

## 12. Implementation and Monitoring

The implementation and monitoring of a plan are just as important as the plan’s creation. Without taking concrete steps to implement and monitor, it becomes easy for the plan to be ignored.

The [Introduction](#) of this document describes the planning hierarchy that exists in Ontario, including how the Official Plan fits in with other regulatory documents at the Provincial and local levels. For example, Sault Ste. Marie’s Official Plan must be consistent with the Provincial Policy Statement. This chapter discusses the planning tools available to the Municipality, the role of public participation, and the importance of ongoing monitoring.

**Figure 12.1: The Planning Hierarchy in Ontario and Sault Ste. Marie.**



## What We Know

### Key Points

- Primarily through the Planning Act, municipalities can use various planning tools to implement policies contained in an Official Plan, with Zoning being the most prominent. The 'planning toolbox' contains tools to control, discourage, incentivize and obtain benefits from certain types of development. The City has not taken advantage of all of the tools aimed at maximizing benefits from certain developments.
- Public participation is an integral part of the planning process. The City's Planning Division primarily uses the procedures established in Ontario's Planning Act; however, the City can go above and beyond these minimums. Additional public consultation measures for Planning Act applications are recommended.
- The nature of public participation and civic engagement has extensively evolved over the past two decades. It is recommended that the City further explore dedicating resources towards implementing a coordinated, ongoing civic engagement program.
- To maintain conformity with Provincial policies and plans, as well as relevance to local conditions, at a minimum, the City must complete a comprehensive review of the Official Plan ten years after the adoption of the new Official Plan, and every five years thereafter.

### The Planning Toolbox

The Ontario Planning Act establishes the framework for how municipalities conduct development and land use planning. Most of the tools that municipalities have in their planning toolbox originate from the Planning Act, with additional tools and regulations provided through numerous applicable Provincial laws and regulations such as the Municipal Act, Building Code Act, Clean Water Act, etc.

### Tools to Control Land Use

#### **Zoning (Section 34 of the Planning Act)**

The City's **Zoning By-law** is the primary tool for implementing the Official Plan. The Zoning By-law designates lands with a zone, which outlines specific permitted uses and development regulations that must be adhered to when developing those lands. Development regulations include minimum building setbacks from lot lines, minimum lot area, maximum building heights, maximum lot coverage and minimum required parking spaces. Whereas the Official Plan indicates the general intent for the lot via its land use designation, the Zoning By-law is more specific as to the regulations for use and development of the lot.

A property owner or applicant (with property owner's consent) may submit a **Rezoning application** for City Council's approval to have the zoning changed. Sometimes this may involve giving the lot a **Special Exception to the Zoning By-law** if specific variances from the Zoning By-law's regulations are sought; for example, if the owner wishes to conduct a use on the lot that is not permitted under the current zoning.

Within three years of the adoption or comprehensive revision of the Official Plan, the City is required to update the Zoning By-law to ensure it conforms with the most current Official Plan.

### **Minor Variance (Section 45 of the Planning Act)**

A property owner or applicant (with property owner's consent) may submit an application for a **Minor Variance to the Zoning By-law**. A variance is a relief from the terms of the Zoning By-law where a proposed use or structure does not conform exactly to the Zoning By-law. Approvals of Minor Variance applications are decided by the **Committee of Adjustment** — a committee established by City Council with delegated powers on specific land use matters. The Committee of Adjustment is charged with assessing whether the variance satisfies all four tests for a Minor Variance:

1. Is it minor?
2. Is it desirable for appropriate use and development of the land?
3. Does it maintain the general intent and purpose of the Zoning By-law?
4. Does it maintain the general intent and purpose of the Official Plan?

### **Holding Provision (Section 36 of the Planning Act)**

The Planning Act permits a municipality to use a **Holding Provision** ('H' symbol) in conjunction with the zoning on a particular lot, area or land use to prohibit development until specific conditions have been met. The Official Plan must indicate the general conditions for which a Holding Provision can be applied. More specific conditions can be applied through a Zoning By-law.

Where a Holding Provision is applied to a lot, area or use, development cannot proceed until such time Council is satisfied that the specific conditions have been met. The underlying zoning establishes the 'principle of development' and the Holding Provision is used to address technical matters such as servicing, environmental and archaeological matters.

Locally, Holding Provisions have been applied to specific properties and uses to address technical concerns. For example, new or expanded pits and quarries are subject to the removal of a Holding Provision to ensure that safeguards are put in place in accordance with the Groundwater Recharge Area policies (as discussed in the [Natural Environment, Resources and Constraints Chapter](#)). There are also examples of specific properties that are subject to the removal of a Holding Provision, including:

- The former jail property: Archaeological concerns.
- The western portion of the former St. Marys Paper Property: Archaeological and contamination concerns, servicing and traffic issues.
- Second Line at Carmen's Way: Natural hazard related to a significant slope.
- Broos Road, Wilks Street: Hydrogeological concerns related to a high water table.

As previously mentioned, the underlying zoning establishes the 'principle of development' and therefore, as per Section 36, public notice is not required as part of an application to remove a Holding Provision. However, it has been local practice to provide public notice.

### **Interim Control By-law (Section 38 of the Planning Act)**

The Planning Act permits a municipality to pass an **Interim Control By-law** to prohibit specific uses of land, buildings or structures within a specified area or areas during a period when council wishes to undertake a review or study of land use policies within the specified area(s). This period may not exceed a total of two years from the date of the initial passing of such a by-law. The City is not required to provide public notice of Council's intention to pass an Interim Control By-law, however public notice of the passing of such a By-Law is required.

Communities have utilized an Interim Control By-law to temporarily restrict development upon certain vacant lands until such time that a 'Secondary Plan' can be developed to determine the appropriate range and mix of uses that should be developed in that particular area.

This tool has not been used locally.

### **Temporary Use By-law (Section 39 of the Planning Act)**

The Planning Act permits a municipality to pass a **Temporary Use By-law** that authorizes the temporary use of land for a purpose that is otherwise prohibited by the Zoning By-law. The temporary use may not occupy the land in excess of three years, unless Council authorizes extensions of not more than three years each.

From time to time, Council has utilized Temporary Use By-laws. One example was the temporary use of a property on the south side of Second Line East for the staging of materials in association with the construction of St. Mary's College.

### **Expansion and Alteration of Legal Non-Conforming Uses, Buildings, Structures and Lots**

Legal non-conforming uses, buildings, structures and lots are those which legally existed prior to the passing of zoning regulations to which the use, building, structure or lot no longer conforms. Planning Act tools such as Zoning By-laws are not retroactive, so such uses, buildings, structures and lots may continue to lawfully exist and operate as legal non-conforming.

**Legal non-conforming uses** cannot be expanded or altered in any way unless in accordance with current regulations. Local examples include a number of 'wrecking yards' located in the Rural Area. Legal non-conforming uses are generally viewed as undesirable, and the intent is the use should eventually terminate. If the use is similar or compatible with the uses permitted in the Zoning By-law, it may be permitted to expand or redevelop, subject to any conditions Council or the Committee of Adjustment deems appropriate.

Common examples of **legal non-conforming buildings and structures** include those which do not meet current setback or height requirements. Current zoning regulations allow these buildings or structures to be altered so long as there is no impact to the legal non-conforming aspect of the building or structure, such as further encroachment into a setback or height.

