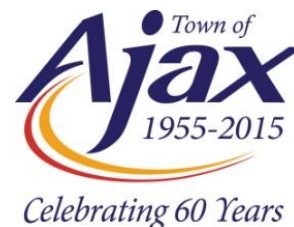


The Corporation of the Town of Ajax

COMMUNITY AFFAIRS AND PLANNING COMMITTEE

Monday, May 4, 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 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 **April 20, 2015** 3

4. Public Meeting

4.1 **Miller Creek Developments Inc. (Esquire Homes)**
Zoning By-law Amendment Application Z6/07
Draft Plan of Subdivision Application S-A-2012-01
Draft Plan of Condominium Application C-A-2012-04
Site Plan Application SP16/12
(south side of Taunton Rd. West, west of Hardwood Avenue North), P. Allore, Director
of Planning & Development Services / G. Romanowski, Development Approvals
Coordinator 5

4.2 **Site Plan Application SP16/13**
Rogers Telecommunications Tower
1748 Westney Road North, P. Allore, Director of Planning & Development Services / S.
McCullough, Development Planner 40

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 April 20, 2015**

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

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

1. Call to Order

Chair Collier called the meeting to order at 7:00 p.m. It was noted that Mayor Parish and Councillor Brown 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 April 7, 2015, be adopted.

CARRIED

4. Public Meetings

None

5. Reports

5.1 2015 Traffic Calming Warrant Update (2015TCWU),

Hubert Ng, Senior Transportation Planner, presented in respect to the 2015 Traffic Calming Warrant Update along with Mr. Jaime Garcia, a consultant from CIMA+. Background information was provided on the existing TCW, followed by an overview of the proposed changes which include a simplified procedure for public support, and improved processes for project identification, evaluation, and scoring, among other improvements.

In response to questions from Committee members, Mr. Ng confirmed that previously submitted traffic-calming requests will remain on record and will not be lost as part of this update; it was also confirmed that a rationale or explanation will be available for all requests which do not qualify for traffic-calming.

Moved by: C. Jordan

Seconded by: J. Dies

1. That the report to Community Affairs and Planning Committee entitled "2015 Traffic Calming Warrant Update" dated April 20, 2015, be received for information.
2. That the 2015 Traffic Calming Warrant Update be adopted and endorsed to address the existing and future traffic calming related requests in the Town of Ajax.

CARRIED

6. Reports

None

7. Adjournment

Moved by: P. Brown

Seconded by: C. Jordan

That the April 20, 2015 meeting of the Community Affairs and Planning Committee be adjourned. (7:30 p.m.)

CARRIED

M. de Rond, 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: Geoff Romanowski, MCIP, RPP, CPT
Development Approvals Coordinator

SUBJECT: **Miller Creek Developments Inc. (Esquire Homes)**
Zoning By-law Amendment Application Z6/07
Draft Plan of Subdivision Application S-A-2012-01
Draft Plan of Condominium Application C-A-2012-04
Site Plan Application SP16/12
(south side of Taunton Road West, west of Harwood Avenue North)

WARD: 2

DATE OF MEETING: May 4, 2015

REFERENCE: Site Plan Application SP3/13 (Sales Trailer)

RECOMMENDATIONS:

1. That Zoning By-law Amendment Z6/07, submitted by Miller Creek Developments Inc. (Esquire Homes), 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-2012-01, submitted by Miller Creek Developments Inc. (Esquire Homes), be endorsed and that staff be authorized to grant draft approval of the draft plan, subject to the proposed draft conditions, as provided within Attachment 2 to this report;
3. That Draft Plan of Condominium C-A-2012-04, submitted by Miller Creek Developments Inc. (Esquire Homes), be endorsed and that staff be authorized to grant draft approval of the draft plan, subject to the proposed draft conditions, as provided within Attachment 3 to this report; and
4. That Site Plan SP16/12, submitted by Miller Creek Developments Inc. (Esquire Homes), be endorsed, and that staff be authorized to grant final site plan approval subject to all drawings including detailed engineering, landscaping, and related details being finalized, to the satisfaction of the Town of Ajax.

1.0 PURPOSE:

Miller Creek Developments Inc. (Esquire Homes) has filed applications to rezone the subject lands on the south side of Taunton Road, west of Harwood Avenue, from Residential Three (R3) Zone and Residential Two - B (R2-B) Zone to Residential Multiple Six (RM6) Zone and Environmental Protection (EP) Zone, to permit the development of 27, 2-storey multiple attached dwellings within a common element condominium.

The submitted draft plan of subdivision will create a development block which is required to establish a common element condominium. The draft plan of condominium will serve to create a common elements condominium while the 27 Parcels of Tied Land (POTLs), will be created through the part lot control exemption process. The submitted zoning by-law amendment, aside from changing the zone category will establish the development standards for each of the lots.

Three parcels of land (Blocks 2, 3, and 4 of the draft plan) will be zoned Environmental Protection (EP) and conveyed to the Town of Ajax.

The purpose of this report is to discuss and recommend approval of the zoning by-law amendment, draft plan of subdivision, draft plan of condominium, and site plan applications.

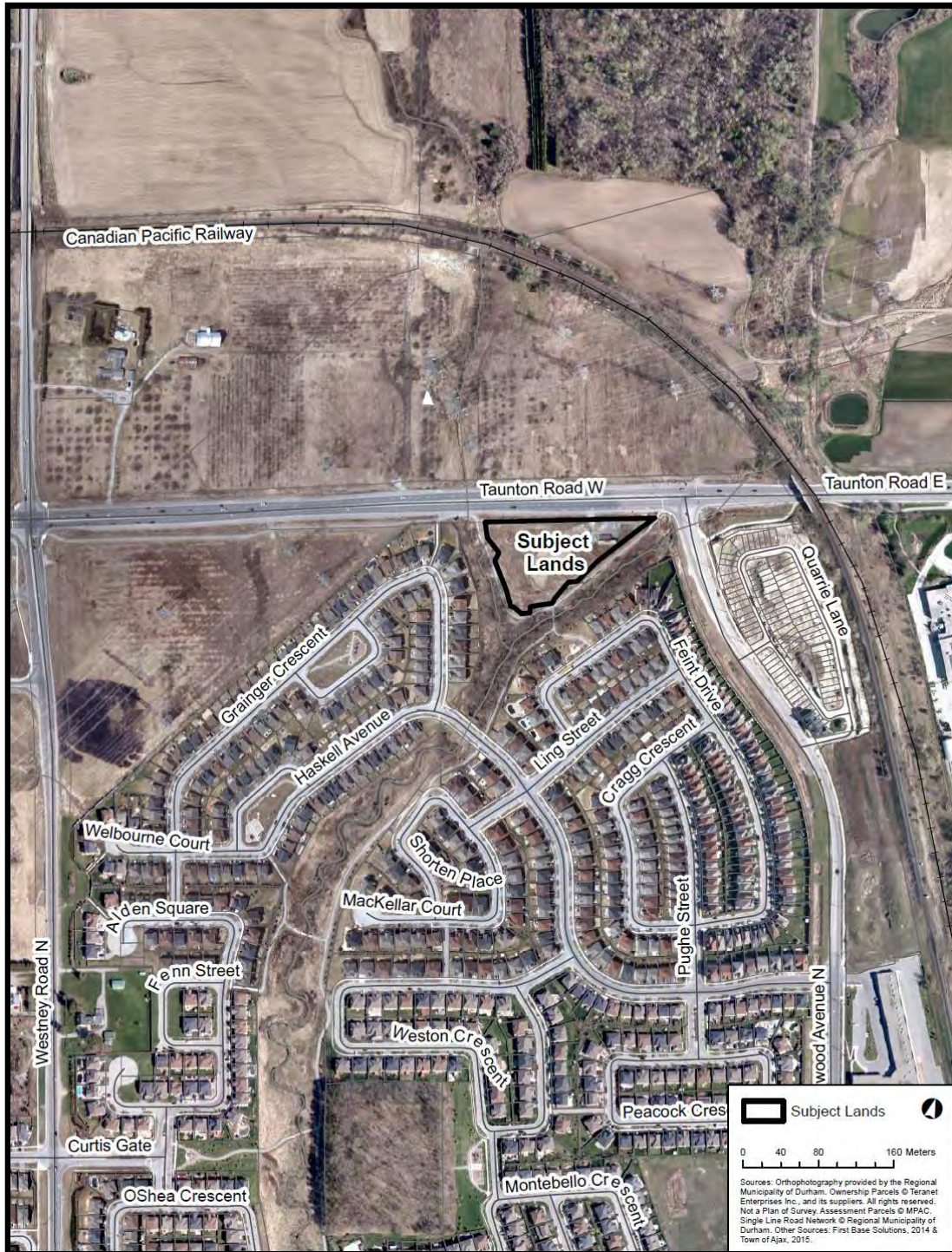
1.1 Property Location and Surrounding Land Use Context

The subject lands encompass an area of approximately 1.0 hectares (2.4 acres) with 180 metres of frontage onto Taunton Road West. The subject lands currently accommodate a Sales Trailer, which was approved through Site Plan Application SP3/13. The subject lands are surrounded by the following land uses (See Figure 1):

- North: To the north is Taunton Road West. Across Taunton Road West are rural lands within the Greenbelt, transmission lines associated with a Hydro One corridor, and the Canadian Pacific Railway (CPR) Belleville Subdivision.
- East: To the east is Harwood Avenue North, Miller's Creek, the Harwood Meadows Condominium (Oxnard Homes), and the Canadian Pacific Railway (CPR) Belleville Subdivision. East of the CPR rail line is the Veridian Connections Head Office and further east is the Wyndam Manor residential community.
- South: To the south is Miller's Creek. South of Miller's Creek is the Canterbury Trails and Nottingham residential communities.
- West: To the west is the west branch of Miller's Creek. Across the west branch of Miller's Creek is the Nottingham residential community, transmission lines associated with a Hydro One corridor, and Westney Road North.

2.0 BACKGROUND

In 1994 the subject lands were designated for medium density residential development through the approval of the former A6 Neighbourhood Plan (Neighbourhood 2). Although included within the overall draft plan when the area was considered for development, it was left out of the registered plan when the neighbouring development of Canterbury Trails was registered. The draft approved plan for the overall development originally illustrated a medium density residential block (Block 1), approximately 1.0 hectare (2.4 acres) is area, providing for a maximum of 50 units. This plan was approved by the Ontario Municipal Board in March 22, 1999. An amended draft plan was draft approved on December 28, 2004 (see Figure 2).

