



Planning & Development Services

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TOWN OF AJAX

65 Harwood Avenue South

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AGENDA

COMMITTEE OF ADJUSTMENT

Town Hall
65 Harwood Avenue South, Ajax
Council Chambers

Wednesday, March 11, 2015

Meeting: 7:00 p.m.

Open Meeting

1. Call to Order
2. Disclosure of Interest
3. Outline of the General Mandate of the Committee of Adjustment (7:00 p.m.).
4. Applications:

a. A7/15 – 184 Harwood Avenue S – Windcorp Grand Harwood Place Ltd.

To permit:

- a minimum of 1.0 space per unit for exclusive use of the occupants in addition to 0.1 space per unit for the exclusive use of visitors.
- a minimum of 154 parking spaces for all permitted non-residential uses for the proposed development.
- the front wall to be located 4.5 metres and the canopy to be located 2.2 metres from the front lot line (Harwood Ave. S.)
- the north exterior side wall to be located between 8.0 metres (underground parking) and 11.2 metres (aboveground) from the north exterior lot line.
- the south exterior side wall to be located 3.8 metres (aboveground) from the south exterior side lot line.

7. Adjournment

**TOWN OF AJAX
REPORT**



REPORT TO: Committee of Adjustment (Special Meeting)

SUBMITTED AND PREPARED BY: Geoff Romanowski, MCIP, RPP, CPT
Development Approvals Coordinator

SUBJECT: **Minor Variance Application A7/15**
Windcorp Grand Harwood Place Ltd.
184 Harwood Avenue South
(Part 1, 40R-28209)

WARD: 3

DATE OF MEETING: March 11, 2015

REFERENCE: Site Plan Application SP2/14

RECOMMENDATION:

That the Committee of Adjustment approve Minor Variance Application A7/15, submitted by Windcop Grand Harwood Place Ltd., to permit:

BY-LAW REQUIREMENT	RELIEF REQUESTED
Section 5.10.1 – Residential Parking Requirements: Apartment Dwelling (Downtown Central Area Zone) – Minimum 1.25 spaces per unit for exclusive use of the occupants in addition to 0.25 space per unit for the exclusive use of visitors.	To permit a minimum of 1.0 space per unit for exclusive use of the occupants in addition to 0.1 space per unit for the exclusive use of visitors.
Section 5.10.2 – Parking Requirements for Non-Residential Uses Office (Downtown Central Area Zone) – Minimum: 2.0 spaces per 100 m ² of gross floor area. Shopping Centre – Minimum 3.75 spaces per 100 m ² of gross floor area.	To permit a minimum of 154 parking spaces for all permitted non-residential uses for the proposed development.

<p>Section 6.9.2 – Downtown Zone Standards – Front Yard and Exterior Side Yard Build-Within Zones (Non-Residential and Residential Mixed Use)</p> <p>A minimum two-thirds (67%) of the length of both the front and exterior side walls of a building shall be located within 0.0 – 3.0 metres of a lot line.</p>	<p>To permit the front wall to be located 4.5 metres and the canopy to be located 2.2 metres from the front lot line (Harwood Ave. S.)</p> <p>To permit the north exterior side wall to be located between 8.0 metres (underground parking) and 11.2 metres (aboveground) from the north exterior side lot line.</p> <p>To permit the south exterior side wall to be located 3.8 metres (aboveground) from the south exterior side lot line.</p>
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Subject to the following conditions:

1. That the applicant obtain approval of Site Plan Application SP2/14 and enter into a site plan agreement with the Town, or this decision shall become null and void;
2. That the applicant obtain a building permit for the proposed building, or this decision shall become null and void; and
3. That the lands associated with the proposed development, being part of the Harwood Avenue right-of-way, be stopped-up and closed as per the Municipal Act requirements, or this decision shall become null and void.

