

**Ministry of the Environment**

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July 19, 2016

Wendy Kaufman, Planner  
Municipal Service Office (Sudbury)  
Ministry of Municipal Affairs and Housing  
159 Cedar Street, Suite 501  
Sudbury ON P3E 6A5

Dear Wendy:

**Re: City of Greater Sudbury  
Comments on Water Quality Report**

Thank you for the opportunity to provide comments on City of Greater Sudbury's Draft Official Plan, dated February 2016. The Ministry of the Environment and Climate Change (MOECC) had previously provided comments on the lake-based policies for recreational water quality of the Draft Official Plan, dated November 2014.

The February 2016 revised Draft OP policies reflect only partial modification in response to MOECC comments and some important details of implementation that were in the November 2014 Draft OP have been removed. As a result, there is insufficient information in the revised document for MOECC to fully evaluate the City's proposed approach for water quality protection and lake capacity. Please see the attached table for specific comments on the draft Official Plan.

MOECC would like to meet with the Ministry of Municipal Affairs and Housing and the City to further discuss these comments as soon as possible to develop a path forward. Please contact me at 705-564-3254 to arrange a time to meet.

Yours truly,

A handwritten signature in blue ink that reads "D. Moggy".

Derrick Moggy  
Environmental Planner/EA Coordinator  
Technical Support Section  
Northern Region

copy Ed Snucins, Surface Water Specialist, MOECC  
Rosanna White, APEP Supervisor, MOECC

MOECC Comment	City Staff Comment	MOECC Response
<p><b>Section 8.4 Surface Water Resources – Lakes and Rivers</b></p> <p>The Province is providing the following comments on the draft OP’s policies on recreational water quality and lake capacity. The comments are provided to strengthen the draft OP’s consistency with the water policies of the 2014 PPS and the direction provided within the Ministry of the Environment and Climate Change’s Lakeshore Capacity Assessment Handbook.</p> <p>General Comment</p> <p>The Official Plan includes three types of watershed-based plans for water quality protection: source protection to address municipal drinking water; sub-watershed to address flooding and storm water; and lake-based to address recreational and habitat issues. It is the lake-based policies for recreational water quality that generated my comments.</p> <p>The lake-based policies for recreational water quality emerged from considerable technical work done by the City and its consultant and</p>	<p>No comment as this is a preamble to the specific comments below.</p>	

that was summarized in the OP's water quality model background document. The background document aimed to determine how much development and re-development of un-serviced shoreline lots could occur while still meeting the intent of the Provincial Water Quality Objective (PWQO) for phosphorus and the Provincial Policy Statement. It concluded that the water quality model for Sudbury currently has insufficient accuracy to support implementation of the model-based total phosphorus PWQO for Precambrian Shield lakes (modeled background+50%). As an alternative it proposed using watershed-based lake management classifications, along with water quality triggers to address uncertainty of those classifications, to guide Official Plan policies for management of shoreline lot development.

Two important underpinnings of the proposed lake classification approach, the contribution of phosphorus from all sources in a watershed (a criterion for lake classification) and water quality monitoring as a safeguard against uncertainty, were not carried over into the water quality protection policies of the final draft Official Plan. Missing from the proposed policies is consideration of non-shoreline and upstream phosphorus sources and downstream receptors, by definition part of watershed-based planning. Also missing is mention of water quality monitoring triggers. These are significant omissions. The following

