

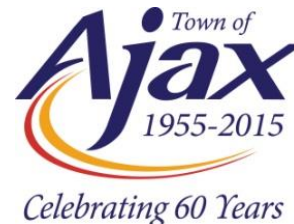
The Corporation of the Town of Ajax

## COMMUNITY AFFAIRS AND PLANNING COMMITTEE

Monday, November 2, 2015 at 7:00 p.m.

Council Chambers, Town Hall

65 Harwood Avenue South



Confirmed by: *[Signature]*

### AGENDA

*Alternative formats available upon request by contacting:*

*[accessibility@ajax.ca](mailto: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 **OR** use the "Bookmark" icon to the left of your screen to navigate from one report to the next

**C. Jordan, Chair**

**1. Call To Order**

**2. Disclosure of Pecuniary Interest**

**3. Adoption of Minutes**

**3.1 June 1, 2015** ..... 2

**4. Public Meeting**

**4.1 2371200 Ontario Inc. (Haber Homes)**  
**Zoning By-law Amendment Z1/15**  
**Draft Plan of Subdivision S-A-2015-01**  
**Site Plan Application SP1/15**  
**484 Rossland Road West**, P. Allore, Director of Planning & Development Services / S.  
McCullough, Development Planner ..... 5

**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 June 1, 2015**

***Alternative formats available upon request by contacting:  
[accessibility@ajax.ca](mailto:accessibility@ajax.ca) or 905-619-2529 ext. 3347***

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Present: Chair - Regional Councillor  
Regional Councillor  
Councillors

S. Collier  
C. Jordan  
R. Ashby  
J. Dies  
P. Brown

Regrets: Mayor  
Councillor

S. Parish  
M. Crawford

**1. Call to Order**

Chair Collier called the meeting to order at 7:00 p.m. It was noted that Mayor Parish and Councillor Crawford had sent their regrets.

**2. Disclosure of Pecuniary Interest**

There were no disclosures of pecuniary interest.

**3. Adoption of Minutes**

Moved by: P. Brown  
Seconded by: R. Ashby

That the Minutes of the Community Affairs and Planning Committee Meeting held on May 4, 2015, be adopted.

CARRIED

**4. Public Meetings**

**4.1 Transportation Demand Management (TDM) Plan**

Elysia Leung, Transportation Demand Management Coordinator, made introductory remarks and introduced Gene Chartier, Consultant, Paradigm Transportation Solutions Ltd. Mr. Chartier overviewed the need and purpose for TDM, and highlighted results from various employer and public surveys on the topic. The recommended TDM Action Plan was presented.

Committee members posed various questions related to electric vehicles, rent-a-bike facilities, and the challenge of managing debris from various sources in bike lanes and along trails. Several members expressed concern that the Plan focusses too heavily on cycling at the expense of other transportation methods.

The following suggestions were proposed by certain members:

- Businesses could be encouraged to provide shower & change room facilities for persons wishing to cycle to work;
- The Town should further explore “Open Streets” initiatives, and consider whether something similar may be viable in Ajax (e.g. during Canada Day festivities);
- The Town could consider permitting flex-time and work-from-home arrangements in order to lead by example;
- The Plan should be communicated and advertised in a variety of ways (not solely online).

Generally, members agreed that the TDM Plan is an important initiative and a step in the right direction.

*With the consent of all members present, a friendly amendment proposed by Regional Councillor Jordan was made to the resolution (see bolded text).*

Moved by: C. Jordan

Seconded by: J. Dies

1. That the report entitled Transportation Demand Management Plan for the Town of Ajax dated June 1, 2015, be received for information.
2. That Council endorse the Transportation Demand Management Plan for the Town of Ajax prepared by Hatch Mott MacDonald Ltd, Lura Consulting and Paradigm, dated May 2015.
3. That Council authorize staff to consider the recommended short and medium term TDM measures as part of the 2016 Capital Budget and 2017-2020 Long Range Capital Forecast.
4. **That the Transportation Demand Management Plan for the Town of Ajax be circulated to the Region of Durham and all local municipalities within the Region of Durham.**

CARRIED

**4.2 Zoning Our Future – Town of Ajax Comprehensive Zoning By-law Review: Release of Discussion Papers and Public Consultation Program**

Stev Andis, Senior Policy Planner, presented in respect to the Town’s comprehensive review of its Zoning By-law. The rationale for the review was provided, followed by an overview of each of the Discussion Papers. The public consultation program associated with the review was also described. Ms. Andis also showcased a video, and an interactive mapping feature on the Town’s Zoning By-law Review webpage.

In response to various questions from committee, staff clarified the following:

- The Town will own the mapping tool once the review is complete, and it will remain a permanent feature on the town's website;
- Staff can investigate the feasibility of providing charging stations for electric cars in certain locations;
- Applications received during the review will be dealt with under the existing planning regime.

Committee members offered summary comments, praising the quality of the Discussion Papers and the approach to the review thus far.

Moved by: C. Jordan

Seconded by: P. Brown

1. That the Report to Community Affairs and Planning Committee dated June 1, 2015 entitled "Zoning Our Future – Town of Ajax Comprehensive Zoning By-law Review: Release of Discussion Papers and Public Consultation Program" and the Discussion Papers contained in Attachments 1 to 8 be received for information;
2. That staff be authorized to release this Report and the Discussion Papers contained in Attachments 1 to 8 to the public, agencies and other stakeholders to obtain comments and feedback;
3. That staff be authorized to undertake the public consultation program including the completion of Public Open Houses on the Discussion Papers commencing in the fall of 2015; and,
4. That following public consultation on the Discussion Papers, that staff be directed to forward the required Technical Reports outlining potential zoning changes and a summary of the results of the public and stakeholder consultation process for consideration at a future meeting of Community Affairs and Planning Committee.

CARRIED

## **5. Reports**

None.

## **6. Adjournment**

Moved by: R. Ashby

Seconded by: J. Dies

That the June 1, 2015 meeting of the Community Affairs and Planning Committee be adjourned. (9:00 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 of Planning and Development Services

**PREPARED BY:** Sean McCullough, BES  
Development Planner

**SUBJECT:** 2371200 Ontario Inc. (Haber Homes)  
Zoning By-law Amendment Z1/15  
Draft Plan of Subdivision S-A-2015-01  
Site Plan Application SP1/15  
484 Rossland Road West

**WARD:** 1

**DATE OF MEETING:** November 2, 2015

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### **RECOMMENDATIONS:**

1. That Zoning By-law Amendment Z1/15, submitted by 2371200 Ontario Inc., be approved and that staff be authorized to prepare and forward an implementing zoning by-law to Council for its consideration at a future meeting, as provided within Attachment 1 to this report;
2. That Draft Plan of Subdivision S-A-2015-01, submitted by 2371200 Ontario Inc., be endorsed and that staff be authorized to grant draft approval of the plan of subdivision, subject to the proposed draft conditions, as provided within Attachment 2 to this report; and
3. That Site Plan SP1/14, submitted by 2371200 Ontario Inc., be endorsed, and that staff be authorized to grant final site plan approval subject to finalizing all required drawings to the satisfaction of the Town of Ajax.

### **1.0 BACKGROUND:**

In 1991, subdivision application 18T-87031 was approved and resulted in the realignment of Rossland Road West, thereby creating a remnant triangular parcel of land on the north side of Rossland Road West. The old 3<sup>rd</sup> Concession road allowance was subsequently identified as surplus to the needs of the Town. 2371200 Ontario Inc. (Haber Homes) purchased 484 Rossland Road West (formerly known as the McPherson property), and entered into an agreement of purchase and sale to buy the surplus road allowance from the Town. 2371200 Ontario Inc. has also entered into a purchase and sale agreement to buy a triangular parcel fronting onto Rossland Road West owned by Runnymede Development Corporation. On December 22, 2014, the applicant submitted development applications to develop the overall site to permit 41, 3-storey multiple attached dwellings within a common element condominium.





Application File Nos.:  
Z1/15, S-A-2015-01 & SP1/15

Applicant:  
237100 Ontario Inc.

Date: November 2, 2015

Figure 1  
Subject Lands  
Location Map

Town of Ajax  
Planning and  
Development  
Services



## 1.1 Property Location and Surrounding Land Use Context

The subject lands encompass an area of 1.73 hectares (4.28 acres) with approximately 105 metres (344 feet) of frontage onto Rossland Road West. The subject lands are currently vacant and are surrounded by the following land uses.

North: Abutting the lands to the north is Devonside Park with a path (overland flow route) connecting to McCulloch Drive, and stormwater management ponds. Further north is East Duffins Creek and northeast is a residential condominium consisting of multiple attached dwellings (Marsh Lane and MacIntyre Lane).

East: Abutting the lands to the east is the Life Centre Non-profit housing condominium consisting of primarily multiple attached dwellings, and a three storey residential apartment building.

South: To the south is Rossland Road West and vacant lands designated Low Density Residential. Further south is the Hermitage neighbourhood, consisting largely of single detached dwellings.

West: To the west are lands owned by the Town of Ajax designated Environmental Protection, and consist of the East Duffins Creek. West of the creek is Church Street N.

## 1.2 Proposal

Haber Homes is proposing to develop 41, 3-storey multiple attached dwellings, private roads and visitor parking in a common element condominium. A total of 14 units are proposed along Rossland Road West, with the remaining 27 units fronting onto an internal private road. Dwelling units will range from 1,327 ft<sup>2</sup> (123 m<sup>2</sup>) to 1,863 ft<sup>2</sup> (173 m<sup>2</sup>) in size. One full movement vehicular access is proposed from Rossland Road West that leads to the internal private roads. Secondary emergency access is also proposed from Rossland Road West (see Figure 2).

