



Planning & Development Services

Tel. 905-683-4550
Fax. 905-686-0360

TOWN OF AJAX

65 Harwood Avenue South
Ajax ON L1S 2H9
www.townofajax.com

AGENDA

COMMITTEE OF ADJUSTMENT

Town Hall
65 Harwood Avenue South, Ajax
Council Chambers

Wednesday, November 18, 2015 (Special Meeting)
Meeting: 7:00 p.m.

Open Meeting

1. Call to Order
2. Disclosure of Interest
3. Outline of the General Mandate of the Committee of Adjustment.
4. Applications:
 - a. [**A32/15 – Salem Road Subdivisions Ltd – Northeast Corner Salem Road and Harper-Hill Drive**](#)

To permit:

 - A minimum setback from a platform to a rear lot line of 3.0 metres for Part 18 on 40R-28962;
 - A minimum lot frontage of 3.5 metres for Parts 68, 69, 71, 74, 76, 77, 80, 81, 84 and 88 on 40R-28962;
 - A minimum lot depth of 21.5 metres for Part 92 on 40R-28962;
 - A minimum setback from front lot line of 2.6 metres from Dolphin Lane for Parts 67, 70, and 72 on 40R-28962; and
 - A maximum setback from front lot line of 6.5 metres for Part 66 on 40R-28962;
6. Other Business/New Business
7. Adjournment



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TOWN OF AJAX

65 Harwood Avenue South
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November 4, 2015

RE: Minor Variance Application A32/15

IN THE MATTER OF Sections 44 and 45 of the Planning Act (R.S.O.) 1990, c.P.13, as amended;
and,

IN THE MATTER OF an application for minor variance submitted **by The Goldman Group for future parcels of tied land located at the northeast corner of Salem Road North and Harper Hill Drive**

TAKE NOTICE THAT the Committee of Adjustment for the Town of Ajax will meet in the Simcoe Point Room, Town of Ajax Municipal Offices, 65 Harwood Avenue South, Ajax, on **Wednesday, November 18, 2015 at 7:00 p.m.**, to hear this application for relief from **Zoning By-law 95-2003**, as amended, in the following respects:

BY-LAW REQUIREMENT	RELIEF REQUESTED
Section 4.3 Platforms Height Above Finished Ground Level More than 1.2 metres Minimum Setback from Rear lot line: 4.0 metres	To permit a minimum setback from a platform to a rear lot line of 3.0 metres for Part 18 on 40R-28962
Section 7.1.1 List of Exceptions: Exception 163, v) Development Standards for the 'RM5' Zone	
a) Minimum Lot Frontage: 4.8 metres	To permit a minimum lot frontage of 3.5 metres for Parts 68, 69, 71, 74, 76, 77, 80, 81, 84 and 88 on 40R-28962
b) Minimum Lot Depth: 22.0 metres	To permit a minimum lot depth of 21.5 metres for Part 92 on 40R-28962
c) Minimum Setback from Front Lot Line for Dwelling Unit located within Blocks referenced below and illustrated in Schedule 'C':	
ii) Blocks 1 to 7 (inclusive) fronting onto Dolphin Lane: 3.7 metres	To permit a minimum setback from front lot line of 2.6 metres from Dolphin Lane for Parts 67, 70, and 72 on 40R-28962
d) Maximum Setback from Front Lot Line for Dwelling Unit located within Blocks referenced below and illustrated in Schedule 'C':	
ii) Blocks 6 and 7 fronting onto Harper-Hill Drive: 4.3 metres	To permit a maximum setback from front lot line of 6.5 metres for Part 66 on 40R-28962



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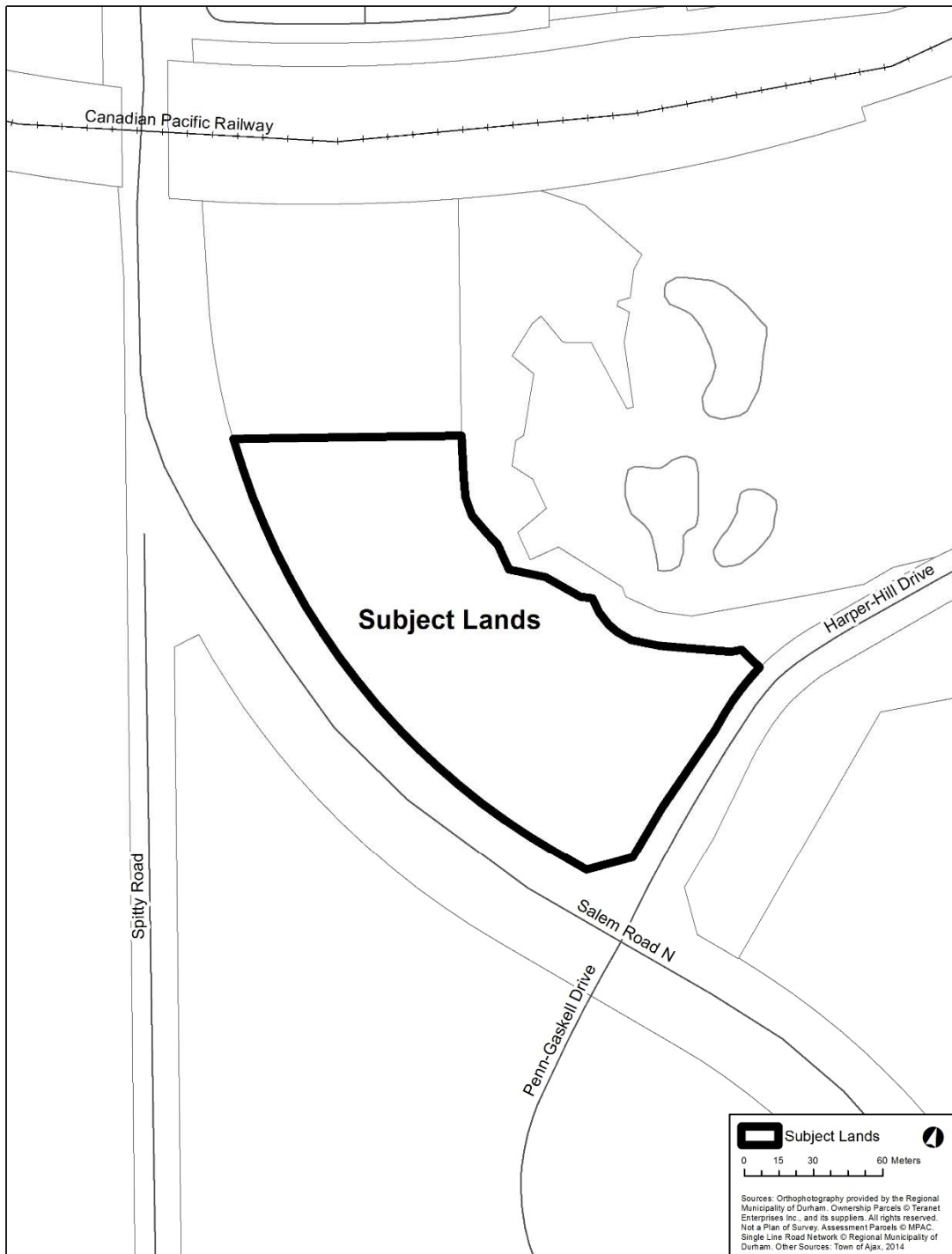
AND FURTHER TAKE NOTICE THAT you are entitled to attend this public hearing to express your views about this application or you may be represented by Counsel for this purpose. If you are unable to attend, you may submit your comments in writing before **4:30 p.m. on Wednesday, November 18, 2015** and they will be considered by the Committee.

