

The Corporation of the Town of Ajax

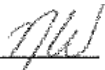
COMMUNITY AFFAIRS AND PLANNING COMMITTEE

Tuesday April 22, 2014 at 7:00 p.m.

Council Chambers, Town Hall

65 Harwood Avenue South



Confirmed by: 

AGENDA

Alternative formats available upon request by contacting:

sarah.moore@ajax.ca or 905-619-2529 ext. 3347

Anything in **blue** denotes an attachment/link. By clicking the links on the agenda page, you can jump directly to that section of the agenda. To manoeuvre back to the agenda page use the **Ctrl + Home** keys simultaneously. **OR** use the "Bookmark" icon to the left of your screen to navigate from one report to the next

S. Collier, Chair

1. Call To Order

2. Disclosure of Pecuniary Interest

3. Adoption of Minutes

3.1 **March 3, 2014** 2

4. Public Meeting

4.1 **Zoning By-law Amendment Z2/13**
2320358 Ontario Inc. (Blacktop Restoration Inc.)
Lot 34, Plan M-1175,
11 Barr Road, P. Allore, Director of Planning & Development Services / S. Mc Cullough,
Development Planner 5

4.2 **Site Plan Application SP21/13**
Bell Mobility Telecommunications Tower
2020 Salem Road North, P. Allore, Director of Planning & Development Services / A.
Cifuentes, Development Planner 20

5. Presentations

None

6. Reports

None

7. Adjournment

**Minutes of the
Community Affairs & Planning Committee Meeting
Held in the Council Chambers, Ajax Town Hall,
At 7:00 p.m. on March 3, 2014**

Present:	Chair - Regional Councillor	-	C. Jordan
	Regional Councillor	-	S. Collier
	Councillors	-	M. Crawford
		-	R. Ashby
		-	J. Dies
		-	P. Brown
	Mayor	-	S. Parish

1. Call to Order

Chair Jordan called the meeting to order at 7:00 p.m.

2. Disclosure of Pecuniary Interest

There were no disclosures of pecuniary interest.

3. Adoption of Minutes

Moved by: S. Collier
Seconded by: S. Parish

That the Minutes of the Community Affairs and Planning Committee Meeting held on December 2, 2013, be adopted.

CARRIED

4. Public Meetings

**4.1 Supplementary Report:
Draft Plans of Subdivision S-A-2005-06 and S-A-2005-07
Zoning By-law Amendment Applications Z15/05 and Z16/05
Finchrose Development Corporation
Daste Investments (Bayly) Ltd.
Lands east of Shoal Point Road south of Bayly Street East**

Gary Muller, Manager of Planning, provided an overview of the proposed developments. Approval of the development applications was deferred from the October 21, 2013 CAP meeting due to a number of resident and Committee concerns, primarily related to transportation and parkland. A transportation review conducted by MMM Group found that the optimal traffic management solution along Bayly St E would include 2 traffic signals at both Shoal Point (with introduction of a right-hand turn lane) and Street B (~250m to the east). The Region of Durham has agreed to the concept of maintaining signalization at Shoal Point, and introducing signalization at Street B when required, subject to a number of conditions which Mr. Muller outlined. Many of the remaining concerns raised in October

2013 by residents and Committee members, including the size and location of the Daste parkette, were addressed.

Committee members made several inquiries related to the timing of the signalization at Street B, the cost to the Town for improvements to the Shoal Point/Bayly intersection, and the routing of construction traffic. Staff noted that the signalization of Street B would occur when deemed necessary by the Region of Durham, and would likely be triggered by the Magnum Opus development (estimated to be in the ~2018 time frame.) The Town's share of costs for improvements to the Shoal Point/Bayly intersection, including bridge work, are projected to be ~\$500,000. Construction traffic during the development of the Finchrose and Daste subdivisions would primarily use Shoal Point Road.

S. Downhau, 114 Wilkie Lane, inquired about the timing of improvements to the Shoal Point/Bayly intersection and the timing of the commencement of construction for the Daste/Finchrose subdivisions. Mr. Muller noted that the intersection improvements would not occur for several years, until development has actually occurred in the area.

A. Andrews, 5 Plumb St, posed several inquiries related to proposed parks in the area. Mr. Muller confirmed that the Daste park would be publically owned, and that a planned park at the foot of Audley Rd. in 2016 would be subject to a public input process during the design phase.

The applicant addressed the committee with respect to the proposed development and responded to several questions. It was noted that construction of the first set of townhouses could begin as soon as next year.

Moved by: P. Brown
Seconded by: J. Dies

1. That the Ontario Municipal Board be advised that the Town of Ajax does not object to Draft Plan of Subdivision Application S-A-2005-06 and Zoning By-law Amendment Application Z15/05, submitted by Finchrose Development Corporation to permit 2 development blocks to permit 56 medium density units including 12 street townhouses, a medium density residential block, a future prestige employment block and associated roadway, subject to the conditions of draft approval and draft by-law provided within Attachments 1 and 3 to this report and entering into a subdivision agreement with the Town of Ajax;
2. That the Ontario Municipal Board be advised that the Town of Ajax does not object to Draft Plan of Subdivision Application S-A-2005-07 and Zoning By-law Amendment Application Z16/05, submitted by Daste Investments (Bayly) Ltd., to permit 84 medium density units including 15 street townhouses, a medium density residential block, a prestige employment block, blocks for future residential and future employment development, a 0.33 hectare park block and roadways subject to the conditions of draft approval and draft by-law provided within Attachments 2 and 4 to this report and entering into a subdivision agreement with the Town of Ajax;
3. That the Town's solicitor be authorized to enter into Minutes of Settlement for the Ontario Municipal Board appeals in accordance with the draft plans, conditions of draft approval and draft zoning by-law amendments set out in this report at the scheduled March 6, 2014 pre-hearing conference.

CARRIED

5. Reports

None.

6. Adjournment

Moved by: M. Crawford

Seconded by: R. Ashby

That the March 3, 2014 meeting of the Community Affairs and Planning Committee be adjourned. (7:30 p.m.)

CARRIED

N. Wellsbury, D-Clerk

TOWN OF AJAX REPORT



Report To: Community Affairs and Planning Committee

Submitted By: Paul Allore, MCIP, RPP
Director, Planning and Development Services

Prepared By: Sean McCullough, BES
Development Planner

Subject: **Zoning By-law Amendment Z2/13**
2320358 Ontario Inc. (Blacktop Restoration Inc.)
Lot 34, Plan M-1175
11 Barr Road

Ward: 3

Date of Meeting: April 22, 2014

RECOMMENDATION:

That Zoning By-law Amendment Z2/13, submitted by 2320358 Ontario Inc. (Blacktop Restoration Inc.) to permit the temporary use of an outdoor storage area as a principal use be approved, and that staff be authorized to prepare and forward the implementing By-law to Council for its consideration at a future meeting, as provided within Attachment 1 of this report.