The proposal provides direct pedestrian connections from the dwelling units to the sidewalk on Rossland Road. Each unit is designed with a minimum of two parking spaces, one within a private garage and one within the driveway. The proposal will also consist of 15 surplus private parking spaces, which will be available for purchase. Eleven visitor parking spaces have been proposed throughout the site.

The proposal will provide a pedestrian connection to Devonside Park that will double as a municipal maintenance access. An easement in favour of the Town will be registered over the private internal road for the purposes of providing this access.

The proposed draft plan of subdivision will create 2 blocks, one for the purposes of registering a common elements condominium, and one environmental protection block. The draft plan of subdivision serves to create a block where the proposed 41 Parcels of Tied Land (POTLs) will be created through a future part lot control exemption process. The zoning by-law amendment application will zone the lands from Agriculture (A) Zone, Open Space (OS) Zone, and Environmental Protection (EP) Zone to Residential Multiple Six (RM6) Zone and Environmental Protection (EP) Zone.

The 12 units located on the northern portion of the site will require sprinklers for the purposes of fire safety as the fire route is longer than 90 metres as per Ajax Fire regulations. Communal bike racks and mail boxes will be sheltered by a canopy structure. A separate water meter building is proposed.





Application File Nos.:  
Z1/15, S-A-2015-01 & SP1/15

Applicant:  
2371200 Ontario Inc.

Date: November 2, 2015

Figure 2  
Proposed Site Plan

Town of Ajax  
Planning and  
Development  
Services





## **2.0 DISCUSSION:**

### **2.1 Provincial Policy Statement**

The Provincial Policy Statement (PPS) provides an overall direction on matters of provincial interest that must be reflected in municipal planning decisions. The PPS was issued under Section 3 of the *Planning Act* and provides provincial direction in terms of land use planning and development in Ontario. The current PPS document came into effect on April 30, 2014. The PPS states that healthy, livable, and safe communities are to be sustained, including among other matters, promoting efficient development and land use patterns, by accommodating an appropriate range and mix of residential, employment, recreational, and open space uses to meet long-term needs. Appropriate densities should be promoted for new housing which efficiently uses land resources, infrastructure, and public services. The PPS promotes all forms of housing required to meet social, health, and well-being requirements of current and future residents.

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

### **2.2 Growth Plan for the Greater Golden Horseshoe**

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) was approved under the authority of the *Places to Grow Act, 2005* by the Lieutenant Governor in Council of the Province of Ontario, and came into full force and effect on June 16, 2006. The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe including direction of where and how to grow, the provision of infrastructure to support growth, and protecting natural systems and cultivating a culture of conservation.

Under the Growth Plan, new development in designated greenfield areas will be planned, designated, zoned and designed in a manner that contributes to creating complete communities, creates street configurations, densities, and an urban form that support walking, cycling, and the early integration and sustained viability of transit services, provides a diverse mix of land uses to support vibrant neighbourhoods and creates high quality public open spaces with site and urban design standards that support opportunities for transit, walking and cycling.

The proposals conform to the provisions of the Growth Plan.

### **2.3 Region of Durham Official Plan**

The subject lands are currently designated “Living Areas” within the Durham Regional Official Plan. Living Areas shall be used predominately for housing purposes and shall incorporate the widest mix of housing types, sizes, and tenures to meet the diverse housing needs of the residents of Durham Region. Living Areas are also encouraged to be developed in a compact urban form through higher density uses, particularly along arterial roads supporting public transit.

The proposed development is consistent with the policies of the Region of Durham Official Plan.

### **2.4 Town of Ajax Official Plan**

The Town of Ajax Official Plan designates the subject lands “Medium Density Residential” and “Environmental Protection”. Permitted uses within the Medium Density Residential designation include duplex dwellings, block townhouses, street townhouses, stacked townhouses, attached housing, walk-up apartments and other forms of moderately scaled housing within a density range of 30 to 75 units per net hectare. The development proposes a density of 40.6 units per net hectare.

The built environment policies of the Town of Ajax Official Plan require development to be planned to:

- promote street-oriented development, with active building facades fronting onto streets;
- promote built form where a significant portion of the street frontage is defined by the building and where parking is located on the inside of building mass;
- provide a design layout and form that is compatible adjacent existing and approved land uses;
- promote pedestrian and cyclist permeability and interconnectivity to abutting paths, trails, streets and development;
- locate buildings such that pedestrian spaces are well defined and connected;
- be compatible with adjacent existing in terms of height, density, scale, massing and character;
- maximize transparent windows facing the public realm;
- position primary entrances to be visible and accessible from the street; and
- define the transition from public to semi-public to private space through landscaping.

The proposed development has been designed in conformity with the built environment policies of the Town's Official Plan by providing for a high level of building design, interest and an enhanced streetscape along Rossland Road West. The layout of the development applies principles of safe community design by orienting residential dwellings towards public and private spaces. The proposed development is appropriately integrated with adjacent public spaces.

All lands designated "Environmental Protection" within the plan have been protected for in accordance with the policies set out within the Town's Official Plan and will be conveyed to the Town of Ajax.

The proposed development is consistent with the policies of the Town of Ajax Official Plan.

## **2.5 Town of Ajax Zoning By-law 95-2003**

The subject lands are currently zoned Agriculture (A) Zone, Open Space (OS) Zone, and Environmental Protection (EP) Zone in Zoning By-law 95-2003, as amended. In order to implement the development, the applicant has submitted an application to amend the zoning by-law; proposing to Zone the lands Residential Multiple Six (RM6) Zone and Environmental Protection (EP) Zone

The proposed implementing zoning by-law will also establish detailed development standards, including provisions for frontage onto a private street, and setbacks to dwellings and accessory buildings. The proposed implementing zoning by-law is provided in Attachment 1 to this report.

## **2.6 Development Design**

The following section will provide details of the key elements of the proposal including; site design, built form, landscaping, parking and vehicular circulation.

### **a) Site Plan**

The proposed 41, 3-storey townhouse dwellings will be grouped within 6 blocks that will contain 6 to 7 units per block. These townhouse blocks will consist of two types of units. The interior lots, along the eastern portion of the site will have conventional townhouses with front and rear yards that will front onto an internal private street. Rear yards will be a standard 7.5 metres in depth. Double fronted units are proposed along Rossland Road West, with driveway access from the

internal private road (Street 'A') located at the rear of the units. These units will have outdoor balcony amenity areas of approximately 5.3 m<sup>2</sup> (57 ft<sup>2</sup>) in area. Air conditioning units are proposed to be located either in the rear yards of units internal to the site or mounted onto the balcony of double fronted units.

The townhouse blocks that are oriented towards Rossland Road West to establish a positive building presence, and a desirable streetscape that will contribute to the pedestrian environment. The internal units will front onto the internal street opposite the existing green space.

One full movement vehicle access point is proposed at the western limit of the site. A secondary emergency access will be provided at the eastern limit of the site, and will be provided with P-gates to restrict vehicular access. Communal bike racks and mailbox facilities will be sheltered under a canopy structure located at the centre of the site. A water meter building is proposed to be constructed on the eastern portion of the site adjacent to the secondary emergency access.