A copy of the staff report with recommendations to the Committee will be available after **8:30 a.m. on Wednesday, November 18, 2015 at 65 Harwood Avenue South.**

In the case of the Applicant, if you do not attend the hearing, the Committee may proceed in your absence and you will not be entitled to any further notice of the proceedings.

Those planning to attend the meeting who require accessibility accommodations are asked to contact Mr. Sean McCullough, Secretary-Treasurer of the Committee of Adjustment at Sean.McCullough@ajax.ca or (905) 619-2529 ext. 3234 or at Ajax Town Hall, Planning and Development Services, 65 Harwood Avenue South, by **Friday November 13, 2015**. Alternative formats of documents and materials can be made available upon request.

Bruno Scopacasa, Senior Development Planner
Town of Ajax, Planning and Development Services
T: 905.619.2529 x3204 | F: 905.686.0360
E: bruno.scopacasa@ajax.ca



Application File No. A32/15

**Applicant:
The Goldman Group**

Date: November 4, 2015

Figure 1

Subject Lands

**N/E/C Salem Rd. North
& Harper Hill Drive**

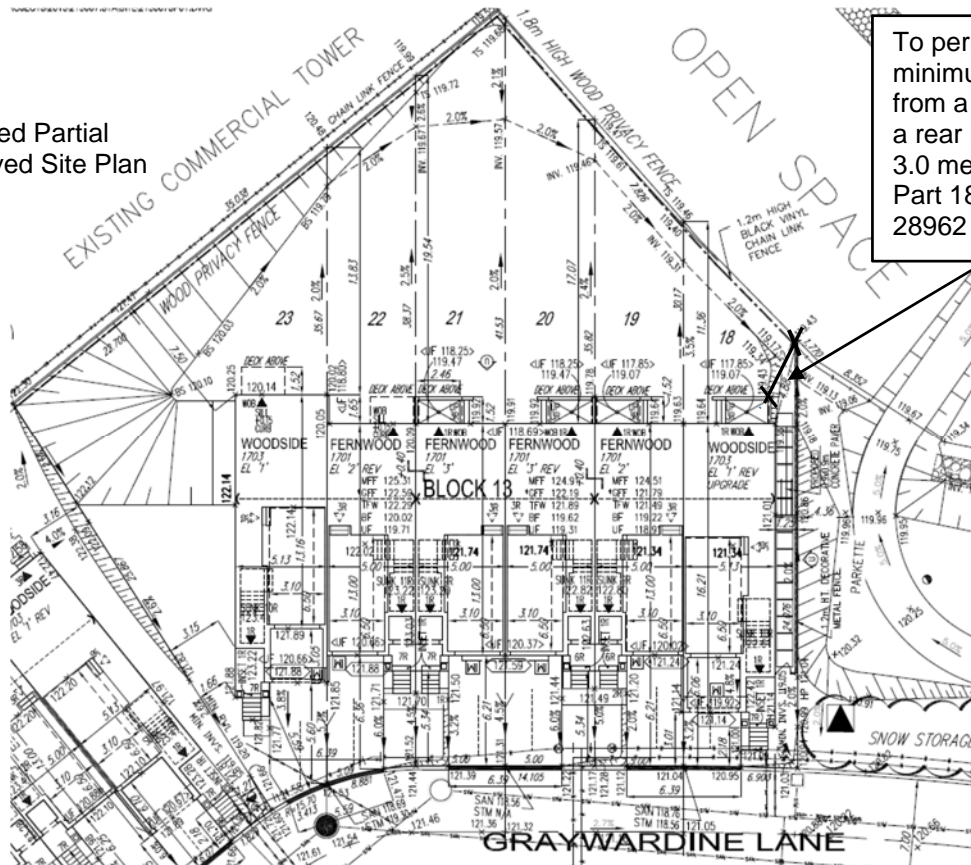


**Town of Ajax
Planning & Development Services**

Approved Site Plan



Enlarged Partial Approved Site Plan



To permit a minimum setback from a platform to a rear lot line of 3.0 metres for Part 18 on 40R-28962

