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**Planning &
Development Services**

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

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

March 2nd, 2011

ONTARIO HERITAGE TRUST

MAR 07 2011

RECEIVED

Re: **By-law No. 15-2011 to Amend the Designation of Cultural Heritage Value or Interest of the property municipally known as 170 Mills Road enacted under By-law No. 165-91**

On January 24th, 2011 at 7:00 p.m. in Council Chambers (Town Hall), the Town of Ajax Council passed a By-law No. 15-2011 to amend the original Designation By-law No. 165-91 for the lands located at 170 Mills Road in order to facilitate the expansion and retrofit of the Steam Plant. The changes to the Designation By-law include the removal of references to the architectural characteristics of the original plant, and that the new by-law merely references the historic use of the site as a steam plant.

In accordance with the Ontario Heritage Act Section 30.1(4), the Town has not received any appeals to By-law No. 15-2011 (attached) and therefore the By-law becomes final and binding. **Please register a copy of this By-law on title of the property.**

If you have further questions, please contact Christy Chrus, Senior Planner at Ph: 905-619-2529 Ext. 3200 or Christy.Chrus@Townofajax.com.

Sincerely

Christy Chrus, MCIP RPP
Senior Planner

Cc: Index Energy Mills Road Corporation

Mr. Tim Bermingham
Blake, Cassels & Graydon LLP Barristers & Solicitors
Patent & Trade-mark Agents
199 Bay Street Suite 2800, Commerce Court West
Toronto ON M5L 1A9

Ontario Heritage Trust
10 Adelaide Street East
Toronto ON M5C 1J3

THE CORPORATION OF THE TOWN OF AJAX

BY-LAW NUMBER 15-2011

A By-law to amend the designation of Cultural Heritage Value or Interest of the property municipally known as 170 Mills Road enacted under By-law Number 165-91.

WHEREAS Section 30.1 of the *Ontario Heritage Act* (R.S.O. 1990, Chapter O.18), as amended, authorizes the Council of a municipality to amend a by-law to designate property made under Section 29 to revise the statement of cultural heritage value or interest and provide housekeeping corrections;

AND WHEREAS the Town of Ajax Heritage Advisory Committee has endorsed the proposed revitalization of the Ajax Steam Plant under SPA1/08 and amendments to the designation of Cultural Heritage Value or Interest of the property municipally known as 170 Mills Road;

AND WHEREAS the Council has considered the recommendations of the Ajax Heritage Advisory Committee with respect to this matter;

NOW THEREFORE the Council of the Corporation of the Town of Ajax ENACTS as follows:

1. THAT the reference as to the purpose of By-law Number 165-91 be amended by:

Removing the reference paragraph as to the purpose of the By-law in its entirety and substituting therefore the following: "A By-law to designate the property known municipally as the Ajax Steam Plant, 170 Mills Road, in the Town of Ajax, as a property of Cultural Heritage Value or Interest.";

2. THAT the first WHEREAS of By-law Number 165-91 be amended by:

Removing the WHEREAS paragraph in its entirety and substituting therefore the following: "WHEREAS Section 29 of the *Ontario Heritage Act* (R.S.O. 1990, Chapter O.18), as amended, authorizes the Council of a municipality to enact by-laws to designate property, including all buildings and structures thereon, to be of Cultural Heritage Value or Interest and,";

3. THAT the second WHEREAS of By-law Number 165-91 be amended by:

Removing the "West" reference after Mills Road;

4. THAT a new WHEREAS to By-Law Number 165-91 be added and inserted after the last WHEREAS as follows:

"WHEREAS this By-law is to be registered in the proper Land Registry Office with respect to the property described in Schedule "A" attached hereto.";

5. THAT bullet number 1. of By-law Number 165-91 be amended by:

Removing the text in bullet 1. in its entirety and substituting therefore the following: "THAT the real property known as 170 Mills Road, more particularly described in Schedule "A", attached hereto, be hereby designated as being of cultural value or interest. The reasons for designation are set out in Schedule "B", attached hereto.";