<p>technical review comments identify how the draft policies for water quality protection can include important safeguards against uncertainty of the lake classification approach and can be made more consistent with provincial recommendations in the Lakeshore Capacity Assessment Handbook, Ontario’s Water Management Policies, and the Provincial Policy Statement.</p> <p><b>8.4.1 General Policies</b></p> <p><u>Recommendation 1:</u> State the water quality protection goal for phosphorus. For example: “The guideline for total phosphorus in lakes, rivers and streams is the Interim Provincial Water Quality Objective (PWQO). A goal for development decision-making will be to avoid water quality deterioration to the Interim PWQO.”</p> <p><u>Rationale:</u> This statement is needed to ensure that the OP will be consistent with the provincial water quality protection goal for phosphorus. In a situation such as Sudbury where the lakeshore capacity model fails and the model-based total phosphorus PWQO for Precambrian Shield lakes (modeled background+50%) cannot be applied, the Province recommends the Interim PWQO be followed as a guideline. The Interim PWQO for total phosphorus is as follows: <i>To avoid nuisance concentrations of algae in lakes, average total phosphorus concentrations for</i></p>	<p>Change recommended in part. Staff proposed policies are consistent with protecting, improving and restoring the quality of water, as well as ensuring consideration of environmental lake capacity, where applicable. Staff proposed policies include criteria of 10-year mean of 20 ug/L and greater TP values for which no new serviced lots are to be permitted.</p>	<p>The OP Section 8.4.2 Lakes with Phosphorus Enrichment Concerns has clear policy for the 20 ug/L PWQO, but uncertain approach for the other part of the PWQO that is intended to protect against aesthetic deterioration of lakes naturally below 10ug/L. The monitoring trigger of increase in measured TP proposed in the OP (8.4.2 Policy 1) could help to meet the intent of the 10ug/L PWQO, but that goal is missing from the OP. The only response to trend of increasing TP that is described in the OP (Section 8.4.2 Policy 2) is a requirement for causal study, unless source already established, with no mention of what actions might follow. <b>Recommendation: The OP should indicate what actions will be taken to protect lake water quality from further deterioration when there is statistically significant trend of increase in measured TP.</b></p> <p>Section 8.4.2 Policy 3 (c) states that spring TP values will be compared to the PWQO.</p>
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<p><i>the ice-free period should not exceed 20 ug/L. A high level of protection against aesthetic deterioration will be provided by a total phosphorus concentration for the ice-free period of 10 ug/L or less. This should apply to all lakes naturally below this value. Excessive plant growth in rivers and streams should be eliminated at a total phosphorus concentration below 30 ug/L.”</i></p> <p><b>Recommendation 2:</b> Add as a general policy that upstream sources and downstream receptors will be considered. Note this is particularly important when development occurs upstream of (a) a lake trout lake or other cold water lake or stream, (b) a lake classified as Moderate or Enhanced, or (c) a lake with flagged water quality monitoring trigger.</p> <p><b>Rationale:</b> Watershed-based planning acknowledges the zone of influence for phosphorus loading is the watershed; upstream sources and downstream receptors need to be considered. Particularly sensitive and valuable natural assets of the City are the</p>	<p>Change not recommended as the lake water quality model considers both upstream sources and downstream receptors.</p>	<p><b>Recommendation: The Section 8.4.2 Policy 3 (c) comparison to PWQO, defined as 20ug/L ice-free period average TP, should use spring overturn TP converted to ice-free average. For this there is an equation (Clark et al. 2010) included with Lakeshore Capacity Model. This policy should also indicate that where lakes have substantial internal P loading, spring overturn samples alone may not be sufficient to accurately characterize ice-free average TP and additional sampling will be required.</b></p> <p>The lake water quality model considered upstream sources to develop lake management classifications, but the report’s authors (HESL 2014) recognized uncertainty of this model-based classification system and recommended water quality monitoring triggers as safeguard. It is not clear if or how the City intends to implement the HESL-recommended lake management classifications and their linkage to water quality monitoring triggers. The revised draft OP (Feb. 2016) only states that the water quality model will assist in the development of lake-specific watershed plans and site plan control guidelines, as described in 8.4.1 General Policies (Policy 5 and Program Policy 1). With the OP stating that guidelines are to be developed in the future, the document provides MOECC with insufficient information</p>
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<p>lake trout lakes and other cold water lakes and streams. Lakes classified as Enhanced or Moderate and lakes of any classification with flagged monitoring triggers require particular attention to avoid unacceptable water quality change.</p>		<p>to evaluate the potential effectiveness of this approach. <b>Recommendation: The OP should include sufficient detail about how the lake water quality model will be applied that MOECC can evaluate the potential effectiveness of the proposed approach.</b></p> <p>Dealing with upstream sources is part of watershed-based planning, as described in the Lakeshore Capacity Assessment Handbook, and consistent with PPS policy 2.2.1. The water quality model did not provide acceptably accurate predictions of lake phosphorus concentrations for many City lakes and water quality monitoring triggers were recommended (HESL 2014) as a safeguard. <b>Recommendation: The OP should indicate how the City will prevent upstream inputs from further degrading lakes that have demonstrated water quality problems (e.g. 20 ug/L TP, significant trend TP increase, lake trout dissolved oxygen PWQO).</b></p> <p>The revised OP describes responses to triggers of 20ug/L TP PWQO and lake trout lake dissolved oxygen PWQO (MVWHDO 7mg/L) that include prohibition of lot creation or more intensive land use in areas without</p>
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<p>considers the zone of influence for phosphorus loading from septic systems to be within 300 m of lake shore or tributary of the lake, unless scientifically demonstrated otherwise.</p> <p><b><u>8.4.3 Shoreline Lot Creation Is Not Permitted - Conditions</u></b></p> <p><u>Recommendation 1:</u> Change first sentence to “Lot creation is not permitted on the shoreline of a lake <b>or within 300 m of the shoreline or tributary of a lake</b> where all of the following conditions occur”.</p> <p><u>Rationale:</u> As per Lakeshore Capacity Assessment Handbook, the province considers the zone of influence for phosphorus loading from septic systems to be within 300 m of lake shore or tributary of the lake.</p> <p><u>Recommendation 2:</u> Remove the second condition: (b) lake is classified as enhanced.</p> <p><u>Rationale:</u> Enhanced classification lakes are</p>	<p>Change recommended in part. Staff proposed policies include lots within 300 metres of the shoreline but not 300 metres of tributary streams.</p> <p>Change recommended.</p>	<p><b>Recommendation: Include tributary streams of a lake as part of watershed planning.</b></p> <p>Acknowledged.</p>
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<p>not the only lakes that experience water quality deterioration due to human nutrient sources. Indeed, the OP's water quality model background document lists examples of lakes with moderate classification that have TP&gt;20 ug/L due to anthropogenic phosphorus (e.g. Kelly, Mud, Simon, McCharles, Minnow, Robinson, Beaver E). Avoiding additional phosphorus loading to those lakes is consistent with the Interim PWQO and Ontario's Water Management Policies. Similarly, the OP's background water quality model report recommended avoidance of additional phosphorus loading in any lake with TP&gt;20 ug/L, regardless of management classification.</p> <p><u>Recommendation 3:</u> Change the third condition (c) to "lake has a measured, 10-year running mean for total phosphorus (TP) that exceeds 20 micrograms per litre <b>or if less than 10 years data available then mean TP exceeds 20ug/L</b>".</p> <p><u>Rationale:</u> All lakes in the City do not yet have 10 years of monitoring data. When data from a lower number of years have mean TP&gt;20 ug/L there should be a moratorium on additional phosphorus loading at least until sufficient data have been collected to determine the 10-year average.</p>	<p>Change recommended.</p>	<p>Acknowledged.</p>
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<p><b><u>8.4.5 Site Development Report</u></b></p> <p><u>Recommendation:</u> Add the following two information requirements for site development reports: (1) evaluation of water quality triggers (measured TP, algal blooms, water clarity, dissolved oxygen, and for lake trout lakes mean volume-weighted hypolimnetic dissolved oxygen); (2) evaluation of impact to downstream lakes.</p> <p><u>Rationale:</u> Water quality triggers address uncertainty in the lake classifications. Evaluating impact to downstream lakes recognizes that the zone of influence for phosphorus loading is the watershed, consistent with watershed-based planning.</p>	<p>Change not recommended. Site-specific technical studies may be required during site plan review but not as OP policy. Technical studies intended to address site specific requirements to ensure best practices are incorporated by the proposed development. Water quality triggers will be addressed by other policies in the OP.</p>	<p>OP policies are incomplete for some of the water quality triggers, as discussed above (8.4.1 General Policies MOECC Recommendation 3).</p> <p>The description of Site Development Report that was in the November 2014 draft OP and included a list of required information was removed from the February 2016 revised draft OP and replaced by a requirement for Site Plan Control (8.4.1 General Policies), but with guidelines to be developed in the future. As a consequence, the OP no longer provides specific instructions for guideline content.</p> <p><b>Recommendation: Include as part of Site Plan Control guidelines the information requirements that were listed in the November 2014 draft OP 8.4.5 Site Development Report 1 a) b) c) d) e) f) g).</b></p>
<p><b><u>8.4.6.1 Lake Trout Lakes Over Threshold</u></b></p> <p><u>Recommendation:</u> Change first sentence to “Development within 300 metres of the shoreline <b>or tributary stream or first two lakes upstream</b> of any lake trout lake that the</p>	<p>Change not recommended.</p>	<p>Dealing with impacts from upstream sources is described in the Lakeshore Capacity Assessment Handbook and is consistent with PPS policy 2.2.1 for watershed planning.</p> <p><b>Recommendation: Include upstream sources from tributary streams and lakes within OP policy for lake trout lakes over threshold.</b></p>