Application File No. A32/15

Applicant:
The Goldman Group

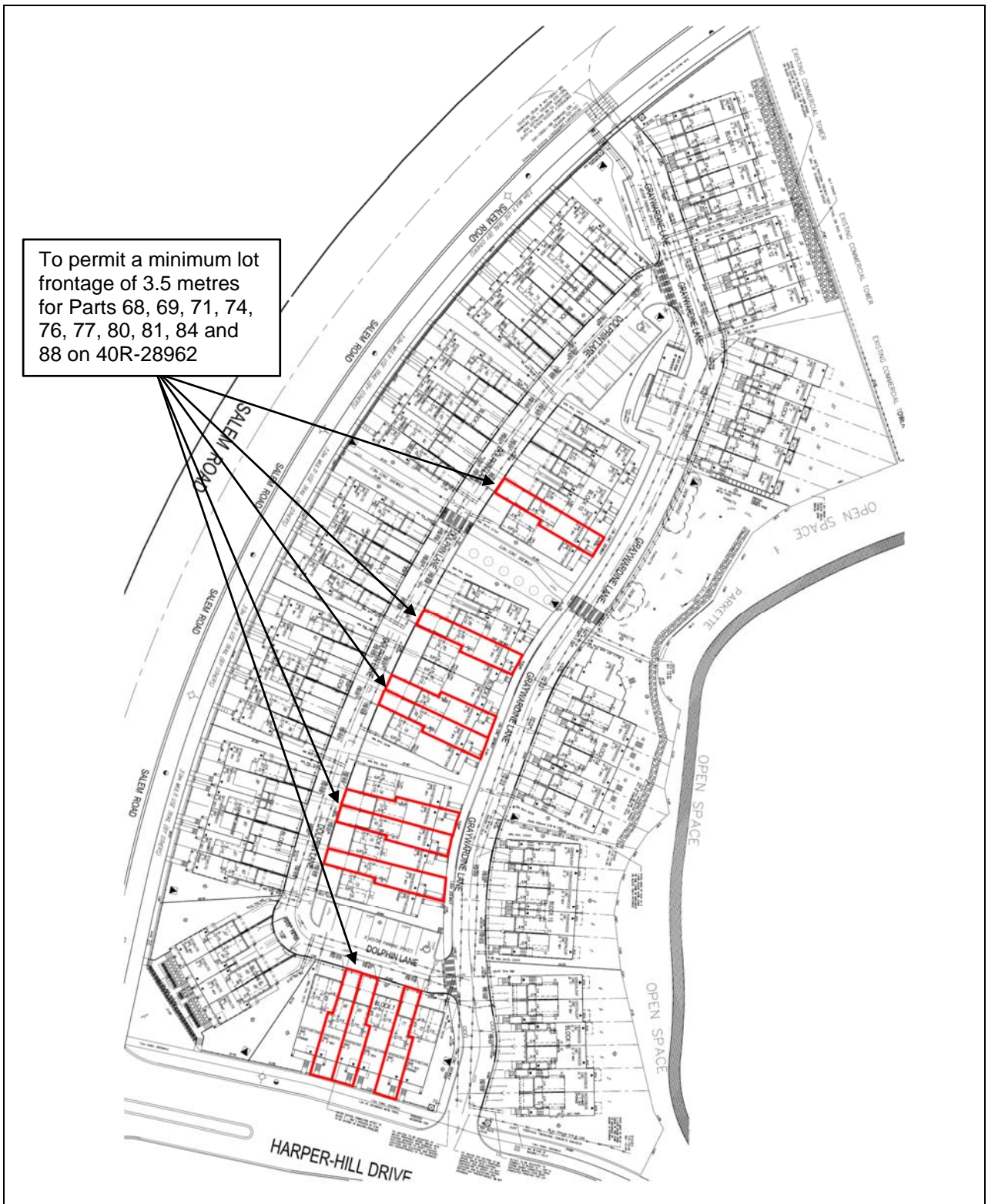
Date: November 4, 2015


Figure 2

N/E/C Salem Rd. North
& Harper Hill Drive

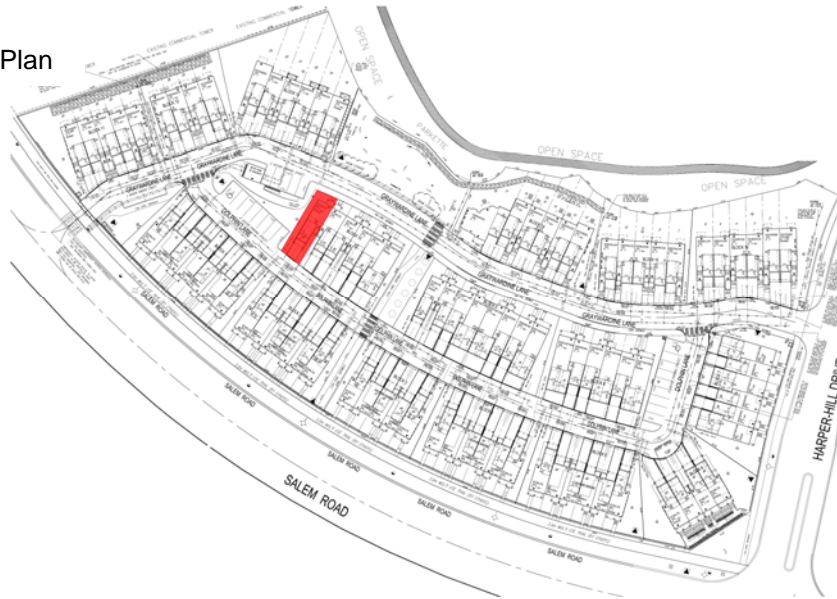


Town of Ajax
Planning & Development Services

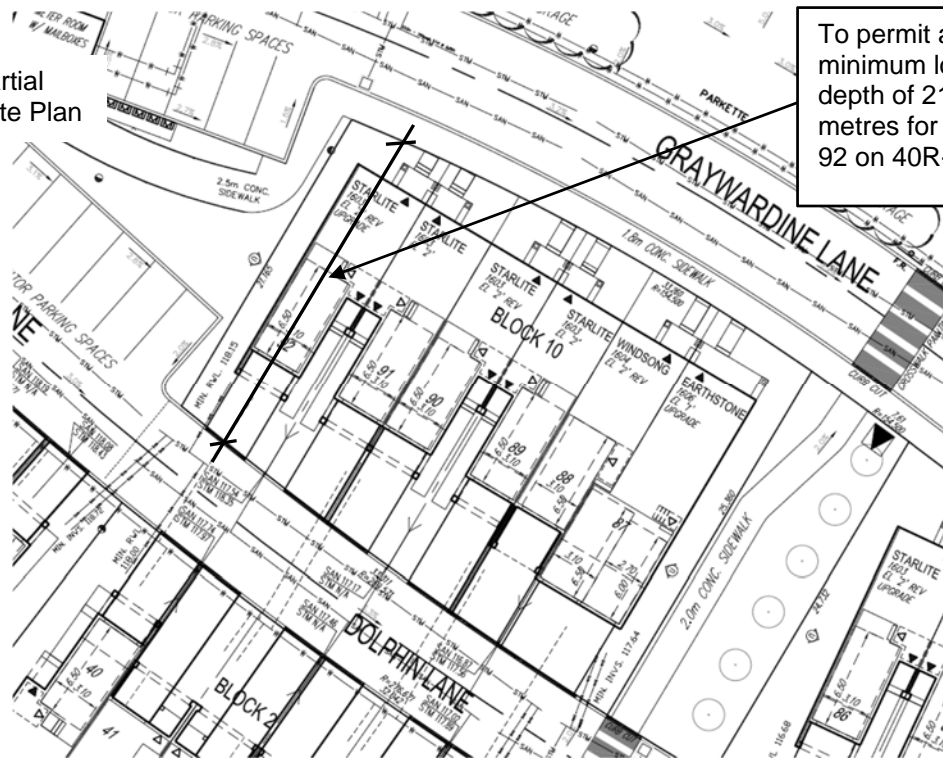


<p>Application File No. A32/15</p> <p>Applicant: The Goldman Group</p> <p>Date: November 4, 2015</p>	<p>Figure 3</p> <p>Approved Site Plan</p> <p>N/E/C Salem Rd. North & Harper Hill Drive</p>	 <p>Town of Ajax Planning & Development Services</p>
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Approved Site Plan