**Applications:**

Z6/07, S-A-2012-01, C-A-2012-04 & SP16/12

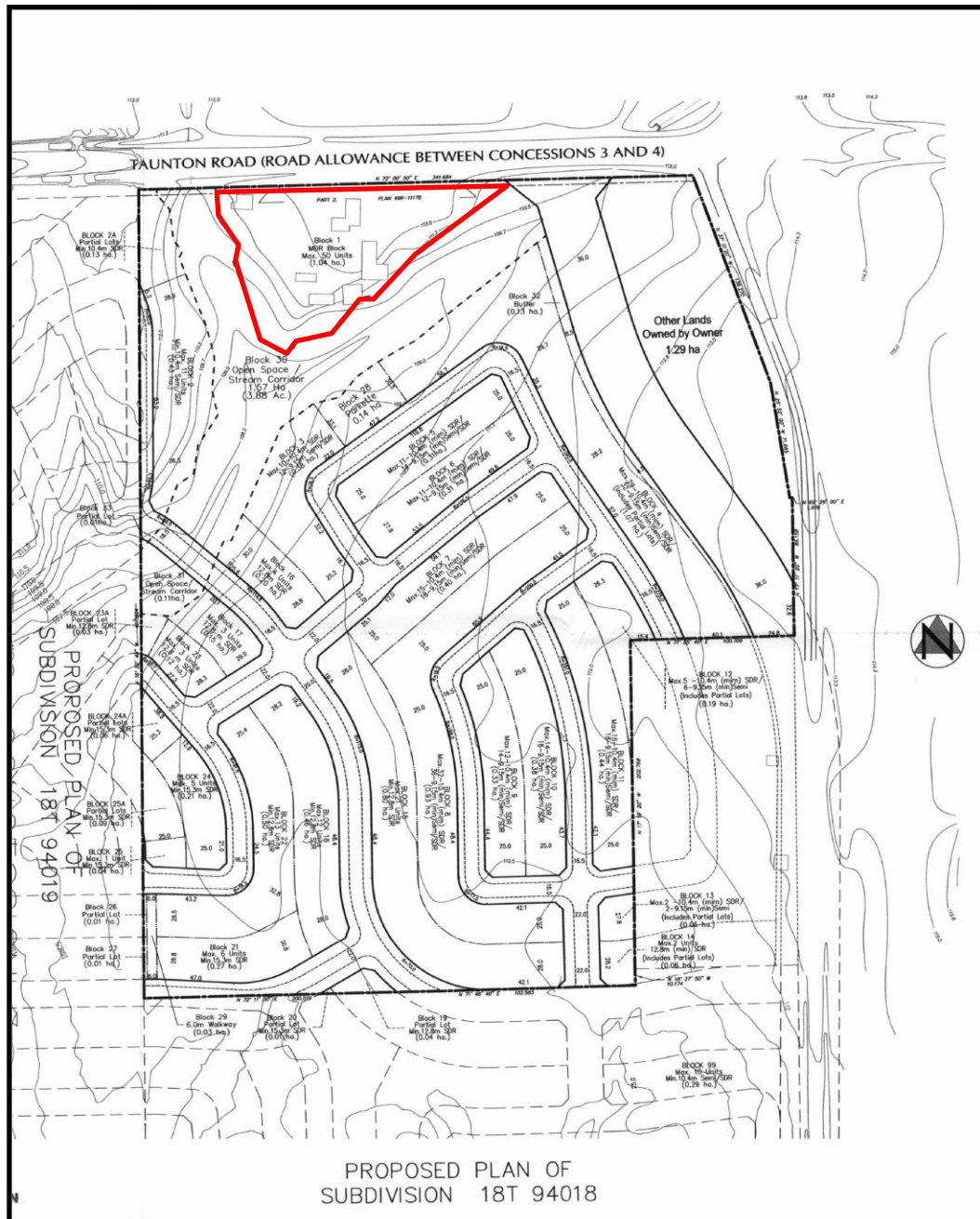
Applicant: Esquire Homes

Date: May 4, 2015

Figure 1
Subject Lands

Town of Ajax
Planning & Development Services





Applications:

Z6/07, S-A-2012-01, C-A-2012-04 &
SP16/12

Applicant: Esquire Homes

Date: May 4, 2015

Figure 2

2004 Draft Approved Plan of
Subdivision
(subject lands denoted in red)Town of Ajax
Planning &
Development
Services

Zoning By-law Amendment Application Z23/94 was submitted and approved, which zoned the subject lands as Residential Multiple Three (RM3) Zone, Residential Eight (R8) Zone and Residential Eight – F (R8-F) Zone, within former Zoning By-law 35-77. These zones permitted several forms of multiple attached housing, such as semi-detached, linked villas, street townhouses, and apartments.

Upon approval of Zoning By-law 95-2003 in July 2003, the permitted uses on the subject lands remained unchanged, but zoning categories changed from Residential Multiple Three (RM3), Residential Eight (R8) and Residential Eight – F (R8-F) to Residential Three (R3) and Residential Two-B (R2-B).

In June 2007, former owner Cougs Investments Ltd. (Cougs), submitted Zoning By-law Amendment Application Z6/07 to permit the development of 32, 2-storey multiple attached dwellings within a common element condominium, however, this application was held in abeyance until a site plan application was submitted to inform the submitted zoning by-law amendment.

In September 2011, Esquire Homes (Esquire) purchased the property from Cougs and subsequently submitted site plan, draft plan of subdivision and draft plan of condominium applications in July, 2012. Zoning By-law Amendment Application Z6/07 was assumed by Esquire as part of its purchase.

The submitted applications now propose 27, 2-storey multiple attached dwellings within a common element condominium.

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.

The proposals conform to the provisions of the Growth Plan.

2.3 Durham Regional Official Plan

The subject lands are 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.

The subject lands abut Taunton Road, which is designated as a 'Regional Corridor' and a 'Transit Spine' within the Durham Regional Official Plan. Regional Corridors are to be planned and developed as higher density mixed use areas, supporting higher order transit services and pedestrian oriented development. Transit Spines should provide for:

- higher density and mixed uses where transit spines are within Regional Corridors;
- buildings oriented towards the street, to reduce walking distances to transit facilities; facilities which support non-auto modes including drop off facilities, bus bays, bus loops, bus shelters, walkways, trails, and other pedestrian and cycling facilities; and
- limited surface parking and the potential redevelopment of existing surface parking.

The proposed development provides for a density of 30 units per net hectare, which is in keeping with the Town's Medium Density Residential policies the units along Taunton Road West provide for a true frontal expression towards Taunton Road. Therefore, the proposed development is consistent with the applicable policies of the Durham Regional Official Plan.

2.4 Town of Ajax Official Plan

The property is designated 'Medium Density Residential' within the Town of Ajax Official Plan, which permits, duplex dwellings, block townhouses, street townhouses, stacked townhouses, attached housing, and walk-up apartments. The proposal is permitted within this designation.

Medium Density Residential development should be moderately scaled and within a density range of 30 to 75 units per net hectare (proposed development achieves a density of 30 uph), and generally between a minimum of 3 and a maximum of 6 storeys in height. The proposal is compatible with the surrounding development.

The built environment and infill along corridors policies of the Town of Ajax Official Plan provide for the following:

- a design, layout and form that is compatible with existing and approved land uses;
- pedestrian and cyclist permeability and interconnectivity to abutting paths, trails, streets and development;
- buildings located such that pedestrian spaces are well defined and connected;
- compatibility with existing development in terms of height, density, scale, massing and character;
- the maximization of transparent windows facing the public realm;

- that primary entrances are visible and accessible from the street;
- development to properly address the corridor it fronts on to;
- that setbacks from adjacent lower density residential areas should be representative of the proposed development height;
- that dwelling siting and design interacts appropriately with private and public spaces.

The proposed development has been designed in conformity with the built environment and infill along corridor policies of the Town's Official Plan by providing for a high level of building design, interest and an enhanced streetscape that will greatly improve this segment of Taunton Road. The layout of the development applies principles of safe community design by orienting residential dwellings towards public and private spaces, including windows and direct pedestrian access from the public street to abutting dwellings. The design provides for the continuation of the Taunton Road multi-use trail across the frontage development, which provides additional connectivity to the Miller's Creek Trail for pedestrians and cyclists. The proposed development maintains appropriate massing, scale and height which is complementary to the existing surrounding neighbourhoods, while providing for setbacks in the range of 25 to 45 metres from these established areas.

The Environmental Protection policies indicate that for land within the Urban Area Boundary an Environmental Impact Study (EIS) is required. The policies also state that should an EIS not be required appropriate vegetation protection zones and buffers should be agreed upon, established and applied by the Town and the Conservation Authority.

Through the review process the Toronto and Region Conservation Authority and the Town determined that the Environmental Master Drainage Plan for the A6 Development Area (Neighbourhood 2), which included an Environmental Impact Evaluation (terrestrial and aquatic) was adequate for the purposes of satisfying the Town's Environmental Protection policies. Through the review, the applicant agreed to the conveyance of three open space blocks (Blocks 2, 3, and 4) to the Town to satisfy the requirements for appropriate vegetation protection zones and buffers.

The proposed development conforms to the Town of Ajax Official Plan.

2.5 Town of Ajax Zoning By-law

The subject lands are currently zoned Residential Three (R3) Zone and Residential Two - B (R2-B) Zone within Town of Ajax Zoning By-law 95-2003, as amended. In order to permit the proposed development, a zoning by-law amendment application to change the zoning to Residential Multiple Six (RM6) Zone has been submitted. The proposed implementing zoning by-law will also establish detailed development standards, including provisions for frontage onto a private road and setbacks to dwellings and accessory buildings. The proposed zoning by-law amendment is provided in Attachment 1 to this report.

2.6 Development Design

The design of the proposed development is described below.

a. Site Plan

The proposed 27, 2-storey multiple attached dwellings (townhouses) will be grouped within 7 residential blocks that will contain 3 to 4 units per block. All units have conventional front and rear yards. Four of the units (within Residential Blocks 1, 5, 6, and 7) are proposed along Taunton Road West and all other units will have frontage onto the internal private road



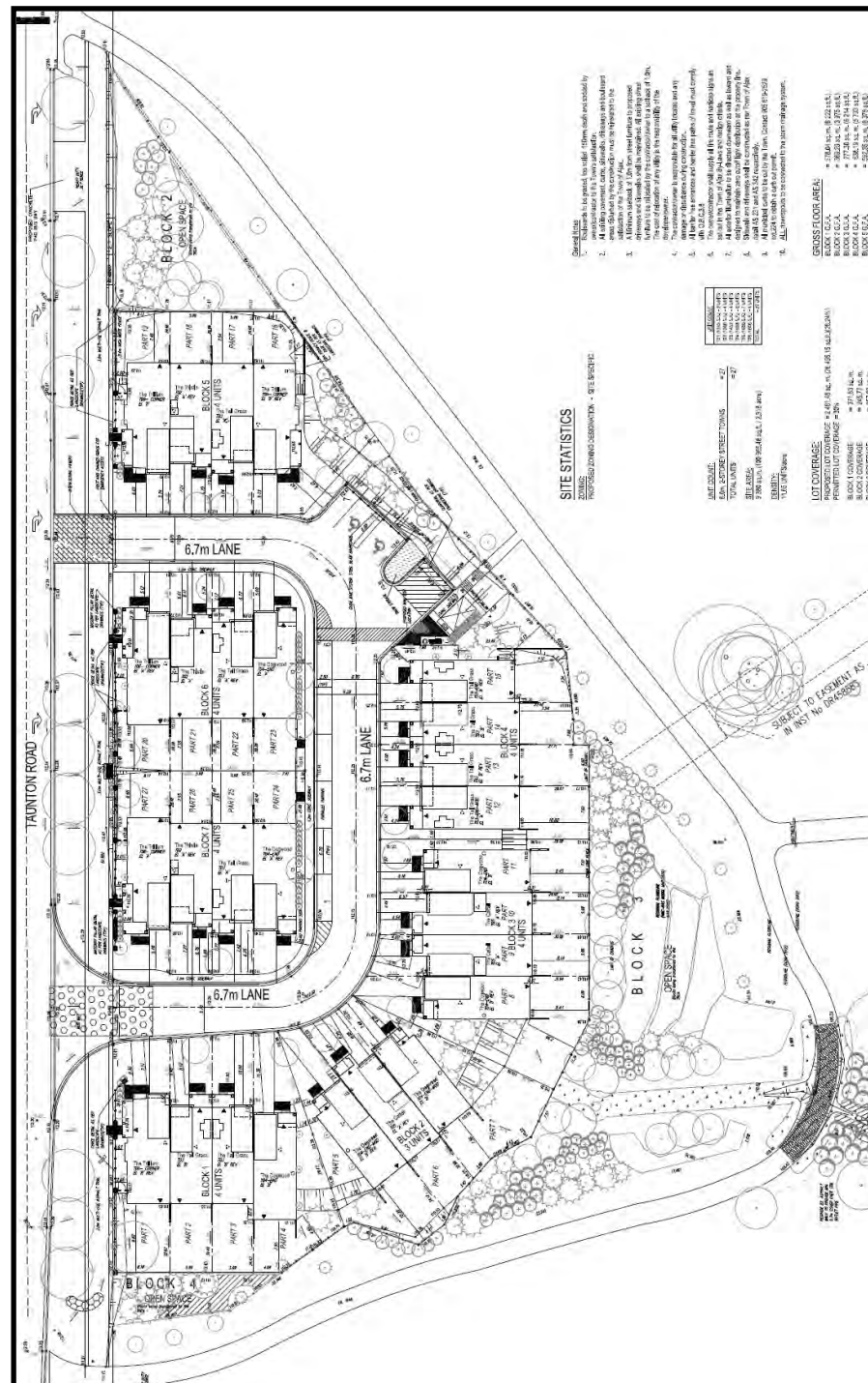
Applications:

Z6/07, S-A-2012-01, C-A-2012-04 &
SP16/12

Applicant: Esquire Homes

Date: May 4, 2015

Figure 3
Proposed Site PlanTown of Ajax
Planning &
Development
Services



Applications:

**Z6/07, S-A-2012-01, C-A-2012-04 &
SP16/12**

Applicant: Esquire Homes

Date: May 4, 2015

Figure 4
Residential & Open Space
Block Plan

**Town of Ajax
Planning &
Development
Services**



(Keenlyside Lane). All units will have vehicle access to the internal private road. No direct vehicle access is to be provided to Taunton Road West.

