

TOWN OF AJAX DOWNTOWN COMMUNITY IMPROVEMENT PLAN

1.0 Legislative Basis

Under normal circumstances, Section 106(1) of the Municipal Act, 2001, c.M.45 prohibits municipalities from assisting, either directly or indirectly, any manufacturing business or other industrial or commercial enterprise through the granting of bonuses for that purpose. However, an exception is made in Section 106(3) of the Municipal Act, 2001, for municipalities exercising powers under Section 28(6) or (7) of the Planning Act. Section 28 of the Planning Act allows municipalities with provisions in their Official Plans relating to community improvement to designate by by-law a “community improvement project area”. Once this is done, a municipality may prepare a “Community Improvement Plan” (“CIP”) for the community improvement project area. It is the Town of Ajax’s intention, through adoption and Provincial approval of the Downtown Community Improvement Plan, to avail itself of said waiver of prohibited bousing provisions available under the Municipal Act, 2001, and the Planning Act.

According to Section 28(1) of the Planning Act, a “community improvement project area” is defined as *“an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other reason.”*

For the purposes of carrying out a CIP, a municipality may engage in the following activities within the community improvement project area:

- acquire, hold, clear, grade or otherwise prepare land for community improvement (Section 28(3));
- construct, repair, rehabilitate or improve buildings on land acquired or held by it in conformity with the community improvement plan (Section 28(6));
- sell, lease or otherwise dispose of any land acquired or held by it in conformity with the community improvement plan (Section 28(6)); and,
- make grants or loans to registered owners, assessed owners and tenants of lands and buildings within the community improvement project area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the cost of rehabilitating such lands and buildings in conformity with the community improvement plan (Section 28(7)).

1.1 Purpose of the Downtown Community Improvement Plan

The lands designated on Schedule ‘A’, Downtown Community Improvement Project Area Boundaries, of By-law 43-2005 (the ‘Designation’ By-law) form the target for the Town’s Downtown Community Improvement programs (see **Schedule A**). The intent of the Downtown Community Improvement Plan is to encourage and facilitate appropriate rehabilitation projects in the Community Improvement Project Area. The Downtown CIP allows for the Town to offer financial assistance to encourage and support the (re)development of lands in the Downtown area, and supplements the Town’s ability to take a leading role as a direct participant in Downtown improvement initiatives.

The goals of the CIP are consistent with and build upon the community improvement goals of the Town of Ajax Official Plan. The objectives of the Town with respect to the Downtown CIP are as follows:

- to enhance the Downtown as a unique district and the heart of the Town;
- to strengthen the Downtown in terms of vibrancy, diversity and economic viability by stimulating investment interest in the redevelopment potential of the Downtown;
- to strengthen the economic viability of the Downtown by maintaining a vibrant, economically viable retail and service base;
- to improve the image and appearance of the area (much of the development in the Downtown is aging and shows visible signs of deterioration);
- to promote redevelopment/rehabilitation that supports the Downtown “vision”, i.e., the creation of an intensive, mixed-use, pedestrian-oriented, transit-supportive district, functioning as the cultural and administrative centre of the Town;
- to increase the provision of diverse housing opportunities (medium and high-density residential forms in a Downtown “infill” location versus lower density forms in peripheral “greenfield” locations);
- to improve the pedestrian amenity and safety of the area, including the Downtown’s function as a major transit hub;
- to enhance private sector investment opportunities and property maintenance; and,
- to increase tax assessment and revenues for the Town of Ajax.

To these ends, the following actions or programs may be implemented by the Town under the Downtown CIP:

- (A) a Municipal Property Acquisition, Investment and Partnership Program to facilitate the Town’s acquisition of key strategic Downtown sites (to provide sites either for the provision of public amenities or to facilitate rehabilitation directly in partnership with the private sector), to rehabilitate lands that the Town already owns, and/or provide grants to other levels of government for purposes which support the goals/objectives of this CIP;
- (B) providing financial assistance where Town property taxes increase as a direct result of improving a property in accordance with the goals and objectives of this CIP;
- (C) providing rebates to Planning and Development Fees for Official Plan Amendments, rezonings, minor variances, consents, site plans, plans of subdivision/condominium, sign permits, exemptions from part lot control, and demolition permits; and providing a grant to offset Building Permit Fees; and,
- (D) exempting/reducing the Town’s portion of development charges for eligible commercial, office and residential development, either through an outright exemption/reduction at the time of building permit issuance, or through the issuance of a grant equivalent to the eligible development charge exemption/reduction pending final inspection of the completed works.

Other Downtown assistance initiatives not forming part of the Downtown CIP may also be offered by the Town, including the following:

- (i) providing relief, in the form of an exemption or reduction in the number of parking spaces required, to property owners who undertake improvement projects; and,
- (ii) providing relief, in the form of a reduction of parkland dedication requirements (either land or cash-in-lieu requirements), to property owners who undertake improvement projects involving the provision of new high-density residential development and/or new medium-density residential development featuring underground parking.

1.2 General Rules

1.2.1 Establishing Priority

The provision of assistance under any program as described in Sections 2.2, 2.3 or 2.4 shall generally be administered on a first come, first served basis, to the limit of available funding in any given year. Due to market uncertainties and the impact they have on Town revenues in any given year, the Town reserves the right to suspend, at any time and without formal notice or amendment to the Downtown Community Improvement Plan, participation in any active program on an interim basis pending approval of the next annual budget. Given the Town's desire to accommodate all eligible participants wishing to partake of the incentives offered under the CIP in any given year, an annual cap on the disbursements the Town can issue under the Downtown CIP has not been instituted. However, due to the limited funds available in any given year (the amount of which varies from year-to-year according to market vagaries) and the inability to predict the level of participation, the Town may suspend further participation in any program(s) if, over the course of a given year, the number of applications and/or the magnitude of the projects proposed for the CIP exceed available funds for that year.

In such instances, applications approved up to the point of program suspension will continue to proceed unhindered, and receive disbursements (where applicable) in the normal fashion. Applications which have been received but not yet approved at the point of program suspension will continue to be processed toward approval/refusal of the application in the standard manner, and if approved, will be put in a queuing sequence with priority being established in the order that the applications were received. Any applications submitted after the point of program suspension will not be accepted until the next annual budget is approved by the Town. Applications which have been approved but suspended in the queue will be reactivated upon approval of the next annual budget, with the newly available CIP funding being allocated in order of the queuing sequence.

1.2.1.1 Priority Sites

Within the Downtown Community Improvement Project Area, a number of specific sites have been targeted to receive priority treatment in the event that multiple competing applications seek to take advantage of the limited financial resources available. Consequently, while applications are generally administered on a first come, first served basis (with priority being established in the order that applications are received), any application received involving one of the targeted sites shall receive first priority in the queue.