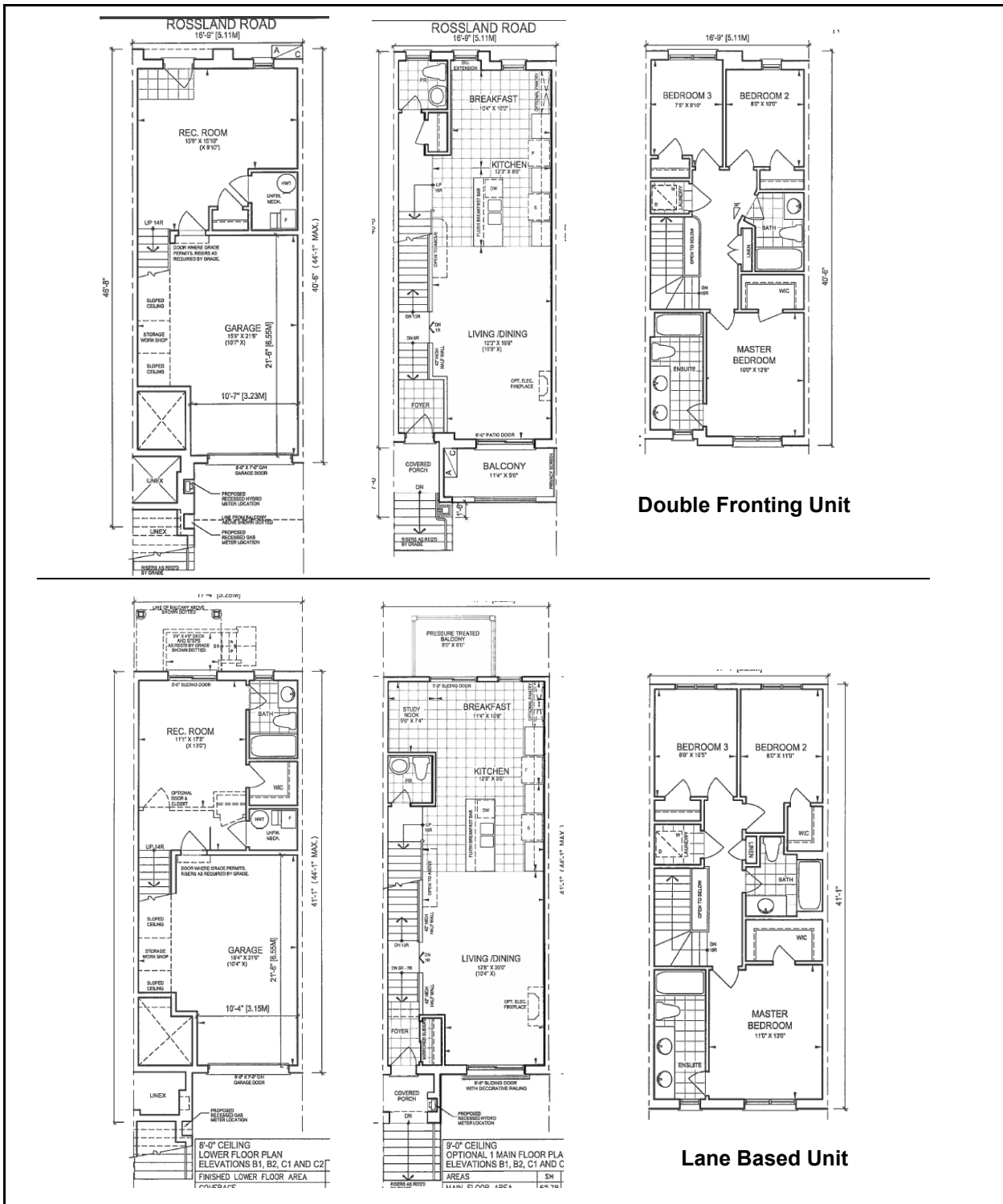
#### *b) Parking*

Each unit is designed with a minimum of two parking spaces, each with a single car garage and a parking space on a driveway. Garages will also include areas available for the storage of household items. The development will also provide 15 additional extra parking spaces located along the internal private road available for purchase with the unit. The proposal will also provide 11 visitor parking spaces.

The proposed parking supply exceeds the Town's zoning by-law requirements as noted in Table 2 below.

**Table 2: Summary of Required and Proposed Parking**

<b>Parking Type</b>	<b>Minimum Required Parking Spaces under Zoning By-law 95-2003</b>	<b>Proposed Parking Spaces</b>
Residential	62 (1.5 parking spaces/unit)	97 (2 parking spaces/unit, plus 15 surplus parking spaces)
Additional Parking (Visitor/Overflow)	11 (0.25 parking spaces/unit)	11 (0.25 parking spaces/unit)



Application File Nos.:  
Z1/15, S-A-2015-01 & SP1/15

Applicant:  
2371200 Ontario Inc.

Date: November 2, 2015

**Figure 3**  
**Proposed Floor Plans**

Town of Ajax  
Planning and  
Development  
Services



c) *Elevations*

The proposed dwellings provide a high level of building design and treatment, while creating a positive building presence along Rossland Road West and the internal private road. Each townhouse block will be 3-storeys in height and will feature covered porches. Units are proposed to be clad in brick and stone. Units will be equipped with a front covered porch, front balcony or rear deck, or a combination thereof. Primary entrances will be visible and accessible from the street and windows have been located to overlook the public realm. Additional windows have been requested along the northern elevation of Unit 41 overlooking Devonside Park, in order to increase natural surveillance into the park (see Figure 5 – Proposed Elevations).

Units within the two northern blocks (Blocks E and F) will be required to have fire sprinkler systems installed as these units are more than 90 metres from a principal fire access route.

All gas and hydro metres will be inset into the wall adjacent to the porch or garage door screening them from public view. A water meter room will be provided as a separate building located at the south end of the site and will be designed to blend with the architecture of the proposed dwelling units.

Overall, the proposed development will provide a high level of architectural design and will provide for a positive presence along Rossland Road West.

d) *Vehicular and Pedestrian Access*

Vehicular access is proposed from Rossland Road West. Two internal private roads, Street 'A' and Street 'B', will provide access through the proposed development. Street 'B' will act as secondary emergency access onto Rossland Road West and will be closed to vehicular access by the installation of P-gates.

An internal pedestrian sidewalk has been provided that will establish north-south pedestrian connectivity through the site and connect to the existing sidewalks on Rossland Road West and in Devonside Park. Street and pedestrian lighting is proposed for the internal private roads and pedestrian walkways.

Operations and Environmental Services have requested that vehicular access be provided from the proposed development to Devonside Park for the purposes of maintaining the park and stormwater pond infrastructure. The applicant will provide a vehicular connection, with P-gates to restrict access. An easement in favour of the Town will be required over the private internal road. This is reflected in the conditions of draft approval provided in Attachment 2 to this report.

e) *Landscape Design*

The applicant has proposed a combination of deciduous, coniferous and shrub plantings throughout the development. A 1.2 metre high decorative black metal fence and low lying landscaping is proposed along the Rossland Road West frontage. The combination of landscaping and fencing will create a strong pedestrian friendly urban edge and define the property limits. New wood privacy fencing is proposed along the rear lot lines of units 15 to 17 and units 39 to 41, and will match the existing privacy fencing along the eastern lot line.





**Elevation Fronting Rossland Road  
West of Double Fronting Unit (Block B)**



**Elevation on Internal Lane of Double  
Fronting Unit (Block B)**



**Elevation Fronting Internal Lane  
(Block F)**

**Application File Nos.:**  
Z3/14, S-A-2013-01 & SP4/14

**Applicant:**  
Salem Road Subdivision Ltd.

**Date:** March 23, 2015

**Figure 4  
Proposed Elevations**

**Town of Ajax  
Planning and  
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Services**



Noise attenuation fencing will be required along the exterior side lot line and rear lot line of unit 15 in accordance with the recommendations of the Noise Study.

Restoration and buffer planting will be installed on the environmental block located to the west of the property. The Toronto and Region Conservation Authority (TRCA) will require the completion of a restoration plan as a condition of draft approval. Further, the TRCA will require a 1.2 metre high chain link fence located along the edge of the development limits, next to the environmental feature.

### **3.0 REPORTS AND STUDIES**

Below is a summary of the reports and studies filed in support of the application.

#### **3.1 Functional Servicing Report**

A Functional Servicing Report, prepared by Sabourin Kimble and Associates, has been submitted in support of the development proposal. The report indicates sanitary discharge from the development will outfall to the existing sanitary sewer located on Rossland Road West. Water services will consist of a watermain and firemain located within the development road network and will connect to an existing 300 mm watermain on the north side of Rossland Road West. Both the watermain and firemain will flow through the proposed water meter building on the subject lands. Sanitary services will be provided by sewers located in the internal street and flow by gravity to the southwest corner of the site, connecting to an existing sanitary manhole on Rossland Road West. Durham Region Works has reviewed the applications and has no objection to the further processing of the applications. Conditions have been provided within Attachment 2.

#### **Stormwater Management:**

There is an existing stormwater facility to the north, known as the Devonside Pond. This facility was designed in 1990 as a “first flush” facility, to accept 1 inch of rain during storm events from Ravenscroft Road, residential lands on the west side of Ravenscroft Road, Christian Life Centre, and the neighbouring condominium developments. The pond was not originally designed to accept storm water runoff from the subject property.

In order to enhance the existing pond to achieve an overall net benefit for the watershed, the applicant has proposed a design to increase the capacity of the pond’s forebay to improve the treatment capacity and mitigate flow velocities and discharge to the creek. Since the Town also has a maintenance responsibility for its stormwater management ponds, and Devonside Pond has not undergone any maintenance since its construction in 1991, it was identified in the 2013 Stormwater Pond Condition Assessment as operating below the intended quality control provision and current standards.

In order to achieve cost savings for the Town, the Developer has agreed to pay 100% of the costs of volume extraction associated with the proposed development. The Town would be responsible for the costs associated with the sediment clean out and additional volumes. All other costs including, but not limited to, the pond pump out, sediment and erosion control measures, and seeding, would be shared equally.

The applicant’s proportionate share is estimated at approximately \$40,000. The Town’s share would be approximately \$55,000. These these works will form part of the Town’s 2016 Capital Budget deliberations. The TRCA has committed a further \$40,000 for stormwater retrofit opportunities. The applicant would be required to enter into a cost sharing agreement and/or construction agreement in order to pay their proportionate share of the construction, and has been reflected as a condition of draft approval. This approach enables a developer contribution to

assist in offsetting some of the Town's costs associated with its stormwater maintenance and retrofit responsibilities.

In addition to the enhancements to the stormwater management pond, infiltration trenches will be installed at each rear yard catch basin in order to capture rainfall from a 5mm storm event.

Engineering staff, Durham Region Works and the Toronto and Region Conservation Authority (TRCA) have reviewed the functional servicing report and are satisfied with the overall servicing approach.

### **3.2 Archaeological Assessment**

A Stage 1 and 2 Archaeological Assessment was prepared by This Land Archaeology Inc. in 2014, in accordance with the *Ontario Heritage Act*. The assessment investigated the presence of archaeological resources on the subject site. Historical background research and field investigations were performed. The assessment concluded that the subject site is clear of any archaeological concerns.

### **3.3 Environmental Impact Study**

An Environmental Impact Study (EIS) has been prepared by Niblett Environmental Associates Inc. in support of the development proposal. The study concludes the development proposal will not result in a negative impact to natural heritage features and ecological functions of the adjacent Duffins Creek Valleylands, as the proposed development will occur on disturbed lands and will require the implementation of mitigation measures as outlined in the report.

