

Agincourt Avenue Subdivision, Sudbury

Presented To:	Planning Committee
Meeting Date:	July 14, 2025
Type:	Routine Management Reports
Prepared by:	Wendy Kaufman Planning Services
Recommended by:	General Manager of Growth and Infrastructure
File Number:	780-6/16001

Report Summary

This report provides a recommendation regarding an application for an extension to the draft plan of subdivision approval for the subject lands (File #780-6/16001) in the community of Sudbury for a period of three years until November 29, 2028.

Resolution

That the City of Greater Sudbury's delegated official be directed to amend the conditions of draft approval for a plan of subdivision on those lands known as PINs 73602-0239, 73602-0240 & 73602-0187, Blocks L & M, Plan M-1014, Block 52, Plan 53M-1197, Lot 2, Concession 6, Township of McKim, File 780-6/16001, as outlined in the report entitled "Agincourt Avenue Subdivision, Sudbury", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on July 14, 2025 as follows:

- By replacing Condition #11 with the following: "11. That this draft approval shall lapse on November 29, 2028."

- By replacing Condition #13 in its entirety with the following:

"13. A stormwater management report and associated plans must be submitted by the Owner's Consulting Engineer for approval by the City. The report must address the following requirements:

- The underground storm sewer system within the plan of subdivision must be designed to accommodate and/or convey the minor storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 2 year design storm. The permissible minor storm discharge from the subject development must be limited to 85% of the existing pre-development site runoff resulting from a 2 year design storm. Any resulting post development runoff in excess of this permissible discharge rate must be controlled and detained within the plan of subdivision;

- The overland flow system within the plan of subdivision must be designed to accommodate and/or convey the major storm flow, that is, the rainfall runoff resulting from the subject site and any external tributary areas using the City's 100 year design storm or Regional storm event, whichever is greater, without causing damage to proposed and adjacent public and private properties. The permissible major storm discharge from the subject development must be limited to 85% of the existing pre-development runoff resulting from a 100

year design storm or Regional storm event, whichever is greater.

- A hierarchical approach to stormwater management must be followed as described by the Ministry of the Environment, Conservation and Parks and as amended by City of Greater Sudbury most recent Storm Water Management Guide and Engineering Design Standards.
- “Enhanced” level must be used for the design of stormwater quality controls as defined by the Ministry of the Environment, Conservation and Parks;
- Stormwater management must further follow the recommendations of the Junction Creek Subwatershed Study;
- The drainage catchment boundary including external tributary catchments and their respective area must be clearly indicated with any stormwater management plan;
- The final grading of the lands shall be such that the surface water originating on or tributary to the said lands, including roof water from buildings and surface water from paved areas, will be discharged in a manner satisfactory to the General Manager of Growth and Infrastructure;
- If a wet pond is proposed, the wet pond is to meet the criteria of the Ministry of the Environment, Conservation and Parks Stormwater Management Planning and Design Manual latest edition, including but not limited to Table 4.6 Wet Pond – Summary of Design Guidance. Side slopes greater than 3:1 will not be permitted including retaining walls;
- The bottom of the Stormwater Management Facility/Facilities is to be at a higher elevation than the seasonal high groundwater level (i.e. water table);
- If the Stormwater Management Facility/Facilities propose infiltration, the receiving soil layer must have an infiltration rate of greater than or equal to 15 mm/hr, and underlying bedrock and seasonal high groundwater level (i.e. water table) is to be equal to or greater than 1 m below the bottom of the proposed facility;
- Capacity of all swales to be included in the Stormwater Management Report;
- Where drainage from the existing or future right-of-way is conveyed between residential properties, a block is required. Drainage easements are only permitted for the conveyance of drainage of runoff from private properties only;
- Minor storm drainage from the plan of subdivision shall not be drained overland onto adjacent properties; and,
- Existing drainage patterns on adjacent properties shall not be altered unless explicit permission is granted.

