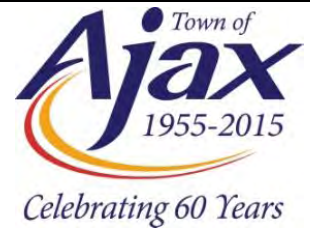


The Corporation of the Town of Ajax

COMMUNITY AFFAIRS AND PLANNING COMMITTEE



Monday, November 16, 2015 at 7:00 p.m.
Council Chambers, Town Hall
65 Harwood Avenue South

PRESENTATIONS

*Alternative formats available upon request by contacting:
accessibility@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

4. Public Meeting

- 4.1 [Picov Holdings Inc. & Picov Cattle Co.](#)
[Official Plan Amendment Application OPA15-A2](#)
[Zoning By-law Amendment Application Z5/15](#)
[\(50 Alexander's Crossing\)](#)
~ Geoff Romanowski, Development Approvals Coordinator



PICOV HOLDINGS INC. & PICOV CATTLE CO.

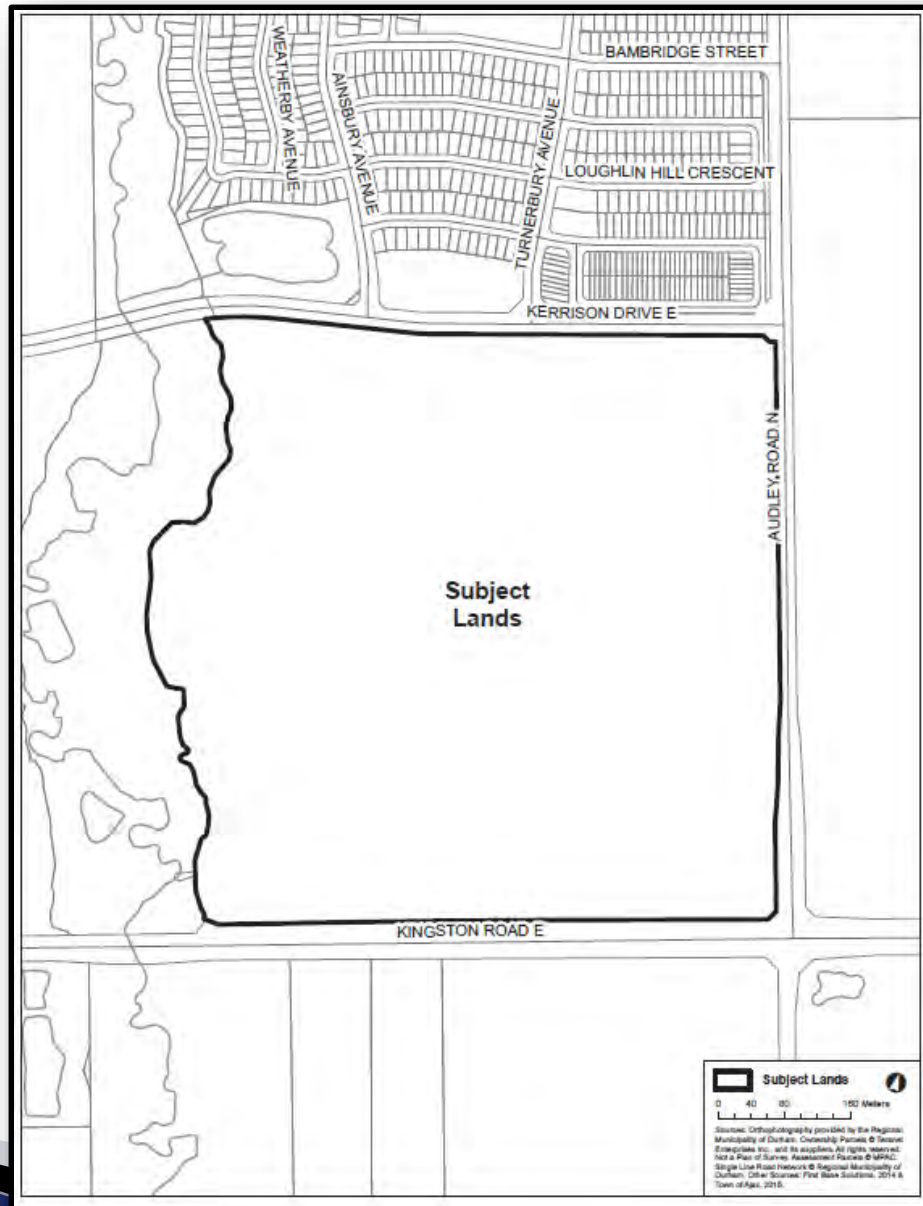
**OFFICIAL PLAN AMENDMENT APPLICATION OPA15-A2
ZONING BY-LAW AMENDMENT APPLICATION Z5/15**

