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VIA EMAIL

Provincial Planning Policy Branch
777 Bay Street
13th floor
Toronto, ON M5G 2E5

Dear Sir or Madam:

**RE: Provincial Policy Statement Review
Proposed Policies released July 2019
Comments on behalf of Timestone Corporation**

We are the solicitors for Timestone Corporation. Our client individually and through related companies owns various properties within the City of Greater Sudbury. We have reviewed the proposed revisions to the Provincial Policy Statement released by the Ministry of Municipal Affairs and Housing (the "**Ministry**") in July 2019 (the "**Proposed Policies**") and we are writing to provide our clients general comments in respect thereof.

Our client's comments are focused on the revisions proposed to Section 1.3.2 (Employment Areas), specifically proposed policy 1.3.2.3 which states:

Within employment areas planned for industrial and manufacturing uses, planning authorities shall prohibit residential and institutional uses that are not ancillary to the primary employment uses in order to maintain land use compatibility.

We have also reviewed the comments submitted by the City of Greater Sudbury, as set out in the Staff Report dated September 23, 2019, which we understand has been forwarded to the Ministry. Our client shares the City's concern that the proposed language, as drafted, could have the undesirable effect of limiting the flexibility currently afforded to the development of institutional uses under the City of Greater Sudbury Official Plan. This flexibility enables the City to pursue, in part, desirable private-public partnerships that will support the Province's desire to promote job creation and economic development.

Our client acknowledges and supports the Province's desire to ensure that land use compatibility is achieved generally in planning, and in particular in planning for industrial and manufacturing uses. However, we submit that as a general category, "institutional use" encompasses a broad range of uses that vary in their degree of "sensitivity." The specific uses that fall within this category may vary from municipality to municipality. In certain cases, the

classification of "institutional" may apply to a specific activity by virtue of the fact that it is publically owned and operated.

In addition, areas initially planned for industrial and manufacturing uses may have evolved in their planning to permit additional employment generating uses based on local context and a more diversified range of economic development opportunities. In these circumstances, while industrial and manufacturing uses may be permitted, other, less intensive employment uses (from a land use compatibility perspective) may also be permitted, which broaden the range of compatible institutional uses that may coexist therewith.

Our client is requesting that the Ministry consider the following minor revision to proposed Policy 1.3.2.3 (shown in bold underline):

Within *employment areas* planned **primarily** for industrial and manufacturing uses, planning authorities shall prohibit residential and **sensitive** institutional uses that are not ancillary to the primary employment uses in order to maintain land use compatibility.

We submit that this minor revision will achieve the general intention of the proposed policy to ensure land use compatibility, while at the same token providing flexibility for municipalities to plan for institutional uses.

Thank you for your consideration of these submissions. Should you require any additional information, please contact the undersigned.

Yours truly,
Overland LLP



Per: Daniel B. Artenosi
Partner