Enlarged Partial
Approved Site Plan



Application File No. A32/15

Applicant:
The Goldman Group

Date: November 4, 2015

Figure 4

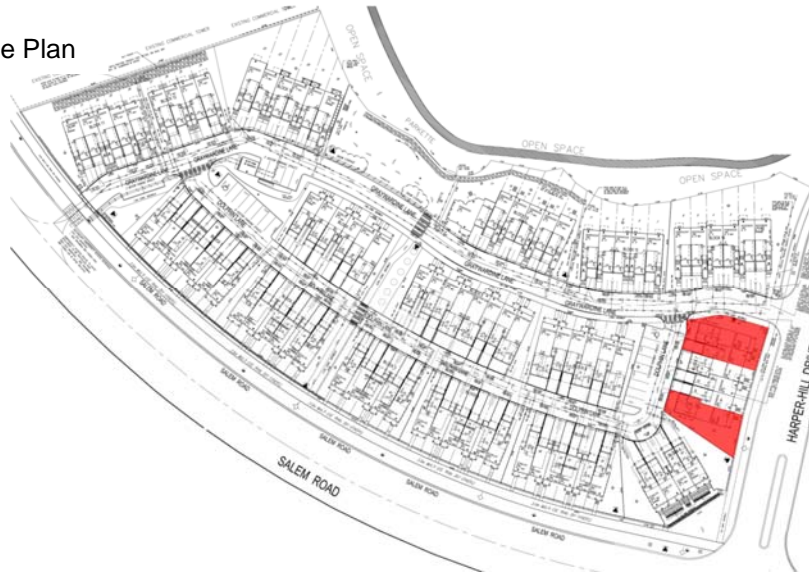
Approved Site Plan

N/E/C Salem Rd. North
& Harper Hill Drive

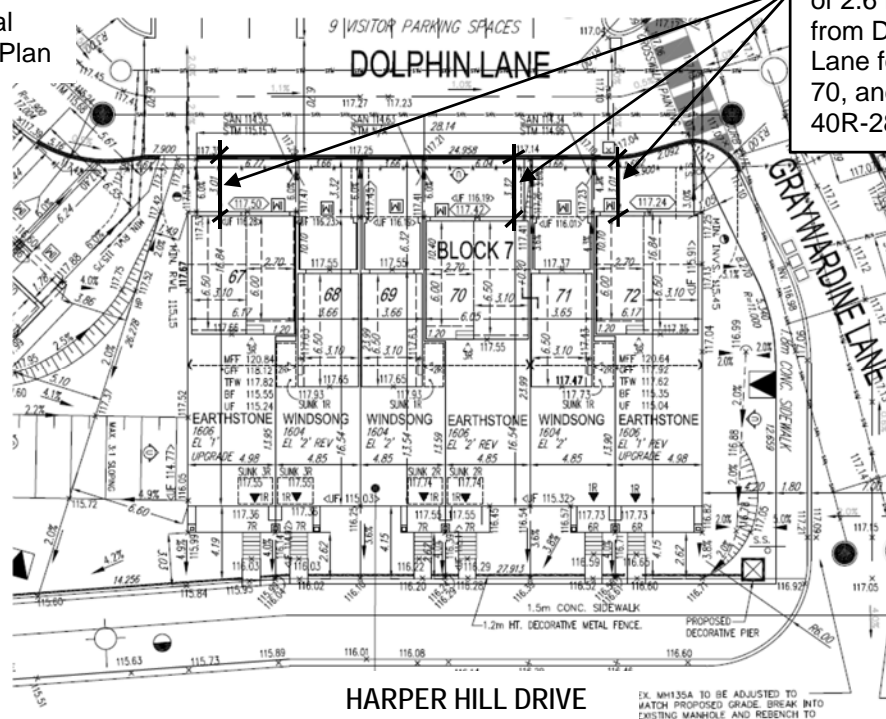


Town of Ajax
Planning & Development Services

Approved Site Plan



Enlarged Partial
Approved Site Plan



To permit a minimum setback from front lot line of 2.6 metres from Dolphin Lane for Parts 67, 70, and 72 on 40R-28962

Application File No. A32/15

Applicant:
The Goldman Group

Date: November 4, 2015

Figure 5

Approved Site Plan

N/E/C Salem Rd. North
& Harper Hill Drive

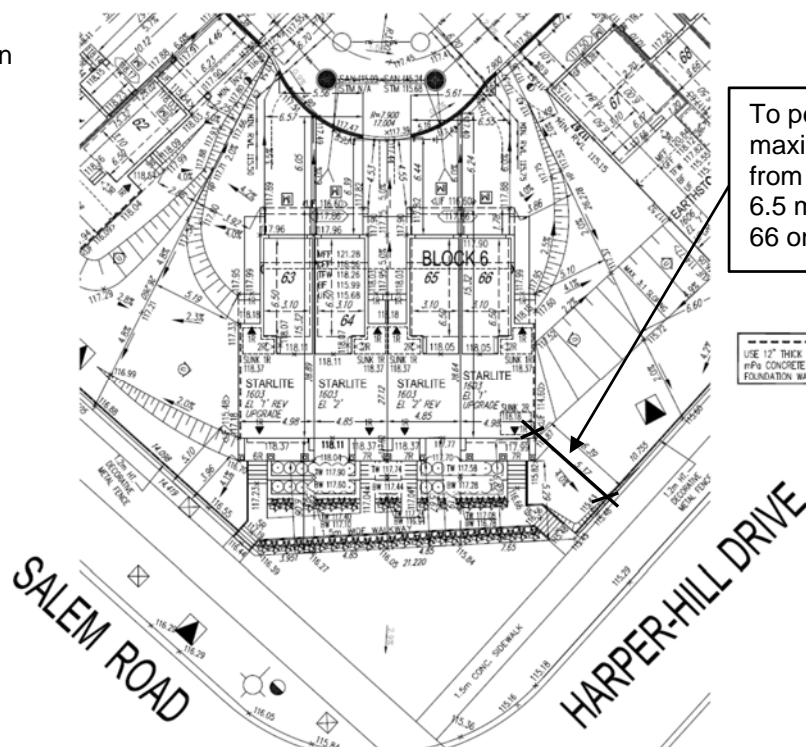


Town of Ajax
Planning & Development Services

Approved Site Plan



Enlarged Partial
Approved Site Plan



Application File No. A32/15

Applicant:
The Goldman Group

Date: November 4, 2015

Figure 6

Approved Site Plan

N/E/C Salem Rd. North
& Harper Hill Drive



Town of Ajax
Planning & Development Services

TOWN OF AJAX REPORT



Report To: Committee of Adjustment

Submitted By: Sean McCullough, BES
Development Planner
Secretary Treasurer, Committee of Adjustment

Prepared By: Bruno Scopacasa, MES, MCIP, RPP
Senior Development Planner

Subject: **Minor Variance Application A32/15**
Salem Road Subdivision Ltd (Stafford Homes)
Northeast corner of Salem Road North and Harper-Hill Drive

Ward: 2

Date of Meeting: November 18, 2015

Recommendation:

That Minor Variance Application A32/15 submitted by The Goldman Group, on behalf of Salem Road Subdivision Ltd (Stafford Homes) to permit:

BY-LAW REQUIREMENT	RELIEF REQUESTED
Section 4.3 Platforms Height Above Finished Ground Level More than 1.2 metres Minimum Setback from Rear lot line: 4.0 metres Section 7.1.1 List of Exceptions: Exception 163, v) Development Standards for the 'RM5' Zone	
a) Minimum Lot Frontage: 4.8 metres	To permit a minimum setback from a platform to a rear lot line of 3.0 metres for Part 18 on 40R-28962
b) Minimum Lot Depth: 22.0 metres	To permit a minimum lot frontage of 3.5 metres for Parts 68, 69, 71, 74, 76, 77, 80, 81, 84 and 88 on 40R-28962 To permit a minimum lot depth of 21.5 metres for Part 92 on 40R-28962

BY-LAW REQUIREMENT		RELIEF REQUESTED
c)	Minimum Setback from Front Lot Line for Dwelling Unit located within Blocks referenced below and illustrated in Schedule 'C':	To permit a minimum setback from front lot line of 2.6 metres from Dolphin Lane for Parts 67, 70, and 72 on 40R-28962
ii)	Blocks 1 to 7 (inclusive) fronting onto Dolphin Lane: 3.7 metres	
d)	Maximum Setback from Front Lot Line for Dwelling Unit located within Blocks referenced below and illustrated in Schedule 'C':	To permit a maximum setback from front lot line of 6.5 metres for Part 66 on 40R-28962
ii)	Blocks 6 and 7 fronting onto Harper-Hill Drive: 4.3 metres	

be approved subject to the following condition:

- 1. That the applicant obtain a building permit from the Town of Ajax for the applicable Parts on 40R-28962, or this decision shall become null and void.**

Background & Proposal:

In March 2014, Salem Road Subdivision Ltd. (Stafford Homes), submitted Zoning By-law Amendment (Z3/14), Draft Plan of Subdivision (S-A-2014-02) and Site Plan (SP4/14) applications to develop 92, 3-storey multiple attached dwellings within a common element condominium at the northeast corner of Salem Road North and Harper-Hill Drive.

Council approved these applications on March 13, 2015. The development is currently under construction.

On September 16, 2015, Salem Road Subdivision Ltd. (Stafford Homes), submitted Draft Plan of Condominium (C-A-2015-03) and Part Lot Control (PLC2/15) applications in order to establish Parts (i.e. Parcels of Tied Land) and identify areas of the condominium development that are in common ownership. These applications are currently under review.

Surrounding Land Uses:

The subject lands encompass an area of 2.02 hectares (4.99 acres) with 248 metres (814 feet) of frontage onto Salem Road North and 99 metres (325 feet) of frontage onto Harper-Hill Drive. North of the subject lands is a Rogers Communications facility. Further north is the Canadian Pacific Railway and the Mountcliffe residential neighbourhood consisting of townhouses and single detached dwellings. East of the subject lands are Town owned lands designated Environmental Protection which contain a wetland and a gravel nature trail. To the south is Harper-Hill Drive and vacant lands designated Prestige Employment. Immediately west of the subject lands is Salem Road North. Further west are vacant lands designated Prestige Employment and the dual high school campus of Notre Dame Catholic Secondary School and J. Clarke Richardson Collegiate.