PROPOSAL

The applications propose:

- to permit an expansion to an existing gaming and gambling establishment to include casino-type games;
- to remove the existing 800 slot machine limitation within the Town of Ajax Official Plan and Zoning By-law; and
- to enable the realignment of a portion of an existing collector road (Alexander's Crossing) north of Kingston Road East such that its existing terminus at Kerrison Drive East would be removed in favour of a new terminus at Audley Road North.

SUBJECT LANDS



BACKGROUND

In 2012

- OLG initiated a strategy to expand licensed gaming opportunities in Ontario.
- Ajax is within gaming zone 'Zone C3', which includes the City of Pickering and the Town of Whitby.
- OLG has set an upper threshold limit for gaming places within each gaming zone.
- Zone C3 has an upper threshold limit of 2,500 slot machines and 1,200 live table gaming positions (200 table games).

On September 10, 2015

- OLG completed a Request for Pre-Qualification (RFPQ) process.

By Late 2016 / Early 2017

- OLG will short list (3 to 5 qualified operators) who will then be invited to respond to the Request for Proposal (RFP) for Gaming Bundle 5, which includes Zone C3.
- Assuming a decision is made on the location and operator in early 2017, construction could begin in early 2018.

PLANNING FRAMEWORK

Provincial Policy Statement

- The proposed development is consistent with the policies of the PPS.

Growth Plan for the Greater Golden Horseshoe

- The proposal conforms to the provisions of the Growth Plan.

Durham Regional Official Plan

- The existing gaming establishment and the proposed amendments conform to the provisions of the Durham Regional Official Plan.
- The official plan amendment is exempt from Regional approval.

AJAX OFFICIAL PLAN POLICIES

Ajax Official Plan

- Designated 'Prestige Employment' within the Town of Ajax Official Plan.

Specific Land Use Policy 3.4.10 – Gaming and Gambling Establishments

- Provides policies for gaming and gambling establishments;
- Indicates that a gaming and gambling establishment may include any number of video lottery terminals, slot machines, on and off-track betting, lottery ticket kiosks and temporary special events authorized by Council, but shall exclude bingo parlours and casino-type games;
- An amendment to this policy is required to enable permissions for casino-type games;
- Section 3.4.10 indicates that additional gaming and gambling establishments (*meaning new gaming and gambling establishments on other properties within the Town of Ajax, not an expansion to an existing gaming and gambling establishment on the subject lands*) are not contemplated by the Official Plan and before an additional gaming and gambling establishment can be considered on a particular property, Council shall hold a referendum on whether to support such a facility pursuant to the *Municipal Elections Act*, as amended, or other equivalent process as may be deemed necessary by Council;
- Since the applications are for an expansion to the existing establishment, this policy as it relates to a referendum does not apply.

AJAX OFFICIAL PLAN POLICIES

Area Specific Policy 6.5

- This section indicates that it is intended that this area will be comprehensively planned and developed for a quarter horse race track and associated facilities, together with a gaming and gambling establishment consisting of up to 800 slot machines, a sports lounge, restaurants, a betting theatre, specialty retail stores and administrative offices.
- A gaming and gambling establishment is permitted within the Prestige Employment designation through this area specific policy.
- The official plan amendment application proposes to amend this policy to remove the 800 slot machine limitation.

Special Policy Area 2

- Section 3.3.9 of the Town of Ajax Official Plan indicates that the lands generally bounded by Kerrison Drive, Audley Road, the future extension of Chambers Drive and Carruther's Creek are identified as a Special Policy Area.
- The policy allows for the expansion of existing uses within the underlying Prestige Employment designation.
- Should the subject lands be selected by OLG, the Town will conduct a study to determine the feasibility and marketability of an entertainment and recreation node on the lands as noted in the policy.

Employment Area Urban Design Guidelines

- These guidelines will be applied when the required site plan application is submitted to the Town.
- The guidelines deal with pedestrian amenity and connections, built form and articulation, the use of landscaping, gateways, landmarks and other elements.
- The proposed official plan amendment is supportive of the guidelines.

