

DECISION

With respect to the
Sudbury East Planning Board new Official Plan
Subsection 17(34) and Section 26 of the *Planning Act*

I hereby approve, as modified, the Sudbury East Planning Board Official Plan, adopted by By-law by the planning board and planning area municipalities in April 2023, subject to the following modifications, with additions in **bold underline** and deletions in **~~bold strikethrough~~**:

1. Section 2.2 Growth Management has been modified in the following areas:

i. The first paragraph is modified to read:

Growth management in the Planning Area is based on accommodating most of the growth to the year 2046 in the Urban Settlement Areas through:

a) Land use intensification, **regeneration, and re-development** where possible, and having regard for the timely and efficient use of **lands, resources, and** existing infrastructure;

b) The evaluation of growth-related infrastructure costs and financial implications of proposed works;

c) **Optimizing infrastructure and public service facilities by first d**~~Directing~~ development to areas suitable for the provision of **existing** hard and soft municipal services;

d) Timely provision of new infrastructure and public service facilities that should be:

i. Strategically located to support the effective and efficient delivery of emergency services and to ensure the protection of public health and safety.

ii. Prioritized in planning and investment to align with phased growth on designated land;

iii. Appropriate for planned new development, with demonstrated sufficient capacity to meet current and projected needs with no negative impacts;

e) Encouraging a mix of housing types and tenures; and

Decision – Sudbury East Planning Board Official Plan

f) Maintaining an adequate supply of vacant designated land to enable choice and flexibility, while recognizing the growth projected for the planning horizon and the need to develop in an orderly, efficient, timely, and affordable manner.

ii. The fourth paragraph is modified to read:

The primary means for reviewing the adequacy of the Planning Area's supply of land and expansions to the Urban Settlement Area will be the 10-year review process. Proposed amendments to the Plan to expand the Urban Settlement Area in advance of the 10-year review process will be evaluated for public benefit on the basis of the following criteria:

a) the need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;

b) whether there is sufficient capacity in existing or planned infrastructure and public service facilities;

c) whether the new or expanded settlement area complies with minimum distance separation formulae; and

d) the new or expanded settlement area provides for the phased progression of urban development.

~~a) Sufficient opportunities for growth are not available through intensification, redevelopment, and designated growth areas to accommodate the projected needs over the identified planning horizon;~~

~~b) The infrastructure and public service facilities which are planned or available are suitable for the development over the long term, are financially viable over their life cycle, and protect public health and safety and the natural environment;~~

~~c) The need for growth at the proposed location, based on the rationale outlined in a comprehensive review;~~

~~d) The costs and benefits of permitting growth at the proposed location; and~~

~~e) The implications for municipal servicing and other services.~~

iii. The fifth paragraph is modified to read:

The planning board may identify a new settlement area only where it has been demonstrated that the infrastructure and public service facilities to support the development are planned or available. Notwithstanding the above, the Planning Board may adjust an Urban Settlement Area boundary outside of a comprehensive review provided that there is no net increase in settlement area

~~lands, the adjustment supports intensification and redevelopment, and the lands are appropriately serviced.~~

2. Policy 2.5.5.1 under Section 2.5.5. Group Homes is modified so that it reads:

2.5.5.1 Group homes shall be permitted in all land use designations which permit residential uses and shall be encouraged to locate in proximity to community services and facilities that may serve residents. ~~Appropriate performance standards for group homes will be included in the Zoning By-laws and~~ Councils will provide input to the provincial licensing or approval authorities on any applications for group homes in the Planning Area.

3. A new policy 2.8.1.3 is added under Section 2.8 Quality of Place and Accessibility:

2.8.1.3 To support the achievement of compact and complete communities, and to prepare for climate change, the Planning Board and member municipalities will:

a) consider the local and regional impacts of a changing climate when making land use planning decisions and when developing infrastructure and public service facilities.

b) support energy conservation by promoting efficient, strategic, and resilient buildings, services, and infrastructure.

c) promote green infrastructure, low-impact development, and any other additional approaches that reduce greenhouse gas emissions, improve air quality, protect the environment, and build community resilience and adaptability.