<p>Province has determined to be over threshold....”</p> <p><u>Rationale:</u> As detailed in the Lakeshore Capacity Assessment Handbook’s requirements for development on lakes at capacity, the province considers the zone of influence for P loading from septic systems to be within 300 m of lake shore or tributary, unless scientifically demonstrated otherwise. Upstream lakes are included because part of their phosphorus load is exported downstream. The first two lakes upstream are commonly within the Lakeshore Capacity Assessment Handbook’s definition of the watershed for a lake that is at capacity.</p> <p><b><u>8.4.6.2 Lake Trout Lakes Not Over Threshold</u></b></p> <p><u>Recommendation:</u> Change first sentence to “Development within 300 metres of the shoreline <b>or tributary stream</b> of any lake trout lake will be subject to the following policies”.</p> <p><u>Rationale:</u> Unless scientifically demonstrated otherwise as per Lakeshore Capacity Assessment Handbook’s requirements for development on lakes at capacity, the province considers the zone of influence for P loading from septic systems to be within 300 m of lake shore or tributary.</p>	<p>Change not recommended.</p>	<p><b>Recommendation: Include upstream sources from tributary streams within OP policy for lake trout lakes.</b></p> <p>Acknowledged.</p>
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<p><b><u>8.4.7 Vegetative Buffers</u></b></p> <p><u>Recommendation:</u> Identify buffer sizes for cold water and warm water streams, if they differ.</p> <p><u>Rationale:</u> OP 9.2.4 Fish Habitat states that vegetative buffer sizes may differ among cold water and warm water streams. Cold water streams are generally considered more sensitive than warm water streams.</p> <p><b><u>Schedule 5 Natural Heritage</u></b></p> <p><u>Recommendation:</u> Identify cold water streams and lakes.</p> <p><u>Rationale:</u> This would support OP Policy 9.2 Significant Natural Features and Areas and 9.2.4 Fish Habitat. Cold water streams and lakes are significant natural features and valuable natural assets that are sensitive to watershed alterations, shoreline development and climate change.</p>	<p>Change not recommended. Stream buffer widths beyond the 12 m minimum will be addressed during the watershed planning process.</p>	
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**Ministry of  
Municipal Affairs**