1.0 BACKGROUND:

1.1 Purpose

The purpose of this report is to discuss and recommend approval of Zoning By-law Amendment Z2/13, submitted by 2320358 Ontario Inc. (Blacktop Restoration Inc.), to permit the temporary use of an outdoor storage area as the principal use for a period not exceeding three years. The authority to pass temporary use by-laws is provided under Section 39 of the *Planning Act*.

A zoning by-law amendment is required because the proposed use of outdoor storage and the small and temporary nature of the office trailer, established the outdoor storage component as the principle use on the property. A zoning amendment application would formalize this operation.

Blacktop Restoration Inc. seals, repairs, and paints asphalt for both public and private clients. The applicant requires a location to store equipment and materials associated with the business. Previously, the applicant was renting space at 415 Mackenzie Avenue, but was required by By-law Services to relocate as the previous location had a small rear yard and was unable to accommodate the outdoor storage of multiple tenants. Subsequently, the applicant purchased 11 Barr Road, with the intent to establish the business and construct a building on the property in the future.

1.2 Subject Lands and Surrounding Land Use Context

The subject lands encompass an area of 0.32 hectares (0.79 acres), and is municipally known as 11 Barr Road. The subject lands have a lot frontage of 25.5 metres (83.7 feet) along the south side of Barr Road (See Figure 1 – Subject Lands).

The subject lands are vacant and are surrounded by the following land uses:

North: To the north, across Barr Road, are General Employment lands containing several metal fabricating businesses (Bayview Metals and Gantrex Canada Inc.), a warehouse distribution business (Bromed Pharmaceuticals), and other construction related businesses (Millennium Woodworking Inc. and AHR Construction Ltd.).

East: Abutting the lands to the east is a vacant parcel designated General Employment. Further east is a multi-tenant building designated Prestige Employment at the southwest corner of Barr Road and Monarch Avenue.

South: Abutting the lands to the south are Prestige Employment lands (2 properties) that are occupied by distribution businesses (Clyde Industrial Equipment and Performance Water Systems), and a dine-in/ take-out restaurant (Pizza Pino).

West: The abutting lands to the west are designated General Employment, and contain a sign installation and crane rental business (Brian Dudley Ltd. Sign Installation and Crane Rental). Further west is a manufacturing business (Die Max Canada Tool and Die).

1.2 Proposed Development

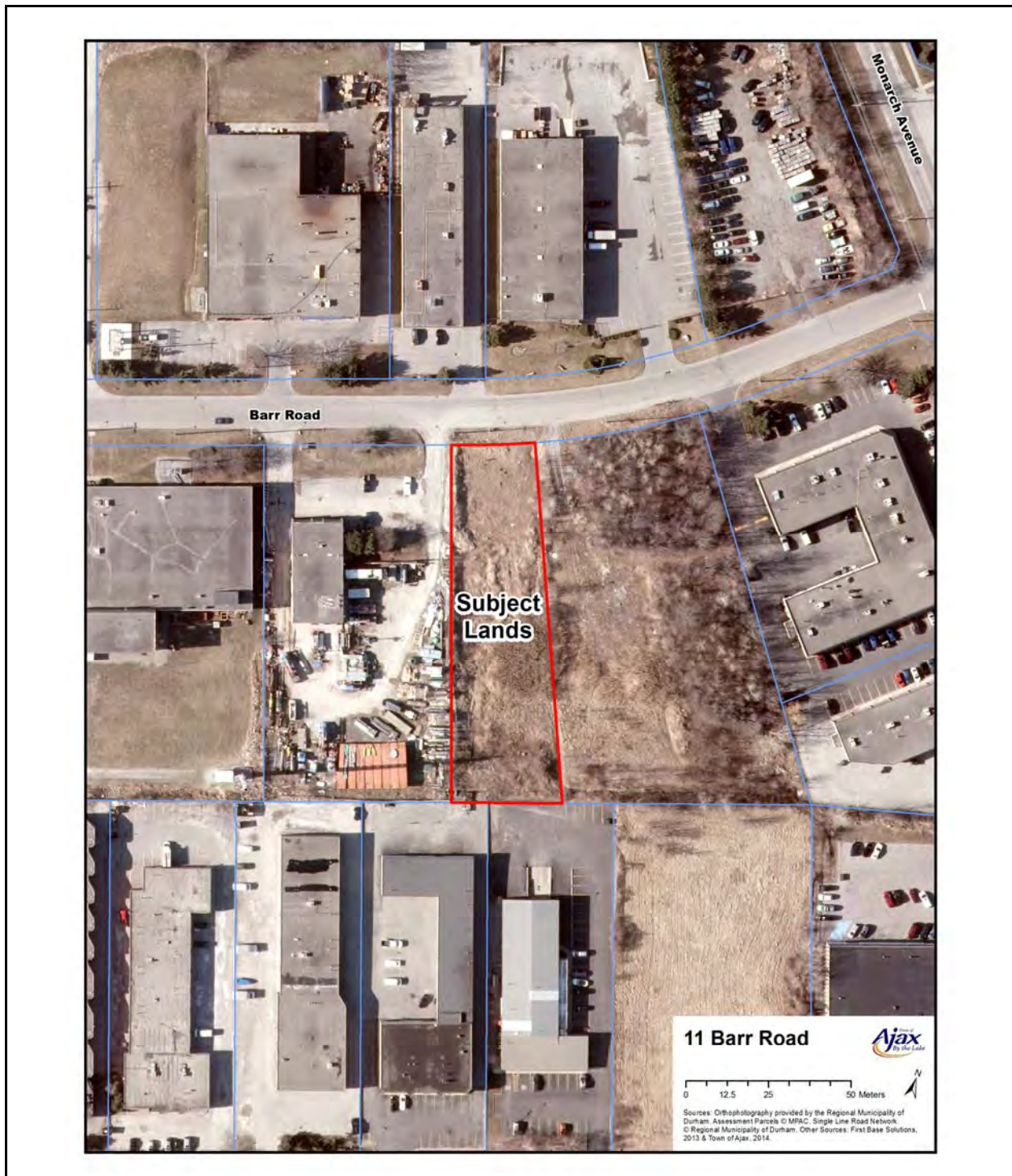
The applicant has submitted a zoning by-law amendment application (Z2/13) to rezone the lands from General Employment (GE) Zone to General Employment with a temporary use (GE (T)) Zone, to permit outdoor storage of machinery and equipment, trailers, and landscape materials such as sand, gravel, and lumber as a temporary principal use for a period of three years. The temporary use would permit the applicant to operate his business for the three year period, while providing time to design and construct a future building to suit his business needs.

The applicant has submitted a proposed site plan and landscape/grading plan, which illustrates a temporary office trailer, on-site parking spaces for employees, a 1.8 metre black vinyl chain link fence surrounding the property, and landscaping to assist in screening the temporary outdoor storage area from public view (Figure 2 – Proposed Site Plan).

2.0 DISCUSSION:

2.1 Planning Act (Section 39)

Under Section 39 of the *Planning Act*, a Council may pass a by-law to authorize the temporary use of land, buildings or structures for any purpose otherwise prohibited by the by-law for a period not exceeding three years. Upon expiry, Council may authorize further periods not exceeding three years, to permit the temporary use to continue.