4. Policy 3.4.2.7 under section 3.4 Employment is modified so that it reads:

Servicing within the Employment Designation is dependent upon the particular Settlement Area or location within the Rural Area, and will be subject to the policies of Section 6.2; however, only dry-industries generating less than 10,000 litres per day of domestic waste are permitted on individual services. Any large water use shall be directed to the Community Policy Area. ~~New development on partial services is generally discouraged; however, uses that are considered to be appropriate shall be subject to a reasonable use assessment conducted in accordance with MECP's B-Series Guidelines."~~

5. In official plan section 3.6 Rural Area, policy 3.6.2.2 is replaced with new wording:

3.6.2.2 Proposed uses and structures shall meet the requirements and separation distances set out in MECP's D-Series Guidelines, and the Minimum Distance Separation (MDS) Formulae and Guidelines, as amended from time to time;

In addition, what was policy 3.6.2.2, and is now policy 3.6.2.3, is modified to delete only the first list item (a):

3.6.2.2~~3~~ Rural commercial and industrial uses including but not limited to dry commercial and industrial uses, resource-based, and forestry uses, are permitted without an amendment to this Plan, subject to the following requirements:

~~a) The proposed use shall meet the requirements and separation distances set out in MECP's D-Series Guidelines, as amended from time to time;~~

6. A new policy 3.6.7 Mineral Resources is added to the official plan under section 3.6 Rural Area:

3.6.7 Mineral Resources

Mineral resources include all minerals not regulated under the *Aggregate Resources Act*. Mineral resources are regulated under the *Mineral Resources Act* administered by the Ministry of Mines (MINES). For the purposes of this Plan, Mineral Development Sites are areas where mining operations and associated facilities presently exist, have existed in the past or areas where there is a high potential for mining activities to occur due to the quality and quantity of the mineral deposits. Mineral Development Sites identified in consultation with the Province are designated on Schedule C.

Mineral Development Sites are permitted in the Rural Policy Area without requiring an amendment to this Plan, subject to the provisions of the *Mining Act* and the *Environmental Protection Act*, but will require an amendment to the Zoning By-law to permit mineral mining operations and ancillary uses.

3.6.7.1 Sensitive land uses shall be required to be separated and/or buffered from Mineral Development Sites in accordance with provincial legislation, policies, and appropriate guidelines.

3.6.7.2 Development and activities which would preclude or hinder the establishment of new operations, expansion of existing operations, or access to the resources in areas of known mineral deposits and significant areas of mineral potential on adjacent lands shall only be permitted if:

a) 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 have been addressed.

3.6.7.3 MINES shall be consulted with regards to development within or adjacent to the areas of mineral potential. Where the potential exists for a proposed land use to hinder access to a mineral mining site, the proponent will be required to ensure access to the surrounding mineral resources.

3.6.7.4 Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased.

7. The second paragraph of Section 3.8 Crown Land is modified so that it reads:

While the Crown is not bound by the policies or land use designations of this Plan ~~in its determinations of the issuance of occupational authority, the Planning Board and local municipalities will work with the Province to determine the future use and development of Crown Lands.~~ The Province is encouraged to consult with the Planning Board and local municipalities when making land use decisions concerning Crown Lands."

8. Section 4.1 Natural Heritage Features policies is modified in the following areas:

- i. The first paragraph of policy 4.1.2 Significant Wetlands and Significant Coastal Wetlands is modified to read:

Wetlands are areas of swamps, bogs, marshes, or fens which are valuable in their natural state for biological, social, or hydrological reasons. Provincially Significant Wetlands have been evaluated based on wetland functions and features, classified according to their significance according to the Ontario Wetland Evaluation System, as determined by a trained wetland evaluator. Information regarding wetland significance is held in the Land Information Ontario database maintained by ~~The significance of wetlands is confirmed by NDMNRF.~~ ...

- ii. Policy 4.1.2.1 is modified to read:

4.1.2.1 Development and site alteration within Provincially Significant Wetlands or significant coastal wetlands is not permitted. The only permitted uses not adversely affect the natural features or ecological functions of the wetland, and shall includebe:

Decision – Sudbury East Planning Board Official Plan

a) Open space and passive recreational uses ~~which do not involve site alterations and do not adversely affect the natural features or ecological functions of the wetland;~~” ...

iii. A new second paragraph is added to policy 4.1.3 Fish Habitat that reads:

Where no detailed fish habitat mapping has been completed, all water features such as permanent or intermittent streams, headwaters, seasonally flooded areas, municipal or agricultural surface drains, lands, and ponds (except human-made), shall be considered fish habitat unless it is demonstrated to the satisfaction of the Planning Board that the feature does not constitute fish habitat as defined by the Fisheries Act. Fish habitat can be identified using procedures in MNR's Natural Heritage Reference Manual.