Current zoning regulations have essentially 'grandfather in' all **legal non-conforming lots**, which are generally lots that are undersized by today's standards. Notable local examples include lots in older neighbourhoods developed in the early 20<sup>th</sup> century, and the waterfront communities near the Airport, such as Sunnyside Beach Road, Pointe Louise Drive and Alagash Drive. Under current regulations, these lots may be developed and redeveloped, so long as all other zoning regulations can be adhered

to. Development in these areas has often required Minor Variance approvals to reduce setback requirements, given the relatively narrow, small lots, and the need to accommodate on-site well and septic systems.

### Tools to Control Development Design

#### **Site Plan Control (Section 41 of the Planning Act)**

The Planning Act permits a municipality to designate specific properties and land uses as subject to **Site Plan Control** (also known as Development Control). Prior to development of a property or use that is subject to Site Plan Control, the developer must enter into a Site Plan Agreement with the Municipality, which is registered on title. The developer is bound by the terms of the agreement, which includes matters related to:

- Location and massing of buildings and structures.
- Servicing infrastructure, facilities and works.
- Relationship of proposed buildings to adjacent public spaces and buildings.
- Provision of interior walkways, stairs, elevators and escalators which the public can access from public spaces.
- Exterior design of buildings, including their character, scale, appearance and sustainable design features.
- Sustainable design elements on abutting streets, such as landscaping, vegetation, permeable surfaces, street furniture, curb ramps and bicycle parking.
- Features to enable accessibility for persons with disabilities.

A few items are excluded from Site Plan Control, as per the Planning Act:

- Interior design and layout of interior areas.
- Manner of building construction and standards for construction.

Locally, the following **uses** are subject to Site Plan Control:

- Group residences.
- Bed and breakfasts.
- Multiple attached dwellings (townhouses).
- Apartment buildings.

Locally, the following **areas** are generally subject to Site Plan Control:

- The Downtown.
- Most commercial corridors, especially 'gateway areas'.
- Areas where there is a residential/non-residential interface.

Please see the [Urban Design and Mobility Chapter](#) for more information on regulating site design.

### Tools to Control Division of Land

Generally, the Planning Act states that no person shall convey land (transfer, charge/mortgage, sell or lease for 21 years or more) unless the land is within a registered **Plan of Subdivision** or **Municipal Consent** is given to convey that land.

The following 'subdivision controls' are outlined in the Planning Act.

### **Plan of Subdivision/Condominium (Section 51 of the Planning Act)**

Plans of Subdivision are generally utilized where the extension of public infrastructure such as roads and sewers is required to facilitate the creation of new lots. Locally, Plans of Subdivision are generally utilized for residential developments, but they can also be used for commercial and industrial developments, such as the creation of a new 'industrial park'. Council grants Plan of Subdivision approval based upon a 'draft plan'. Locally, the Planning Director has delegated authority to approve final subdivision agreements which spell out a wide variety of matters, including:

- The manner in which public infrastructure must be constructed (by the developer at their cost) before it is turned over to the City.
- Required financial securities, to be put up with the City in the event that public infrastructure is not constructed to the satisfaction of the City; these funds can be utilized to finish required work.
- Any specific development restrictions or requirements on specific lots.
- Any specific notices to future purchasers.
- Required parkland dedication requirements.

Plans of Condominium are utilized for new condominium developments. The process occurs under the same section (Section 51) of the Planning Act as Plans of Subdivision, and therefore the process is virtually identical. Condominium approvals are discussed in more detail below.

### **Consent to Sever (Severance) (Section 53 of the Planning Act)**

Severances are generally utilized where a small number of lots are proposed to be created and the extension of public infrastructure is not required. The **Committee of Adjustment** is the local approval authority for severances. Generally, severances are appropriate where the Committee is satisfied that a Plan of Subdivision is not necessary for the proper and orderly development of the area in which the land is located. A common example would be to sever one or two rural lots from a larger parcel, with existing frontage upon a municipal road, and where on-site well and septic services can be appropriately located on the new lot. Urban lots can also be created by severance.

Provincial policy requires new rural lot creation to be 'locally appropriate' and limited in nature. As further discussed in the [Rural Area and Agriculture Chapter](#), rural residential lot creation is limited to the creation of two new lots, plus the remnant or retained parcel, counted from July 2014.

### **Other Consents**

'Consent' from the **Committee of Adjustment** is also required for the following:

- Add land to a neighbouring lot (lot addition/conveyance).
- Create one or more rights-of-way (easements).
- Charge over a part of a property (mortgage).
- Enter into a lease over a part of a property when the term of the lease totals 21 years or more, inclusive of renewal options.

## Part Lot Control

The Planning Act generally prohibits a portion of a lot within a registered Plan of Subdivision from being conveyed. This tool allows a municipality to pass a by-law to exempt all or parts of a registered Plan of Subdivision from Part Lot Control and thus eliminate the need for further Subdivisions or Consents to convey portions of the lots within the exempted area. The most common application of Part Lot Control relates to semi-detached or multiple attached (townhouse) dwellings. In these cases, it is appropriate to develop the semi-detached dwelling or block of townhouses on one lot, then survey the middle of the common wall between units, and sever accordingly.

## Condominium Act Approvals

A condominium is a development where separate units are owned by individuals, but common elements or areas such as the grounds, structure, mechanical components, infrastructure and amenity areas are jointly owned and maintained by those owning or leasing individual units. When most people think about condominiums, they think about owning a unit in an apartment building and sharing ownership and maintenance costs of all of the amenities and structures that make up the apartment building. In fact, condominiums generally refer to the form of tenure, rather than the type of development, and most types of developments can take the form of a condominium, including single detached residential subdivisions, and commercial and industrial developments.

The following types of condominiums exist in Ontario<sup>32</sup>:

- **Freehold Condominiums:** There are two types of freehold condominiums. A standard condominium consists of both units and common elements and a common elements condominium only consists of the common elements. In both cases, one owns the unit and has an interest in the common elements or shared assets. Buildings and common elements must be constructed and the builder cannot sell units until the condominium is registered. Generally, standard condominium developments consist of apartment buildings. Local examples include St. Bernards Tower and Harbourview Condominiums. Generally, common elements condominiums include residential, commercial and industrial 'subdivisions'. The 'Crimson Ridge Community' is a local example of a common elements condominium.
- **Vacant Land Condominiums:** From an ownership standpoint, these are identical to freehold condominiums, except that 'units' can be sold and the condominium can be registered before buildings or common elements are constructed. In this manner, the approval authority (City) becomes the surety to guarantee that all common elements will be constructed; therefore, as a condition of registration, the City must obtain sufficient funding commitment from the developer to ensure that all common elements are constructed to the satisfaction of the City. In the event common elements are not constructed, the letter of credit is utilized to complete construction. The townhouses east of Dacey Road on Sinclair Street is a local example of a vacant land condominium.
- **Leasehold Condominiums:** In a leasehold condominium, the land is not owned by the condominium corporation. Lease purchasers buy a leasehold interest in units and condominiums, but do not own the land. Lease purchasers are required to pay a common expenses fee which includes rent, payable to the landowner. Once the lease expires, the occupant's right to inhabit the unit is terminated. There are no local examples of leasehold condominiums.