Application File No.:
Z2/13

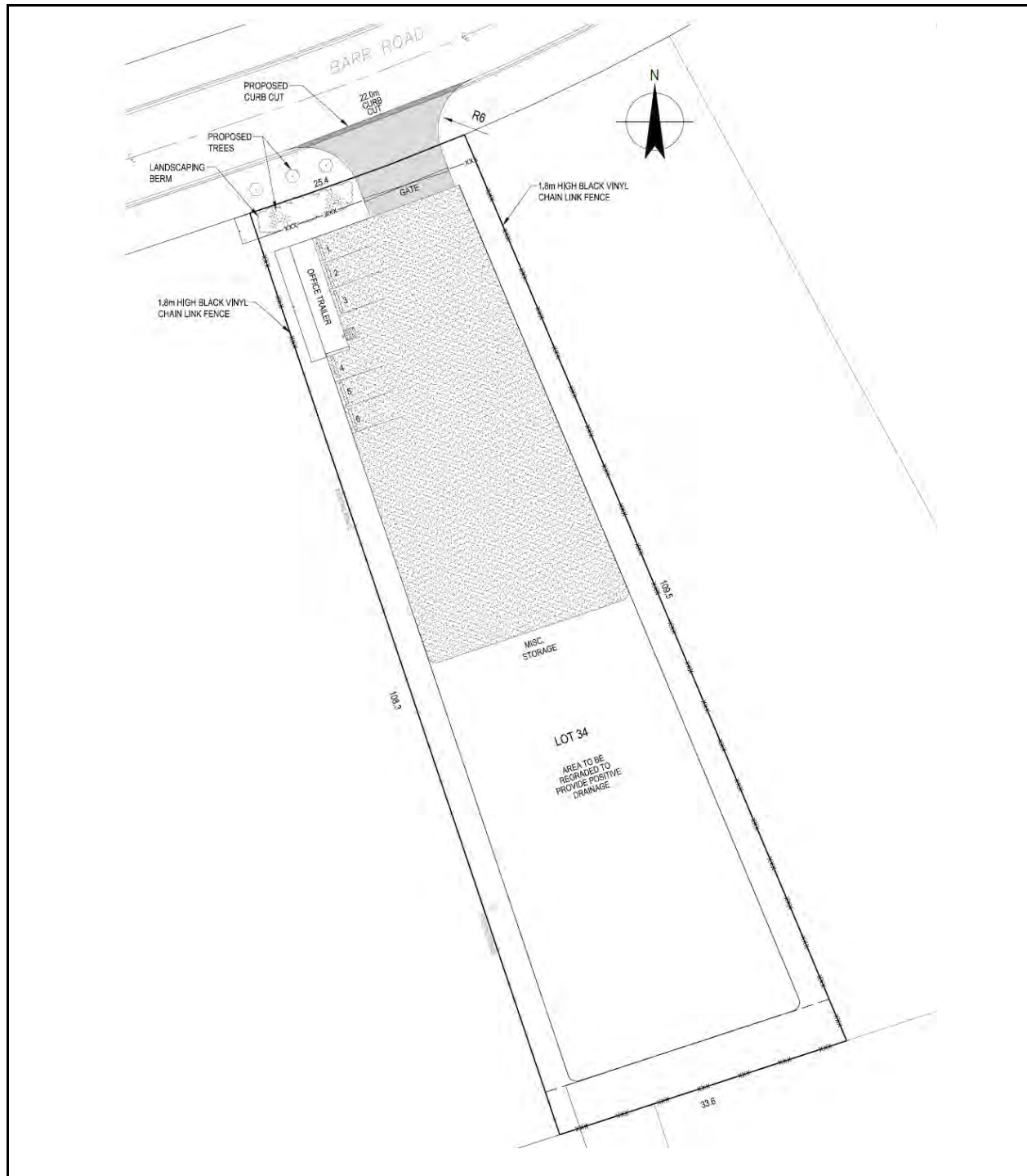
Applicant:
2320358 Ontario Inc
(Blacktop Restoration Inc.)

Date: April 22, 2014

Figure 1
Location Map

Town of Ajax
Planning and
Development
Services





Application File No.:
Z2/13

Applicant:
2320358 Ontario Inc
(Blacktop Restoration Inc.)

Date: April 22, 2014

Figure 2
Proposed Future Site Plan

Town of Ajax
Planning and
Development
Services



2.2 Region of Durham Official Plan

The subject lands are designated Employment Areas in the Region of Durham Official Plan. The lands in the Employment designation permit uses such as manufacturing, assembly and processing of goods, service industries, research and development facilities, warehousing, offices and business parks, hotels, storage of goods and materials, freight transfer and transportation facilities. The proposal is consistent with the policies outlined in the Regional Official Plan.

2.3 Town of Ajax Official Plan

The subject lands are designated General Employment in the Town of Ajax Official Plan. This designation permits such uses as offices, research and development facilities, manufacturing, warehousing, distribution facilities, and retail sale of products manufactured, processed or assembled on the premises. Outdoor storage may be permitted in the General Employment designation, provided it is properly screened from public view and does not exceed 50% of the site area.

Section 7.1.11 of the Town of Ajax Official Plan indicates that temporary uses may be authorized for a specific time period for up to three years and should be considered where it is inappropriate to permit the proposed use on a permanent or continuing basis and where alternatives such as relocation are not practical.

The Town shall be satisfied that the following principles and criteria are met:

- The proposed use is of a temporary nature and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship reverting the property to its original use upon termination of the temporary use.
- The proposed use shall be compatible with adjacent land uses and the character of the surrounding neighbourhood.
- The proposed use shall not require the extension or expansion of existing infrastructure.
- The proposed use shall not create any traffic circulation problems within the area nor shall it adversely affect the volume and/or type of traffic serviced by the areas roads.
- Parking facilities shall be required to be provided on-site.
- The proposed use shall be generally beneficial to the neighbourhood or community as a whole.

The proposal does not entail any major construction, as only a proposed temporary office trailer, minor site alterations and landscape works would be provided. The proposed use is compatible with the surrounding land uses, which include similar construction type uses with accessory outdoor storage. The subject lands are located within an established employment area and will not require the extension or expansion of services. The applicant has submitted a proposed site plan that contains all the necessary on-site vehicle turning movements and has demonstrated that traffic along Barr Road would not be impacted. All required parking spaces for employees will be provided on-site. The proposal will establish a business on a vacant lot that was previously subject to illegal dumping. It is the ultimate intent of the applicant to construct a building on the subject lands that is in keeping with the established character of the surrounding area and consistent with the policies of the Town of Ajax Official Plan. The proposal satisfies the intent of the Town's Official Plan.

2.4 Town of Ajax Zoning By-law 95-2003

The subject lands are zoned General Employment (GE) in Zoning By-law 95-2003, as amended. Uses permitted in the GE zone include, but are not limited to, building and construction materials facility, contractors yard, machinery and equipment sales, manufacturing, public storage facility, and a warehouse distribution centre.