Background:

Windcorp Grand Harwood Place Ltd. has filed an application for minor variance in order to facilitate the development of the lands located along Harwood Avenue South, in front of the Ajax Plaza, between the north and south entrances to Ajax Plaza. The subject lands are municipally known as 184 Harwood Avenue South. The overall plaza encompasses a land area of approximately 6.88 hectares (17 acres). The Town owns 3.41 hectares (8.4 acres) or nearly 50% of the overall plaza, including the east and west parking lots, store front walkways, and other vacant lands. Privately owned properties encompass 3.47 hectares (8.57 acres) of land. The subject lands proposed for development encompass approximately 0.9 hectares (2.2 acres). The site is currently operating as parking lot and is currently being used by the owners, tenants, and patrons of the Ajax Plaza.

The development proposed for the subject lands consists of a 10-storey, mixed-use building consisting of 2, 6-storey residential condominium towers on a 4-storey podium. A total of 342 residential condominium units are proposed, as well as approximately 5,300 m² of retail/office floor space. The proposal also includes 2 1/2 levels of underground parking accommodating 530 parking spaces, 2,370 m² of private outdoor amenity space, and a number of sustainability initiatives.

Due to the extent of the proposed development, the applicant has requested minor variances from certain provisions of the Town of Ajax Zoning By-law to enable the proposal.

Town of Ajax Official Plan

The Town of Ajax Official Plan designates the subject lands as "Commercial Mixed Use". It is the intent of the Plan to establish a lively and active mixed use shopping district with high-quality design standards. Development is planned to be mixed use with a combination of retail commercial, office and/or residential uses in the same building, and with non-residential uses located at grade. Uses such as; street, block, stacked, back-to-back townhouses; live-work units; apartments; retail and service commercial uses; offices; public and institutional uses; places of worship; special needs housing; cultural, entertainment and social facilities; community facilities, day care facilities, public parking; parks; and public utilities are permitted.

While single use residential apartment buildings are permitted in this designation, residential dwelling units in apartment buildings adjacent to Harwood Avenue South or Bayly Street are not permitted on the ground floor. However, entrance lobbies and meeting and activity rooms are permitted. Single use retail commercial and/or office buildings within the Commercial Mixed Use designation are permitted along Harwood Avenue South and Commercial Avenue.

Limitations are in place for surface parking, loading and service areas, minimum building coverage (40%), minimum built frontage (50%) along the street. In order to ensure that developments are pedestrian oriented, buildings are required to present the front façade and primary pedestrian entranceways onto the public street.

Amendment No. 41 to the Town of Ajax Official Plan (OPA 41) has been approved and it represents the Growth Plan conformity and residential intensification component of the Official Plan. The policies in place through this amendment provide for up to 5,000 units or 62% of new development to be allocated to the built-up area as intensification. It incorporates a policy approach stating that the Downtown should support an overall long term density target of 75 residential units per gross hectare and a floor space index (FSI) of 2.5 in a mix of high-rise and mid-rise buildings. The Downtown is planned to accommodate an additional 1,850 units (or 3,500 additional residents) by 2031.

The Official Plan prohibits auto oriented land uses, including drive-through facilities on the subject lands.

Zoning By-law 95-2003, as amended:

The subject property is zoned Downtown Central Area Mixed Use (DCA/MU) Zone in Zoning By-law 95-2003, as amended, and is subject to Exception 104. Permitted uses in the DCA/MU zone include, but are not limited to, accessory outdoor patio, commercial fitness centre, convenience store, financial institution, medical clinic, office, personal service shop, place of entertainment, place of worship, restaurant, and retail store (to a maximum gross leasable floor area of 4,645 m²). Residential uses permitted in the DCA/MU zone, include but are not limited to, live-work dwellings; stacked, back-to-back townhouses; apartment dwellings, senior citizens apartment, and nursing home.

Exception 104 prohibits drive-thru facilities, drive-thru restaurants, and Taxi Depots.

