

STAFF REPORT

SITE PLAN COMMITTEE

Meeting Date: October 1, 2007

Ward: 1

File No.: SP. 1729.058/01

To: Mayor and Members of Site Plan Committee

Address: 11 Bronte Road,
2405, 2409 and 2411 Ontario Street, and
56 Jones Street

Subject: Birchgrove Estates Inc. (Cityzen Development Group)
Mixed Use Building, Townhouses and Heritage Precinct

1.0 Background Information for Development Proposal

1.1 *Application File History*

In September 2004, an application was submitted by Cityzen/Birchgrove Estates for a rezoning application to allow the lands bounded by Bronte Road, Marine Drive, Jones Street and Ontario Street to be developed for residential purposes. In March, July, September and October 2005, the applicant submitted various modifications to the original proposal, some of which included the Town's land. These proposals anticipated the development of the site to include high-rise towers, townhouses and various locations for the heritage buildings. The July 12, 2005 proposal was appealed to the Ontario Municipal Board (OMB) by the applicant.

In late 2005/early 2006, several staff reports were presented to Council for consideration. In all reports, staff, together with Heritage Oakville, maintained that the Glendella House remain in situ. In February 2006, Council denied the applicant's request to develop the subject lands for a high density development.

In April 2006, the OMB held several pre-hearing conferences to set hearing dates, determine the parties and participants, and set the Board's Procedural Order. The OMB decided that the hearing would be organized into two parts. The initial hearing would address the appeals under the Ontario Heritage Act, while the second phase would consider the appeals under the Planning Act.

The first phase, addressing the heritage issues commenced in July 2006 and reconvened in September 2006. The written decision (Order No. 0338) was issued February 7, 2007 and concluded that the Glendella House could be moved from its current location.

Following the OMB decision, the Town entered into a Memorandum of Understanding (MOU) with the applicant, in which the Town would support a high-rise development, subject to conditions, as referenced in section 2.1 of this report. Upon endorsement of the MOU, the applicant submitted revised site plan materials (July, August and

September 2007), which have been reviewed by Town Departments and external agencies to determine whether the proposal is in conformity with the Memorandum of Understanding between the Town and the applicant and to identify conditions of site plan approval.

1.2 **Description of Site Plan Application**

The applicant seeks site plan approval for the construction of:

- a 6 storey stepped to 10 storey, **mixed-use building** consisting of 10 (max) at-grade commercial units and 8 (max) live/work units, 241 residential units and 3 levels of underground parking (accessed from private drive) [located at 11 Bronte Road];
- nine 3-storey **townhouse units** that back onto the existing townhouse development on the block [located at 56 Jones Street]; and
- a '**heritage precinct**' consisting of the Glendella Hotel (retained in-situ) and the relocated police station and art gallery, all set within a landscaped urban plaza [located at 2405 to 2411 Ontario Street].

The subject site is located within the Bronte Community (West of Third Line) and bordered by Bronte Road, Ontario Street, Jones Street and Marine Drive.

1.3 **Site Statistics for Proposed Development**

Official Plan:	Community Shopping Centre		
Legal Description:	Lots 78, 81, 83, 85A and Part of Lot 79, Plan M-8		
Zoning:	C3R with Site Specific Zoning		
	-- drafted, which will implement the site plan [refer to 2.2 below]		
Total Lot Area:	8,107.2 m ² (2 acres)		
Lot Frontage:	Bronte: ± 108.2m	Ontario: ± 48.9m	Jones: ± 90.6m
Building Height:	Mixed-Use: 6-10 storeys/36.5m; Townhomes: 3 storeys/10m		
Vehicular Access:	Marine Drive and Jones Street		
Existing Floor Area:	495 m ² (Glendella 351m ² , Art Gallery 106m ² and Police Station 38m ²)		
Proposed Floor Area:	27,029 m ² (Residential Units – Condominiums, Townhouses, Live/Work Units and amenity space)		
Proposed Floor Area:	840 m ² (Commercial Space)		
Total Gross Floor Area:	28,364 m ²		
Parking Proposed:	376 spaces, including 6 HC spaces, plus 63 Visitor spaces		
Parking Required	375 spaces, including 0 HC spaces (reduced ratio based on MOU)		
Parking Deficiencies	No deficiencies		

1.4 **Public Notice for Site Plan Committee Meeting**

Ward 1 Councillors, abutting property owners and parties to the OMB hearing were notified of this Site Plan Committee meeting. The following were also notified:

- Bronte Village Residents Association
- Bronte Business Improvement Association
- Bronte Historical Society

2.0 Context for Development Proposal

2.1 ***Compliance with the Memorandum of Understanding***

A Memorandum of Understanding (MOU) was reached between the Town and the applicant (Cityzen/Birchgrove Estates), dated June 25, 2007. The following identifies how the submitted site plan materials demonstrate compliance with the agreement items contained in the MOU.

Proposed Development

4. The Bronte Quadrangle development (the "development") shall be in substantial conformity with the proposed site plan, dated April 24, 2007 attached as Appendix "B" to this memorandum of understanding (the "drawings"). Any modifications to the development shall be in accordance with the criteria and objectives stated in this agreement. The Town and Birchgrove acknowledge that these drawings are preliminary and subject to additional refinement and review.

➤ ***The proposed site plan, dated September 10, 2007, is substantially in accordance with the site plan drawing dated April 24, 2007 (refer to Appendix Three).***

5. The development shall meet the following criteria, with any reduction in height, gross floor area, or number of units being at the discretion of Birchgrove:

a. a maximum building height on Jones Street of 10 stepping down to 6 storeys along Bronte Road substantially as shown in the drawings;

➤ ***The proposal contains a stepping down of storeys from 10 to 6, which is substantially the same as the April 2007 plan. The ten storey element begins slightly closer to the podium edge in order to balance the loss of floor area by the creation of a desired greater building setback from both the adjacent Stoneboats property and Glendella, which has also resulted in a reduced building footprint.***

b. A maximum gross floor area of 300,000 square feet;

➤ ***The proposal contains a gross floor area of 27,870m² (300,000 sq.ft.) of new construction and a gross floor area of 495m² (5,328 sq.ft.) for the existing buildings – for a total gross floor area for the site of 305,328 square feet.***

c. A maximum of 275 residential units;

➤ ***The proposal contains a total of 250 residential units – comprised of 241 condominium units and 9 townhouse units.***

d. Commercial uses shall be included at grade level (a minimum of 9,000 square feet);

➤ ***The proposal contains a maximum of 10 retail units located at grade along the Bronte Road frontage, with a combined gross floor area of 840m² (9,042 sq.ft), which just exceeds the minimum required 836m² (9,000 sq.ft.).***

e. Parking for the residential units shall be provided at a minimum rate of 1.5 parking spaces per unit, including visitor parking;

➤ Based on a residential unit count 250 units, the applicant is required to provide a total of 375 parking spaces. The proposal contains a total of 375 parking spaces, which includes 63 visitor parking spaces and 6 Barrier-Free spaces, all located on 3 levels of underground parking.

f. No additional parking shall be required for the commercial uses;

➤ The proposal complies with this agreement item and does not contain parking for the commercial uses.

6. Birchgrove shall make revisions to the development proposal shown on the drawings, to the satisfaction of the Town, acting reasonably, in order to address the following objectives:

a. The Bronte Road frontage shall provide for an active pedestrian friendly environment through the articulation of the building façade and the terracing of the building above 6 storeys.

➤ The proposal contains an active, pedestrian-friendly environment along Bronte Road by incorporating a wide sidewalk with curb-side tree plantings, weather protection with canopies over retail/commercial units, a rhythm of window and door openings to these units, and consistent façade treatment that will draw pedestrians into the open plaza and heritage precinct. The proposal contains a series of stepbacks of the building façade, beginning at the 6th storey.

➤ The proposed comprehensive streetscaping plan will incorporate consistent hard and soft landscape treatments along the Bronte Road, Ontario Street and Jones Street boulevard areas.

b. An active publicly accessible private open space element at the corner of Bronte Road and Ontario Street shall be created which defines the edge of the urban environment and supports the commercial elements within the new development through building treatment, hard and soft landscaping, and street furniture. Supporting the private open space element at this corner will require a special treatment at the elbow of the building in order to maximize lower floor views through to the square and Bronte Road. This open space element will be publicly accessible serving both the development and the general public. An easement for this purpose shall be included within the implementing documentation associated with this memorandum of understanding and registered on title.

➤ The proposal contains an open space element – at the northeast corner of Bronte Road and Ontario Street. This open space element is located just west of the heritage precinct and serves as the terminus of the pedestrian route along Bronte Road.

➤ The proposal includes hard and soft landscaped elements, benches, lighting, and acknowledges the Clemence House by incorporating a “square” within the footprint of the original structure. A walkway (mews) is proposed, which will connect the public space to Jones Street. A significant tree element is also proposed to mark the corner and terminate the mews.

- ***The site specific by-law will restrict the uses within the publicly accessible space to 'passive open space/landscaped area' and 'ancillary landscaped elements'.***
 - ***An easement will be provided to the Town to allow for public access to the area.***
- c. The interface between Glendella and the new 6 to 10 storey building shall create a pedestrian street environment which provides an appropriate built form environment between the 2 storey heritage building, ground floor commercial and upper floor residential uses. The interface will be enhanced by maximizing the distance separation (recognizing the overall limitation of the site and building orientation), building facades of both the heritage and new development and a review of the terracing of the new building.
- ***The proposal incorporates a separation distance of 8.5m between the Glendella House and the proposed mixed-use structure. Within this space, a publicly accessible pedestrian 'mews' is proposed, which provides direct access and a human-scale relationship between the new ground floor live work units and the rear addition/access to Glendella. This pedestrian environment is further enhanced by the placement of the two relocated heritage buildings and clearly defined by proposed tree plantings, lighting standards, and site furniture.***
- d. In support of the open space elements particular attention will be given to the placement and refurbishment of the Art Gallery and the refurbishment of Glendella in order to provide an active pedestrian environment as well as to create a heritage street atmosphere along Ontario Street. A variety of commercial and mixed uses which support the pedestrian activity of the area as well as the economic viability and long term preservation of the heritage buildings will be reflected in the zoning by-law. The proposed interim use of Glendella as a sales office for the development is acknowledged as a permitted use.
- ***The proposal contains a heritage street atmosphere through the careful placement of the heritage buildings in relation to the proposed mixed-use building, the public square and the Glendella House. Ontario Street and the pedestrian mews will provide active pedestrian environment as a result of the double frontages of the buildings and the variety of uses within the buildings and amenity spaces.***
 - ***The Art Gallery will be relocated to the west of Glendella along Ontario Street frontage with a landscaped area in-between to permit for an outdoor area associated with the Art Gallery. The Police Station will be relocated to just north of (behind) the relocated Art Gallery, and front onto the pedestrian mews.***
 - ***All of the heritage buildings will be refurbished and the draft by-law permits for a mix of uses within the heritage buildings. The vitality of the heritage precinct will be further enhanced by the range of uses permitted and the permeability of the space with walkways and patios.***
- e. The Jones Street frontage shall be reviewed to ensure a compatible relationship with the adjacent development to the west with consideration to

the terracing and façade treatment. Similarly, the distance separation and the treatment of the internal street will be reviewed to ensure long term compatibility with the new townhouses and the 6 to 10 storey building. Opportunities to reduce these setbacks in order to maximize distances between the heritage building and the south face of the 6-10 storey building will be considered.