The Town of Ajax Zoning By-law indicates that in the GE and HE zones, outdoor storage is permitted in the rear yard provided that:

- Such outdoor storage is accessory to the use of a main building on the lot.
- No outdoor storage is located closer than 9.0 metres to any streetline;
- No outdoor storage is located closer than 15.0 metres to any residential zone boundary;
- Any portion of the area for outdoor storage where it does not adjoin the outside wall of a building is enclosed by a fence at least 1.8 metres high and which must be constructed of permanent masonry, wood and/or plastic with a ratio of voids to solids not greater than 50%; and
- No materials shall be stored outside to a height greater than 1.8 metres.

Although a contractors yard and outdoor storage uses are permitted on the subject lands, outdoor storage as a principal use (not accessory to a main building) is not permitted. An accessory use is a use customarily incidental to, subordinate to and exclusively devoted to the principal use and which operates together with the principal use on the same lot. The proposed office trailer is of a temporary nature that will be operated seasonally (from spring until fall) and will only be occupied sporadically throughout the day. Due to the proposed extent of the proposed outdoor storage on the property (50%) and the small and temporary nature of the office trailer, the outdoor storage is the principal use, and a Zoning By-law Amendment is required. Once a permanent building has been constructed on the subject lands, the temporary use by-law for the outdoor storage area would no longer be required.

A landscaped berm has been proposed parallel to Barr Road to assist in screening the outdoor storage area from public view. No outdoor storage would be located closer than 9.0 metres from the front lot line. The nearest residential zone boundary is located in excess of 130 metres to the east of the subject lands. All outdoor storage will not be permitted to be stored at a height greater than 1.8 metres and must be enclosed by a fence containing no voids.

The proposed temporary use by-law also provides development standards, that include minimum setbacks from all lot lines to the outdoor storage and proposed temporary structure (office trailer), a maximum gross floor area of 60 m² for the temporary structure, a maximum height of 1.8 metres for all outdoor storage. Finally, the temporary use by-law would require a 1.8 metre fence to be situated on the interior side and rear lot lines and approximately 3.0 metres into the property from the front lot line.

2.5 Environmental Site Assessment

A Phase 1 Environmental Site Assessment (ESA) was completed by CGI Group on April 30, 2013 and was submitted in support of the application. The Phase 1 ESA identified two areas of potential concern on the subject lands, including construction debris dumped illegally on-site and the presence of industrial properties in close proximity to the subject lands. Chemical analysis conducted separately determined that the construction debris on-site met Ministry of Environment parameters and could be properly disposed of at an approved landfill site.

In accordance with the findings of the Phase 1 ESA, a Phase 2 ESA will be required to be completed prior to any proposed future development on the subject lands. The Phase 2 ESA will not be required at this time because no permanent construction is occurring on site. The Region of Durham has requested that any future development applications, including a Site Plan Application, be circulated to the Region for review, and a Record of Site Condition (RSC) would be required following the completion of a Phase 2 ESA. Prior to site plan approval and construction of any proposed future buildings, a Phase 2 ESA and RSC will be required to be completed to the satisfaction of the Town of Ajax and Region of Durham.

3.0 PROPOSED FUTURE DEVELOPMENT:

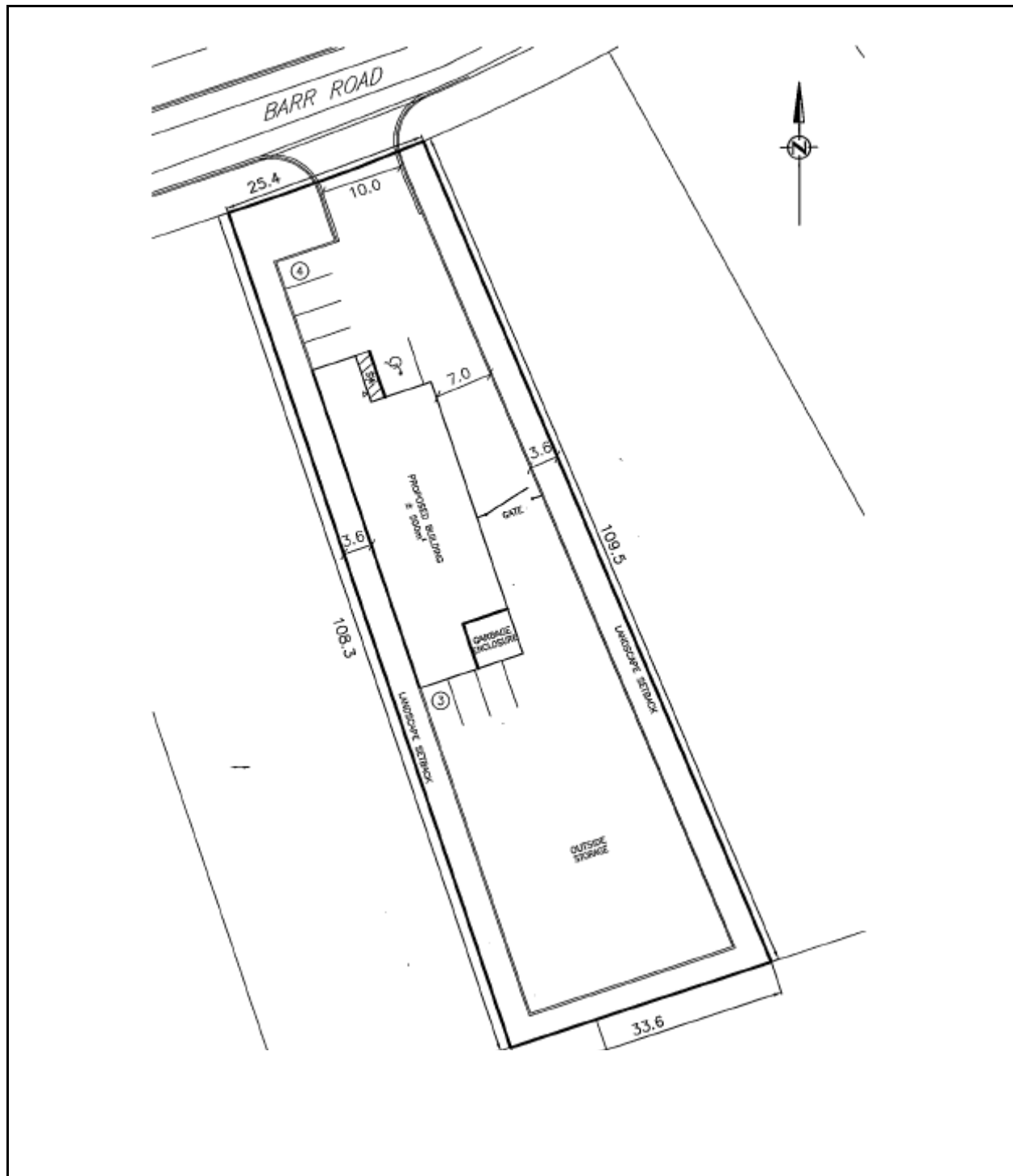
In the future, the applicant is proposing to construct a one-storey building with an approximate gross floor area of 500 m², containing internal storage and office space to accommodate the applicant's business. The applicant has submitted a future concept site plan and conceptual building elevations (See Figures 3 – Future Concept Site Plan and Figure 4 – Future Concept Building Elevation and 3D Site Plan). The future site plan would allocate space in the rear yard for outdoor storage purposes. The future concept plan would be subject to a separate site plan review and approval process.

