healthy Community approach to growth and development. Housing is also a key contributor to individual success at school, in the workplace, and in the community. Official Plan policies have been designed to improve the availability of housing for all current and future residents of the Greater Sudbury.

Diversity in the housing supply is achieved by providing a range of housing types, maintaining a balanced mix of ownership and rental housing, and addressing housing requirements for low income groups and people with special needs. Policies in this Plan ensure that a variety of dwelling types are permitted subject to regulations contained in the Zoning By-law. These land uses are outlined in *Chapter 3.0, Living Areas*.

The ability to address housing issues in the Official Plan is generally limited to the land use policy and regulatory tools under the *Planning Act*. Many factors that influence housing are beyond the City's control under the *Planning Act*. In recognition of this, the policies in this section serve to provide direction to Council as to how housing needs and issues can be addressed.

18.1 OBJECTIVES

It is the objective of the housing policies to:

- a. encourage diversity in the supply of housing by promoting a full range of housing types, including housing that is affordable and appropriate to low income groups and people with special needs;
- b. maintain a balanced mix of ownership and rental housing;
- c. allow increased residential intensification in urban areas;

- d. promote housing as an important component of the economic development strategy;
- e. support innovation in housing design and development;
- f. support and promote accessibility within the housing market for persons with disabilities;
- g. ensure that the City's housing stock provides acceptable levels of health and safety;
- h. address issues surrounding homelessness; and,
- i. participate in programs that could potentially address housing needs.

18.2 POLICIES

18.2.1 Diversity in Housing Type and Form

To encourage a greater mix of housing types and tenure, it is policy of this Plan to:

- a. encourage a wide range of housing types and forms suitable to meet the housing needs of all current and future residents;
- b. encourage production of smaller (one and two bedroom) units to accommodate the growing number of smaller households;
- c. promote a range of housing types suitable to the needs of senior citizens;
- d. prohibit conversion of rental units to condominium form of tenure when the apartment vacancy rate falls below three (3) percent; and,
- e. consider policies that discourage the downzoning of existing medium and high density sites.

18.2.2 Housing and Economic Development

Council shall encourage housing providers to pursue housing opportunities that support the Economic Development strategic plan and its mission of creating an environment for citizens to prosper and experience a satisfying quality of life. In order to facilitate economic development initiatives, it is policy of this Plan to:

- a. promote residential development in the *Downtown* as a stimulus to downtown revitalization and small business development;
- b. support a range of housing types available to seniors, retirees, and younger cohorts by encouraging the development of alternative housing options and exploring opportunities for lifestyle housing targeted to niche markets; and,
- c. promote intensified residential development at main commercial nodes in the City as a means of promoting urban redevelopment and achieving effective residential intensification.

18.2.3 Accessibility

The *City of Greater Sudbury Accessibility Plan* recommends that new housing construction throughout Greater Sudbury should strongly focus on providing accessible units for the frail, elderly and persons with mobility impairments. In order to support and promote accessibility within the housing market, it is policy of this Plan to:

- a. encourage all housing providers to design and develop barrier-free housing;
- b. work with community-based accessibility organizations to disseminate information to housing providers on approaches to the provision of barrier-free housing; and,
- c. monitor on an ongoing basis the availability of modified units within the social housing sector to determine the suitability of these units in relation to identified needs.

18.2.4 Innovation in Housing Design and Development

The City of Greater Sudbury supports innovation in housing design and development that minimizes costs in the production of affordable housing. In order to achieve this, it is policy of this Plan to:

- a. permit alternative development standards where appropriate;
- b. encourage innovative forms of multiple housing and converted dwellings in order to achieve cost efficiencies in the provision of housing; and,
- c. encourage innovation in housing tenure and financing.

18.2.5 Maintenance of the Housing Stock

The City's housing stock should provide acceptable levels of health and safety to all current and future residents. In order to achieve this, it is policy of this Plan to:

- a. enforce property maintenance standards in all forms of housing throughout the City; and,
- b. maximize the use of federal and provincial improvement, rehabilitation and housing assistance programs to maintain and upgrade existing housing stock throughout the City.

18.2.6 Supportive Housing

In order to address the City's supportive housing needs, it is policy of this Plan to:

- a. facilitate the provision of a variety of appropriate housing types in various locations designed to meet supportive housing requirements for the elderly, students, people with children, persons with physical disabilities and others with special needs;

- b. integrate supportive housing within existing neighbourhoods and communities throughout the City on a scale compatible with neighbourhood design; and,
- c. support expansion of the supply of student housing on campus and in close proximity to these institutions.

18.2.7 Homelessness

The major causes of homelessness are attributed to a combination of unemployment, lack of access to social assistance, poverty, and a lack of affordable housing. In order to address homelessness in the City, it is policy of this Plan to:

- a. support the provision of shelters and other temporary housing facilities as required in cooperation with local emergency housing providers;
- b. support the expansion of the supply of transitional and supportive housing where possible to enable homeless individuals to move towards a more stable housing situation and receive the supports needed; and,
- c. support the expansion of the supply of permanent affordable housing to ultimately provide a suitable and affordable living environment for individuals experiencing homelessness or at risk of homelessness.

18.3 HOUSING REQUIREMENTS

Utilizing the housing demand and supply analysis conducted as part of the *Housing Background Study*, housing requirements are established to address alternative scenarios of household growth over the 20-year projection period. Annual housing targets are derived based on an analysis of tenure projections, income distribution and affordability. The affordable housing component is based upon the definition established under the Provincial Policy Statement issued March 1, 2005.

The following are general guidelines for annual housing targets. Consistent with policies established by this Plan, a suggested mix of housing types could be comprised of 50-60% single detached dwellings, 15% semi-detached and row housing, and 25-35%

apartment dwellings. In order to maintain a balance of ownership and rental housing, a tenure mix of 70% ownership and 30% rental is also proposed. Ideally, 25% of all new dwellings should meet the definition of affordable housing.

18.4 PROGRAMS

18.4.1 Land Supply

- a. Consider operating a land banking program for the purpose of acquiring, subdividing, servicing and releasing land for housing to introduce competition into the land market when appropriate and to help provide sites for affordable housing; and,
- b. Consider establishing a policy whereby surplus municipal properties are made available for the provision of affordable housing where appropriate.

18.4.2 Housing Innovation

- a. Disseminate information to private and non-profit housing providers about new ideas and approaches to the design and development of affordable housing;
- b. Encourage self-help housing groups that have the capacity to design and develop affordable forms of housing; and,
- c. Encourage innovative techniques and approaches to energy efficiency in housing design and development in order to reduce energy consumption and lower long-term operating costs.

18.4.3 Homelessness

- a. Provide ongoing education to the community about the needs of homeless individuals and potential solutions to homelessness; and,
- b. Monitor the homelessness situation and identify programs and initiatives for meeting identified needs.

18.4.4 Housing Partnerships

To better address local affordable housing needs, the City of Greater Sudbury shall consider partnerships with the public, private and non-profit sectors. It is the intent of these partnerships to:

- a. identify all available federal and provincial housing assistance programs on an ongoing basis and pursuing available funding where appropriate to help meet local affordable housing needs;
- b. identify support service programs to assist those in need and pursuing available funding where appropriate;
- c. offer incentives where appropriate under the *Municipal Act*, the *Planning Act* and other such legislative authorities to facilitate the provision of affordable housing by private and non-profit housing providers;
- d. assist local housing providers in accessing federal and provincial housing assistance programs where appropriate; and,
- e. advocate for change in federal and provincial policies, programs and regulations where appropriate to help meet local housing needs.

18.4.5 Monitoring the Market

The City of Greater Sudbury should measure the effectiveness of its housing policies by:

- a. monitoring annual housing market conditions based on data available from Statistics Canada, CMHC and the Housing Services Section (social housing waiting list); and,
- b. reviewing housing targets and policies every five years coinciding with the release of new Census data.

Part VII: Development Review and Implementation

In order to successfully implement the policies and programs of this Plan, various principles and policies related to *Finance* are established based on the City's *Long-Term Financial Plan*.

In Ontario, the administrative framework for planning decisions is largely prescribed by the *Planning Act*. Consideration of other federal and provincial statutes may also be required depending on the nature of the application. Various planning tools for implementing the policies and programs of this Plan are set out in the following chapter on *Implementation*.



19.0 Finance

The ability of the City to implement the Official Plan is dependent to a significant degree upon its overall financial position reflected in the current and capital budgets established according to City objectives and priorities. To this end, Council has approved in principle a *Long-Term Financial Plan* involving a ten-year projection of the operating and capital budget needs of the City.

Linking the Official Plan with the *Long-Term Financial Plan* establishes a more predictable and sustainable financial position for the City to ensure that services to the public are adequately financed on an ongoing basis and that long-range objectives can be implemented. The goal is to build a self-sustaining community, with sound infrastructure and an excellent quality of life.

19.1 OBJECTIVE

To implement the policies and programs of the Official Plan in a financially sound manner in conjunction with the *Long-Term Financial Plan*.

19.2 POLICIES

1. To facilitate the implementation of the policies and programs of the Official Plan, Council will:
 - a. Examine the financial impacts of all major development projects or proposals to ensure that they are financially sustainable.
 - b. Have regard for the programs contained in this Plan and give precedence to financing those programs which further Official Plan objectives and policies.
 - c. Before undertaking a program, consider alternative proposals that meet the same objectives and evaluate their cost-effectiveness, taking into account capital, operating and maintenance costs.

- d. Establish a Development Charges Bylaw for growth-related expenditures that can be attributed back to development opportunities. Such a bylaw should reflect and balance reasonable cost recoveries and an “open for business” approach.
- 2. To ensure the long-term financial sustainability of the City, the following policies apply:
 - a. Council will continue to utilize and monitor the *Long-Term Financial Plan* on an annual basis to establish the City’s fiscal needs over the next ten years.
 - b. The financial requirements for the City’s operating and capital needs will be determined on a multi-year basis, including the identification of the funding gap between revenues and expenditures.
 - c. The annual budget process will include a detailed one-year budget, three-year budget forecast and annual update of the 10-year projection including identification of the long-term funding gap and the City’s progress in addressing the gap.
 - d. Council will plan for the replacement of infrastructure through the use of life cycle costing and the development of replacement reserves.
- 3. To deliver services in a cost-effective, efficient and equitable manner, Council will:
 - a. Undertake regular service level reviews giving consideration to the City’s demographic profile and other relevant factors.
 - b. Undertake reviews of City programs on a regular, rotating basis, through the use of value-for-money audits, to ensure services are delivered in a cost-effective and efficient manner.

- c. Ensure operating revenues are sustainable and consider community-wide and individual benefits i.e., taxes vs. user charges.
 - d. Apply Financial Plan policies on the basis of their benefit to the community as a whole, as a means of meeting social equity objectives through specific programs.
4. To maximize long-term community benefit of the City's capital assets, the following actions are required:
- a. Maintain the City's required infrastructure in a state of good repair by implementing life cycle costing to provide for the future rehabilitation/replacement of assets.
 - b. Undertake regular reviews of remaining life and condition of assets and determine required annual reserve contributions sufficient to ensure that 90 per cent of approved infrastructure rehabilitation/replacement schedules can be met at the required time.
 - c. Assets and facilities should be regularly reviewed and rationalized based on service demand and service level benchmarks. Facilities that do not achieve approved revenue/cost targets should be considered for closure.
 - d. Dispose of capital assets that are not required for long-term community purposes.
 - e. Implement a capital funding plan to address the City's infrastructure renewal requirements.
5. Council will consider alternative sources of financing and funding to achieve long-term objectives by:

- a. Seeking additional sustainable revenues from the provincial and federal governments, recognizing that funding from senior governments is a crucial element of financial sustainability.
 - b. Using debt financing where appropriate. Debt financing should only be considered for:
 - i. new, non-recurring infrastructure requirements;
 - ii. programs and facilities which are self-supporting, and,
 - iii. projects where the cost of deferring expenditures exceeds debt-servicing costs.
 - c. Issuing debt for terms no longer than the life of the funded assets. As debt charges decline due to retirement of debt, savings will be applied to accelerate achievement of full life cycle costing for City infrastructure.
6. To maintain reserves and reserve funds at appropriate levels, the following policies apply:
- a. Facility, equipment and infrastructure replacement reserves should be established and funded to ensure that 90 per cent of approved infrastructure rehabilitation/replacement schedules are met (long-term).
 - b. A stabilization reserve will be established for programs that are susceptible to significant annual expenditure fluctuations.

20.0 IMPLEMENTATION

The goals, objectives and policies of this Plan provide guidance in making decisions affecting land use and economic and social development, and are consistent with directives established under the *Provincial Policy Statement*. The following chapter contains policies pertaining to the administration and implementation of the Plan using the appropriate legal and financial tools.

The policies of this Plan are consistent with the Provincial Policy Statement in every respect. There are also policies in this Plan that are more restrictive than the provisions of the PPS.

In addition to the policies of this Plan, there are other plans, policies, programs, regulations and guidelines established by various Provincial Ministries that must be considered when applications for new development are proposed. All applications will be reviewed against the policies of this Plan.

20.1 OBJECTIVES

It is the objective of Council to:

- a. develop an administrative framework which coordinates the various components of the Official Plan and facilitates the implementation of its objectives, policies and programs; and,
- b. coordinate the activities of all public and private agencies operating within the City, including private developers, local boards and commissions, and federal and provincial ministries in order to ensure the implementation of this Plan.

20.2 GENERAL POLICIES

It is policy of this Plan to:

- a. implement the objectives, policies and programs contained in this Plan by using:
 - i. public means of implementation such as land acquisition, public works, finance and other government programs;
 - ii. regulation of private development such as subdivision control, zoning, building regulations, and other by-laws;
 - iii. incentives encouraging proper development such as Comprehensive Planned Unit Developments, Tax Increment Financing and negotiation; and,
 - iv. the preparation of more detailed plans.
- b. use all legislative powers vested in the City of Greater Sudbury through provincial statutes having effect in the City in implementing the Plan;
- c. undertake no public work or pass any by-law for any purpose that does not conform with this Plan;
- d. ensure that public works to be undertaken by Provincial and Federal Ministries and other public agencies conform with the policies of this Plan; and,
- e. investigate new or improved techniques of implementation and make use of those that are shown to facilitate the achievement of the City's goals and objectives.

20.3 DETAILED DEVELOPMENT PLANS

The City of Greater Sudbury may undertake small area studies and prepare Detailed Development Plans for these areas and adopt them by by-law. These plans will provide guidance for Council and the public through a greater level of detail than the Official Plan. Such plans will not require the approval of the Minister as they will not have the status of Official Plan Amendments.

Detailed Development Plans may include both publicly and privately-held lands and may cover such matters as neighbourhood improvement and renewal, downtown redevelopment, recreation, land development, housing projects, resource conservation and/or development, community facilities complex, transportation systems, and industrial development. Detailed Development Plans will conform to this Plan.