➤ ***The proposal contains terracing from 6 to 10 storeys along the Jones Street frontage.***

➤ ***The proposal contains an 8.5m separation distance between Glendella House and the mixed-use building. The proposal contains a 7.5m wide landscaped private drive that separates the new townhouses the mixed-use building.***

➤ ***The proposal contains a 6.5m rear yard outdoor amenity for the townhouses. The existing trees along the property line between the existing and new townhouses will be preserved, where feasible, and intensive landscaping with screening fencing has been incorporated into the design.***

- f. Any modifications to the plan shall minimize impacts on neighbouring properties including impacts on adjacent heritage buildings.

➤ ***The proposal minimizes impacts on neighbouring properties on the block by: (1) creating a greater separation distance between the mixed-use building and the adjacent heritage building (Stoneboats), (2) increasing the screening elements along shared property lines (including plantings and fencing), (3) modifying the floorplates of the upper levels of the mixed-use building to reduce shadow impact, and (4) designing the rooftop amenity space to prevent 'over-looking' onto adjacent properties (opaque screening, orientation, etc.).***

Glendella

7. Glendella shall remain in situ and be refurbished and restored by Birchgrove, at its expense in accordance with applicable permits and the generally accepted heritage conservation practices. Immediate steps shall be taken to preserve the existing structure, including the submission of heritage permit applications for that purpose.

➤ ***The applicant submitted a Heritage Permit Application for the Glendella on August 17, 2007, with supplementary information provided on September, 4, 2007.***

8. The Town consents to the demolition of the rear addition of Glendella in accordance with the decision of the Ontario Municipal Board dated February 7, 2007, subject to the necessary applications and plans being submitted and approved for the resulting alterations to the rear façade of the building.

➤ ***The applicant acknowledges and will prepare and submit the necessary applications once the heritage application has been approved.***

Art Gallery

9. The Art Gallery relocated by Birchgrove at its expense to a location in the area shown in the drawings, subject to any revisions that may be required or agreed to in accordance with this memorandum of understanding. The Art Gallery shall be

restored at its new location at Birchgrove's expense in accordance with accepted heritage conservation practices and applicable permits.

➤ ***The Art Gallery is proposed to be relocated to the west of Glendella along the Ontario Street frontage with a landscaped area in-between to permit for an outdoor area associated with the Art Gallery. The applicant submitted the Heritage Permit Application for the relocated Police Station on August 17, 2007, with supplementary information provided September, 4, 2007. The applicant will submit the necessary sundry applications once the heritage application has been approved.***

Police Station

10. The Police Station shall be relocated by Birchgrove at its expense in a manner that maintains structural soundness. Birchgrove shall restore any damage caused to the building through relocation. In the absence of the agreement of the parties with respect to an alternate location, the Town shall be responsible for finding a new location for the Police Station.

➤ ***The Police Station is proposed to be relocated to the north of (behind) the Art Gallery and restored. The applicant submitted the Heritage Permit Application for the relocated Police Station on August 17, 2007, with supplementary information provided September, 4, 2007. The applicant will submit the necessary sundry applications once the heritage application has been approved.***

Demolition of Other Buildings

11. The Town acknowledges that demolition permits for the non designated buildings, other than the Marketeria, are available to Birchgrove subject to the erection of tree hoarding, site hoarding, and compliance with site siltation requirements.

➤ ***The Town acknowledges this agreement item.***

12. The Town acknowledges that no further heritage approvals are required for the demolition of the Marketeria.

➤ ***The Town acknowledges this agreement item.***

13. Birchgrove agrees to obtain the necessary permits and demolish the non-designated buildings on the property (including the Marketeria) forthwith.

➤ ***The applicant has prepared the necessary documentation to make application for the demolition permits. The applicant is aware that fencing, hoarding, and other protective measures are requirements for permit issuance.***

Traffic/Servicing/Site Plan /Heritage Matters

14. The Town and Birchgrove agree to work expeditiously to resolve any issues which may arise relating to transportation, servicing, heritage and site plan matters with a view to presenting a final site plan and conditions to the Ontario Municipal Board for approval in September, 2007 during the time scheduled for a hearing.

➤ ***The original and revised schedules and timelines were discussed and agreed upon by both parties.***

15. As part of any Site Plan approval, Birchgrove shall be required to make a contribution of \$130,000 towards intersection improvements at Bronte Road and Rebecca Street.

➤ ***This is included as a condition of site plan approval (refer to 6.7).***

16. The Town and Birchgrove agree that Glendella and the Art Gallery shall continue to be designated under the *Ontario Heritage Act* and agree to cooperate in the preparation and registration of revised heritage by-laws including revised legal descriptions for the lands and lists of heritage attributes. Birchgrove further agrees to the registration of a heritage easement for the future preservation of Glendella, the Art Gallery. In the event that the final location of the Police Station is within the Bronte Quadrangle, then this paragraph shall also apply to the Police Station.

➤ ***A draft heritage easement agreement has been submitted to the Town for the Glendella, Art Gallery and Police Station. The Heritage Easement Agreement includes a revised legal description by way of a Reference Plan for the Heritage Precinct. The Heritage by-laws with the updated list of heritage attributes have been submitted by the applicant to the Town in conjunction with the draft agreement.***

2.2 Zoning Context

The applicant has been working with Town staff to draft a site specific by-law to amend the Town's Comprehensive Zoning By-law 1984-63 to permit the proposed residential project with ancillary commercial/retail uses and open space uses in accordance with the OMB orders.

It is anticipated that a draft By-law will be available for public review on October 4, 2007.

2.3 Heritage Oakville Committee Recommendations

At their meeting on September 11, 2007, the Heritage Oakville Committee received a report based on staff's review of the site plan application, focusing on the concept and details of the heritage precinct plan. The Committee endorsed the following recommendations:

1. That the Current Planning and Urban Design (North Oakville) Department report dated September 5, 2007 regarding the 'Bronte Quadrangle Development Site Plan Application – Heritage Precinct', be received for information;
2. That the Site Plan Committee be advised that Heritage Oakville endorses the concept and details of the heritage precinct plan contained in Site Plan application (S.P. 1729.058/01) by Birchgrove Estates Inc., and referenced in the landscape plan prepared by The MTBW Group, Drawing L3 – "Heritage Walk Enlargement Plan", dated August 2007;
3. That the applicant further consider the provision of barrier-free access to the heritage precinct and the Post Office and Police Station heritage buildings that does not compromise the integrity of the precinct and the heritage buildings;

4. That Heritage Oakville has provided these comments specifically in consideration of the totality of Drawing L3 - "Heritage Walk Enlargement Plan", dated August 2007; and
5. That Heritage Oakville requests that the Site Plan Committee seek the input of the Chair and Vice Chair of Heritage Oakville on the landscaping and paving materials.

Of note, the applicant and their consultants were in attendance and responded to questions regarding the application.

2.4 Comments from Neighbouring Property Owners

The property owner at 2414 Marine Drive requested the opportunity to review the submitted application materials and provided staff with a listing of their concerns with the development proposal (refer to Appendix Six of this report).

Staff reviewed the identified issues with and provided a copy to the applicant. Staff has been advised that the applicant and the impacted property owner have entered into discussions with the intent to resolve these issues. At the time of finalizing this staff report, the details of a settlement between those parties were not made available.

3.0 Site Plan Analysis

3.1 Site Composition:

The proposed development encompasses the majority of the block, bound by the roadways Bronte Road, Ontario Street, Jones Street and Marine Drive. The proposal incorporates:

- three rehabilitated heritage buildings sensitively grouped into a 'heritage precinct' (one remaining in situ [Glendella House] and two relocated to the precinct from elsewhere on the site [Post Office and Police Station]);
- a high-rise mixed-use building (10-storeys tiered to 6-storeys) consisting of at-grade commercial, live/work and townhouse units. The remainder of the proposed building contains 1- and 2-bedroom residential units, common and personal amenity areas, service areas and 3 levels of underground parking;
- a block of nine townhouse units located to the north of, and complement the at-grade townhouse units of, the mixed-use building;
- a landscaped urban plaza and heritage precinct located along the entire southern portion of the site, spanning from Bronte Road to Jones Street, which provides various gathering spaces, landscape features, a grouping of heritage buildings and pedestrian walkways throughout; and
- a private driveway traversing the site, from Marine Drive to Jones Street, providing access to a passenger drop-off zone, loading area and underground parking.

3.2 Built Form:

The rehabilitated heritage buildings, the Glendella House (remaining in situ) and the relocated Post Office and Police Station, will retain their original massing and exterior appearance.

The proposed mixed-use building, consisting of a six-storey podium building stepped up to 10 storeys, creates a backdrop for the heritage precinct and the harbour with its form, which follows the curve of the intersecting streets. Above the pedestrian-oriented building base, the elevations for the remainder of the podium feature a light grillage/lattice work, which provide outdoor living rooms protected from the elements. Above the podium, the elevations for the remainder of the building consist of horizontal terraces, softened with continuous edge planters and glass rails, which gradually step back from the edges of the podium -- from seven to ten storeys at Jones Street.

The elevations of the proposed row of three-storey townhouses is consistent with the elevations of the townhouse units contained at-grade within the proposed mixed-use building and located directly across the private driveway.

3.3 Landscaping:

The proposed landscaping for the Bronte Quadrangle is comprised of an integrated design for the heritage, urban plaza, residential, and streetscape areas/uses on site by working with the existing and proposed buildings to create a rhythm of spaces, which are unified by plantings, lighting standards and site furnishings.

Within the heritage precinct, the mews provides pedestrian access across the southern portion of the site and provides connections to the open spaces, gardens, heritage buildings, at-grade commercial and live/work uses. Landscaping within this area incorporates existing mature trees, which are complemented with a new line of trees to accentuate the axial character along the north perimeter of the precinct, extensive ground plantings, patio spaces, trellis structures and traditional-style lighting standards.

The proposed landscaping within the urban plaza represents a merging of the landscape elements in the heritage precinct and streetscape along Bronte Road. Built-heritage components of the site are celebrated by establishing a defined hardscaped open space on the footprint of the former residence, including a rock feature, benches, trellis and illumination. A proposed terminus feature for the mews consists of a specium tree with seating and up-lighting.