The proposed plan is summarized in Table 1 below and shown in Figure 3 – Proposed Site Plan.

Table 1: Proposed Development Information

Proposed Land Use	Land Area/Building Area	General Information
Multiple Attached Dwellings	0.2 ha (0.6 ac)	27 Units
Outdoor Seating Area	32 m²	Seating area with a bench, bike rack and trash receptacle
Water Meter / Mail Kiosk Building	20.4 m²	Mail pick-up area

The townhouse units along Taunton Road West will have upgraded elevations that will provide a positive building presence along Taunton Road West, including front porches and front doors that face the street as well as walkway connections from the front doors and porches to the Taunton Road multi-use trail.

Prior to the issuance of a building permit the applicant will be required to provide a construction management plan, to address among other matters, site access, construction traffic, parking for construction trades, staging, and mud, dust and noise controls, to the satisfaction of the Town of Ajax. This is reflected in the conditions of draft approval provided in Attachment 2 to this report.

b. Elevations

The proposed dwellings provide a high level of building design and treatment. Each residential block will be 2-storeys in height and clad in brick and stone (See Figure 3). All dwellings along Taunton Road will provide front doors, covered porches and windows that directly face Taunton Road.

All gas metres and hydro metres will be inset into the wall adjacent to the garage door or front porch of each unit and will be screened from public view. Air conditioning units will be located in the rear yard of all units. Mailboxes and the required water meter room will be in a separate building located at the southeast 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 fit into the context of the surrounding area.

c. Vehicular and Pedestrian Access

One full movement access point is proposed from Taunton Road West. This access point will connect to a 6.7 metre wide internal private road (Keenlyside Lane) accommodating two-way vehicular traffic and the required fire route. A total of 9 visitor parking spaces are proposed, two of which would be barrier-free.

Due to the length of the internal private road a secondary access has been provided for emergency access purposes. This access is located at the east end of the development and will be gated in accordance with Town of Ajax standards.

**Applications:**Z6/07, S-A-2012-01, C-A-2012-04 &
SP16/12

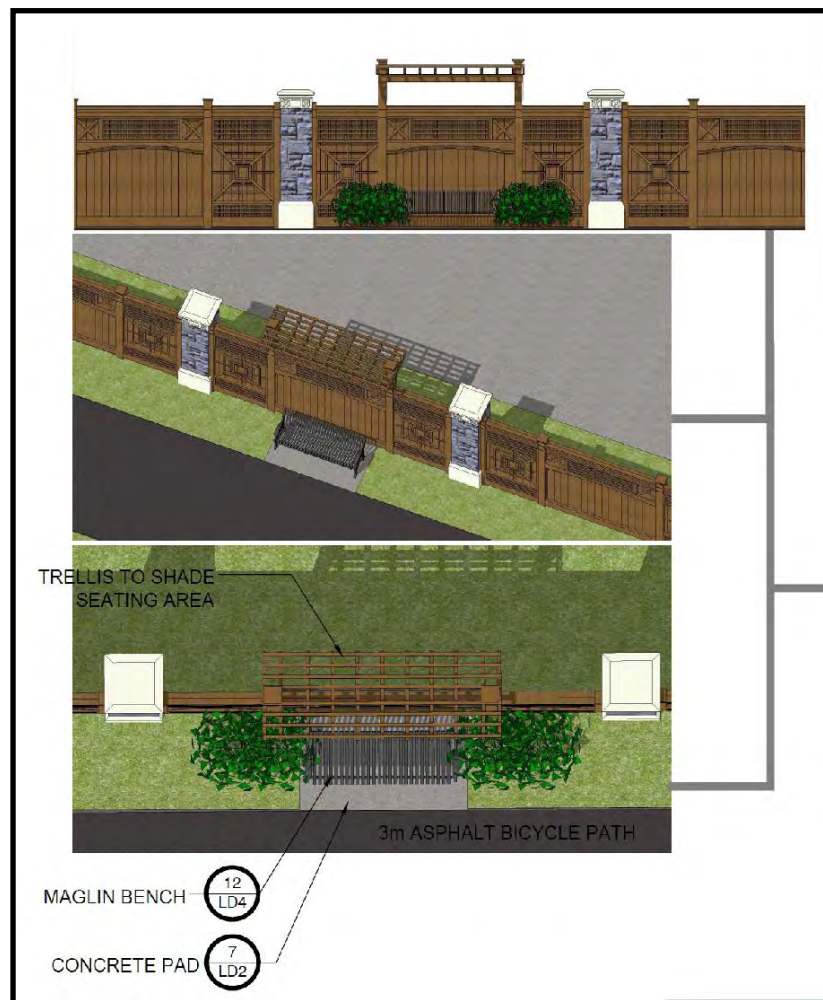
Applicant: Esquire Homes

Date: May 4, 2015

Figure 3
Front Elevations
and Renderings

Town of Ajax
Planning &
Development
Services





Applications:

Z6/07, S-A-2012-01, C-A-2012-04 &
SP16/12

Applicant: Esquire Homes

Date: May 4, 2015

Figure 4

Taunton Road West Streetscape

Town of Ajax
Planning &
Development
Services

A 1.2 metre wide sidewalk will be provided on one side of the internal private road to provide a safe pedestrian route for residents in the development. This sidewalk will connect to the 3.0 metre wide Taunton Road multi-use trail that will be installed across the frontage of the property. A 1.2 metre wide walkway connection will be provided from the development, in the area of the water meter building and visitor parking, to the Miller's Creek trail.

d. Parking

Each unit is designed with a minimum of two parking spaces, which would include a single car garage and a parking space on a driveway. Visitor parking, including accessible parking, is located central to the development. The proposed development is providing a total of 54 parking spaces which exceeds the Town's zoning requirements as noted in Table 2 below.

Table 2: Parking Required & Provided

Type of Parking Space	Minimum Requirement in Zoning By- Law 95-2003	Total Parking Spaces Provided
Resident	41 (1.5 spaces per dwelling unit)	54 (2 spaces per dwelling unit)
Visitor	7 (0.25 spaces per dwelling unit)	9 (0.33 spaces per dwelling unit)

e. Landscape Design

The applicant is proposing a combination of deciduous and coniferous plantings throughout the development. Restorative native landscape works will be installed within the open space blocks (Blocks 2, 3, and 4), which will serve to maintain and enhance the ecological integrity of this segment of the Miller's Creek while providing a naturalized buffer between the dwelling units and the valleylands.

A combination of fence heights and materials are also proposed.

Adjacent to Taunton Road, a combination of decorative black metal fencing and decorative wood acoustic fencing will be used. This includes a sitting area with a trellis shade structure and bench along the Taunton Road multi-use trail. 55 metres of decorative metal fencing will be provided along the sides of the units (40% of the 137 metres of developable Taunton Road frontage), which includes an entry feature wall. This fencing will range in height between 0.9 metres and 1.8 metres and will be used to accent the side yards of the units abutting Taunton Road West and to define the vehicle entrances to the development (including the emergency access). This fencing will be further accented by appropriately sized masonry columns at points where the fencing (metal or wood) transitions to a different height.

In addition to the decorative black metal fencing, 42 metres of decorative wood acoustic fencing will be provided (30% of the 137 metres of developable Taunton Road frontage) and it will be 2.4 metres in height and will be situated between residential Blocks 6 and 7 and along the side and rear lot lines of residential Blocks 1 and 5 to protect the rear yards of these units from vehicle noise.

Along the west, east and south sides of the development a 1.8 metre high black vinyl chain link fence will be installed along the development boundary to protect the valleylands. All fencing,

including the trellis shade structure and bench will be owned and maintained by the condominium corporation. These requirements will be included within the registered site plan agreement and condominium documents.

3.0 OTHER REPORTS AND STUDIES

3.1 Traffic Impact Brief

A Traffic Impact Brief, prepared by Tranplan Associates, dated January 2013, was submitted in support of the applications. The brief indicates that all traffic movements to and from the site will occur from the westerly access point, which is proposed as a full movement access. Taunton Road improvements will include the construction of the new entrance (including the secondary emergency access) to Region of Durham and Town of Ajax standards and the striping of the Taunton Road median for left turn movements in to the site from Taunton Road West. The proposed development will generate 19 a.m. and 22 p.m. (two-way) peak hour trips. Based on the future forecasts of traffic along Taunton Road this development will have no measurable impact on the existing network.

3.2 Stormwater Management Design Brief

GHD filed a Stormwater Management Design Brief, dated April 25, 2014, in support of the applications. This brief indicates that the site will provide a 75 mm diameter orifice plate to control post-development flows to pre-development levels and that the required stormwater storage will be accommodated within the underground storm sewer system. To enhance the level of stormwater quality leaving the development site a stormceptor in addition to an end of pipe swale and plunge pool will be implemented. The brief also reports that all infiltration measures such as directing roof leaders to rear yards, increased topsoil depths and flow spreaders will mitigate post-development infiltration losses. The overall approach has been accepted by the TRCA and engineering staff. Conditions regarding maintenance and monitoring have been included in the conditions of draft approval and will be outlined within the registered site plan agreement and condominium documents.

3.3 Environmental Site Assessment

A Phase I Environmental Site Assessment was prepared by V.A. Wood Associates Limited, dated June 2007, in support of the applications. The assessment reviewed all of the available information with regard to municipal and provincial land use records, physical setting sources, such as aerial photographs, topography, hydrology and geology, well records, and site operating records. The assessment determined that there are no concerns regarding the lands to accommodate the proposed development.

3.4 Archeological Assessment

A Stage 1 & 2 Archaeological Assessment was submitted by Archeoworks Inc., dated February 2004 in support of the lands as this parcel was a component of the lands to the south (Canterbury Trails and Nottingham). Based on site investigations (test pits and field survey), historical reference material, and Ministry of Culture Guidelines and Protocol, the subject lands were considered to be free from further archaeological concern. However, should deeply buried archaeological remains be found on the property during construction, the Heritage Operations Unit of the Ministry of Culture should be immediately notified.

3.5 Environmental Noise Assessment

An Environmental Noise Assessment, prepared by YCA Engineering Limited, dated May 2012 was submitted in support of the development proposal. The study concludes that the noise levels generated from Taunton Road West, Harwood Avenue North and the Canadian Pacific Railway (CPR) Belleville Subdivision are 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 yards of residential Blocks 1, 5, 6, and 7 and rear yards of residential Block 1 (Unit #1) and residential Block 5 (all units) to control outdoor living area sound levels. In order to meet MOE interior sound level criteria, upgraded windows and brick veneer is required for all residential units that are exposed to Taunton Road West and Harwood Avenue North. Mandatory air conditioning units will be required for all units within residential Blocks 1, 5, 6, and 7, while a provision for adding air conditioning units in the future should be made for all units within residential Blocks 2, 3, and 4. Agreements of purchase and sale for these blocks will incorporate warning clauses notifying potential homeowners of the required noise control measures.