<sup>32</sup> Information from: [www.condoauthorityontario.ca/condominium-living/condominium-types/](http://www.condoauthorityontario.ca/condominium-living/condominium-types/)

There are other types of condominium configurations that exist in Ontario, including stacked condominiums, which are essentially 'condo's within condo's and phased condominiums, where new units and common elements can be added over time. Locally, condominiums have become increasingly common, with recent examples of residential freehold common element and vacant land condominium developments.

The approval of **new condominium developments** typically occurs by first getting Draft Plan of Condominium approvals under Section 51 of the Planning Act, and then registering common elements through the Condominium Act.

### **Condominium Conversions**

Municipal approvals are also required when a proponent wishes to convert an existing building or development to condominiums. In this case, the Municipality grants permission to exempt the condominium application from the Plan of Subdivision process. This exemption does not include exemption from any Rezoning, Official Plan Amendment or Committee of Adjustment applications that may be required. In reviewing condominium conversions, approval authorities normally require a variety of engineering studies to ensure that future common elements are in sound working order. The overall goal is to ensure that to the greatest extent possible, future condominium corporations are not encumbered with significant repairs. Part of this process also establishes a reserve fund for the future condominium corporation, to be used to repair identified deficiencies.

Given that condominium conversions normally result in removing rental units, most municipalities have specific affordability criteria that must be addressed as a condition of conversion, including requiring the units to be sold at an affordable price, as defined by the Ministry of Municipal Affairs and Housing, or the vacancy rate for the entire city is at or above 3% for the preceding three years.

### Tools to Maximize Benefits from Development

There are a number of tools that allow the Municipality to collect financial, in-kind and/or land contributions as a condition of certain types of development. Generally speaking, the City does not take full advantage of the various tools that are available. The current approach likely coincides with the Sault's '*open for business*' mantra as it relates to development approvals. The Sault is an 'outlier' when it comes to utilizing tools like development charges to ensure that '*development pays for development*'. Traditionally, the lack of development charges and community benefits charges has been viewed as a strategic advantage when marketing the City to potential developers and investors.

### **Parkland Dedication**

Section 42 of the Planning Act permits a municipality to enact a **Parkland Dedication By-law** to require that a portion of land proposed for development or redevelopment be conveyed to the municipality for park and recreation purposes, as a condition of approval of the development or redevelopment. Payment of cash in lieu of land is also permitted.

Separately, with regard to Plans of Subdivision and Consents, Sections 51.1 and 53 of the Planning Act permit a municipality to impose, as a condition of approval of a Plan of Subdivision or Consent to Sever for lot creation, that a certain portion of land be conveyed to the municipality for park and recreation



purposes. Again, payment of cash in lieu of land is also permitted. No by-law is necessary for this type of parkland dedication.

Under Sections 42, 51.1 and 53 of the Planning Act, if parkland has been or is required to be conveyed to the Municipality or a payment in lieu has been received or is owing, no additional conveyance or payment may be collected for subsequent development or redevelopment unless:

- a. There is a change in the proposed development or redevelopment which would increase the density of development; or
- b. Land originally proposed for development or redevelopment for commercial or industrial purposes is now proposed for development or redevelopment for other purposes.

As previously discussed in the [Parks, Recreation, Arts, Culture and Heritage Chapter](#), the City currently collects parkland or cash in lieu of parkland for new lot creation (Consent to Sever and Subdivisions), but does not take full advantage of the parkland dedication provisions of the Planning Act, which allow the Municipality to collect land or cash for redevelopment proposals upon lands where parkland or cash has not been collected or where proposed development is significantly different or of a higher density than previously approved.

### **Development Charges**

Ontario's [Development Charges Act](#) permits a municipality to enact a **Development Charge By-law** that imposes Development Charges on developments and redevelopments. Development Charges may only be imposed to pay for specific capital costs associated with development or redevelopment, as prescribed by the Province. These costs and services, which are prescribed in the Development Charges Act, include:

- Water, sewage and stormwater management services.
- Streets and roads, as well as transit services.
- Electrical power services.
- Waste management services.
- Police, fire protection, and ambulance services.
- Public libraries.
- Long-term care services.
- Parks and recreation services — but not the acquisition of land for parks.
- Public health services.
- Child care and early years programs and services.
- Housing services.
- By-law enforcement services and municipally administered court services.
- Emergency preparedness services.

Sault Ste. Marie is one of few communities of over 50,000 in population that does not impose Development Charges; However, the City collects user fees for specific infrastructure upgrades that are needed for individual developments, such as new culverts and lateral connections.

### **Community Benefits Charges**

[Section 37 of the Planning Act](#) permits a municipality to enact a **Community Benefits Charge By-law** that imposes Community Benefits Charges on developments and redevelopments to pay for the capital costs of facilities, services and matters required as a result of development or redevelopment. As

opposed to Development Charges, municipalities are given greater flexibility with respect to the types of capital costs that Community Benefits Charges could be used to fund.

The Community Benefits Charges tool is relatively new. In 2019, Bill 108 repealed and replaced the Bonusing provisions of the Planning Act, which would allow higher density or height, in exchange for ‘*facilities, amenities or matters*’ provided by the developer. The bonusing tool was never used locally.

A municipality is not permitted to use Community Benefits Charges to fund the same capital costs that are already funded under an existing Development Charge By-law or existing parkland dedication processes. In addition, a municipality cannot impose Community Benefits Charges on development or redevelopment of a building that is less than five storeys or contains fewer than ten residential units. Other exclusions prescribed by the Province include development or redevelopment of long-term care homes, retirement homes, post-secondary institutions, Royal Canadian Legion buildings, hospices and not-for-profit housing. The amount of a Community Benefits Charge payable shall not exceed 4% of the land’s value.

The City of Sault Ste. Marie currently does not have a Community Benefits Charge By-law and at this point there are no immediate recommendations to implement one.

### Tools to Incentivize Development

#### **Community Improvement Plans (CIP) (Section 28 of the Planning Act)**

The Planning Act permits a municipality to designate specific areas or the entire area of the municipality as a ‘community improvement project area’. Council is permitted to do this if they consider it desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings, or for any other environmental, social or community economic development reason. In general, development incentives should be strategic and should involve a certain level of public good or community benefit.

Community Improvement Plans must outline the overall intent of improvements for the area. In implementing a CIP, the municipality may take actions such as acquiring and clearing land for improvement, constructing or repairing buildings on municipal land, selling or leasing municipal land, providing grants or loans to owners and tenants to carry out improvements, and waiving various municipal fees such as landfill tipping and application fees.

The City of Sault Ste. Marie currently has three Community Improvement Plans in place:

- **Rental Housing CIP:** The intent of the Rental Housing CIP is to increase Sault Ste. Marie’s inventory of rental housing. An incentive in the form of a tax increment equivalent grant (a rebate for the increase in municipal property tax due to new development or redevelopment) is available for eligible applicants who undertake projects that create at least four new rental units. This CIP applies to the entire city.
- **Economic Growth CIP:** The Economic Growth CIP supports projects that diversify the local economy and stimulate job growth by either attracting new businesses or expanding existing businesses that are primarily engaged in export-oriented activities. Two grant programs are available for eligible businesses, one being a tax increment equivalent grant and another being a one-time grant. This CIP applies to the entire city.