Minor encroachments into the buffer will be offset by additional restoration and planting areas. The overall area proposed to be developed that is located within the buffer is approximately 309 m<sup>2</sup>. The applicant has proposed 327 m<sup>2</sup> of land that is outside the 10 metre buffer to compensate. Further, the applicant is proposing to restore an additional 171 m<sup>2</sup> of the existing access driveway (former 3<sup>rd</sup> Concession Road right-of-way) that is located within the 10 metre buffer. Restoration of the valleylands will include planting of native trees, shrubs, and seed. Areas to be restored will be fenced off and conveyed to Town of Ajax. The buffer planting is reflected on the proposed landscape plans and is to be reviewed and approved by the TRCA. Financial securities will be collected through the required site plan/ development agreement. The TRCA's conditions of draft approval are provided within Attachment 2.

Three butternut trees have been identified within the valley. Two trees have been identified as retainable and are protected from being harmed or killed; the third tree has been identified to be non-retainable and could be removed if necessary. As no work has been proposed within the valley lands, all three trees will be retained. The Ministry of Natural Resources has indicated that a 6.0 metre encroachment into the required 25.0 metre buffer will be permitted, provided appropriate tree hoarding is installed along the top of stable slope.

### **3.4 Phase I Environmental Site Assessment**

A Phase I Environmental Site Assessment (ESA), prepared by Golder Associates, was submitted in support of the development proposal. Based on the review of historical records and findings from field observations, the Phase I ESA revealed that the subject site was utilized residential purposes since at least 1946. The historical operation of an orchard on the adjacent lands is not anticipated to have contributed meaningful concentrations of contaminants.

The report concludes that there are no issues of potential environmental concern pertaining to the subject lands, and a Phase 2 Environmental Assessment is not required.

### **3.5 Noise Impact Study**

A Noise Impact Study, prepared by YCA Engineering Ltd., was submitted in support of the development proposal. The study concludes that the noise levels generated from Rossland Road West is expected to generate a noise impact that will require noise control measures to satisfy the municipality and Ministry of Environment (MOE) requirements.

The study recommends that a noise barrier be installed along the flankage and rear yard of Unit 15 located in Block C to control outdoor living area sound levels. In order to meet MOE interior sound level criteria upgraded windows and brick veneer are required for Blocks A and B. Mandatory air conditioning is required for all units in Blocks A and B; and all units in Block C must be able to accommodate future air conditioning. Agreements of purchase and sale for these blocks will incorporate warning clauses notifying potential homeowners of the potential noise levels. This is reflected in the conditions of draft approval provided in Attachment 2 to this report.

### **3.6 Traffic Impact Study**

A Traffic Impact Study, prepared by WSP, was submitted in support of the development proposal.

Access to the site will only be permitted from the westerly access point, and will allow full turning movements. The easterly access will be only for emergency access. The study indicates that the proposed development will generate 26 AM (4 inbound and 22 outbound) and 29 PM (19 inbound and 10 outbound) peak hour trips. Results of the traffic analysis indicated that site access will operate with very little delay, and have very good levels of service during peak AM and PM periods. Based on the future forecasts of traffic along Rossland Road West this development will have no measurable impact on the existing network.

### **3.7 Geotechnical Report and Setback Analysis**

A Geotechnical Investigation and Setback Assessment was completed by Golder Associates for the proposed development. The investigation identified the stable top of slope from the valley lands and recommended that surface water be contained and directed away from the slope. Stormwater will be contained within the roadway, and conveyed to Devonside pond to the north. Infiltration trenches will be located along the eastern property line away from the valley lands. Vegetation on the slope is to be preserved and maintained. Enhanced vegetation will be included in the restoration plan and approved by the Town and TRCA prior to development.

## **4.0 AGENCY COMMENTS**

The following is an overview of comments received through the circulation of the subject applications.

### **4.1 Region of Durham**

Region staff have indicated that municipal water supply and sanitary sewers can be accommodated by connecting to existing services located on Rossland Road West. Durham Transit has indicated that the proposed development will not present any significant impacts. Durham Region Transportation has indicated that the easterly entrance would be in close proximity to an existing entrance located to the east. The proposed entrance will be for emergency access purposes only.

Overall, the Region of Durham has no issues with the proposed applications and have issued conditions of draft approval as reflected in Attachment 2.

## **4.2 Toronto and Region Conservation Authority**

The Toronto and Region Conservation Authority (TRCA) has indicated that the subject lands are within its jurisdiction and include a portion of the East Duffin's Creek. TRCA have indicated that they have no objection to the approval of the Zoning By-law Amendment provided that all valley lands to be conveyed to the Town of Ajax are zoned Environmental Protection (EP).

With regard to the Draft Plan of Subdivision, appropriate conditions of draft plan approval have been provided and are included within Attachments 2 to this report. The TRCA has no concerns with the approach to enhance the Devonside pond, as it would provide an overall net benefit to the watershed. However, the applicant will be required to submit detailed engineering drawings for the proposed enhancements of Devonside pond, to the satisfaction of the Town of Ajax and TRCA. The applicant will be required to obtain all necessary permits from the TRCA prior to development.

The applicant will also be required to submit a restoration planting plan to the satisfaction of the Town of Ajax and the TRCA. All proposed plantings identified in the planting plan will be secured through the site plan agreement, and has been reflected as a condition of draft approval, which have been reflected in attachment 2.

## **4.3 Other Agency Comments**

The Town's Control Architect, Veridian Connections, Canada Post, Ajax Transportation Services, Ajax Fire & Emergency Services, Ajax Engineering Services, and Ajax Design Services had no concerns with the proposed development. A condition of approval will require the applicant to finalize all required plans, drawings and reports to the satisfaction of the Town of Ajax.

## **5.0 FINANCIAL IMPLICATIONS:**

The Town has a responsibility for the maintenance of Devonside Pond and will be included as part of the Town's 2016 Budget deliberations. The developer will contribute to these works to offset some of the Town's costs.

The town has entered into a purchase and sale agreement to sell the existing road allowance to the developer for market value in the amount of \$206,800.00.

The applicant will be required to complete an appraisal of the value of the subject lands in accordance with the By-law 79-2006 (Parkland Dedication By-law), in order to determine an appropriate amount to be paid to the Town of Ajax for the purposes of parkland dedication. If necessary, the appraisal shall be peer reviewed at the applicants cost.

## **6.0 COMMUNICATION ISSUES:**

### **6.1 Departments and Agency Comments**

The applications have been circulated to all internal departments and external agencies and their comments and recommendations have been incorporated into this report.

### **6.2 Public Open House**

A Public Open House was held on September 15, 2015. 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 on the Town's Public Meetings web page and in the September 2<sup>nd</sup> and 9<sup>th</sup>, 2015 editions of the *Ajax News Advertiser*. Three members of the public attended the meeting. Two residents



from Iles Street they were generally supportive of the development and identified that their only concern was the impact that this development and future development on the south side of Rossland Road would have on traffic. The traffic impact study indicated that there would be no measurable impacts on the existing road network.

On November 2, 2015, notice of the Statutory Public Meeting was circulated to all assessed persons within 120 metres of the subject lands in accordance with the *Planning Act* requirements and was posted on the Town's Public Meetings web page. In addition, notification of the Statutory Public Meeting was placed in the October 21 and 28, 2015 editions of the *Ajax News Advertiser*. At the time of submission of this report to the Legislative and Information Services Department, no additional written correspondence from the public had been received.

## 7.0 CONCLUSION:

Staff have reviewed the submitted applications and are of the opinion that the proposed development will provide a compact urban form along a designated corridor within the Town of Ajax. The overall design and layout will be in keeping with the character of the surrounding area. The development is consistent with the PPS, Growth Plan, Region of Durham and Town of Ajax Official Plan policies.

Staff recommend approval of the proposed implementing zoning by-law, draft plan and site plan subject to the recommendations provided in this report.

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Sean McCullough, BES  
Development Planner

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Gary Muller, MCIP, RPP  
Manager of Planning

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

ATT-1 - Proposed Zoning By-law Amendment  
ATT-2 - Conditions of Draft Approval

THE CORPORATION OF THE TOWN OF AJAX  
BY-LAW NUMBER **XX-2015**

Being a By-law passed pursuant to the provisions of Section 34 of the Planning Act, R.S.O 1990, c.P.13, as amended, to amend Zoning By-law No. 95-2003, as amended, of the Corporation of the Town of Ajax.

WHEREAS, authority is granted under Section 34 of the *Planning Act*, R.S.O., 1990, c. P.13, for Council to pass this By-law;

AND WHEREAS, a Public Open House was held on September 15, 2015 for the purpose of presenting the Draft Zoning By-law Amendment for public consultation;

AND WHEREAS a Statutory Public Meeting was held in accordance with Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended, on November 2, 2015 for the purposes of presenting the Draft Zoning By-law Amendment (Z1/15).