**Ministère des  
Affaires municipales**



**Ministry of Housing**

**Ministère du Logement**

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July 22, 2016

by email and regular mail

Kris Longston, MCIP, RPP  
Manager of Community & Strategic Planning  
City of Greater Sudbury  
P.O. Box 5000, Station A  
200 Brady Street  
Sudbury, ON P3A 5P3

**Re: Draft Five Year Review Official Plan Amendment  
One-Window Early Consultation Comments  
MAH File No.: 53-OP-140087**

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Thank you for advising this office that a revised draft official plan was posted on the City's website. Though not formally submitted by the City to the province for review, we have taken the opportunity to request comments from the Ministry of the Environment and Climate Change on the revised policies that pertain to the protection of lake water quality. Please find attached a copy of these comments. I note that the MOECC has requested to meet with the City and MMA to further discuss the enclosed comments, and I would be pleased to arrange this meeting.

We understand that the City has received comments and a technical study pertaining to Long Lake, and has sought a peer review of this study. We also understand that the City may be undertaking further technical analysis related to Long Lake. Should any of this new information form part of the background materials on which the City is basing its decision on the official plan, as part of the One Window review process we would be pleased to review that new information and any resulting official plan policy revisions. Please feel free to submit any new background materials to this office.

For more information regarding these comments please contact me at 705-564-6802 or toll free at 1-800-461-1193 ext. 46802.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Kaufman', with a long horizontal flourish extending to the right.

Wendy Kaufman, MCIP, RPP  
AManager, Community Planning and Development  
Municipal Services Office – North (Sudbury)

Encl: MOECC comments

cc: Derrick Moggy, MOECC (email only)

## Melissa Riou - CGS OP - follow up comments

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**From:** "Kaufman, Wendy (MAH)" <Wendy.Kaufman@ontario.ca>  
**To:** "'kris.longston@greatersudbury.ca' (kris.longston@greatersudbury.ca)" <k...  
**Date:** 9/15/2016 3:00 PM  
**Subject:** CGS OP - follow up comments  
**Cc:** "Ed Landry (Ed.Landry@greatersudbury.ca)" <Ed.Landry@greatersudbury.ca>, ...  
**Attachments:** CommentsToMMAH\_Sudbury\_Sept2016.pdf

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Good Afternoon Kris,

Thank you for your response to the Ministry's One-Window comment letter, dated November 2014 and subsequent meetings. We have reviewed the responses provided by City staff, and have further consulted with our partner ministries. We have also reviewed the draft Aboriginal consultation policies received from Melissa Riou. We wish to offer you the below comments for consideration into the draft Official Plan.

### Mine Hazards and Abandoned Pits and Quarries

- Upon review of the Ministry's One-Window Comment Letter dated November 2014, staff of the Ministry continues to recommend that the following wording be added at the end of policy 6 of Section 4.6.1: "**Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible.**" This wording is recommended to reflect section 2.4.3.1 of the Provincial Policy Statement (PPS) 2014.
- With respect to section 10.4.1 relating to Mine Hazards and Abandoned Pits and Quarries, it is recommended to delete the words "prior to the approval of development" and replace them with "**to a standard that is compatible with any proposed new development before the development is approved.**"

The rationale for this recommended change is because rehabilitation of mine hazards does not necessarily make those lands suitable for development. The rehabilitation standards are outlined in the Mine Rehabilitation Code of Ontario, but they do not tie rehab to specific land use (i.e. returning land to a cow pasture versus a new subdivision or shopping mall, etc.).

- It is recommended to delete the wording of section 10.4.2 in its entirety and replace it with the following: "**Any activities that alter, destroys, removes or impairs any rehabilitation work made in accordance with the Mining Act will require the prior written consent of the Minister of Northern Development and Mines.**" This wording is recommended to be more consistent with the *Mining Act*.

### Mineral Aggregate Operation Rehabilitation

- The *Aggregate Resources Act* (ARA) provides clear direction on progressive and final rehabilitation, so even if Official Plans are quiet on the respective policies, rehabilitation will still be done in a manner consistent with the PPS. In contrast, the ARA does not provide direction for comprehensive rehabilitation planning and implementation.

In general, the inclusion of PPS rehabilitation policies in an Official Plan provides a municipality with opportunities for greater influence in rehabilitation planning and ensuring alignment with the municipality's long-term land use interests. In addition, municipalities with clusters of aggregate sites could benefit even more from including a comprehensive rehabilitation policy in their Official Plans since it would provide all interested parties (i.e. operators, public, municipality) with a clear vision and expectation of future land uses at a broader, landscape level; as well as provide potential opportunities for efficient rehabilitation efforts among operators.