- **Downtown CIP:** The Downtown CIP provides a variety of incentive programs to individual owners and tenants to support the implementation of the City's Downtown Strategy. The Downtown CIP's goals include attracting investment to the Downtown that increases commercial and residential density, decreases vacancies, and increases the amount of entertainment, food and cultural opportunities in the Downtown. Grants are available for large-scale redevelopment of existing sites, façade and storefront improvements, activation of vacant building spaces, conversion of non-residential upper floors to residential dwellings, and conversion of underutilized private spaces to patios. This CIP applies only to the defined Downtown area.

### Official Plan Amendments

As per Section 22 of the Planning Act, upon final Provincial approval of the new Official Plan, there is a '2-year time out period' whereby no person or public entity can file an Official Plan Amendment application. The Municipality can waive the 2-year time out and thus permit Official Plan Amendment applications, which is recommended.

Official Plan Amendments are generally one-off amendments rather than a comprehensive revision of the Official Plan. They can either pertain to a specific property or area, or consist of textual changes to specific Official Plan policies:

- One example of a site-specific Official Plan Amendment is where the owner of a parcel of land that is designated in the Official Plan for residential uses wishes to use that land for commercial retail development. The owner may apply for an Official Plan Amendment to put a **notwithstanding clause** for their parcel of land, to permit the parcel to be used for retail purposes, notwithstanding the Official Plan's residential designation. Site-specific Official Plan Amendments often occur in conjunction with a Rezoning application.
- An example of a policy-related Official Plan Amendment is the recent amendment by the City of Sault Ste. Marie in 2019 to add policies to the current Official Plan that authorize the creation of second units (basement apartments, garage suites, etc.). Policy-related Official Plan Amendments often relate to numerous properties or the entire City.

### Other Planning Tools

Below are additional planning tools that Ontario municipalities may use. None of these are currently used by the City of Sault Ste. Marie.

#### **Secondary Plan**

A Secondary Plan is a section of an Official Plan that contains policies and land use designations that apply to a specifically defined area within a municipality, rather than the entire municipality. Secondary Plans are often used to provide more detailed direction on land use and development for defined areas.

Given the relatively slow pace and small size of developments in Sault Ste. Marie, the use of Secondary Plans is not recommended at this time.

### **Community Planning Permit System (CPPS)**

The Community Planning Permit System consolidates the Rezoning, Minor Variance, and Site Plan Control processes into one streamlined development permit application process. Essentially, CPPS involves a site, use and design specific review and discussion between municipal staff and a developer. On the one hand, the process can be less time-consuming and costly, as certain Planning Act applications can be avoided. On the other hand, rules are not necessarily as 'black and white' as those laid out in a Zoning By-law and the process for fairly straightforward developments can be more time-consuming. Furthermore, the CPPS can reduce the need for a Planning Act application, and thus, the associated public consultation process.

A relatively small number of Ontario municipalities have actually implemented a CPPS, which has been available for the past 15 years. Examples include Brampton, Innisfil, Lake of Bays and Smith Falls. In most cases, the CPPS is only applied to specific, defined portions of a community, such as downtowns, traditional commercial areas, highway commercial areas and mixed residential neighbourhoods.

Before a municipality can adopt a Community Planning Permit System, its Official Plan must identify the areas in the municipality that would be subject to the CPPS, express the goals and objectives in proposing a CPPS for the identified areas, and set out the types of criteria and conditions that may be considered in the decision process. A Community Planning Permit System By-law is also required. Members of the public may appeal the passing of any associated Official Plan Amendment and Zoning By-laws to establish a CPPS, however once implemented, only the proponent may appeal a Municipal decision on a specific CPPS application.

Although not recommended at this time, CPPS might be a viable option for specific uses and areas in the community, such as along Queen Street in the Downtown.

### **Inclusionary Zoning**

Inclusionary Zoning refers to policies which require the inclusion and maintenance of affordable housing units within residential development projects. A municipality is permitted to adopt Inclusionary Zoning policies either for an area that is identified in its Official Plan as a 'major transit station area' or areas for which a Community Planning Permit System has been ordered by the Ministry of Municipal Affairs and Housing to be established. A municipality that is interested in adopting Inclusionary Zoning policies must first prepare an assessment report on the local housing need and housing market.

Going forward, Inclusionary Zoning provisions are not recommended at this time. Within the local context, staff is of the opinion that there are more effective ways to obtain affordable housing units, as discussed in more detail in the [Housing Chapter](#).

### **Property Standards**

The City's **Property Standards By-law** sets out the minimum standards for the maintenance and occupancy of individual properties, which is important to the health, safety and welfare of city residents. It also assists in preserving the character of residential areas. The Property Standards By-law requires that buildings be maintained in a structurally sound condition and provides for the removal of buildings that have deteriorated to the point where rehabilitation is not economically feasible. The Building Division enforces property standards and matters are adjudicated by a Property Standards Committee, which is appointed by Council.

The provisions of the Property Standards By-law are also utilized for the protection of cultural heritage resources. Council shall ensure the application of the Property Standards By-law is not detrimental to the conservation of heritage resources. Council may amend the Property Standards By-law to prescribe minimum standards for the maintenance of heritage attributes for designated properties under the Ontario Heritage Act (please refer to the [Parks, Recreation, Arts, Culture and Heritage Chapter](#)).

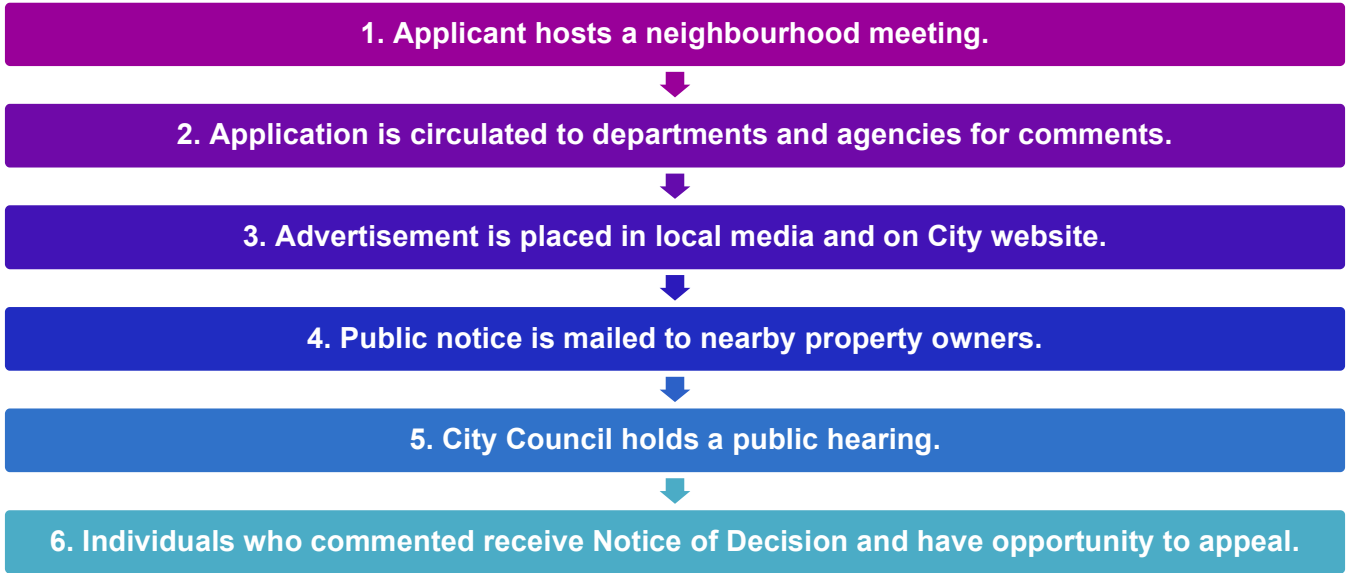
**Public Participation in the Planning Process**