The priority target sites consist of the following (see Schedule B):

- (A) the vacant portion of the former Verona lands (within Sundial Central Park Village);
- (B) the vacant lands located at the southwest corner of Harwood Avenue South and Bayly Street;
- (C) the lands bounded by Station Street to the north, Harwood Avenue South to the east, Hunt Street to the south, and Commercial Avenue to the west, containing the Ajax, Station Street and Scot Plazas;
- (D) the Sherwood Gardens apartment complex, located on the east side of Harwood Avenue South, extending north from Bayly Street to the north side of King's Crescent (south leg); and,
- (E) the vacant Atlas Tag lands located on the north side of Bayly Street, between Sundial Central Park Village and Harwood Plaza.

1.2.2 Nullification of Program Applications

The Town reserves the right to nullify any program application(s) which has been approved but which does not result in any building activity within 6 months of the issuance of an associated building permit (building permits are valid for 6 months). Extensions of this timeframe may be permitted provided an extension of the building permit is also granted.

1.2.3 Participation in Multiple Programs

Provided all eligibility criteria and conditions are met for any particular program, participation in any given program does not preclude the owner from being eligible to participate in other programs offered under the Downtown Community Improvement Plan.

1.2.4 Program Details

Specific details regarding the programs (including description, funding, eligibility requirements, and administrative procedures) are outlined for each the various CIP programs outlined under Section 2.0. The parameters, terms and conditions of any CIP program may be changed, altered, amended or modified by the Town of Ajax without the necessity of an amendment to this Community Improvement Plan if they are minor in nature. Minor amendments consist of the following:

- changes to parameters identifying who is eligible to receive grants or loans, subject to the provisions of Section 28(7) of the Planning Act;
- decreases to percentages/ratios regulating the size of grants as a proportion of taxes, fees, or development charges otherwise owing;
- changes to the type of works considered by the Town as elements contributing to the cost of rehabilitating lands and buildings, above and beyond the work indicated on the building permit application;
- removal of "tax arrears" or "outstanding liens" as conditions precluding program eligibility;
- changes to the duration of programs;
- changes to values/amounts specified in eligibility criteria dealing with site development area and/or gross floor area requirements;
- the addition or removal of "priority sites" within the Downtown Community Improvement Project Area, as shown on Schedule 'B' of the Downtown Community Improvement Plan.

All other amendments to the rules, parameters and programs contained in the Downtown Community Improvement Plan shall require the approval of Council. The addition or increase in value of a grant or loan program shall likewise require an amendment to this Community Improvement Plan; however, the Town may discontinue any program without requiring an amendment to this Plan.

1.3 Implementation

The Downtown Community Improvement Plan will be implemented through the provisions of Section 7.1.6 of the Town of Ajax Official Plan and Section 28 of the Planning Act.

The overall implementation of the CIP programs offered under the umbrella of Section 28 of the Planning Act, including liaison with the Ministry of Municipal Affairs and Housing, shall be the responsibility of Planning and Development Services.

1.4 Interpretation

Sections 1.0 and 2.0, together with Schedules A and B, form the actual Community Improvement Plan for the Downtown Community Improvement Project Area. Section 3.0 does not constitute part of the actual Community Improvement Plan.

Alterations to the Downtown Community Improvement Project Area boundary, or the addition or increase in value of grants or loans of CIP programs permitted under Section 28 of the Planning Act, shall require an amendment to this Plan, to be approved by Council. This Plan has been prepared in accordance with and shall be deemed to conform to the Town of Ajax Official Plan.

This Plan shall be referred to as the Downtown Community Improvement Plan for the Town of Ajax. At such time as other Community Improvement Plans are prepared for this or other areas, this title may be modified for clarification purposes without requiring an amendment to this Plan.

1.5 Administration

A dedicated group comprised of representatives from individual Town departments/sections shall be responsible for administering the Downtown CIP and assessing applications. This team-based approach mirrors the administrative structure used across the Province by other municipalities with active CIP programs. The 'Application Review Team' will consist of one member from each of the following departments/agencies:

- Planning and Development Services – Planning Section (Policy and Development);
- Planning and Development Services - Economic Development Team; and,
- Financial Services.

The Town's solicitor, and Building/Engineering staff will be requested to provide advice on applications, as needed.

The Application Review Team will work under the Manager of Planning and the Director of Planning and Development Services. All decisions/recommendations of the Application Review Team shall be approved by the Director of Planning and Development Services. The composition of the Application Review Team may be modified without an amendment to the CIP.

2.0 Downtown Community Improvement Plan - Program Parameters

2.1 *Municipal Property Acquisition, Investment and Partnership Program*

2.1.1 Description

The *Municipal Property Acquisition, Investment and Partnership Program* is a general program of Town property acquisition, investment and involvement in public/private partnerships to clean-up and/or rehabilitate properties in the Community Improvement Project Area. Property acquisition under this program may be pursued by the Town either through the marketplace, as a regular real-estate transaction, or through the Town exercising its powers under Section 28 of the Planning Act. Any lands that the Town acquires under the *Municipal Property Acquisition, Investment and Partnership Program* may subsequently be conveyed by the Town (including the sale of lands at below market value), if the sale of the land assists the Town in achieving any of its goals with respect to the Downtown CIP.

2.1.2 Program Funding

Funding for this program shall be obtained from two sources:

- allocating 20% of the value of building permit fees collected for all new residential and office/commercial construction in the Downtown Community Improvement Project Area pertaining to properties participating in the *Planning and Development Fees Grant*;
- other direct municipal contributions, at Council's discretion.

For the comprehensive development of lands on Priority Sites identified under Section 1.2.1.1, the owner will be granted back 100% of the building permit fees collected under the Planning and Development Fees Grant Program, in accordance with criteria within Section 2.2.3 of this Plan.

For all other sites, the property owner is granted back up to 80% of building permit fees collected under the *Planning and Development Fees Grant Program*, and the Town will allocate the balance of the value of the building permit fee(s). These monies shall be obtained from the CIP Development Improvement Reserve. As funds accrue in this account, the Town can use these funds to rehabilitate properties (including roads) that it already owns, acquire key strategic parcels (either for public purposes or for conveyance at an appropriate time), undertake capital projects which support the goals and objectives of this CIP, and/or participate in public/private partnerships to rehabilitate publicly or privately held land in the Downtown Community Improvement Project Area. Grants from this fund may also be issued, at Council's discretion, to provide assistance to any other level of government for any purpose which supports the goals and objectives of this CIP.

The CIP Development Improvement Reserve will function as a revolving fund with any profits from rehabilitation deposited back into the fund (e.g., parking revenue). These funds are not intended for transfer to general revenues.

2.1.3 Program Duration

This program will commence on the day following the date of final approval of the Plan by the Town of Ajax. When the *Rehabilitation Grant Program* ends with the last grant payment paid out possibly as late as December 31, 2025, the Municipal Property Acquisition, Investment and Partnership Program will also end.