Given the above, and to reflect section 2.5.3 of the PPS regarding rehabilitation, we continue to recommend (see Ministry's One-Window Comment Letter, November 2014) that section 4.6.2.9 of the Official Plan be deleted and replaced with the following: ***"Progressive and final rehabilitation will be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration."***

- Upon review of the Ministry's One-Window Comment Letter dated November 2014, we continue to recommend the insertion of two new policies to the Official Plan:  
***"4.6.2.10. Comprehensive rehabilitation planning will be encouraged where there is a concentration of mineral aggregate operations."***  
***4.6.2.11. Mineral aggregate resource conservation shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible."***

### **Indigenous Consultation**

- We have reviewed the proposed policy relating to Indigenous consultation provided via e-mail on August 29, 2016, and it is recommended to capitalize the word "Indigenous" and to insert the words ***"and treaty rights"*** after "interests".
- It is also recommended for the City to include policies on how the City will consult with Indigenous communities when considering actions that could impact Indigenous interests or treaty rights. They may also wish to consider policies on how the City will collaborate with Indigenous communities on matters of mutual interest (e.g., economic development, environmental initiatives, etc.).
- The City may also wish to consider the following policy to be included in the Official Plan as it relates to consultation with Indigenous communities:

***"The City will engage with Indigenous communities on the following:***

- a) Input and possible participation in Stage 2 Archaeological Assessment required for land use planning or development purposes where a Stage 1 Assessment indicates areas of historical interest or potential for encountering Indigenous artifacts;***
- b) Consultation on Archaeological Studies related to proposed developments where areas of Indigenous interest and/or values, and/or the potential for aboriginal artifacts to be encountered have been identified;***
- c) Consultation prior to the approval of the City of a future Official Plan amendment or site plan approval where an Archaeological Assessment has shown the potential for aboriginal artifacts to be encountered."***

We have also received comments from the Ontario Ministry of Agriculture, Food, and Rural Affairs, which we have attached to this e-mail for your consideration.

I hope you find this information helpful, and please don't hesitate to contact me should you have any questions.

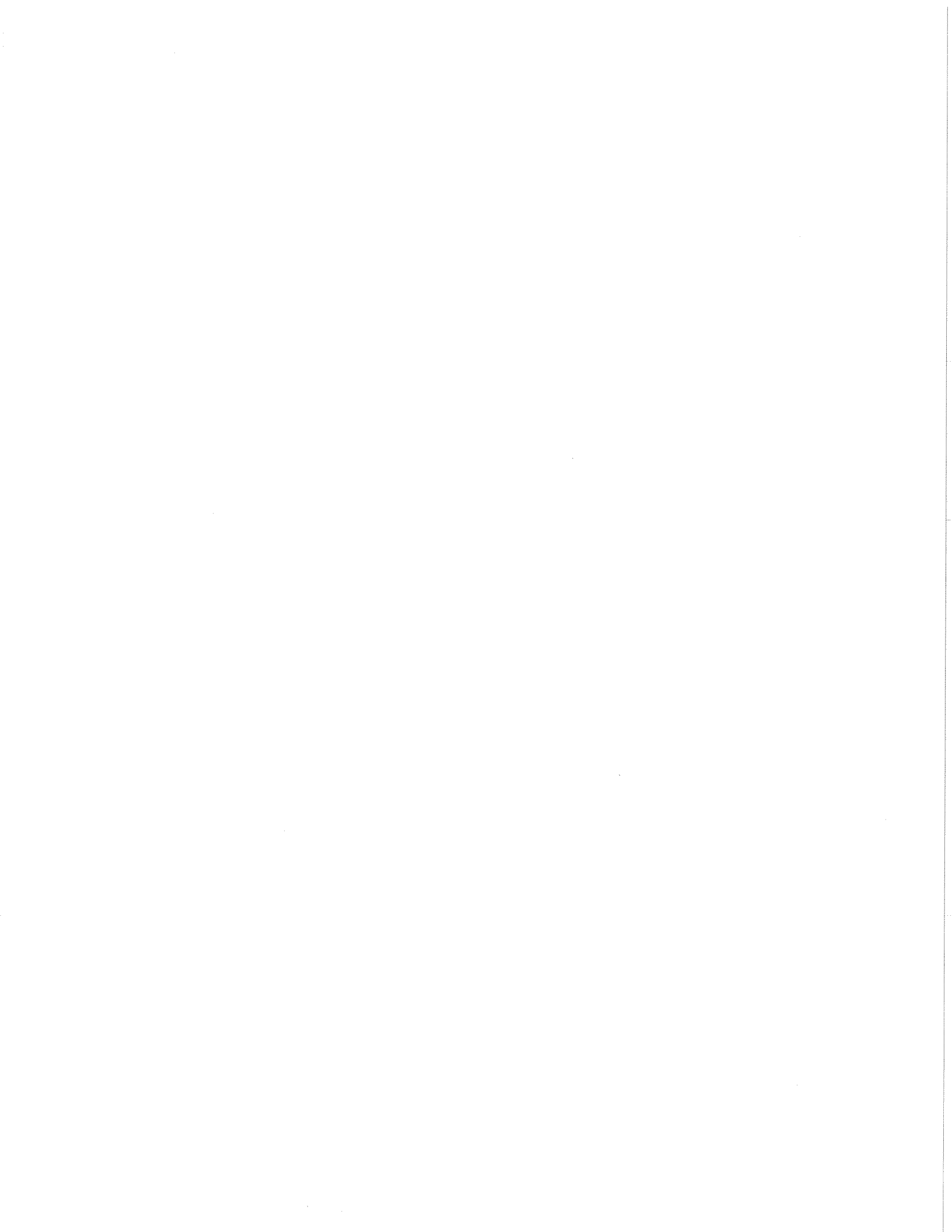
**Wendy Kaufman, MCIP, RPP**

A Manager, Community Planning & Development, Municipal Services Office North (Sudbury)