The proposed landscaping associated with the residential areas of the site, primarily the townhouses, assists in establishing semi-private entry gardens defined by low garden walls and planted with a mix of deciduous and coniferous trees, shrubs and perennials. The retention of mature trees at rear of townhouses along the shared property line provides screening and shade for the proposed patio spaces provided at the rear of each unit.

3.4 Streetscape and Public Realm:

The proposed comprehensive streetscape design takes its cues from the blocks north of the site along Bronte Road and incorporates enhancements as the pedestrian route enters into the landscaped urban plaza and on to the heritage precinct. This pedestrian realm is enhanced with street trees and plantings within the municipal boulevard and animated with retail shops, canopies, possible outdoor cafes and a pedestrian entry to the residential lobby.

The streetscape treatment along the Ontario Street frontage, while taking cues from the Bronte Road pedestrian realm, is a continuation of and frames the landscaped urban plaza and heritage precinct, while opening up to the open-space and lake to the south. The streetscape along the Jones Street is a continuation of the design theme with tree plantings along the building side of the boulevard.

3.5 Heritage Precinct:

The proposed location and intent of the heritage precinct are consistent with the MOU and provide a new context for the heritage buildings. The *in situ* location of Glendella House, complemented by two relocated heritage buildings, establishes a sense of place and a unique precinct in Oakville.

The heritage precinct is a dedicated pedestrian area of approximately 22m x 38m and is bordered by Ontario Street to the south, Jones Street to the east, a Heritage Walk and the proposed mixed-use building to the north, and a cluster of mature existing trees to the east. The unchanging anchors to the precinct are Glendella House and the trees.

The Bronte Post Office (Art Gallery) and the Police Station will be moved into the precinct are oriented to the main pedestrian routes – the Post Office to front onto Ontario Street and maintain the continuous street line established by Glendella House and the Police Station to front onto the Heritage Walk. Together, this assembly of buildings provides a strong definition of the north side of the street compared to the openness of the park to the water side.

The arrangement of the heritage buildings relate to the urban street edge of the heritage precinct, where there are building entrances, and to the more semi-public and intimate setting within the precinct for patrons to the site activities and businesses located in the heritage buildings.

3.6 Site Accessibility:

An accessibility assessment of the site plan materials was undertaken by staff to identify any obstacles to establishing clear, predictable and barrier-free access routes on site and to the building entrances. Staff found that the two relocated heritage structures do not have barrier-free access and raised this issue with the applicant.

The applicant retained a consultant (Leber/Rubes Inc.) to provide an Ontario Building Code (OBC) interpretation. The consultant responded that construction difficulties due to site drainage (maintaining existing nearby trees) and addition of ramps will be

detrimental to the preservation of these heritage buildings and as such, it is proposed not to have these buildings relocated with barrier-free access. In addition, the consultant determined that the renovation of the heritage buildings is minor in nature and not mandated by the OBC to provide barrier-free access.

- Although the applicant has submitted the above-mentioned expert opinion demonstrating that the heritage buildings are exempt (as per the OBC) from the provision of barrier-free access, ***the Town's Chief Building Official strongly encourages the applicant explore providing barrier-free access while not detracting from the heritage attributes of the buildings.***

3.7 Signage:

The submitted materials did not contain information on the location or type of any proposed signage. The applicant has been made aware that Site Plan approval does not include approvals of any proposed signage regulated by the Town of Oakville Sign By-law 2006-005.

The applicant will be required to submit signage drawings in order to obtain signage permit(s). If the proposed signage does not comply with the By-Law, the applicant may modify the signage to comply with the regulations or seek a variance to the Sign By-Law through a separate application and review process.

3.8 Site Lighting:

The proposed free-standing and wall-mounted exterior lighting fixtures have been demonstrated on the *Landscape Lighting and Tree Planting Plan* (L-4). Proposed free-standing lighting standards include modern-style light poles along the private drive, modern-style bollards to mark the entrances to the townhouses and live/work units, and traditional-style standards illuminating the walkway/mews and spaces within the heritage precinct. Wall-mounted lighting standards are proposed at each at-grade entrance.

All of the proposed standards incorporate metal halide illumination (white light source). Of note, the free-standing light standard located at the driveway entrance at Marine Drive (adjacent to the residential property at 2414 Marine Drive) contains a cut-off shield on the residential side (drawing notation 'HSC') to prevent light spillage onto the adjacent property.

4.0 Technical Review

4.1 Traffic Study:

A Traffic Study was submitted and deemed satisfactory by the Development Services Department.

4.2 Truck Turning Plan and Vehicle Turning Plan:

A Truck Turning Plan and Vehicle Turning Plan were submitted and deemed satisfactory by the Development Services Department.

4.3 Construction Storage and Parking Plan:

A Construction Storage and Parking Plan was submitted, however Construction + Engineering and Development Services staff request that the applicant submit a revised Plan that includes the site layout (drawings) demonstrating how these functions will be accommodated on the site and throughout the construction process.

4.4 Site Servicing Plan and Grading Plan:

A Site Servicing Plan and Grading Plan were submitted and thoroughly reviewed by the Development Services Department.

The applicant is required (and has agreed) to minor revisions/clarifications to the plans as discussed at the 11SE07 working meeting and recorded on marked-up plans. The plans must be revised to the satisfaction of Development Services staff prior to final site plan approval.

4.5 Storm Water Management Study:

A Storm Water Management Study was submitted and deemed satisfactory by Development Services.

4.6 Arborist's Report and Tree Preservation + Protection Plan:

An Arborist's Report and Tree Preservation + Protection Plan were submitted and reviewed by the Urban Forestry Section of the Development Services Department.

The applicant is required (and has agreed) to revise the Arborist's Report to consolidate the 2007 addendum, based on the current proposal, into the original report prepared in 2004. The applicant is also required (and has agreed) to a minor revision/clarification on the Tree Preservation Plan. Both documents must be revised to the satisfaction of the Urban Forestry Section of Development Services prior to final site plan approval.

4.7 Bird-Building Collision Mitigation Report:

A Bird-Building Collision Mitigation Report (as requested by Conservation Halton) was submitted and circulated to Conservation Halton staff. There were no comments received from CH prior to finalizing this staff report.

4.8 Geotechnical Report:

A Geotechnical Report was submitted and deemed satisfactory by the Development Services Department.

5.0 Application Materials:

The drawings and documents that comprise this conditional approval package are as follows:

Drawing Name	Drawing #	Received	Prepared By
Site Plan and Statistics	A 01	10SE2007	Page + Steele Architects
Ground Floor Plan	A02	10SE2007	Page + Steele Architects
Parking Plan P1	A03	10SE2007	Page + Steele Architects
Parking Plan P2	A04	10SE2007	Page + Steele Architects
Parking Plan P3	A05	10SE2007	Page + Steele Architects
2 nd Floor Plan	A06	10SE2007	Page + Steele Architects
3 rd to 6 th Floor Plans	A07	10SE2007	Page + Steele Architects
7 th Floor Plan	A08	10SE2007	Page + Steele Architects
8 th Floor Plan	A09	10SE2007	Page + Steele Architects
9 th Floor Plan	A10	10SE2007	Page + Steele Architects
10 th Floor Plan	A11	10SE2007	Page + Steele Architects
South Elevation (Bronte)	A12	10SE2007	Page + Steele Architects
South Elevation (Ontario)	A13	10SE2007	Page + Steele Architects
North Elevation	A14	10SE2007	Page + Steele Architects
East Elevation	A15	10SE2007	Page + Steele Architects
West Elevation + Townhouses	A16	10SE2007	Page + Steele Architects
Section A-A	A17	10SE2007	Page + Steele Architects
Section B-B	A18	10SE2007	Page + Steele Architects
Shadow Study – March Context	NA	10SE2007	Page + Steele Architects
Shadow Study – June Context	NA	10SE2007	Page + Steele Architects
Shadow Study – September Context	NA	10SE2007	Page + Steele Architects
Shadow Study – December Context	NA	10SE2007	Page + Steele Architects
Landscape – Layout	L1	10SE2007	MBTW
Landscape – Grading	L2	10SE2007	MBTW
Landscape – Heritage	L3	10SE2007	MBTW
Landscape Layout and Lighting	L4	10SE2007	MBTW
Landscape – Details	D1	10SE2007	MBTW
Landscape – Details	D2	10SE2007	MBTW
Existing Conditions	EX-1	10SE2007	MBTW
Bronte Streetscape	ST-1	10SE2007	MBTW
Roof Terrace	RT-1	10SE2007	MBTW
Tree Preservation Plan	redlined L-1	10SE2007	Shady Lane
Servicing Plan	1167S	10SE2007	Trafalgar Engineering
Study Name	Study #	Study Date	Prepared By
Arborist's Report (addendum)	NA	August 2007	Shady Lane
Stormwater Management Report	Revised	September 2007	Trafalgar Engineering
Traffic Impact Study	NA	February 2006	BA Group
Geotechnical	NA	July 2007	Geo-Canada
Barrier-Free Review	NA	August 2007	Leber/Rubes Inc.
Bird Collision Mitigation Memo	NA	August 2007	Bousfields Inc.
Heritage Permit Applications	NA	Sept. 2007	ERA Architects

6.0 Recommendations

That the Ontario Municipal Board impose the following list of “A” and “B” conditions contained in this report, as conditions of site plan approval with respect to the site plan application submitted by Cityzen Development Group on behalf of Birchgrove Estates Inc., (site plan file number SP.1729.058/01), in the event that the development proposal is otherwise approved by the Board; and

That staff be authorized to support such minor revisions to the plans or conditions as may be necessary to implement the development proposal, which are consistent with the general principles of this approval.

A. Conditions which must be satisfied prior to final site plan approval:

This site plan approval shall be considered a conditional approval and not a final approval for the purpose of determining compliance with other applicable law under the Building Code Act unless these conditions are complied with, at which time the Director of Planning Services will grant final Site Plan Approval.

6.1 **Zoning Compliance:** That the applicant submits a complete set of final drawings that is in compliance with the site specific zoning being prepared for OMB approval.

6.2 **Final Drawings and Materials:** That the applicant submits a complete set of final drawings and requested materials incorporating all the required revisions and modifications, to the satisfaction of the Planning Services Department and other Departments as identified. In addition, the following items must be addressed:

a) **Landscape Plan:**

- i) **Final Drawings:** Ensure all final landscape plans and drawings (L1, L2, L3, L4, D1, D2, EX-1, ST-1 and RT-1) are signed and stamped by the Landscape Architect.
- ii) **Feature Planting:** Landscape Layout Plan indicates 100mm caliper tree to be planted in the circular planter at the terminus of the mews walk. Planting list provided specifies the Acer Rubrum 'Autumn Spire' at 70mm caliper. Correct this discrepancy.
- iii) **Plant Material:** Provide quantities and layout for all plant material, (not just the proposed trees).
- iv) **Tree Protection:** Show protection measures for existing vegetation to remain. Include detail as per Town standards.

b) **Grading Plan:** That the applicant submits a revised grading plan based on the discussion/agreement at the 11SE07 working meeting, to the satisfaction to the Development Services Department. The plan should also indicate the following:

- i) **Road Restoration:** The applicant is required to clearly indicate on the engineering drawings all proposed works to restore the public roadway to Town standards.
- ii) **Boulevard Restoration:** The applicant is required to clearly indicate on the engineering drawings the restoration of the boulevard area that previous driveways and other features once occupied.