6. THAT bullet number 2. of By-law Number 165-91 be amended by:

Removing the text in bullet 2. in its entirety and substituting therefore the following: "THAT the legal description of said property be outlined in Schedule "A".";

7. THAT bullet number 3. of By-law Number 165-91 be amended by:

Removing the text in bullet 3. in its entirety and substituting therefore the following: "THAT the Clerk is hereby authorized to cause a copy of this By-law to be served on the owner of the aforesaid property and on the Ontario Heritage Trust.";

8. THAT a new bullet number 4. under "NOW THEREFORE" section of By-law Number 165-91 be added therefore the following:
 - " 4. The Clerk is hereby authorized to cause Notice of the Passing of this By-law to be published in a newspaper having general circulation in the municipality.";
9. THAT Schedule "A" to By-law Number 165-91 be removed and substituting with a new Schedule "A", attached hereto;
10. THAT Schedule "B" to By-law Number 165-91 be removed and substituting with a new Schedule "B", attached hereto;
11. THAT this By-law shall come into effect upon the Town receiving satisfactory evidence that the ash on the lands legally described as Parcel 3-2, Section M30; Part Lot 3, Plan M30, Part 1, 40R4882 has been removed.
12. THAT By-law Number 165-91 is hereby amended only to the extent necessary to give effect to the provisions of this By-law.

READ a first time and second time this
Twenty-fourth day of January, 2011.

READ a third time and finally passed this
Twenty-fourth day of January, 2011.



Acting Mayor



D- Clerk

SCHEDULE "A" TO BY-LAW NUMBER 15-2011

LEGAL DESCRIPTION

All and singular that certain parcel or tract of land described as Parcel 3-3, Section M30; FIRSTLY: Part of Lot 3, Plan M30, Part 1, 40R4883, SECONDLY: Part of Lot 3, Plan M30, Part 2, 40R4882, PIN 26459-0007 (LT), Town of Ajax, Regional Municipality of Durham.

SCHEDULE "B" TO BY-LAW NUMBER 15-2011

STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

Description of Property - 170 Mills Road

The Ajax Steam Plant, which was constructed in 1941 as a primary Defence Industries Limited (DIL) facility to produce steam and power for the production of ammunition, is located at the northwest quadrant of the Mills Road and Hunt Street intersection. The subject lands has frontage on both Mills Road and Hunt Street.

Historical or Associative Value

The original steam plant was an asymmetrical industrial brick structure that was one of the first operations of the Defence Industries Limited (DIL) industrial complex to be finished and put into production. This utilitarian industrial plant was built in 1941 for the specific purpose of steam energy production. The steam energy was used for heat and power for the munitions plant, the community buildings, the workers' homes and dormitories, and was transported through a system of above-ground pipes.

The operation of the plant to produce steam energy has remained uninterrupted, even through major renovations. It remains one of the last operating features of the Defence Industries Limited (DIL) and had an important historic role in the creation and subsequent development of what would become the Town of Ajax (see Figure 1). The steam plant operated as a public utility from 1978-1982. It is one of the few steam plants still in operation today.

The steam plant is scheduled for revitalization in 2011. This will consist of the expansion and retrofit of the existing steam plant facility that includes an addition along the north, south and east sections of the existing building that will house a new turbine hall and boiler hall, the removal of the existing stack; the erection of a fuel storage canopy building, filter particulate building (including stack), cooling tower, switch gear building, baghouse and hydro transformer; the installation of new emission control technology; and parking and landscaping improvements (see Figure 2).