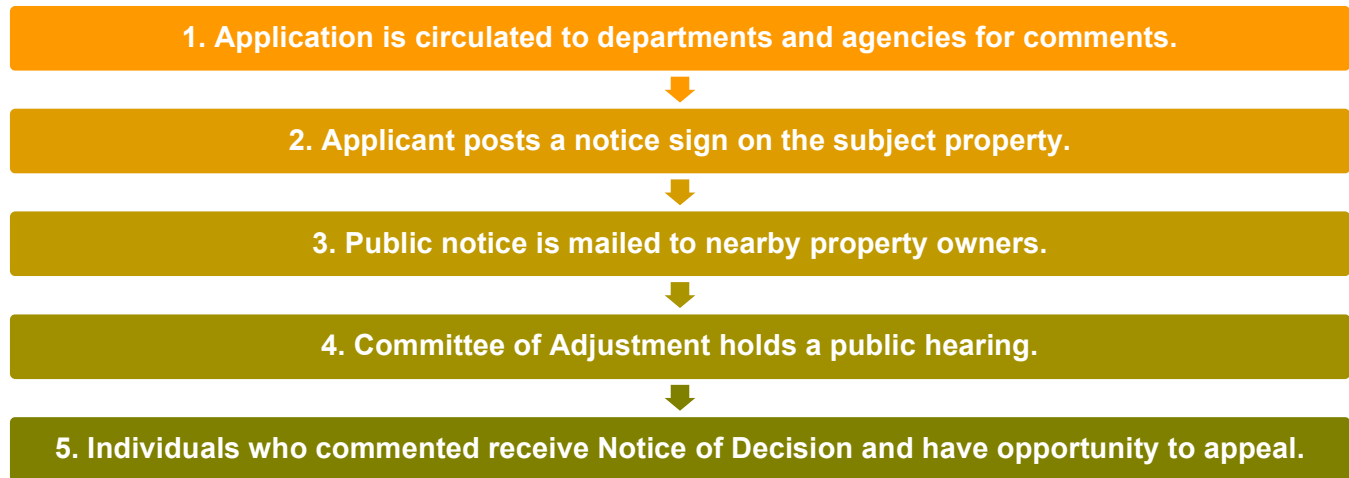
Public participation is an integral part of the Planning process. The Planning Act establishes the minimum requirements for providing public notice and opportunities for the public to submit their input in the decision-making process.

In this sense “the public” refers to people who are not already on the list of required notice recipients as prescribed by the Planning Act. The Planning Act already requires municipalities to consult with a variety of regulatory agencies, including city departments, Provincial Ministries, conservation authorities, school boards, neighbouring municipalities, First Nations and corporations that provide utility services, among others.

Specific public consultation requirements depend upon the type of Planning Act application. There is nothing preventing the Municipality from establishing alternative measures that go above and beyond the minimum requirements of the Planning Act.

**Figure 12.2: Summary of the Public Process for Applications to City Council.**



**Figure 12.3: Summary of the Public Process for Applications to the Committee of Adjustment.**

### **Public Notice Procedures**

Generally speaking, current public notice procedures work well; however, there is room for improvement. For most Planning Act applications, municipalities have the option of:

- Providing a mailed notice AND posting a sign on the property; OR
- Placing an ad in a daily newspaper having, in the opinion of the Clerk, sufficient circulation.

For **site specific Planning Act** applications being brought to Council, the current practice is to provide mailed notice and place an ad in the Sault Star, Sault This Week and on the City website. The Sault Star ad is the statutory notice. Sault Star's distribution has decreased over the past several years. Therefore, going forward, it is recommended that for site-specific Planning Act applications, the City take the approach of providing a mailed notice and posting signage on the subject property(s), which will satisfy the statutory requirements. In addition, it is also recommended that notices also be published in online media.

From time to time Council hears **Planning Act applications that apply to large areas or the entire City**. Examples include the passing of a new comprehensive Zoning By-law or Official Plan, new Second Unit regulations and amendments to the Rural Area policies of the OP. In most cases, these types of applications are initiated by City Staff. The notice requirements of the Planning Act are virtually the same as for site specific applications, however it is recognized that a city wide mail-out and signage is not feasible for these types of applications. In these instances, the newspaper ad is the statutory notice. The Planning Act and associated regulations do not currently permit public notice to be published solely in online news sources, which have significantly larger readership than local print media. Having said this, for larger policy type applications, it is recommended that in addition to publishing notice in print media, notices also be published in online media.

### **Pre-consultation**

Pre-consultation between applicants, their consultants, relevant City staff and outside agencies (Sault Ste. Marie Region Conservation Authority, PUC, etc.) is a key component of the day-to-day operations of the Planning Division. The City of Sault Ste. Marie has a long-standing history of emphasizing pre-

development assistance. In the early 1990's the **Development Assistance Review Team (DART)** was established, which is a group of relevant City staff and outside agencies that meets with developers to discuss and comment upon development proposals. The pre-consultation process is extremely valuable to both staff and developers and will continue. While many municipalities have established minimum requirements that must be met by proponents before they can engage in pre-consultation with the municipality, such as requiring the proponent to own the subject property and various consultants to be in place, such minimum standards or requirements are not recommended to be imposed upon proponents wishing to pre-consult with City of Sault Ste. Marie staff.

### **Complete Applications**

Given the policy-led planning system in Ontario, the determination of what makes an application 'complete' is a significant decision and milestone in processing all Planning Act applications. Depending upon the application, the Planning Act outlines specified timeframes to deem an application as complete. Once an application is deemed complete, the Planning Act outlines specific timeframes for Council or the Committee of Adjustment to make a decision upon the complete application. Where an application is not deemed complete or a decision is not made within the specified timeframes, proponents can make 'non-decision' appeals to the Ontario Land Tribunal (formerly LPAT and OMB). In some municipalities, especially in the Greater Toronto Area, non-decisions are a significant issue.

Although not an issue locally, it is recommended that complete application requirements be outlined in the Official Plan. Pre-consultation also plays an important role in determining and communicating complete application requirements to applicants.

### **Monitoring and Reviewing the Official Plan**

To maintain its relevance, the City must regularly review and make revisions to the Official Plan. The Planning Act requires the City to conduct a **comprehensive review** of the Official Plan ten years after its adoption and every five years thereafter. This is in addition to any **provincial plan conformity exercises** to ensure conformity with evolving Provincial policies and plans.

In between the periodic comprehensive reviews and conformity exercises, it is important for the City to continuously monitor key trends and indicators that provide information about Sault Ste. Marie's changing conditions and community needs. At a minimum, the City needs to monitor the available supply of developable land for residential, commercial, industrial and institutional development, to ensure there is sufficient land to satisfy the City's projected future growth (as described in the [Growth and Settlement Chapter](#)).