iv. Policy 4.1.3.3 is modified to read:

Development **and site alteration** in areas within 120 metres of fish habitat, **or 300 metres for lake trout lakes at capacity**, shall be permitted only where an EIS, which is carried out by a qualified professional in accordance with Section 4.2 of this Plan, has demonstrated that there shall be no negative impact on the habitat or its ecological function. In the case of adjacent lands, the ecological function of the adjacent lands must also be evaluated.

v. The second paragraph of 4.1.5 Significant Wildlife Habitat is modified to read:

Significant wildlife habitat identified in the Planning Area **on Schedule C** includes:

- a) Nesting sites;
- b) Deer and moose wintering areas; and
- c) **Moose** ~~a~~Aquatic feeding areas.

vi. Policy 4.1.5.1 is modified to read:

Development **and site alteration** in areas of significant wildlife habitat or within 120 metres of significant wildlife habitat shall be permitted only where an EIS, which is carried out by a qualified professional in accordance with Section 4.2 of this Plan, has demonstrated that there shall be no negative impact on the habitat or its ecological function. In the case of adjacent lands, the ecological function of the adjacent lands must also be evaluated.

Decision – Sudbury East Planning Board Official Plan

vii. Policy 4.1.5.3 is modified to read:

4.1.5.3 Planning applications that would result in site alteration ~~for lands outside the boundary of a settlement area~~ and where there is potential for significant wildlife habitat to be present, shall be required to submit a preliminary ecological site assessment to determine if there is significant wildlife habitat present on the site as part of a complete application.”

9. Section 4.4 Sourcewater Protection of the official plan is modified to add a second paragraph that reads:

The Planning Board and municipalities will, together with the local conservation authority where applicable, identify water resource systems across the planning area’s watersheds to conserve, protect, improve, and restore water quality and quantity. Portions of the Planning Area are covered by and subject to the relevant policies of the Greater Sudbury Source Protection Plan 2021, as amended from time to time. There are Highly Vulnerable Aquifers (a type of designated vulnerable area) within the Planning Area.

In addition, policy 4.4.1.2 is modified so that it reads:

4.4.1.2 New development **and site alteration** must ensure that the quality and quantity of **groundwater drinking water supplies and designated vulnerable areas used by municipal wells isare** protected and maintained for the long-term, in accordance with the *Clean Water Act*.

10. Section 4.5 Cultural Heritage is modified in the following areas:

i. The third and fourth paragraphs of policy 4.5.1 Cultural Heritage Resources are modified to read:

Cultural heritage ~~sites~~ resources include **archaeological resources**, built heritage resources and cultural heritage landscapes ~~that relate to the presence of First Nations and Indigenous communities~~.

The Board recognizes the importance of cultural heritage resources and will encourage the identification, conservation, restoration, and enhancement of these resources. The Board ~~supports awareness and participation will work~~ with the public and ~~First Nations surrounding Indigenous communities regarding~~ heritage resources, through the implementation of the following policies.

ii. Policy 4.5.1.2 is modified to read:

4.5.1.2 Where development or site alteration is proposed on a property containing or adjacent to a designated heritage building, heritage property, or heritage conservation district (Parts IV and V of the Ontario Heritage Act), development shall not be permitted unless ~~or on a property fronting on or directly abutting a property that is designated as a heritage building~~, a Heritage Impact Assessment (HIA) ~~is~~shall be required. The HIA ~~shall be~~ conducted by a qualified professional with expertise in cultural heritage resources to: ...

d) Determine whether a Conservation Plan is recommended.

iii. Policy 4.5.1.5 is modified to read:

4.5.1.5 Applicants shall consult ~~First Nations~~Indigenous communities where cultural heritage resources involve ~~First Nations~~Indigenous heritage sites or burial grounds. The applicant shall seek ~~First Nations~~Indigenous communities' advice on the manner in which these resources and features are to be dealt with. Member municipalities and the Planning Board shall engage early with Indigenous communities and shall consider their interests when identifying, protecting and managing archaeological resources, built heritage resources and cultural heritage landscapes.

iv. The second paragraph of policy 4.5.2 Archaeological Resources is modified to read:

4.5.2 There are over 60 archaeological sites documented for the Killarney area demonstrating archaeological potential, in particular in the area between Killarney Provincial Park and the urban area of Killarney. There are numerous archaeological, burial, and sacred sites located in this region. In addition, there are likely to be unidentified archaeological sites throughout the Planning Area. The province's checklist "Criteria for Evaluating Archaeological Potential" ~~prepared by the Ministry of Tourism, Culture and Sport (MHTCS)~~ is included in this Plan as Appendix "B".

v. Policy 4.5.2.1 is modified to read:

4.5.2.1 Any development or severance application in the ~~Municipality of Killarney~~Planning Area will require completion of a screening checklist to determine if an archaeological assessment is required prior to approval.

vi. Policy 4.5.2.2 is modified to read:

4.5.2.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless

significant archaeological resources have been conserved. Where a development proposal or waterfront development or site alteration is located on lands with significant archaeological resources or is within an area considered to have archaeological potential, a licensed archaeologist, through archaeological fieldwork, shall determine which stages of assessment are required. "...

vii. Policy 4.5.2.4 is modified to read:

4.5.2.4 Where resources are found on site, further investigations through a Phase II and potentially Phase III Archaeological Assessment **mayshall** be required. The study may identify the need for archaeological preservation in situ or rescue excavation of significant archaeological resources as a result of development proposals. In situ preservation is preferred to ensure that the integrity of the resource is maintained. If the site is determined to be significant the development may be prohibited.

viii. Policy 4.5.3.1 is modified to read:

4.5.3.1 **Upon determining marine archaeological potential using provincial criteria at a site of proposed development, a** marine archaeological survey **willto** be conducted by a licensed marine archaeologist pursuant to the *Ontario Heritage Act*. **In addition, a marine archaeological survey shallmay** be required if partially or fully submerged marine features or items of cultural heritage value are **identifieddiscovered** and **might be** impacted by shoreline and waterfront developments.

ix. Policy 4.5.3.2 is modified to read:

4.5.3.2 Any marine archaeological resource that is **discoveredidentified** must be reported to the MHTCS immediately. MHTCS shall determine whether the resource shall be left on location or may be removed, through excavation, by licensed marine archaeologists."

11. Section 5.1 Natural Hazards is modified in the following areas:

i. New policies 5.1.1.1 and 5.1.1.2 are added to section 5.1 Natural Hazards as follows:

5.1.1.1 The Planning Board shall, in collaboration with the local conservation authority where applicable, identify hazardous lands and sites adjacent to Great Lakes shoreline, large and small inland lakes, as well as rivers and streams, and shall manage development in these areas in accordance with provincial guidance.

5.1.1.2 Development and site alteration shall not be permitted in:

- a) areas of dynamic beach hazard;**
- b) floodways, regardless of high points of land not subject to flooding; and**
- c) in areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards, and/or dynamic beach hazards unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazards.**

ii. The first paragraph of policy 5.1.2 Flood Plain Policies is modified to read:

For the purposes of this Plan, a flood plain shall mean low lying lands and watercourse corridors defined **by the most impactful local flooding event recorded in the watershed, by the** 1:100 year flood plus wave up-rush where applicable, ~~or define by specific right-to-flood levels approved by the Ministry of Natural Resources~~. Flood plains for the Municipality of Killarney are included in Appendix B, but otherwise are not identified in the schedules to this Plan.

iii. Policy 5.1.2.1 under Official Plan Section 5.1.2 Flood Plain Policies is modified to read:

5.1.2.1 In areas where ~~1:100-year~~ flood information is unavailable, a report, prepared by a qualified engineer in support of a development application, may be required to determine the boundaries of the flood plain.

iv. Policy 5.1.2.2 is modified to read:

5.1.2.2 Development shall not be permitted within the flood plain except for:

- a) Flood and/or erosion control structures;
- b) Shoreline stabilization;
- c) Minor additions and/or renovations to existing structures **that do not adversely affect flood flows, for uses which by their nature must locate within the flood plain;**
- d) Minor recreational facilities which, by their nature, must locate near watercourses; or
- e) Uses such as agriculture, forestry, conservation, wildlife management, and similar activities, provided that **the uses do not affect flood flows and there are** no associated buildings and structures ~~are~~ located on the flood plain.