2.1.4 Eligibility for Program Participation

Unlike other programs contained in the Downtown CIP, the *Municipal Property Acquisition, Investment and Partnership Program* is a program developed to facilitate direct participation by the Town as an active player in Downtown rehabilitation projects. Consequently, private landowners/developers are unable to make direct application to participate in this program. Participation in this program is limited to the Town itself, unless by invitation of or agreement with the Town, a landowner/developer enters into a partnership arrangement with the Town. In the case of a partnership arrangement, participation by the landowner/developer in terms of the program is indirect in nature, with the Town playing the lead role through exercising its powers under Section 28 of the Planning Act.

Given that direct participation is limited to the Town, no eligibility criteria are required (the Town cannot disqualify itself). The rehabilitation projects chosen to benefit from the *Municipal Property Acquisition, Investment and Partnership Program* shall be at the sole discretion of the Town. However, the *Municipal Property Acquisition, Investment and Partnership Program* may only be used by the Town for purposes within the Community Improvement Project Area which contribute to achieving the goals of the Downtown CIP.

2.1.5 Program Administration

The Planning and Development Services Department and the Finance Department will administer the CIP Development Improvement Reserve, in consultation with other departments and divisions as necessary. The Town may then draw on this account to acquire property or rehabilitate property it already owns, or to participate in public/private partnerships to rehabilitate improve publically or privately held land, but said properties must be in the Downtown Community Improvement Project Area.

Authority under this program would be exercised in order that rehabilitation of land or buildings may occur in conformity with this Plan, subject to Council approval. All activities under the *Municipal Property Acquisition, Investment and Partnership Program*, and all expenditures from the DIA, shall be subject to Council approval. At such time as there are sufficient funds in the DIA, an additional report may be prepared and forwarded to Council, to provide further details with respect to the implementation of this program.

2.2 Rehabilitation Grant Program

2.2.1 Description

The *Rehabilitation Grant Program* is intended to provide financial relief in the form of tax grants to property owners who undertake rehabilitation/improvement of their properties in the Community Improvement Project Area that results in a re-valuation and tax increase on these properties, for eligible residential and/or commercial/office development. This program addresses a serious financial impediment to rehabilitation and redevelopment efforts, namely the large tax increase that results when a property is rehabilitated/improved. By granting back a portion of the Town's taxes attributable to the increased assessment over an extended period, this program encourages development by not immediately "penalizing" property owners who undertake improvements resulting in tax increases.

2.2.2 Program Funding

To minimize cost and financial risk to the Town, the *Rehabilitation Grant Program* is structured as a “pay-as-you-go” program. In this regard, the owner will be responsible for the entire cost of the rehabilitation project, and the Town may subsequently reimburse the owner for the eligible cost of improvements in the form of an annual tax grant. The owner will initially pay all property taxes owing for each year in full for the entire year prior to the Town reimbursing the owner in the form of an annual grant. The amount of the annual grant will be equal to 80% of the increase in the Town’s portion of property taxes.

2.2.3 Program Duration

Council’s ability to activate this program will be effective on the day following the date of final approval of the Plan by the Town of Ajax and run until December 31, 2025 All grant payments will cease:

- (a) when total grant payments provided under this program equal the total value of work done under “eligible program costs” (See Section 2.2.5(f)) that resulted in the re-valuation; or,
- (b) after ten (10) years.

The Town may, at any time and without formal notice or amendment to the Downtown Community Improvement Plan, discontinue this program, or extend the program for Priority Sites as identified under Section 1.2.1.1 for proposals which meet the following criteria:

- (a) Comprehensive development consisting of a mix of high density residential uses and/or office uses, with ground floor retail uses at a minimum density of 2.5 FSI;
- (b) Private parking supply consisting of a minimum of 80% underground or structured parking.

However, participants in the program prior to its closing will continue to receive the grants as determined through their Redevelopment Agreement (see Section 2.2.5(h)) with the Town. The Redevelopment Agreement may include, at the Town’s discretion, a clause which “grandfathers” eligibility for participation in the program for phases planned to be constructed after the closing of the program, for a specified time.

Grants will be issued over a ten year period with Year 1 of the program defined as the first full calendar year in which taxes are paid after an eligible building has been completed and re-assessed. For example, if an eligible building is completed and re-assessed effective October 1, 2005, Year 1 of the grant schedule would be 2006. The first annual grant would be provided at the end of 2006 based upon 12 months (i.e., January to December).

The *Rehabilitation Grant Program* will only be applied to developments where a building permit is issued after the commencement of the program. The program will not be retroactively applied to developments where building permits were issued prior to the commencement of the program.

2.2.4 Eligibility for Program Participation

The applicants for the *Rehabilitation Grant Program* must be the registered owner(s) of the property, which shall be located within the Community Improvement Project Area. Owners must undertake improvements to their buildings and/or property, which shall be of sufficient size and cost to result in a re-assessment of the property. Owners’ eligibility to apply for the Rehabilitation Grant is subject to the program requirements outlined in Section 2.2.5 below. Property owners who are in arrears of property taxes or who have outstanding liens against the property are not eligible to receive the

Rehabilitation Grant.

2.2.5 Program Requirements

- (a) Any property owner wishing to be considered for a grant under this program must complete and submit an application form to the Planning and Development Services Department prior to the commencement of any works shown on a building permit for new building construction. The application shall include a copy of the Building Permit application (and any related Demolition Permit application) for the proposed new building construction, including drawings detailing the proposed work expected to result in an increase in assessment. Building permits issued for purposes other than new building construction (e.g., some forms of environmental remediation) will not be considered sufficient to trigger an application, but if they are related to processes listed under Section 2.2.5(f), they may be submitted with the building permit for the proposed new building construction as documentation of eligible program costs.

Participants in the program will be limited to proposals which at a minimum shall consist of the following elements:

- (i) a gross site development area in excess of 0.5 hectares; or,
 - (ii) a minimum of 1,000 square metres of new commercial/office Gross Floor Area.
- (b) As a condition of the application, the Town may require the applicant to submit a business plan acceptable to the Town.
- (c) If the rehabilitation/improvement of the property does not result in an increase in assessment, no grant will be provided.
- (d) Notwithstanding any administrative rules governing this and other CIP programs, the Town will not issue an annual grant which exceeds the Town portion of the property tax collected in any year on the increased assessed value.
- (e) The total combined value of the annual grants provided over the life of the program shall not exceed the total cost of rehabilitating the land and buildings under eligible program costs, as indicated in Section 2.2.5(f) below.
- (f) Aside from the work indicated on the building permit application, eligible program costs include the costs of:
- (i) environmental studies;
 - (ii) environmental remediation;
 - (iii) development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities;
 - (iv) site preparation including construction/improvement of on-site public works, e.g., water services, private sanitary and storm drains and/or private sewers; and,
 - (v) demolition.
- (g) Actual costs for any or all of the items in (f) above may be subject to independent audit, at the expense of the property owner.
- (h) All participating property owners will be required to enter into a Redevelopment Agreement with the Town which will specify the terms of the grant. Any Rehabilitation Grant represents a

percentage of increased taxes payable resulting from the improvements. By comparing the total value of the work completed (as documented/verified to the Town's satisfaction for all eligible costs as noted in Section 2.2.5(f) above) with the amount of the Town's portion of the taxes paid prior to and after rehabilitation, the Town can monitor the combined value of the annual grants to ensure that they do not exceed the total cost of rehabilitating the land and buildings.