- c) **Spatial Calculations for Heritage Buildings:** That the applicant submits detailed spatial calculations for the proposed limiting distances between the Glendella House and the proposed live/work units and for the relocated Police Station and Art Gallery. In addition, the applicant must submit proposed fire resistance ratings for the existing, relocated and new structures. All requested materials shall be to the satisfaction of the Building Services Department.
- 6.3 **Cost Estimate:** That the owner provide a detailed written estimate of costs for landscaping, all paving, curbing, stormwater management facilities, installation and maintenance of erosion and siltation control measures, tree protection, boulevard restoration, roof top mechanical screening, garbage enclosures, site works and site restoration listing items, quantities, unit costs, and total costs. This estimate to be reviewed and approved by Planning Services Department and Development Services Department.
- 6.4 **Securities:** That the owner deposit securities with the Finance Department, in a form meeting the Finance Department's requirements, covering full costs of all items noted in the approved cost estimate.
- 6.5 **Cash-In-Lieu-of-Parkland:** That the owner pays the applicable cash-in-lieu of parkland dedication, as it relates to the ultimate proposed development, to the satisfaction of the Realty Services Department.
- 6.6 **Cash-in-Lieu of Street Trees:** That the owner pays \$7,782.00 for cash-in-lieu of street trees, to the satisfaction of the Urban Forestry Section, Development Services Department.
- 6.7 **Contribution for Intersection Improvements:** That the owner provides a financial contribution of \$130,000 towards intersection improvements at Bronte Road and Rebecca Street, as outlined in the Memorandum of Understanding.
- 6.8 **Tree Preservation:** That the applicant submit the following items, to the satisfaction of the Urban Forestry Section, Development Services Department:
- a) **Tree Preservation and Protection Plan:** Submit a revised Tree Preservation and Protection Plan reflecting the revision/clarification as requested by Development Services.
 - b) **Arborist's Report:** Submit a revised Arborist's report, which consolidates the 2007 addendum, based on the current proposal, into the original report prepared in 2004.
 - c) **Securities for Tree Protection:** Deposit securities in the amount of \$20,000.00 to the Town of Oakville as a tree security for all of the retained trees (as per the Tree Protection Plan) that are located along the peripheral property zone, as well as the 3 internal trees that will be incorporated into the future landscape design.
- 6.9 **Development Services:** That the owner submit the following, to the satisfaction of the Development Services Department:
- a) **Grading Plan and Site Servicing Plan:** Revised Grading Plan and Site Servicing Plan to be submitted based on discussion/agreement at the 11SE07 working meeting.

- b) **Site Alteration Permit:** That the owner/applicant obtains a Site Alteration Permit.
 - c) **Site Plan Agreement:** That the owner enters into a Site Plan Agreement with the Town, to be registered on title, containing clauses suitable to the Director of Planning, Director of Development Services and the Town Solicitor.
- 6.10 **Easements** - That an easement be conveyed to The Town of Oakville to allow for public access to the open space element at the corner of Bronte Road and Ontario Street (as referenced in 6 (b) of the MOU), to the satisfaction of the Engineering & Construction, Planning Services, Legal Services and the Parks & Open Space Departments.
- 6.11 **Engineering & Construction:** That the owner submit the following information, to the satisfaction of the Engineering & Construction Department:
- a) **Curb Cut/ Driveway Cut Permit:** Submit application and materials to obtain a curb cut/ driveway cut permit.
 - b) **Road Cut Permit:** Submit application and materials to obtain a road cut permit.
 - c) **Road Occupancy Permit:** Submit application and materials to obtain a road occupancy permit.
 - d) **Construction Storage and Parking Plan:** Submit a revised Construction Storage and Parking Plan that includes the site layout demonstrating how these functions will be accommodated.
- 6.12 **Region of Halton:** That the owner receive written approval from the Region of Halton. Any changes required by this agency to the approved plans are to be returned to the Site Plan Committee for approval. The Region of Halton requires the following conditions be satisfied:
- a) The Owner shall contact the Regional Services Permit Section for review and approval of the proposed water and sanitary servicing, to obtain water and sanitary sewer Services Permits, and pay all necessary fees.
 - b) The Owner shall submit a revised site plan/grading plan indicating that existing water service or sanitary service laterals that will be disconnected and abandoned, or which are deemed substandard, will be decommissioned in accordance with the standards and specifications of Halton Region.
 - c) The Owner shall conduct a survey of the property to identify all existing wells and/or private septic systems related to the former use of the lands and shall decommission any existing wells in accordance with Ministry of Environment guidelines prior to commencing development of these lands, to the satisfaction of Halton Region's Development Coordinator.
 - d) The Owner must satisfy Halton Region's Waste Management Department with regard to waste collection.
- 6.13 **Agency approval:** That the owner receive written approval from **Conservation Halton**. Any changes required by this agency to the approved plans are to be returned to the Site Plan Committee for approval. Conservation Halton requests that the applicant submit the following for the necessary approvals:
- a) Halton Conservation Permit Application, pursuant to Ontario Regulation 162/06
 - b) Siltation and Erosion Control Plan

- c) Revised Stormwater Management Plan (based on CA requirements), and
- d) Bird-Building Collisions Report (submitted and under review).

B. Conditions not required to be met prior to building permit issuance:

- 6.14 That this approval lapse if no building permit has been issued within two years from the date of site plan approval.
- 6.15 That all conditions of this Site Plan approval shall have been complied with prior to the 30th of June in the second year following the issuance of the building permit failing which Town staff may proceed to draw on the securities to complete all outstanding site plan conditions.
- 6.16 That the owner will restore the public roadway and municipal boulevards to same or better conditions.
- 6.17 That the owner obtains the necessary sign permits for all signage, to the satisfaction of the By-Law Enforcement and Licensing Section of the Clerks Department.
- 6.18 That the owner will submit to Development Services "As-Built" drawings confirming that the grading and stormwater management facilities have been installed in accordance with the approved drawings and report, prior to the release of any securities.
- 6.19 That 15 percent of the original value of the posted securities be held back for a one year period from the date of the Town's final inspection. If, in the opinion of the Town's Chief Building Official, construction on the site is substantially discontinued and the site becomes hazardous to public safety, then the securities may be used by the Town to cover the cost of site restoration, to the satisfaction of the Chief Building Official.

Prepared by:

Christina Tizzard, MCIP, RPP
Senior Urban Designer
Planning Services

Approved by:

Barbara Koopmans, MCIP, RPP
Manager, Current Planning and Urban Design
(South Oakville),
Planning Services

Submitted by:

Peter Cheatley, MCIP, RPP
Director
Planning Services

This report prepared for the October 1, 2007 Site Plan Committee meeting.

Appendix One: Comments based on Circulation of Materials

Town of Oakville:

Zoning Review, Building Services (contact Peter Kozelj: 905-845-6601 x3174)

> Comments based on 23JL07 circulation of materials:

Zoning has nothing to review until they have a Site Specific Zoning By-law

> Comments based on 13AU07 circulation of materials:

Zoning is not in place yet -- Review is based on first draft of the proposed Site Specific Zoning By-law

- By-law does not list uses in Heritage buildings. If the Glendalla Hotel will be a Bed and Breakfast, this use is not permitted in the C3R Zone.
- Residential uses and Commercial uses are on the same level. By-law does not permit this
- Underground Parking garage does not comply with the rear yard
- Height of Multiple Attached Dwellings is not mentioned in the by-law. The stair tower would appear to put them over the permitted 8.5m
- Height of existing Heritage Buildings is not mentioned in the proposed Site Specific By-law.
- Proposed By-law says Height to be measured from the south face of each building. What is this on the multiple attached dwellings. It might be better to use the Finished Floor Elevation at grade.
- Parking space size has an area of 15.12 m2. By-law requires 16.2 m2
- Proposed By-law does not state the %age of visitor parking.
- By-law requires visitor parking to have a clearance of 2.5m if an open loading area is provided. Loading area on the ground level is inside the building. This should be addressed in the Site Specific By-law.
- Loading areas inside must have a clearance of 4.2m. It would appear that they are not in compliance

> Comments based on 10SE07 circulation of materials and review of draft zoning by-law:

- Review is based on second draft of the Zoning By-law
- By-law does not list uses in Heritage buildings. Can they have residential uses as well as commercial. If the Glendalla Hotel will be a Bed and Breakfast, what regulations will apply.
- Proposed By-law says Height to be measured from the south face of each building. What is this on the multiple attached dwellings. It might be better to use the Finished Floor Elevation at grade.
- By-law requires visitor parking to have a clearance of 2.5m if an open loading area is provided. Loading area on the ground level is inside the building. This should be addressed in the Site Specific By-law.
- Loading areas inside must have a clearance of 4.2m. It would appear that they are not complying with this.
- Confirm what Gross Floor Area includes. Does it include hallways, elevators, stairs, pool penthouse on the roof etc.
- Lot Area of 8100m2. Does it include C3R(a) and C3R(b) Zones. Section 4 of By-law 2007-096 (Page 2 & 3) sets up new rules for different zones on the same property. This should be addressed in the site specific rezoning.
- Lot Frontage of 48.0m Note Section 4 of By-law 2007-096. This should be addressed in the site specific rezoning.
- Confirm lot coverage. Note Section 4 of By-law 2007-096
- Pool penthouse is not a mechanical penthouse
- Confirm landscaping. Does it include C3R(a) and C3R(b). This should be addressed in the site specific rezoning.
- Confirm size of designated spaces. By-law requires 3.65m x 6m

Building Code Review, Building Services (contact Kevin Wood: 905-845-6601 x3146)

> Comments based on 23JL07 circulation of materials:

- Require the limiting distance calculations be provided for all buildings on the site, to be prepared by the architect.

- Require the design summary for the 10 storey building, to be prepared by the architect. Attached is a copy of the design summary, and the format for which the limiting distance calculations should be presented for each affected building elevation.
- Provide barrier free access to each of the exterior entrances to the retail and live/work suites, or provide access to the interior doors.
- Provide plans for the separate town house building with any relevant design information.
- Please be sure to verify the checklist for barrier free compliance.