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**Food Safety and Environmental Policy Branch  
Environmental Land Use Policy Unit**

**Date:** September 1<sup>st</sup>, 2016  
**To:** Wendy Kaufman (MMAH)  
**From:** John O'Neill (OMAFRA)

**Re:** City of Greater Sudbury, Draft Official Plan  
Amendment (supplemental comments)

**MMAH File No.:** 53-OP-140087  
**Date of Document:** Original document November, 2014  
Revisions made in 2016

<u>Nature of Comment:</u>	
Preliminary	<input type="checkbox"/>
General	<input checked="" type="checkbox"/>
No Concerns	<input type="checkbox"/>
Study(ies) required	<input type="checkbox"/>
Significant Concerns	<input type="checkbox"/>
Other:	

**Opening remarks and Scope of Review**

Ministry staff has reviewed the City of Greater Sudbury draft official plan amendment. The Ministries main focus is to provide technical comments which are based on those provincial policies that pertain to agricultural land use as found in the Provincial Policy Statement (2014). The following comments are intended to supplement earlier comments that were provided on the draft Official Plan, in light of revisions that have since been made by the City to address prior concerns.

**Substantive/Key Issues/General Comments:**

The City of Greater Sudbury in response to the Province's One-Window comments has made revisions to address concerns that had been raised. OMAFRA is encouraged to see that changes have been made to resolve many of these issues, however there are still a few areas of concern that OMAFRA would like to comment on.

\* Before beginning I would like to clarify that the reference of 6.2.1.1 c) is being used to identify the agriculture-related policy of 6.2.1 of the Official Plan. Due to draft revisions, it is unclear what the final numbering will be.



Section 6.2.1 of the Official Plan speaks to permitted uses in prime agricultural areas (identified as 'Agricultural Reserve' in the City of Greater Sudbury Official Plan). While the provisions are generally good there are some components of 6.2.1.1. b) and 6.2.1.1. c) that should be revised.

Currently the uses and/or associated criteria that are applicable to 'On-farm diversified uses' under 6.2.1.1. b) and 'Agriculture-related uses' under 6.2.1.1.c) contain provisions that are a combination of the PPS policies/criteria that would be separately applicable to these respective uses. It is important that the uses permitted under each type (on-farm diversified and agriculture-related) and the corresponding criteria that are applicable for each are consistent with what is found in the PPS.

For these reasons OMAFRA would request that the following changes be made to section 6.2.1.1 b). The last sentence for on-farm diversified uses currently reads;

"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."

OMAFRA is not opposed to the inclusion of wording that requires on-farm diversified uses to be compatible with surrounding uses however OMAFRA would recommend that the later parts "... and small-scale commercial and industrial uses that are directly related to the farm operation are permitted in this designation." be deleted, as this appears to be speaking to the type of uses (agriculture-related uses) that may be contemplated under 6.2.2.1.c) of the Official Plan. Addressing agricultural-related uses under Section 6.2.2.1 c) would ensure that all the required accompanying criteria found in the PPS would be applied when considering such uses.

With respect to Section 6.2.1.1. c), similarly again, the later part of the section incorporates criteria and possible uses that are more aligned with on-farm diversified uses. It is recommended that the following changes be made

"...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 MOVED), are permitted.

Firstly, secondary uses are typically reflective of on-farm diversified uses as agriculture-related uses do not need to be secondary to a main use. It is recommended that this reference be deleted.

As well, parking operations alone would not be a permitted use and therefore would request it be removed. If parking is required for a particular use, it may be allowed as part of a specific use such as meat shop, but again, not as a stand-alone use. Specific reference to parking is unnecessary.

Finally it is recommended that a portion near the end of 6.2.1.1 c) be moved into the on-farm diversified uses policy (6.2.1.1 b)) as these are identified as permitted in the PPS definition of

on-farm diversified uses as opposed to agricultural related commercial and industrial uses which are typically not intending to relate to uses located in a dwelling.