Town of Ajax Official Plan:

The Town of Ajax Official Plan designates the subject lands Medium Density Residential. 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 45.4 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 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 Salem Road North and Harper-Hill Drive. 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 and is buffered from employment lands to the south and west by Harper-Hill Drive and Salem Road North.

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

Town of Ajax Zoning By-law:

The subject lands are currently zoned Residential Multiple Five (RM5) Zone and are subject to Exception 163. The RM5 zone category permits multiple attached dwellings. Zoning By-law Amendment application Z3/14 amended Exception 163 by establishing detailed development standards, including provisions for lot frontage, lot depth, setbacks to dwellings, coverage and accessory buildings.

Requested Minor Variance:

Minimum Setback from a Platform to a Rear Lot Line

The Zoning By-law requires a minimum setback of 4 metres to a rear property line for platforms that are 1.2 metres or more above finished grade. The intent of the minimum setback is to maintain an appropriate buffer between the platform on a lot and abutting properties. The rear lot line of Part 18 on 40R-28962 (end unit in Block 13) is irregular and therefore reduces the rear yard at the northeast corner. Part 18 backs onto environmental protected lands owned by the Town and flanks a private park associated with the condominium development. This arrangement eliminates any potential impact the proposed 3.0 metre setback from a platform to

a rear lot line may have on abutting properties. The platforms closer proximity to the rear and interior side lot line allows for nature surveillance over the adjacent environmental protected lands and private park. This is a design strategy directed at mitigating crime and assists in people using these spaces feeling safer when they can easily see and be seen. Therefore, staff are of the opinion that the requested variance is minor in nature and is a desirable and appropriate development of the property.

Minimum Lot Frontage

The purpose of the minimum lot frontage is to maintain a desirable and uniform streetscape, and to accommodate side yard setbacks that create appropriate buffers between dwellings units. The Zoning By-law requires a 4.8 metre minimum lot frontage, whereas 3.5 metres is proposed for Parts 68, 69, 71, 74, 76, 77, 80, 81, 84 and 88 on 40R-28962. The frontage of these Parts are all impacted by adjacent units that have double car garages.

The requested variance is considered technical as the 3.5 metre lot frontages for these Parts were always proposed and was not accounted for when the site specific development standards were implemented through Zoning By-law Amendment application Z3/14. These Parts are all double fronted, and are bounded on either end by Dolphin Lane and Graywardine Lane or Harper-Hill Drive. All of the reduced lot frontages front onto Dolphin Lane. Dolphin Lane will be lined with garages and secondary entrances to dwelling units. These Parts all comply with the minimum lot frontage of 4.8 metres on the opposite side where principal entrances are located with front porches and pedestrian connects to side walkways.

The proposed variance will continue to maintain a desirable and uniform streetscape. Further, the affected Parts are all interior units within the townhouse block, so accommodating appropriate buffers between units is not applicable. Staff are of the opinion that the requested variance is minor in nature and is a desirable and appropriate development of the property.

Minimum Lot Depth

The intent of the minimum lot depth requirement within a residential zone category is to provide for an appropriate sized lot to accommodate a dwelling while maintaining amenity areas in the front and rear yards. The requested variance for Part 92 on 40R-28962 (end unit in Block 10) is to permit a minimum lot depth of 21.5 metres, whereas the site specific development standards require 22.0 metres. Part 92 is slightly impacted by the curvature of Graywardine Lane as it begins to bend west to meet Salem Road North. The Graywardine Lane and Salem Road North intersection provides secondary emergency access and is controlled by a p-gate. The development has allocated principal amenity areas on porches and/or balconies for each dwelling unit, and within the private park. This is the typical approach in providing amenity areas in compact urban developments such as the development proposed on the subject lands. Therefore, staff are of the opinion that the requested variance is minor in nature and is a desirable and appropriate development of the property.

Minimum Setback from Front Lot Line

The intent of the minimum front yard setback is to maintain an appropriate front yard amenity area and provide a buffer between the building on the lot and the street. The site specific development standards requires a minimum and maximum setback from the front lot line for all units within Blocks 1 through to 7 (inclusive), located between Salem Road North and Harper-Hill Drive, and Dolphin Lane. This is to ensure that townhouse blocks are sited to create a strong building-to-street relationship. All units within Blocks 1 through to 7 (inclusive) are double fronted with principal front doors fronting onto Salem Road North or Harper-Hill Drive and garages with secondary dwelling unit entrances that are accessed from Dolphin Lane.

Parts 67, 70 and 72 on 40R-28962 represent the two end units and a middle unit within Block 7. These units have a double car garage. The driveway of these units are not required to accommodate the parking of a vehicle, as the double car garage meets the Zoning By-law parking requirements of 1.5 parking spaces per unit. Therefore, the garages are located closer to the front lot line than the adjoining units which have single car garages with a 5.7 metre long drive that accommodates an additional parking space.

The site specific development standards requires dwelling units within Block 7 to have a minimum setback of 3.7 metres from Dolphin Lane and to have a minimum setback of 3.0 metres and maximum setback of 4.3 metres from Harper-Hill Drive. The setback range along Dolphin Lane ensures that the dwelling units are sited to create a strong dwelling-to-street relationship. In order to enforce this relationship front porches and pedestrian connections to the municipal sidewalk have been provided, along with enhanced soft and hard landscaping on these highly visible dwelling units that front Harper-Hill Drive.

Based on the foregoing the proposed 2.6 metre minimum setback from Dolphin Lane for Parts 67, 70 and 72 would be deemed appropriate and desirable as the dwellings units will still maintain a strong building presence along the public street. The reduced setback does not impact the ability to provide amenity space as each dwelling unit in the development has been designed with porches and/or balconies. The reduced minimum setback does not impact the ability to provide the required parking as these units have double car garages. Further, the proposed enhanced landscaping along Harper-Hill Drive will reinforce the dwelling units' contribution to the streetscape and maintain the general intent and purpose of the Official Plan and Zoning By-law.

Maximum Setback from Front Lot Line

The purpose of the maximum front yard setback requirement within the Zoning By-law is to ensure that buildings are located in close proximity to the respective property lines and to maintain a desirable and uniform streetscape.

As previously discussed, the site specific development standards requires a minimum and maximum setback from the front lot line for all dwelling units within Blocks 1 through to 7 (inclusive), located between Salem Road North and Harper-Hill Drive, and Dolphin Lane. This is to ensure that townhouse blocks are sited to create a strong dwelling-to-street relationship. All units within Blocks 1 through to 7 (inclusive) are double fronted with principal front doors fronting onto Salem Road North or Harper-Hill Drive and garages with secondary dwelling unit entrances that are accessed from Dolphin Lane.

Part 66 on 40R-28962 (located within Block 6) fronts the northeast corner of the Salem Road North and Harper-Hill Drive intersection, a highly visible location. This townhouse block also presents a grading challenge as the grade drops significantly from Dolphin Lane to the intersection of Salem Road North and Harper-Hill Drive. The change in grade would undermine the functionality of the dwelling's interior floor space by having to make up the grade within the dwelling unit with multiple levels and flights of stairs. Moving the townhouse block closer to Dolphin Lane allows for a functional dwelling unit floor plate. The change in grade is addressed in the yard fronting the intersection through tiered retaining walls and extensive landscaping. The townhouse block location, along with the extensive landscaping and strong pedestrian connections, creates the desired strong dwelling-to-street relationship. Further, the townhouse block is sited in line with adjacent townhouse blocks located along Salem Road North and Harper-Hill Drive to create a desirable and uniform streetscape.

Given the foregoing the requested variance to permit a maximum setback of 6.5 metres, whereas the Zoning By-law requires 4.3 metres for Part 66 on 40R-28962 located within Block 6 of the proposed development, is considered minor in nature and desirable for the appropriate

development of the property. It maintains the general intent and purpose of the Official Plan and Zoning By-law.