In many municipalities, including Sault Ste. Marie, local government agencies and community organizations publish reports that provide information on the state of the municipality. The following are some examples:

- The [Sault Ste. Marie Economic Development Corporation](#) regularly publishes a *Community Profile*<sup>33</sup> as part of its efforts to attract prospective residents and businesses to live and invest in

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<sup>33</sup> Available at: <https://investsaultstemarie.com/why-sault-ste.-marie/community-profile/>

Sault Ste. Marie. It contains data on the Sault's demographics, labour force, transportation and utilities infrastructure, taxes and fees, quality of life and cost of living.

- The Sault Ste. Marie Poverty Round Table — a group of organizations who assist low-income people in Sault Ste. Marie — published their *Progress on Impact Report* in January 2020<sup>34</sup>. This report provided information on the impact that various community initiatives are making on reducing poverty in Sault Ste. Marie, specifically in terms of food security, crisis diversion and resolution (i.e. access to essential services), housing, and workforce entry.
- Many communities across Canada, including Sudbury, North Bay, Thunder Bay, Kenora and the Algoma Region, have Community Foundations — charitable organizations that help facilitate community philanthropy and provide leadership on issues on community concern. Many of these Community Foundations participate in the *Vital Signs* program, which involves using local knowledge to measure the vitality of a community and to support action towards improving the community's quality of life. *Vital Signs* reports often contain data on community indicators related to topics such as social equity, civic engagement and community belonging, arts and culture, physical and mental health, housing, and the environment.<sup>35</sup>

### **General Civic Engagement**

The City of Sault Ste. Marie also regularly conducts public engagement for decisions on other matters and projects:

- For Public Works and Engineering projects, such as the reconstruction of Bay Street and the relocation of the Sault Transit terminal, the City uses the **Environmental Assessment** process to conduct its decision making. Ontario's Environmental Assessment Act establishes the requirements for public notice and public participation in these matters.
- For other matters that the City wishes to obtain public input on, such as the annual City budget and the recent FutureSSM project, there are no comprehensive statutory procedures.

Civic engagement and consultation should be viewed as an ongoing, core municipal service. It should be recognized that statutory requirements are minimums only and do not recognize the wide variety of engagement methods and platforms currently available.

Many municipalities have implemented a consistent, coordinated and ongoing approach to public engagement, with dedicated resources and platforms. Examples include Sudbury, Thunder Bay, Kingston and Sarnia. Developing a Corporate Public Consultation Policy would be a first step. In developing this policy, it must be recognized that effective public consultation is different from effective communications. Where effective communications often focus on positioning matters in a positive manner, effective consultation and outreach must take a more 'head-on' approach to negative issues.

Many municipalities have also created a dedicated position and adopted an online platform to facilitate public engagement. There exist proprietary online platforms which are tailored for government public engagement.

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<sup>34</sup> Available at: <https://saultstemarie.ca/Newsroom/February-2020/Sault-Ste-Marie-Poverty-Round-Table-Progress-on-lm.aspx>

<sup>35</sup> More information at: <https://communityfoundations.ca/initiatives/vital-signs/>



It is recommended that the City further explore opportunities for a consolidated, consistent and ongoing civic engagement strategy to address a wide variety of municipal matters such as community planning and development, environmental assessments and budget input to name a few.

## What We Heard

### **Key Themes Heard on: Implementation and Monitoring**

Because this topic of Implementation and Monitoring is quite technical and likely unfamiliar to many Saultites, not many comments were received on this topic. Below are some key themes heard on implementation:

- The City needs to establish a better relationship with Indigenous governments and invite them to co-create with the City, not simply consult.
- The City should not forget about certain groups and organizations in its plans and operations. Examples given by Saultites include: surrounding townships, cultural communities like the Francophone community and low-income residents.
- Consider ways to make it easier to develop properties, such as easing restrictions like minimum required setbacks.
- Create initiatives that promote community pride with regards to beautification. For example, tax incentives that encourage people to clean up their private property, and volunteer programs for Saultites to participate in cleaning up streets and public spaces.

The remaining themes come from comments that Saultites provided which relate to topics we have referred to as [Overarching Themes](#) for the entire Official Plan. These are topics such as economic resiliency, healthy community, environmental sustainability and social equity. It may be possible to look at these following themes from the perspective of things the City should consider monitoring on an ongoing basis, since these are things that residents believe are significant for the City to address:

- Youth retention — Find ways to retain graduates and young people, possibly by collaborating with educational institutions and employers.
- Tourism and visitor attraction — Put efforts into supporting, capitalizing on and promoting the Sault's assets, such as the St. Marys River, the northern part of the Sault with great recreational opportunities, the Downtown with its restaurants and shops and our proximity to Soo Michigan.
- Attracting businesses and jobs — Find ways to ensure Sault Ste. Marie is attractive and friendly to talent and capitalize on existing business sectors.
- Downtown and Jamestown/James Street — Support these core areas in terms of growth, safety, attractiveness and beautification and the needs of the people living there.
- Physical and mental health — Address ongoing health concerns, such as some exposure concerns with existing industries and push for funding and other supports.
- A healthy environment — Strive for a more sustainable city with clean water and air.
- People in low income and poverty — Ensure that we are helping these residents.

## What We Propose

### **Proposed Official Plan Policies on: Implementation (General)**

Some of the proposed policies below are intended to be ‘enabling policies’. Examples include Secondary Plans, Interim Control By-laws and Community Benefits Charges to name a few. While there are no immediate plans to adopt or utilize these planning tools, these enabling policies may preclude the need for an Official Plan Amendment should Council decide to utilize specific tools. Additional Council approvals (by-laws) are still required to implement such tools.

#### Official Plan Implementation

The City will develop and maintain regulatory and policy documents as needed to implement the policies of the Official Plan. These documents include, but are not limited to:

- Zoning By-law.
- Sustainable Site Plan Guidelines.
- Facility Accessibility Design Standards (FADS).
- Downtown Streetscape Manual.
- Complete Streets Manual.
- Active Transportation Master Plan (includes cycling and trails).
- Stormwater Management Master Plan and Guidelines.
- Telecommunications Tower Policy.

#### Official Plan Amendments

Complete applications for an Official Plan Amendment may be brought to Council at any time, and for the purposes of this Plan, the ‘2-year time-out period’ as described in Section 22 of the Planning Act is waived.

#### Committee of Adjustment

City Council has delegated to the Committee of Adjustment the ability to hear the following complete applications:

- Consents.
- Minor Variances.
- Extensions to legal non-conforming uses (i.e. an existing use which is not permitted by the Zoning By-law).

### **Proposed Official Plan Policies on: Tools for Land Use and Development Design**

#### Zoning By-law

- Upon adoption of the new Official Plan and after completing each comprehensive review of the Official Plan, the City shall update the Zoning By-law so that it conforms with the most current version of the Official Plan.
- Minor Variances to the Zoning By-law may be granted by the Committee of Adjustment if the Committee is satisfied that the prescribed four tests of a Minor Variance are met:
  1. Is it minor?
  2. Is it desirable for appropriate use and development of the land?

3. Does it maintain the general intent and purpose of the Zoning By-law?
4. Does it maintain the general intent and purpose of the Official Plan?