The amount of municipal taxes ("base rate") will be determined before commencement of construction of an eligible building at the time a Rehabilitation Grant application is submitted. The increase in the municipal portion of real property taxes (or "municipal tax increment") will be calculated as the difference between the base rate and the amount of municipal taxes levied as a result of re-valuation by the Municipal Property Assessment Corporation (MPAC) following completion of an eligible building.

- (i) All Rehabilitation Grant Applications must be approved by Council. Specifically, the Application Review Team will be responsible for evaluating and then recommending applications for approval in a report to Council. As part of the same report, the Application Review Team will recommend that Council authorize the Team to prepare and enter into an appropriate Redevelopment Agreement with the applicant, to be executed by the applicant to the satisfaction of the Town.
- (j) The annual grant is based upon changes in property taxes as a result of construction and improvement. The program does not exempt property owners from an increase/decrease in municipal taxes due to a general tax rate increase/decrease, a change in assessment, changes in tax legislation, or for any other reason. The annual grant is not based upon occupancy or changes in occupancy.

If the amount of annual property taxes owing on a property decreases for any reason (such as through a general reassessment), the annual Rehabilitation Grant will continue to be provided but will not exceed the amount of the Town portion of the taxes collected on the increased assessed value.

- (k) The subject property shall not be in a position of tax arrears or be subject to outstanding liens. All taxes owing shall be paid or cancelled, and all liens lifted, prior to the disbursement of any grant money.

All property taxes owing for each year must be fully paid for the entire year prior to the provision of any annual grant amount under this program. If a property tax installment is missed or a payment is late, the Town will have the option, without notice and at its own discretion, to terminate all future grants.

- (l) If a building erected under this program is demolished before the program period expires, the remainder of the monies to be paid out as annual grants shall be forfeited for the building in question as of the date of issuance of the demolition permit.
- (m) The improvements made to buildings and/or land shall be made pursuant to a Building Permit, and constructed in accordance with the Ontario Building Code and all applicable zoning requirements and approvals. The work to be undertaken shall likewise conform to the intent of the goals, objectives and policies of the Town's Official Plan, including all policies/guidelines dealing with urban design and the built form vision for the Downtown Central Area.

- (n) Outstanding work orders and/or requests to comply from the Planning and Development Services, By-law, or any other departments must be satisfactorily addressed prior to the issuance of any grants.
- (o) If the property is conveyed, in whole or in part, before the original grant period lapses, the subsequent owner is not entitled to future grant payments. Notwithstanding this previous sentence:
 - (i) A conveyance to an entity which is a “related” entity, as such term is defined in Section 251(2) of the Income Tax Act, R.S.C. 1985, c. 1, as amended, shall be deemed not to be a conveyance for the purpose of this provision; and,
 - (ii) Where property is conveyed, in whole or in part, before the original grant period lapses, the Town may make alternative accommodations for the previous owner which, at the Town’s sole and absolute discretion, serve the objectives of this Plan.
- (p) In the case of sites that are already vacant or cleared at the time of the program’s commencement, rehabilitation proposals for such sites that are received after the date of the program start shall have as a starting point for the program or base rate, the amount of annualized taxes levied upon the property as it existed on the date of Building Permit issuance.

Properties that are cleared or partially cleared after the date of the program start, and left undeveloped for a period greater than two (2) years prior to participating in the program for any phase, shall have as a starting point for the program or base rate, the amount of taxes levied as of the day prior to any clearances.

2.2.6 Program Administration

The Planning and Development Services Department and the Finance Department will administer the *Rehabilitation Grant Program*, in consultation with other departments and divisions as necessary.

A property owner shall register their intent to participate in the program by filing a Rehabilitation Grant Application with the Town for its consideration. Applications to participate in the program shall be submitted to the Planning and Development Services Department. The application will include a copy of the Building Permit application (and any related Demolition Permit application) as well as drawings detailing the proposed work expected to result in an increase in assessment. This may require drawings to be prepared by a certified Professional Engineer or Architect.

Before accepting an application, Planning and Development Services staff will screen the application. If the application is not within the Downtown Community Improvement Project Area or the application clearly does not meet the program requirements and terms specified in this Plan, the application will not be accepted. Acceptance of the application by the Planning and Development Services Department in no way implies approval.

Once accepted, the application will be evaluated by the Application Review Team. The Team will be responsible for evaluating and recommending applications for approval based on the program requirements specified in this Community Improvement Plan and any other requirements of the Town. The Team will record the current assessment of the property (i.e., the “base rate”) and determine the amount of the Town taxes payable. The applicant will be provided a copy by correspondence for their records.

All Rehabilitation Grant Applications must be approved by Council. In addition, at the time applications are presented to Council for approval, the Team will seek Council's direction to prepare an appropriate Redevelopment Agreement, to be executed by the applicant to the satisfaction of the Town. The Application Review Team will then prepare the required Redevelopment Agreement for applicants participating in the program. The Redevelopment Agreement will specify the terms of the grants (such as the total combined amount of the grants), the duration of the program, the owner's obligations should the owner default on the Agreement, and any other requirements specified by the Town.

The applicant shall co-operate with the Municipal Property Assessment Corporation (MPAC) to facilitate a post-improvement assessment of the property following completion of an eligible building. Alternatively, the post-improvement assessment may be undertaken by a certified quantity surveyor satisfactory to the Town if MPAC is unable to undertake a post-improvement assessment in a timely fashion. If a quantity surveyor provides an assessment, the surveyor's assessment (and any agreement based on the assessment) will be adjusted as necessary in accordance with the results of MPAC's assessment, once it is completed.

Using the results of the post-improvement assessment, the Team shall determine the difference between the amount of Town taxes prior to the improvements and the amount of Town taxes to be paid after the improvements. The difference is known as the "municipal tax increment" and shall be the portion eligible for a partial grant under this program. Subsequent increases in assessed value or increases to the tax rate are not eligible to be used to determine the amount of the grant(s).

The actual component costs of the work done, as identified under eligible program costs in Section 2.2.5(f) above, will be provided to the Town by the applicant upon completion of an eligible building. Any and all of these costs may be subject to an independent audit, at the expense of the property owner. Finalization of the Redevelopment Agreement will occur pending the Town's review and satisfaction with all reports and documentation submitted outlining the full scope and cost of the work completed, and final building inspection and sign-off by the Building Division.

Prior to the issuance of any annual grant, the Town will verify that all requirements of the program to date have been met.

2.3 *Planning and Development Fees Grant Program*

2.3.1 Description

The *Planning and Development Fees Grant Program* is intended to stimulate new investment in the Downtown Community Improvement Project Area through the provision of a grant to offset, in whole or in part, the cost of specific planning and development fees for residential and/or commercial/office (re)development in the Downtown Community Improvement Project Area.

2.3.2 Program Funding

The Planning and Development Fees Grant Program is structured as a rebate at the time of application approval for planning applications and at the time of final inspection for building permit fees.