Other Comments:

Comments have been received from:

Building Services:	no comments;
Design Services:	no comments;
Engineering Services:	no comments;
Transportation Services:	no comments;
Operations Services:	no comments;
Fire Services:	no comments;

Communications:

In accordance with the *Planning Act* this application has been circulated to property/business owners within 60 metre of the subject properties. Notice of Application for Minor Variance was posted in a visible location along or near the property lines of the subject property.

Conclusion:

Based on the discussion above, **Minor Variance Application A32/15**, submitted by The Goldman Group, on behalf of Salem Road Subdivision Ltd (Stafford Homes), to permit

1. A minimum setback from a platform to a rear lot line of 3.0 metres for Part 18 on 40R-28962;
2. A minimum lot frontage of 3.5 metres for Parts 68, 69, 71, 74, 76, 77, 80, 81, 84 and 88 on 40R-28962;
3. A minimum lot depth of 21.5 metres for Part 92 on 40R-28962;
4. A minimum setback from front lot line of 2.6 metres from Dolphin Lane for Parts 67, 70, and 72 on 40R-28962; and
5. A maximum setback from front lot line of 6.5 metres for Part 66 on 40R-28962;

can be supported given that the proposed development will provide a compact urban built form with a strong dwelling-to-street relationship along a significant 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 built environment policies of the Town of Ajax Official Plan.

Based on the above discussion, staff support the **Minor Variance Application A32/15**, subject to the above-noted conditions, as these requests are:

- 1) minor in nature;
- 2) desirable and an appropriate use of the land; and

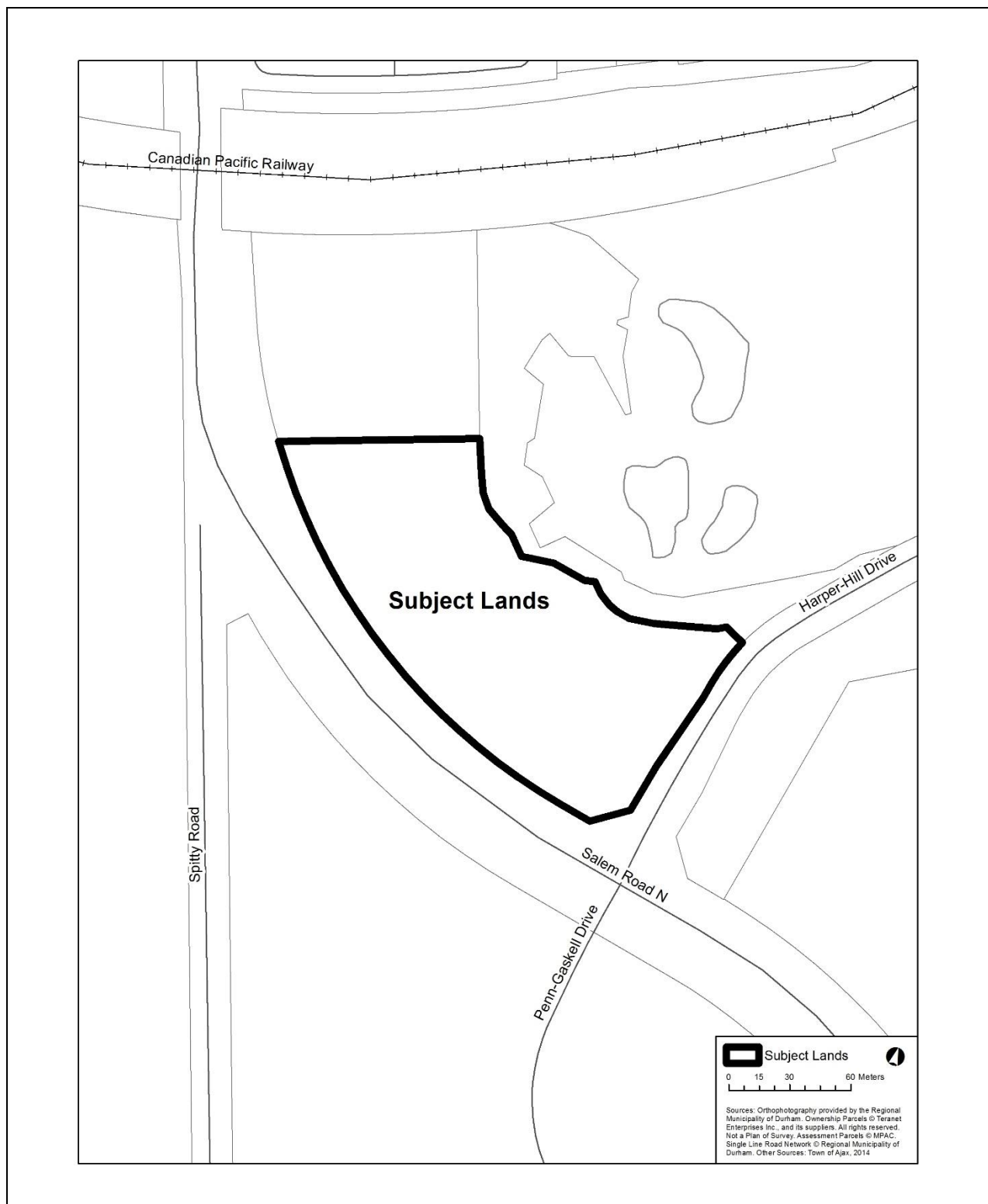
- 3) in keeping with the general intent and purpose of the Official Plan and Zoning By-law.



Bruno Scopacasa, MES, MCIP, RPP
Senior Development Planner



Sean McCullough, BES
Development Planner
Secretary Treasurer, Committee of Adjustment