20.4 SUBDIVISION OF LAND

The subdivision of land is achieved either by Plan of Subdivision, application for a consent to convey land for the purpose of development, or through approval for a Condominium Development proposal pursuant to the *Condominium Act*.

20.4.1 Policies

It is policy of this Plan to:

- a. require that all proposals which have the effect of creating more than three new lots be processed as applications for a Plan of Subdivision, unless in Council's opinion a Plan of Subdivision is not necessary for the proper development of the area; and,
- b. require that proposals which would create less than four new lots to be considered as Applications for Consent to be dealt with by the Consent Official.

20.4.2 Draft Plan Approval

All conditions of draft plan approvals must be met within three years after which the draft approval lapses.

Council will not extend or recommend the extension of a draft plan approval, beyond the statutory limitation of three years, unless the subdivider has demonstrated to the satisfaction of Council that they are making a reasonable effort to proceed in meeting the conditions of the draft approval. At the time of extension, Council will review draft plan conditions and may make appropriate modifications.

20.4.3 Consideration For Approving Subdivisions

When approving Plans of Subdivision, or in recommending approval of a Plan of Subdivision, Council will have regard, among other matters, to the following:

- a. the conformity of the proposed Plan of Subdivision with this Plan; and,
- b. matters listed under the *Planning Act*.

Final approval or recommendation of final approval to all or part of a draft Plan of Subdivision will occur only if the applicant has entered into a subdivision agreement with the City to the effect that all requirements of the subdivision agreement including installation of required services be completed within three years of registration. Draft approval does not guarantee the allocation of either sewer or water capacity.

The subdivision agreement will specify that after the three year period has lapsed, the applicant will not be permitted to install the required services, unless reasonable cause has been shown for not proceeding with development within the prescribed time.

Subdivision agreements shall be registered on title as a caution and that the agreement contain a clause prohibiting any sale of lots until permission has been obtained from Council or the caution has been released for that part of the subdivision containing the lots in question.

20.4.4 Deeming Subdivisions Not To Be Registered

Council may deem registered Plans of Subdivision or significant portions thereof not to be registered in situations where the conditions of the subdivision agreement have not been met within eight years of registration.

20.4.5 Subdivision Standards

Council may adopt standards for the development, design, servicing, roads, financing, and other conditions under the subdivision agreement.

20.5 ZONING

Zoning is the regulation of land use and structures intended to promote the public health, safety, comfort, convenience and general welfare of the residents.

In order to implement this Plan, a new Comprehensive Zoning By-law for the City will be prepared. During the preparation of a new Comprehensive Zoning By-law, previous zoning by-laws will be reviewed with respect to density and building forms as they generally reflect the character of the City's Communities and Non-Urban Settlements.

20.5.1 Existing By-laws

By-laws that are in effect at the time of adoption of this Plan, will be deemed to be in conformity with this Plan until amended or rescinded. Existing uses in compliance with the existing Zoning By-law will be permitted in the new Zoning By-law. Lands which are not rezoned in the existing Zoning By-law and which are not intended for immediate development pursuant to the policies of this Plan shall be placed in a zone permitting only those uses that will not hinder the future sound development of the lands in question.

20.5.2 Rezoning Applications

It shall be the policy of Council to ensure that the Zoning By-law and amendments thereto conform with this Plan. To this end, it is the intent of Council to evaluate each rezoning application according to all applicable policies – simple conformity with land use designation does not automatically guarantee a rezoning to the proposed use.

Council may pass the amending Zoning By-law with an advisement to the owner that if no development has been initiated within three (3) years of the By-law coming into effect, Council may initiate a process to restore the original zoning on the lands. This process will be halted if a Site Plan Agreement is entered into establishing firm deadlines for completion. If the conditions of the Site Plan Agreement are not met by the deadline, Council may again initiate the process to restore the original zoning on the lands.

20.5.3 Temporary Use By-laws

Notwithstanding any other policy of the Plan, Council may pass by-laws under the *Planning Act* to permit temporary use of land, buildings, or structures, in defined areas and for prescribed periods of time, for any purpose set out therein that is otherwise prohibited by the Zoning By-law. Conformity with the land use policies of this Plan is not required for the passing of such a by-law.

20.5.4 Holding Zones

The City may pass Zoning By-laws containing “holding” provisions to specify the use to which lands, buildings, or structures may be put at some time in the future, providing:

- a. the holding symbol (H) is used only in the following instances:
 - i. when certain details of development have not yet been determined, or where certain conditions of development have not yet been met such as, but not limited to, development or servicing agreements with the City;

- ii. when the level of community services and/or infrastructure is not yet adequate to support the proposed use;
 - iii. where environmental conditions or constraints temporarily preclude development or redevelopment; and,
 - iv. where required studies have not yet been approved by the City.
- b. the zoning by-law containing the holding provisions specifies the interim land uses to be permitted, the conditions for removal of the holding provision, and any regulations or restrictions applying to the lands during the time the holding provision is in place; and,
- c. a by-law to remove the holding symbol may be adopted when all the conditions set out in the holding provision have been satisfied.

20.5.5 Non-conformity

A number of existing land uses do not conform with the designations and/or policies of this Plan. With respect to these non-conforming uses, the following policies shall apply:

1. Existing residential buildings which do not conform with the land use designations and/or policies of this Plan may be a permitted use in the implementing Zoning By-law, notwithstanding that such buildings may not necessarily conform with all other requirements of the Zoning By-law.
2. Non-residential uses which do not conform with the land use designations of this Plan, but which are in conformity with the existing Zoning By-law, may be placed in zones which permit these uses.
3. It is the intent of Council to eliminate those non-residential uses existing at the time of adoption of this Plan that are incompatible with surrounding uses, and which do not conform to the land use provisions of the Zoning By-law, nor to the land use designations of this Plan. However, Council may, through the

adoption of a new Zoning By-law or through subsequent amendments to it, permit such uses, or an expansion, or change to such uses without an amendment to this Plan provided that such uses are or can be made compatible with the surrounding uses, and comply with the criteria below.

4. In considering the recognition of an established non-conforming use, or an application for an expansion, extension, or change of such use, Council or the Committee of Adjustment shall have regard for the following criteria:
 - a. The proposal shall not aggravate the situation created by the existence of the use, especially in regard to the policies of this Plan and the requirements of the Zoning By-Law applied to the area;
 - b. The proposal will create minimal impacts on surrounding uses with regard to noise, vibrations, fumes, smoke, odours, glare, traffic generating capacity, signs and other environmental matters;
 - c. The neighbouring conforming uses will be protected, where necessary, by the provisions of landscaping, buffering or screening; appropriate setbacks for buildings and structures; devices and measures to reduce nuisances; and, where necessary, by regulations for alleviating adverse effects caused by outside storage, lighting, advertising signs; and other matters;
 - d. The traffic and parking conditions of the vicinity will not be adversely affected by the application, and traffic hazards will be kept to a minimum by the appropriate design of access and egress points to, from and over the site; or through the improvement of site conditions, especially in proximity to intersections;
 - e. Adequate provisions have been or will be made for off-street parking and loading facilities;
 - f. Municipal services such as water, sanitary sewers, storm sewers and roads are adequate, or can be made adequate.

20.5.6 Conversion of Existing Buildings

Notwithstanding Sections 20.2 (General Policies) and 20.5.4 (Holding Zones), Council may pass by-laws to permit the use of an existing building or structure for a use that does not conform with the land use designation in the following situations:

- a. where an existing building or structure, used for a non-conforming use, cannot economically, practically or reasonably be converted or adapted to a use in conformity with the Official Plan land use designation; and,
- b. where an existing building or structure and use which is permitted in the Zoning By-law and the Official Plan land use designation is discontinued and cannot economically, practically or reasonably be converted or adapted to a use in conformity with the land use designation.

Council, before passing such a by-law, will be satisfied that the following will be fulfilled to safeguard the wider interests of the public:

- a. the surplus building is suitable for the proposed use with respect to Building Code regulations;
- b. off-street parking is adequate;
- c. the proposed use is compatible with surrounding land uses with regard to noise, fumes, smoke, odours, traffic hours of operation, signs and other undesirable features;
- d. the neighbouring conforming uses are protected, where necessary, by the provision of landscaping, buffering or screening;
- e. parking, driveways, loading areas are improved, relocated, and buffered as warranted;
- f. wherever possible, the aesthetic appearance of the building and property is improved and maintained;

- g. sewer and water capacities are adequate to serve the new use;
- h. for conversion to residential uses, the proposed density is appropriate for the area and amenities are adequate; and,
- i. a site plan control agreement may be required prior to the enactment of an amending by-law.

20.6 SITE PLAN CONTROL AREAS

It shall be the policy of Council to designate the entire Plan area as an area for Site Plan Control pursuant to the *Planning Act*, with the following exceptions:

- a. Any development on lands zoned for public park, private open space, rural uses, and any development in industrial areas located more than 150 metres (500 feet) from a residential area or a Provincial or Arterial Road;
- b. Single detached dwellings, two-family dwellings, triplex dwellings, fourplex dwellings, on individual lots and buildings accessory thereto, regardless of zoning.

Council may impose site plan control on exempted properties during the development application review process where warranted. Waterfront properties may also be subject to site plan control in order to implement policies and programs related to the protection of water resources (see Section 8.5).

Site plan control may be applied to the exterior design of new buildings including without limitation the character, scale, appearance and building design features and their sustainable design, where appropriate. Site plan control may also be applied to the sustainable design elements on any public road immediately adjoining a property being developed including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture and bicycle parking facilities. (OPA #2)

Although the *Downtown* is not excluded from site plan control area, it is understood that the site plan agreement will not normally be required but may be applied in specific instances with the approval of Council.

Notwithstanding the provisions of b. above, all developments proposed under the provisions of *Section 20.7*, Comprehensive Planned Unit Development, shall be subject to site plan control.

Rights-of-way required for future road widening that should be acquired under the site plan control provisions of the *Planning Act* are indicated on *Schedule 7, Road Right-of-Way Widths*.

20.7 COMPREHENSIVE PLANNED UNIT DEVELOPMENTS

In order to take advantage of the development potential of difficult sites, encourage infilling, and promote innovative development that might not be otherwise permitted under the Zoning By-law, a Comprehensive Planned Unit Development (CPUD) provision is established by this Plan. CPUD not only allows flexibility in the development of lands with physical constraints, but may also be extended to conventional sites in order to enhance the economic viability of development, particularly major projects to be phased in over time. CPUD is not intended as a separate land use category, but may be applied in all *Living Area I* designations (Section 3.2.1) and, **at the option of the proponent**, to those privately owned lands designated *Parks and Open Space* and identified with a CPUD symbol on *Schedule 2c, Site Specific Policies*. OMB Order dated April 10th, 2008, Case # PL070279

The CPUD provision applies to lands under unified control that are generally intended for mixed use and/or mixed density development. It may form part of a larger proposal that includes traditional development by subdivision. Comprehensive Planned Unit Development shall be permitted only through an amendment to the Zoning By-law. The layout and design of streets, services, landscaping, open space and individual buildings are presented in the form of a detailed *Concept Plan* that is submitted prior to rezoning approval. Once final approval is obtained, a site plan in conformity with the initial *Concept Plan* must be submitted and approved. This will allow some

flexibility in revising the initial concept as circumstances dictate, particularly in the case of multi-phase projects.

Prior to the approval of any CPUD proposal, the proponent must demonstrate to Council how the proposal meets the intent and criteria established in this section.

20.7.1 Policies

The following general policies apply to Comprehensive Planned Unit Developments:

- a) Comprehensive Planned Unit Development shall be permitted only through an amendment to the Zoning By-law based on the submission of a detailed *Concept Plan*. Once final approval under the Zoning By-law is obtained, the proponent must enter into a site plan agreement pursuant to Section 41 of *The Planning Act*. The site plan shall be consistent with the initial *Concept Plan* and subject to the site plan standards in Section 20.6. In considering an application under the CPUD provision, Council shall have regard to the following factors beyond the normal rezoning criteria:
 - i) the use of the CPUD approach enables the preservation of unique environmental features, natural landscape, natural vegetation and topography on the site;
 - ii) the CPUD approach complements the natural character and built form of the surrounding area; and,
 - iii) the CPUD approach shall provide the opportunity for dedicating a significant public parks and open space allotment beyond the required minimum. **This is a voluntary process at the option of the proponent.**

OMB Order dated April 10, 2008
Case # PL070279

The onus shall be on the proponent to provide a report that shall accompany the application indicating why the CPUD approach is appropriate and how it satisfies the criteria stipulated in this section.

- b. Through rezoning, Council may impose conditions or permit exemptions deemed appropriate in accordance with detailed development plans that do not necessarily conform to the provisions of a standard zoning district of the Zoning By-law.
- c. Where an applicant also wishes to create a condominium development, an application for CPUD shall be accompanied by an application for condominium approval.
- d. CPUD may be applied to any parcel of vacant land having a minimum area of three (3) hectares. CPUD can be utilized to develop difficult sites with physical constraints such as hilltops, as well as conventional sites where a more flexible, multi-phase approach to land development is desirable.
- e. The density standards of Section 3.2.1 shall also apply. However, all housing types that meet the criteria of this section may be permitted. Council may also pass a by-law under the *Planning Act* authorizing increases in the height and density of development otherwise permitted by the by-law that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law.
- f. The general rezoning criteria outlined in Policy 6 of Section 3.2.1 shall also apply.

20.7.2 Design Criteria for CPUD

Once final approval is obtained under the Zoning By-law, the proponent must submit a detailed site plan that will be reviewed based on its conformity with the initial *Concept Plan* and other provisions required under Section 41 of the *Planning Act*. In addition, this Plan will implement urban design principles central to the intent of the CPUD approach:

- a. The built form shall complement and blend with the natural topography. The design of the built form and its associated open space should be sensitive to the terrain and micro-ecology of the area such that natural drainage courses, natural vegetation, natural features such as unique rock formations, and wildlife habitats are preserved.
- b. Significant viewpoints and the visual quality of higher elevations of the area are to be preserved and enhanced.
- c. The design and construction techniques used for development on slopes and higher elevations shall have regard for the natural terrain by minimizing the need for blasting and rock removal or the use of rock walls to stabilize the slope of a site. Site designs that respect natural slope contours and existing natural features, and utilize landform modifications that blend with the natural topography are encouraged.
- d. The public and private open space elements shall be linked and integrated such that pedestrian walkway and bicycle trail systems linking streets, activity centres and open space systems could be easily developed.
- e. Where incompatible land uses are found on abutting properties, the landscape plan shall illustrate how vegetation, berms or natural features will be used to buffer abutting sites.