4.0 DEPARTMENTS AND AGENCY COMMENTS:

The application has been circulated to all internal departments and external agencies, and comments have been incorporated into this report.

5.0 FINANCIAL IMPLICATIONS:

There are no financial implications associated with this application.



Application File No.:
Z2/13

Applicant:
2320358 Ontario Inc
(Blacktop Restoration Inc.)

Date: April 22, 2014

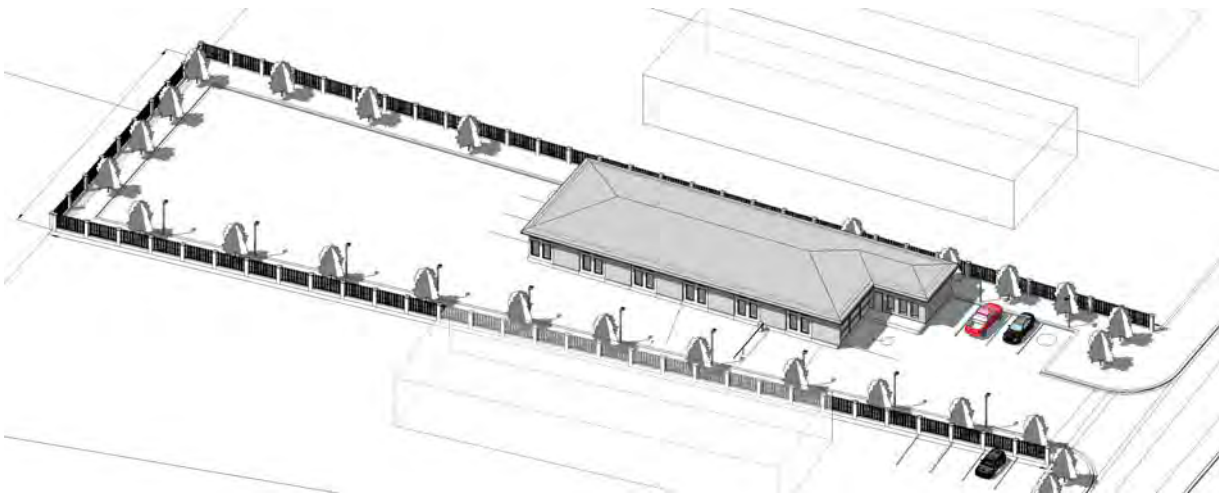
Figure 3
Future Concept Site Plan

Town of Ajax
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Conceptual Front Elevation



Conceptual Aerial View

Application File No.:
Z2/13

Applicant:
2320358 Ontario Inc
(Blacktop Restoration Inc.)

Date: April 22, 2014

Figure 4
Conceptual Building Elevation
and 3D Site Plan

Town of Ajax
Planning and
Development
Services



6.0 COMMUNICATION:

A Public Open House was held on October 17, 2013. Notice of a Public Open House was circulated to all assessed persons within 120 metres (400 feet) of the subject lands and was also posted within the Public Notices Section of the Town's website and was included in the October 9th and 16th, 2013 editions of the *Ajax News Advertiser*. No members of the public attended the Public Open House.

As of the date of preparation of this report two responses have been received. One response was received via telephone from David Murphy, owner of 865 Westney Road South (abutting lands to the south), who expressed concerns regarding the proposed outdoor storage and the existing site conditions. Mr. Murphy was advised that both a contractors yard and outdoor storage were permitted uses and the purpose of the temporary use by-law was to allow the lot be used for such purposes as a principle use on the subject lands. He was further advised that any outdoor storage would be required to maintain certain performance standards outlined in Zoning By-law 95-2003, as amended; and future development of the site would require site plan approval. As of the date of preparation of this report, staff have not received any further comments or responses from Mr. Murphy.

The second response was received via email from Barry and Cheryl Helferty, residents of 661 Monarch Avenue. Mr. and Mrs. Helferty had concerns that the proposal would be visually unpleasant and would generate additional construction traffic that would impact the surrounding neighbourhood. Staff note that the subject lands are in excess of 130 metres (426 feet) from the nearest residential dwelling. The proposal will be of a temporary nature for a maximum period of three years, and all outdoor storage will be screened by a landscape berm and fencing. The applicant has demonstrated that all turning movements will be contained on-site, and traffic will not be significant as the site will only be accessed by the applicant's business vehicles.

7.0 CONCLUSION:

Staff have reviewed the submitted application and are of the opinion that the temporary use zoning by-law amendment is appropriate given the surrounding land use context. Staff recommend approval of the temporary use by-law to permit the temporary use of an outdoor storage area as a principal use for a period not exceeding three years.

Sean McCullough, BES
Development Planner

Gary Muller, MCIP, RPP
Manager of Planning

Paul Allore, MCIP, RPP
Director, Planning and Development Services

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER XX - 2014

A By-law to amend By-law Number 95-2003, as amended.

WHEREAS Section 39 of the *Planning Act, RSO 1990*, authorizes a municipality to pass a by-law under Section 34 of the *Planning Act, RSO 1990*, for the purpose of authorizing the temporary use of lands, buildings, or structures for any purpose otherwise prohibited by the by-law;

AND WHEREAS, the Council of the Corporation of the Town of Ajax considers it appropriate to pass a Temporary Use By-law as a temporary amendment to Zoning By-law Number 95-2003, as amended (Z2/13), with respect to the subject lands, identified on Schedule ‘A’ to this By-law;

NOW THEREFORE, the Council of the Corporation of the Town of Ajax enacts as follows:

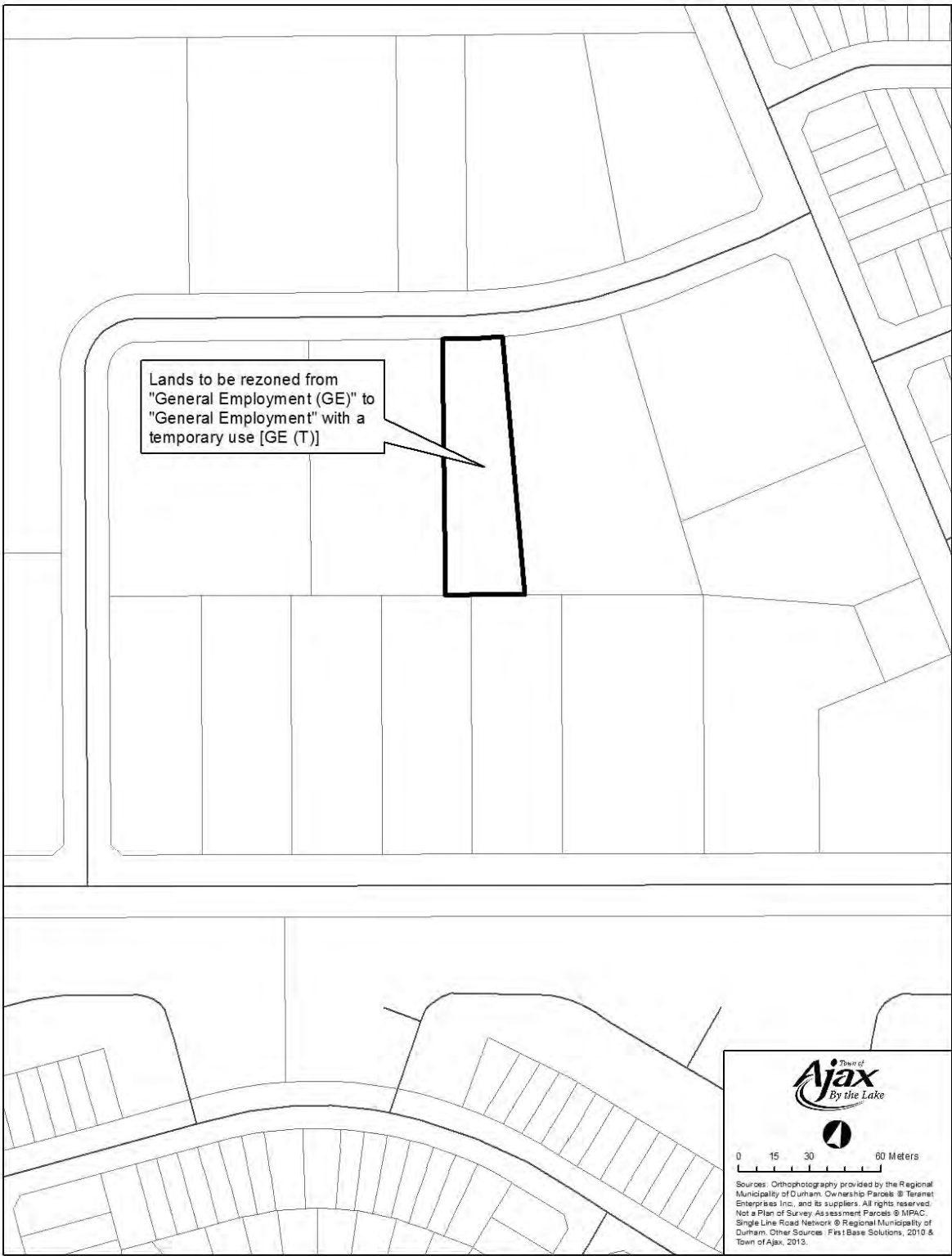
- 1. THAT the Zoning Schedule, specifically Map 49, attached to and forming part of By-law No. 95-2003, as amended, is hereby further amended by rezoning one (1) lot on the south side of Barr Road, from "General Employment (GE)" to “General Employment’ Zone, with a Temporary Use [GE (T)]”, for lands shown outlined on Schedule “B” attached hereto.
- 2. THAT the Section 8.2.1, List of Temporary Use Zones, of By-law No. 95-2003, as amended, is hereby further amended by adding the following to the list of temporary uses:

By-law	Date Enacted	Date Permissions Terminate	Zoning	File Reference
XX-2014	May 12, 2014	May 12, 2017	GE (T)	Z2/13
<div><div>i)Location:11 Barr Road</div><div>ii)Legal Description:Lot 34, PLAN M-1175</div><div>iii)Additional UsesTemporary <i>Outdoor Storage</i> as a principal use, and shall be limited to the storage of machinery and equipment, trailers, and landscape materials such as sand, gravel and lumber.</div><div>iv)Development Standards:<div><div>a)Notwithstanding Section 6.4.2 the following development standards shall apply:<div><div>i)Min. Setback from the <i>Front Lot Line</i>:5.0 m</div><div>ii)Min. Setback from the <i>Interior Side Lot Line</i>:3.0 m</div><div>iii)Min. Setback from the <i>Rear Lot Line</i>:5.0 m</div><div>iv)<i>Maximum Gross Floor Area</i> for any Temporary Structures:60 m²</div><div>v)<i>Maximum Building Height</i> for any temporary structure:5.0 m</div><div>vi)<i>Temporary Outdoor Storage</i>:<div><div>a)<i>Temporary outdoor storage</i> shall not exceed 50% of the site area and shall not be visible from the street;</div><div>b)No temporary <i>outdoor storage</i> shall be located closer than 9.0 metres to the front lot line;</div><div>c)No materials shall be stored outside to a height greater than 1.8 metres; and</div><div>d)All temporary <i>outdoor storage</i> shall be enclosed by a 1.8 metre high solid fence with no visual voids;</div></div></div><div>vii)A 1.8 metre fence shall be permitted along the interior side and rear lot lines and in the front yard no closer than 3.0 metres to the front lot line.</div></div></div><div>b)Development Standards shall apply to the boundary limits of the hatched area in the schedule below.</div></div></div></div>				

Schedule “A” to By-Law Number **XX - 2014**



Schedule “B” to By-Law Number XX - 2013



Explanatory Note to By-Law Number XX - 2014

The purpose of this zoning by-law is to permit temporary *outdoor storage* as a principal use for a maximum period of three years.

TOWN OF AJAX REPORT



REPORT TO: Community Affairs and Planning Committee

SUBMITTED BY: Paul Allore, MCIP, RPP
Director, Planning and Development Services

PREPARED BY: Alejandro Cifuentes
Development Planner

SUBJECT: **Site Plan Application SP21/13**
Bell Mobility Telecommunication Tower
2020 Salem Road North

WARD: 2

DATE OF MEETING: April 22, 2014

RECOMMENDATION:

That Site Plan Application SP21/13, submitted by Bell Mobility, proposing to erect a 40 metre high steel monopole telecommunication tower and associated equipment compound, be supported, subject to the proponent finalizing all required drawings to the satisfaction of the Town of Ajax.

1.0 BACKGROUND:

1.1 Purpose

The purpose of this report is to obtain Council's concurrence regarding the proposed installation of a telecommunication facility submitted by Bell Mobility for a 40 metre high steel monopole tower with an associated equipment compound. The subject lands are at the Region of Durham Works Depot at 2020 Salem Road North. The tower will assist in satisfying the increasing demand for high quality and reliable wireless service in the community.

The approval of siting and design for a telecommunication tower is under the exclusive jurisdiction of the Government of Canada through Industry Canada and is therefore not subject to the requirements of the *Planning Act*. The Town of Ajax Council adopted a Policy for Establishing Telecommunication Tower and Antenna Facilities on March 25, 2013. The Policy establishes parameters around site selection, submission details and consultation requirements. As part of this process, the local land-use authority (i.e. Council) is requested to provide concurrence for proposed installations at subject sites. However, in the event that the local land-use authority does not concur with the proposal, the proponent will request a decision from Industry Canada on the matter. The proponent can only commence installation of an antenna system after the consultation process has been completed by the land-use authority, or Industry Canada confirms concurrence with the Default Consultation Process.