Application File No. A32/15

Applicant:
The Goldman Group

Date: November 18, 2015

Figure 1

Subject Lands

**n/e/c Salem Rd. North
& Harper-Hill Drive**

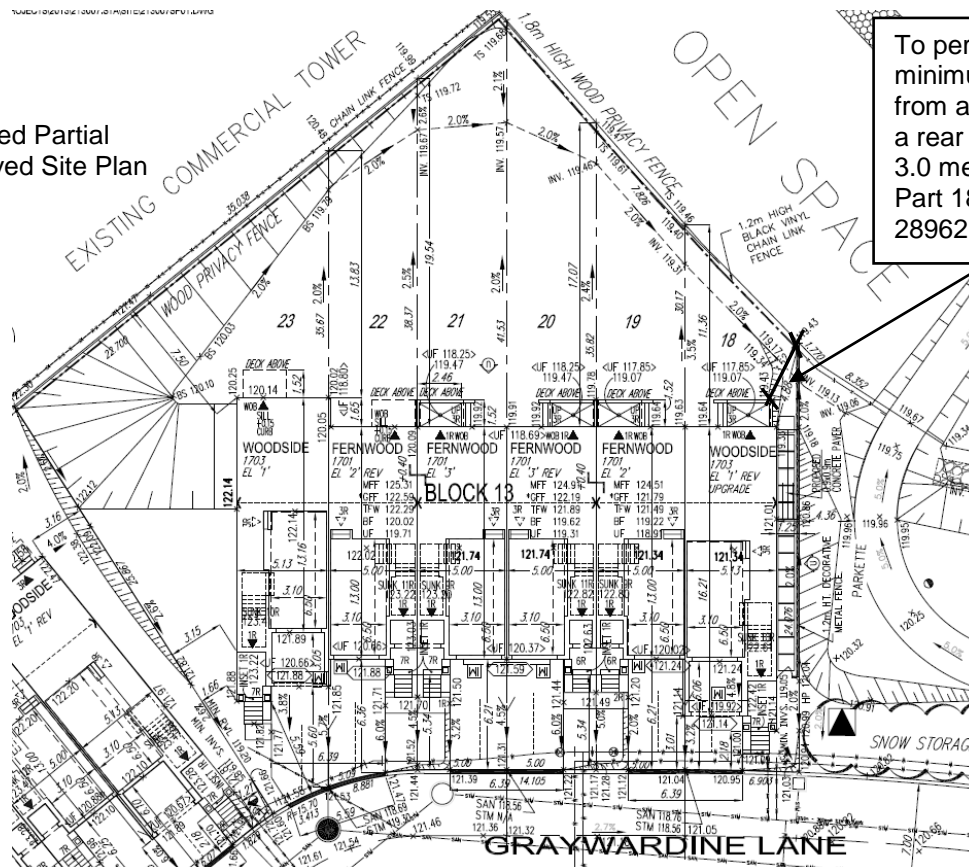


**Town of Ajax
Planning & Development
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Approved Site Plan



Enlarged Partial
Approved Site Plan



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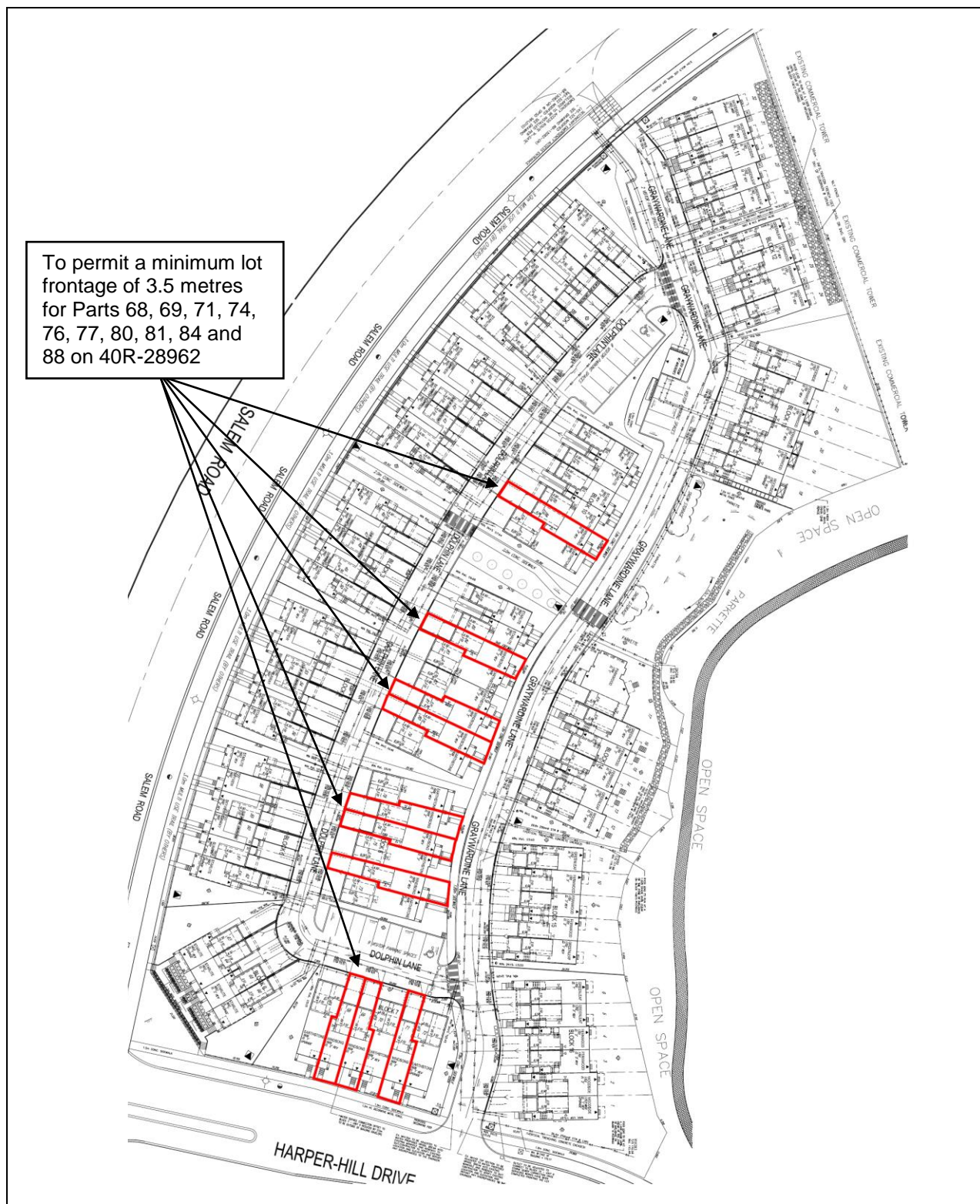
Date: November 18, 2015

Figure 2

n/e/c Salem Rd. North
& Harper-Hill Drive



Town of Ajax
Planning & Development
Services



Application File No. A32/15

Applicant:
The Goldman Group

Date: November 18, 2015

Figure 3

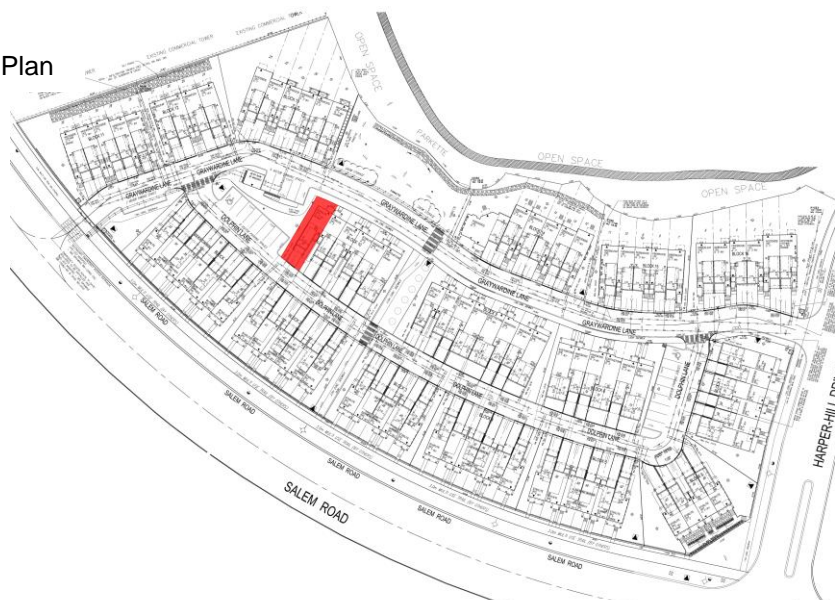
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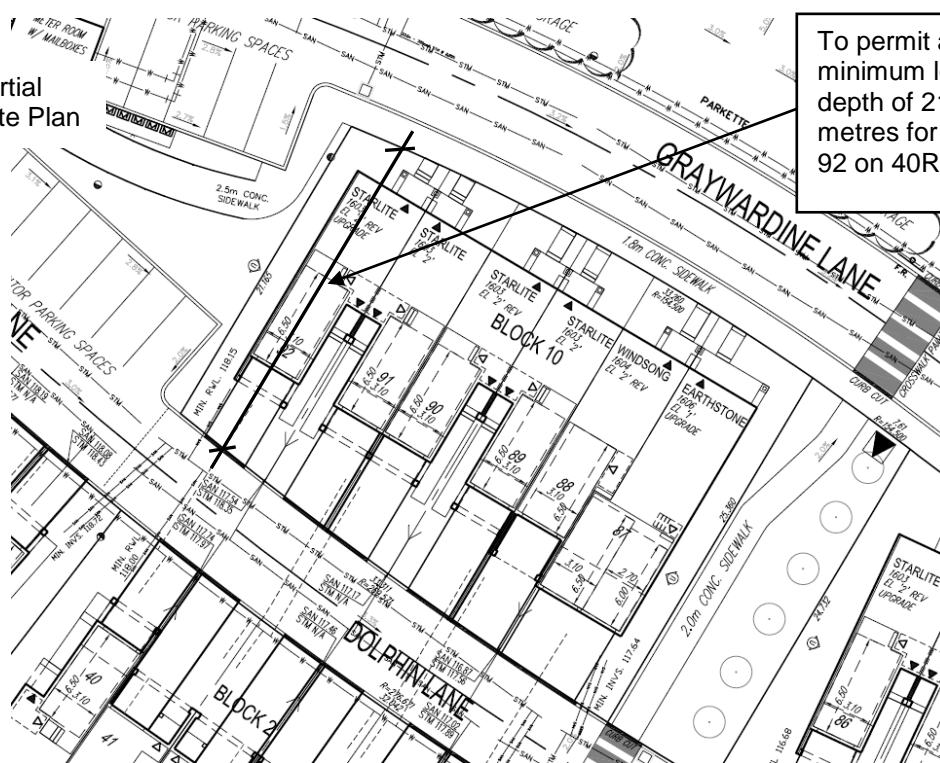