All purchase and sale agreements are required to include a warning clause notifying potential homeowners of the existence of the CPR rail line and the possibility that the rail facility may be altered or expanded, which expansion or alteration may affect the living environment of residents despite the inclusion of noise attenuating measures. Warning clauses cannot legally be registered on title. In order to advise subsequent homeowners of the potential impacts of an expansion or alteration to the CP Rail facility, the warning clause is required to be included in all condominium documents, including the condominium declaration. This is reflected in the conditions of draft approval provided in Attachments 2 and 3 to this report.

4.0 AGENCY COMMENTS

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

4.1 Region of Durham

With regard to municipal water supply, the applicant will be required to extend a 500 mm diameter concrete pressure watermain across the full frontage of the property to connect to a 200 mm watermain within an easement at the west limit of the property. As for the sanitary sewerage service, a private sanitary sewage pumping station on the development lands will connect to a private sanitary forcemain, which will be constructed under Miller's Creek and will connect to a sanitary sewer manhole within Feint Parkette. This sanitary connection will require the Town to grant easements in favour of the future condominium corporation and approval from the Region of Durham, Toronto and Region Conservation Authority, and the Town of Ajax will be required prior to any of these works taking place. Overall, the Region of Durham has no issues with the proposed applications and have issued conditions of draft approval for both the draft plan of subdivision and condominium.

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 Miller's Creek. TRCA have indicated that they are in acceptance of the development limits in relation to the Regional floodline and therefore do not object to the Zoning By-law Amendment. With regard to the Draft Plan of Subdivision and Condominium applications, appropriate conditions of draft plan approval have been provided

and are included within Attachments 2 and 3 to this report. As for the Site Plan Application, minor technical comments have been issued that can be addressed through the approval of the site plan application. TRCA has also confirmed that this servicing approach is acceptable and that permits would be required for all works outside of the property boundary (within the valley) and work within the valley could only take place between July 1st and March 31st.

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.

5.0 FINANCIAL IMPLICATIONS

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

6.0 COMMUNICATION ISSUES

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

6.1 Public Open House Meetings

Two public open houses were held regarding this application, the first on February 26, 2008 and the second on January 29, 2015. Notice on both occasions was sent to Town of Ajax residents and business owners within 120 metres (400 feet) of the subject property and was advertised within the Community Page of the Ajax News Advertiser. The principal concerns regarding the proposed development was that a higher density development should not be permitted so close to single detached dwellings and that a development of this nature would generate an increase in traffic and noise. Staff are of the opinion that the proposed development is appropriate adjacent to Taunton Road as the subject lands were designated for medium density development. In addition, these permissions were in place prior to any development occurring in the immediate area. Based on the submitted reports and studies noise and traffic have been addressed.

7.0 CONCLUSION

Staff have reviewed all submitted applications proposing to develop 27, 2-storey multiple attached dwellings. Staff are of the opinion that this development will provide a compact urban built form along Taunton Road West within the Town of Ajax. This development is consistent with the PPS, Growth Plan, Region of Durham and Town of Ajax Official Plan policies. Therefore, the submitted development applications should be approved and endorsed by Council.

ATT-1 – Draft Zoning By-law Amendment (Z6/07)
ATT-2 – Draft Conditions of Draft Approval (S-A-2012-01)
ATT-3 – Draft Conditions of Draft Approval (C-A-2012-04)

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

Gary Muller, MCIP, RPP
Manager of Planning

Geoff Romanowski, MCIP, RPP, CPT
Development Approvals Coordinator

ATT-1 – Draft Zoning By-law Amendment (Z6/07)

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER **XX**-2015

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

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 the Council of The Corporation of the Town of Ajax has conditionally approved an application to amend Zoning By-law Number 95-2003, as amended (Z6/07), with respect to the subject lands, identified on Schedule “A” to this By-law;

AND WHEREAS, the Council of the Town of Ajax deems it appropriate to pass an implementing Zoning By-law pursuant to application Z6/07 to regulate the 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 9, attached to and forming part of By-law No. 95-2003, as amended, is hereby amended by rezoning those lands at the southwest corner of Taunton Road West and Harwood Avenue North from Residential Three (R3) Zone and Residential Two ‘B’ (R2-B) 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 9, attached to and forming part of By-law No. 95-2003, as amended, is hereby amended to delete Exception 45 from the subject lands and establish Exception 179, over 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
179	EP, RM6	9	XX -2015	C-A-2012-04 S-A-2012-01 SP16/12 Z6/07
i) Location: Southwest corner of Taunton Road West and Harwood Avenue North				
ii) Legal Description: CON 3 N PT LOT 9 NOW RP 40R11178 PART 1,2				
iii) Interpretation:				

- a) Section 4.9 of Zoning By-law 95-2003, as amended, shall not apply to the development of the subject lands for 27 multiple attached townhouse dwellings.

iv) Development Standards

In the event that Block 1 is developed for 27 multiple attached townhouse dwellings pursuant to SP16/12, the following development standards shall apply:

- a) Maximum Number of Multiple Attached Townhouse Dwellings: 27

Exception 179 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
179 continued	EP, RM6	9	XX-2015	C-A-2012-04 S-A-2012-01 SP16/12 Z6/07

- b) Zone Standards for each parcel of land associated with a multiple attached townhouse dwelling:

i) *Front Yard*

- To a *dwelling unit* fronting onto an internal road – to be measured from the middle of the rolled curb to the front face of the porch: 4.0 m
- To any attached garage: 5.7 m

- ii) *Interior Side Yard:* 1.5 m between blocks and 0.0 m between attached dwellings

- iii) *Exterior Side Yard:* 2.0 m

- iv) *Rear Yard:* 7.5 m

- v) *Road Radius Yard:* 1.2 m

- vi) *Minimum Lot Frontage:* 5.9 m

- vii) *Maximum Building Height:* 12.0 m

- c) Other Development Standards Within the RM6 Zone:

- i) A minimum separation of 3.0 metres is required between each multiple attached dwelling block within the RM6 zone.

- ii) A minimum interior side yard setback of 0.0 metres between multiple attached dwellings within the same block of units.
- iii) Notwithstanding Section 4.1.1 iv) of Zoning By 95-2003, the minimum exterior side yard setback shall be 2.5 metres and no accessory *structure* shall be located closer to a private road or public road than the *dwelling unit*.
- iv) Air conditioning units shall only be located in a *rear yard*.

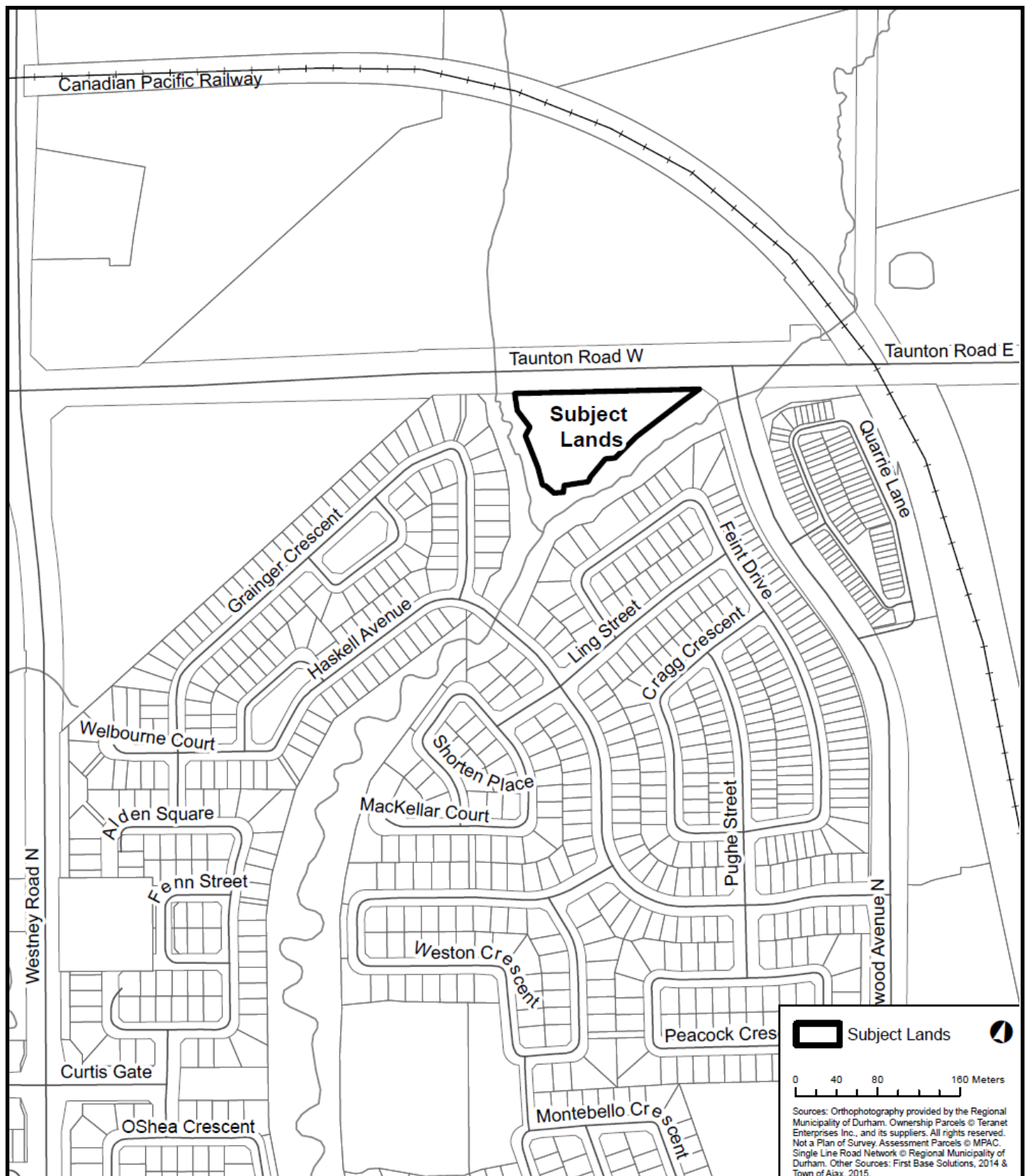
Except as amended herein, all other provisions of this By-law, as amended, shall apply.

By-law 95-2003, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law.