20.8 MAINTENANCE OF PROPERTY

It will be the policy of Council to ensure that all property is maintained free of rubbish, and in such a manner as to pose no danger to health and safety, and that all structures are maintained in a state of good repair.

Council will use whatever means are within its jurisdiction, including the enforcement of the Maintenance and Occupancy Standards By-law under the *Ontario Building Code Act*, to ensure the good maintenance of property.

20.9 INTERPRETATION

In interpreting the Plan, the following policies apply:

- a. consider boundary designations on the maps as general guidelines only, except where such areas or boundaries coincide with existing roads, railways, rivers, waterbodies and other defined features;
- b. permit minor adjustments to the Plan, without a formal amendment, in its implementation through the passing of by-laws or carrying out of programs, provided the general purpose and intent of the Plan is maintained; and,
- c. for the purposes of interpretation, all Schedules should be viewed at the appropriate scale.

In some instances, overlapping resource areas have resulted in properties that are designated for more than one resource use such as mining, aggregate extraction and agriculture. In these cases, existing uses should not preclude sequential land uses that are compatible with the area. Subsequent uses should also be considered prior to rehabilitation and integrated into site rehabilitation plans.

The *Rural Areas* designation includes large tracts of Crown Land. Under the *Public Lands Act*, the Ministry of Natural Resources has the authority to regulate the use of Crown Lands through the *Crown Land Use Policy Atlas*. The City will continue to work closely with the Ministry of Natural Resources to resolve land use conflicts between proposed uses on adjacent private and Crown Land.

20.10 MONITORING AND REVIEW

In order to ensure the continued relevancy of this Plan, a comprehensive review of the Plan will take place in five years. The five-year review will take into account the following factors, among other matters:

- a. population growth and development activity;

- b. progress made towards achieving intensification targets;
- c. the impact of changes in the economic, social and physical circumstances of the City as they affect this Plan;
- d. changes in Federal and Provincial policies and programs as they affect this Plan;
- e. the extent to which the Plan's goals and objectives have been achieved; and,
- f. the impact of the Plan on the development of the City.

20.10.1 Programs

As part of this Plan's monitoring and review, studies will be undertaken on a priority basis. Such studies may include, among others:

- a. rural residential lands;
- b. economic feasibility of industrial development projects;
- c. employment opportunities;
- d. analyses of commercial development and/or renewal;
- e. housing, to form the basis of housing production targets and land supply;
- f. brownfield redevelopment;
- g. transportation, to be carried out, if possible, in conjunction with a rail relocation study;
- h. transportation on a small area basis;

- i. use, development management, rehabilitation and delineation of Natural Resource areas including mineral areas, agricultural lands, waterbodies, forestry areas, wildlife areas, derelict lands, and hazard lands;
- j. **infrastructure,** community facilities and services; and, (2007 MMAH Mod #31)
- k. utilities.

20.10.2 Technical Amendments

In the case of technical amendments to the Official Plan or Zoning By-law, notification to and consultation with the public will not be required. However, the proposed amendment will be published in the newspapers. This approach will be restricted to the following:

- a. altering punctuation or language for consistency;
- b. correcting grammatical, dimensional and boundary, mathematical or typographical errors;
- c. inserting historical footnotes or similar annotations;
- d. changing the number and arrangement of the text, tables, schedules and maps;
- e. adding technical information to maps or schedules, deleting redundant provisions; and,
- f. correcting anomalies.

20.11 CITIZEN PARTICIPATION AND PUBLIC MEETINGS

20.11.1 Public Notification

The *Planning Act* contains provisions that allow municipalities to provide notice of the required public meetings for Official Plan and Zoning By-law amendments in a

different manner than those prescribed in the Act and its regulations, provided that an alternative method is contained in the municipality's Official Plan.

Where Council proposes to adopt a Community Improvement Plan, a Comprehensive Zoning By-law, a new Official Plan, or an Official Plan amendment *and an associated Zoning By-law Amendment* proposed as the result of a comprehensive plan review process, planning staff will conduct a minimum of two open houses, and a public meeting will be held no sooner than 30 days after the requirements for the giving of notice have been complied with. Notice of such open houses will be given at least 14 days before the date of the open house by publication in a newspaper that in the Clerk's opinion is of sufficiently general circulation in the area to which the proposal applies to give the public reasonable notice. *These public open houses will be held at least 7 days before the public meeting.* (OPA #2)

Where Council proposes to adopt an Official Plan amendment, an amendment to a Community Improvement Plan or a Zoning By-law amendment, a public meeting will be held no sooner than 10 days after the requirements for the giving of notice have been complied with.

No public meeting will be required where Council proposes to adopt an amendment to a zoning by-law for the purpose of correcting a technical or typographical error or for the purpose of making minor changes to the zoning requirements applicable throughout the zoned area. However, those who are likely to be affected by the amendment will be notified in a manner set out in Section 20.11.2, *Persons to be Notified*, of the date the matter will be considered by Council.

20.11.2 Persons to be Notified

Notice of a public meeting will be given by first class mail or by newspaper notice.

20.11.3 Subsequent Meetings

Where a required public meeting is to be continued at another date, the chairman of the Planning Committee will inform persons present of the time and place of the subsequent meeting, or where the date is not known at the time, notices of such

subsequent meetings will be sent by prepaid first class mail not less than 10 days prior to such meeting to every person who leaves their name and address with the Clerk and to every person who has given the Clerk a written request for such notice.

20.12 PRE-CONSULTATION AND COMPLETE APPLICATIONS

20.12.1 Pre-consultation

The City of Greater Sudbury encourages pre-consultation on all land use planning applications. City Council may pass by-laws to require that proponents pre-consult with City Staff prior to making an application for an Official Plan Amendment, a Zoning By-law Amendment, Site Plan approval, draft Plan of Subdivision, and draft Plan of Condominium. Pre-consultation will be used to determine the additional information and material required to form a complete application for *Planning Act* purposes.

20.12.2 Complete Application

The *Planning Act* gives municipalities the ability to request, in addition to the minimum prescribed requirements, information and material for certain types of land use planning applications to make an informed decision, provided that the municipal Official Plan contains provisions relating to the additional information and material. The *Planning Act* also gives the municipalities the ability to refuse to accept an application if it does not include the minimum prescribed requirements, any additional requirements contained in the Official Plan, and any required fee.

The following additional information and materials may be required as part of a complete application for an Official Plan Amendment, a Zoning By-law Amendment, Site Plan approval, draft Plan of Subdivision, draft Plan of Condominium and Consent.

- a. Concept Plans
- b. Appropriate Drawings
- c. Planning Justification Report
- d. Arborist Report
- e. Landscape Plan

- f. Traffic Impact Study
- g. Transportation Demand Management Plan
- h. Functional Servicing Study
- i. Hydrogeological Study
- j. Stormwater Management Report
- k. Stormwater Drainage Plan
- l. Heritage Impact Assessment and Conservation Strategy
- m. Stage 1 and Stage 2 Archaeological Site Assessment
- n. Environmental Impact Study
- o. Lake Development Capacity Study
- p. Noise Study
- q. Vibration Study
- r. Mine Hazard Study
- s. Geotechnical Study
- t. Soils Study
- u. Phase 1 and Phase 2 Environmental Site Assessment

The additional information and material that may be required depends on the nature and character of the site, the surrounding area, the proposal and the type of approval sought. The additional information and material required as part of a complete application, including any exceptions to the above list of studies, will be determined and confirmed by City Staff during the pre-consultation process. City Staff may refuse to accept an application that is not complete.* (OPA #2)

Part VIII: *Site and Area Specific Policies and Schedules*

(2007 MMAH Mod #32)

Certain areas within the City may have environmental or land use constraints that are unique, thus requiring special policies tailored to these conditions. Policies for these *Special Policy Areas* were developed from area-specific planning studies under the mandate of previous Official Plans. *Site Specific Policies* were adopted based on development applications also approved under previous Official Plans. These policies apply to specific properties and need to be carried forward in this Plan. *Special Policy Areas* and properties subject to *Site Specific Policies* are also subject to other policies contained in applicable sections of the Plan.

A number of schedules illustrate the land use designations contained in this Official Plan, as well as various constraints related to natural heritage features, resource uses, and hazard lands. Land use designations are illustrated on *Schedules 1a, 1b and 1c, Land Use Map*. Such lands may be subject to additional policy requirements in accordance with *Schedule 3, Natural Heritage and Schedule 4, Hazard Lands. Schedule 6, Transportation Network* indicates the existing road network as well as prioritized road improvements. All schedules should be viewed within the context of corresponding policies contained in applicable sections of the Plan.

21.0 *Area Specific Policies*

(2007 MMAH Mod #33)

21.1 WHITEWATER LAKE POLICY AREA

21.1.1 Background

Whitewater Lake is the most significant natural feature in Azilda and is a source of both aesthetic and recreational enjoyment for residents. It is a shallow lake with a fragile ecosystem that is sensitive to impacts from development within its watershed. Therefore, particular care must be taken if the water quality of Whitewater Lake is to be protected over the long-term.

Over the years, the lake has exhibited various signs of eutrophication such as algae blooms and rotting aquatic vegetation, pointing to the need for remedial action. Urban runoff from Azilda has the most significant impact on the lake water quality and pressure continues for additional shoreline development around the lake. Phosphorus is one of the most important nutrients affecting the water quality of Whitewater Lake. High levels of phosphorus are associated with the increased amounts of aquatic vegetation found in the lake. Preliminary estimates in 1991 suggested that 50% of the phosphorus loading of Whitewater Lake comes from natural sources while 32% is associated with urban runoff. Other probable sources identified include precipitation (11%), agriculture (5%) and private septic systems (3%). To achieve water quality improvements in Whitewater Lake, effort should be taken to implement measures to reduce the amount of phosphorus entering the lake. Further study is required of other contaminants such as heavy metals.

21.1.2 Water Quality

The water quality of Whitewater Lake is of primary concern to area residents. It has been the policy in the past to prevent water quality degradation and maintain water quality at Trophic Level 2 in Whitewater Lake. More recent phosphorus values for Whitewater Lake indicate that it is now a Trophic Level 3 lake. To the extent possible,

it shall be the policy of this plan to reduce or halt a further decline in water quality. The policies proposed in this Section have attempted to implement this objective.

A number of actions that could be undertaken by various groups and agencies to protect the water quality of Whitewater Lake have been identified. Some actions will contribute directly to water quality improvement while others will have indirect benefits.

Programs

1. Municipal projects and parks within the Whitewater Lake watershed will utilize only low phosphorus fertilizers.
2. Street sweeping and ditch cleaning programs that incorporate measures to minimize the impact of runoff on Whitewater Lake will be adopted.
3. To the extent possible, the City will utilize Best Management Practices in carrying out construction and other activities within the Whitewater Lake watershed.
4. In conjunction with the appropriate regulatory authorities, the City will investigate the feasibility of developing a program to inspect private septic systems on properties abutting Whitewater Lake and to ensure remedial action is taken to rectify failed or failing systems.
5. A program of regular lake water sampling to determine sources of contamination and to establish a database of water quality information will be developed in cooperation with the appropriate regulatory authorities, educational institutions and members of the community.
6. A protocol for dealing with hazardous spills occurring within the Whitewater Lake watershed will be developed to ensure a quick response by the appropriate agencies and to minimize the impact of such spills on Whitewater Lake.

7. Given that urban runoff from existing development in Azilda is a significant source of phosphorus to Whitewater Lake, the City will investigate the feasibility of installing such features as silt traps and filter beds at existing storm sewer and drainage ditch outfalls with a view to minimizing the amount of phosphorus, silt and other pollutants entering Whitewater Lake.

21.1.3 Water Quality Model

A qualified consultant will be retained to develop and/or apply a lake-wide water quality model calibrated to Whitewater Lake and its unique characteristics. An appropriate model will provide the ability to assess the probable water quality and biological impacts of future development within the community of Azilda and on existing unserviced waterfront lots around the lake.

The model shall also provide an accurate means of predicting the benefits of various measures (e.g., storm sewer improvements) in mitigating water quality degradation. Among other considerations, the model should consider what the tributaries contribute to Whitewater Lake, anticipate the growth of the community of Azilda to a population of 6,000, and anticipate the development of existing vacant lots around the lake.

21.1.4 Storm Drainage

Stormwater runoff has been identified as a major contributor of nutrients and other pollutants to Whitewater Lake. The provision of storm drainage is a City responsibility. Other agencies with an interest include the Nickel District Conservation Authority, the Ministry of Natural Resources and the Ministry of the Environment.

Policies

As a condition of the approval of an Official Plan Amendment, Rezoning, Subdivision or multiple severance (more than 3 lots) proposals in the Whitewater Lake Watershed, the following policies shall apply:

1. Council shall require a stormwater drainage plan that shall ensure, to the extent possible, that stormwater drainage is accommodated on-site and that Best Management Practices are incorporated during construction. The stormwater plan shall ensure that any off-site impact on stormwater runoff shall be reduced by providing such features as temporary retention areas, preserving natural wetlands, and revegetating eroded sites to the satisfaction of the City. Proponents should contact the City in the early planning stages of the proposal to discuss possible stormwater management measures.
2. Proponents will be required to pay the full cost of all downstream drainage upgrades necessitated by the proposed development.
3. Council shall consider requiring the development proponent to undertake the necessary studies to determine the phosphorus load that would be added to Whitewater Lake as a result of the proposed development. Off-site stormwater treatment upgrades or financial contributions to such upgrades may be required to ensure that there will be no net increase in the amount of phosphorus entering Whitewater Lake. This policy may only be applied once a lake-wide model (see Section 21.1.3) for Whitewater Lake is developed which allows the evaluation of the impact of individual development proposals on overall lake water quality and the evaluation of the benefits of various mitigation measures.

21.1.5 Wetlands

Wetlands associated with Whitewater Lake improve the quality of water flowing into and out of Whitewater Lake and provide important wildlife and waterfowl habitat.

No development or site alteration, except on existing lots of record, shall be permitted in or adjacent to wetlands unless it is demonstrated through an Environmental Impact Study that there will be no negative impact on the wetland and its ecological function.

21.1.6 Waterfront Lot Creation

As Whitewater Lake is now classified as a Trophic Level 3 Lake, the creation of additional waterfront lots where municipal sewer and water are not available shall not be permitted.

Tourist commercial developments are restricted on the lake to the existing commercial marine/airbase use. All future applications will require an amendment to this Plan.

21.1.7 Interim Control By-law

If adverse water quality changes become evident, consideration shall be given to the application of an interim control by-law around the lake or within the watershed. The purpose of this by-law would be to carefully control or restrict development for a period of time while studies are undertaken to identify the source of the water quality problems and measures to mitigate the effects.

21.1.8 Public Land

The City shall undertake to obtain land for public use and/or land environmental protection on Whitewater Lake as opportunities arise. The policies of Section 7.2.1 of the Official Plan shall apply.