Decision – Sudbury East Planning Board Official Plan

v. Policy 5.1.2.3 is deleted as follows:

~~5.1.2.3 The Planning Board and/or local municipality may permit development on existing lots of record in a flood plain provided sufficient information accompanies the application in the form of a report prepared by a qualified engineer demonstrating that:~~

- ~~a) the proposed development and its occupants will be protected from the effects of a 1:100 year flood;~~
- ~~b) the potential upstream and down stream impact of the development proposal will not significantly affect the hydrology or hydraulics of the flood plain;~~
- ~~c) that adequate flood proofing measures are incorporated in the development; and~~
- ~~d) that the development is limited to uses which by their nature must locate within the floodplain, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows."~~

12. Policy 5.2.3.1(b) under section 5.2.3 Mine Hazards is modified to read:

b) Any development ~~on, abutting, or adjacent to lands affected by mine hazards must be supported by consultation with NDMNRF, and proposed within 1,000 metres from a potential mine hazard as shown as an AMIS site on Schedule C requires consultation with MINES. A~~ may require a study prepared by a qualified professional engineer may be required that includes including topics such as: ...

13. An introductory paragraph is added to Section 6 Planning for Infrastructure that reads:

Growth and development will be coordinated and integrated with infrastructure. Transportation and other infrastructure corridors and rights-of-way shall be protected from development and use that is incompatible with or could preclude or negatively affect the long-term purpose of the corridor. The co-location of linear infrastructure will be promoted, where appropriate.

14. Section 6.2 Sewage, Water, and Stormwater is modified in the following areas:

i. The first paragraph of section 6.2 is modified to read:

The Planning Area contains areas which are fully serviced, partially serviced, and privately serviced by sewer and water. The policies in this section apply as

appropriate to all development within every land use designation in the planning area.

- ii. Policies 6.2.1.2, 6.2.1.3, and 6.2.1.4 are added as follows:

6.2.1.2 Where full municipal sewer and water services or private communal sewer and water services are not available, planned, or feasible, individual on-site sewage and individual on-site water services may be used provided that site conditions are demonstrated to be suitable for the long-term provision of such services with no negative impacts. At the time of official plan review or update, the board should assess the long-term impacts of individual services on environmental health and the financial viability or feasibility of other forms of servicing. Partial services are only permitted in the circumstances described in Section 6.2.4 of this plan.

6.2.1.3 New lot creation is permitted only if there is confirmation of sufficient reserve sewage system capacity and reserve water system capacity.

6.2.1.4 In areas without full municipal servicing, proposed plans of subdivision or development where more than 4500 litres of effluent would be produced per day will require a servicing options report.

- iii. The first paragraph of section 6.2.4 Partial Services, under Section 6.2 Sewer, Water, and Stormwater, is modified to read:

Parts of the Planning Area are serviced with either municipal water and private sewage services or municipal sewage and private water services. The smaller urban settlements which include Noelville (sewage), St.-Charles (sewage), and Markstay (water) have partial services. ~~These areas are planned for continued partial servicing.~~

- iv. New policies 6.2.4.1, 6.2.4.2, and 6.2.4.3 are added to section 6.2.4 Partial Services as follows:

6.2.4.1 Within settlement area boundaries, new development may proceed on partial services that are comprised of municipal sewage services and individual on-site water services.

6.2.4.2 Within settlement area boundaries, development on partial services comprised of municipal water services with communal or individual on-site sewage services will only be permitted to allow for infilling and minor rounding out of existing development where site conditions are suitable for the long-term provision of such services with no negative impacts.

6.2.4.3 Partial services are also permitted where they are necessary to address failed individual on-site sewage or water services in existing development. In rural areas where partial services have been provided to address failed services, infilling on existing lots of record may be permitted where this would represent a logical and financially viable connection to the existing partial service and provided site conditions are suitable for the long-term provision of such services with no negative impact.

- v. The first paragraph of section 6.2.5 Private Services, under Section 6.2 Sewer, Water, and Stormwater, is modified to read:

The primary means of servicing the area beyond the existing service limits are private services of a variety of types and technologies. ~~In t~~**The Village Policy Areas that of Alban and Hagar do not have municipal services, new development may be and are permitted to develop on private communal or individual sewage together with private communal or individual water services.** The Rural and Waterfront areas are permitted to develop on private services.