The owner shall be responsible for the design and construction of any required stormwater management works to the satisfaction of the General Manager of Growth and Infrastructure and Conservation Sudbury as part of the servicing plans for the subdivision and the owner shall dedicate the lands for stormwater management works as a condition of this development.”

By replacing Condition #34 in its entirety with the following:

“34. That wetland(s) must be mapped by a qualified professional (OWES-certified with experience in wetland mapping) to the satisfaction of the Conservation Authority. The wetlands must be mapped within the location of the proposed subdivision and within 30 m of the proposed subdivision. All mapping must include the wetland boundary and area of potential interference shown at 12 m and 30 m from the wetland boundary. Development must comply with Conservation Sudbury’s wetland guidelines.”

By adding a new Condition #35:

“35. That the owner/developer demonstrate the habitat of endangered or threatened species is not impacted by the proposed development except in accordance with provincial and federal requirements. This may be achieved by ensuring that no development, including accessory structures, amenity spaces, parking, etc. are not to occur within 30 metres of the wetland as delineated by a qualified professional. Alternatively, permission for development within or adjacent to habitat may be sought from the responsible provincial ministry or federal authority, as appropriate.”

By adding a new Note #3:

“3. The applicant is advised that compliance with the federal Migratory Bird Convention Act, 1994, the provincial Fish and Wildlife Conservation Act, 1997, and the provincial Endangered Species Act, 2007 is their sole responsibility.”

Relationship to the Strategic Plan, Health Impact Assessment and Climate Action Plans

The application to extend this draft plan of subdivision approval is an operational matter under the Planning Act to which the City is responding. The application contributes to the 2019-2027 City of Greater Sudbury Strategic Plan goals related to housing by adding to the housing available in this area. The application aligns with the Community Energy and Emissions Plan (CEEP) by supporting the strategy of compact, complete communities.

Financial Implications

If approved, staff estimates approximately \$226,000 in taxation revenue in the supplemental tax year only, based on the assumption of 27 single detached dwelling units at assessed values of \$500,000 per dwelling unit at the 2025 property tax rates.

This additional taxation revenue will only occur in the supplemental tax year. Any taxation revenue generated from new development is part of the supplemental taxation in its first year. Therefore, the City does not receive additional taxation revenue in future years from new development, as the tax levy amount to be collected as determined from the budget process, is spread out over all properties within the City.

The amount of development charges will be based on final review of the property by the Building Services department, at time of building permit issuance.

The financial implications for the two blocks for multi-residential development are unable to be quantified as estimated number of units planned in this development are unknown at this time.

Once development has occurred and the subdivision infrastructure has been transferred to the City, there will be additional on-going costs for future annual maintenance and capital replacement of the related infrastructure (ie. roads, water/wastewater linear pipes, etc).

Report Overview

The owner has requested an extension to the draft plan of subdivision approval of File # 780-6/16001, Agincourt Avenue, for a period of three years to November 29, 2028. The Planning Services Division is recommending approval of the application.

STAFF REPORT

Applicant:

Dalron Construction Ltd.

Location:

PINs 73602-0239, 73602-0240 & 73602-0187, Blocks L & M, Plan M-1014, Block 52, Plan 53M-1197, Lot 2, Concession 6, Township of McKim

Application:

To extend the draft approval of the [2016 Agincourt Avenue Subdivision](#) plan. The subdivision is scheduled to lapse on November 29, 2025 and this is the third time an extension has been requested.

Proposal:

The owner is requesting that the draft approval for the above noted plan of subdivision be extended for a period of three years until November 29, 2028.

Background

Dalron Construction Ltd. is the owner of the draft approved plan of subdivision on lands located to the north of Agincourt Avenue and south of Maley Drive in New Sudbury. The City received a request from Dalron Construction Ltd. on April 24, 2025 to extend the draft approval for a period of three years on those lands described as PINs 73602-0239, 73602-0240 & 73602-0187, Blocks L & M, Plan M-1014, Block 52, Plan 53M-1197, Lot 2, Concession 6, Township of McKim. The draft approved plan of subdivision includes a total of 27 lots for single detached dwellings, and two (2) blocks for multiple residential development.