AND WHEREAS, the Council of the Town of Ajax deems it appropriate to pass an implementing Zoning By-law pursuant to application Z1/15 to regulate the future development of the subject lands;

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

- 1. THAT the Zoning Schedule, specifically Map 15, attached to and forming part of By-law No. 95-2003, as amended, is hereby amended by rezoning those lands located on the north side of Rossland Road West, west of Marsh Lane from Agricultural (A) Zone, Open Space (OS) Zone, and Environmental Protection (EP) Zone to Residential Multiple Six (RM6) Zone and Environmental Protection (EP) Zone, for the lands outlined on Schedule “B” attached hereto.
- 2. THAT the Exception Schedule, specifically Map 15, attached to and forming part of By-law No. 95-2003, as amended, is hereby amended to delineate the boundaries of Exception 181, for the lands shown outlined on Schedule “C” attached hereto.
- 3. THAT Section 7.1.1, List of Exceptions, of By-law No. 95-2003, as amended, is amended to include the following Exception:

Exception	Zoning	Map	By-law	File Reference
181	RM6, EP	15	<b>XX-2015</b>	S-A-2015-01 SP1/15 Z1/15
<div><div>i) Location:</div><div>484 Rossland Road West</div></div> <div><div>ii) Legal Description:</div><div>PCL 244-3 SEC 40M-1677; PT BLK 244 PL 40M-1677 PT 1 40R-13932 ; AND PT LT 13 CON 3 PICKERING PT 1, 40R-7002; AND PT RDAL BTN 2 &amp; 3 PICKERING PTS 5-8, 40R-16707; PT LT 13 CON 2 PICKERING; PT LT 14 CON 2 PICKERING BEING A TRAVELLED RD LYING BTN CHURCH ST AND PTS 3 &amp; 4, 40R-16707 AND OTS 1 – 4, 40R-16707; AJAX (PIN 26408-0161 (LT))</div></div> <div><div>iii) Interpretation:</div><div><div>a)</div><div>Section 4.9 of Zoning By-law 95-2003, as amended, shall not apply to the development of the subject lands for 41 multiple attached townhouse dwellings.</div></div></div> <div><div>iv) Development Standards</div><div>In the event that Block A is developed for 41 multiple attached townhouse dwellings pursuant to SP1/15, the following development standards shall apply:</div><div><div>a)</div><div>Maximum Number of Multiple Attached Townhouse Dwellings:</div><div>41</div></div></div>				

Exception	Zoning	Map	By-law	File Reference																																								
181	RM6, EP	15	XX-2015	S-A-2015-01 SP1/15 Z1/15																																								
<p>b) Units fronting/facing Rossland Road West shall be considered double fronting units, and shall be deemed to have two front yards.</p> <p>c) Zone Standards for each parcel of land associated with a multiple attached townhouse dwelling:</p> <p>i)     <i>Front Yard</i> (Rossland Road Units)</p> <table><tr><td>-     To Rossland Road:</td><td>Minimum:</td><td>2.5 m</td></tr><tr><td></td><td>Maximum:</td><td>3.5 m</td></tr><tr><td>-     Minimum <i>Front Yard</i> to private internal road:</td><td></td><td></td></tr><tr><td>          - To dwelling unit:</td><td></td><td>4.7 m</td></tr><tr><td>          - To porch:</td><td></td><td>2.7 m</td></tr><tr><td>          - To attached garage:</td><td></td><td>6.0 m</td></tr></table> <p>ii)     Minimum <i>Front Yard</i> (Internal Units)</p> <table><tr><td>          - To dwelling unit:</td><td>4.3 m</td></tr><tr><td>          - To porch:</td><td>2.7 m</td></tr><tr><td>          - To attached garage:</td><td>6.0 m</td></tr></table> <p>iii)     Minimum     <i>Interior     Side     Yard</i>:</p> <table><tr><td>          - Between blocks:</td><td>2.4 m</td></tr><tr><td>          - Between attached dwellings:</td><td>0.0 m</td></tr></table> <p>iv)     Minimum <i>Exterior Side Yard</i>:</p> <table><tr><td></td><td>1.2 m</td></tr></table> <p>v)     Minimum <i>Rear Yard</i>:</p> <table><tr><td></td><td>7.5 m</td></tr></table> <p>vi)     Minimum <i>Lot Frontage</i>:</p> <table><tr><td></td><td>5.1 m</td></tr></table> <p>vii)     Maximum <i>Building Height</i>:</p> <table><tr><td></td><td>12.0 m</td></tr></table> <p>viii)     Maximum Lot Coverage (for individual Parcels of Tied Land (POTL))</p> <table><tr><td></td><td>55%</td></tr></table> <p>ix)     Setback to daylighting triangles along the private road:</p> <table><tr><td></td><td>0.0 m</td></tr></table> <p>d) Other Development Standards Within the RM6 Zone:</p> <p>i)     No accessory <i>structures</i> or fences (other than decorative metal fences) are permitted within the <i>front yard</i> adjacent to Rossland Road West or any <i>front yard</i> adjacent to the private internal roadway.</p> <p>ii)     Platforms of any height above finished grade shall maintain a minimum setback of 4.5 metres from the rear lot line.</p>					-     To Rossland Road:	Minimum:	2.5 m		Maximum:	3.5 m	-     Minimum <i>Front Yard</i> to private internal road:			- To dwelling unit:		4.7 m	- To porch:		2.7 m	- To attached garage:		6.0 m	- To dwelling unit:	4.3 m	- To porch:	2.7 m	- To attached garage:	6.0 m	- Between blocks:	2.4 m	- Between attached dwellings:	0.0 m		1.2 m		7.5 m		5.1 m		12.0 m		55%		0.0 m
-     To Rossland Road:	Minimum:	2.5 m																																										
	Maximum:	3.5 m																																										
-     Minimum <i>Front Yard</i> to private internal road:																																												
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	0.0 m																																											
<p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>																																												

5. By-law No. 95-2003, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law.

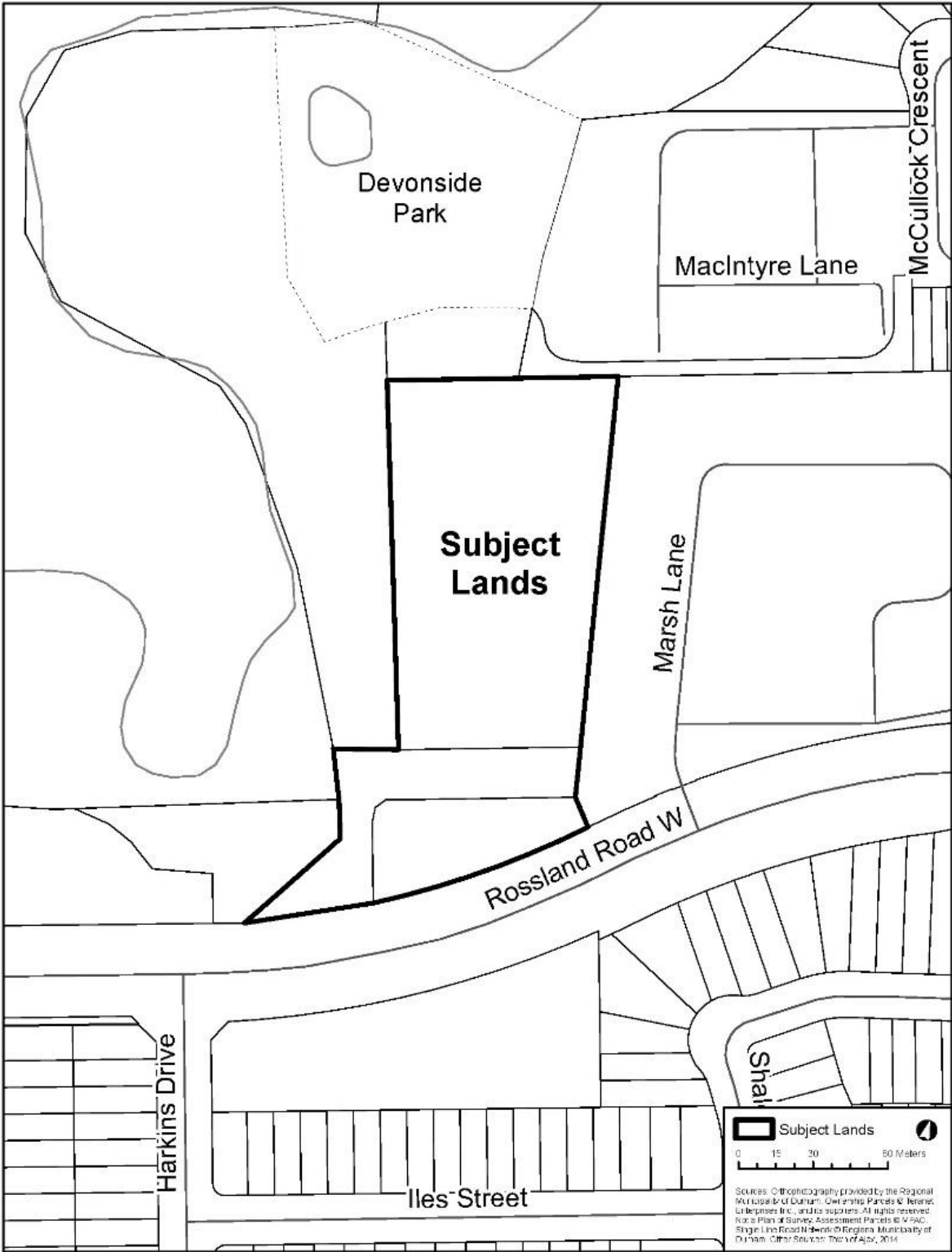
READ a first and second time this  
NINTH day of November, 2015