Town of Ajax
Planning & Development
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Approved Site Plan



Enlarged Partial
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To permit a minimum lot depth of 21.5 metres for Part 92 on 40R-28962

Application File No. A32/15

Applicant:
The Goldman Group

Date: November 18, 2015

Figure 4

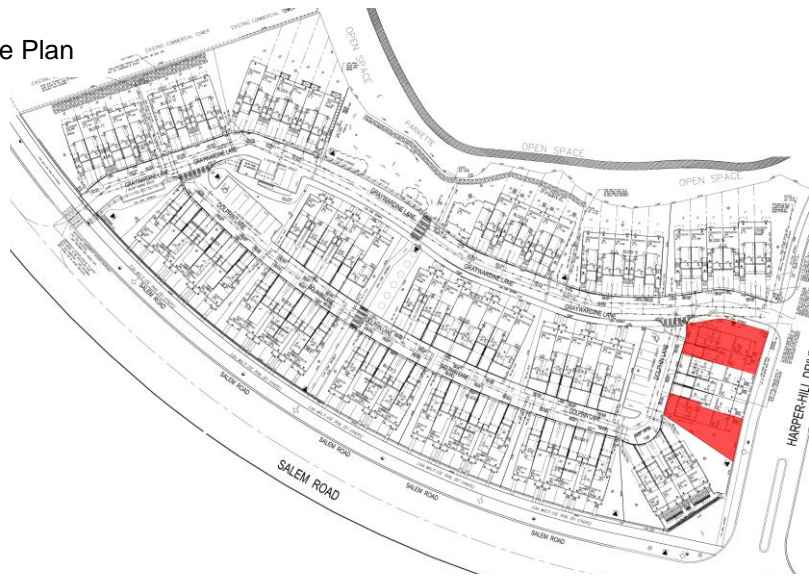
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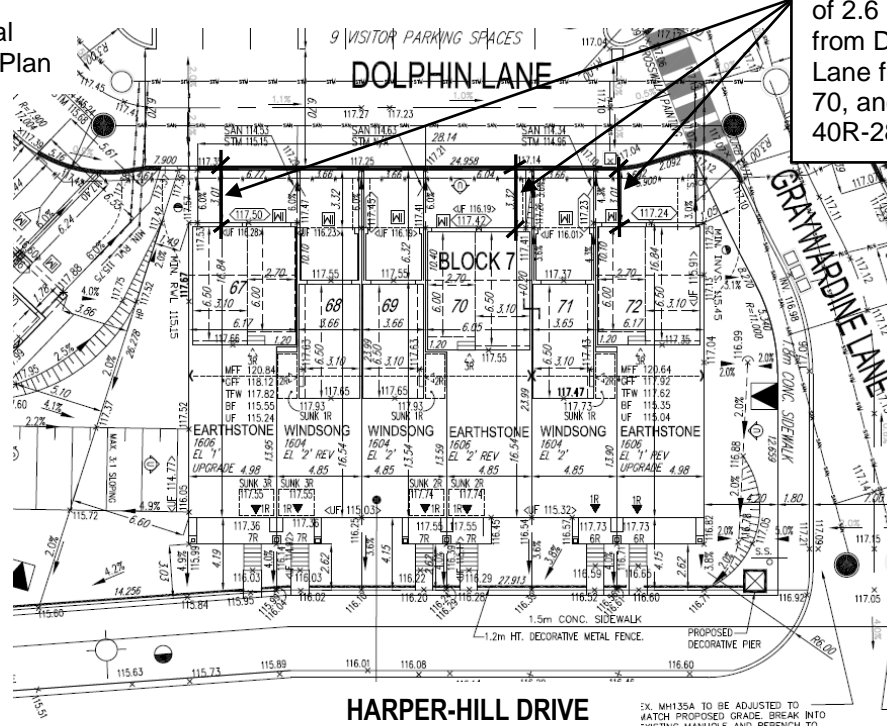


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To permit a minimum setback from front lot line of 2.6 metres from Dolphin Lane for Parts 67, 70, and 72 on 40R-28962

Application File No. A32/15

Applicant:
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Figure 5

Approved Site Plan

n/e/c Salem Rd. North
& Harper-Hill Drive

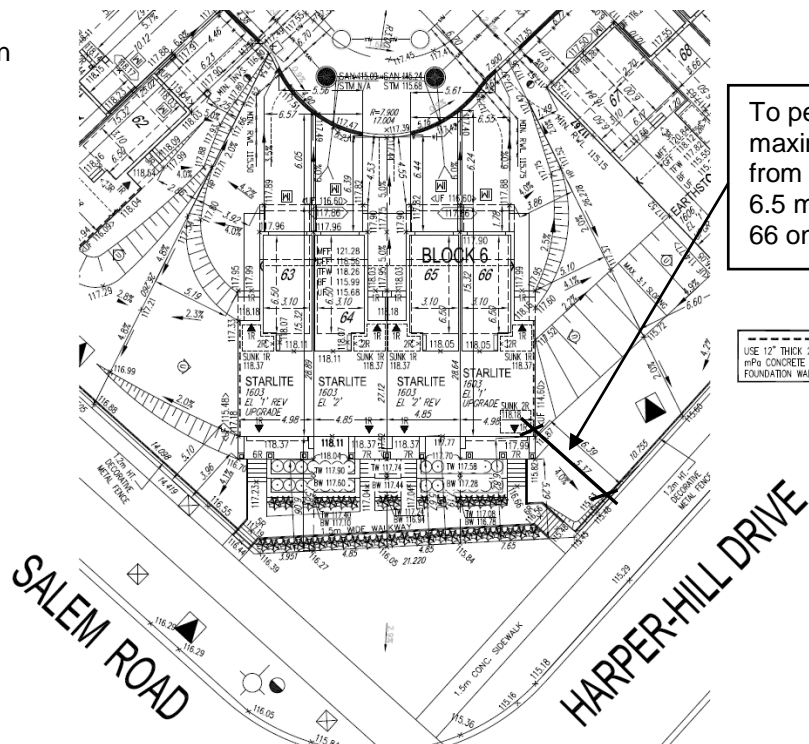


Town of Ajax
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Figure 6

Approved Site Plan

n/e/c Salem Rd. North
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Town of Ajax
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