> Comments based on 13AU07 circulation of materials:

- Materials as requested must be submitted

> Comments based on 10SE07 circulation of materials:

- Met with our CBO Shelly Switzer about the barrier free accessibility of the police station and the art gallery. After reviewing the Leber Rubes report dated August 30th, 2007, Shelly was still of the opinion that he would like to have the applicant provide barrier-free access to these heritage buildings, and if there is concern about preserving the heritage integrity of the buildings, the applicant can provide access to the rear entrances.
- Left a voice message with Henry Burstyn detailing the importance of receiving the spatial calculations for the subject buildings and suggested he call me to discuss further.

Development Engineering, Development Services (contact Dan Bijsterveld: 905-845-6601 x3763)

> Comments based on 13AU07 circulation of materials:

- The applicant must confirm that the driveway design must comply with By-Law 1988-220 (by-law available at Planning Services counter). Curb radii (6m) as shown are acceptable. Driveway width at streetline is to be 7.5m minimum.
- Truck turning plan to/from site and loading areas - The applicant is required to submit a truck turning plan illustrating the truck movements entering/exiting the loading areas and to /from the site, to ensure that the turning movements do not occur on the public roadway. The applicant should also indicate the design vehicle used on the plan. The truck turning plan is subject to review and approval of the Development Services Department. Status – Has been submitted and is acceptable
- Traffic Impact Study - The applicant must engage a qualified traffic consultant to prepare a traffic report to address the impacts that the proposed development may have on existing road network. Prior to commencing the traffic assessment, the consultant should contact Town staff to review the scope of the study. Status – Has been submitted and is acceptable
- Stormwater Management Plan and Report – The applicant is required to engage a professional engineer to prepare a stormwater management concept plan and supporting documentation to assess the impacts that the proposed development may have on the Town's stormwater facilities, to the satisfaction of the Development Services Department. Status – Has been submitted and requires minor revisions prior to site plan approval.
- Grading, Drainage and Servicing Plan - The applicant is required to provide a site grading, drainage and servicing plan, to the satisfaction of the Development Services Department. Status – Has been submitted and requires revisions prior to site plan approval.
- Tree Inventory and Protection Plan – The applicant is required to provide a tree inventory and protection plan for the subject site, to the satisfaction of the Development Services Department. Status – Has not been submitted . A revised Tree Inventory and Protection Plan to reflect the current proposal must be submitted prior to site plan approval. (See Urban Forestry comments)
- Arborists Report – The applicant is required to provide an Arborists Report, by a Qualified Tree Consultant, to address the impacts of on-site and Town trees, to the satisfaction of the Development Services Department. Status – Has not been submitted. A revised Arborist's Report to reflect the current proposal must be submitted prior to site plan approval.
- Additional Urban Forestry Comments:
 - That a Tree Preservation Plan be submitted indicating the following:
 - Identify (number) all trees to be removed and retained,
 - Tree protection location (i.e. hoarding limits),

- A notation be added to indicate that there will be no grade changes, construction movement, or material storing within the Tree Protection Zone (TPZ) limits.
- Tree base elevations (existing and proposed) for all retained trees,
- A sub-drawing illustrating the standard municipal tree protection barrier (source. *Tree Protection & Preservation Guidelines* manual),
- Confirm the retention or removal of tree #9838 to #9841. The Landscape Concept Plan indicates retention while the Tree Planting Plan indicates removal.
- That all retained trees be shown on the Grading Plan.
- That all rendering of tree species for street tree planting be omitted from the Tree Planting Plan. The Town is responsible for street tree planting including the determination both the species type and caliper sizes.
- That a full revised Arborist Report be submitted including all addendums
- Additional Grading and Site Servicing Comments:
 - All consultants drawing are to be coordinated.
 - Handicap access to the building is to be provided for.
 - Curb radii and driveway width information is to be shown on the drawings. The sidewalk on the public roads is to be continuous through the driveway with no curbing across the sidewalk.
 - There shall be no encroachments or overhangs onto the public ROW.
 - A streetscaping plan is required. The proposed streetscaping and all works within the public ROW are to be approved by the Development Services Dept. and Engineering & Construction Dept.
 - There is an existing well adjacent to the Glendella building on Jones Street. It must be decommissioned to the satisfaction of Halton Region. Town of Oakville Heritage Review personnel must also be consulted for any heritage issues involved with the decommissioning. Show the existing well on the drawings.
 - A structural survey of Stoneboats Restaurant is required prior to construction.
 - The existing storm sewer to the MH's upstream and downstream of the connection point are to be videoed upon completion of the works to the satisfaction of the Engineering and Construction Department.
 - Construction access route is to be Jones St. to Lakeshore Rd to Bronte Rd. north to QEW to the satisfaction of the Engineering and Construction Dept.
 - Hoarding and covered walkway will be required. No advertising will be permitted on hoarding within public road allowance.
 - Temporary tieback encroachment requires permit. Minimum 6 week advance notice.
 - Remove and replace Bronte Road and Ontario Street sidewalk and curb.
 - Consideration shall be given to widening the west side of Jones Street to allow for the provision of on-street parking to the satisfaction of the Engineering & Construction Department.
 - Tree spacing to be at 12m o/c spacing per Town Standards.
 - No tree pits to extend into walkway.
 - Additional detailed comments have been attached (separate listing)
- Additional Traffic Comments:
 - A warning clause is to be inserted in the Site Plan Agreement which advises prospective purchasers that certain vehicle types may experience difficulty maneuvering within the underground facilities as a result of the ramp design.
 - The driveway shall comply with the requirement to have a 12m centerline turning radius for any portion of the fire access route including the entrance/exit points from public thoroughfares.
 - The driveway width at property line should be designed to conform to Town's Bylaw 1988-220 as shown on Standard Drawing 10-2

CONDITIONS WHICH MUST BE SATISFIED PRIOR TO BUILDING PERMIT ISSUANCE:

- Refer to those identified in comments above based on 23JL07 circulation.

Fire Prevention (contact Wil Crognale: 905-845-6601 x3183)

> Comments based on 23JL07 circulation of materials:

I have the following comments to submit regarding our review of the adequacy of the proposed fire route access for the specified property.

1. It is unknown if the building will be sprinklered (OBC 3.2.5.5).
 - Where the building is provided with sprinkler protection. The fire department connection serving the new property shall be located such that it is located not more than 45 m from the fire hydrant.
 - Where the building is not provided with sprinkler protection. The maximum distance permitted measured by an unobstructed path from the hydrant to the principal entrance of the building is 90 m. The maximum distances from the hydrant to a pumper vehicle shall be 45 m and the maximum distance from the pumper vehicle to the principal entrance shall be 45 m.
 - Currently, the total unobstructed travel distance from the fire hydrant exceeds that of a building not provided with sprinkler protection.
2. The private drive shall be constructed of hard surface material, such as asphalt, concrete or lockstone, to permit accessibility under all climate conditions, and designed to support a load of not less than 25,000 lbs per axle (OBC 3.2.5.6.(1)(e)).
3. Fire hydrants shall be located within 90 m horizontally of any portion of a building perimeter that is required to face a street in Subsection 3.2.2 (OBC 3.2.5.7.(2)). There is only one hydrant shown on the plans reviewed. The hydrant is located at the corner of Jones St. and Ontario St. The 3.2.2 building classification has not yet been established.
4. Apply to designate fire access route on to Town by-law.
5. Ensure adequate fire hydrants are installed as per OBC.

> Comments based on 13AU07 circulation of materials:

Require a 12m centerline turning radius for any portion of the fire access route including the entrance/exit points from public thoroughfares.

Urban Design Review, Planning Services (contact Christina Tizzard [3266] + Philip Wiersma [3795])

> Comments based on 23JL07 circulation of materials [Philip Wiersma x3795]:

Based on the Conceptual Plans received to date, the following are **preliminary landscape comments** for the Bronte Quadrangle.

Layout:

- East corner of rock plaza appears to be very close to an existing tree. Revise plaza layout to accommodate root zone of tree.
- Provide additional space around feature tree at the mews terminus, to accommodate people sitting on the circular seatwall and pedestrians. 1.5m wide walk provided, minimum 2m width is recommended.

Planting:

- Provide ground cover / shrub planting in lieu of sod in all live/work and townhouse 'Front Yards'. Recommend suitable landscape treatment under building overhang. (eg river stone mulch)
- Provide additional rooting space for the feature tree at the mews terminus. There is approximately 4.5m³ of soil volume proposed, however, based on City of Toronto standards a tree with future canopy of approximately 12m requires 36m³ of rooting space. With only minor modification to the plan an approximate 6m diameter planter could be accommodated and will provide approximately 22m³ rooting space sufficient for a mid size tree. Ideally a 7m diameter planter would approximately provide the 36m³ required. The applicant is encouraged to propose a layout that would achieve this, so a tree species with potential for a large canopy can be installed. The expanded seatwall will also strengthen the presence of the feature element, and provide additional seating in this prime location. Please note that the proposed feature tree should have a minimum 100mm caliper.

Streetscape:

- Provide layout for site furnishing, tree pits / flush planters, and paving along Bronte Road. Site furnishings are to encourage pedestrian activity and take advantage of views across road to the harbour / lake. (eg. benches, bike racks, trash & recycling receptacles, parking metres, etc)

Outstanding Information:

- Location of all proposed plant material, planting beds, and sodded areas.
- Location of existing vegetation to be retained or removed.
- Location and type of protection measures for vegetation to be retained.
- A plant list showing index, type, size, quantity, etc.

- Location and material of hard surfaced areas.
- Location, height, and material of all fences, screen walls and retaining walls, and lighting facilities.
- Proposed grades, finished first floor elevations and elevations at the base of trees to remain.

> Comments based on 13AU07 circulation of materials: [Philip Wiersma x3795]:

Landscape Concept Plan

Layout:

- Provide note on drawing that all unit paving on municipal property to be on concrete base.
- Show expansion and control joints for poured in place concrete paving along Bronte Rd. streetscape including area around the feature tree planter.
- Reduce the amount of pedestrian paving for the ground floor patio's on the north side of the building, to that of previously submitted landscape plans. At a maximum the patio sizes are to be the same as what is now proposed on the east side of the building. Expand planting beds accordingly.
- Final landscape plans to be signed and stamped by Landscape Architect.
- Show location of all above and below ground utilities.
- The privacy screen at the rear of the townhouse units exceeds the screens maximum projection of 3.7m beyond the rear wall of the unit. Revise drawings accordingly.

Planting:

- The feature tree planter contains approximately 19.5m³ of soil, sufficient to sustain an approximate 9m diameter canopy tree, according to City of Toronto guidelines. At maturity the proposed *Plantanus x acerifolia* typically has a larger canopy and may become stressed due to the lack of growing space. Staff asks you consider using a mid-sized tree, more suited to the growing space provided or provide more growing space for the tree specified.
- Provide quantities and layout for all plant material. (not just the trees)
- Show protection measures for existing vegetation to remain. Include detail as per Town standards.