The requested variances are to permit a minimum of 1.0 space per unit for exclusive use of the occupants in addition to 0.1 space per unit for the exclusive use of visitors; a minimum of 154 parking spaces for all permitted non-residential uses for the proposed development; to permit the front wall to be located 4.5 metres and the canopy to be located 2.2 metres from the front lot line (Harwood Ave. S.); to permit the north exterior side wall to be located between 8.0 metres (underground parking) and 11.2 metres (aboveground) from the north exterior side lot line; and to

permit the south exterior side wall to be located 3.8 metres (aboveground) from the south exterior side lot line.

Requested Minor Variances:

Minimum Required Parking Variances

Section 5.10.1 – Residential Parking Requirements

The applicant has requested relief from the requirements of Section 5.10.1, to permit a minimum of 1.0 spaces per unit for exclusive use of the occupants in addition to 0.10 spaces per unit for the use of visitors; whereas, the zoning by-law requires a minimum of 1.25 spaces per unit for exclusive use of the occupants in addition to 0.25 spaces per unit for the exclusive use of visitors for apartment dwellings in the Downtown Central Area Mixed Use Zone.

The proposed residential parking supply is summarized in Table 1 below:

Table 1: Required and Proposed Residential Parking Supply

		Zoning By-law Requirement		Proposed Parking Supply	
<i>Proposed Land Use</i>	<i># of Units</i>	<i>Parking Standard</i>	<i>Required Parking</i>	<i>Proposed Standard</i>	<i>Proposed Parking</i>
Residential Occupants & Visitors	342	1.25 spu	428	1.0 spu	342
Residential Visitors		0.25 spu	86	0.10 spu	34
<i>Total Residential Parking</i>		<i>1.50 spu</i>	<i>514</i>	<i>1.10 spu</i>	<i>376</i>

*spu – spaces per unit

In support of the request, the applicant filed a Traffic Impact Study dated July 2014 prepared by LEA Consulting Limited (reviewed by Nextrans Engineering). The proposal will be developed as a condominium, under full control of a condominium corporation, which will be registered once the condominium is established. Further, the entire supply of residential parking will be provided underground, which will enable the parking for the residential component to be managed.

The correlation between unit size (number of bedrooms) and automobile ownership in condominiums comes in at a rate of 0.65 vehicles for 1 bedroom units, 1.13 vehicles for 2 bedroom units, and 1.27 for 3 bedroom units (source - Cansult Limited). This equates to an average parking rate of 1.01 spaces per unit (inclusive of visitor parking). 1 and 2 bedroom units make up 94.7% of the units within the proposed condominium, while 3 bedroom units account for the remaining 5.3%. The majority of the demand for parking comes with 1 and 2 bedroom units.

LEA compared the proposed development to similar types of development in the surrounding area (e.g. Medallion's Pat Bayly Square (Ajax) @ 1.2 spu (including visitors) and San Francisco by the Bay (Pickering) @ 1.15 spu (including visitors)) and determined that the proposed rate of 1.10 spu, (inclusive of visitor) parking would provide adequate parking and meet the needs of the proposed development.

The intent and purpose of the Official Plan and Zoning By-law with regard to parking is to ensure that an adequate supply of parking exists to service development, and to support approaches which optimize the use of parking facilities while adhering to transit and active transportation supportive land use planning and design principles. In this case, each unit will be assigned a

parking space and this will be part of the purchase and sale agreement and associated condominium documents that are registered with each unit within the condominium.

In terms of visitor parking, a total of 34 parking spaces are being provided and these will be provided for throughout the various levels of underground parking. In addition, during off-peak periods, other parking opportunities will be available on-site in spaces used by the office and retail uses during the peak day time hours. A total of up to 47 on-street parking spaces are also proposed along the Harwood Avenue and the other three future streets that will surround the proposed development.

In staff's view, the proposed parking ratio of 1.1 spu (inclusive of visitors) meets the general intent and purpose of the Official Plan and Zoning By-law and is desirable for the appropriate development of the land.