- (a) Full grants will be issued for Official Plan Amendments, rezonings, minor variances, consents, site plans, site plan amendments, plans of subdivision/condominium, exemptions from part lot control, sign permits, and demolition permits relating to residential and/or commercial/office redevelopment/rehabilitation;

- (b) Building Permit Fees for new residential and/or commercial/office construction will be granted back in an amount equal to 80% of the eligible Building Permit fees. On Priority Sites identified in Section 1,2.1.1, building permit fees for new residential and/or commercial office construction will be granted back in the amount of 100% of the eligible building permit fees subject to the for proposals which include at a minimum, the following:
- a. Comprehensive development consisting of a mix of high density residential uses and/or office uses, with ground floor retail uses at a minimum density of 2.5 FSI;
 - b. Private parking supply consisting of a minimum of 80% of parking spaces as underground or structured parking.

Any grant issued under this program will be provided as a one-time grant to the registered owner of the property, regardless of who pays the fee. However, in no case will the total amount of the grant provided under this program exceed the cost of rehabilitating the land and buildings, in accordance with Section 28(7.1) of the Planning Act.

This program does not apply to any required performance securities or maintenance guarantees (i.e., Letters of Credit) posted by the applicant, required professional studies, or expenses (including expenses incurred by the applicant because of the Town's participation at the Ontario Municipal Board or Court proceedings).

2.3.3 Program Duration

This program will commence on the day following the date of final approval of the Plan by the Town of Ajax and concludes on December 31, 2025.

The Town may, at any time and without formal notice or amendment to the Downtown Community Improvement Plan, discontinue this program. However, all applications submitted prior to the program's closing will still be considered by the Town.

The *Planning and Development Fees Grant Program* will only be applied to Planning or Permit applications received for developments after the commencement of the program. The program will not be retroactively applied to cover Planning or Permit applications received for developments prior to the commencement of the program.

2.3.4 Eligibility for Program Participation

The applicants for the *Planning and Development Fees Grant Program* must be the registered owner(s) of the property, which shall be located within the Community Improvement Project Area. Owners' eligibility to apply for the Planning and Development Fees Grant is subject to the program requirements outlined in Section 2.3.5 below. Property owners who are in arrears of property taxes or who have outstanding liens against the property are not eligible to receive the Planning and Development Fees Grant.

2.3.5 Program Requirements

(a) Only fees paid for the Town's portion of the following types of applications are eligible:

- | | | | |
|-------|--------------------------|--------|------------------------------|
| (i) | Official Plan Amendment; | (ii) | Zoning By-law Amendment; |
| (iii) | Minor Variance; | (iv) | Consent; |
| (v) | Site Plan; | (vi) | Site Plan Amendment; |
| (vii) | Plan of Subdivision; | (viii) | Plan of Condominium; |
| (ix) | Sign Permit; | (x) | Demolition Permit; |
| (xi) | Building Permit. | (ix) | Part Lot Control Exemptions. |

Only the Town's component of the fees required as part of the above noted applications is eligible for grant purposes.

- (b) Any property owner wishing to be considered for a grant under this program must apply to the Planning and Development Services Department at the same time application is made for any Planning approval(s) or permit application(s) whose fees are eligible to be granted back.
- (c) The subject property shall not be in a position of tax arrears or be subject to outstanding liens. All taxes owing shall be paid or cancelled, and all liens lifted, prior to the disbursement of any fee-related grant money.
- (d) The improvements made to buildings and/or land shall be made pursuant to a Building Permit, and constructed in accordance with the Ontario Building Code and all applicable zoning requirements and approvals. The work to be undertaken shall likewise conform to the intent of the goals, objectives and policies of the Town's Official Plan, including all policies/guidelines dealing with urban design and the built form vision for the Downtown Central Area.
- (e) Outstanding work orders and/or requests to comply from the Planning and Development Services, By-law, or any other departments must be satisfactorily addressed prior to the issuance of any fee-related grant.
- (f) If the property is sold, in whole or in part, before the eligible fees are granted back, the subsequent owner shall be entitled to the fee-related grant.

2.3.6 Program Administration

The Planning and Development Services Department and the Finance Department will administer the *Planning and Development Fees Grant Program*, in consultation with other departments and divisions as necessary.

Any owner of property within the Downtown Community Improvement Project Area may register their intent to participate in the program by filing a Planning and Development Fees Grant Application with the Town at the time of making an application(s) for a Planning or Permit approval. Applications to participate in the program shall be submitted to the Planning and Development Services Department.

Before accepting an application, Planning and Development Services staff will screen the application. If the application is not within the Downtown Community Improvement Project Area or the application clearly does not meet the program requirements and terms specified in this Plan, the application will not be accepted. Acceptance of the application by the Planning and Development Services Department in no way implies approval.

Once accepted, the application will be evaluated by the Application Review Team. The Team will be responsible for evaluating applications based on the program requirements specified in this Community Improvement Plan and any other requirements of the Town. Upon final approval of any application completed under this program (other than a building permit application, and in the case of a building permit application, upon final inspection of an eligible building by the Chief Building Official), the Application Review Team will ensure that all eligibility requirements have been met. In the case of Planning Fees, (all applications under the Planning and Development Fees Grant Program) reimbursement or exemption to the owner of a phased project will likewise be undertaken in phases. In this regard, any portion of a planning application fee which represents a “flat fee” will be divided by the number of phases, and refunded in equal increments as each phase receives final approval. Any portion of a planning application fee which is calculated on the basis of numbers of dwelling units and/or GFA shall be refunded in an amount which relates directly to the number of dwelling units and/or GFA built in each particular phase. Building permit fees, by virtue of already being “phase specific” (i.e., they are applied for on a phase-by-phase basis, or building-by-building basis as the case may be, rather than all at once from the onset), will *de facto* be granted back as each phase is approved for occupancy under the *Building Code Act*.

2.4 Development Charge Exemption / Grant Program

2.4.1 Description

The *Development Charge Exemption / Grant Program* is intended to encourage higher density, more intensive development in Ajax's Downtown area. The program will offer development charge exemptions or reductions for all eligible residential and/or commercial/office (re)development proposals within the Downtown Community Improvement Project Area. The effect of the program is to essentially provide a ‘grant’ by either:

- (i) approving a full or partial exemption of development charges at the time of building permit application to the owner of land who applies for a building permit to undertake an eligible development project; or,
- (ii) collecting all applicable development charges up front at the time of building permit application, and then issuing a grant equivalent to the eligible exemption to the owner of land who initiates and completes an eligible development project through to final inspection and sign-off by the Town.

To facilitate the implementation of this program via alternative (i) above, changes to the Town's Development Charges By-law are required. Because the Town's Development Charges By-law is outside the scope of the Planning Act, the implementation of this aspect of the program does not fall within the parameters of Section 28(7) of the Planning Act. Instead, a separate recommendation to undertake the necessary changes to the Development Charges By-law will be brought forward for Council's consideration, in tandem with the Downtown CIP.