Streetscape:

- Staff encourages the applicant to provide site furnishings to encourage pedestrian activity and take advantage of views across road to the harbour / lake. (eg. benches, bike racks, etc)

Site Grading Plan:

- Provide additional grading information to demonstrate that grades along the site's perimeter provide a maximum 4% slope with a **maximum 2% cross slope** on all pedestrian walks/ areas. These maximum slopes appear to be exceeded along Bronte Road building and plaza frontage and within the patio space east of the relocated Post Office.
- Provide additional grading information demonstrating how the steps and landings required on the south and east side of the Post Office will be installed. If there is a proposed entrance to the patio space on the east side, show the location of the entrance on the drawing.
- Provide additional proposed grades on Town lands at the private drive entrances / exits to Jones St. and Marine Drive, demonstrating the proposed slopes across the pedestrian walks

> Comments based on 13AU07 circulation of materials [Christina Tizzard x3266]:

Applicant to confirm whether a **shadow study** has been undertaken for this proposed development. If so, please submit. If not, please prepare and submit.

Site Plan (A-01) / Ground Floor Plan (A-02)

- Concerned with a potential 'entrapment' area between the proposed building and Stoneboat property. Request that this area is reviewed to ensure access through this area is not encouraged (unlike the 'mews' of the heritage walk) however, passage would not be restricted/blocked.
- Concerned with the proposed location of the garage vent in proximity to the proposed townhome on Jones – consider alternative location at end of proposed building on Jones.
- Concerned with the proposed location of the garage exit stairs – proximity to adjacent properties, no sidewalk connection on that side of the drive – request shifting it closer to main entrance of proposed building.
- Concerned with accessibility to live/work units (1 riser at each entrance as illustrated on the elevations) – require the entrances to these units are barrier-free.

- Concerned with accessibility to relocated existing buildings (several risers as illustrated on the elevations) – require information on the proposed location of stairs/ramps to the main entrances. Note, stairs, ramps and landings cannot be located on p.r.o.w.

Floor Plans (A-07 to A-10)

- Confirm whether there are 'separators' proposed for the terraces to provide access to only the abutting unit(s) or whether continuous access will be permitted along the building faces. Confirm access/ownership for rooftop open spaces created by the setbacks.

South/East Elevations (A-12 and A-13)

- Provide detailed information on the proposed finishes of the mechanical penthouse. Consider opportunities to reduce the heights of the penthouses. Require that the penthouses are illustrated on the site section drawings, including sight-lines of pedestrians from the opposite sides of the surrounding streets.
- Review of the remaining elevations upon receipt of the drawings.

UG Parking Plans (A-03, -04 and -05)

- Confirm dimensions of parking spaces (appear to be undersized in length)
- Identified a total of 3 Barrier Free parking spaces (1 space per level) – require additional BF spaces (6 total) – require that all BF spaces are located on P1, require better access from the BF spaces to the elevator (not through 3 sets of doors), require additional BF spaces within the visitor area.
- Require clarification on the 'pavement line' materials to define the islands, 'no parking' areas, aisles, etc.

Streetscape Plan (ST-1)

- Confirm whether streetscape details will be provided for the other boulevard areas that abut the property lines of this site.
- Concerned with the sidewalk straddling the property line on the Bronte boulevard – may require reduction in width of splash strip to contain required sidewalk on p.r.o.w – refer to comments from Development Engineering.
- Plan drawing indicates canopies of the retail units encroaching over p.r.o.w – consider shortening to within property boundary or discuss encroachment agreement options with Construction+ Engineering.
- Section drawing (A-A) must be revised to clearly indicate the pillars(vertical line) to represent the actual pedestrian route width (within the 'zone of the pillars' also include protruding façade elements and door swings that encroach into the usability of these niches).
- Require additional information on the proposed treatment on the boulevard side of the Ontario Street streetscape – concerned with the detail shown within the property boundary and the lack of treatment (sod) on the boulevard side. This will 'read' as two different spaces and not the seamless space anticipated. Internal meeting with concerned Depts to be undertaken to better understand what treatments can be incorporated into the p.r.o.w – this interface between public and private must be addressed, especially within the heritage precinct.

Lighting Plan (L-4) and Details (D-2)

- (L-4) Provide cutsheets/detail drawings of all proposed lighting standards – include info about illumination cut-offs to avoid light spillage. Proposed locations of 14ft standards (P) should be reconsidered given potential light spillage/glare onto adjacent properties.
- (D-2) Identify location on site plan/landscape plan where the wood privacy screen (D9) is intended and extent (perimeter). Of note, Heritage comments refer to a 'picket fence' in the Heritage District – provide a detail and intended locations

> Comments based on 10SE07 circulation of materials: [Philip Wiersma x3795]:

Layout:

- Final landscape plans to be signed and stamped by Landscape Architect.

Planting:

- Landscape Layout Plan indicates 100mm caliper tree to be planted in the circular planter at the terminus of the mews walk. Planting list provided specifies the Acer Rubrum 'Autumn Spire' at 70mm caliper. Correct this discrepancy.
- Provide quantities and layout for all plant material. (not just the trees)
- Show protection measures for existing vegetation to remain. Include detail as per Town standards.

Heritage Review, Planning Services (contact Zubeda Poonja: 905-845-6601 x3171)

> Comments based on 23JL07 circulation of materials:

Heritage buildings within the Bronte Quadrangle development site (Response to the MOU)

1. Physical manifestation: There are two aspects of physical manifestation of the proposed development that are of direct heritage interest:
 - The three dimensional understanding of the function, use, treatment and interfusion of publicly accessible and private spaces between the heritage buildings and the new buildings, public square and perimeter streetscapes. It is understood that although the development site will be privately owned in its entirety, there will be areas within the private ownership that will be accessible to the public.
 - The alteration and restoration of heritage buildings. This will be dealt with through the heritage permit submissions in conformity with the Ontario Heritage Act and Council approval of the heritage permit applications.

Three Dimensional Framework - In the context of the MOU it is essential to establish a clear understanding of the successful interface between the heritage buildings and the resulting three dimensional spatial framing of these buildings. An assessment of impact and integration of heritage buildings in the new development, the following considerations/comments are provided based on the conceptual site plan in Appendix B of the MOU:

1. Show property boundaries and orientation of the heritage buildings (Bronte Post Office and the Police Station). What are the specific property dimensions and measurements from the surrounding buildings, the streets and the public square?
2. What is the distance between the heritage buildings and the new development and the public square?
3. Show and geometrically define with measurements, the functional hierarchy of publicly accessible spaces and private spaces within the development site, specifically around the heritage buildings;
4. Show the pedestrian flow through the development where public have an access to;
5. Where are the entrances to the heritage buildings located?
6. What are the uses for the heritage buildings in the short and long term?
7. What are the opposing uses of the buildings to the north of the heritage buildings? Please describe on a floor by floor basis;
8. What are the opposing uses in the public square to the west of the heritage buildings?
9. Provide a geometric cross section between the heritage buildings and the streetscapes on (i) Ontario Street, (ii) Jones Street and (iii) Bronte Road, if applicable?
10. Provide an illustration to show the heritage buildings juxtaposed with the above streetscape and the new buildings;
11. What are the specific geometric conditions in a three dimensional field of everyday experience between the new development and the heritage buildings and the distance and area volume between the new development and the heritage buildings;
12. Illustrate the hard and soft treatment of the spaces around the heritage buildings
13. Illustrate the articulation of the ground plane between the heritage buildings and the new development to include breaks in building plane such as windows and entrances, weather protection (awnings, canopies, arbours, loggia, ornamentation, screening and lighting
14. What objects if any are to be placed within the ambit of the heritage buildings e.g. sculptures, water features, trees and accents; and
15. How is the prominence of the heritage streetscape achieved in the new development
16. Describe the internal and external views of heritage buildings from publicly accessible spaces within the site and the adjacent perimeter streets.

Heritage Permit Applications: This is a separate evaluation from the contextual framework described above. This evaluation deals with specific alteration and restoration to the heritage buildings. Heritage Permits are approved by Council.

> Comments based on 13AU07 circulation of materials (mostly references requirements for Heritage Permits and presentation to Heritage Oakville Committee)

Identified the following outstanding items:

- New floor plans for the three buildings;
- Details of the new entry projection in the Art Gallery building;

- Glendella application should include details of window construction and trim, details of the new railing and columns for the front porch, details of the new upper level balcony and railing at the rear, details of the new front dormer; and
- A powerpoint presentation with slides showing the old and the new side by side.

We also discussed the landscape plan. You will liaise with the Landscape Architect with respect to:

- Picket fence edge at the rear adjacent to the mews to provide a historical residential feel to the heritage precinct;
- A more defined entrance into the heritage precinct from the mews that may need some tweaking with the proposed herb garden and the addition of the picket fence.
- Please make sure you include the revised landscape plan in the material you will be submitting next week.

In our discussion you explained that:

- Glendella phasing and stabilization work is dealt with in the MOU;
- There will be no window samples as each window, whether restored or new, will be individually crafted to replicate the historical details; and
- The details of new columns and railings will be provided, but there will be no samples as these will also be individually crafted.

Parks & Open Space (contact Janis Olbina: 905-845-6601 x3148)

> Comments based on 23JL07 circulation of materials:

- Parks does not have any significant comments to offer, however, there was no tree inventory/preservation plan with the package we received and we would like the opportunity to review and comment on this plan.

Municipal Address, Eng. & Construction (contact Vince Blosser: 905-845-+6601 x3313)

> Comments based on 23JL07 circulation of materials:

- Retain existing address for Glendella – 2405 Ontario Street
- New address for relocated Art Gallery – 2409 Ontario Street
- New address for relocated police station – 2411 Ontario Street
- New address for proposed townhouses – 56 Jones Street
- New address for proposed mixed-use building – 11 Bronte Road

Realty Services, Legal Department (contact Maynard Millman: 905-845-6601 x3022)

> Comments based on 23JL07 circulation of materials:

- Cash-in-lieu of parkland is required and to be paid at the current prescribed rate

Oakville Transit (contact Joanne Phoenix: 905-845-6601 x 3504)

> Comments based on 23JL07 circulation of materials:

- The Transit Department has no comment on the Site Plan application for the Bronte Quad.