READ a third time and passed this  
NINTH day of November, 2015

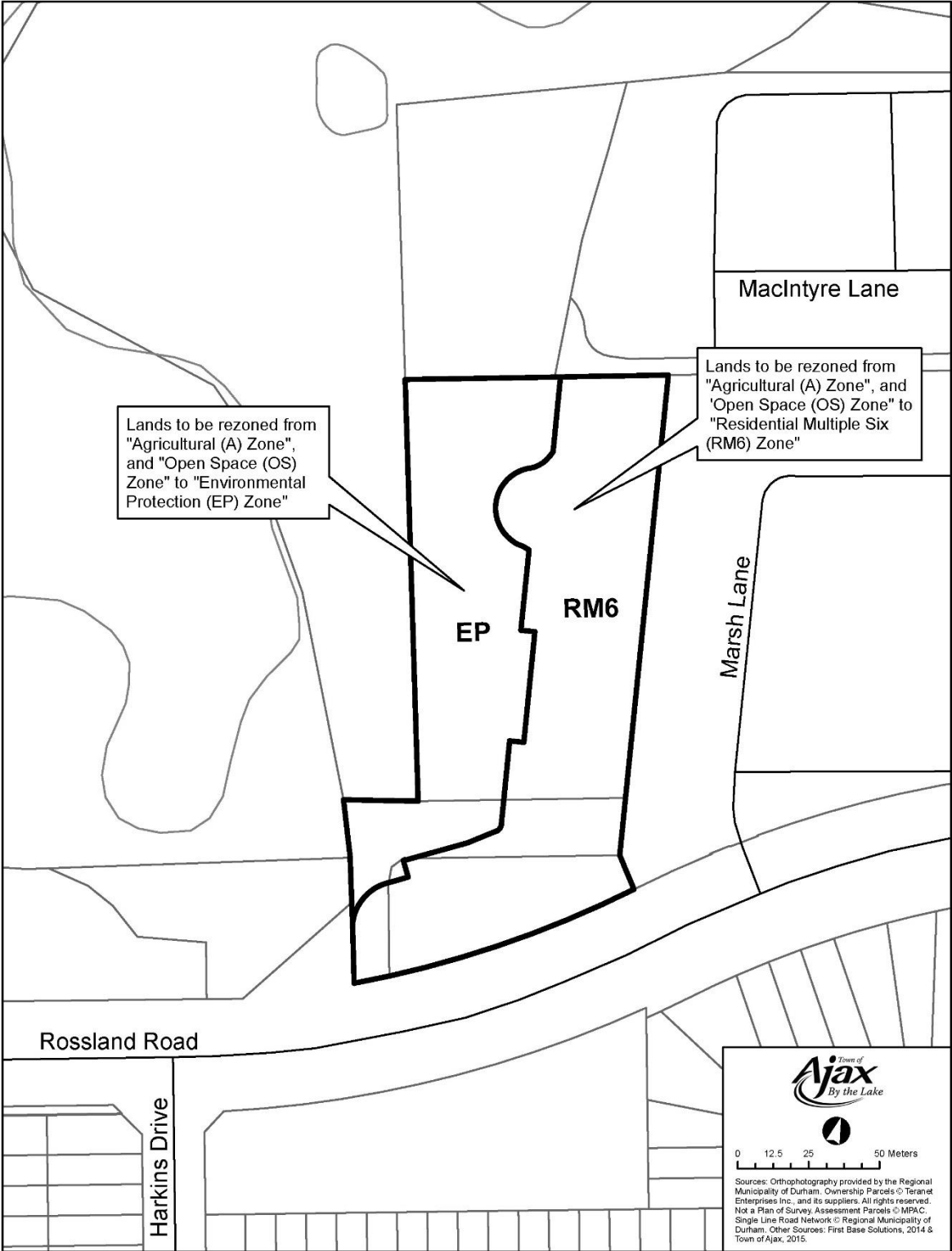
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Mayor

\_\_\_\_\_  
D-Clerk

Schedule “A” to By-Law Number **XX-2015**

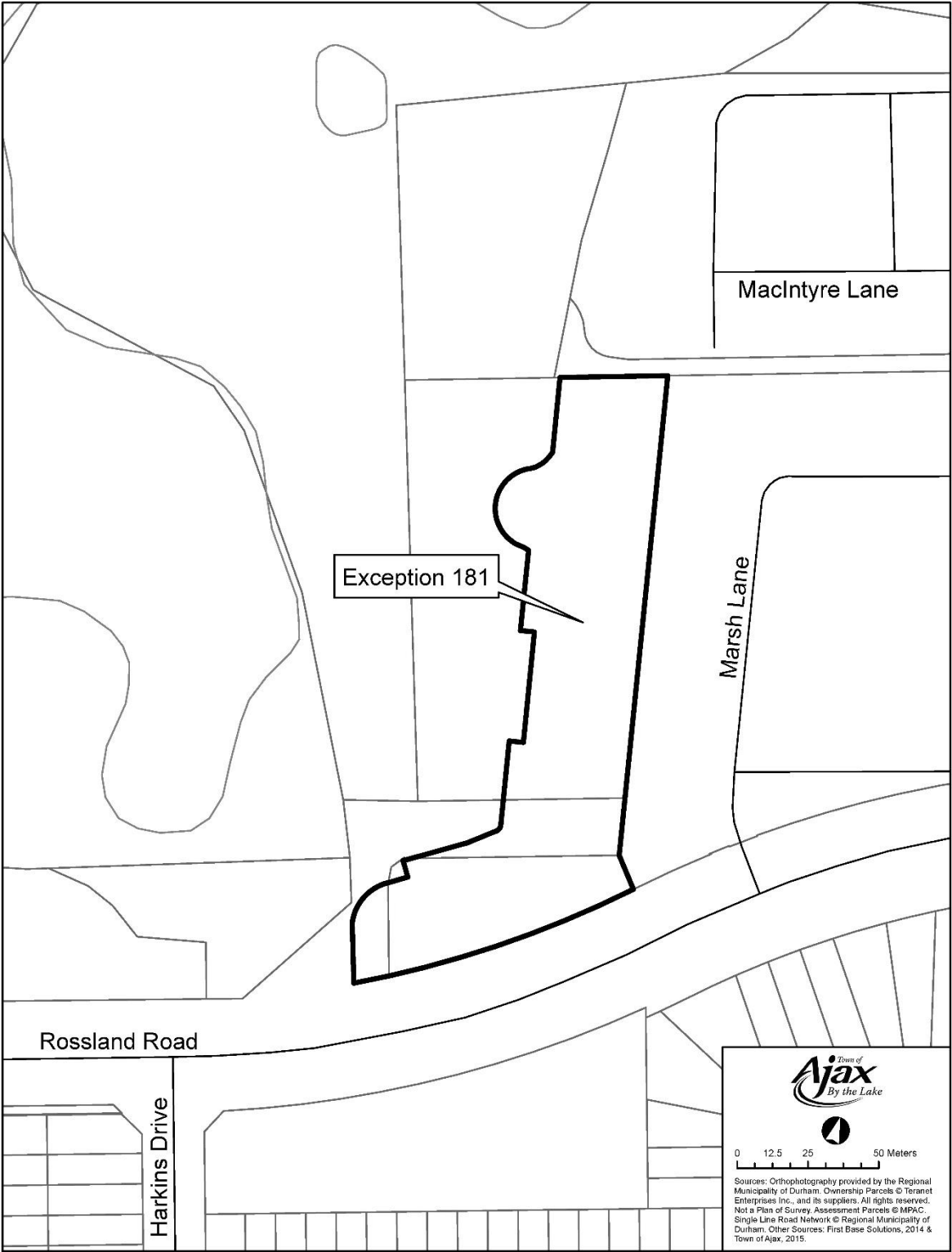


Schedule “B” to By-Law Number **XX-2013**





Schedule “C” to By-Law Number **XX-2013**



### **Explanatory Note to By-Law Number ~~XX~~-2015**

The purpose of this by-law is to regulate the development of 41, 3-storey townhouse units on parcels of titled land, private roads and visitor parking in a common elements condominium form under Site Plan Application SP1/15 on a parcel of land located at the north side of Rossland Road West, east of the Duffins Creek, west of Marsh Lane, and South of Devonside Park.

**Draft Plan of Subdivision S-A-2015-01  
2371200 ONTARIO INC.  
CONDITIONS OF DRAFT APPROVAL**

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All of the following conditions of draft approval shall be satisfied prior to the final registration of Plan of Subdivision S-A-2015-01 as indicated:

The Regional Municipality of Durham

1. The Owner shall prepare the final plan on the basis of the approved draft plan of subdivision, prepared by Walker, Nott, Dragicevic Associates Ltd., dated November 27, 2014 (revised on October 16, 2015), which illustrates 4 blocks: one residential townhouse condominium block to accommodate 41 townhouse units and common elements: one environmental protection block, and two 0.3 metre reserve blocks.
2. The Owner shall name the private roadways to be included in the future condominium plan to the satisfaction of the Regional Municipality of Durham and the Town of Ajax.
3. The Owner shall grant to the Region of Durham any easements required to provide Regional services for this development and these easements shall be in locations and of such widths as determined by the Region of Durham.
4. The Owner shall provide for the extension of such sanitary sewer and water supply facilities which are external to, as well as within, the limits of this plan that are required to service this plan. In addition, the Owner shall provide for the extension of sanitary sewer and water supply facilities within the limits of the plan which are required to service other developments external to this subdivision. Such sanitary sewer and water supply facilities are to be designed and constructed according to the standards and requirements of the Region of Durham. All arrangements, financial and otherwise, for said extensions are to be made to the satisfaction of the Region of Durham, and are to be completed prior to final approval of this plan.
5. Prior to entering into a Subdivision Agreement, the Region of Durham shall be satisfied that adequate water pollution control plant and water supply plant capacities are available to the proposed subdivision.
6. The Owner shall satisfy all requirements, financial and otherwise, of the Region of Durham. This shall include, among other matters, the execution of a Subdivision Agreement between the Owner and the Region concerning the provision and installation of sanitary sewers, water supply, roads and other Regional services.
7. The Owner shall agree in the Ajax Subdivision Agreement to implement the recommendation of the report, entitled "Environmental Noise Assessment, Southeast Corner of Rossland Road and Riverside Drive" prepared by YCA Engineering dated May 2014, which specifies noise attenuation measures for the development. The measures shall be included in the Subdivision Agreement and must also contain a full and complete reference to the noise report (i.e. author, title, date and any revisions/addenda) and shall include any required warning clauses identified in the study.