The lands within the plan of subdivision are designated Living Area 1. Lots 1 to 27 and Block 28 for the storm water management pond are zoned 'R1-5', Low Density Residential One, Blocks 29 and 30 are zoned 'R3-1', Medium Density Residential, and the balance of the lands are zoned 'OSC', Open Space Conservation.

The most recent conditions of approval and the approved draft plan are attached.

Staff has circulated the request to relevant agencies and departments for comment and is now bringing forward this report to extend the draft approval to November 29, 2028.

Departmental & Agency Circulation

Infrastructure and Capital Planning Services, Building Services, Development Engineering, Strategic & Environmental Planning Initiatives, Transit, and Conservation Sudbury have each advised that they have no objections from their respective areas of interest. In some cases they have recommended technical updates or revisions. No comments were received from Leisure Services or Fire Services.

Planning Considerations:

Official Plan

Section 19.4.2 of the Official Plan for the City of Greater Sudbury addressing draft plan of subdivision approvals outlines that Council will not extend or recommend the extension of a draft plan approval, beyond the statutory limitation of three years, unless the owner has demonstrated to the satisfaction of Council that they are making a reasonable effort to proceed in meeting the conditions of the draft approval. At the time of an extension request Council will review draft plan conditions and may make appropriate modifications.

The applicant advises that they are exploring the opportunity of rezoning a portion of the property from R1-5 to R2-2 and have engaged a consultant to map the wetland. Staff is satisfied that the owner is making reasonable efforts towards developing the subdivision.

Draft Approval Conditions

Condition #11 should be deleted entirely and replaced with a sentence referring to November 29, 2028, as the revised date on which the subject draft plan approval shall lapse.

Drainage Section has requested that Condition #13 be deleted and replaced with updated requirements for a stormwater management report.

Conservation Sudbury has requested that Condition #34 be deleted and replaced with updated requirements for wetland mapping, setbacks, and compliance with their wetland guidelines.

Strategic & Environmental Planning Initiatives advises that there is a wetland on-site that is habitat for Blanding's turtle, a species listed as threatened under the Endangered Species Act, 2007. Official Plan Section 9.2.2 Habitat of Endangered Species and Threatened Species prohibits development within habitat of endangered or threatened species except in accordance with provincial and federal requirements, and prohibits development adjacent to habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural feature or their ecological functions. So long as no development occurs within 30 metres of the limit of the delineated wetland, staff are satisfied that these policies have been addressed. However, the draft plan as proposed does not clearly indicate the limit of development. As such, staff in SEP are requesting the following condition: "That the owner/developer demonstrate the habitat of endangered or threatened species is not impacted by the proposed development except in accordance with provincial and federal requirements. This may be achieved by ensuring that no development, including accessory structures, amenity spaces, parking, etc. are not to occur within 30 metres of the wetland as delineated by a qualified professional. Alternatively, permission for development within or adjacent to habitat may be sought from the responsible provincial ministry or federal authority, as appropriate." Staff in SEP also request a note be added to the conditions advising the applicant that compliance with the federal Migratory Bird Convention Act, 1994, the provincial Fish and Wildlife Conservation Act, 1997, and the provincial Endangered Species Act, 2007 is their sole responsibility.

No other changes to the draft approval documents have been requested either by the owner or by circulated agencies and departments.

The current draft conditions are attached to this report along with the draft approved plan of subdivision for reference purposes.

Conclusion:

The Planning Services Division has reviewed the request to extend the subject draft approval and have no objections to the requested extension for a period of three years. The request was also circulated to relevant agencies and departments for comment and no concerns were identified with respect to extending the draft approval of the subdivision. Appropriate changes where identified have been included in the Resolution portion of this report and will now form part of the draft plan approval if approved by Council.

The Planning Services Division therefore recommends that the application to extend draft approval for the Agincourt Avenue subdivision for a period of three years until November 29, 2028, be approved as outlined in the Resolution section of this report.