Accessibility Advisory Committee (Staff resource: Nicole Wolfe 905-845-6601 x 3339)

- *No comments received prior to report preparation*

External Agencies:

Oakville Hydro, Engineering Dept (contact Dan Steele: 905-825-9400)

> Comments based on 23JL07 circulation of materials:

- Space on the property is required to locate a pad-mounted transformer. A 3m wide easement, registered in the name of "Oakville Hydro Electricity Distribution Inc.", is required for the transformer and associated primary cable/duct bank. An electrical room with direct outside access and Best Universal Locks is required per Oakville Hydro's "Conditions of Service".
- Please contact Oakville Hydro Engineering with service size, voltage requirement, and anticipated demand load as soon as information is available. At that time, a servicing cost will be prepared, to be borne by the applicant.
- Oakville Hydro will supply the transformer. Please note that transformer deliveries are approximately 16 weeks.
- If the local area distribution system can not adequately supply the new load, an expansion or enhancement of the distribution system will be required. The cost of this will be up-fronted by the owner. Contact Oakville Hydro engineering for further information

Bell Canada, Right-of-Way Dept (contact Nathan Wukasch: 416-296-6291)

- *No comments received prior to report preparation*

Canada Post, Route Service Planning (contact Dan Bodnaruk: 905-339-1266)

> Comments based on 23JL07 circulation of materials:

It is requested that the developer be notified of the following.

As the construction referenced on this plan appears to be multi unit, Canada Posts' delivery policy requires that the owner install and maintain a centralized mail facility at their own expense. This installation is to be co-ordinated with Canada Post as per the Centralized Mail Delivery Guidelines.

**** For any part of this construction, which would be classified, as an institution then the above will not apply and the mail delivery would be provided to a single point of call for this portion of the development. ** (The Hotel)**

It is also requested that the Developer contact me directly for a Postal Code. Any current Postal Coding listed for assigned addresses in this vicinity Block Face may not be valid when the construction is completed for this project.

The Developer's agent should contact the Letter Carrier Supervisor Oakville Depot- Post Office to arrange mail delivery and mailbox inspection. -1130 Speers Rd Oakville ON. (905-338-1199)

Further information may be obtained by contacting the undersigned at (905) 339-1266

Conservation Halton (contact Katie Jane Stewart: 905-336-1158 x231)

> Comments based on 23JL07 circulation of materials:

Staff of Conservation Halton have reviewed the above noted application as per the following checklist, which includes: Conservation Halton's regulatory responsibility; the Memorandum of Understanding (MOU) between the Ministry of Natural Resources, the Ministry of Municipal Affairs and Conservation Authorities with respect to providing the provincial interest comments related to natural hazards; Conservation Halton's Level II Agreement with the Department of Fisheries and Oceans to review applications pursuant to Section (35) of the Fisheries Act; the MOU between the Region of Halton and Conservation Halton; and, the Hamilton Harbour Remedial Action Plan Agreement (only pertains to those applications that are within the Hamilton Harbour watershed).

The following comments relate strictly to this specific application. Additional items not marked as "applicable" may apply to future applications:

	<u>Applicable</u>	<u>Further Study</u>
<u>Conservation Halton Regulation</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>CA/Halton MOU</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lakes and Rivers Impacts	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wildlife Habitat Impacts/Mitigation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Proposal

The purpose of the site plan application is to build a commercial and residential project, consisting of 260 units and 1100m² of retail space and underground parking.

Ontario Regulation 162/06 and PPS

Conservation Halton is undergoing the completion of Regulation Limit mapping based on the new regulation approved by the Province of Ontario on May 11, 2006 (Ontario Regulation 162/06). The subject neighbours lands fronting Lake Ontario and contains the associate adjacent lands, and therefore, based on the text of the regulation, a portion of the property is regulated by Conservation Halton pursuant to Ontario Regulation 162/06. Conservation Halton's regulation requires that a Permit be obtained from Conservation Halton prior to development, interference with wetlands and alterations to shorelines and watercourses.

Wildlife Habitat Impacts/Mitigation

The shorelines of the Great Lakes are important stopover areas for migrating landbirds. Due to the concentration of birds along the lakeshore during spring and fall migration, there is a higher than average potential for bird-building collisions. Staff recommend that the proponent consult the following design guidelines for minimizing the potential for bird strikes, and that the next submission clearly indicate how these principles have been incorporated into the design of the buildings and site.

<http://www.birdsandbuildings.org/docs/TorontoDevelopGuidelines.pdf>
<http://www.birdsandbuildings.org/docs/BirdSafeBuildingGuidelines.pdf>

The following resources may also be of assistance.

<http://www.birdsandbuildings.org/docs/RandiDoekerBABF.pdf>
<http://www.birdsandbuildings.org/docs/MichaelMesureFLAPdaytime.PDF>
<http://www.birdsandbuildings.org/docs/BruceFowleEJMcAdamsNYC.pdf>

Recommendation

Staff of Conservation Halton has no objection to the approval of the above-referenced Site Plan Application subject to the condition that the applicant submits the following to Conservation Halton for the necessary approvals:

- 1) A Halton Conservation Permit Application, pursuant to Ontario Regulation 162/06
- 2) A siltation and erosion control plan
- 3) A stormwater management plan, and;
- 4) A bird-building collisions report

> Comments based on 27AU07 circulation of materials:

Staff of Conservation Halton have reviewed the site plan application dated August 29, 2007 and offer the following comments.

Ontario Regulation 162/06 and PPS

As previously noted, the subject property neighbours lands fronting Lake Ontario and contains the adjacent lands associated with this feature. Therefore, based on the text of the regulation, a portion of the property is regulated by Conservation Halton pursuant to Ontario Regulation 162/06. Conservation Halton's regulation requires that a Permit be obtained from Conservation Halton prior to development, interference with wetlands and alterations to shorelines and watercourses. The applicant is advised that they will require a permit from Conservation Halton for the proposed development.

Level II Agreement with DFO

Staff have reviewed the Stormwater Management Report, prepared by Trafalgar Engineering Ltd., dated March 2006, and offer the following comments.

Page 4 of the SWM report indicates a "normal" or Level 2 water quality standard is required. Based on recent research on algal blooms and accumulations on the western end of Lake Ontario, staff strongly recommends that the protection level for water quality be upgraded to Enhanced (80% long-term S.S. removal). Bronte Harbour also provides habitat for fish species that have adapted to a low suspended solids environment (Example: Emerald Shiner for respiration, Largemouth Bass, Chinook Salmon and Rainbow Trout for visual predation and respiration).

Halton MOU

Stormwater Management

As noted above, staff strongly recommends that a Level I (enhanced) water quality standard be provided for stormwater.

Recommendation

Staff of Conservation Halton has no objection to the approval of the above-referenced Site Plan Application, but would request the following conditions (as previously noted):

1. That the applicant applies for and receives a permit from Conservation Halton, pursuant to Ontario Regulation 162/06, for the proposed works;
2. That the applicant submit a siltation and erosion control plan;
3. That the applicant submits a bird-building collisions report that identifies design principles to mitigate impacts to migrating birds.

HRPS Halton Regional Police Service (contact Keith Moore: 905-878-5511)

- No comments received prior to report preparation

Halton Region Public Works (contact Ron MacKenzie: 905-825-6000, x7628)

> Comments based on 23JL07 circulation of materials:

Regional staff has reviewed the application and are pleased to offer the following comments:

	Not Applicable	No Objection	Comment	Conditions
Servicing	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Transportation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Waste	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Finance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

COMMENTS

Servicing: Halton Region's Development Coordinator has reviewed the subject application and notes there is a 200mm dia. watermain located on Bronte Road adjacent to the property. A 200mm dia. watermain is located on Ontario Street adjacent to the property. A 200mm dia. watermain is located on Marine Drive adjacent to the property. A 300mm dia. watermain is located on Jones Street adjacent to the property. Existing fire flows in the area are 7314 IGPM at 20 psi. The fire flow was taken from the hydrant off the 150mm diameter watermain on Ontario Street.

A 200mm dia. sanitary sewer is located on Bronte Road adjacent to the property. A 200mm dia. sanitary sewer is located on Ontario Street adjacent to the property. A 600mm dia. sanitary sewer is located on Marine Drive adjacent to the property. A 200mm dia. sanitary sewer is located on Jones Street adjacent to the property.

The existing sanitary sewers that this site will drain to, flow to the existing Marine Drive Pumping Station. This is an older station that was originally constructed in 1972 and was upgraded in 2001. As part of the upgrade of the station, two new pumps were installed which increased the capacity of the station. A Functional Servicing Report (date December 8/04) was submitted for the Zoning Amendment Application for this site that addressed the capacity of this station in relation to this development.

If you have any questions please contact Ron Mackenzie, Development Coordinator, at extension 7628.

Waste: Halton Region will provide front-end containerized garbage collection and drive-thru collection from the townhouse units on the private laneway given the following conditions are met:

- An application for collection services on private property must be signed by the Owner and returned to Halton Region Waste Management.
- Where the garbage collection vehicles are required to drive over the top of an underground parking garage, the Owner shall provide the Region with a signed and stamped engineering certificate certifying that the parking structure can support the weight of a fully loaded garbage collection vehicle.
- A minimum of 9 metres overhead clearance shall be required for servicing of Front-end garbage bins. The location of the front-end container(s) must be kept clear of all obstructions and clearly marked as a NO STOPPING area.

- Halton Region will not provide collection services until private laneway(s) are accessible and free from construction vehicular traffic.
 - Complex Owners will be responsible for purchasing or renting Front-end containers.
 - The Owner should contact Halton Region Waste Management to commence waste collection services
- If you have any questions please contact *Ben Morris* at extension 8284.