#### Holding Provisions

Council may use a Holding Provision in conjunction with the zoning upon a particular property, area or land use to ensure specified conditions are satisfied before development may begin. These conditions may include, but are not limited to:

- Appropriate phasing of development and redevelopment occurs.
- Agreements respecting the proposed land use or development are entered into.
- A significant environmental feature, resource, hazard or constraint is protected.
- Environmental studies are approved such as soil remediation reports for brownfield developments.
- Archaeological studies are approved.
- Servicing Plans are approved.
- The necessary approvals have been received from any licensing agency having jurisdiction.
- Soils remediation

#### Interim Control By-laws

Council may enact an Interim Control By-law for a period not exceeding a total of two years from the date of the initial passing of the Interim Control By-law, to prohibit certain land uses or development patterns until such time that Council has had time to conduct a full review and develop policies and regulations for such uses or development patterns.

#### Temporary Use By-laws

Council may authorize, by by-law, a temporary use of land for a purpose that is otherwise prohibited by the Zoning By-law, for a period not exceeding three years.

In considering the passing of Temporary Use By-laws, Council shall have regard to the compatibility and impact on abutting uses and municipal infrastructure as well as the use's ability to supply adequate parking. The construction of permanent buildings in association with a temporary use shall be discouraged.

#### Site Plan Control

The City supports and promotes developments that advance the goals of attractive and high-quality design, barrier-free accessibility, environmental sustainability, land use compatibility, and public health and comfort. Site Plan Control will be applied to development of specific uses and development of land in specific locations, as specified in the Official Plan and/or the Zoning By-law, pursuant to Section 41 of the Planning Act. Prior to development of a property or use that is subject to Site Plan Control, the developer must enter into a Site Plan Agreement with the Municipality, which is registered on title.

For specific details on proposed policies regarding Site Plan Control and site design, please see the [Urban Design and Mobility Chapter](#).

#### Community Planning Permit System (CPPS)

Council may pass a by-law to deem all or part of the community as within a Community Planning Permit System, subject to an Official Plan Amendment to:

- Identify the areas in the municipality that would be subject to a CPPS;
- Outline the goals and objectives of the CPPS for the identified areas; and
- Set out the criteria and conditions that may be considered in the decision process for development applications.

### **Proposed Official Plan Policies on: Tools for Division of Land**

#### **Consent to Sever**

Where the extension of a public road, water or sewer main is not required, land may be divided through the Consent to Sever process provided that a Plan of Subdivision is not necessary for the proper and orderly development of the area. When assessing an application to create a new lot by Consent to Sever, the City shall be satisfied that:

1. The land is divided in an efficient manner, and that landlocked parcels are not created.
2. The proposed lot will not affect the future development or use of the remaining lands.
3. The proposed lot has frontage upon and direct access to a public road that is owned and maintained by the City on a year-round basis.
4. The proposed lot will not cause a traffic hazard as a result of its location near an intersection or on a curve or hill.
5. The planned development of the proposed lot shall not have a negative impact on the drainage patterns of the area.
6. The proposed lot and planned development will not negatively impact any significant natural features or any constraints or hazards.
7. The proposed lot is of a size appropriate for the intended use and is in conformity with the policies of the Official Plan and the Zoning By-law.
8. Severances for residential purposes which result in the creation of two-tiered parcels (flag shaped lots) shall be discouraged, especially where the rear parcel cannot meet the minimum frontage requirements of the zone in which it is situated.
9. Severances for lots in the Rural Area (outside the Urban Settlement Area) must adhere to policies in the [Rural Area and Agriculture Chapter](#).

#### **Draft Plan of Subdivision**

Where the extension of public infrastructure such as roads, water or sewer mains is required, land shall be divided through a Plan of Subdivision. When assessing a Plan of Subdivision application, the City shall be satisfied that:

1. The proposed development is not premature, and is located within the Urban Settlement Area.
2. The land is divided in an efficient manner, and that landlocked parcels are not created.
3. The proposed subdivision is integrated with the surrounding area.
4. The proposed infrastructure is designed to meet or exceed City standards.
5. The subdivision shall not have a negative impact on the drainage patterns of the area.
6. The subdivision will not impact the groundwater quality and quantity of the area.
7. The proposed development will not have a negative impact upon the features and functions of any significant natural features or any constraints or hazards.
8. The proposed lots are of a size appropriate for their intended use and are in conformity with the policies of the Official Plan and the Zoning By-law.

### Part Lot Control

Council may pass by-laws to exempt all or parts of registered Plans of Subdivision from Part Lot Control. Part Lot Control shall not be used to circumvent the Subdivision or Consent processes.

An exemption from Part Lot Control may be appropriate for situations where a thorough review process has been completed, or where buildings exist and part lot control is utilized to sever lots along the common wall between units.

### Draft Plan of Condominium

Condominium developments shall proceed by way of a Draft Plan of Condominium, which is similar to that of a Draft Plan of Subdivision.

1. Although it is understood that common elements within a condominium will be privately owned, such as roadways and underground services, the City will still review and approve the overall design of such common elements.
2. In the case of vacant land condominiums, where plans can be registered and lots sold prior to the installation of the common elements, the City will require a letter of credit, equal to the costs associated with installing all common elements of the phase to be registered, as determined by a qualified professional to the satisfaction of the City.
3. Where existing condominiums have been approved, but not yet registered, the City may enter into a Condominium Agreement which may include a letter of credit and any other matters the City deems relevant.

### Condominium Conversions

Where an existing building or development is to be converted to a condominium, the proponent may request Council's permission to exempt the condominium application from the Plan of Subdivision process. The City shall be satisfied that:

1. The proposed use conforms to the Official Plan and the Zoning By-law.
2. The building is structurally sound, as assessed by a qualified professional.
3. Aspects of the existing building and infrastructure that are to become common elements are of sound working order, as assessed by a qualified professional.
4. There is an appropriate reserve fund to ensure that the resulting condominium corporation is not encumbered by any reasonably foreseeable repair or replacement costs associated with any common element, as determined by a qualified professional.
5. Where deficiencies are identified, they must be remediated to the satisfaction of the City prior to final approval.
6. Residential rental units cannot be converted to condominium unless:
  - a. Units to be sold are affordable, as defined in the [Housing Chapter](#); or
  - b. The vacancy rate for the entire city, as determined by Canada Mortgage and Housing Corporation (CMHC), is at or above 3% for the preceding three years.
7. For all residential condominium conversions, tenants of the subject units shall be given the right of first refusal.

## **Proposed Official Plan Policies on: Tools for Obtaining Benefits from Development**

### Parkland Dedication

As outlined in the [Parks, Recreation, Arts, Culture and Heritage Chapter](#):

- Commercial and industrial development and redevelopment, including new lot creation shall provide 2% of land or cash in lieu of land.
- Institutional and residential development and redevelopment, including new lot creation shall provide 5% of land or cash in lieu of land.
- The City may also apply the following alternative rates for higher density residential developments:
  - 1ha/300 dwelling units; or
  - Cash in lieu of 1ha/500 dwelling units.
- The City shall develop a Parkland Dedication By-law for the purposes of collecting parkland or cash in lieu of parkland for redevelopment projects as specified in the By-law.

It is recommended that the City develop a Parkland Dedication Guideline that outlines the City's expectations related to parkland dedication and communicates flexible arrangements aimed at maximizing community benefit. Further details related to the City's preferences for parkland dedication vs. cash in lieu of dedication are outlined in the [Parks, Recreation, Arts, Culture and Heritage Chapter](#).