Section 5.10.2 – Non-Residential Parking Requirements

The applicant has requested relief from the requirements of Section 5.10.2 of the zoning by-law, to permit a minimum of 154 parking spaces for all non-residential uses, being offices and retail stores (see Table 2 below).

Table 2: Required and Proposed Non-Residential Parking Supply

Proposed Land Use	Parking Standard	Non-Residential GFA (m²)	Parking Required	Parking Proposed
Offices	2.0 spaces per 100m ² gfa	2,516 m ²	51	154
Shopping Centre	3.75 spaces per 100m ² gfa	2,968 m ²	112	
Total Non-Residential Parking Supply			163 spaces	154 spaces

Table 2 indicates that a total of 163 parking spaces would be required for the amount of floor space proposed for office and retail uses. The proposal would permit a blended parking requirement of 154 parking spaces for all non-residential uses, in order to allow for the sharing of parking spaces at different times of the day or week. Parking related to the office and retail uses will be located on the ground floor level and the P1 level of the underground garage. Figure 4 shows the layout of the ground floor and P1 levels.

Section 3.2.4.3 (Parking) of the Town of Ajax Official Plan establishes parking policies for various types of parking configurations, including structured parking. The policy indicates that the sharing of parking in mixed use development is encouraged within the Downtown and wherever possible, parking structures will be located underground. The policy further indicates that notwithstanding the Town's minimum parking requirements, the Town may permit a further reduction in parking requirements in intensification areas.

The Town of Ajax Zoning By-law does not currently provide for parking space sharing between non-residential uses; however, the practice is encouraged in the Town of Ajax Official Plan. Allowing for shared parking would reduce the parking provision, as the peak demand for office parking spaces is usually in the morning and the peak demand time for retail and visitors is in the evening. Shared parking is common practice for mixed use development in growth centres, and is a parking management strategy that allows parking spaces to be shared by more than one type of user, thus allowing parking facilities to be used more efficiently.

Section 4.2.7 of the Town of Ajax Official Plan encourages the harmonization of parking facilities and shared parking where peak demand for parking does not conflict. The provision of a transit

lay-by (2 bus spaces) along Harwood Avenue South as part of the development will help to promote the increased use of public transit, while 246 bicycle parking spaces over all levels of parking will encourage cycling. Together these elements could help to reduce auto dependency by supporting active transportation and increased transit use.

In staff's view, the proposed minimum of 154 parking spaces for office and retail uses meets the general intent and purpose of the Official Plan and Zoning By-law and is desirable for the appropriate development of the land.

Front Yard and Exterior Side Yard Build-Within Zone Variances

The applicant has requested relief from the requirements of Section 6.9.2 of the zoning by-law, to permit a minimum two-thirds (67%) of the length of both the front and exterior side walls of a building to be located within 0 – 11 metres; whereas, the zoning by-law requires a minimum two-thirds (67%) of the length of both the front and exterior side walls of a building shall be located within 0 – 3 metres.

A 'Build-Within Zone' is an area established by the use of a minimum and maximum building setback, drawn parallel to the front and/or exterior lot line(s) where a prescribed portion of the main front building wall and/or exterior side wall of a building shall be positioned. The intent of the Official Plan in establishing 'Build-Within Zones' is to ensure that all new development be sited close to the street right-of-way, to create a consistent street wall and an attractive and interesting public realm, and be designed to face abutting streets to promote activity by ensuring doors and windows on the front and exterior side facades.

The building/street relationship is fundamental to the animation of the street and in achieving the desired urban character throughout the Downtown Central Area. Therefore, 'Build-Within Zones' have been incorporated into the zoning by-law for all properties within the Downtown Central Area, requiring buildings to locate their front and exterior side walls within a defined area on the lot.

The Town of Ajax Official Plan indicates that the space between the building wall and the road right-of-way serves as a transition zone between the public and private realms, and constitutes an important visual element of the streetscape and shall contribute to the urban image of the Downtown Central Area. These transitional spaces shall be appropriately landscaped and integrated with the public boulevard landscape treatments.