As an alternate method of implementing this program, the Town may offer a “Development Charge Equivalency Grant” (i.e., alternative (ii) above), whereby a grant equivalent to the amount of the eligible exemption (either full or partial) is drawn from the Town's tax based reserves and issued to the owner.

2.4.2 Program Funding

Depending on which mechanism is used to administer the 'grant' (which shall be left solely to the Town's discretion), the *Development Charge Exemption / Grant Program* is structured such that either a straight exemption is approved at the time of building permit issuance, or, the applicant is required to pay all applicable development charges at the time of Building Permit application, with reimbursement (in the form a grant) being issued upon satisfactory final inspection of the completed project by the Town's Building Section. In either instance, the amount of the eligible exemption is dependent upon the type of redevelopment/ rehabilitation, i.e.:

- (a) Full exemption of development charges for office development consisting of two or more storeys of office uses in a building or hotels of at least six storeys;
- (b) Full exemption of development charges for commercial development provided:
 - (i) the retail/personal service component is located in a non-residential mixed use building having two or more storeys of offices, and the Gross Floor Area of the retail/personal service component does not exceed that of the office component; or,
 - (ii) the commercial development is located in a residential mixed use building 6 storeys in height or greater, and the Gross Floor Area of the commercial uses does not exceed an amount equal to 30% of the total residential Gross Floor Area;
- (c) Full exemption of residential development charges for all eligible high-density residential development (i.e., residential development equal to or greater than 90 units per net hectare, calculated on a block-by-block basis); and,
- (d) Development charges for all eligible medium-density residential development (i.e., residential development equal to or greater than 25 units per net hectare, but less than 90 units per net hectare, calculated on a block-by-block basis) will be partially exempt as follows:
 - (i) in an amount equal to 50% of the Town's development charges, for development which provides surface parking; or,
 - (ii) in an amount equal to 75% of the Town's development charges, for development which provides underground parking in a common area(s).

Any development charge equivalency grant issued under this program will be provided as a one-time grant to the registered owner of the property, regardless of who pays the development charges.

The program pertains only to the Town's portion of payable development charges. This program does not address development charges payable to other authorities including the Region of Durham, the Durham District School Board, and the Durham Catholic District School Board.

2.4.3 Program Duration

This program will commence on the day following the date of final approval of the Plan by the Town of Ajax and run until December 31, 2025. The Town may, at any time and without formal notice or amendment to the Downtown Community Improvement Plan, discontinue this program. However, all applications submitted prior to the program's closing will still be considered by the Town.

The *Development Charge Exemption / Grant Program* will only be applied to developments where a

building permit is issued after the commencement of the program. The program will not be retroactively applied to developments where building permits were issued prior to the commencement of the program.

2.4.4 Eligibility for Program Participation

The applicants for the *Development Charge Exemption / Grant Program* must be the registered owner(s) of the property, which shall be located within the Community Improvement Project Area. Owners' eligibility to apply for a development charge exemption (full or partial) is subject to the program requirements outlined in Section 2.4.5 below. Property owners who are in arrears of property taxes or who have outstanding liens against the property are not eligible to participate in the program.

2.4.5 Program Requirements

- (a) Any property owner wishing to participate in this program must complete and submit an application form to the Planning and Development Services Department prior to the issuance of a building permit. The application will include a copy of the Building Permit application detailing the work to be undertaken (including floor area calculations and the number/type of any proposed residential dwelling units) as well as an itemized breakdown of the development charges normally required to be paid by the applicant.
- (b) The subject property shall not be in a position of tax arrears or be subject to outstanding liens. All taxes owing shall be paid or cancelled, and all liens lifted, prior to the disbursement of any grant money.
- (c) The program shall apply to new construction only or the adaptive re-use of an existing structure where the payment of development charges would normally apply.
- (d) The improvements made to buildings and/or land shall be made pursuant to a Building Permit, and constructed in accordance with the Ontario Building Code and all applicable zoning requirements and approvals. The work to be undertaken shall likewise conform to the intent of the goals, objectives and policies of the Town's Official Plan, including all policies/guidelines dealing with urban design and the built form vision for the Downtown Central Area.
- (e) Outstanding work orders and/or requests to comply from the Planning and Development Services, By-law, or any other departments must be satisfactorily addressed prior to development charges being reduced or exempted.

2.4.6 Program Administration

The Planning and Development Services Department and the Finance Department will administer the *Development Charge Exemption / Grant Program*, in consultation with other departments and divisions as necessary.

Any owner of property within the Downtown Community Improvement Project Area may register their intent to participate in the program by filing a Development Charge Exemption / Grant Application with the Town prior to the issuance of a building permit. Applications to participate in the program shall be submitted to the Planning and Development Services Department. The application will include a copy of the Building Permit application as well as drawings detailing the work to be undertaken (including floor area calculations and the number/type of any proposed residential dwelling units). This may

require drawings to be prepared by a certified Professional Engineer or Architect. In addition, an itemized breakdown of the development charges normally required to be paid by the applicant shall be submitted.

Before accepting an application, Planning and Development Services staff will screen the application. If the application is not within the Downtown Community Improvement Project Area or the application clearly does not meet the program requirements and terms specified in this Plan, the application will not be accepted. Acceptance of the application by the Planning and Development Services Department in no way implies approval.

Once accepted, the application will be evaluated by the Application Review Team. The Team will be responsible for evaluating and approving applications based on the program requirements specified in this Community Improvement Plan and any other requirements of the Town.

Depending on which mechanism is used to administer the 'grant', the Application Review Team may either:

- (a) approve the application prior to the issuance of a building permit, in which case the amount of development charges due prior to the building permit being issued will be reduced by the amount of the eligible exemption (either full or partial, depending on the type of development), or,
- (b) approve the application upon final inspection of the completed project, ensuring that all eligibility requirements have been met, and then instruct the Finance Department to issue the development charge equivalency grant.

3.0 Other Downtown Assistance Initiatives

3.1 *Reduced Parkland Dedication Requirements Program*

3.1.1 Description

The *Reduced Parkland Dedication Requirements Program* is intended to provide relief, in the form of a reduction in parkland dedication requirements (either land or cash-in lieu requirements) to property owners who undertake improvement projects involving the provision of additional eligible residential dwellings units in the Downtown Community Improvement Project Area. The program will offer parkland dedication reductions for all eligible residential (re)development proposals within the Downtown Community Improvement Project Area.

The Downtown Community Improvement Project Area, like the rest of the Town, is subject to the parkland dedication requirements specified under By-law 31-90. In cases of new residential development or redevelopment, parkland dedication is collected according to the greater of the following two formulae:

- five percent (5%) of the land area or appraised value of the land; or,
- one hectare of parkland (or its appraised monetary equivalent) for every 300 dwelling units.

In some cases, a combination of land and cash-in-lieu of parkland may be required, at the Town's discretion.