OFFICIAL PLAN AMENDMENT OPA15-A2

The application proposes to amend the policies within Section 3.4.10 and Section 6.5 of the Town of Ajax Official Plan, specifically to:

- permit casino-type games within the existing and expanded facility; and
- remove the 800 slot machine limitation

A component of the amendment is the realignment of a collector road (Alexander's Crossing).

The realignment would:

- retain the extreme southern leg of Alexander's Crossing from Kingston Road but would allow for a realignment of the portion further north such that it would intersect with Audley Road North in the future approximately midway between Kingston Road East and Kerrison Drive East; and
- enable the expansion of the existing Ajax Downs building while allowing for convenient access to parking without the need for pedestrians to cross a public road.

The amendment would also reconfigure the boundary of the lands subject to Area Specific Policy 6.5, and allows some minor flexibility in future road alignment options.

The number of gaming and gambling establishments on these lands will be limited to one (1).

OFFICIAL PLAN AMENDMENT OPA15-A2

- The amendment replaces policy 6.5 e) with new policies that articulate the vision for the area that will include a showcase building that is architecturally distinct, characterizing its function as a unique public destination.
- The new policies within 6.5 e) describe:
 - the access points to Alexander's Crossing;
 - the characteristics of the road, including a centre median with distinctive lighting and ornamental trees, landscaped boulevards, wider sidewalks, pedestrian scaled lighting, street trees and ornamental planters, bicycle lanes and coordinated street furniture;
 - landscaped gateway entry features at each end of Alexander's Crossing;
 - front-facing architecture with active/transparent building facades;
 - one or more public squares;
 - weather protection and shade through the design of buildings;
 - orderly and appropriate transitions in scale including development below a 30 degree angular plane measured from the north side of Kerrison Drive, together with an earthen berm along this frontage;
 - parking structures are not permitted within 30 metres of Kerrison Drive; and
 - landscaping and landscaped islands within surface parking areas.

ZONING BY-LAW AMENDMENT Z5/15

The subject lands are zoned Prestige Employment (PE) Zone within Zoning By-law 95-2003, and is subject to Exception 68.

The zoning by-law amendment application includes the following components:

- to amend the existing gaming and gambling establishment definition to also include casino-type games;
- it removes the existing limitation of 800 slot machines; and
- it refines the definitions for Racetrack and Gaming Establishment and places them within Section 3 (Definitions) of the zoning by-law;

The zoning amendment also establishes a number of more detailed, and in some cases more stringent, development standards than are currently in place for the lands, including:

- increasing the required building setback to the northerly lot line from 9.0 metres to 30.0 metres;
- increasing the westerly side yard setback from 0 metres to 3 metres;
- introducing a 9.0 metre building setback from the southerly property line;
- introducing a requirement for a 20 metre landscaped buffer along the north property line; and
- introducing height limitations on the subject lands, whereby no part of any building or structure shall exceed a height defined by a 30 degree angular plane measured from the north side of Kerrison Drive;
- it establishes a parking requirement of 0.357 parking spaces per gaming position, based on the conclusions of the Transportation Assessment; and
- it revises the boundary of Exception 68 so that it would be bounded by Kingston Road, Kerrison Drive, Audley Road and Carruther's Creek.

REPORTS & STUDIES

There were a number of reports and studies submitted with the applications:

- Planning Justification Report (Bousfields)
- Functional Servicing and Stormwater Management Report (GHD)
- Phase I Environmental Site Assessment (Stantec)
- Transportation Assessment (GHD)
- Socio-Economic Study (AECOM)

PLANNING RATIONALE & SERVICING

Planning Justification Report (Bousfields Inc.):

The report describes:

- the purpose of the official plan and zoning by-law amendment applications to expand upon the existing permitted use of a gaming and gambling establishment.
- that with the land use permissions in place, how this will position the Ajax Downs facility as a viable venue for a casino within Gaming Bundle 5, Zone C3.
- the policy and regulatory framework, including the Provincial Policy Statement 2014, the Growth Plan for the Greater Golden Horseshoe 2013 and the Region of Durham Official Plan, and discusses the proposed amendments to the Town's Official Plan and Zoning By-law.

Functional Servicing and Stormwater Management Report (GHD):

The report indicates:

- an expansion to the Ajax Downs facility to accommodate a casino and related uses can be accommodated by way of constructing a new stormwater management pond facility at the northwest corner of Kingston Road and Audley Road.
- this facility would provide stormwater quality, extended detention, and quantity control.
- the existing sanitary trunk sewer will be able to accommodate the future development of the lands, while the watermain will be located within the planned road network and will be looped to an existing watermain at Kerrison Drive and Turnbury Avenue.