- vi. Policy 6.2.5.1 under section 6.2.5 Private Services is modified to read:

6.2.5.1 Private individual on-site sewage and individual on-site water services are permitted where site conditions are demonstrated to be suitable for the long-term provision of such services with no negative impacts.~~The extension of municipal water services to areas outside of the Urban Settlement Area will only be considered to address an existing water quality problem associated with an existing development or lot of record. A servicing report may be required to identify the most appropriate form of servicing to ensure environmental protection.~~

- vii. Policy 6.2.5.6 is modified to read:

6.2.5.6 Where subdivisions are proposed with ~~an average~~**lot sizes** below 1.0 hectare on private services a hydrogeological study shall be required to demonstrate the proposed lots can safely accommodate sewer and water services.

- viii. Policy 6.2.5.7 is modified to read:

6.2.5.7 For consent applications, ~~in certain circumstances,~~ where **lot sizes are below 1.0 hectare or** concerns are identified, the Planning Board ~~may~~**shall** require the proponent to undertake a hydrogeological study or assessment, **demonstrating no negative impacts** prior to approval of the severance.

Decision – Sudbury East Planning Board Official Plan

15. Section 6.3 Transportation is modified as follows:

- i. The last sentence under the first paragraph of policy 6.3.2 Provincial Roads is modified to read:

Highways 528, **528A**, 535, 539, 607, **607A**, ~~and 637~~, **7308, 7299, 7279, 7285, and 7042** are local secondary highways.

- ii. The last sentence of policy 6.3.2.2 is modified to read:

MTO's Permit Control Area for entrances, buildings, and land use applies around ~~Highway 634~~ **all highways in the Planning Area** as follows:...

- iii. The first sentence of policy 6.3.2.5 is modified to read:

Direct access to Class V Highways (64, 528, **528A**, 535, 539, 607, **607A**, ~~and 637~~, **7308, 7299, 7279, 7285, and 7042**) is permitted provided that...

16. Policy 6.4.1.6 under section 6.4 Waste Management is modified to read:

6.4.1.6 The Planning Board will consider the implications of land use patterns on waste generation, management, and diversion. **New development proposals shall ensure that adequate solid waste facility capacity is available.**

17. Policy 7.1.3.1 under section 7.1.3 Cross-jurisdictional Coordination is modified to read:

7.1.3.1. The Planning Board ~~may choose to~~ **shall use a coordinated, integrated, and comprehensive approach to** work with the Province, area municipalities, ~~First Nations and~~ Indigenous communities, and other agencies when dealing with planning matters **within and** that go beyond the boundaries of the Planning Area.

18. Policy 7.2.4 Site Plan Control under section 7.2 Planning Administration is modified as follows:

- i. Paragraphs 1 and 2 are modified to read:

Each entire municipality is designated for Site Plan Control pursuant to the Planning Act, and local Councils may specify types of development and/or exceptions in the Site Plan Control By-law. Notwithstanding, Council may impose Site Plan Control on exempted properties **under the by-law** during the development application review process where warranted.

Site plan control may be applied to the exterior design of new buildings **including the character, scale, appearance, design features, and for matters relating to**

sustainable design features, where ~~appropriate~~**Council has passed a by-law referred-to in section 97.1 of the *Municipal Act*. Architectural drawings of each individual building showing plan, elevation and cross-section views will not be required for buildings containing fewer than 25 dwelling units.** Site plan control may also be applied to the sustainable design elements on any public road immediately adjoining a property being developed including trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, and bicycle parking facilities.

ii. Policy 7.2.4b. is modified to read:

v. Multi-residential development **of more than 10 residential units**

vi. Residential units on a parcel of land within 120 metres of a wetland, inland lake, shoreline of the Great Lakes-St. Lawrence River System, a river or stream valley that has depressional features associated with the river or stream whether or not it contains a watercourse, or 300 metres of a railway line...

19. Policy 7.3.3.1 in section 7.3.3. Parkland Dedication is modified to read:

7.3.3.1 The dedication represents a percentage of land area or market value of land and is calculated at 5% for residential development and 2% for commercial/industrial development. Where land in a draft plan of subdivision or condominium is used for any other purpose, the Planning Board may require conveyance of land for park purposes or equivalent cash-in-lieu at a rate of 5% of the gross area of the land proposed for development. **For development containing an affordable residential unit as defined in subsection 4.1 (1) of the *Development Charges Act*, the dedication will be calculated in accordance with subsection 51.1 (1.1) of the *Planning Act*. No dedication or payment in lieu thereof will be required for a non-profit housing development as defined in subsection 4.2 (1) of the *Development Charges Act*.**

20. Schedule B is modified as follows:

- i. "Municipality of Markstay-Warren Land Use and Transportation (Schedule B)" is modified as shown on Attachment 1 of the Draft Decision, to redesignate to

Decision – Sudbury East Planning Board Official Plan

“Rural” lots that are designated Village Residential in the adopted official plan, which are to the West of Markstay and outside the settlement area boundary.