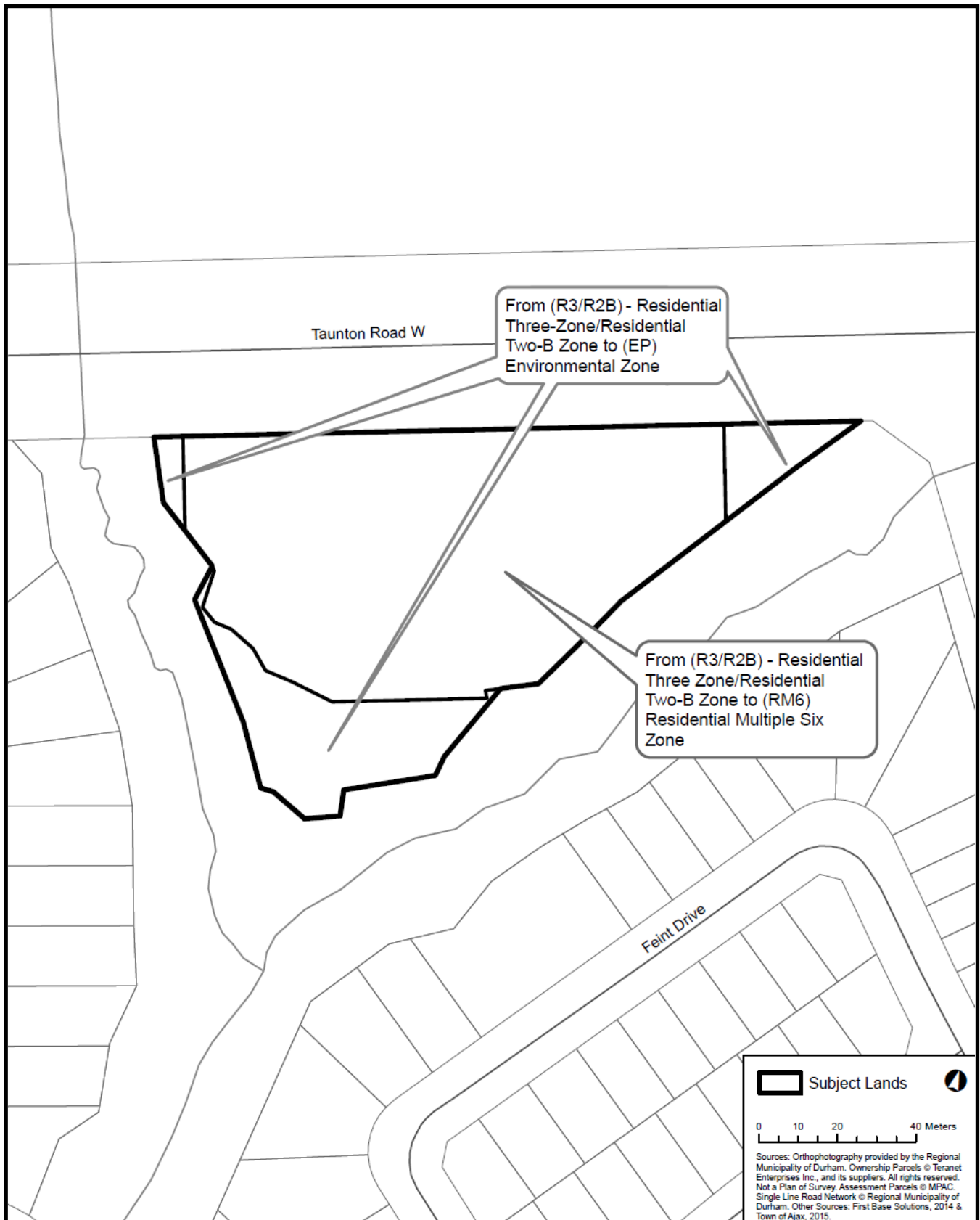
READ a first and second time this _____ day
of _____, 2015.

READ a third time and finally passed this
_____ day of _____, 2015.

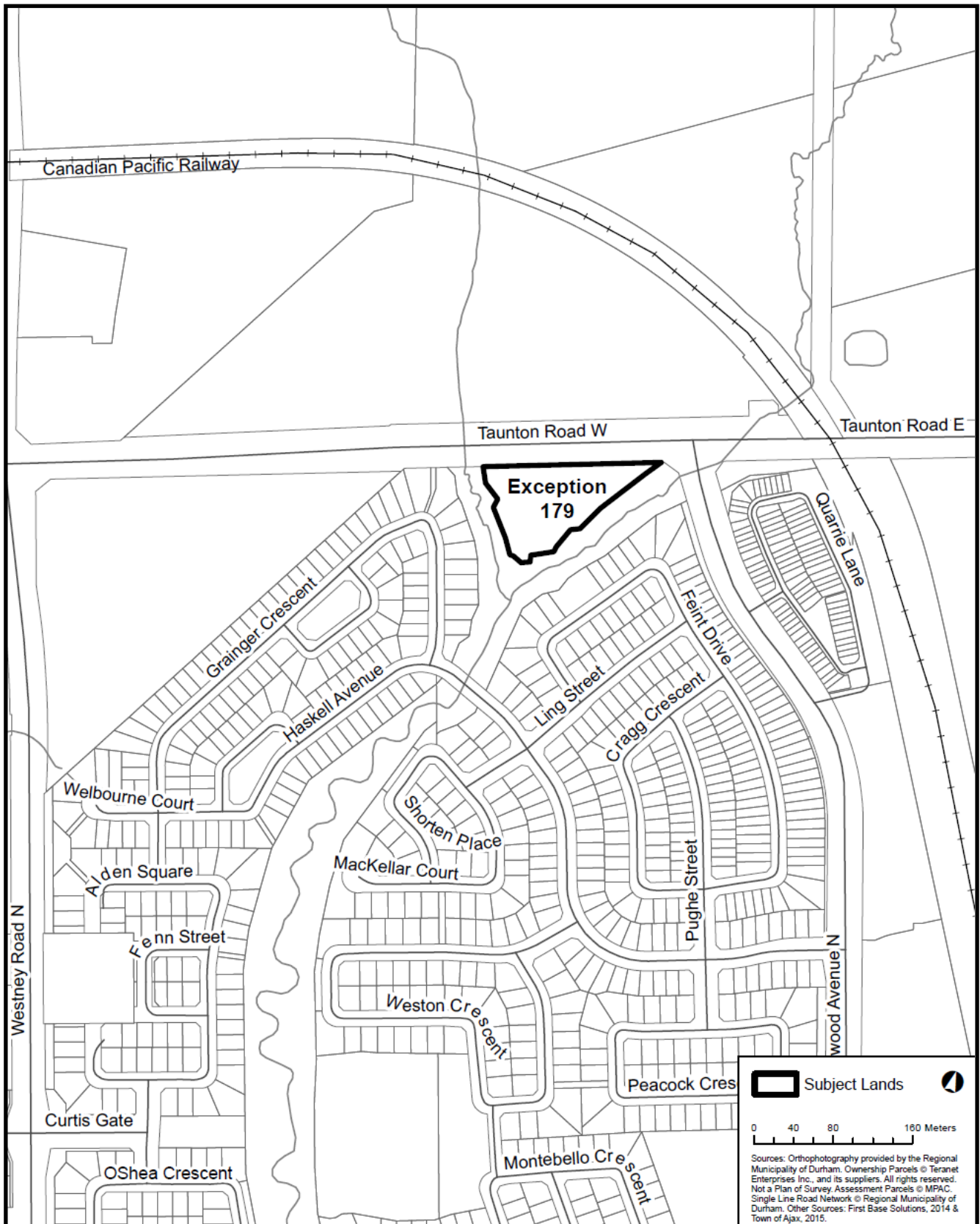
Schedule "A" to By-law Number ____ - 2015



Schedule "B" to By-law Number ____ - 2015



Schedule "C" to By-law Number ____ - 2015



Explanatory Note to By-law Number ____ - 2015

This by-law rezones the subject lands at the southwest corner of Taunton Road West and Harwood Avenue North from Residential Three (R3) Zone and Residential Two 'B' (R2-B) Zone to Residential Multiple Six (RM6) Zone and Environmental Protection (EP) Zone, to apply zone standards for the development and for each individual P.O.T.L. being created and to exempt the development from the requirements of Section 4.9 (Frontage On A Public Road) of Town of Ajax Zoning By-law 95-2003, as amended.

This amendment serves to provide the development of a residential development consisting of 27 multiple attached dwellings under condominium ownership. The by-law regulates the development of the a planned Common Elements Condominium over portions of Block 1 of the proposed draft plan of subdivision and allows for 27 P.O.T.Ls which will be created through the part lot control exemption process.

CONDITIONS OF DRAFT APPROVAL (S-A-2012-01)

1. The Owner shall prepare the final plan on the basis of approved draft plan of subdivision prepared by Rady-Petek & Edward Surveying Limited, identified as Project No. 11-125s1a, dated February 19, 2015, which illustrates one residential block for 27 townhouses and three open space blocks.
2. 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, and other Regional Services.
3. The Owner shall agree in the Town of Ajax Subdivision Agreement and Site Plan Agreement to implement the recommendations of the report, entitled “Environmental Noise Assessment – River Run Miller Creek Common Element Condominiums”, prepared by YCA Engineering Limited, dated May 2012, which specifies noise attenuation measures for the development. The measures shall be included in the Subdivision Agreement and Site Plan 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.
4. The Owner shall carry out an Archaeological Assessment of the subject property and mitigation and/or salvage excavation of any significant heritage resources to the satisfaction of the Ministry of Tourism, Culture and Sport. No grading or other soil disturbance shall take place on the subject property prior to a letter acknowledging receipt and review of an archaeological report from the Ministry of Tourism, Culture and Sport.
5. The Owner shall submit a signed screening questionnaire or carry out a Phase 1 Environmental Site Assessment (ESA) to the satisfaction of the Region of Durham. This ESA must be prepared in accordance with current Provincial Standards and Ontario Regulation 153/04, as amended.
6. The Owner shall submit plans showing the proposed phasing to the Region of Durham and the Town of Ajax for review and approval of this subdivision is to be developed by more than one registration.
7. The Owner shall grant to the Region any easement required to provide regional services for this development and these easements shall be in locations and of such widths as determined by the Region.
8. 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 Regional Municipality of Durham. All arrangements, financial and otherwise for said extensions are to be made to the satisfaction of the Regional Municipality of Durham, and are to be completed prior to final approval of this plan.
9. Prior to entering into a subdivision agreement, the Regional Municipality of Durham shall be satisfied that adequate water pollution control plant and water supply plant capacities are available to the proposed subdivision.

10. The Owner shall satisfy all requirements, financial or otherwise, of 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 installations of roads, services, drainage, other local services and other matters including the following:
- a. 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 pre-submitting plans to the Town-approved Control Architect for approval;
 - b. The Owner agrees to provide grading plans for the entire plan of subdivision, including detailed grading designs for all lots, blocks, stormwater management facilities and rights-of-ways to the satisfaction of the Town of Ajax;
 - c. The Owner agrees to provide an appropriate construction access from Taunton Road West to the satisfaction of the Town of Ajax and the Region of Durham.
 - d. The Owner agrees to prepare, prior to final approval, a Street Tree Planting plan to the satisfaction of the Town of Ajax, which shall address the boulevard edges/landscape buffers/internal medians which shall be implemented to the satisfaction of the Town of Ajax. The Owner shall design and plant the above noted landscaping at their cost;
 - e. The Owner shall provide a tree inventory and preservation plan for that lands within the limits of the proposed draft plan of subdivision;
 - f. The Owner agrees to financially contribute towards the maintenance of the stormwater management facility based on \$2,000.00/hectare of drainage area within the draft plan payable prior to the registration of each phase;
 - g. The Owner is required to make application to Ajax Fire Services to designate the proposed fire route in accordance with the Town of Ajax Traffic By-law.
 - h. The Owner shall grant any easements as may be required for utilities, drainage and servicing purposes to the appropriate authorities;
 - i. The Owner shall provide a municipal street address for each dwelling unit. The street number must be affixed to the wall of the dwelling unit that is associated with the front lot line, as defined by Town of Ajax Zoning By-law 95-2003.
 - j) All parking required for construction and trades shall be provided wholly on-site and not on public streets for the duration of the construction;
 - k) The Owner shall agree to provide a Traffic Management Plan (TMP) prior to draft approval and a Traffic Management Implementation Plan (TMIP) to the satisfaction of the Town of Ajax with the engineering submissions;
 - l) The Owner shall construct all necessary municipal services to the satisfaction of the Town of Ajax prior to the registration of the draft plan of subdivision;
 - m) The Owner shall enter into a Model Home Agreement with the Town of Ajax, if applicable. This agreement shall include, but is not limited to, the location of the model homes and the number of models being displayed. The Model Home agreement will limit the number of models homes to a maximum of 2 townhouse blocks. All proposed models will be required to be reviewed and approved by the Town's Control Architect;
 - n) The Owner shall provide for the extension of such municipal services which are

external to, as well as within the limits of the plan in order to service this plan. In addition, the Owner shall provide for the future extension of storm facilities and services within the limits of the plan which are required to service future developments. All arrangements financial or otherwise, for said services are to be to the satisfaction of the Town of Ajax and are to be completed prior to the registration of the plan;