With respect to Section 9.3 Forest Resources, it is understood that the intent of the Plan is to allow Forestry Uses in many designations including the Agricultural Reserve. While it is appreciated that the definition of Agricultural Use in the PPS includes agro-forestry as being permitted, it would seem that 'Forestry' in the sense of 9.3 of the Official Plan may entail a broader view of forestry uses/operations where large scale logging activities take place. Agro-forestry is typically viewed to include things such as maple syrup production, growing and selling of nursery type trees/plants that have a relatively short life cycle, managing fruit and nut tree orchards, managing a on farm woodlot for fuel, lumber etc. For this reason OMAFRA would recommend that some clarification be included in Section 9.3 to indicate agro-forestry is permitted in the Agricultural reserve. It should be noted that the current Official Plan provisions under 6.2.2.1 a) agricultural uses would already permit these uses. >

Finally it is understood that no changes have been made to the delineation of the Agricultural Reserve on the Official Plans land use schedule. OMAFRA continues to have concerns with the Agricultural Reserve as currently mapped. It is understood that the City may have some additional information that may assist with the identification and delineation of prime agricultural areas in the City of Greater Sudbury. If this this information can be shared, OMAFRA would be happy to review the information and take the contents into consideration as part of the identification of prime agricultural areas.

**Closing Comments/Next Steps:**

Ministry staff notes there are areas of concern and OMAFRA requests further attention and modifications be made in order for the City of Greater Sudbury Official Plan amendment to be consistent with the policies of the PPS (2014).

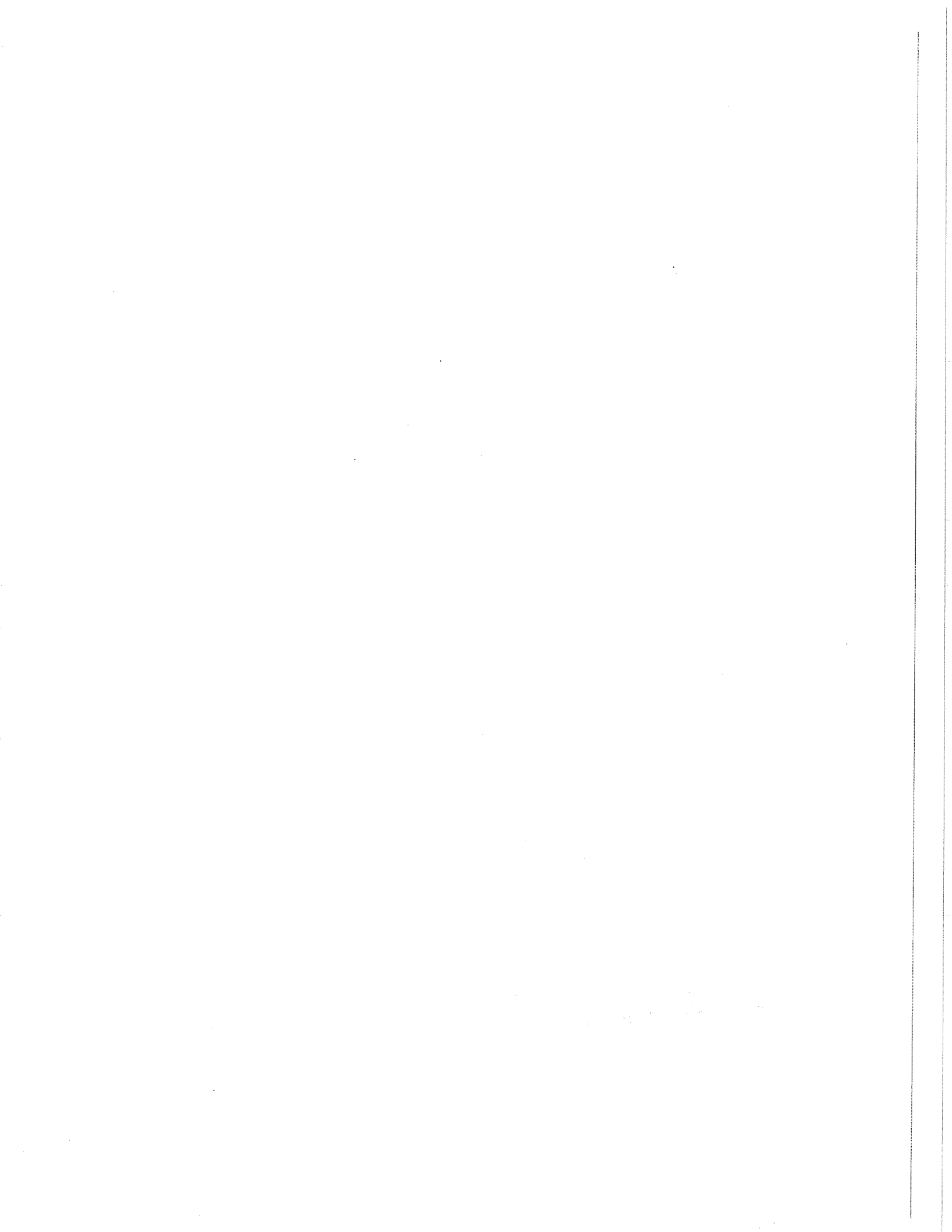
While the above represents the Ministry's interpretation of provincial policy with regard to agricultural land, it does not reflect an overall provincial position on this matter. There may be planning concerns or interests of other agencies that should be considered, in addition to any municipal planning considerations.

Should you have any questions or wish to discuss this matter further, please feel free to contact this office at the number indicated above.

*Sincerely,*

A handwritten signature in cursive script, appearing to read 'John O'Neill', is written over a horizontal line.