- ii. “Municipality of St.-Charles Land Use and Transportation (Schedule B)” is modified as shown on Attachment 2, to redesignate Mixed-Use Commercial area to the north and outside of the settlement area boundary to “Rural”.

21. Schedule C - Development Constraints is modified as follows and as per mapping provided by partner ministries and listed in Attachment 3:

- i. to identify Aggregate Resources as Development Constraints
- ii. to identify Fish Habitat as polygons, not points
- iii. to identify Mineral Resources.

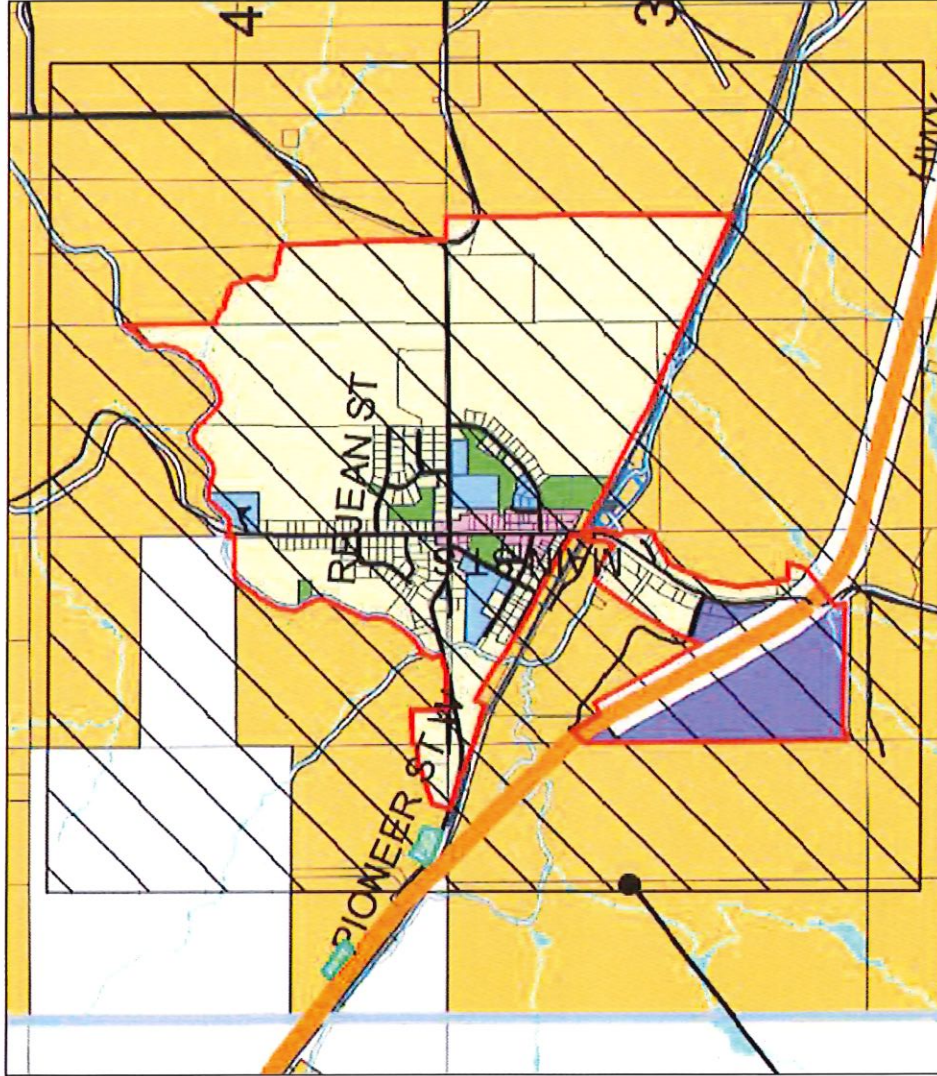
Dated at Toronto this 15th day of July, 2025.