- o) The Owner shall be responsible for the updating of any or all of the submitted reports and studies to the satisfaction of the Town of Ajax, the Region of Durham and the Toronto and Region Conservation Authority. If a report or study requires any amendments or further revisions the Owner is to provide these amendments or revisions prior to the execution of subdivision agreement with the Town of Ajax. The reports/studies that were submitted are as follows:
 - i) **Phase I Environmental Site Assessment**
(V.A. Wood Associates Limited – June 2007)
 - ii) **Traffic Impact Brief**
(Tranplan Associates – January 2013)
 - iii) **Environmental Master Drainage Plan (A6 Development Area)**
(Cosburn Patterson Mather Limited & Bird and Hale Limited – October 1996)
 - iv) **Geotechnical Investigation (Proposed Sanitary Forcemain)**
(V.A. Wood Associates Limited – September 2014)
 - v) **Environmental Noise Assessment**
(YCA Engineering Limited – May 2012)
 - vi) **Stormwater Management Design Brief**
(GHD – April 25, 2014)
 - vii) **Stage 1-2 Archaeological Resource Assessment**
(Archeoworks Inc. – February 2004)
 - viii) **Erosion and Sediment Control Report**
(Sernas Associates – May 2012)
- p) The owner shall locate all required Community Mailboxes under or as part of a structure and be incorporated within the urban design and landscape features of the development to the satisfaction of the Town of Ajax and Canada Post. The location will be in accordance with the approved landscape plan;
- q) That the Owner include in all purchase and sale agreements, sales literature and in sales centre for homes being sold within this development that the lands abut an active rail line and that all of the warning clauses outlined within the Noise Study be posted;
- r) The Owner agrees, at its sole cost, to install a 3.0 metre wide asphalt trail along Taunton Road West across the entire frontage of the property and provide appropriate connections to the existing east and west limits of the Miller's Creek trail;
- s) 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;

- t) The Owner agrees to incorporate into all of the purchase and sale agreements and the requisite condominium documents that the private sanitary pumping station and private sanitary forcemain connecting out to Feint Drive is the sole responsibility of the condominium corporation, which includes all required maintenance and monitoring, as required.
 - u) The Owner covenants and agrees in the subdivision agreement to prepare restoration Landscape Plans for the Millers Creek Lands (Open Space Blocks 2, 3, & 4), prepared by a qualified Landscape Architect in good standing with the O.A.L.A., which identifies planting of native self-sustaining vegetation within Open Space Blocks 2, 3, & 4. The Landscape Plans shall be submitted by the Owner and approved by the Town of Ajax and the Toronto and Region Conservation Authority.
 - v) The Owner shall covenant and agree in the subdivision agreement that Open Space Blocks 2, 3, & 4 shall be dedicated to the Town of Ajax, at no cost and free of encumbrances as part of the issuance of Final Approval and Registration of the first phase of development.
 - w) Prior to the issuance of Final Approval, the Owner shall submit a detailed stormwater management and flood plain management design brief, prepared by a qualified engineer, detailing the provision of stormwater quality and quantity management facilities, hydraulic gradelines, overland flow routes, Low Impact Development techniques and practices to reduce stormwater runoff volume, erosion and sediment controls in conformity with the Erosion and Sediment Controls for Urban Construction guideline, as amended from time to time, for approval by the Town of Ajax and the Toronto and Region Conservation Authority.
 - x) The Owner shall covenant and agree in the subdivision agreement to erect fencing between Open Space Blocks 2, 3, & 4 and Medium Density Block 1 to standards established by the Town of Ajax.
11. 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 the Toronto and Region Conservation Authority and the Town of Ajax for Review and approval:
- a. An erosion and sedimentation control plan, consistent with the Erosion and Sedimentation control Guideline for Urban Construction (Greater Golden Horseshoe Area Conservation Authorities, 2007), as amended;
 - b. Overall grading plans for the lands within the Draft Plan of Subdivision.
12. Prior to registration, the owner shall gratuitously convey Blocks Nos. 2, 3, and 4 as illustrated on the Plan of Subdivision, Part of Lot 9 Concession 3, prepared by Rady-Petek & Edward Survey Ltd., dated April 24, 2012, to the Town of Ajax.
13. The owner shall obtain all necessary permits required pursuant to Ontario Regulation 166/06 prior to registration.
14. The owner shall prepare and implement a Restoration Planting Plan for Open Space Blocks 2, 3, and 4, to the satisfaction of the Town of Ajax and TRCA.

15. 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. 20.
16. The owner shall install a fence along the boundary between Block No. 1 and Open Space Blocks Nos. 2, 3, and 4, inclusive.
17. 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 subdivision, will be monitored and, if necessary, immediately corrected.
18. That the owner agrees in the subdivision agreement, in wording acceptable to TRCA:
 - a. To agree to, and implement, the requirements of the TRCA's conditions in wording acceptable to the TRCA;
 - b. To design, implement and monitor all erosion and sediment controls;
 - c. 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;
 - d. To obtain all necessary permits pursuant to Ontario Regulation 166/06 from the TRCA;
 - e. To erect a permanent fence, to the satisfaction of the TRCA, along the exterior boundary between Block No. 1 and Open Space Blocks Nos. 2, 3, and 4, inclusive;
 - f. To provide for a Post Construction Restoration 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;
 - g. To commit to provide appropriate information to all prospective buyers of the units on Block No. 1, Parts 1 to 19, inclusive, abutting Open Space Blocks Nos. 2, 3, and 4, through all agreements for purchase and sale, sales information, and community 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 Open Space 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.”
19. The developer is responsible for preparing a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities.
20. Streets are to be constructed in accordance with composite utility plans previously submitted and approved by all utilities.

21. The developer shall grade all streets to final elevation prior to the installation of the gas lines and provide Enbridge Gas Distribution Inc. with the necessary field survey information for the installation of the gas lines.
22. Prior to registration of the plan of Subdivision, the Developer/Owner will, at its own cost, grant all necessary easements and maintenance agreements required by those CRTC-licensed telephone companies and broadcasting distribution companies intending to serve the Subdivision. Immediately following registration of the Plan of Subdivision, the Developer/Owner will cause these documents to be registered on title.
23. 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.
24. 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.
25. The Owner/Developer will be responsible for notifying the purchaser of the exact Community Mailbox locations prior to the closing of any home sale.
26. The Owner/Developer will provide the following for each Community Mailbox site and include these requirements on the appropriate servicing plans:
 - a) An appropriately sized sidewalk section (concrete pad) as per municipal standards, to place the Community Mailboxes on;
 - b) Any required walkway across the boulevard, as per municipal standards; and,
 - c) Any required curb depressions for wheelchair access.
27. 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 residences as soon as the homes are occupied.
28. That the Owner agrees to post the standard Durham District School Board approved "Notice to Parents" in all sales representation centres.
29. That the Owner shall agree in the Agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the owner/developer shall be responsible for the relocation of such facilities or easements.
30. Bell Canada requires one or more conduit or conduits of sufficient size from each unit to the room(s) in which the telecommunication facilities are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.

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 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 9 (inclusive) have been satisfied;
 - The Toronto and Region Conservation Authority, how Conditions 11 to 18 (inclusive) have been satisfied;
 - Enbridge Gas Distribution Inc., how conditions 19 to 21 (inclusive), have been satisfied;
 - Rogers Communications Inc., how Conditions 22 to 23 (inclusive), have been satisfied;
 - Canada Post, how Conditions 24 to 27 (inclusive), have been satisfied;
 - Durham District School Board, how Condition 28, has been satisfied;
 - Bell Canada, how Conditions 29 to 30 (inclusive), have 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 three (3) years from the date the Draft Approval has been granted if the above-noted conditions have not been fulfilled, or if it has not been extended by the Town.

CONDITIONS OF DRAFT APPROVAL (C-A-2012-04)

1. The Owner shall prepare the final plan on the basis of approved draft plan of condominium prepared by Rady-Petek & Edward Surveying Limited, identified as Project No. 11251R01a, dated February 19, 2015, which illustrates a private roadway and parking.
2. The Owner shall submit to the Regional Municipality of Durham, for review and approval, a revised acoustic engineer report based on project traffic volumes provided by the Durham Regional Planning Department and recommending noise attenuation measures for the draft plan in accordance with the Ministry of Environment guidelines. The Owner shall agree in the subdivision/condominium agreement to implement the recommended noise control measures of the revised acoustic report and the Vibration Feasibility Study, prepared by HGC Engineering Ltd., dated April 22, 2013. The agreement shall contain a full and complete reference to the noise and vibration reports (i.e. author, title, date and any revision/addenda) and shall include any required warning clauses identified in the study.
3. The Owner shall agree in the Town of Ajax Subdivision Agreement and Site Plan Agreement to implement the recommendations of the report, entitled “Environmental Noise Assessment – River Run Miller Creek Common Element Condominiums”, prepared by YCA Engineering Limited, dated May 2012, which specifies noise attenuation measures for the development. The measures shall be included in the Subdivision Agreement and Site Plan 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.
4. The Owner shall satisfy all requirements, financial or otherwise, of the Town of Ajax. This shall include, among other matters, the execution of a subdivision agreement and site plan agreement between the Owner and the Town of Ajax concerning the provisions and installations of roads, services, drainage, other local services and other matters relating to the development of the site outlined within the approved site plan drawings.
5. The Owner agrees, at its sole cost, to install a 3.0 metre wide asphalt trail along Taunton Road West across the entire frontage of the property and provide appropriate connections to the existing east and west limits of the Miller’s Creek trail and to install the trellis shade structure and bench in the location approved through the site plan application (SP16/12).
6. The Owner agrees that the trellis shade structure, the bench and all fencing (including required noise fencing) is the sole responsibility of the condominium corporation and will be defined within the approved condominium plan and common elements within the development and documented within the condominium declaration;
7. 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;
8. The Owner agrees to incorporate into all of the purchase and sale agreements and the requisite condominium documents that the private sanitary pumping station and private sanitary forcemain connecting out to Feint Drive is the sole responsibility of the condominium corporation, which includes all required easements, regular maintenance and monitoring, as required.

9. The Owner covenants and agrees in the subdivision agreement to prepare restoration Landscape Plans for the Millers Creek Lands (Blocks 2, 3, & 4), prepared by a qualified Landscape Architect in good standing with the O.A.L.A., which identifies planting of native self-sustaining vegetation within Open Space Blocks 2, 3, & 4. The Landscape Plans shall be submitted by the Owner and approved by the Town of Ajax and the Toronto and Region Conservation Authority.
10. The Owner shall covenant and agree in the subdivision agreement that Open Space Blocks 2, 3, & 4 shall be dedicated to the Town of Ajax, at no cost and free of encumbrances as part of the issuance of Final Approval and Registration of the first phase of development.
11. Prior to the issuance of Final Approval, the Owner shall submit a detailed stormwater management and flood plain management design brief, prepared by a qualified engineer, detailing the provision of stormwater quality and quantity management facilities, hydraulic gradelines, overland flow routes, Low Impact Development techniques and practices to reduce stormwater runoff volume, erosion and sediment controls in conformity with the Erosion and Sediment Controls for Urban Construction guideline, as amended from time to time, for approval by the Town of Ajax and the Toronto and Region Conservation Authority.
12. The Owner shall covenant and agree in the subdivision agreement to erect fencing between Open Space Blocks 2, 3, & 4 and Medium Density Block 1 to standards established by the Town of Ajax.
13. 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 the Toronto and Region Conservation Authority and the Town of Ajax for Review and approval:
 - a. An erosion and sedimentation control plan, consistent with the Erosion and Sedimentation control Guideline for Urban Construction (Greater Golden Horseshoe Area Conservation Authorities, 2007), as amended;
 - b. Overall grading plans for the lands within the Draft Plan of Subdivision.
14. Prior to registration, the owner shall gratuitously convey Blocks Nos. 2, 3, and 4 as illustrated on the Plan of Subdivision, Part of Lot 9 Concession 3, prepared by Rady-Petek & Edward Survey Ltd., dated April 24, 2012, to the Town of Ajax.
15. The owner shall obtain all necessary permits required pursuant to Ontario Regulation 166/06 prior to registration.
16. The owner shall prepare and implement a Restoration Planting Plan for Open Space Blocks 2, 3, and 4, to the satisfaction of the Town of Ajax and TRCA.
17. 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. 20.
18. The owner shall install a fence along the boundary between Block No. 1 and Open Space Blocks Nos. 2, 3, and 4, inclusive.
19. 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 subdivision, will be monitored and, if necessary, immediately corrected.