These Reasons for Designation do not restrict the implementation of the revitalization referred to above in accordance with a Site Plan Agreement entered into between the current owner of the Plant and the Town in January of 2011, nor do they apply to restrict:

- (a) alterations to the interior of the steam plant in the future including the replacement or upgrading of machinery and equipment from time to time; nor to
- (b) alterations that are permitted pursuant to, or which do not require, site plan approval under section 41 of the Planning Act

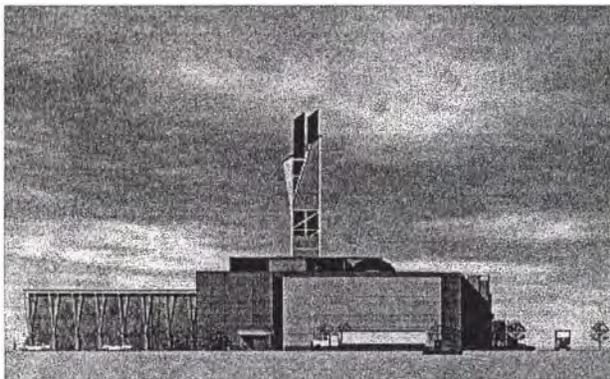
none of which affect or will affect the heritage attributes of the steam plant referred to herein.

Figure 1

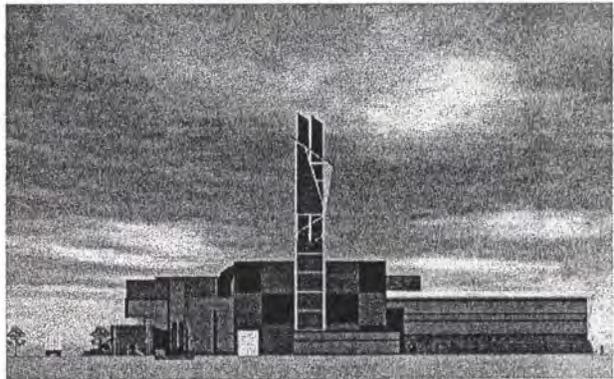


View looking southwest towards the Steam Plant from Mills Road (January, 2008)

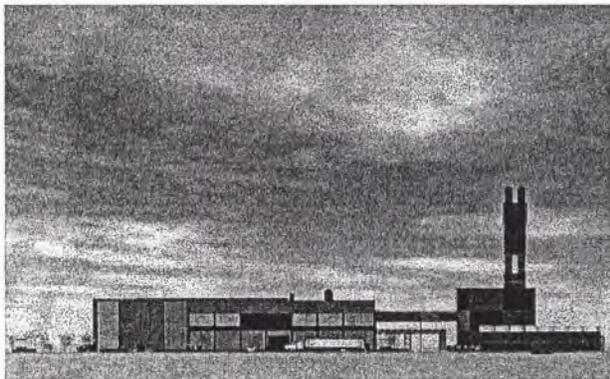
Figure 2



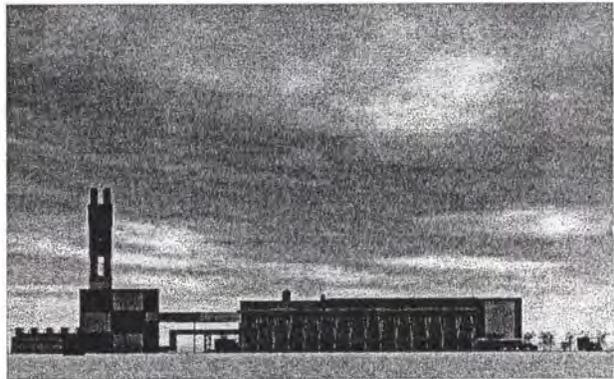
East Elevation



West Elevation



North Elevation



South Elevation

Proposed Steam Plant Revitalization – Elevations (January, 2011)

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Ajax Steam Plant



The Ajax Steam Plant was built in 1941 to provide the steam heat vital to the production lines of the Defence Industries Limited (DIL) shell filling plant. As late as the mid 1950s, the plant was still supplying steam to much of the community. These lines can be seen in most of the early pictures of the DIL days as they all ran suspended above ground. Starting in the 1950s, whenever a major road was being constructed, the steam lines were moved underground. **Update:** In October 2008, Ajax Town Council was provided with an update on various applications received from Index Energy, a new North American based energy corporation, for redeveloping the Ajax Steam Plant into a modern district energy facility. **Designated under the *Ontario Heritage Act*.**

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