For eligible residential developments in the Downtown Community Improvement Project Area,

requirements for parkland dedication, either in land area or as cash-in-lieu (or a combination of both), will be collected according to the lesser of the two above-noted formulae (which in all cases in the Downtown Central Area, will be the 5% formula). Eligible residential development consists of the following:

- (a) all high-density residential development (i.e., residential development equal to or greater than 90 units per net hectare, calculated on a block-by-block basis); and,
- (b) all medium-density residential development (i.e., residential development equal to or greater than 25 units per net hectare, but less than 90 units per net hectare, calculated on a block-by-block basis) which provides underground parking in a common area(s).

Given that the *Reduced Parkland Dedication Requirements Program* only requires that amendments be made to the Town's parkland by-law (By-law 31-90), and does not rely on Section 28 of the Planning Act for implementation, it does not form part of the Downtown Community Improvement Plan. Instead, it has only been referenced in the context of the Downtown CIP as an initiative to promote redevelopment in Ajax's Downtown area. Authority to exercise either of the two above-noted formulae derives from Section 42 of the Planning Act.

3.1.2 Program Funding

The *Reduced Parkland Dedication Requirements Program* is structured such that any developer of eligible residential development shall dedicate parkland in an amount equal to 5% of the land area where land is needed for park purposes. Any difference between the amount of land dedicated by a developer (if any) and the total amount of parkland dedication required shall be paid by the owner as cash-in-lieu (i.e., if only a portion of the required 5% parkland dedication is contributed as land, the owner will be required to pay cash-in-lieu for the remainder; or, if no parkland is required by the Town, the owner shall pay cash-in-lieu equivalent to the full 5% of the land area). In instances where the amount of parkland collected by the Town under the 5% formula is less than the actual amount of parkland proposed by the applicant, credit for the proponent's "over-dedication" will not be issued. In fact, to conform to the intent of urban design policies contained in the Official Plan and other applicable urban design criteria established for the Downtown (and thus be considered eligible for participation in the *Reduced Parkland Dedication Program*), the Town may require developments to provide parkland in excess of what is strictly required under the lesser formula.

Parkland dedication for all non-residential development shall continue to be collected at the regular rate of 2% of the land area. Parkland dedication for all residential development that is not eligible to participate under the program will be subject to standard parkland dedication requirements (i.e., the higher of the two above noted formulae for residential development, which in all cases in the Downtown Central Area shall be 1 hectare of parkland for every 300 residential dwelling units).

All required cash-in-lieu shall be paid either prior to registration, in the case of a draft plan of subdivision/condominium, or prior to the issuance of a Building Permit, if the development initially proceeds by way of a site plan application.

3.1.3 Program Duration

This program will commence on the day following the date of final approval of the Downtown Community Improvement Plan by the Ministry of Municipal Affairs and Housing and run until December 31, 2025. Development proposals within the Downtown Community Improvement Project Area which require the proponent to dedicate parkland or pay cash-in-lieu of parkland dedication for

new high-density residential development or medium-density residential development featuring underground parking shall be eligible for consideration.

The Town may, at any time and without formal notice, discontinue this program. However, all proposals submitted prior to the program's closing will still be considered by the Town.

The *Reduced Parkland Dedication Requirements Program* will not be retroactively applied to developments where a site plan was submitted or a proposed draft plan of subdivision/ condominium was received prior to the commencement of the program, with the exception of eligible developments on identified priority sites within the Downtown Community Improvement Project Area. Where a site plan application or proposed draft plan of subdivision/condominium has been received after July 1, 2004, for lands identified as a priority site in the Downtown Community Improvement Project Area, the development may be considered for program participation, at Council's discretion. The date of July 1, 2004 has been chosen given that a proposed draft plan of residential subdivision was received by the Town shortly after July 1, 2004, to develop a priority site in Ajax's Downtown (i.e., Sundial Village, on the vacant Verona lands). In anticipation of this Downtown Assistance Initiative, the applicant has worked closely with staff to ensure that all eligibility criteria have been met.

3.1.4 Eligibility for Program Participation

Participants in the *Reduced Parkland Dedication Requirements Program* must be the registered owner(s) of the property, which shall be located within the Community Improvement Project Area. Owners' eligibility to apply for this program is subject to the program requirements outlined in Section 2.5.5 below. Property owners who are in arrears of property taxes or who have outstanding liens against the property are not eligible to participate in the program.

3.1.5 Program Requirements

- (a) Assistance will be in the form of a reduction in the parkland dedication requirements for eligible developments within the Downtown Community Improvement Project Area.
- (b) Any property owner wishing to participate under this program must complete and submit an application form to the Planning and Development Services Department at the time application is made for site plan approval or for a proposed draft plan of subdivision/condominium.
- (c) The subject property shall not be in a position of tax arrears or be subject to outstanding liens. All taxes owing shall be paid or cancelled, and all liens lifted, prior to eligibility to participate in the program being approved.
- (d) The improvements proposed to land shall be made in accordance with all applicable zoning requirements and approvals. The work to be undertaken shall likewise conform to the intent of the goals, objectives and policies of the Town's Official Plan, including all policies/guidelines dealing with urban design and the built form vision for the Downtown Central Area.
- (e) Outstanding work orders and/or requests to comply from the Planning and Development Services, By-law, or any other departments must be satisfactorily addressed prior to eligibility to participate in the program being approved.

3.1.6 Program Administration

The Planning and Development Services Department and the Finance Department will administer the *Reduced Parkland Dedication Requirements Program*, in consultation with other departments and divisions as necessary.

Any owner of property within the Downtown Community Improvement Project Area may register their intent to participate in the program by filing a Reduced Parkland Dedication Requirements Application with the Town at the time of making an application(s) for either:

- (i) a proposed draft plan of subdivision/condominium; or,
- (ii) a site plan application.

Applications to participate in the program shall be submitted to the Planning and Development Services Department.

Before accepting an application, Planning and Development Services staff will screen the application. If the application is not within the Downtown Community Improvement Project Area or the application clearly does not meet the program requirements and terms specified in this Plan, the application will not be accepted. Acceptance of the application by the Planning and Development Services Department in no way implies approval.

Once accepted, the application will be evaluated by the Application Review Team. The Team will be responsible for evaluating applications based on the program requirements specified in Section 3.1.5 above and any other requirements of the Town. Immediately prior to site plan approval or, in the case of proposed draft plans of subdivision/condominium, prior to draft plan approval and final approval, the Application Review Team will ensure that all eligibility requirements have been met, and then advise the Planning (Development) section of the same.

3.2 Exemption from Parking Requirements Program

3.2.1 Description

Reducing parking requirements for developments in the Downtown Central Area is a significant incentive by minimizing the hard costs associated with the provision of on-site parking in areas where higher levels of transit usage exist or are planned. The *Exemption from Parking Requirements Program* provides relief in the form of a reduction in the number of parking spaces required, to property owners who undertake improvement projects.