John O'Neill  
Rural Planner



**Melissa Riou - RE: Early Consultation Request: Hanmer Con 1, Lot 6.**

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**From:** "Kaufman, Wendy (MMA/MHO)" <Wendy.Kaufman@ontario.ca>  
**To:** Ed Landry <Ed.Landry@greatersudbury.ca>  
**Date:** 2/2/2017 4:21 PM  
**Subject:** RE: Early Consultation Request: Hanmer Con 1, Lot 6.  
**Cc:** Kris Longston <Kris.Longston@greatersudbury.ca>, Melissa Riou <Melissa.R...>

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Good Afternoon,

We have reviewed this site specific request and offer the following comments for your consideration:

- Approximately 40% of the lands proposed for development are in a designated floodplain. The Paquette Whitson Drain project has not commenced yet. Therefore, at present, the proposed schedule change is not consistent with section 3.1.2(d) of the PPS, 2014 because the lands are in a floodplain.
- Even if the drainage project was constructed, we are generally concerned with the proposed expansion of residential use in this location, especially since the subject lands are long/narrow and are not contiguous to the existing built up area. If the purpose of the drainage improvements is to address flooding issues with respect to existing dwellings, then some new development may be logical in this location in order to take advantage of improved infrastructure (e.g. a portion of the subject lands, or adjacent lands). However land needs have not been demonstrated and we would recommend that if large areas are no longer Parks and Open Space, they should be considered for designation as 'Urban Expansion Reserve' rather than 'Living Area 1'. We would expect confirmation that PPS policies 1.1.2 regarding the 20-year planning horizon and 1.1.3.8 regarding the comprehensive review have been met, prior to applying a 'Living Area 1 designation' to the entirety of the subject lands.
- Records for the threatened species at risk Bobolink, Eastern meadowlark and Blanding's turtle are in close proximity to the area. Aerial photography suggests that suitable habitat may be present for these species. It is recommended that the appropriate ecological assessments are conducted prior to any future development and site alteration to determine the need for Endangered Species Act authorizations and ensure consistency with section 2.1.7 of the PPS, 2014.
- A coarse assessment of potential forest hazard classification of the area indicates that further evaluation is needed to determine risk, and subsequent mitigation measures. It is recommended that a site-level wildland fire assessment is conducted prior to any future development and site alteration to determine risk and the adequate mitigation measures required to ensure consistency with section 3.1.8 of the PPS, 2014.

Thank you very much for the opportunity to review,  
- Wendy

**Wendy Kaufman, MCIP, RPP**

Team Lead, Community Planning & Development, Municipal Services Office North (Sudbury)  
[1-800-461-1193](tel:1-800-461-1193) x.46802, [705-564-6802](tel:705-564-6802), [wendy.kaufman@ontario.ca](mailto:wendy.kaufman@ontario.ca)

MINISTRY OF MUNICIPAL AFFAIRS AND MINISTRY OF HOUSING  
SUITE 401, 159 CEDAR STREET, SUDBURY ON P3E 6A5

	WATER QUALITY		MOECC Comment (summary)
8-Jul-16	Surface water preamble	8.4	missing consideration of non-shoreline and upstream phosphorus sources
8-Jul-16	General Policies	8.4.1	state the water quality protection goals for phosphorus
8-Jul-16	General Policies	8.4.1	add as a general policy that upstream sources and downstream receptors will be considered
8-Jul-16	General Policies	8.4.1	add general policy regarding development where there has been documented algal bloom
8-Jul-16	Classification	8.4.2	zone of influence for classified lakes
8-Jul-16	zone of influence	8.4.3	zone of influence for lot creation
8-Jul-16	information requirements	8.4.5	1) triggers, 2) impact on downstream lakes
8-Jul-16	trout lakes - over threshold	8.4.6.1	tributary streams or first two lakes upstream
8-Jul-16	trout lakes - not over threshold	8.4.6.2	include upstream sources from tributary streams
8-Jul-16	buffers	8.4.7	identify buffer sizes for cold and warm streams
8-Jul-16	buffers	8.4.7	identify coldwater streams and lakes

MOECC Rationale	City Staff Response
part of watershed planning	this is the preamble to the specific policies
to ensure consistency with provincial water quality protection goal	see revised policies
watershed planning - zone of influence	revised policies deemed sufficient to address phosphorus management in all lakes
observations of characteristics that indicate deterioration of water quality	revised policies aimed at enhanced management for control of phosphorus loading
lakeshore capacity assessment handbook - ref zone of influence	see revised policies
lakeshore capacity assessment handbook - ref zone of influence	staff proposed - lots within 300m of shoreline, but not 300m of tributary.
triggers address uncertainty; downstream recognizes zone of influence	include as part of Site Plan Control Guidelines
lakeshore capacity assessment handbook - ref zone of influence	see revised policies
zone of influence - lakeshore capacity handbook	revised policies deemed sufficient to address phosphorus management in all lakes
cold water generally more sensitive than warm water	not recommended. To be addressed in watershed planning process
considered significant natural features	not recommended. To be addressed in watershed planning process