Council may investigate the feasibility of establishing a Whitewater Lake Trust that could receive donations of land or cash for the establishment, maintenance or purchase of waterfront land for public use and the initiation of other projects to preserve and enhance the water quality of Whitewater Lake.

21.2 LAKE WANAPITEI POLICY AREA

21.2.1 Special Waterfront Development District

The peninsula southwest of the Non-Urban Settlement of Skead, indicated on *Schedule 2a, Special Policy Areas* as Area “A”, possesses unique characteristics. It offers excellent vistas of Lake Wanapitei, a well-forested site with varied terrain, and a well-protected harbour between the peninsula and the mainland. The peninsula provides unique opportunities for resort type development and/or clustered residential development in a mixed use setting.

With respect to Area “A”, it shall be the policy of Council to:

- a. designate Area “A” as a Special Waterfront Development District where specific land uses shall be determined by rezoning;
- b. permit the following uses:
 - i. residential uses;
 - ii. specialized resort commercial uses such as hotel, resort condominium and similar accommodations, restaurants, marina and related accessory uses;
 - iii. specialized institutional uses such as research and educational facilities; and,
 - iv. outdoor recreation uses;
- c. require a comprehensive proposal covering the entire peninsula to be submitted by the proponent as a condition for considering a rezoning application. A rezoning for any of the uses listed in subsection b), either singly or in combination, may be permitted, provided that:

- i. no municipal services shall be required for the proposed development;
- ii. any required new public road shall be provided by the proponent at no expense to the City;
- iii. approval is obtained for a private sewage disposal system appropriate for the proposed development pursuant to the *Environmental Protection Act*;
- iv. an adequate supply of potable water is proven to the satisfaction of the City;
- v. for residential uses in a conventional subdivision, a minimum lot size of 0.8 hectare, minimum water frontage of 45 metres, 45 metres setback for field beds and 12 metres setback for buildings, shall apply;
- vi. for clustered residential development either by itself or in combination with any of the permitted uses and developed under the provisions of Comprehensive Planned Unit Development policies of this Plan, a gross density of up to 7.5 units per hectare of the residential portion of the site may be permitted, provided that a minimum of 30% of the residential site is kept as landscaped or natural open space held in public or common private ownership. Under this provision, open space shall not include any roads or required parking areas;
- vii. for resort commercial uses, a gross floor area index of 0.5 shall be permitted, provided that a minimum of 40% of the resort site is kept as landscaped or natural open space. Under this provision, open space shall not include any roads or required parking areas but may include areas for outdoor recreation;
- viii. for institutional uses, the appropriate density shall be determined on an individual basis at the time of rezoning in accordance with the intent of this Section of the Plan, provided that a minimum of 50% of the site shall be kept as landscaped or natural open space;

- ix. restrictive covenant against further severances shall be registered against the title; and,
- x. development shall be subject to site plan control.

21.2.2 Non-Urban Settlement of Skead

With respect to the area designated as *Living Area II* within the Non-Urban Settlement of Skead as indicated on *Schedules 1a and 1c, Land Use Map*, it shall be the policy of Council to:

- a. permit single detached dwellings on all lots in existing registered plans of subdivision and parcels lawfully created and held under separate ownership at the time of the adoption of the *Secondary Plan for the Lake Wanapitei Area* (December 9, 1987), provided that the property fronts on or has a registered right-of-way to an existing public road maintained year-round; and,
- b. require that all new or replacement field beds for waterfront lots shall have a minimum setback of 45 metres from the high-water mark. In exceptional cases where this condition cannot be met, the property shall be reviewed on its own merits by the appropriate regulatory authorities.
- c. permit minor expansion and infilling through severances or plan of subdivision provided that:
 - i. the density standards of 7.5 units per hectare (minimum lot size of 1,333.3 m² and minimum frontage of 36 metres) are adhered to. Where such property has water frontage, the lot size shall be a minimum of 0.8 hectare and a water frontage 45 metres;
 - ii. the property fronts on an existing public road maintained year-round; and,
 - iii. for waterfront lots, the field bed can be located at a minimum setback of 45 metres from the high-water mark.

21.3 VALLEY EAST POLICY AREA

21.3.1 Urban Expansion Reserve

In order to achieve the desired community structure of the Valley East Urban Area, population growth greater than that estimated to occur during the Plan period will be required. Accordingly, those lands needed to complete the urban structure but not required during the Plan period are placed in the Urban Expansion Reserve as shown on *Schedule 1c, Land Use - Community Insets* and *Schedule 2a, Special Policy Areas*. As these lands are not intended for development until after the Plan period, future uses, with the exception of a community park, greenbelt, and Collector Roads, (which are shown on *Schedule 6, Transportation Network*), are not indicated at this time, but will be shown when these lands are removed from the Reserve.

Lands designated as Urban Expansion Reserve are deemed to be in the path of urban growth. As such, these lands are restricted to those uses that would not prejudice the sound urban development of this area in the future.

Policies

With respect to the Urban Expansion Reserve, the following policies apply:

1. Single detached dwellings on existing lots and parcels are permitted, as well as forestry, agriculture (including the sale of agricultural products grown or raised by the vendor), and outdoor recreation. Other resource and resource-related uses that would not prejudice urban development in the future may also be permitted by rezoning.
2. The subdivision of land is not permitted during the Plan period.
3. The severance of land is permitted under the following circumstances:
 - a. The parcel to be severed and the parcel remaining after severance are individually at least 30 hectares (74 acres).

- b. Any parcel of land held under separate ownership on March 14, 1978 may be allowed one severance per each 10 hectares (25 acres) of the holding. Such a severance must be from 0.4 to 0.8 hectare (1 - 2 acres) in size with a minimum frontage of 60 metres (197 feet) along an existing public road. This policy applies only to the registered owner of the parcel on March 14, 1978.
 - c. A hydrogeological assessment establishes that soil conditions are suitable for a private sewage disposal system and the requirements of the *Environmental Protection Act* regarding private sewage disposal systems are met.
 - d. There is a proven water supply in both quantity and quality suitable for domestic purpose.
4. It shall be the policy of Council to direct development to the Valley East Urban Area. Lands in the Urban Expansion Reserve will not be redesignated until such time that lands in the Valley East Urban Area are predominantly utilized or committed for development. Reserve lands adjacent to the urban area will be considered for redesignation first, as long as development of such lands will not impede the resource and resource-related uses on the remaining Urban Expansion Reserve.

21.3.2 Town Centre

Lands designated as the *Town Centre* of the Valley East Urban Area are intended primarily for civic functions. Other land uses that are compatible with and supportive of civic functions may be developed over time. Other public, community-sponsored or non-profit agencies or organizations providing services and facilities are encouraged to locate in the *Town Centre*. Medium density residential development is also permitted as a component of the *Town Centre*, particularly seniors and special needs housing.

21.3.3 Whitson Lake

While Whitson Lake lies within the Plan Area, no specific studies have been undertaken evaluating the suitability of the shoreline or the drainage area of the lake for various types of development. Such studies will be carried out at a later date for the whole of Whitson Lake and its drainage area. Until such time as a comprehensive Whitson Lake Watershed Plan is adopted, the following policies will apply on those lands surrounding Whitson Lake:

Policies

1. Waterfront lands not designated as the *Mining/Mineral Reserve* shall continue to be designated as *Rural*; however, permanent residential waterfront development may be permitted, provided that:
 - a. the lot or parcel created by consent has frontage along a public road maintained year-round, a minimum size of 0.8 hectare and a minimum frontage of 45 metres;
 - b. a hydrogeological assessment establishes that soil conditions are suitable for a private sewage disposal system and the requirements of the *Environmental Protection Act* regarding private sewage disposal systems are met;
 - c. there is a proven water supply in both quantity and quality suitable for domestic purposes;
 - d. the proposed development will not degrade the water quality of Whitson Lake to exceed its current Level I water quality status; and,
 - e. fish and/or wildlife habitats are not adversely affected.

2. Due to the proximity of these lands to existing settlements, no seasonal waterfront development shall be permitted.
3. For the protection of the shoreline, a minimum 15 metre vegetation buffer shall be maintained.
4. For non-waterfront lands, policies related to *Rural Areas* or the *Mining/Mineral Reserve*, as the case may be, shall apply.

21.4 SOUTH END OF THE COMMUNITY OF SUDBURY

The policies set forth in this section apply to those lands shown as the South End on *Schedule 2a, *Site and Area Specific Policies**. (OPA #2)

21.4.1 Land Use Goals

With respect to land use in the South End, it shall be the goal of Council to:

- a. facilitate the orderly development of the South End;
- b. encourage the provision of a range of housing types; and,
- c. facilitate the designation of commercial and industrial development to expand the range of services and employment available in the South End.

21.4.2 Objectives

With respect to land use in the South End it shall be the objective of Council to:

- a. encourage the concentration of commercial development in the South End *Regional Centre*;
- b. ensure that the residential areas of the South End be developed to accommodate population growth for the Plan period;

- c. encourage multiple family residential development along Arterial Roads served by public transit; and,
- d. discourage non-contiguous development.

21.4.3 Concept Plans

Where a proposal is brought forward to develop only part of a land holding, a Concept Plan for the entire land holding shall be submitted with the development proposal prior to Council considering the application. The purpose of a Concept Plan shall be to assist Council in evaluating the proposal with respect to the long-term development of the site. It is intended that the Concept Plan will retain flexibility in order to respond to long-term changes in market conditions and other circumstances. A Concept Plan will show:

- a. how the development is to be generally distributed on each block;
- b. the general location and character of open space;
- c. the phasing of the development; and,
- d. the manner in which linkages to adjacent developments will be enhanced or created, entrance locations, and any road network being proposed.

21.4.4 Mixed Use Commercial

Notwithstanding the policies of Section 4.3, no development of any kind shall be permitted which would result in any new access to Regent Street South between the Four Corners and the Southwest By-pass. All new developments shall gain access from service roads and/or shared entrances with adjacent existing developments.

21.4.5 Servicing

Notwithstanding any other policies to the contrary, new industrial development in the South End shall only occur on lands where full municipal sewer and water services are provided.

21.4.6 New Roads

With respect to the road system, *Schedule 6, Transportation Network* illustrates the approximate alignments of new roads that may be required in light of future traffic needs.

Prior to any development approvals in the Lo-Ellen area requiring new roads, the opening up of unopened roads or extensions to existing roads, the City will prepare a Traffic Impact Study which shall:

- a. identify how the proposed development will fit into the evolving road pattern of the Lo-Ellen area;
- b. prescribe a road pattern that distributes traffic in the Lo-Ellen area in a balanced and efficient fashion;
- c. ensure that the recommended road network in the Lo-Ellen area continues to attract local traffic only;
- d. provide that only a single connection to the west side of a possible future second access road to the university shall be provided and that this connection will occur at the southerly end of the undeveloped area as indicated on *Schedule 6, Transportation Network*;
- e. identify which traffic calming measures should be taken to preserve the residential ambience of Hunter Street and Loach's Road which are the planned Collector Roads for the area and any other required Collector Roads, such as

providing a narrow pavement platform, a winding street pattern, and tree planting on boulevards adjacent to the street edge; and,

- f. provide opportunities for public input.

21.4.7 Subdivision Design

It shall be the policy of Council to require a connected street pattern or other such design alternatives which reduce the need for cul-de-sacs. In addition, developers shall be required to provide vehicle, pedestrian and bicycle linkages to future developments on abutting lands.

21.4.8 Sewer and Water Supplies

In order to ensure that sewer and water supplies are adequate to meet the demands for growth in the South End, the City shall review its servicing needs as they relate to the South End. This review may, among other matters, consider such things as the phasing and financing of expansions and upgrading of the existing sewer and water infrastructure where necessary.

21.4.9 Water Pressure

Policies

1. At certain higher elevations in the South End, there may be insufficient water pressure to provide adequate flows for fire protection. In order to prevent situations where there are inadequate flows for fire protection, it shall be the policy of Council to consider restricting certain types of land uses at higher elevations notwithstanding the land use designations contained in this Plan.
2. Council may consider a number of alternatives in order to address water pressure problems in the South End. These alternatives may include:
 - a. permitting booster pumps to some types of land uses; and,

- b. phasing development consistent with the orderly expansion of the water supply system.

21.4.10 Trails

Trails can serve as an alternative means of transportation within an urban environment. As new areas develop in the South End, green corridors with trails linking these areas with existing or future recreational areas or activity centres should be provided.

It shall be the policy of Council to require the following trail links be incorporated into any future development:

- a. as residential development occurs east and south of the Lo-Ellen Park area, trail corridors linking this area with the Laurentian University and the Lake Laurentian Conservation Area trail system shall be provided;
- b. in the Algonquin area, the Mallard's Green trails shall be extended to the north and west to provide access from the Algonquin Road area;
- c. trail linkage from the Countryside Arena to new subdivisions to the east shall be provided;
- d. new residential development west of Long Lake Road shall incorporate trail corridors linking residential areas to the Five Lakes area that will eventually be developed as a recreational area;
- e. a trail along the St. Charles Lake outflow from Lily Creek to St. Charles Lake shall be provided linking the Moonglo extension to Robinson Playground;
- f. a trail connection from the Junction Creek delta to the west end of Robinson Lake shall provide a link between the proposed Junction Creek trail system and the area south of Robinson Lake;

- g. in the area between Paris Street and Regent Street south of Walford Road, trail links with the MacLeod School woodlot shall be provided; and,
- h. a trail along the east shore of Still Lake shall be provided.

21.4.11 Wetlands

Locally significant wetlands have been conceptually identified on *Schedule 2b, South End Natural Assets*. The policies contained in Section 9.2.3 of this Plan pertaining to Wetlands shall apply.

21.4.12 Natural Assets

Policies

1. It shall be the policy of Council to protect the natural assets in the South End that are shown on *Schedule 2b, South End Natural Assets*. These lands should be retained in public ownership, or be acquired by public bodies when opportunities arise. The following is a listing of those lands identified on *Schedule 2b*:
 - a. MacLeod School Woodlot;
 - b. Lily Creek Delta;
 - c. Middle Lake Outflow;
 - d. Middle/Hannah Lake Hilltop/Marsh;
 - e. Robinson Lake Outflow Marsh;
 - f. Junction Creek Delta;
 - g. Kelley Lake Hilltop/Ridge; and,

- h. St. Charles Lake Outflow.
- 2. Natural creeks and streams located within areas to be developed shall be preserved in their natural state wherever feasible. Any special treatment required shall be designed to blend with the natural appearance of the watercourse. Consideration should always be given to utilizing watercourse corridors as natural greenspace in the urban design of an area.
- 3. It shall be the policy of Council to preserve islands on lakes in the South End as natural areas that contribute to the beauty of area lakes.