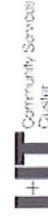
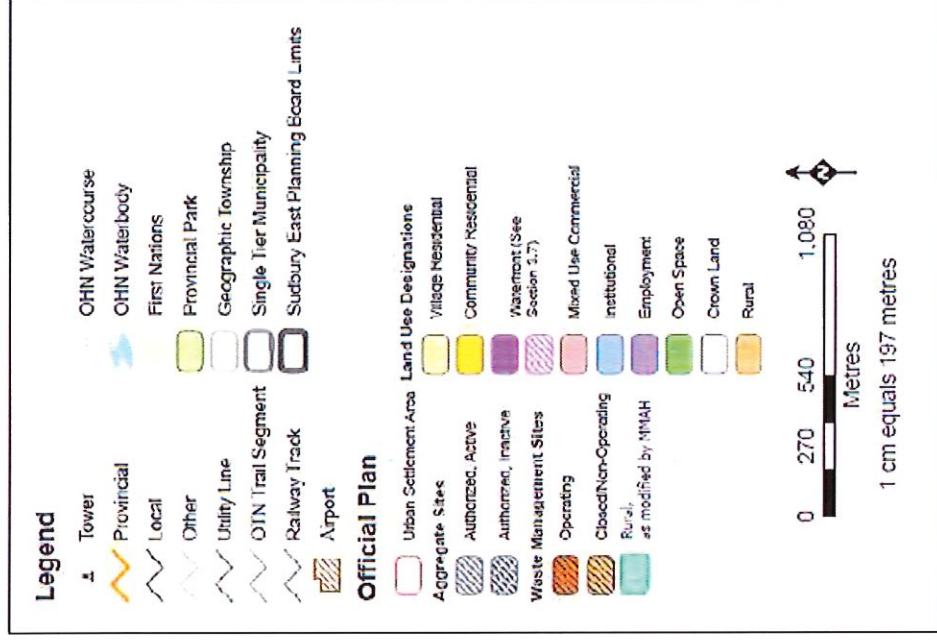
Sean Fraser, Assistant Deputy Minister
Municipal and Housing Operations Division
Ministry of Municipal Affairs and Housing

Attachment 1:

Markstay-Warren



Information provided by the Ministry of Municipal Affairs and Housing,
Federal Canada and ESRI © King's Printer for Ontario, 2024.



Attachment 3:

Aggregate Resources: MNR recommends mapping primary and secondary aggregate resources. Tertiary resources may be locally useful, and the municipalities should know where they are and decide whether they need to be identified. Aggregate Resources mapping is found here:

- Aggregate resources can be found on OGS Earth <https://www.geologyontario.mndm.gov.on.ca/ogsearch.html#nont>, and are updated annually.
- Background is provided in the Aggregate Resources Inventory (ARIP) files:
<http://www.geologyontario.mndm.gov.on.ca/mndmfiles/pub/data/imaging/ARIP146//ARIP146.pdf>
<https://www.geologyontario.mndm.gov.on.ca/mndmfiles/pub/data/imaging/ARIP173/ARIP173.pdf>
<https://www.geologyontario.mndm.gov.on.ca/mndmfiles/pub/data/imaging/ARIP174/ARIP174.pdf>

Fish Habitat: Provincial fish habitat GIS data is in Land Information Ontario (LIO) here:

- <https://geohub.lio.gov.on.ca/datasets/lio::fish-activity-area/about>

Mineral Resources: MINES has provided links to OGS Earth GIS files. The file is called the Ontario Mineral Inventory (formerly known as the Mineral Deposit Inventory).

- <https://www.geologyontario.mndm.gov.on.ca/ogsearch.html#nont>
- MINES provided the following example Development Constraints Map: https://www.shuniah.org/wp-content/uploads/2021/01/Map-B1_MacGregor_DevelopmentConstraints-36x52.pdf
- The spreadsheet provided by MINES to the planning board in 2019 listed the UTM coordinates for those points and highlighted the two (2) producing mines.
- The OGS Earth link also provides GIS information such as abandoned mines, and mining claims.
- The Metal Mineral Potential Estimation Tool (MMPET) estimate map and scores for the SEPB provided by MINES to the planning board in 2019 are not for official plan mapping but are only to support land use planning decision-making.