The three areas where relief is being requested is along Harwood Avenue South and along the two future east-west streets to the north and the south of the proposed development. In all instances, there will be direct street front access to the proposed building and there will be enhanced streetscapes that will incorporate wide interlocked sidewalks, raised street garden beds, street trees, street furniture (e.g. benches and trash receptacles), bicycle parking and an overall landscape design that will emanate an urban downtown location.

With the exception of the proposed maximum 'Build-Within Zone' along the future northerly, east-west street (Street 'B'), the proposed maximum 'Build-Within Zone' of 3.8 metres from the building to the lot line adjacent to the southerly, east-west street (Street 'A') and 2.2 metres from the canopy and 4.5 metres from the building to the lot line adjacent to Harwood Avenue South is a nominal increase, which enhances the pedestrian transition zone adjacent to pedestrian spaces and office, retail, and residential entrances.

As for the maximum 'Build-Within Zone' from the lot line adjacent to the future northerly, east-west street (Street 'B') of 8.0 metres to the underground parking garage and 11.0 metres to the

building, this is due to the flaring of this future street in order for it to properly align with the intersection of Harwood Avenue South and northern leg of Kings Crescent. This area is proposed to function as an informal public square that would have raised street garden beds, street trees, street furniture, and opportunities for outdoor seating.

In staff's view, the proposed increases to the maximum 'Build-Within Zones' would meet the general intent and purpose of the Official Plan and Zoning By-law and is desirable for the appropriate development of the land.

Other Comments:

Comments have been received from:

Building Services: no comments;

Design Services: no comments;

Engineering Services: no comments;

Transportation Services: no comments;

Operations Services: no comments;

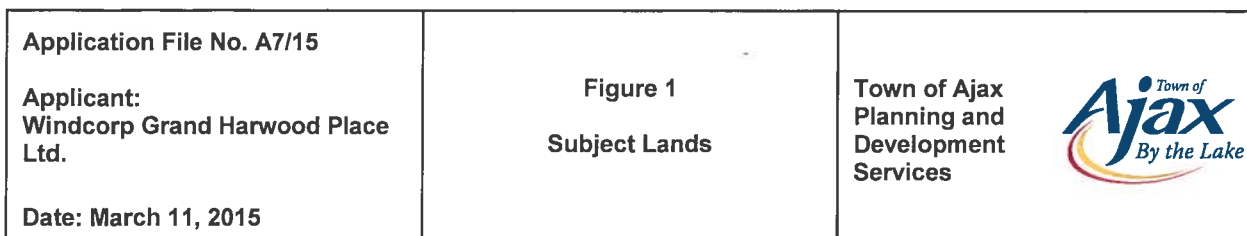
Fire Services: no comments;