Town of Ajax

8. The Owner shall satisfy all requirements, financial and otherwise, to the Town of Ajax. This shall include, among other matters, the execution of a subdivision agreement between the Owner and the Town of Ajax concerning the provisions and installation of municipal roads, services, drainage, and other local services and matters including the following:

Reports/Studies

- i. The Owner shall provide the following revised technical reports, prior to final approval, to the satisfaction of the Town of Ajax, the Regional Municipality of Durham and the Toronto and Region Conservation Authority:
  - a. Archeological Study;
  - b. Traffic Impact Study;
  - c. Traffic Management Plan;
  - d. Traffic Management Implementation Plan;
  - e. Functional Servicing Report;
  - f. Environmental Impact Study;
  - g. Geotechnical Investigation and Setback Assessment Report;
  - h. Servicing and Stormwater Management Report;
  - i. Waste Management Plan;
  - j. Noise Study; and
  - k. Tree Inventory Report and Tree Preservation Report
- ii. The Owner shall provide, prior to final approval, a detailed Stormwater Management and Servicing Design Report to the satisfaction of the Town of Ajax that must address, but not limited to, the following issues:
  - a. Overland Flow;
  - b. Water Quality and Quantity Control;
  - c. Major and Minor Flow Routes;
  - d. Erosion and Sediment Controls; and
  - e. Water Budget Analysis;
- iii. The Owner shall be responsible for any required amendments or further revisions to submitted reports and studies to the satisfaction of the Town of Ajax, the Regional Municipality of Durham and the Toronto and Region Conservation Authority. If a report or study requires any amendments or further revisions the Owner agrees to provide these amendments or revisions prior to the execution of a subdivision agreement with the Town of Ajax;
- iv. The Owner shall implement all the recommendations in all required reports/studies to the satisfaction of the Town of Ajax, the Regional Municipality of Durham, and the Toronto and Region Conservation Authority;
- v. The Owner agrees that prior to final approval, the Draft Plan of Subdivision shall be red-lined revised, if necessary, to accommodate the requirements of all the approved reports/studies;
- vi. The Owner shall retain a qualified professional engineer to verify to the satisfaction of the Town of Ajax that the soil of the site is in compliance with the MOE's "Guidelines

for Use at Contaminated Sites in Ontario”. A Record of Site Condition acknowledged, and if necessary, audited by MOE may be required to be submitted to the satisfaction of the Town of Ajax prior to registration;

- vii. The Owner agrees to prepare a formal land appraisal in accordance with Town of Ajax By-law 79-2006 for the purposes of determining the required cash-in-lieu of parkland dedication amount. If required, the appraisal shall be peer reviewed at the sole cost of the Owner. An amount in accordance with Town of Ajax By-law 79-2006 shall be included in the Subdivision Agreement, and paid prior to issuance of Building Permits.

Roads/Sidewalks/Services

- viii. The Owner agrees to employ a Professional Engineer to design all roads, sidewalks, stormwater management facilities and services to the satisfaction of the Town of Ajax;
- ix. The Owner agrees to be fully responsible for the full cost of construction of all roads, sidewalks, walkways, stormwater management facilities and services internal to the subdivision in each respective phase of development to the satisfaction of the Town of Ajax;
- x. The Owner shall provide the Town of Ajax, detailed engineering drawings in accordance with the Town of Ajax Engineering Design Criteria and Standard Drawings, to the satisfaction of the Town of Ajax, prior to the preparation of a development agreement. In the event that a development agreement is not executed within two (2) calendar years from the date of approval of grading plans for all lots, blocks, right-of-ways, landscape blocks, and detailed engineering drawings, the Owner shall be required to resubmit the aforementioned plans and drawings to the Town of Ajax for review and approval prior to the execution of a development agreement;
- xi. The Owner agrees at the time of Site Plan Approval for each development Block within the Plan, that the required on-site stormwater management controls and infiltration works be provided as per the approved Functional Servicing Report;
- xii. The Owner agrees to submit engineering drawings and reports for the enhanced design of the Devonside Stormwater Management Pond. Further, at the discretion of the Town of Ajax, the Owner agrees to enter into a separate construction agreement for the work required to enhance the existing pond (subject to Council Approval) and pay their proportionate share of the cost of construction; or pay their proportionate share for the Town of Ajax to complete the required construction.
- xiii. The Owner agrees to submit engineering drawings to the satisfaction of the Town of Ajax, and construct, at the sole cost of the Owner, a municipal vehicular connection from the proposed development to Devonside Park on Town of Ajax property. The Owner shall restore all lands disturbed by the construction to the satisfaction of the Town of Ajax. The Owner shall enter into any required construction agreements for the completion of the work, and submit any required financial performance guarantees.



## **ATT -2 – Conditions of Draft Approval**

- xiv. The Owner agrees to provide a construction management plan, which addresses among other matters, site access, construction traffic, parking for construction trades, material delivery and storage, staging, mud, dust and noise controls, to the satisfaction of the Town of Ajax, prior to the issuance of the first building permit;
- xv. The Owner shall submit a detailed plan, noting all services/hydrant locations to the Town for approval;
- xvi. The Owner agrees to provide fire hydrants in conformity with the requirements of the Ontario Building Code and Region of Durham;
- xvii. The Owner agrees to provide a water supply for firefighting purposes that is accessible and operational at all times;
- xviii. The Owner agrees to maintain, in all phases of development at all times, one means of ingress/egress;
- xix. The Owner agrees to maintain access routes for fire department vehicles to new buildings, construction trailers and material storage areas at all times during construction;
- xx. Prior to final approval, the Owner shall be responsible for preparing a composite utility plan that allows for the safe installation of all utilities, including separation between utilities;
- xxi. The Owner agrees to ensure that all streets are constructed in accordance with the composite utility plans previously submitted and approved by all utilities;

### **Required Payments**

- xxii. The Owner shall pay a Stormwater Maintenance Fee, as per the Town of Ajax's "General Fees and Charges By-law", as amended, payable prior to the registration of the subdivision;
- xxiii. The Owner shall, prior to registration of the Plan, pay the Final Approval Subdivision Clearance Fee, as per the Town of Ajax's "Planning Act Fees and Charges By-law", as amended;
- xxiv. The Owner shall, prior to registration of the Plan, pay their proportionate share of the cost of construction of upgrades to the Devonside Stormwater Management pond;

### **Reserves/Easements/Conveyances**

- xxv. The Owner shall grant Block B, identified on Draft Plan of Subdivision, Part of Lot 13 and 14, Concession 2, prepared by Walker, Nott, Dragicevic Associates Ltd., dated November 27, 2014 (revised October 16, 2015), to the Town of Ajax.
- xxvi. The Owner shall grant such easement(s) and/or block(s) as may be required for utilities, inspection, drainage, servicing purposes, emergency access or any other purpose to the appropriate authorities or agencies. The easements shall be in locations and widths as deemed appropriate by the applicable authority or agency;

## **ATT -2 – Conditions of Draft Approval**

- xxvii. The owner shall provide an access easement over the private roads from Rossland Road West to the northern property line abutting Devonside Park in favour of the Town of Ajax, for the purposes of construction and maintenance of Devonside Park and stormwater management ponds.
- xxviii. The Owner shall identify and provide a 0.3 metre reserve along the lot line where the subject lands abuts Rossland Road West, to the satisfaction of the Town of Ajax;

### Design/Landscaping

- xxix. Prior to offering any model for sale to the public for the subject development, the Builder agrees to comply with the Town's Architectural Control requirements by submitting plans to the Town-approved Control Architect for approval;
- xxx. The Owner shall provide lot fencing, planting and tree preservation in accordance with the approved plans under Site Plan Application SP1/15;

### Traffic

- xxxi. Prior to the execution of a subdivision agreement, the Owner shall provide a Traffic Management Plan (TMP), a Traffic Management Implementation Plan (TMIP), and a Utility Coordination Plan (UCP), to the satisfaction of the Town of Ajax;
- xxxii. The Owner shall have all traffic control devices installed to the satisfaction of the Town of Ajax prior to first occupancy. The decision to provide for traffic calming shall be at the sole discretion of the Town of Ajax;

### Other

- xxxiii. The Owner shall submit plans, for review and approval, showing any proposed phasing of development to the Town for review and approval, if this Plan is to be developed by more than one phase;
- xxxiv. Prior to the initiation of any works on site the Owner shall satisfy the Town with respect to a construction management plan. The location of the temporary road for construction access will be provided and maintained by the Owner. All parking required for construction and trades shall be provided wholly on-site and not on public streets for the duration of construction;
- xxxv. The Owner shall obtain any necessary permits from the Toronto and Region Conservation Authority prior to the registration of the Plan;
- xxxvi. The Owner agrees to provide a municipal street address for each dwelling unit. The street number must be affixed to the wall of the dwelling that is associated with the front lot line, as defined by the Town of Ajax Zoning By-law 95-2003 or as determined by the Town of Ajax Fire Prevention Services;
- xxxvii. The Owner shall agree in the Town of Ajax subdivision agreement to implement the recommendations of the report entitled "Environmental Noise Assessment Forest Townhomes on Duffin's Creek" prepared by YCA Engineering Limited, dated

November 2014, which specifies noise attenuation measures for the development. The measures shall be included in the development agreement and must also contain a full and complete reference to the noise report (i.e. author, title, date and any revisions/addenda) and shall include any required warning clauses identified in the study;

- xxxviii. The Owner shall provide the following wording in all purchase and sale agreements and within the condominium documents, including the condominium declaration;

“The development, including all parcels of tied land and lands designated as a common element, are subject to a site plan agreement that has been registered on title. This agreement binds the land owner(s) to build and maintain the site in accordance with the approved plans. Any alterations or deviations require approval from of the Town of Ajax.”; and

“Individual access to the Town of Ajax owned lands located north of the subject lands from the front, rear and interior side yards of adjacent parcels of tied land is prohibited.”