TRANSPORTATION ASSESSMENT

Transportation Assessment (GHD):

The assessment addresses:

- site characteristics;
- existing traffic;
- future background traffic (e.g. including future phases of the Mulberry Meadows residential development);
- future background traffic with diversions due to new road infrastructure;
- future total traffic with the Ajax Downs expansion;
- future traffic with realigned Alexander's Crossing to Audley Road;
- proposed site generated traffic;
- future total traffic;
- traffic impact analysis of all traffic scenarios and sites;
- sensitivity analysis of future total traffic that includes lands designated Prestige Employment to the south and the eventual need for extensions to Audley Road and Chambers Drive to complete the local arterial road network; and
- sensitivity analysis of future total traffic with realigned Alexander's Crossing to Audley Road.

TRANSPORTATION – PEER REVIEW

The Transportation Assessment was reviewed by:

- Town transportation staff;
- Regional transportation staff;
- a transportation peer review consultant (MMM Group) retained by the Town; and
- a transportation peer review consultant (Stantec) retained by the Region.

The findings of the study revealed that the expansion to the existing gaming and gambling establishment can be accommodated by the transportation network.

TRANSPORTATION – NETWORK

Significant road network improvements include:

- Highway 407 East Extension (currently under construction and is scheduled to be completed by the end of 2015 (or early 2016) by the Ministry of Transportation; and
- West Durham Link (412) at Kingston Road and the Highway 401 at Lake Ridge Road interchanges, that are part of the Highway 407 East Extension.

The assessment indicated that:

- these improvements would provide excellent access to the site from areas within and outside of the Region;
- the removal of the north portion of Alexander's Crossing from the network would not significantly impact the surrounding road network; and
- rerouting of vehicles to Audley Road and Salem Road due to the realignment would have a minimal impact due to low traffic volumes.

TRANSPORTATION – MONITORING

A monitoring program is also proposed through the assessment, which:

- will ensure that the site is operating within the parameters of the assessment;
- will include undertaking traffic counts four times a year (spring, summer, fall, and winter) to determine the peak hour volumes;
- undertaking capacity analysis of surrounding major intersections (e.g. Salem/Kingston); and
- undertaking traffic counts at all access points to newly built development (e.g. future Picov employment lands or employment lands south of Kingston Road).

TRANSPORTATION – INFILTRATION

The Traffic Assessment was also reviewed infiltration into:

- the Lexington County neighbourhood (north of the site);
- the Wicks Drive/Galea Drive neighbourhood (south of site);

Traffic from an expanded gaming and gambling facility is not expected to impact these neighbourhoods as the:

- new road network, which includes the Highway 407 extension and Highway 412 (West Durham Link), will provide additional access options that will help balance the traffic volumes in the area; and
- will limit driver desire to infiltrate into these residential neighbourhoods.

TRANSPORTATION – IMPROVEMENTS

Local road improvements recommended by the study include:

- a northbound right-turn lane at Salem Road/Kerrison Drive;
- signal timing and phasing optimization for all intersections within the study area;
- potential signalization and all turn lane infrastructure at the future intersection of realigned Alexander's Crossing and Audley Road; and

These improvements are indicated in the recommendations, the official plan amendment, and will be required as a condition of site plan approval.

Also through the sensitivity analysis within the assessment it was determined that the need for the extension of Chambers Drive to Audley Road would be triggered when 50% of these lands are developed.

SOCIO-ECONOMIC STUDY

This report cover the areas of:

- Market and Size Distribution
- Problem Gambling
- Crime
- Property Values
- Employment and Economic Development
- Horse Racing Industry
- Municipal Revenues

MARKET & SIZE DISTRIBUTION

- Ajax Downs is a top performer in almost every metric when viewed against the entire suite of OLG racetracks, two similar racetracks (Mohawk and Georgian) and the three southern Ontario casinos (Brantford, Great Blue Heron and Thousand Island).

PROBLEM GAMBLING

- Ajax Downs is one of eight accredited Responsible Gambling Check Program Facilities, which is run by the Responsible Gamblers Council;
- problem gambling tends to plateau as the novelty of the venue wears off, and as people become more knowledgeable about the consequences of irresponsible gambling; and
- the proposed expansion would generate about 4.3% (73,000 +/-) of the annual visitations to gaming facilities as problem gamblers (based on 1.7 million visitors +/- in 2012).