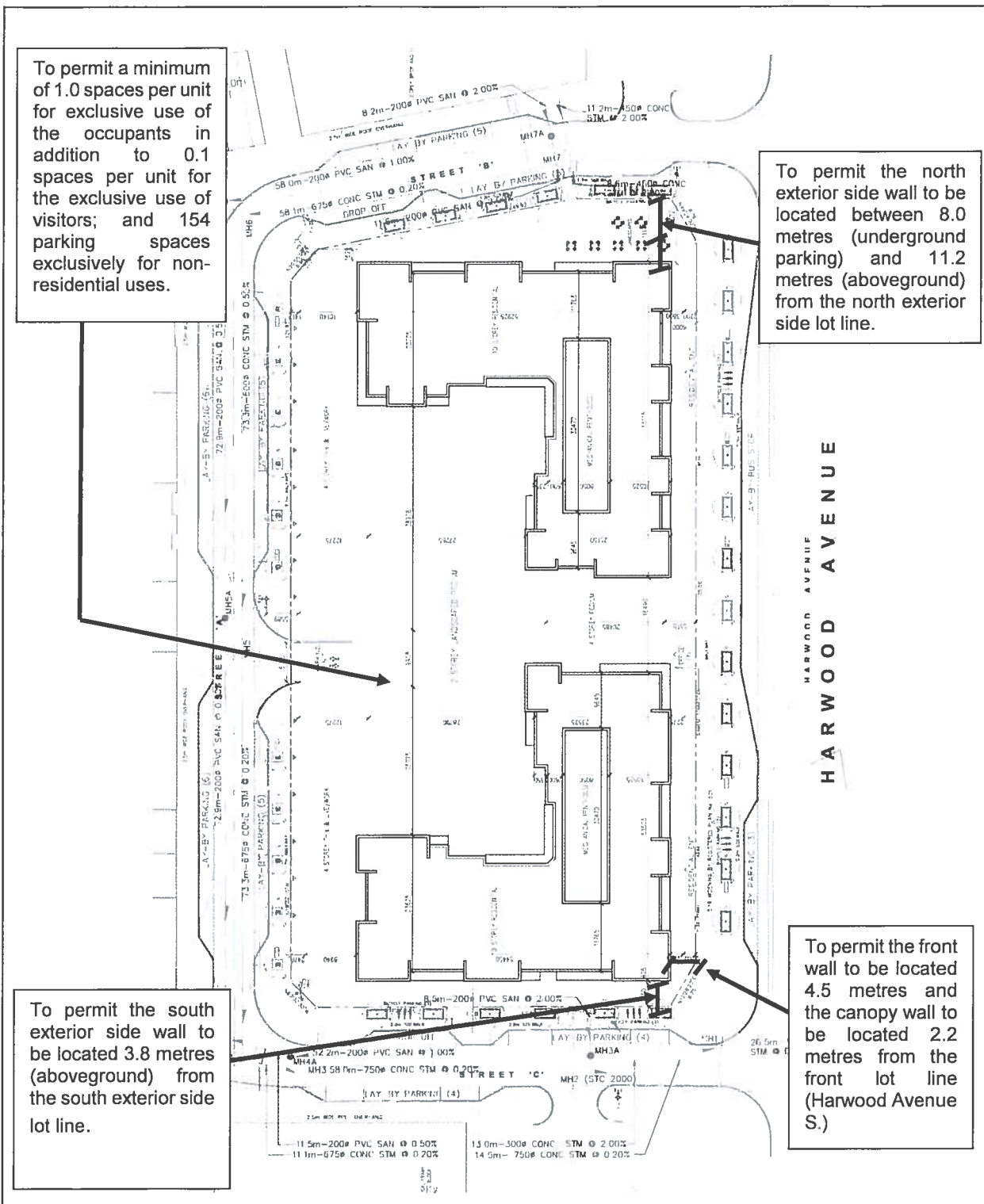
Conclusion:

Based on the above discussion, staff are of the opinion that **Minor Variance Application A7/15**, submitted by, Windcorp Grand Harwood Place Ltd., is:

- 1) minor in nature;
- 2) desirable for the appropriate development or use of the land; and
- 3) in keeping with the general intent and purpose of the Official Plan and Zoning By-law.