1.2 Subject Lands and Area Context

The subject lands encompass an area of approximately 6.1 hectares (15 acres) and are located on the northwest corner of Taunton Road East and Salem Road North, immediately south of a hydro corridor (See Figure 1 – Subject Lands). The lands have approximately 305 metres (1,000 ft) of frontage on Salem Road North.

The subject lands are surrounded by the following land uses:

- North: Immediately north of the subject lands is a Hydro One corridor. Further north are agricultural lands and residential properties along the east side of Salem Road North and Bugey Lane.
- East: To the east is Salem Road North and across Salem Road North is the Deer Creek Golf Club and Academy.
- South: Immediately south of the subject lands is Taunton Road East. Across Taunton Road East are the Faithway Baptist Church and the Somerset Commercial Plaza. Further south are low density residential communities including Somerset and Wyndam Manor.
- West: To the west are agricultural lands, including Wintermere Sod Farm.

1.3 Proposed Development

The proposed telecommunication facility consists of a 40 metre high steel monopole tower and an associated equipment compound, to be located approximately 137 metres west of Salem Road North (See Figure 2 – Proposed Site Plan). The compound at the base of the tower will house equipment cabinets and will be enclosed by a 2.4 metre pressure treated wood fence. No additional landscaping is proposed as part of this tower installation as it is screened from public view by an existing concrete building associated with the works depot. Access to the tower is proposed from an existing driveway off of Salem Road North to be used for construction and maintenance purposes. There are no existing structures suitable for co-location in close proximity to the proposed installation.

2.0 DISCUSSION:

2.1 Greenbelt Plan

The subject lands are situated within the 'Protected Countryside' designation of the Greenbelt Plan. The policies of the Greenbelt Plan permit the expansion or construction of new infrastructure such as telecommunication facilities within the Protected Countryside, provided that such facilities meet one of the following two objectives:

- i. supports agriculture, recreation and tourism, rural settlement areas, resource use or the rural economic activity that exists and is permitted within the Greenbelt; or



Application File No.:
SP21/13

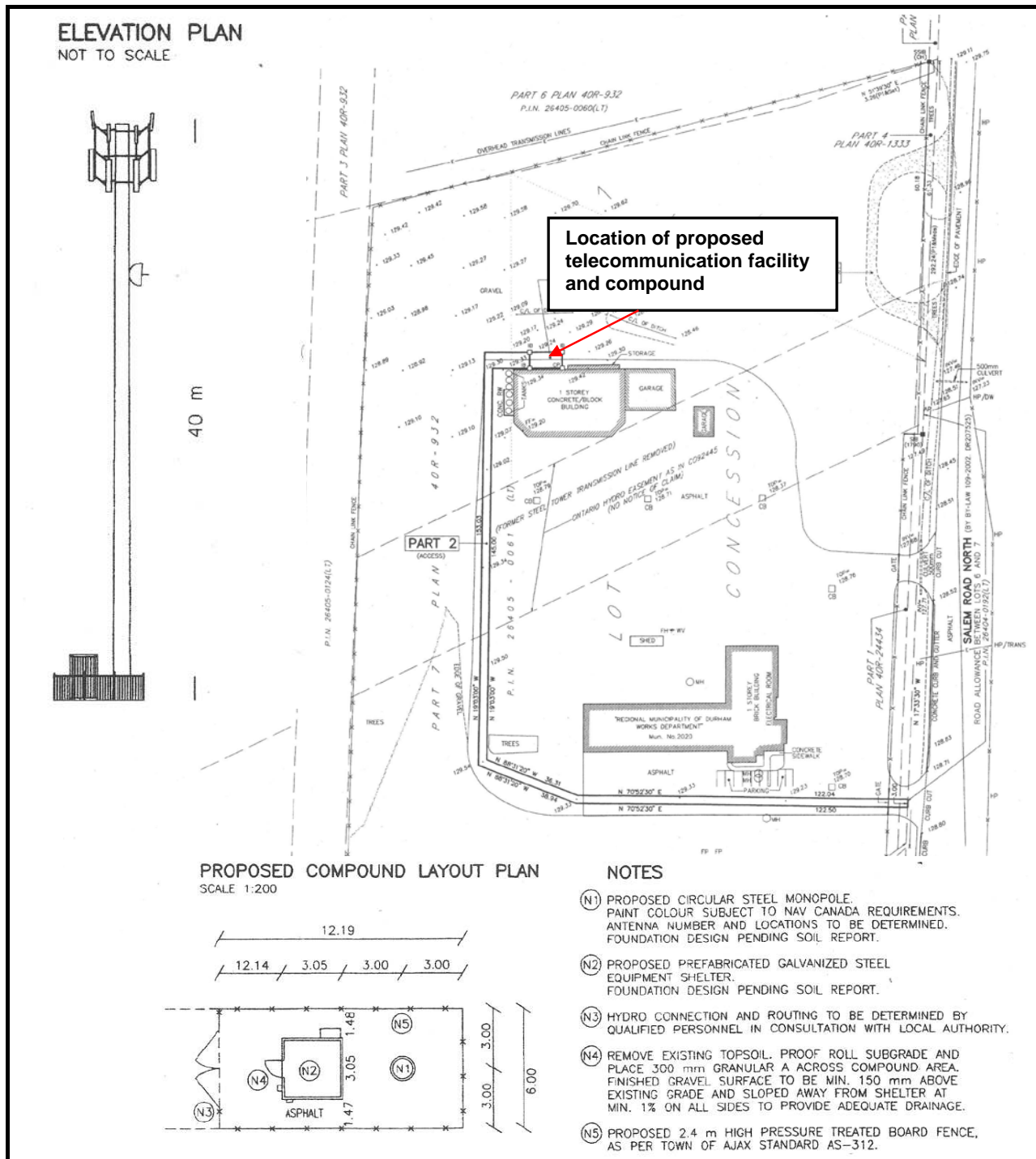
Applicant:
Bell Mobility

Date:
April 22, 2014

Figure 1
Subject Lands

Town of Ajax
Planning and
Development
Services





Application File No.:
SP21/13

Applicant:
Bell Mobility

Date:
April 22, 2014

Figure 2
Proposed Site Plan

Town of Ajax
Planning and
Development
Services



- ii. serves the significant growth and economic development expected in southern Ontario beyond the Greenbelt by providing for the appropriate infrastructure connections among urban growth centres and between these centres and Ontario's borders.

The policies of the Greenbelt Plan require that the planning, design, and location of the proposed infrastructure facility shall minimize the amount of land occupied within the Greenbelt, minimize any negative impacts and disturbances to the existing landscape, and avoid key natural heritage features.

The proposed 40 metre high steel telecommunication tower will provide service to customers currently experiencing poor signal strength in north and northeast Ajax. A review of existing telecommunication facilities within the area was conducted and revealed that, given the distance of the surrounding towers from the desired coverage area, co-location was not a feasible option. No existing vegetation will be removed to accommodate the proposed telecommunication facility.

The proposed telecommunication facility is consistent with the applicable policies of the Greenbelt Plan.