21.4.13 Special Concept Areas

Special Concept Areas serve as the main entry points to the South End of the City. In order to ensure high quality development, the following policies apply to any lands designated as Special Concept Areas on *Schedule 2a, *Site and Area Specific Policies**: (OPA #2)

Policies

- 1. Special Concept Areas should be developed as integrated mixed use developments.
- 2. Proponents for the development of vacant lands within these Special Concept Areas shall submit a comprehensive development proposal. Among other matters, such plans shall indicate all proposed development, access from the Arterial Road and other necessary road linkages, internal traffic circulation and parking relationships, impacts on natural drainage, phasing, building location, orientation and design features, open space elements, trail linkages and building elevations. The City will consider the size and nature of development proposed within the Special Concept Areas prior to making a decision about the matters to be covered by the comprehensive development plan.

21.5 SOUTH PENINSULA OF THE RAMSEY LAKE POLICY AREA

Policies

1. Notwithstanding the policies of this Plan, the following special policies shall apply to lands designated as *Living Area I* on the South Peninsula of Ramsey Lake (i.e., all those *Living Area I* lands on Ramsey Lake Road, the Bethel Peninsula including all lands lying north and south of Bethel Lake, with the exception of lands along South Bay Road and Keast Drive that are designated as *Living Area II*):
 - a. In order to protect Ramsey Lake as a municipal water supply, no severances or subdivisions are permitted until municipal sewer and water services are available. In the interim, only single detached dwellings are permitted on legally existing lots fronting on public roads, subject to the approval of the appropriate regulatory authorities for a private sewage disposal system.
 - b. In order to preserve the open space character of the neighbourhood, the net density for the South Peninsula shall not exceed 10 units/hectare (equivalent to 1,000 m² or 10,764 ft² of land per unit) even after sewer and water services are available.
2. To maintain the open space character of the south shore of the Ramsey Lake neighbourhood, waterfront lots created by severance on the South Peninsula shall have minimum road and water frontages of 30 metres (100 feet). Backshore lots created by severance shall also have road frontage of 30 metres. For plans of subdivision developed under the provisions of Comprehensive Planned Unit Development, road or water frontage requirement(s) of 30 metres may be reduced provided that the development provides significant public amenities to further the achievement of the goals and objectives of this Plan and the *Ramsey Lake Community Improvement Plan*. As a general principle, frontages should not be less than 23 metres (75 feet) and a minimum lot area of 1,000 m² (10,764 ft²). In evaluating such proposals, the following criteria

shall be considered in addition to the normal evaluation criteria applicable to Comprehensive Planned Unit Development:

- a. that public open space be provided beyond what is normally required under parkland dedication;
 - b. that the development is sensitive to the terrain and the microecology of the area such that natural drainage courses, natural vegetation, natural features such as unique rock formations, and wildlife habitats are preserved;
 - c. that the visual quality of higher elevations of the area from the lake are preserved and enhanced; and,
 - d. that private and public open spaces are linked and integrated such that trail systems could be developed easily.
3. Comprehensive Planned Unit Development provisions shall apply only when municipal services are available for that area.
- *4. Severances shall be permitted on existing lots occupied by a dwelling on June 10, 1992 for a period of one year following the installation of sewer and water services to the property provided that the minimum lot frontage and minimum lot area for both the severed and the retained lot shall be 23 metres (75 feet) and 1,000 m² (10,764 ft²), respectively.* (OPA #2)

21.6 FAIRBANK LAKE POLICY AREA

21.6.1 Shoreline Protection

Policies

Council supports the Ministry of Natural Resources in designating Fairbank Lake as a lake trout lake for lake management purposes and will cooperate with the Ministry of

the Environment and the Ministry of Natural Resources in protecting its water quality and aquatic habitat by consulting these Ministries in reviewing development proposals.

1. The wet beach and littoral zone vegetation shall be protected from modifications and disturbances. All changes made to beaches and shores are subject to the approval of the Ministry of Natural Resources.
2. During site preparation and construction, disturbances to backshore vegetation and soil shall be kept to a minimum. Erosion control measures shall be implemented by the owner to prevent silt and debris from entering the lake.
3. As many fish spawning grounds have not yet been individually identified, additional development restrictions may be imposed for their protection in the severance or subdivision approval process on a case-by-case basis.

21.6.2 Waterfront Developments

Policies

1. Seasonal dwellings shall be permitted on existing registered waterfront lots or parcels legally created and held under separate ownership at the time of adoption of this Plan by Council, provided that:
 - a. the waterfront lot or parcel also fronts on a public road that is maintained seasonally or has public water access;
 - b. approval is obtained from the appropriate regulatory authorities for the location and operation of a private sewage disposal system pursuant to regulations of the *Environmental Protection Act* prior to the issuance of a building permit, and all new or replacement field beds shall have a minimum setback of 30 metres from the high-water mark;
 - c. all new main or accessory buildings, with the exception of boathouses and docks, shall have a minimum setback of 25 metres from the high-water mark; and,

- d. municipal services need not be extended beyond what is currently provided.
2. New lots for waterfront dwellings may be created either by consent or plan of subdivision from existing parcels of land abutting the lake, provided that:
- a. the lot created and the lot remaining must have a lot size of not less than 0.8 hectare and a minimum water frontage of 80 metres;
 - b. an adequate supply of potable water is proven to the satisfaction of the City prior to the issuance of a final certificate by the Consent Official or final approval of a plan of subdivision;
 - c. approval is obtained from the appropriate regulatory authorities for the operation and location of a private sewage disposal system pursuant to regulations of the *Environmental Protection Act* prior to the issuance of a final certificate by the Consent Official or final approval of a plan of subdivision;
 - d. all setback requirements stipulated under clauses b) and c) of Policy 1 can be satisfied;
 - e. it is not constrained by environmental hazards such as steep slopes, swamps, or a designated Flood Plain;
 - f. the new lot would not have a negative impact on any identified fish spawning ground;
 - g. for seasonal dwellings, a No Demand for Services Agreement is registered against the title where access is obtained from a seasonally maintained road; and,
 - h. for permanent dwellings, permanent public road frontage is required.

3. Notwithstanding subsection 2, parts of Parcels 8243, 8244 and 8973, Lots 1-3, Concession I, Township of Trill, and parts of Parcel 8240 in Lot 2, Concession VI, Township of Drury, may be subdivided to recognize the existing seasonal dwellings that cannot meet the lot size and frontage requirements of this Plan, provided that all other conditions regarding seasonal development can be met.
4. Notwithstanding the requirements of clause a) of subsection 2, four (4) new lots may be created on Parcel 26859 "A", Lot 3, Concession I, Township of Trill, provided that all other conditions regarding seasonal development can be met.
5. Notwithstanding the provisions of subsection 2, no further severances or subdivisions shall be permitted on the islands of Fairbank Lake.
6. Subject to rezoning, conversions of existing seasonal dwellings into permanent dwellings are permitted, provided that:
 - a. the lot fronts on a public road that is maintained year-round;
 - b. the existing lot has a minimum size of 0.8 ha and water frontage of 80 metres, and meets all other requirements of the Zoning By-law for permanent residential use;
 - c. the lot is suitable for private water and sewage systems for permanent use as approved by the appropriate regulatory authorities;
 - d. Building Code Standards for permanent dwellings are met;
 - e. the lot does not lie within a designated Flood Plain; and,
 - f. Ministry of the Environment is satisfied that the conversion would not have long-term effects on the existing trophic level of Fairbank Lake.

21.6.3 Existing Resort Commercial

The intent of these special policies is to recognize the existing resort commercial uses on the south shore of Fairbank Lake. Since the adoption of the original policies, some changes have occurred including ownership changes for certain land parcels and the realignment of the municipal road.

Policies

The following policies recognize these changes while keeping the intent of the original policies:

- a. The existing resort commercial establishment located on former Parcel 8095, Lot 10, Concession I, Township of Fairbank and now described as PIN 73366-0168 (being Part 1, Plan 53R-12267 and Parcel 29285) shall be recognized as an existing Resort Commercial use in the Zoning Bylaw. It permits ten (10) seasonal dwellings or ten (10) camping sites interchangeably provided that the total number of the combination does not exceed ten (10), a marina, a restaurant and a single detached dwelling. The creation of additional campsites and expansion of the operation, however, shall not be permitted except by an amendment to the Zoning By-law. In considering such an application, Council shall evaluate, among other factors, the impact of additional boats and campsites on the water quality and fisheries habitat of Fairbank Lake. Vacant lands east of Waldenwood Road that were part of the resort are now reverted to Mineral Reserve.
- b. Parts 4, 5 and 6 of Plan 53R-14542 have been added to former Parcel 7288, Lot 10, Concession VI, Township of Denison, and now described as PIN 73382-0541. The existing trailer park shall be recognized as an existing Resort Commercial use and will be zoned in the Zoning By-law to permit 100 trailer sites. The two parcels described as PIN 73382-0542 and PIN 73366-280 (being Parts 1, 2 and 3, Plan 53R-3795) provide the trailer park with access to Fairbank Lake as well as a waterline and pump house for the trailer park.

- c. The existing resort commercial establishment located on Parcel 9738, Lot 12, Concession VI, Township of Denison, shall be recognized as an existing Resort Commercial use and will be zoned to permit such a use in the Zoning By-law. It shall be limited to its existing capacity of five (5) cottages and a marina.

21.6.4 Mining/Mineral Reserve

In addition to the policies contained in Section 4.6.1 of the Plan, severance of lands within the area designated as *Mining/Mineral Reserve* for the purposes of creating seasonal or permanent residential lots shall not be permitted. However, nothing in this clause shall be deemed to prohibit severances for the transfer of intervening lands between legal existing registered cottage lots and a public road for the purposes of securing public road access to or enlarging the areas of the said lots, provided that no new lot is created.

21.6.5 Site Plan Control Area

Lands designated as the *Mining/Mineral Reserve* and *Aggregate Reserve* are hereby designated as proposed Site Plan Control Areas with the exception of proposed mining uses more than 150 metres from any residential development or 150 metres from the shoreline of any lake and/or more than 150 metres from any public road. Further, resort commercial developments within the Policy Area shall also be subject to site plan control. Upon approval of this Plan by the Minister, Council will adopt a Site Plan Control By-law pursuant to the *Planning Act* to implement this policy.

21.6.6 Forestry

Lands around Fairbank Lake are covered extensively by production forests. In order to reduce potential conflicts between timber harvesting and recreation, Council shall cooperate with the Ministry of Natural Resources in implementing the following policies:

- a. Council supports the commitment of the Ministry of Natural Resources:
 - i) to apply a skyline no-cut reserve around Fairbank Lake; and,

- ii) to apply a 120 metre Modified Management Area at the rear of all cottage lots wherein the first 30 metres will remain uncut and the remaining 90 metres will consist of a Uniform Shelterwood cut, whichever is greater;
- b. On forest lands beyond the shoreline reserve, up to at least the limits of the Fairbanks Lake Watershed, Council shall communicate with the Ministry of Natural Resources and actively participate in the development of Ministry forest management and operating plans to promote through application of modified forest management practices, preservation of aesthetics of Fairbank Lake, protection of wildlife habitat and reduced siltation. In addition, the Ministry is encouraged to notify and involve interested publics including the Fairbank Lake Cottagers' Association and individual cottage owners well in advance of specific forest management operations within the planning area;
- c. Erosion control measures shall be undertaken;
- d. Where practical, cutting shall be carried out during the winter season;
- e. No logging slash shall be left within 30 metres of road right-of-ways and the high-water mark of watercourses and waterbodies;
- f. Where appropriate and practical, reforestation shall be carried out immediately following harvesting, or in the case of winter logging, no later than the next planting season.

21.7 SPECIAL FLOOD PLAIN POLICIES

While development is generally prohibited within the Flood Plain, there are Flood Plain areas in the communities of Sudbury, Dowling, Azilda and Chelmsford where special policies apply. These areas are indicated on *Schedule 4, Hazard Lands*. **These areas are not "Special Policy Areas", as defined in the Provincial Policy Statement. Development in these areas may only be permitted if approved by the Nickel District Conservation Authority. Development will not be permitted where there is an*

unacceptable risk to public health or safety or of property damage.* (2007 MMAH Mod #34)

21.7.1 The Community of Sudbury

Development may occur in the following areas of the community of Sudbury in accordance with the underlying land uses indicated on *Schedule 1b, Land Use Map*, subject to the approval of the Nickel District Conservation Authority.

Policies

1. **Area A: Alexander Street**
Within Area A, the replacement, expansion or alteration of existing buildings and infilling on existing vacant lots may be permitted. No new lots will be permitted.
2. **Area B: Notre Dame Avenue**
Within Area B, the replacement, alteration or expansion of existing buildings may be permitted. New development may be permitted up to 95 metres east of Notre Dame Avenue provided that no development will occur closer than 25 metres to Junction Creek.
3. **Area C: Flour Mill**
Within Area C, the replacement, expansion or alteration of existing residential buildings and infilling on existing vacant lots may be permitted. No new residential lots will be permitted. Infilling or the replacement of non-residential uses may be permitted provided that these do not occur closer than 25 metres to Junction Creek.
4. **Area D: Copper Cliff**
Within Area D, the replacement, expansion or alteration of existing buildings and infilling on existing vacant residential lots may be permitted.
5. **Area E: Ramsey View Court**

Within Area E, a new mixed use office building may be permitted. *(OPA #266)

6. **Area F: Long Lake Road Bypass**

Within Area F, non-residential development permitted in the underlying designation may be allowed, provided that municipal sewer and water services are available. In addition, for those lands lying northeast of the Bypass and designated as *Living Area*, low density residential development may be permitted provided that required drainage improvements are installed which mitigate the flood hazards.

7. **Area G: Highway 69 Bypass**

Within Area G, non-residential development permitted in the underlying designation may be permitted provided that municipal sewer and water services are available.

8. **Area H: Ponderosa Area**

Within Area H, certain lands may have development potential even though this area currently serves as a natural floodwater storage area. If it can be demonstrated to the satisfaction of the Nickel District Conservation Authority, that some or all of these lands can be removed from the Flood Plain as a result of drainage or flood management improvements, development may be permitted subject to an amendment to the Official Plan covering the entire Area H to establish an appropriate range of residential and other compatible land uses. Applications for amendments to the zoning by-law shall be submitted at the same time as applications for plans of subdivision.

As a condition for considering an Official Plan amendment application, the proponent shall prepare and submit a comprehensive development plan and comprehensive technical studies at their own expense. The comprehensive development plan shall include the entire Area H to indicate the proposed land uses, the layout of streets, services, open space elements and other urban design features, and phasing. The comprehensive technical studies may include engineering studies to address issues such as Flood Plain and stormwater management, groundwater, sewer and water services,

transportation, noise and vibration from the CNR line, and construction techniques required to overcome poor soil conditions.