20. That the owner agrees in the subdivision agreement, in wording acceptable to TRCA:
- a. To agree to, and implement, the requirements of the TRCA's conditions in wording acceptable to the TRCA;
 - b. To design, implement and monitor all erosion and sediment controls;
 - c. 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;
 - d. To obtain all necessary permits pursuant to Ontario Regulation 166/06 from the TRCA;
 - e. To erect a permanent fence, to the satisfaction of the TRCA, along the exterior boundary between Block No. 1 and Open Space Blocks Nos. 2, 3, and 4, inclusive;
 - f. To provide for a Post Construction Restoration 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;
 - g. To commit to provide appropriate information to all prospective buyers of the units on Block No. 1, Parts 1 to 19, inclusive, abutting Open Space Blocks Nos. 2, 3, and 4, through all agreements for purchase and sale, sales information, and community 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 Open Space 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."

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* 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 2 (inclusive) have been satisfied; and
 - Toronto and Region Conservation Authority, how Conditions 9 to 20 (inclusive) have 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 three (3) years from the date the Draft Approval has been granted if the above-noted conditions have not been fulfilled, or if it has not been extended by the Town.

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: **Site Plan Application SP16/13
Rogers Telecommunications Tower
1748 Westney Road North**

WARD: 1

DATE OF MEETING: May 4, 2015

RECOMMENDATION:

1. That Site Plan Application SP16/13, submitted Summit Telecom Services on behalf of Rogers Communications Inc., proposing to erect a 30 metre high monopole (flagpole) telecommunication tower located at 1748 Westney Road North be supported, subject to the proponent finalizing all required drawings for the installation, to the satisfaction of the Town of Ajax.

1.0 BACKGROUND:

1.1 Purpose

The purpose of this report is to provide staff's recommendation to Council regarding a proposal to erect a 30 metre telecommunications tower submitted by Summit Telecom Services on behalf of Rogers Communications Inc. on a property municipally known as 1748 Westney Road North. The tower has been designed to resemble a flagpole structure with all antenna equipment mounted within the pole. The proponent is requesting Council's concurrence for the proposed telecommunication facility. The tower is intended to provide wireless service coverage in northwest Ajax where current infrastructure has been determined to be inadequate to meet consumer demand. The proposed tower will also provide space for co-location by other telecommunications providers (Bell Mobility).

Approval of a site and design for telecommunication towers is under the **exclusive jurisdiction of the Government of Canada through Industry Canada and is not subject to the *Planning Act***. Proponents must follow Industry Canada's *Default Consultation Process (CPC-2-0-03 (Issue 5))*. During this process, the municipal Council is requested to provide concurrence for the proposed installations at the subject sites. If the municipal Council concurs with the proposal, the proponent can proceed with construction of the tower. However, if the municipal Council does not concur with the proposal; the proponent can request a decision from Industry Canada on the matter.

1.2 Application History

Site Plan Application SP16/13 was submitted on October 18, 2013 and a Public Open House was held on January 28, 2014. While this application was being pursued, Bell Mobility submitted an application to erect a tower at the Meadow Ridge Plaza and invited Rogers Communications to pursue a possible co-location opportunity (See Figure 2 – Proposed Tower Locations). However, Bell Mobility was unable to come to an agreement with RioCan, and abandoned the proposed tower on the plaza lands.

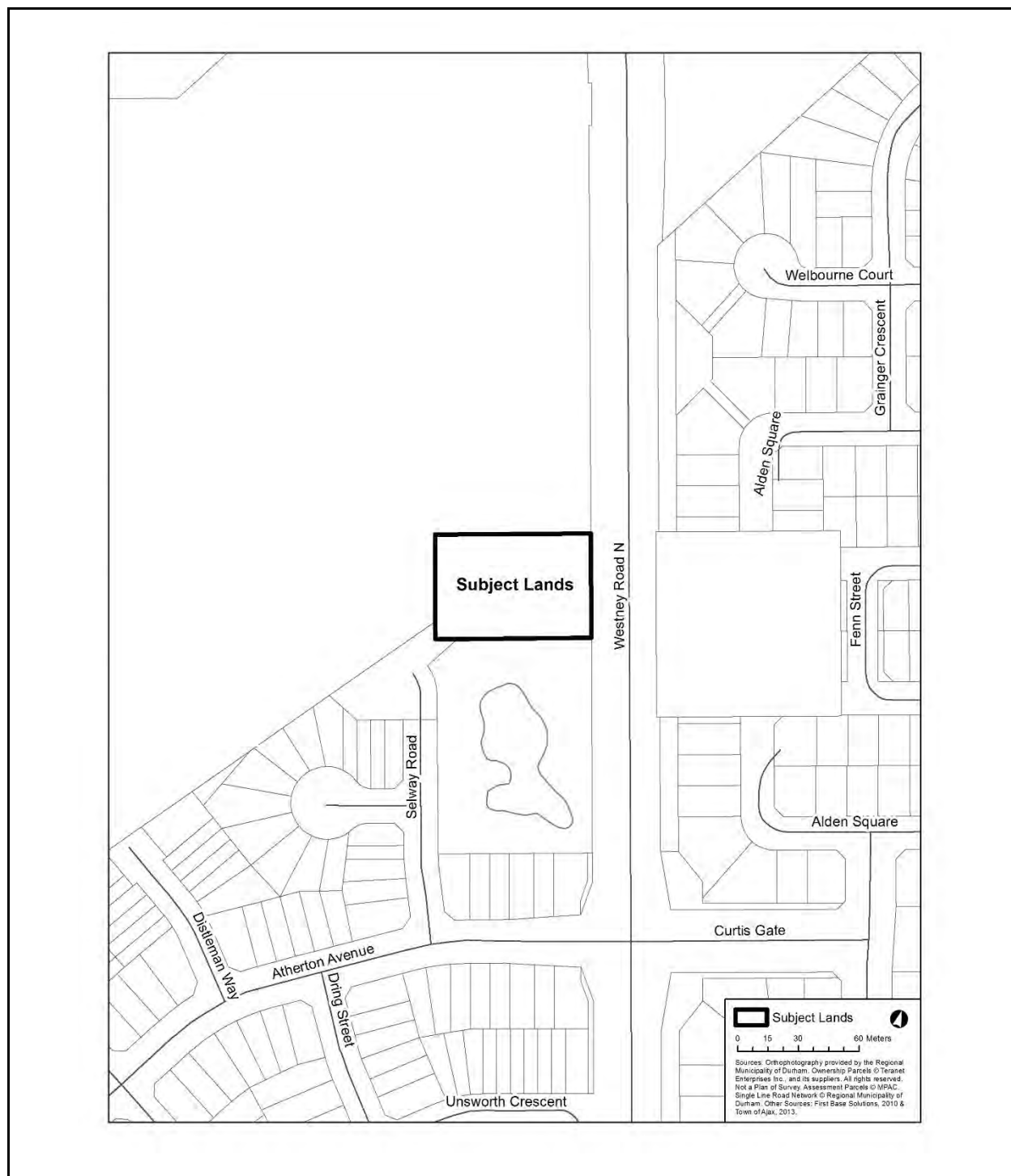
As a result, Rogers Communications returned to 1748 Westney Road North. Bell Mobility has agreed to co-locate on the proposed tower located on the subject lands following an invitation from Rogers Communications.

1.3 Subject Lands

This property encompasses an area of approximately 0.4 hectares (0.98 acres) and are located on the west side of Westney Road North.

The subject lands are surrounded by the following land uses:

- North: Abutting the lands to the north is the Hydro One transmission corridor.
- East: To the east across Westney Road is the Westney Family House (Westglen Farm) which is designated under Part 4 of the Ontario Heritage Act. Further east are single detached dwellings.
- South: Abutting the lands to the south is a Town owned stormwater management pond; and further south are single detached dwellings.
- West: Abutting the lands to the west is the Hydro One transmission corridor. To the southwest are vacant residential lands owned by Great Gulf.



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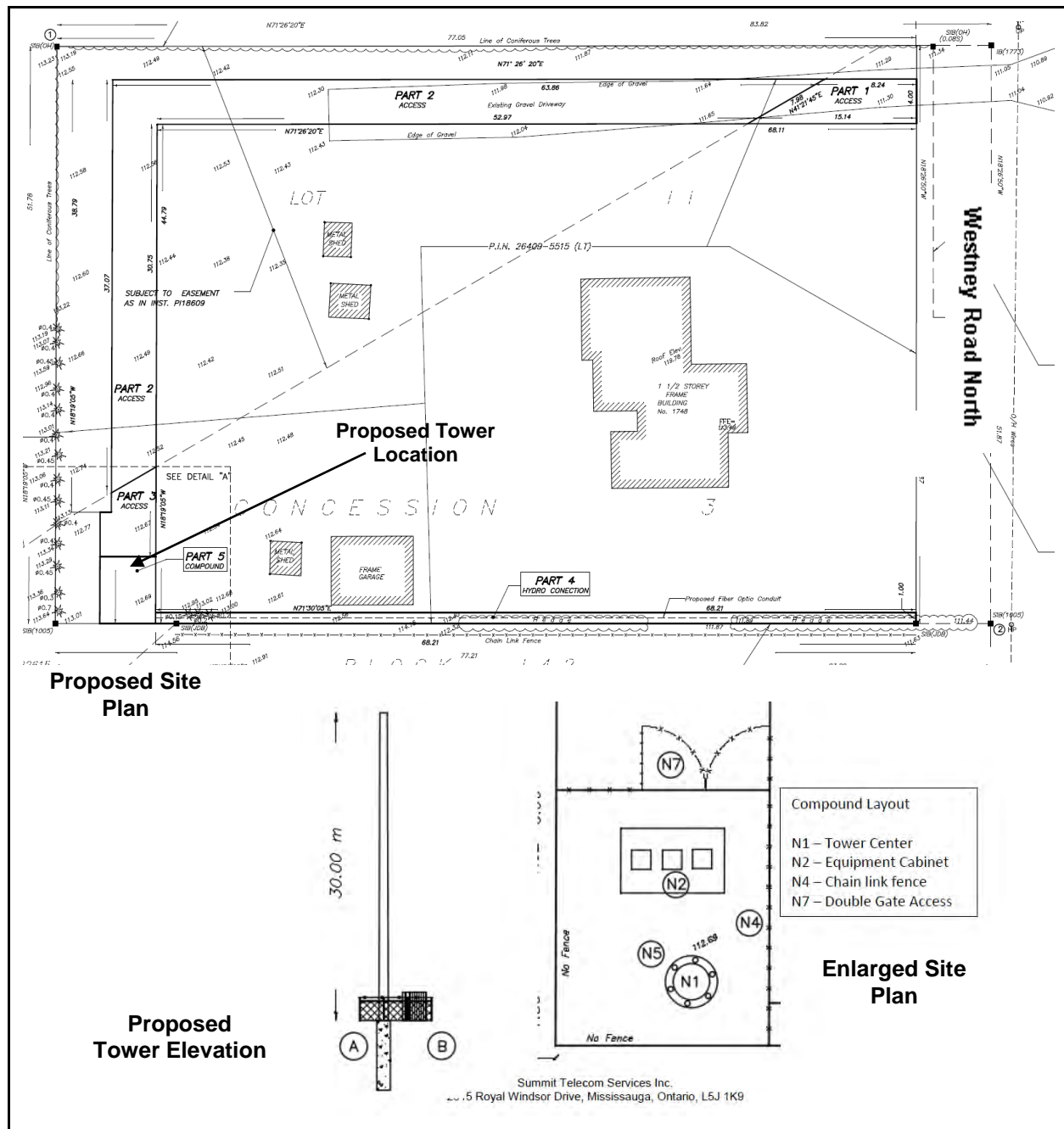
Applicant: Rogers
 Communications Inc.