“All air conditioning units shall be located in accordance with the approved plans under SP1/15. For all units where a location has not been identified on the approved plans under SP1/15, air conditioning units shall be located in the rear yard. No air conditioning units shall be permitted in the front yard adjacent to Rossland Road West.”

Toronto and Region Conservation Authority (TRCA)

9. Prior to the initiation of grading, and prior to the registration of this Draft Plan of Subdivision / Condominium or any phase thereof, the owner shall submit the following to TRCA and the Town of Ajax for review and approval:
  - i. An Erosion and Sediment Control Plan, consistent with the Erosion and Sediment Control guideline for Urban Construction (Greater Golden Horseshoe Area Conservation Authorities, 2007), as amended;
  - ii. Overall grading plans for the subject lands.
10. A detailed engineering submission for the review and approval of TRCA that describes the storm drainage system, including:
  - i. A description of the storm drainage system (quantity, quality and erosion control) for the proposed development;
  - ii. Plans illustrating how this drainage system will tie into surrounding drainage systems (i.e., how external flows will be accommodated, the design capacity of the receiving system);
  - iii. Appropriate stormwater management techniques which may be required to control minor and major flows;

## ATT -2 – Conditions of Draft Approval

- iv. Detailed designs of stormwater management ponds, LID facilities and site design based on subsurface groundwater and geotechnical investigations;
  - v. The location and description of all outlets and other facilities which may require a permit pursuant to Ontario Regulation 166/06, (TRCA Regulation of development, interference with wetlands and alterations to shorelines and watercourses).
  - vi. Grading plans for the subject lands;
- 11. Prior to registration, the owner shall gratuitously convey Block B, as illustrated on the Plan of Subdivision, Part of Lot 13 and 14, Concession 2, prepared by Walker, Nott, Dragicevic Associates Ltd., dated November 27, 2014 (revised October 16, 2015), to the Town of Ajax.
  - 12. The owner shall prepare and implement a Restoration Planting Plan for Environmental Protection Block B, to the satisfaction of the Town of Ajax and TRCA.
  - 13. The owner shall provide a letter of credit to the Town of Ajax for the full cost of the implementation and monitoring of the Restoration Planting Plan identified in Condition No.12.
  - 14. The owner shall install a fence along the boundary of Environmental Protection Block B.
  - 15. The owner shall provide a signed agreement with an environmental monitoring professional certified by CISEC, which has the effect of ensuring that all environmental controls including stormwater management and ESC controls identified in the Erosion and Sediment Control Report and Plans for the subject lands, will be monitored and, if necessary, immediately corrected.
  - 16. That the owner agrees in the Site Plan Agreement, in wording acceptable to the TRCA:
    - i. To agree to, and implement, the requirements of the TRCA's conditions in wording acceptable to the TRCA;
    - ii. To design, implement and monitor all erosion and sediment controls;
    - iii. To monitor and maintain all stormwater management and erosion and sedimentation control structures operating and in good repair during the construction period, in a manner satisfactory to the TRCA;
    - iv. To obtain all necessary permits pursuant to Ontario Regulation 166/06 from the TRCA;
    - v. To erect a permanent fence, to the satisfaction of the TRCA, along the exterior boundary of Block B;
    - vi. To provide for a Post Construction Restoration Planting Plan and that monitoring and any necessary replanting of these areas subject to the plan be completed for a period of a minimum of 2 years with sufficient funds secured through this period through a letter of credit or other appropriate measure;
    - vii. To commit to provide appropriate information to all prospective buyers of the units through all agreements for purchase and sale, sales information, and community

## ATT -2 – Conditions of Draft Approval

maps to ensure that the land owners are well informed that private use and/or access to the open space blocks shall not be permitted, and reflect the intent of the following:

*"The Environmental Protection block adjacent to the subject property is considered to be part of the publicly owned valley corridor and will be maintained for environmental protection, and public use purposes. Please note that uses such as private picnics, barbeque or garden areas; and/or the dumping of refuse (e.g. grass/garden clippings, household compostable goods, garbage etc.) are not permitted on these lands. In addition, access to the valley corridor such as private rear yard gates and/or ladders are prohibited. "*

17. That this draft plan of subdivision be subject to red-line revision(s) in order to meet the requirements of Conditions 9 through 16 inclusive, if necessary, to the satisfaction of the TRCA.
18. The applicant submits a copy of the fully executed subdivision agreement and required clearance fees to the TRCA, in order to obtain clearance of conditions of draft approval.

### Durham District School Board

19. The Owner agrees to post the standard Durham District School Board approved "Notice to Parents" in all sales representation centres.

### Canada Post

20. The Owner/Developer agrees to include on all offers of purchase and sale, a statement that advises the prospective purchaser that mail delivery will be from a designated Community Mailbox;
21. The Owner/Developer will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home sale;
22. The Owner/Developer will consult with Canada Post Corporation to determine suitable locations for the placement of Community Mailboxes and to indicate these locations on the appropriate servicing plans;
23. The Owner/Developer will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
  - i. An appropriately sized sidewalk section (concrete pad) as per municipal standards and to Canada Post specifications to place the Community Mailboxes on;
  - ii. Any required walkway across the boulevard, as per municipal standards; and
  - iii. Any required curb depressions for wheelchair access to Canada Post specifications;
24. The Owner/Developer further agrees to determine and provide a suitable temporary Community Mailbox location(s), which may be utilized by Canada Post until the curbs, sidewalks and final grading have been completed at the permanent Community Mailbox locations. This will enable Canada Post to provide mail delivery to the new homes as soon as they are occupied.

Communications Service Provider

25. The Owner is hereby advised that prior to commencing any work within the Plan, the Owner must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the Owner is hereby advised that the Owner may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Owner elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Owner shall be required to demonstrate to the municipality that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services);
26. Prior to registration of the Plan of Subdivision, the Developer/Owner will, at its sole cost, grant all necessary easements and maintenance agreements required by those CRTC-licensed telephone companies and broadcasting distribution companies intending to serve the subdivision (collectively, the "Communications Service Providers"). Immediately following registration of the Plan of Subdivision, the Developer/Owner will cause these documents to be registered on title;
27. Prior to registration of the Plan of Subdivision, the Developer/Owner will, with consultation with the applicable utilities and Communications Service Providers, prepare an overall utility distribution plan that shows the locations of all utility infrastructure for the subdivision, as well as the timing and phasing of installation;

Enbridge Gas Distribution Inc.

28. The Owner shall prepare a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities;
29. The Owner shall construct all roads in accordance with composite utility plans previously submitted and approved by all utilities;
30. The Owner shall grade all roads to final elevation prior to the installation of gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information for the installation of the gas lines;
31. The Owner agrees that it is understood that the natural gas distribution system will be installed within the proposed road allowance. In the event that this is not possible, easements will be provided at no cost to Enbridge Gas Distribution Inc.;
32. Prior to registration of the Plan of Subdivision, the Developer/Owner will, at its sole cost, grant all necessary easements required to service the development in favour of Enbridge Gas Distribution.
33. If required, the Owner agrees to provide a 3 metre by 3 metre exclusive use location for a regulator station, and shall not project into the municipal road allowance;

## **ATT -2 – Conditions of Draft Approval**

### Veridian Connections

34. The Owner shall make satisfactory arrangements with Veridian Connections for the provision of permanent and/or temporary electrical services to this Plan;
35. Prior to registration of the Plan of Subdivision, the Developer/Owner will, at its sole cost, grant all necessary easements required to service the development in favour of Veridian Connections.
36. The Owner shall provide, at its sole cost, all transformers, meters, high voltage concrete encased ducted looped underground cable system, and any other required infrastructure required to service the development to the satisfaction of Veridian Connections. The Owner shall enter into any required agreements with Veridian Connections required to service the development.

### **NOTES TO DRAFT APPROVAL**

1. As the Owner of the proposed subdivision, it is your responsibility to satisfy all conditions of draft approval in an expeditious manner. The conditions of draft approval will be reviewed periodically and may be amended at any time prior to final approval. The *Planning Act, R.S.O. 1990 c. P.13* provides that draft approval may be withdrawn at any time prior to final approval.
2. Prior to final approval of this Plan for registration, the Director of Planning and Development Services for the Town of Ajax shall be advised in writing by:
  - The Regional Municipality of Durham, how Conditions 1 to 7 have been satisfied;
  - Town of Ajax, how Condition 8 (inclusive) has been satisfied;
  - Toronto and Region Conservation Authority, how Conditions 9 to 18 (inclusive) have been satisfied;
  - Durham District School Board, how Condition 19 has been satisfied;
  - Canada Post Corporation, how Conditions 20 to 24 (inclusive) have been satisfied; and
  - Communication Service Provider (i.e. Bell Canada Inc., Rogers Cable Communications Inc. etc.), how Conditions 25 to 27 have been satisfied;
  - Enbridge Gas Distribution, how Conditions 28 to 33 have been satisfied;
  - Veridian Connections, how Condition 34 - 36 has been satisfied;
3. All Plans of Subdivision must be registered in the Land Titles System within the Regional Municipality of Durham.
4. This Draft Approval shall lapse six (6) years from the date that Draft Approval has been granted if the above-noted conditions have not been fulfilled, or if it has not been extended by the Town.