At the rezoning and subdivision stages, the comprehensive development plan shall also indicate building envelopes, trails and pedestrian linkages, sensitive and natural areas, natural corridors, landscaping elements, and other details appropriate for the application under consideration.

In considering such applications, Council will ensure that:

- a. adequate provisions are made in the proposal for Flood Plain management;
- b. soil conditions are proven to be suitable for the proposed development, and that the proposed development and related flood management improvements would have no unacceptable adverse impacts on the stability of buildings and structures in adjacent existing developments;
- c. sewer and water capacities are adequate for the proposed development;
- d. the existing road system can accommodate the additional traffic flow;
- e. public roads and other infrastructure as may be required by the City as a result of this development shall be provided by the developer;
- f. parking and efficient internal traffic circulation, are adequately provided for;
- g. open space remains an integral component of the development. In particular, the linear open space system of the Junction Creek Waterway Park shall be maintained. For the purposes of this sub-clause, a golf course will be considered to be compatible with the linear open space system, provided that its design and usage will not interrupt the continuity of the publicly accessible linear open space system;

- h. no residential or other urban development shall occur closer than a minimum of 25 metres from the centre line of Junction Creek;
- i. land dedication for park purposes pursuant to the *Planning Act* shall be the greater of five percent or one hectare per 300 dwelling units, which may be directed in whole or in part to establishing a natural Junction Creek corridor. In addition, the dedication of land along the Junction Creek corridor which will remain in the Flood Plain after the proposed flood management improvements may be required as a condition of development approval; and,
- j. all applicable provincial legislation and approved policies under Section 3 of the *Planning Act* in existence at the time of the application are complied with.

21.7.2 The Community of Dowling

Portions of the community of Dowling are designated as a Two-Zone Flood Plain Policy Area. All development shall be prohibited in the area designated as Floodway as shown on *Schedule 4, Hazard Lands*. Development is permitted in the area designated as Flood Fringe as shown on *Schedule 4, Hazard Lands*, only in accordance with the policies below.

Policies

- 1. In areas designated as *Living Areas* within the Flood Fringe which have been substantially developed for single dwelling unit purposes, new development may be permitted in accordance with the following provisions:
 - a. extensions or additions to existing buildings, and the reconstruction of dwelling units destroyed by natural causes other than a flood, may be permitted provided that:
 - i. all openings are located at least 0.3 metres above the elevation of the regulatory flood line;

- ii. buildings constructed on filled ground shall not be raised to a height that is not in keeping with surrounding buildings or would create localized drainage problems;
 - iii. no habitable rooms shall be permitted below the design flood level; and,
 - iv. all requirements of C.M.H.C., the Ontario Building Code and the Nickel District Conservation Authority regarding floodproofing of structures in the Flood Plain shall apply;
- b. new single dwelling units may be constructed on lots in registered plans of subdivision existing on April 19, 1982, subject to the approval of the Nickel District Conservation Authority and the Ministry of Natural Resources and the following special provisions: (2007 MMAH Mod #35)
 - i. municipal water and sewer are available or, the appropriate regulatory authorities in consultation with the Nickel District Conservation Authority have determined that there is sufficient lot area outside of the Flood Plain to support a Class 4 sewage system, in accordance with the requirements of the *Environmental Protection Act*;
 - ii. ingress and egress to any lot in the Flood Fringe where any development is proposed should be floodproofed so that escape routes remain passable during times of flooding, to the satisfaction of the Nickel District Conservation Authority; and,
 - iii. the property fronts on an existing public road maintained year-round;
- c. the division of existing serviced lots into two (2) parts may be permitted as long as the property fronts on an existing public road maintained year-round, has municipal sewer and water available, and there is sewer and water plant capacity for the additional development; (2007 MMAH Mod #36a)

- d. in areas where commercial development is permitted, expansions and new uses are allowed; (2007 MMAH Mod #36b)
- e. the area designated as *Town Centre* and a portion of land designated as *Living Area I* are located within the designated Flood Plain. This area constitutes the main focus for new commercial and residential development and may be developed in accordance with the underlying land use policies subject to the following special provisions:
 - i. prior to considering a plan of subdivision, a hydrogeological assessment must be prepared by the developer and approved by the Nickel District Conservation Authority and the Ministry of Natural Resources. Such a study must contain recommendations for floodproofing, existing and finished elevations, drainage improvements and all other matters required to protect the development from flood damage;
 - ii. other permitted uses as outlined in Section 4.2.3 (Town Centres) will be permitted provided that appropriate flood protection measures which meet the approval of the Nickel District Conservation Authority and the Ministry of Natural Resources are undertaken, and, (2007 MMAH Mod #36c)
 - iii. municipal sewer and water is to be extended at the expense of the owner; and,
- f. the northerly portion of Parcel 12292, Lot 4 , Concession 4 and Parcel 13821, Lot 3, Concession 4, Township of Dowling are designated *Living Area I* and surrounded by both commercial and residential development. New residential uses will be permitted in this portion of the Flood Plain provided that:
 - i. a hydrogeological assessment is prepared prior to the submission of development plans;
 - ii. appropriate flood protection and erosion control measures are undertaken by the developer to the satisfaction of the Nickel

District Conservation Authority and the Ministry of Natural Resources;

- iii. a variety of housing types may be permitted to a maximum net residential density of 18 units per hectare;
- iv. no building shall exceed two storeys in height; and,
- v. any required sewer and water extension is at the expense of the owner and plant capacity exists to accommodate new development.

21.7.3 The Community of Azilda

Portions of the community of Azilda are designated as a Two-Zone Flood Plain Policy Area. Floodway and Flood Fringe areas for Azilda are shown on *Schedule 4, Hazard Lands*.

21.7.3.1 Floodway

Policies

The Floodway comprises those lands located below the level of the 100-year Flood Line in Azilda. The provisions of Section 10.2 (Flooding Hazards) and 10.2.1 (Existing Structures in the Flood Plain) apply to lands in Azilda with the Floodway designation. In addition to those provisions, it is policy of this Plan that:

- a. all Floodway lands, with the exception of existing buildings and structures, will be zoned as an appropriate hazard zone in the implementing Zoning By-law; and,
- b. where the level of the 100-year flood has been permanently altered through approved remedial works satisfactory to Council and the Nickel District Conservation Authority, the Flood Fringe policies below will apply to the lands that have been removed from the Floodway.

21.7.3.2 Flood Fringe

Policies

1. The Flood Fringe consists of lands between the 100-year Flood Line and the Regulatory Flood line. Development may be permitted within the Flood Fringe, subject to the provision of adequate floodproofing. As such, buildings and structures existing at the date of adoption of this Plan may be recognized as permitted uses in the implementing Zoning By-law.
2. Expansions of and/or alteration of existing buildings and the erection of new buildings and structures on existing vacant lots, may be permitted in accordance with the underlying land use designation, subject to the approval of the Nickel District Conservation Authority and in compliance with the following floodproofing requirements:
 - a. all openings will be 0.3 metres above the Regulatory Flood Level;
 - b. no habitable rooms will be permitted below the Regulatory Flood Level; and,
 - c. all buildings constructed on filled ground will not be raised above the elevation of surrounding lots or create localized drainage problems.
3. The reconstruction of dwelling units destroyed by natural causes other than flood may be reconstructed in accordance with the floodproofing requirements above without amendment to the Zoning By-law.

21.7.4 The Community of Chelmsford

In Chelmsford, the Floodway policies from Section 21.7.3.1 will apply. However, certain areas adjacent to Tributaries III and IV of the Whitson River in Chelmsford may have been removed from the 100-year flood limits by remedial works. Accordingly, those areas lying between Errington Street and Municipal Road 15, which lie within the

Regulatory Flood limits as shown on *Schedule 4, Hazard Lands*, may be developed in accordance with the Flood Fringe provisions of Azilda.

21.7.5 Lake Wanapitei

On Lake Wanapitei, those areas below an elevation of 267.95 metres are considered to be within the flood plain. **Development will not be permitted in the flood plain.** In addition, lands within a minimum of 45 metres of the flood plain will also be regulated by the Nickel District Conservation Authority to address other water-related hazards. The Nickel District Conservation Authority should be consulted to establish exact boundaries of the flood plain and buffer areas. (2007 MMAH Mod #37)

21.7.6 Lake Panache

On Lake Panache, those areas below an elevation of 222.4 metres are considered to be within the flood plain. **Development will not be permitted in the flood plain.** (2007 MMAH Mod #38)

21.8 MINNOW LAKE POLICY AREA

21.8.1 Background

Located within the Minnow Lake Community Improvement Area are two large tracts of land designated *Living Area 1* and indicated on *Schedule 2a, *Site and Area Specific Policies**. These lands are characterized by a rugged, rocky topography that has made them difficult to develop in the past. These striking landscapes are valued by the community for the open space they provide and for the diversity they add to the urban landscape. (OPA #2)

Policies

1. In order to preserve the open space character of the area, Comprehensive Planned Unit Developments may include a variety of building types up to a maximum height of 5 storeys, provided that the maximum density does not exceed 18 units per hectare. For developments other than Comprehensive

Planned Unit Development, only single detached, semi-detached, and duplex dwellings shall be permitted to a maximum density of 18 units per hectare.

2. In the development of these large land holdings, substantial tracts of undeveloped open space shall be preserved and dedicated for park purposes. Such open space areas shall be contiguous with open space areas in abutting parcels or shall include green pedestrian and/or bicycle corridors linking with other open space areas.
3. The integrity of the natural landscape and significant natural features of the site shall be preserved.
4. Development shall flow with the natural topography of the site and terrain modification shall be minimized through clustering of development in nodes located at various elevations and locations.
5. Building forms will be specially designed to complement and blend with the natural landscape.
6. Views to and from Minnow Lake and Ramsey Lake shall be protected through the preservation of natural hilltops.
7. Linkages shall be provided between open space and other recreation areas.
8. In exceptional situations where a proposed development provides additional public amenities beyond meeting the provisions of #2-7 above, an increase in density to 36 units per hectare may be considered.
9. No severances or development shall be permitted without a comprehensive plan for the entire land holding. The plan shall address matters such as future lots, road linkages, infrastructure, pedestrian linkages, building sites, land use, and the location of open space areas to be preserved.

21.9 RAMSEY LAKE UNSERVICED RESIDENTIAL

Certain inhabited shorelines as shown on *Schedule 2a* in the South Bay Road and Dube Road areas of Ramsey Lake remain unserviced and will not likely be serviced within the Plan period.

1. On existing lots in these areas, single detached permanent dwellings are permitted, provided that:
 - a. the lot fronts on a public road that is open and maintained year-round by the City, or where a registered right-of-way provides access from the parcel to an existing public road maintained year-round;
 - b. The City Engineer is satisfied that a potable source of water supply is available;
 - c. approval is obtained from the appropriate regulatory authorities for a private sewage disposal system; and,
 - d. all new dwellings or conversion of existing seasonal dwellings in this District can meet the standards specified in the Zoning By-law and Building Code for permanent dwellings.
2. Severances may be permitted provided that:
 - a. the lot created and the lot remaining have a minimum lot size of 0.8 hectare (two acres) and minimum water frontage of 45 metres (148 feet); and,
 - b. the conditions of Policy 1 can be met.

21.10 WANUP POLICY AREA

Wanup is designated as a *Living Area II* - Non-Urban Settlement, wherein the policies of Section 3.2.2 shall apply, subject to the following modifications:

1. A community boundary is established as shown on *Schedule 2a, *Site and Area Specific Policies**. This area includes a school, community hall, church, scattered rural residences along Highway 537, agricultural land, rural land, and more recent residential development including an eight (8) lot residential subdivision described as Plan M-1257; a mobile home park which is restricted to a maximum of fourteen (14) mobile homes, and a number of residential lots created by severance (mostly contained in that part of Plan SR-2922 which has public road frontage). (OPA #2)
2. The mobile home park known as Mobile Home Court 69 located on Parcel 37971 shall be recognized in the implementing zoning by-law but shall be restricted to its existing size.
3. Limited infill within the community boundary shall be permitted through severance for single residential purposes. Severed lots as well as lands retained must front on a permanently maintained existing public road, have a minimum area of 0.4 hectare (1 acre), and be capable of accommodating a private sewage system and a private water supply that meets the municipal standards for an adequate supply of potable water.
4. Compatible uses including schools, churches, other local institutional uses as defined in Section 3.2, resort commercial uses, and small-scale commercial uses may be permitted subject to rezoning. When considering such rezoning applications, consideration should be given to the suitability of the site, the impact on adjacent uses, adequacy of parking, impact on roads and the ability to provide sanitary sewer and water services, among other matters.

21.11 LONG LAKE AREA WATERBODIES

As indicated on *Schedule 2A: *Site and Area Specific Policies**, a permanent residential waterfront zone for properties abutting water is established where such areas front on a public road that is maintained year-round, or where a registered right-of-way provides access from an existing parcel to a year-round, publicly maintained road. (OPA #2)

22.0 SITE SPECIFIC POLICIES

- 22.1 The following shall apply to the lands described as Part 1, Plan 53R-11152 in Lot 8, Concession 6, Township of Waters:

A multiple family dwelling containing a maximum of nine (9) residential dwelling units shall be permitted provided that approval is obtained for a private waste disposal system in accordance with the requirements of the *Environmental Protection Act*.

Former OPA # 27

- 22.2 In addition to the policies of this Plan, the following policies shall apply to the lands described as Lots 9 to 15 inclusive in Plan M-257 in Lot 7, Concession 6, Township of Blezard:

- a) In order to promote better development and minimize traffic flow disruption along the Arterial Road, single lot rezoning shall be discouraged and land assembly for consolidated development shall be promoted.
- b) Subject to rezoning, new development may be permitted provided that:
 - i) parking can be adequately provided;
 - ii) entrances to the Arterial Road shall be kept to a minimum;
 - iii) entrances shall be placed in locations where they will have the least impact on traffic flow. The use of joint entrances shall be encouraged; and,
 - iv) landscaping and buffering shall be provided along the entire length of road frontages and along the boundaries that abut residential uses.

Former OPA # 59

22.3 Notwithstanding anything to the contrary on those lands described as Part 3, Plan 53R-15429 in Lot 3, Concession 5, Township of Blezard, a subdivision for permanent residential use shall be permitted subject to the following:

- a) That each lot have a minimum of 45 metres frontage on a public road that is maintained year-round;
- b) That each lot have a minimum water frontage of 45 m;
- c) That each lot have a minimum area of 0.4 hectares; and,
- d) That each lot have a private sewage disposal system approved by the appropriate regulatory authorities.