2.2 Durham Regional Official Plan

The subject lands are currently designated 'Major Open Space Area' within the Durham Regional Official Plan. The predominant use of lands in the Major Open Space Areas shall be conservation, and a full range of agricultural, agricultural-related and secondary uses. The development of any non-agricultural uses in Major Open Space Areas shall not adversely impact the ability of surrounding agricultural operations to carry on normal farm practices and shall meet the requirements of the Greenbelt Plan.

The proposed telecommunication facility is consistent with the applicable policies of the Durham Regional Official Plan.

2.3 Town of Ajax Official Plan and Zoning By-law

The Town of Ajax Official Plan designates the subject lands 'Rural Area'. The Rural Area is part of the Greenbelt and is comprised of rural and agricultural lands that define the boundaries of the Town and distinguish the rural portion of Ajax from the Urban Area. Public Uses and utilities are permitted within all land use designations, with the exception of the Environmental Protection designation.

Section 2.5.4.5 of the Official Plan addresses the siting and design of telecommunication facilities as follows:

- Encourage towers and antenna systems to be located in a manner such that visual impacts are minimized, including:
 - co-locating new facilities on existing towers, structures, or buildings;
 - locating antenna systems on hydro transmission towers;
 - locating towers within or adjacent to hydro transmission corridors;
 - using alternative tower structures or masking the tower so that it blends with the surrounding development; and
 - locating towers in areas zoned General Employment and Heavy Employment.
- Encourage towers and antenna systems to be designed to minimize visual impacts using fencing and tree and shrub plantings around the perimeter;

- Encourage the design of the equipment shelter adjacent to residential areas to reflect the architecture of the adjacent residential area; and
- Require proponents of new wireless telecommunication towers and antenna systems that meet the criteria in the Town's Policy for Establishing Telecommunication Tower and Antenna Facilities to undertake public consultation in accordance with said Policy.

The proposed telecommunication facility addresses the above policies in the following manner:

- Co-location is not feasible due to the lack of existing infrastructure in the immediate area and the low-rise nature of development in the vicinity;
- Co-location on the hydro towers to the north is not possible due to Hydro One restrictions;
- Visual impacts of the tower and equipment cabinets are minimal due to the location of the tower on the subject lands away from existing residential areas, the proposed fencing surrounding the compound and existing building, which provide some additional screening. The existing hydro corridor immediately north of the subject lands will also serve to reduce the visual effect of the proposed tower;
- The nearest residential dwelling is over 200 metres from the proposed tower site and the equipment shelter will be screened by an existing building; and

Staff have reviewed the subject site plan application in the context of the existing Policy for Establishing Telecommunication Tower and Antenna Facilities and find the proposal to be appropriate.

2.4 Industry Canada Protocol

Industry Canada regulates the installation of telecommunication towers and antennae by wireless service providers (e.g. Rogers Wireless, Bell Mobility, Telus Mobility, Wind Mobile, and Public Mobile). Under the legislative authority of the *Radiocommunication Act*, the Minister of Industry Canada may, taking into account all matters that the Minister considers relevant for ensuring the orderly development and efficient operation of radiocommunication in Canada, issue radio authorizations and approve each site on which radio apparatus, including antenna systems may be located. The Minister may also approve all masts, towers and other antenna supporting structures.

In addition to roles and responsibilities related to co-location and consultation with the land use authority as well as the public, proponents must also fulfill other important obligations including: compliance with Health Canada's Safety Code 6 guideline for the protection of the general public; compliance with radio frequency immunity criteria; notification of nearby broadcasting stations; environmental considerations; and Transport Canada/NAV Canada aeronautical safety responsibilities.

2.5 Town of Ajax - Policy for Establishing Telecommunication Towers and Antenna Facilities

A Policy for Establishing Telecommunication Tower and Antenna Facilities was adopted by Town of Ajax Council on March 25, 2013. This policy establishes the consultation process for selecting the preferred location and design of towers according to the area context. The policy also includes the requirement for pre-consultation, submission details regarding the location, siting and site design, and public consultation through a public open house or information session.

Under this policy, the proposal is subject to a public consultation process, including holding of a Public Open House and by mailing out information notices to local residents. The details of the consultation process are covered under Section 2.7 (Public Consultation) of this report.

2.6 Siting and Design

Planning staff have reviewed the proposal and are satisfied with the siting and design of this facility. The site is well removed from residential properties and the tower will be in an area that is occupied by existing buildings on the Region of Durham Works Depot (Ajax) lands (See Figure 3 – Photo Simulation). The applicant has agreed to install a 2.4 metre high pressure treated wood fence to screen the compound from public view. No vegetation will be impacted by the proposed installation.

2.7 Public Consultation

In accordance with Industry Canada Default Consultation Process and with the Town's Policy for Establishing Telecommunication Towers and Antenna Facilities, the applicant prepared and circulated a Notice of Public Open House to assessed property owners within three times the height of the tower (120 metres) of the subject lands. Town staff expanded the circulation area to 300 metres in order to create more awareness of this proposal in the community. The notice included the following information:

- an invitation to attend the Public Open House meeting held at Town Hall in the River Plate Room March 4, 2014;
- a location map and an elevation drawing of the proposed tower; and
- an information pamphlet providing additional information to residents regarding the proposal as well as Industry Canada requirements, health and safety guidelines, and contact information.

None of the circulated property owners attended this meeting. Based on the Industry Canada Default Consultation Process, members of the public have 30 days from the date of the public notice to provide comments regarding the proposal. No comments were received during the comment period, which ran from February 4, 2014 to March 4, 2014.

3.0 FINANCIAL IMPLICATIONS:

There are no financial implications as a result of approving the recommendations of this report.

4.0 COMMUNICATION ISSUES:

The application was circulated to all internal departments and external agencies and all applicable comments and recommendations have been incorporated into the design of this development. A Public Open House meeting was held on March 4, 2014 to provide information to the public regarding the proposed telecommunication facility. As mentioned above, all assessed property owners within 300 metres of the subject lands were notified, however, none attended the Public Open House meeting.

Before



After



Looking north from Taunton Road East

Application File No.: SP21/13

Applicant: Bell Mobility

Date: April 22, 2014

Figure 3

Photo Simulation –
View from Taunton Road East (south
side)

Town of Ajax
Planning and
Development
Services



5.0 CONCLUSION:

The approval of siting and design for a telecommunication tower is under the exclusive jurisdiction of the Government of Canada through Industry Canada. At the same time, the Town's Policy for Establishing Telecommunication Tower and Antenna (March, 2013), establishes policies and procedures for the public consultation process and provides guidance on preferred locations and design for telecommunication facilities within the Town of Ajax.

Further, Official Plan policies related to telecommunication facilities have been taken into account through the review of this application. There are no co-location opportunities or lands zoned for employment uses in the vicinity. The proposed tower and associated equipment compound will have minimal visual impacts.

Staff recommend that Council support the proposed telecommunication facility located at 2020 Salem Road North, subject to the proponent submitting final drawings to the satisfaction of the Town.

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