Significant portions of the Downtown Central Area are currently subject to standard parking requirements applied on a broad basis throughout the Town by the comprehensive Zoning By-law (By-law No. 95-2003). These standards are generally reflective of suburban forms of development, and are viewed as inappropriate for the form of urban, transit-supportive, pedestrian oriented, mixed used development envisaged for the Downtown Central Area. In recognition of this, reduced parking standards for appropriate forms of development in Ajax's Downtown will be considered by staff on a site-by-site basis as planning applications are received.

Given that the *Exemption from Parking Requirements Program* only requires that amendments/variances be made to comprehensive Zoning By-law 95-2003, and does not rely on Section 28 of the Planning Act for implementation, it does not form part of the Downtown Community Improvement Plan. Instead, it has only been referenced in the context of the Downtown CIP as an

initiative to promote redevelopment in Ajax's Downtown area.

3.2.2 Eligibility for Program Participation

All property owners within the Downtown Community Improvement Project Area will automatically be eligible upon submission of a zoning by-law amendment or minor variance application, subject to the program requirements outlined in Section 3.2.3 below. A separate application will not be required. The participants in the *Exemption from Parking Requirements Program* must be the registered owner(s) of the property, which shall be located within the Community Improvement Project Area.

3.2.3 Program Requirements

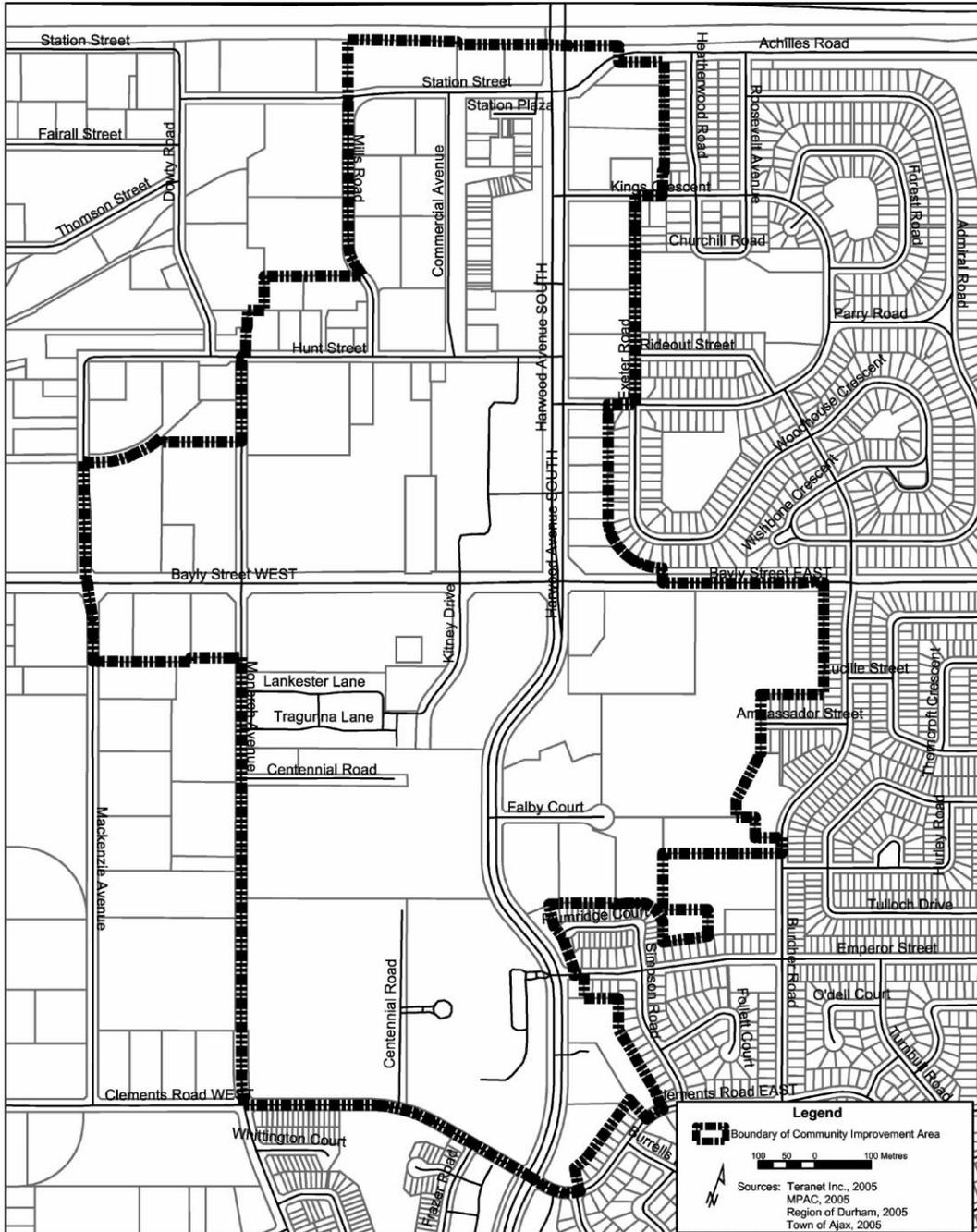
- (a) Assistance will be in the form of a reduction in the parking requirements, to be established on a site-by-site basis through an amendment to the Zoning By-law or a minor variance, where there are related improvements to a property within the Downtown Community Improvement Project Area. Reduced parking standards shall apply only to commercial development, office development, and medium and high-density rental and condominium-based residential development.
- (b) The improvements proposed to land shall be made in accordance with all applicable zoning requirements and approvals. The work to be undertaken shall likewise conform to the intent of the goals, objectives and policies of the Town's Official Plan, including all policies/guidelines dealing with urban design and the built form vision for the Downtown Central Area.
- (c) All projects will be considered subject to the availability and distribution of parking spaces within the Downtown Central Area, as determined by the Town.

3.2.4 Program Administration

The Planning and Development Services Department will administer the *Exemption from Parking Requirements Program*, in consultation with other departments and divisions as necessary. Property owners who undertake improvement projects and require relief from the number of parking spaces required shall submit a minor variance or Zoning By-law amendment application to the Planning and Development Services Department.

Any rezoning application or minor variance which includes a proposed reduction in the number of required parking spaces will be processed by Planning and Development Services staff in the regular manner. The assigned development planner, in consultation with Planning Policy staff, will be responsible for evaluating all such applications based on the program requirements specified in Section 3.2.3 above and any other requirements of the Town. If the application is not within the Downtown Community Improvement Project Area or the application is not considered by staff to fully meet the program requirements, the requested reduction in parking spaces will not be accepted. Any amendment to the Zoning By-law will be drafted in such a way as to ensure that the type of development proposed in conjunction with the reduced parking requirement is realized, including the potential application of a Holding provision (H), to be removed upon Site Plan approval of the proposed development. Similarly, in the case of a minor variance application, appropriate conditions shall be prepared to accomplish the same.

**SCHEDULE A - AREA BOUNDARIES FOR THE
DOWNTOWN COMMUNITY IMPROVEMENT PROJECT AREA**



**SCHEDULE B - PRIORITY SITES
TOWN OF AJAX DOWNTOWN COMMUNITY IMPROVEMENT PLAN**