Geoff Romanowski, MCIP, RPP, CPT
Development Approvals Coordinator





Application File No. A7/15

**Applicant: Windcorp Grand
Harwood Place Ltd.**

Date: March 11, 2015

Figure 2
Proposed Site plan

**Town of Ajax
Planning and
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Application File No. A7/15

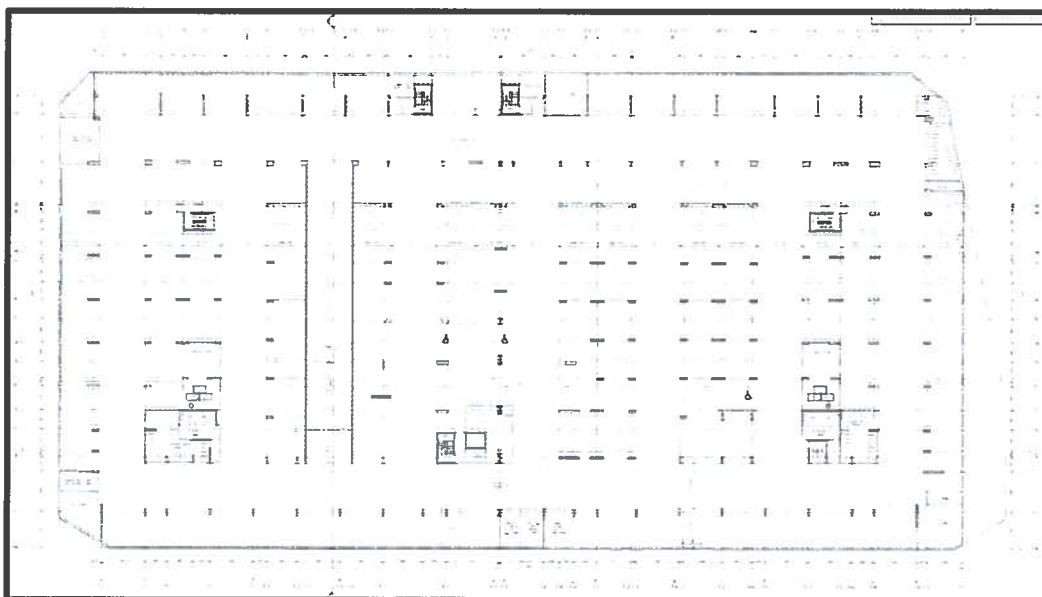
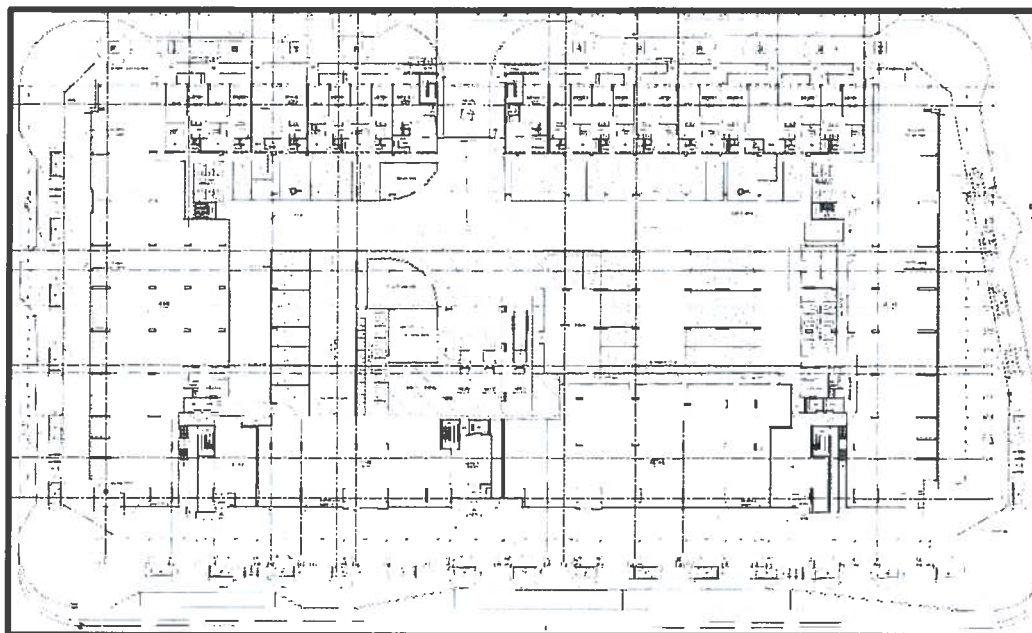
Applicant:
Windcorp Grand Harwood Place
Ltd.

Date: March 11, 2015

Figure 3
Proposed Elevations

Town of Ajax
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Application File No. A7/15

Applicant:
Windcorp Grand Harwood Place
Ltd.

Date: March 11, 2015

Figure 4

Proposed Ground Floor & P1

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