Former OPA # 163

22.4 Notwithstanding anything to the contrary, a single detached dwelling may be permitted on Parcels 49461, 43115, 47414, 7263 and 43473, in Lot 1, Concession 1, Township of McKim, subject to the following:

- a) The yard requirements of the R1.D2.5 zone shall apply;
- b) The lands shall be placed in an "H" Holding Zone to permit a detached dwelling. The "H" Holding symbol shall only be removed by City Council upon the issuance of a Certificate of Approval to be acquired from the Ministry of the Environment or its agent to support the installation of a private sewage disposal system on the lot to the satisfaction of the Ministry of the Environment or its agent; and,
- c) No severances on these parcels shall be permitted.

Former OPA # 169

- 22.5 Notwithstanding anything to the contrary, the following policy shall apply to the lands described as Parcel 46523 S.E.S., being Parts 17 and 18, Plan 53R-7863 in Lot 11, Concession 5, Neelon Township:

In addition to those uses permitted within the *Living Area I* designation, a model home sales office and related accessory uses shall be permitted.

Former OPA # 170

- 22.6 In addition to the policies of this Plan, the following policy shall apply to lands described as Parcel 13210, in Lot 11, Concession 3, Township of Rayside:

In addition to the uses permitted on lands designated General Industrial, retail and office uses shall also be permitted.

Former OPA # 177

- 22.7 In addition to the policies of this plan, the following policies shall apply to the lands described as Parcel 26612 S.E.S., being Part 8, Plan 53R-8177, Lot 7, Concession 5, Township of Waters:

- a) In addition to those uses permitted within the *Living Area I* designation, a residential building which may contain dwelling units with or without cooking facilities, and offices for medical or personal support services shall be permitted.
- b) Notwithstanding anything to the contrary, the number of dwelling units comprising one building shall not be restricted, and no building shall be more than four (4) storeys high.
- c) Notwithstanding anything to the contrary, the net density of a lot or parcel shall not exceed 48 dwelling units per hectare.

Former OPA # 180

22.8 Notwithstanding anything to the contrary, the following policies shall apply to the lands described as Parcels 22155'A', 37224, 51029, 23535, 44906, 37205, 7030, 33138, 8047, 14829, 8530, 15701'A', 8497, 8375, 10087, 12712, 9523, 9143, 8388, 7750, 15985, 9184, 15943, 29390 and 17176 S.E.S. in Lot 7, Concession 1, Township of McKim:

- a) The only permitted uses shall be:
 - i) retail businesses, offices and personal services;
 - ii) single, duplex, semi-detached or multiple dwellings and their related accessory uses.
- b) The maximum building height shall be two (2) storeys.
- c) Vehicular access shall not be permitted from Walford Road or Regent Street, except for those driveways that serve an existing dwelling, to the satisfaction of the City of Greater Sudbury.

Former OPA # 183

22.9 In addition to the policies of the Plan, the following policies shall apply to the lands described as Part 4, Plan 53R-16107 being Part of Parcel 10114 in Lot 9, Concession 4, Township of Neelon:

New Format Retail uses combining retailing with related warehousing and/or wholesaling components of the same business within a large, single freestanding building with a minimum gross floor area of 100,000 square feet may be permitted, subject to rezoning. New Format Retailing includes such uses as Big Box Retailers, Category Warehouse Stores and Membership Warehouse Clubs. The intent is to permit New Format Retail uses with large area requirements. Traditional forms of retailing are not considered to be New Format Retailing. An application for rezoning to permit New Format Retail uses described above may be considered, provided that:

- a) the application for rezoning is accompanied by a planning report that demonstrates why the proposed development is not suited to areas already designated to permit retail uses;
- b) the application for rezoning shall be accompanied by a retail market analysis demonstrating the anticipated impact of the proposed development on the City of Greater Sudbury. This analysis must deal with the viability of existing commercial areas and the combined impacts of the proposed New Format Retail development and other competing commercial developments already approved and considered imminent;
- c) the application for rezoning shall be accompanied by a traffic impact study which evaluates the ability of the transportation system to service the proposed development and identifies the necessary improvements to upgrade the transportation network, including roadway, signalization and signing to the City's design standards and minimum acceptable service levels that are to be carried out at the proponent's expense;
- d) sewer and water infrastructure must be available and adequate to service the proposed development and any improvements required are to be carried out at the proponent's expense;
- e) a three-year time limit shall be placed on all final approvals wherein development is to occur. Where no development has been initiated within three years of the By-law coming into effect, City Council may take steps to restore the original zoning on the lands;
- f) the proponent shall prepare a Storm Drainage Report to address issues such as siltation control, effect on downstream drainage and on-site retention.

Former OPA # 187

- 22.10 Notwithstanding anything to the contrary, two severances may be permitted on those lands described as Parcel 51334 S.E.S., being Parts 1 and 2, Plan 53R-15851 in Lot 10, Concession 5, Township of Blezard. Severances must be from 0.4 to 0.8 ha in size with a minimum of 60 metres frontage along an existing public road.

Former OPA # 191

- 22.11 Notwithstanding anything to the contrary, the following policies shall apply to lands described as Part of Parcels 2433 and 9634, being Parts 1 and 2, Plan 53R-15429 and Parts 1 and 3, Plan 53R-16637, in Lot 3, Concession 5, Township of Blezard:

- a) A plan of subdivision for permanent (estate) residential use shall be permitted without the requirement for communal services and condominium registration;
- b) Each waterfront lot shall have a minimum area of 0.4 hectares and each back lot shall have a minimum area of 1 hectare;
- c) In order to protect the shoreline and the water quality of Whitson Lake, a minimum 15 metre vegetation buffer shall be maintained along the shoreline;
- d) Each lot shall have a sewage disposal system in accordance with Ministry of the Environment guidelines;
- e) Each lot shall have a proven supply of potable water approved by the Commissioner of Public Works; and,
- f) All waterfront lots shall be designated as an area of Site Plan Control pursuant to Section 41 of *The Planning Act*.

Former OPA # 204

- 22.12 Notwithstanding anything to the contrary, one severance may be permitted on those lands described as Parcel 36134 S.E.S. being the Remainder of Part 2 and all of Part 3, Plan SR-3585 in Lot 10, Concession 5, Township of Blezard:

The lot to be created shall have an approximate minimum area of 8.0 ha with a minimum of 200 m of frontage along an existing public road. In addition the lot severed and the retained lot must have frontage of a public road, a hydrogeological study will be required to establish that soil conditions are suitable for a private sewage disposal system, and that there is a proven water supply in terms of quality and quantity for domestic consumption.

Former OPA # 207

- 22.13 Notwithstanding anything to the contrary, one severance for residential use shall be permitted on those lands described as Parcel 30430 S.W.S. being Parts 1 and 2, Plan 53R-15278 in Lot 5, Concession 2, Township of Rayside. Such severance must be from 0.4 to 0.8 ha in size with a minimum of 60 m of frontage along an existing public road.

Former OPA # 213

- 22.14 Notwithstanding anything to the contrary, the following special severance policies shall apply to Parcel 17991 in Lot 7, Concession 2, Hanmer Township:

Severances for single residential use may be permitted subject to the lot being severed and the lot being retained satisfying the following criteria:

- a) minimum lot size shall be 0.4 ha;
- b) minimum lot frontage shall be 60 metres;
- c) soil conditions must be proven to be suitable for the installation of private sewage systems; and,

- d) there must be a proven water supply in both quantity and quality for domestic purposes.

Former OPA # 215

22.15 Notwithstanding anything to the contrary, the following policies shall apply to the lands described as Part of Parcel 49532, Lots 163 to 165, Plan M-423, and part of Lakewood Drive, Lot 2, Concession 2, McKim Township:

- a) For a plan of subdivision, the 30 metre road frontage requirement and the 1,000 m² area requirement for lots may be reduced provided that the total residential land area divided by the number of lots equals a minimum of 1,000 m², and provided that no lots have a road frontage of less than 16.3 metres or a minimum area of less than 669 m².
- b) That following subdivision approval, no severances for the creation of additional lots shall be permitted.

Former OPA # 220

22.16 Notwithstanding anything to the contrary, one severance only for residential use shall be permitted on those lands described as Parcel 2409, in Lot 4, Concession 4, Township of Hanmer. Such severance must be from 0.4 to 0.8 ha in size with a minimum of 60 metres of frontage along an existing public road.

Former OPA # 227

22.17 Notwithstanding anything to the contrary, the part of Parcel 1960 SES in Lot 7, Concession 3, Neelon Township is designated as an area of Site Plan Control pursuant to Section 41 of the *Planning Act*.

Former OPA # 228

22.18 Notwithstanding anything to the contrary, a single detached dwelling may be permitted on Part of Parcel 9284, being Parts 1 and 2, Plan 53R-9528, in Lot 1, Concession 1, Township of McKim:

- a) yard requirements of the R1.D2.5 zone shall apply;
- b) the lands shall be placed in an “H” holding Zone to permit a detached dwelling and the “H” Holding symbol shall only be removed by City Council upon the issuance of a Certificate of Approval to be acquired from the Ministry of the Environment or its agent to support the installation of a private sewage disposal system on the lot to the satisfaction of the Ministry of the Environment or its agent; and,
- c) no severances on these parcels shall be permitted.

Former OPA # 232

22.19 The following policies shall apply to the lands described as Parcel 31411 SWS, being Parts 1 to 3, Plan 53R-11821 and Part 1, Plan 53R-17097, Lot 1, Concession 3, Balfour Township:

- a) Notwithstanding anything to the contrary, the only permitted uses shall be a welding shop and related accessory uses; and,
- b) Parcel 31141 SWS is designated as an area of Site Plan Control in accordance with Section 41 of the *Planning Act*.

Former OPA # 235

22.20 Notwithstanding anything to the contrary, the following special severance policies apply to Parcel 18511 S.E.S. in Lot 6, Concession 3, Township of Hanmer:

Severance to permit one lot for single residential use may be permitted subject to the newly-created lot satisfying the following criteria:

- a) the lot size shall be from 0.4 to 0.8 hectares;
- b) the minimum lot frontage shall be 60 metres along an existing public road;
- c) soil conditions must be proven to be suitable for the installation of a private sewage system; and,
- d) there must be a proven water supply in both quantity and quality for domestic purposes.

Former OPA # 236

- 22.21 Notwithstanding anything to the contrary, one severance only for residential use shall be permitted on those lands described as Parcel 16824, in Lot 12, Concession 1, Township of Hanmer. Such severance must be from 0.4 to 0.8 ha in size with a minimum of 60 metres of frontage along an existing public road.

Former OPA # 237

- 22.22 Notwithstanding anything to the contrary, on lands described as Parts 1, 2, 3, Plan 53R-17574 in Lot 9, Concession 1, Township of Garson, severance of lots for rural estate development on an existing public road shall be permitted provided that the newly created lot is not less than 0.9 ha in size, and has a minimum frontage of 90 metres.

Former OPA # 239

- 22.23 Notwithstanding anything to the contrary, one severance only for residential use shall be permitted on those lands described as Parcel 38896, in Lot 10, Concession 1, Township of Capreol. Such severance must be from 0.4 to 0.8 ha in size with a minimum of 60 metres of frontage along an existing public road.

Former OPA # 244

- 22.24 Notwithstanding anything to the contrary the following special policies shall apply to P.I.N. 73508-1060 being Parcels 1189, 1190 & 1714 S.E.S. in Lot 10, Concession 3, Township of Capreol:

Severance to create one single residential lot may be permitted subject to the following criteria being satisfied:

- a) the lot size shall be from 0.4 to 0.8 hectares;
- b) the minimum lot frontage shall be 60 metres along an existing public road;
- c) soil conditions must be proven to be suitable for the installation of private sewage systems; and,
- d) there must be a proven potable water supply in both quantity and quality for domestic purposes.

Former OPA # 246

- 22.25 Notwithstanding the policies of this Plan, on lands described as Part 3, Plan 53R-17790, in Lot 9, Concession 1, Township of Garson, severance for rural estate development on an existing public road shall be permitted subject to the following criteria:

- a) Is not located in or adjacent to:
 - i) the Agricultural Reserve;
 - ii) the Mineral Reserve;
 - iii) the Flood Plain.
- b) Outside class 2 to 4 lands according to the Canada Land Inventory capability rating for recreation;

- c) Is not located adjacent to an existing or proposed industrial development unless the existing topography or vegetation provides a natural buffer against noise, odour and visual impact;
- d) Is not located within the noise exposure forecast contours around airports;
- e) Is located in areas which have a gently rolling topography with mature tree cover and areas which provide natural screening from the roadway and between residential units through vegetation and/or topography;
- f) Is not located on lands where the water table is less than 1.5m (4.9 ft) below the surface;
- g) Is located more than 500 m (1,640 ft) from a sewage treatment plant, more than 500 m (1,640 ft) from a landfill site and more than 300 m (984 ft) from a municipal well;
- h) Has soil conditions suitable for a private sewage disposal system and the regulation of the Ministry of the Environment regarding private sewage systems are met;
- i) Has a proven water supply both in quantity and quality that meets the Ministry of the Environment regulations for private water supply systems;
- j) Has access onto a public road maintained year-round which is served by school buses from the Boards of Education or is within walking distance of schools from the Boards of Education;
- k) Is developed in harmony with its natural features and preserves as much as possible the natural environment;
- l) Lots fronting exclusively on existing public roads and have a minimum frontage of 75 m and a minimum area of 0.9 ha; and,

m) Has covenants against any further severance registered against the title.

Former OPA # 248

- 22.26 Notwithstanding anything to the contrary, on lands described as Parcel 48576 S.E.S., being part 1, Plan 53R-12098 in Lot 7, Concession 1, Township of Garson, the severance of one residential lot shall be permitted provided the net density does not exceed 33 dwelling units per hectare. The lot to be severed may be serviced by a municipal water supply and a private sewage disposal system, it if can be demonstrated that the private sewage disposal system will satisfy the requirements of the *Environmental Protection Act*. Further, access to the residential lot, which is to be severed, shall be permitted from an Arterial Road.

Former OPA # 251

- 22.27 Notwithstanding the policies of this Plan, on those lands described as Parcel 1675 S.W.S. in Lot 4, Concession 1, Township of Balfour, the creation of one residential lot, being 0.4 to 0.8 hectare in size and having a minimum frontage of 60 metres along an existing public road, shall be permitted.

Former OPA # 253

- 22.28 Notwithstanding anything to the contrary the marina on Parts 2-5 of Plan SR-3 and a portion of the southerly limit of Parcel 19038, Lot 8, Concession 6, Fairbank Township, existing on the north side of Vermilion Lake Road shall be recognized as an existing resort commercial use but no expansion beyond the existing operation shall be permitted.

Former OPA # 5.2b

- 22.29 Notwithstanding anything to the contrary, the Richelieu Club on Parcel 6425, Lot 3, Concession 6, Fairbank Township, shall be recognized as an existing non-

profit club. Expansion of the buildings and new structures accessory thereto may be permitted subject to rezoning and Site Plan Control.