CRIME

- there is little correlation between increase levels of crime and the gaming facilities, which has been confirmed through interviews with police officials in host communities;
- crime related incidences are predominately traffic related and based on research crime is not higher where casino facilities exist; and
- Durham Regional Police Services do not view the Slots at Ajax Downs to be a problem location.

PROPERTY VALUES

- literature and empirical evidence from Ajax and Durham Region gives no indication that property values decreased by the development and operation of the existing gaming facility;
- areas surrounding Ajax Downs have enjoyed a greater increase in property values than other Ajax neighbourhoods; and
- there is no evidence to suggest that property values will be negatively influenced by a casino.

EMPLOYMENT & ECONOMIC DEVELOPMENT

- a casino could generate 700 direct jobs (an increase from 340 jobs), 435 indirect and induced jobs and generate labour income in the order to \$47 million dollars within Durham Region and the immediate surrounding area;
- a casino could also be the catalyst for other developments such as hotels and restaurants;
- OLG is a very good corporate citizen, making it a priority to fund community events and community organizations;
- in 2014-2015, the province allocated \$115 million dollars in gaming revenue to support charities through the Ontario Trillium Foundation; and
- OLG's sponsorship of festivals and events in Ajax and the Region of Durham totaled \$263,000.00 to-date.

HORSE RACING INDUSTRY

- the horse racing industry will benefit in the sense that it will be an integral part of the OLG program even though slot revenues are no longer subsidizing horse racing;
- Durham Region is the heart of quarter horse breeding and training in Ontario and is showcased at Ajax Downs;
- the annual contribution of horseracing to the Region's economy is in excess of \$56 million; and
- the industry accounts for 1,700 full time jobs and \$20 million of labour income in the Region.

MUNICIPAL REVENUES

- the Town of Ajax could receive contributions, based on the new revenue sharing formula, from anywhere between \$9.5 million and \$12.3 million dollars on an annual basis (currently \$6.8 million).

AGENCY COMMENTS

TRCA & CLOCA:

- no objections to the submitted applications and that they are in general agreement with the proposed servicing and stormwater management strategy for the lands.
- they reserve the right to review any further details of the servicing and stormwater strategy through the future site plan application for the lands.

Region of Durham:

- the official plan amendment is exempt from Regional approval.
- The existing watermain on Kerrison and Kingston and existing Carruthers Creek sanitary sewer were both designed to accommodate development of these lands.
- transportation and transit are satisfied with the transportation assessment provided by GHD and do not require any further submissions.
- details regarding transportation mitigation measures and a future traffic monitoring program are to be dealt with through future site plan applications for the site.

PUBLIC OPEN HOUSE

A Public Open House was held on May 14, 2015:

- Notice was sent to Ajax residents and business owners within 430 metres (1,400 feet) of the subject lands; and
- The meeting was attended by approximately 40 people.

RECOMMENDATIONS

- 1. That Official Plan Amendment Application OPA15-A2, submitted by Picov Holdings Inc. & Picov Cattle Co., be approved and that staff be authorized to prepare and forward the amendment to Council for its consideration at a future meeting, as provided within Attachment 1 to this report;**
- 2. That Zoning By-law Amendment Application Z5/15, submitted by Picov Holdings Inc. & Picov Cattle Co., be approved and that staff be authorized to prepare and forward the implementing Zoning By-law to Council for its consideration at a future meeting, as provided within Attachment 2 to this report;**
- 3. That should the Town receive an application for site plan approval for a gaming and gambling establishment on the subject lands, that staff be directed to convene a public open house for information and public input prior to bringing forward the application and staff's recommendation to a future meeting of Community Affairs and Planning Committee; and**
- 4. That the required site plan/development agreement for the lands include a requirement that the external transportation improvements, as identified in the Transportation Assessment, including a northbound right-turn lane at Salem Road/Kerrison Drive, signal timing and phasing optimization for all intersections within the study area, and potential signalization and all turn lane infrastructure at the future intersection of realigned Alexander's Crossing and Audley Road, be installed and constructed at the sole cost of the applicant.**



PICOV HOLDINGS INC. & PICOV CATTLE CO.

**OFFICIAL PLAN AMENDMENT APPLICATION OPA15-A2
ZONING BY-LAW AMENDMENT APPLICATION Z5/15**