Date: May 4, 2015

Figure 1
Location Map
1748 Westney Road North

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Figure 3
Proposed Tower and Site Plan

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1.4 Official Plan and Zoning By-law

The Town of Ajax Official Plan designates the subject lands as Low Density Residential. Section 2.5.4.5 of the Town of Ajax Official Plan identifies the Town policies regarding telecommunication facilities as follows:

- the Town's Official Plan permits utilities in all land use designations, except the Environmental Protection designation where exceptions will only be permitted in limited circumstances deemed necessary by the Town;
- it encourages towers and antenna systems to be located in a manner such that visual impacts are minimized, including
 - co-locating new facilities on existing towers, structures, or buildings;
 - locating antenna systems on hydro transmission towers;
 - locating towers within or adjacent to hydro transmission towers;
 - using alternative tower structures or masking the tower so that it blends with surrounding development; and
 - locating towers in areas zoned General Employment (GE) and Heavy Employment (HE).
- towers and antenna systems are encouraged to be designed to minimize visual impacts using fencing and tree and shrub plantings around the perimeter;
- the design of the equipment shelter adjacent to residential areas are encouraged to reflect the architecture of the adjacent residential area; and
- policies require proponents of new wireless telecommunication towers and antenna systems that meet the criteria in the Town's Policy for Establishing Telecommunication Tower and Antenna Facilities to undertake public consultation in accordance with the policy.

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

- the proposed tower would not be located within the EP designation;
- co-location is not feasible due to the lack of existing infrastructure in the immediate area and the low-rise nature of development in the vicinity;
- co-location on the hydro towers to the north is not possible due to Hydro One restrictions;
- the subject lands are directly adjacent to the hydro corridor;
- the tower has been designed to resemble a flagpole in order to mitigate the visual impact, all transmission equipment would be located within the monopole structure and would not be visible;
- there are no designated employment areas within the vicinity of the required service area.
- there are existing mature trees along the north, south and west property lines to buffer the proposed equipment shelter and the base of the tower. There is an existing accessory building that would shield the equipment shelter and the base of the tower from Westney Road North.

Staff have reviewed the subject site plan application in the context of the existing Policy for Establishing Telecommunication Tower and Antenna Facilities and have no objection to the proposed installation.

A monopole tower has been proposed to minimize the required footprint of the tower and to reduce visual impacts. It has been determined that a tower with a height of 30 metres is required to service the desired locations.

The subject lands are zoned Agricultural (A) Zone in Zoning By-law 95-2003, as amended. There are no zoning non-compliances associated with this proposal.

1.5 Industry Canada Protocol

Industry Canada regulates the installation of telecommunication towers and antenna required for wireless service providers, government, safety and security organizations, utilities and businesses. In June 2014, Industry Canada released amended antenna siting and approval procedures entitled "Client Procedures Circular (CPC-2-0-03) Radiocommunication and Broadcasting Antenna Systems, Issue 5".

The amended procedures strengthened consultation with the local public by requiring consultation with local land-use authorities, and strengthening notice mail out procedures. The amendments reviewed consultation procedures for towers less than 15 metres in height and mounted on existing buildings and structures; and required that towers be constructed within 3 years of the conclusion of consultation.

Under the legislative authority of the *Radiocommunication Act*, the Minister of Industry Canada may (taking into account all matters the Minister considers relevant for ensuring the orderly development and efficient operation of radiocommunication in Canada) issue radio authorizations and approve each site on which radio apparatus, including antenna systems, may be located. Industry Canada requires telecommunication facility proponents to consult with local land-use authorities to optimize facility design, but not prohibit telecommunication facility deployment.

Further, the Minister may approve all masts, towers, and other antenna-supporting structures. In addition to roles and responsibilities for site sharing, land-use authority and public consultation, proponents must also fulfill other important obligations including: compliance with Health Canada's Safety Code 6 guideline for the protection of the general public; compliance with radio frequency immunity criteria; notification of nearby broadcasting stations; environmental considerations; and Transport Canada/NAV CANADA aeronautical safety responsibilities.


1.6 Town of Ajax Protocol for Telecommunications Towers and Antenna Facilities

The construction of telecommunications towers and antenna are under the sole jurisdiction of Industry Canada. However, Industry Canada has encouraged land-use authorities to establish individual consultation processes. In March 2013, Council adopted the Town of Ajax *Policy for Establishing Telecommunication Tower and Antenna Facilities*. This protocol establishes policies on preferred locations for towers and what types of towers are preferred in residential, industrial and commercial areas. The protocol has been developed in consultation with Industry Canada and the telecommunication industry to ensure consensus with the proposed policies. The protocol entails a pre-consultation component, submission details regarding location, siting and site design, and public consultation through an open house or information session.

The *Town of Ajax Protocol for Telecommunications Towers and Antenna Facilities* discourages telecommunications facilities on lands designated or zoned residential, mixed use, or environmental protection. Following submission of the application, the proponent explored a co-location opportunity on lands located at Westney Road and Taunton Road in the Meadow Ridge Plaza, which is designated Mixed Commercial Corridor. However, the proponent was unable to enter into an agreement with the property owner and had to abandon the location. As a result, the proponent has returned to the subject lands for the proposed installation.

View from Westney Road North looking west



<p>Application File No: SP16/13</p> <p>Applicant: Rogers Communications Inc.</p> <p>Date: May 4, 2015</p>	<p>Figure 4</p> <p>Photo Simulation 1</p> <p>144 Rossland Road East</p> <p>View from Harwood Avenue North looking south</p>	<p>Town of Ajax Planning and Development Services</p> 
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View from Atherton Road looking north



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Figure 5

**Photo Simulation 2
144 Rossland Road East**

**View from Harwood Avenue
North looking south**

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2.0 DISCUSSION:

The applicant has addressed the following issues identified through the planning review and the public consultation processes.

2.1 Siting and Design

Planning staff have reviewed the proposals and are satisfied with the siting and design of the proposed telecommunication tower. The tower is required to provide additional wireless service coverage to north Ajax where current facilities are not adequate to meet consumer demand. The height of the proposed tower has been reduced as much as possible, and has been designed to resemble a flag pole to help mitigate visual impacts. The proposed tower will be 30 metres high and has been designed to resemble a flagpole structure with all antenna equipment mounted inside the pole.

The proposed monopole tower has been located on the southwestern portion of the subject lands in the rear yard. The base of the tower and equipment shelter is to be shielded by utilizing existing mature vegetation and accessory buildings from public view (See Figure 5 – Photo Simulation). There is an existing stormwater pond to the south which contains vegetation between the pond and subject lands that provides additional buffering. The tower is setback approximately 60 metres from the nearest residential dwelling to the southwest. The compound will be fenced with black vinyl chain link fencing, and has been re-located away from the western property line to preserve existing trees.

3.0 FINANCIAL IMPLICATIONS:

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

4.0 COMMUNICATIONS:

The proposal was circulated to all internal departments and external agencies and their comments have been incorporated. Hydro One indicated that they have no concerns with the proposed tower.

In accordance with the Town of Ajax *Policies for Establishing Telecommunication Tower and Antenna Facilities* and Industry Canada's default process, Summit Telecommunications undertook the prescribed public notification outlined in section 7.0. Public Open Houses were held on January 28, 2014 and January 13, 2015.

The procedures of Industry Canada and the Town of Ajax require a circulation radius of three times the height of the proposed tower measured from the base of the tower (a 90 metre circulation is required). The notification radius was increased to include all residents and land owners within 120 metres of the subject property. Notification included copies of the site plan, elevation and simulation drawings; as well as information regarding Industry Canada procedures and protocols for telecommunications providers

Notice of the Public Open Houses were also posted in the Community Page of the Ajax News Advertiser for two consecutive weeks prior to the meetings, and notice was also posted on the Town's Website.

4.1 Public Consultation

The proponent held two Public Open House meetings. The first Public Open House meeting was held on January 28, 2014 at Ajax Town Hall. One resident, Mr. Ritesh Puri, 10 Atherton Avenue, and Mr. Mark Resnick from Great Gulf homes attended the meeting, their comments have been summarized below.

Following the first public open house meeting the applicant began pursuing a co-location opportunity at 1940S Ravenscroft Road. After the alternative location was abandoned, a second Public Open House meeting was held on January 13, 2015 due to the length of time since the previous meeting and to inform individuals who attended the first meeting. Only the owner of the subject property attended the meeting. Attendees of the first meeting requested that their previous comments be considered again.

In total, four responses were received from residents (Mr. Ritesh Puri, 10 Atherton Avenue; Mr. Mirza Baig, 6 Atherton Avenue; and Mrs. Karana Smith, 10 Selway Road) and one adjacent land owner (Mr. Mark Resnick from Great Gulf homes). Further, Mr. Mark Resnick sent a second response on April 24, 2015, reiterating his previous comments and further objecting to the proposed installation. All comments have been summarized below, including responses sent from the proponent:

Question/Comment	Response
Objection to the proposed location and specifically its impact on views and overall aesthetic character of the area. Concern that there would be a light on top of the tower.	<p>Telecommunication facilities must be located close to the consumer. Through the site selection process it was determined that there are no suitable tall structures or buildings in the vicinity of the area to be serviced. The tower has been designed to resemble a flagpole structure with all antenna equipment mounted within the pole.</p> <p>The subject lands abut a major hydro-electric corridor on two sides, characterized by tall lattice style tower facilities.</p> <p>The proposed tower will not require a navigation light given that the proposed tower is 30 metres in height.</p>
Concerned about possible health effects of long term RF energy exposure.	Roger's attests that the proposed facility will comply with Health Canada's Safety Code 6; the industry safety standard that all towers must abide by.
Concern regarding reduced property values.	There is no documented evidence indicating that the proximity to wireless communication facilities have a measurable effect on the value of a dwelling. Additionally, there are a number of external factors that can influence the value of a dwelling including demand, interest rates, employment levels, wages and taxes.
Concern that the local public are not involved in the decision.	The federal government has exclusive jurisdiction over the approval of telecommunication facilities, and has made consultation with local land use authorities (Town of Ajax) and local residents mandatory. The <i>Town of Ajax Policy for Establishing Telecommunication Tower and Antenna Facilities</i> also outlines consultation requirements.

Policies 5.1 and 5.2 of the <i>Town of Ajax Policy for Establishing Telecommunication and Antenna Facilities</i> rank lands zoned/designated residential as the least preferred option and should only be considered if locating in a preferred location cannot be accommodated.	Through the site selection process, an alternative location proposed by Bell Mobility was explored as a co-build site. However, Bell Mobility was unable to come to an agreement with the land owner. Both the <i>Town of Ajax Policy for Establishing Telecommunication and Antenna Facilities</i> and the Town of Ajax Official Plan encourage the use of camouflage techniques and locating adjacent to the hydro corridor. The proposed tower has been designed as a flag pole structure and would be located adjacent to the hydro corridor.
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5.0 CONCLUSION:

Approval of a site plan and design of telecommunication towers is under the exclusive jurisdiction of the Government of Canada through Industry Canada. The Town's Official Plan policies have been considered through the review of this application. The height of the proposed tower has been minimized to reduce visual impacts, and the tower has been designed to resemble a flagpole with all antenna facilities enclosed within the tower.

Staff have reviewed the proposal and are satisfied with the location of the telecommunication tower as the subject lands are located adjacent to the hydro transmission corridor and alternative locations have been explored. All of the appropriate steps have been taken by Summit Telecom and Town staff to ensure that the residents in the area of the proposed towers have been notified and informed of the procedures and protocols for erecting telecommunication towers.

Staff recommend that Council concur with the proposals subject to the proponent submitting final drawings for both installations to the satisfaction of the Town of Ajax.

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