



Principals

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May 9, 2024

GWD File: PN 2415 – MZO

**Environmental Registry of Ontario
Municipal Services Office – Central Ontario
777 Bay Street, 16th Floor
Toronto, ON M7A 2J3**

**Re: Minister's Zoning Order Request
Environmental Registry of Ontario Posting No. 019-8517
650 Beck Crescent, Town of Ajax
Atlas Development Ltd.**

Gagnon Walker Domes Ltd. ("GWD") is agent to Atlas Development Ltd. ("Atlas"); the registered owner of the property known municipally as 650 Beck Crescent, in the Town of Ajax ("subject site"). The subject site is generally located at the southeast corner of Chambers Drive and Beck Crescent.

On January 23, 2023, Town of Ajax Council passed a motion to request a Minister's Zoning Order ("MZO") to permit a mixed use development on the subject site. The MZO would facilitate approximately 200 apartment dwelling units and a minimum of 5,400 m² of non-residential gross floor area within one (1) building on the subject site, with the objective of expediting the delivery of much needed new housing and employment within the Town of Ajax.

Town of Ajax Staff and our Client have worked cooperatively on finalizing a draft Ontario Regulation pertaining to the MZO request (enclosed). On behalf of our Client, we request that the Minister of Municipal Affairs and Housing approve the MZO request and facilitate the mixed use development of the subject site as advanced through the draft Ontario Regulation jointly prepared and supported by the Town of Ajax.

Regards,

**Richard Domes, B.A., C.P.T.
Partner, Principal Planner**

**Nikhail Dawan, B.E.S.
Planning Associate**

C.C.: Atlas Development Ltd.
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APPENDIX A

With respect to the Town of Ajax, Regional Municipality of Durham

Subsection 34.1 (9) of the Planning Act

Definitions

1. In this Order,

“Affordable Housing” means:

In the case of rental housing is a unit where rent does not exceed 80% of the average monthly market rent for units of the same type and number of bedrooms, in the year that they are occupied, in accordance with bulletins released by the Ministry of Municipal Affairs and Housing; and

In the case of ownership housing is a unit where the purchase price does not exceed 80% of the average market purchase price for units of the same type and number of bedrooms, in the year that the unit is sold, in accordance with bulletins released by the Ministry of Municipal Affairs and Housing;

“Base building” means the portion of a building that is between two and eight storeys;

“Building tower” means the portion of a building that is nine storeys or higher;

“Indoor amenity space” means a common area or areas that are provided for the recreational or social purposes of the occupants of a building;

“Long-term care home” has the same meaning as in the *Long-Term Care Homes Act, 2007*;

“Retirement home” has the same meaning as in the *Retirement Homes Act, 2010*; and

“Zoning by-law” means the Town of Ajax Zoning By-law 95-2003, as amended.

Application

2.

- (1) This Order applies to lands in the Town of Ajax, in the Regional Municipality of Durham, in the Province of Ontario, as shown on the map included with this Order as Appendix B.
- (2) For the purposes of this Order, the lands described in subsection (1) are considered to be a single lot.
- (3) Despite any existing or future severance, partition, or division of the lands described in subsection (1), the provisions of this Order apply to all of the lands as if no severance, partition, or division had occurred.

Condition, Affordable housing

3. A building permit shall not be issued until the Owner has entered into an agreement with the Town for the provision of affordable dwelling units. This agreement shall stipulate that a minimum of 5% of the constructed dwelling units will be affordable for a minimum 25-year period. This agreement shall also address, but not be limited to: eligibility criteria to occupy an affordable dwelling unit; affordable ownership and/or affordable rental rates; annual auditing and reporting to the Town; if the affordable dwelling units are rental, the Owner’s responsibility for managing and operating the affordable rental

units; and, if the affordable dwelling units are ownership, restrictions on the resale of an affordable unit within the minimum 25-year affordability period. The agreement shall also provide a balanced mixture of unit sizes, including one-, two- and three-bedroom units. The Owner covenants and agrees that the Town will register this agreement against the title to the lands.

Permitted uses

4. Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in subsection 2 (1), except for:

- (1) Any of the following residential uses:
 - (a) Apartment Dwelling Unit within a Mixed-use Building

- (2) Any of the following non-residential uses:
 - (a) Banquet Facility
 - (b) Commercial Fitness Centre
 - (c) Commercial School
 - (d) Convenience Store
 - (e) Day Care Facility
 - (f) Dry Cleaning Depot
 - (g) Financial Institution
 - (h) Hotel
 - (i) Licensed Accessory Outdoor Patio
 - (j) Medical Clinic
 - (k) Office
 - (l) Personal Service Shop
 - (m) Place of Entertainment
 - (n) Restaurant
 - (o) Retail Store
 - (p) Service and Repair Shop
 - (q) Unlicensed Accessory Outdoor Patio
 - (r) Veterinary Clinic

Zoning requirements

4.

- (1) For the purposes of this Order, the Provisions of the Local Commercial Zone shall apply, except as follows:
- a) A minimum landscape buffer of 3.0 metres to all lot lines.
 - b) A minimum lot frontage of 70.0 metres.
 - c) A minimum lot depth of 20.0 metres.
 - d) A minimum setback from the front lot line of 3.0 metres.
 - e) A maximum setback from the front lot line of 6.0 metres.
 - f) A minimum setback from the exterior side lot line of 3.0 metres.
 - g) A maximum setback from the exterior side lot line of 6.0 metres.

- h) A minimum setback from the interior side lot line of 3.0 metres.
- i) A minimum setback from the rear lot line of 9.0 metres.
- j) A minimum ground floor finished floor-to-ceiling height of 4.0 metres.
- k) A minimum building tower stepback from the edge of a base building facing a public street of 2.0 metres.
- l) A minimum setback of 0.0 metres to a below grade parking structure from all lot lines.
- m) No parking areas, driveway aisles (except approved driveway aisles that provide access to the property from the public street) or loading spaces shall be permitted between an adjacent street and any part of the building façade that runs parallel to the public street.
- n) A minimum built frontage of 50% of the lot frontage along Chambers Drive.
- o) A minimum built frontage of 40% of the lot frontage along Beck Crescent.
- p) A minimum of 5,400 square metres of non-residential gross floor area.
- q) A maximum building height of 25-storeys.
- r) A minimum building height of 11 metres
- s) A minimum landscape open space of 10%.
- t) A minimum lot coverage of 40%.
- u) A maximum surface parking/ driveways/ loading and service areas (excluding private roads) of 30%.
- v) Exception 61 of the zoning by-law shall not apply.
- w) In addition to the permitted encroachments into required yards in section 4.2 of the zoning by-law, balconies shall be permitted to encroach a maximum permitted distance of 1.8 metres into a required yard setback or tower stepback above the building podium.
- x) A minimum of 1.0 parking spaces per dwelling unit for the exclusive use of occupants.
- y) A minimum of 0.25 parking spaces per dwelling unit for the exclusive use of visitors.
- z) The parking space requirements for non-residential uses identified in section 3 (2) shall comply with the requirements of the Zoning By-law.
- aa) In addition to the minimum parking space requirements set out in sections 4 (1) (x), (y) and (z), parking spaces shall be provided for persons with disabilities in accordance with the Accessibility for Ontarians with Disabilities Act, 2005.

Terms of use

5. (1) Every use of land and every erection, location and use of buildings or structures shall be in accordance with this Order.

(2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.

(3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use is not altered.

(4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

Deemed by-law

6. This Order is deemed for all purposes, except the purposes of section 24 of the Act, to be and to always have been a by-law passed by the council of the Town of Ajax.

APPEDIX B