Former OPA # 5.2c

22.30 Notwithstanding anything to the contrary, any development or redevelopment of the Windy Lake Marina site, which is located on Parcels 5524 and 9445 in Lot 10, Concession 4, Township of Dowling, shall require consideration of the following elements:

- a) A plan of subdivision may be required for the subdivision of these lands;
- b) A servicing study shall be required as part of any redevelopment of these lands. This study shall be submitted for Council's consideration before any approvals are granted. This study shall examine the water quality, water quantity, and soils suitability for a subsurface sewage disposal system, among other matters;
- c) Permitted uses, which will be subject to rezoning, may include a boat launching facility (with or without buildings) and seasonal dwellings;
- d) A Site Plan Control Agreement shall be required as a condition to any non-residential development approval of these lands; and,
- e) Council will consider the comprehensive development of this area, including Parcel 7153.

Former OPA # 5.5.a.f.

22.31 Certain lands abutting the north and south sides of Kelly Lake are designated both *Mining/Mineral Reserve* and *Parks and Open Space*. These lands provide an attractive viewshed for the Kelly Lake area and also hold potential for sub-surface mining activity. It is the policy of this Plan to encourage the protection of both the surface vegetation and existing contours. It is also the policy of this

Plan to allow for the extraction of the sub-surface mineral deposits in a manner that preserves the surface features.

In addition, the treatment pond located adjacent to and south of Municipal Road 55 is designated both *Mining/Mineral Reserve* and *Parks and Open Space*. This recognizes both the mining-related use of the property and the desire to maintain vegetation and landscaping on the site.

- 22.32 Notwithstanding the policies of this Plan, a restaurant shall be permitted on lands described as Parcel 25219 being Lot 286, Plan M-1032, Lot 9, Concession 6, Township of Dowling.

Former OPA # 122

- 22.33 Notwithstanding the policies of this Plan, rural residential lots shall be permitted on those lands described as the Remainder of Parcel 15678 S.E.S. in Lot 5, Concession 4, Township of Hanmer provided that:

- a) each lot is not less than 2 ha (5 ac) in size and has a minimum frontage of 90 metres (295 ft);
- b) has soil conditions suitable for a private sewage disposal system and the regulations of the Ministry of the Environment are met;
- c) has a proven water supply both in quantity and quality which meets the Ministry of the Environment regulations for private water supply systems; and,
- d) front on a public road that is maintained year round which is not a Primary or Secondary Arterial Road, as defined by this Plan.

Former OPA # 243

- 22.34 Notwithstanding the policies of this Plan, three severances to create lots for hobby farm use shall be permitted on those lands described as Parcel 21812

S.W.S. in Lot 4, Concession 2, Township of Balfour. Such severances must be from 3.6 to 4 ha in size with a minimum of 90 metres of frontage along an existing public road.

Former OPA # 234

22.35 Notwithstanding anything to the contrary, medium density residential development is permitted on the subject property consistent with Policy 2 of Section 3.2.1.

* 22.36 Notwithstanding anything to the contrary, the reprocessing and/or recycling of reusable asphalt and concrete shall be permitted as an accessory use within a licenced quarry on Part of Parcels 6270 and 3185 SES, Lots 2 and 3, Concession 4, Neelon Township.

Former OPA #252

22.37 Notwithstanding anything to the contrary, one severance may be permitted on those lands described as Parcel 1369, Plan 53R-17468 SES, Lot 2, Concession 6, Township of Blezard. The lot to be created shall have an approximate area of 2.0 ha with a minimum frontage of approximately 90m.

Former OPA #261

22.38 Notwithstanding anything to the contrary, the only permitted uses on lands described as Parts 1, 2 and 3, Plan 53R-16350, Lot 3, Concession 5, McKim Township, shall be:

- i) offices, business or professional
- ii) medical or dental clinics and laboratories
- iii) multiple dwellings and their accessory uses.

Former OPA #263

- 22.39 Notwithstanding anything to the contrary, an embroidery and silkscreening business together with accessory retail uses shall be permitted on Parcel 18190 SES in Lot 7, Concession 2, Hanmer Township, having a floor area greater than 300m² and an entrance onto Highway 69 North which is designated as a Primary Arterial Road.

Former OPA #264

- 22.40 Notwithstanding anything to the contrary, on lands described as Part of Parcel 22159 SWS in Lot 7, Concession 6, Township of Waters a total of 119 residential dwellings shall be permitted, comprised of a maximum of 60 apartments, with a maximum of 30 units in any one building with building height not to exceed three storeys, and the balance of the total units to consist of a mix of single detached, semi-detached or townhouse dwellings. This development shall be subject to site plan approval.

Former OPA #260

- 22.41 Notwithstanding anything to the contrary, on lands described as the remainder of Parcel 1498 SES in Lot 4, Concession 4, Township of Hanmer a severance to create one single residential lot may be permitted, subject to the following criteria being satisfied:

- i) the lot size shall be from 0.4 to 0.8 hectare; and,
- ii) the minimum lot frontage shall be 60m along an existing public road.

Former OPA #268

- 22.42 Notwithstanding anything to the contrary, in addition to the uses permitted in the Rural Area, the sale and servicing of industrial pumps shall also be permitted on the lands described as Parcel 7240 SWS, Lot 4, Concession 3, Township of Balfour, City of Greater Sudbury, subject to the following condition:

- i) no direct access will be permitted from Parcel 7240 to Highway 144; access to the property will be obtained via a right-of-way over the abutting Parcel 19215 to the east, with a shared access to the highway from Parcel 19215.*

Former OPA #231

(2007 MMAH Mod #39 - 22.36-22.42)

22.43 Notwithstanding the policies of Section 4.3, on lands described as Lot 25, Plan M-380 and Lot 33, Plan 53M-1194, Lot 10, Concession 5, Neelon Township, the only permitted use shall be offices.

Former OPA #272

OMB Order dated December 17th, 2007
Case # PL070279

22.44 Notwithstanding the policies of Section 11 Transportation and Table 1 Road Classification of the Official Plan, on those lands described as PIN 73475-0204(LT), being Parts 19 to 23, Plan 53R-12112, Lot 5, Concession 6, Broder Township, vehicular access shall be permitted to the arterial road known as Regent Street. (OPA #1)

*22.45 Notwithstanding anything to the contrary, a single detached dwelling may be permitted on PIN 73593-0039, Part 1, Plan 53R-11452 in Lot 1, Concession 1, Township of McKim, subject to the following:

- a. The yard requirements of the R1 zone shall apply;
- b. No severances on the subject lands shall be permitted.*(OPA #3)

- 22.48 Notwithstanding anything to the contrary, the following policies shall apply to lands described as PIN 73479-0462 (LT), Parcel 30324 S.E.S., Parts 3 to 8, Plan 53R-17203 in Lot 12, Concession 5, Township of Dill:
- a. The only permitted use shall be mini-storage buildings.
 - b. No private sewer or water services shall be permitted. *(OPA #9)
- 22.50 Notwithstanding anything to the contrary, on lands described as PIN 73500-0121, 73500-0218, 73500-0331, in Lot 11, Concession 5, Township of Blezard, Martin Road, Blezard Valley, City of Greater Sudbury three lots may be permitted subject to the following criteria being satisfied.
- i) each lot will have a road frontage of 20 metres.
 - ii) each lot shall have a minimum front yard setback of 60 metres. *(OPA #15)
- 22.51 Notwithstanding the policies of Section 3.2 Living Area Designations, General Policies for Living Areas, on the lands described as Parcel 13141 SES, Part Lot 2, Plan M-140, Lot 6, Concession 1, McKim Township, a commercial use with a maximum floor space of approximately 250 m² for a medical office shall be permitted. *(OPA #276)

- 22.52 Notwithstanding the policies of Sections 8.5.1 and 21.1.6 of the Official Plan, the following policies shall apply to lands described as Parts 1, 2, & 3, Plan 53R-19472 in Lot 8, Concession 6, Township of Snider:
- a. A plan of subdivision comprising a maximum of 17 lots for seasonal residential use shall be permitted;
 - b. A shoreline buffer zone consisting of natural vegetation shall extend a minimum 20 metres from the high-water mark; and,
 - c. Within the shoreline buffer zone, the maximum area of cleared shoreline of a waterfront lot shall be 25% of the shoreline or up to 23 metres, whichever is lesser. *(OPA#17)
- 22.54 Notwithstanding anything to the contrary on lands described as Parcel 5606 SWS, Part 1, Plan 53R-9500, Lot 4, Concession 4, Township of Balfour, one additional lot with no public road frontage may be created provided that a right-of-way is granted for the purpose of providing the new lot with access onto McKenzie Road. *(OPA#22)
- 22.55 Notwithstanding anything to the contrary on lands described as Parcel 10495 SES, Part 2, Plan 53R-18512, Lot 2, Concession 6, Township of Blezard, the severance of the 10.4 ha property as it existed on July 13, 2011 into two parcels of approximately 5.6 ha and 4.8 ha respectively may be permitted. *(OPA 25)
- 22.56 Notwithstanding the policies of Section 5.2.2, the lands described as Parcel 45367, Part 1, Plan SR-2557, Part 1, Plan 53R-12162, Part 1, Plan 53R-14916, Lot 6, Concession 3, Township of Dill, the severance of the 1.75 ha (4.32 acres) property as it existed on August 10, 2011 into two parcels shall be permitted. *(OPA 26)
- 22.57 Notwithstanding the policies of Section 5.2.2, the land described as Parcel 12196 SWS, Lot 8, Concession 2, Township of Rayside, may be severed to create one additional lot subject to:
- i) the severed lot shall have a minimum lot frontage of 32 m (105 ft) onto Municipal Road 55 with a minimum lot area of 0.2 ha (0.51 acres). *(OPA 27)

- 22.58 Notwithstanding anything to the contrary those lands described as Parcel 4997 SWS, Lot 4, Concession 6, Township of Fairbank, having 64 m of lot frontage onto Vermillion Lake Road may be severed from the abutting Parcel 4769 SWS in Lot 4, Concession 6, Township of Fairbank, which had become merged on title. *(OPA 29)
- 22.59 Notwithstanding anything to the contrary one severance may be permitted on those lands described as Parcel 1385 SWS, Lot 1, Concession 4, Township of Balfour, with the westerly parcel having 75 m and the easterly parcel having 153 m of lot frontage onto Main Street. *(OPA 30)
- 22.60 Notwithstanding anything to the contrary on lands described as Parcels 347 & 1535 SWS, Lots 4 & 5, Concession 3, Township of Balfour, Parcels 347 & 1535 SWS having merged on title shall be permitted to be severed into separate lots with areas of approximately, 27ha and 33ha respectively with the westerly severed lands (Parcel 1535 SWS) having 0 m and the easterly retained lands (Parcel 347 SWS) having approximately 35m of lot frontage onto MacKenzie Road, subject to the following condition:
- i) the owner shall have made arrangements with Canadian Pacific Railway that provide for a legal right-of-access to the weekly severed lands (Parcel 1535). *(OPA 28)
- 22.61 Notwithstanding anything to the contrary on lands described as Parcels 1432 & 35115, Lot 7, Concession 1, Township of Capreol, may be severed to create one additional lot subject to the severed and retained lots each having a minimum lot frontage of 60 metres. *(OPA 32)
- 22.62 Notwithstanding anything to the contrary, on lands described as PINs 73596-0730, 73596-0649 & 73596-0536, Parcels 13648, 30426 & 17909 S.E.S., Lots 42, 43 & Part of Lot 44, Plan M-196, Part 1, Plan SR-289 in Lot 7, Concession 1, Township of McKim, the only permitted uses shall be offices and related accessory uses. *(OPA 31)

- 22.65 Notwithstanding anything to the contrary those lands described as Parcel 20609, Parts 1 to 3, Plan SR-1842, Lot 2, Concession 5, Township of Rayside may be severed into two parcels, each having a minimum lot area of approximately 2h (5 acres). *(OPA 33)
- 22.66 Notwithstanding anything to the contrary on lands described as Parcel 45 SES, Lot 5, Concession 3, Township of Blezard, City of Greater Sudbury, the severance of one rural residential lot within the Mineral Reserve is permitted subject to both the severed and retained lots having 90 metres of public road frontage and a minimum lot area of 2 hectares. *(OPA 37)
- 22.67 Notwithstanding anything to the contrary, a mobile home dwelling shall be permitted as a garden suite accessory to a single detached dwelling on lands described as PIN 73501-1138, Part of Lot 16, Plan M-390, Parcel 33682A in Lot 9, Concession 6, Township of Blezard. *(OPA 38)
- 22.68 Notwithstanding anything to the contrary on lands described as Parcel 30544 SES, Part of Lot X, Plan M-134, Lot 5, Concession 6, Township of Cleland, the severance of one lot is permitted provided that both of the severed and retained lots have minimum lot frontages of 60 metres onto Red Deer Lake Road. *(OPA 41)
- 22.69 Notwithstanding anything to the contrary, a mobile home dwelling shall be permitted as a garden suite accessory to a single detached dwelling on lands described as PIN 73378-0260, Lot 2, Plan M-531, Parcel 21776 S.W.S., in Lot 8, Concession 4, Township of Waters. *(OPA 42)
- 22.70 Notwithstanding anything to the contrary those lands described as Parcel 25272 SES, Part of Lot 12, Concession 5, Township of Dill may be permitted to have a transport terminal use with a maximum building area of approximately 590m². *(OPA 43)
- 22.71 Notwithstanding anything to the contrary on lands described as Parts 2, 4 to 8, 10, 11, 14 & 15, Plan 53R-16790, Los 8 & 9, Concession 5, Township of

MacLennan, the severance of two waterfront lots with minimum lot areas of approximately 0.59 hectares and 0.78 hectares is permitted. *(OPA 44)

22.72 Notwithstanding anything to the contrary, on those lands described as Parcel 43385, Parts 5 to 8 & 9, Plan 53R-18601, Lot 10, Concession 1, Township of Garson four lots may be permitted subject to the following criteria being satisfied:

- i) The minimum lot frontage shall be 70m along an existing public road.
- ii) The minimum lot area shall be 2ha.

22.74 Notwithstanding anything to the contrary those lands described as Parcel 14498, Parcel 48295, Parcel 20678 and Parcel 18296, Part 1, RP SR-2374, Lot 11, Concession 2, Township of Graham may be permitted to have a rural industrial use that generates up to 10,000 litres/day of wastewater.

22.75 Notwithstanding anything to the contrary, an automotive sales establishment and related accessory uses shall be permitted on lands described as PINs 73569-0245 & 73569-0247, Parcels 9740 & 18788 S.E.S., Parts 2 & 4, Plan 53R-18183 in Lot 10, Concession 5, Township of Neelon.