Under Sections 42, 51.1 and 53 of the Planning Act, if parkland has been or is required to be conveyed to the Municipality or a payment in lieu has been received or is owing, no additional conveyance or payment may be collected for subsequent development or redevelopment unless:

- c. There is a change in the proposed development or redevelopment which would increase the density of development; or
- d. Land originally proposed for development or redevelopment for commercial or industrial purposes is now proposed for development or redevelopment for other purposes.

### Community Benefits Charges and Development Charges

Council may enact a Community Benefits Charge By-law that imposes Community Benefits Charges, or a Development Charge By-law that imposes Development Charges, on developments and redevelopments to pay for the capital costs of facilities, services and matters required as a result of development or redevelopment.

### Community Improvement Plans (CIP)

- The entire area of the City of Sault Ste. Marie is designated as a Community Improvement Project Area.
- By way of Community Improvement Plans, the City may provide incentives to encourage improvements to private and public lands, through incentives such as grants, loans, waiving of fees and municipal property tax rebates.
- The City will consider providing new incentives for the following:
  - Projects that enhance conservation and efficient use of energy and water, including the use of low-impact design and sustainability features.
  - The provision of affordable housing units.
  - The provision of additional rental units in close proximity to Sault College and Algoma University.

- The development and redevelopment of properties in older areas of the community where assessment growth is low or where building stock is deemed beyond its useful life.
- In reviewing new development incentives and Community Improvement Plans, Council shall ensure that incentives are aimed at strategic development that addresses a community need and achieves significant public good and community benefit. It should be demonstrated that proposed incentives relate to at least one of the Overarching Themes of the Official Plan.

### Property Standards

The enforcement of minimum standards for the maintenance and occupancy of individual properties is important to the health, safety and welfare of City residents. It also assists in preserving the character of residential areas. The Property Standards By-law requires that buildings be maintained in a structurally sound condition, and provides for the removal of buildings that have deteriorated to the point where rehabilitation is not economically feasible.

The provisions of the Property Standards By-law will also be utilized for the protection of cultural heritage resources. Council shall ensure the application of the Property Standards By-law is not detrimental to the conservation of heritage resources. Council may amend the Property Standards By-law to prescribe minimum standards for the maintenance of heritage attributes for designated properties under the Ontario Heritage Act.

## **Proposed Official Plan Policies on: Processing Planning Act Applications**

### Pre-consultation

The City has a **Development Application Review Team (DART)** consisting of staff members from Planning and other departments. All prospective applicants for any Planning Act application, including applications for Rezoning, site-specific Official Plan Amendment, Plan of Subdivision, Minor Variance and Consent, are encouraged to consult with City staff prior to submitting an application.

### Complete Applications

Planning Act applications may be required to include studies or other information in order to be considered complete. Such studies or other information may include, but are not limited to:

1. Concept plans, site plans, and façade and elevation drawings.
2. Environmental impact study.
3. Heritage impact assessment and conservation strategy.
4. Hydrogeological study.
5. Grading plans.
6. Lake or shoreline development capacity study.
7. Landscape plan.
8. Market impact study.
9. Noise, vibration, dust and odour studies.
10. Phase 1 & 2 Environmental Assessment.
11. Planning justification report.
12. Record of site condition.
13. Geotechnical study.
14. Phase 1 and 2 archaeological site assessments.



15. Stormwater management report.
16. Traffic impact study.
17. Water, sanitary sewer and electrical servicing capacity studies.

## **Proposed Official Plan Policies on: Public Notice and Public Input**

### Public Notice and Input for Planning Act Applications

The City will strive to provide effective and early public notice on planning applications. The public notice requirements outlined in the Planning Act will be adhered to in terms of specified timeframes and required information. In addition to the minimum requirements of the Planning Act, the following preferences and alternative procedures are required:

- For site-specific Planning Act applications brought to Council or the Committee of Adjustment, public notice and input opportunities shall be provided by way of all of the following:
  - A mailed notice to neighbours;
  - The posting of a sign, provided by Planning staff, which shall be clearly posted on the subject property;
  - Publishing the notice on the City's website;
  - A Public Hearing of City Council or the Committee of Adjustment, where the public may make written or oral comments.
- In addition to the notice requirements outlined above, for site-specific Planning Act applications brought to Council:
  - A neighbourhood meeting hosted by the applicant is also required. In the event that a neighbourhood meeting is not possible or feasible, alternative measures such as a virtual meeting or mailed information to neighbouring property owners may be contemplated, subject to staff approval.
    - The City will provide mailing labels to the applicant.
- For Planning Act applications brought to Council that apply to larger portions of the community, the following public notice procedures will be followed:
  - Staff will provide Council with an informational report outlining the proposed changes.
  - Staff will host an information meeting, with notice provided in a newspaper and online news outlet.
  - Upon completion of the neighbourhood meeting, Council will hold a Public Hearing where the public can attend and make oral or written submissions. Notice of Council's Public Hearing will be provided by:
    - Mailed and emailed notices to those stakeholders that have requested it through previous consultations; and
    - In a newspaper and online news outlet.

### Ongoing Civic Engagement

The City will strive to provide ongoing, meaningful and diverse opportunities and venues for the public to engage with and provide input upon a variety of municipal matters. While it is recognized that certain municipal matters require specific consultation procedures, such as those prescribed by the Planning Act and Environmental Assessment Act, it is recognized that these statutory requirements outline minimums only, and there is nothing stopping the City from going above and beyond those minimums.

- The City should consider developing a Corporate Public Consultation Policy, including matters where there may not be statutory requirements.
- Where a development or project requires an Environmental Assessment and a Planning Act application, the City will encourage the proponent to utilize the 'integrated approach' under the Environmental Assessment Act and the Planning Act, while ensuring the intent and requirements of both acts are met.
- The City will actively foster and develop relationships with Indigenous communities in the Sault Ste. Marie region, and will strive to include engagement with Indigenous communities as part of large projects and development of community-wide policies.

### **Proposed Official Plan Policies on: Monitoring**

#### Official Plan Reviews and Amendments

- The City shall, at minimum, conduct a comprehensive review of the Official Plan 10 years after the date this Plan comes into effect, and every 5 years thereafter.
- A comprehensive review will include revisions as necessary to ensure:
  - Conformity with Provincial plans and the Provincial Policy Statement.
  - Regard for matters of Provincial interest.
  - Consideration of updated population and land needs projections, to ensure adequate supply of developable land.
  - Consideration of new data relevant to the City's development.
  - Consistency with other City master plans and policy documents.
- The Official Plan shall be reviewed and amended as required by Council or the Province, to meet the changing needs of the community and to respond to new issues and information.
- Official Plan Amendments may be initiated by Council or the public.
- Only amendments that do not affect the substance and intent of the Official Plan, such as formatting and clerical changes, are permitted without the need for public notice and public input. All other amendments must follow public notice and public input procedures as established in the Planning Act or in this Official Plan.

#### Monitoring Planning and Development

- The City shall continuously monitor key trends and indicators to ensure the Official Plan remains relevant and effective.
- Indicators and data to be monitored include, but are not limited to:
  - Population and demographic changes.
  - Land supply and land demand.
  - Indicators of progress regarding this Official Plan's Overarching Themes: healthy community, environmental sustainability, integrated mobility, sense of place, sustainable growth, economic resiliency, social equity and cultural vitality.