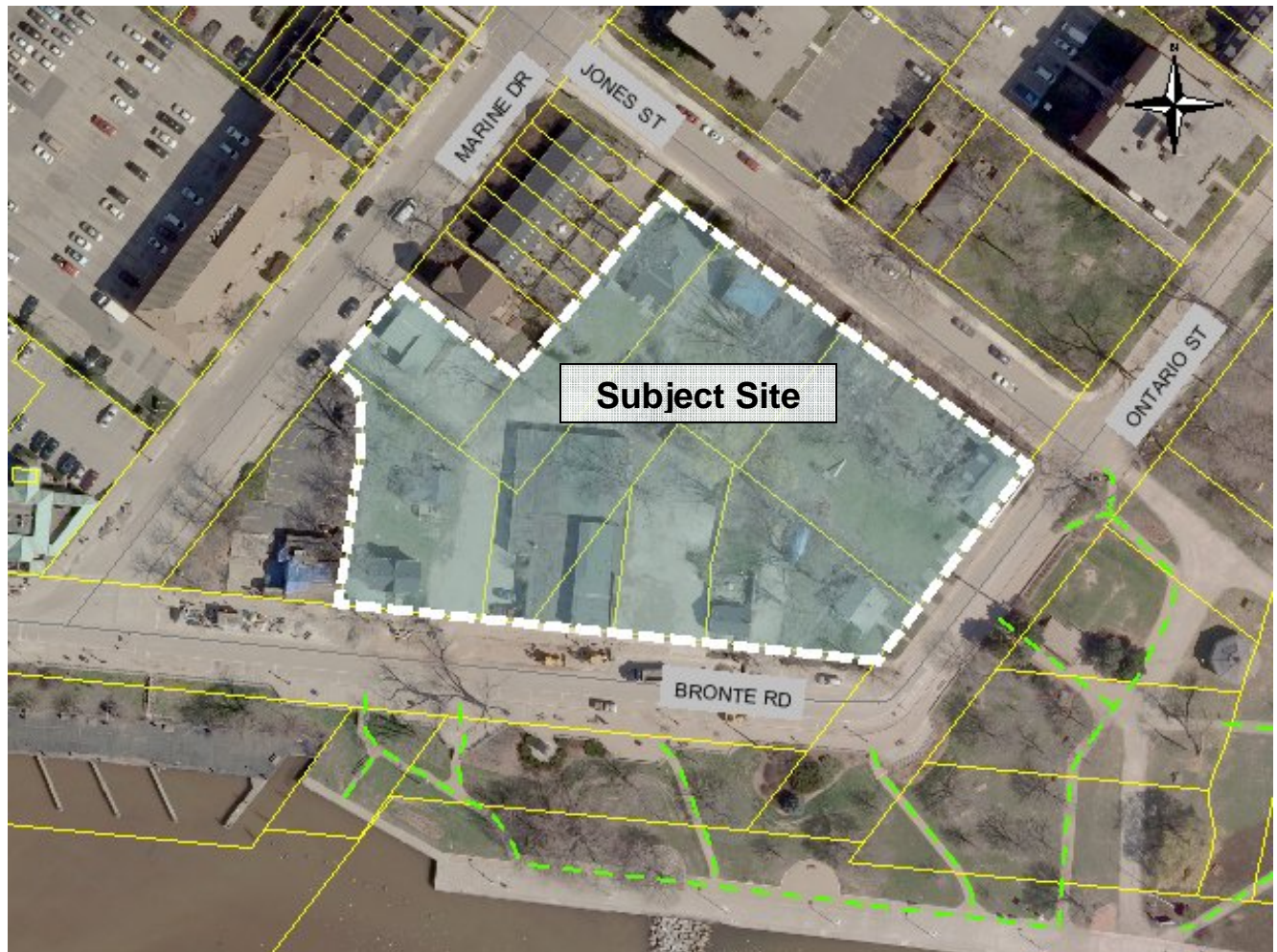
Finance: The Owner will be required to pay all applicable Regional development charges prior to the issuance of any building permits.

CONCLUSION/CONDITIONS: The Region has no objection to the application *subject to the following conditions:*

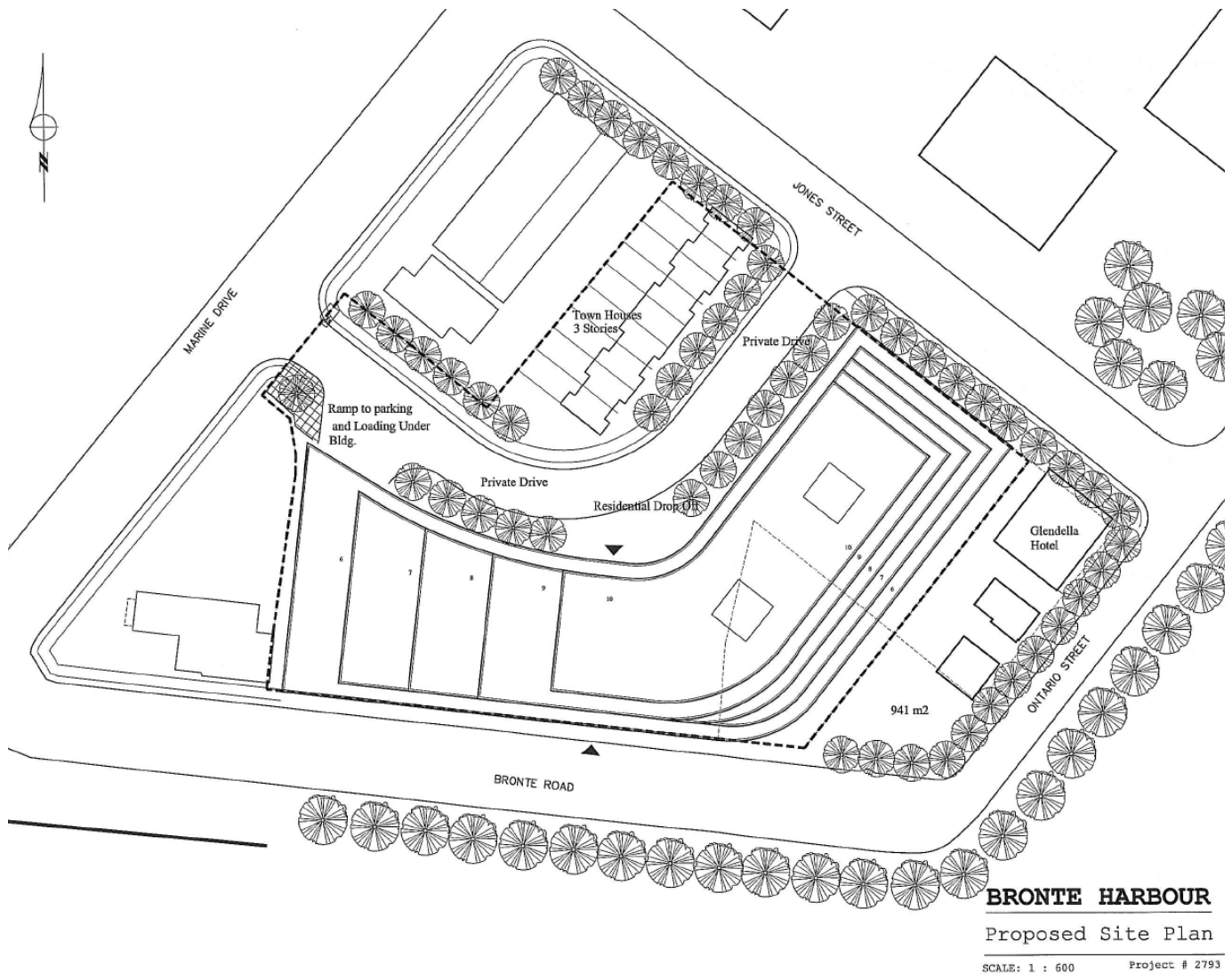
1. The Owner shall contact the Regional Services Permit Section for review and approval of the proposed water and sanitary servicing, to obtain water and sanitary sewer Services Permits, and pay all necessary fees.
2. The Owner shall submit a revised site plan/grading plan indicating that existing water service or sanitary service laterals that will be disconnected and abandoned, or which are deemed substandard, will be decommissioned in accordance with the standards and specifications of Halton Region.
3. The Owner shall conduct a survey of the property to identify all existing wells and/or private septic systems related to the former use of the lands and shall decommission any existing wells in accordance with Ministry of Environment guidelines prior to commencing development of these lands, to the satisfaction of Halton Region's Development Coordinator.
4. The Owner must satisfy Halton Region's Waste Management Department with regard to waste collection

Appendix Two: Aerial Photograph

Subject Site and Context

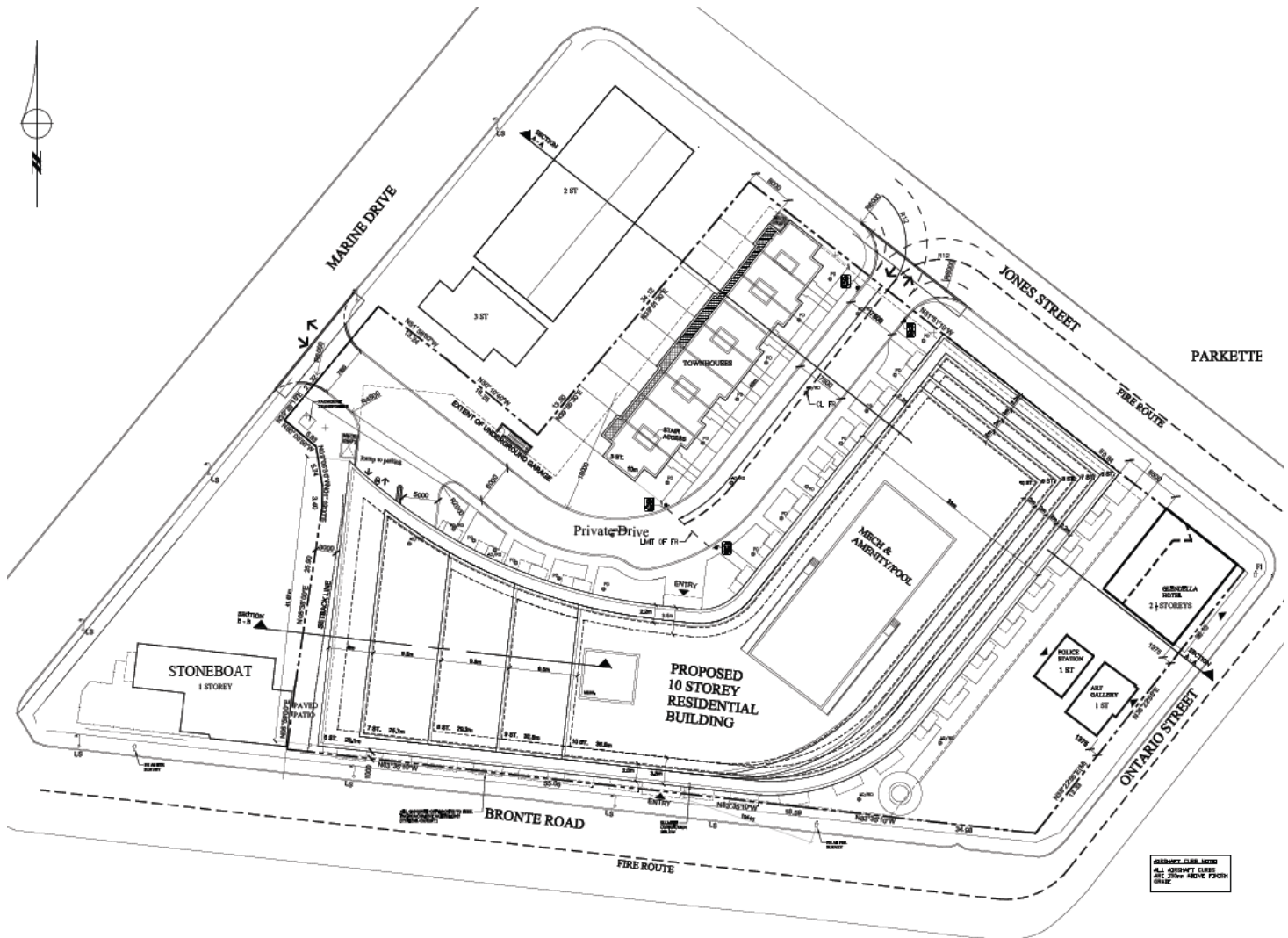


Appendix Three: Proposed Site Plan as attached to MOU [April 24, 2007]



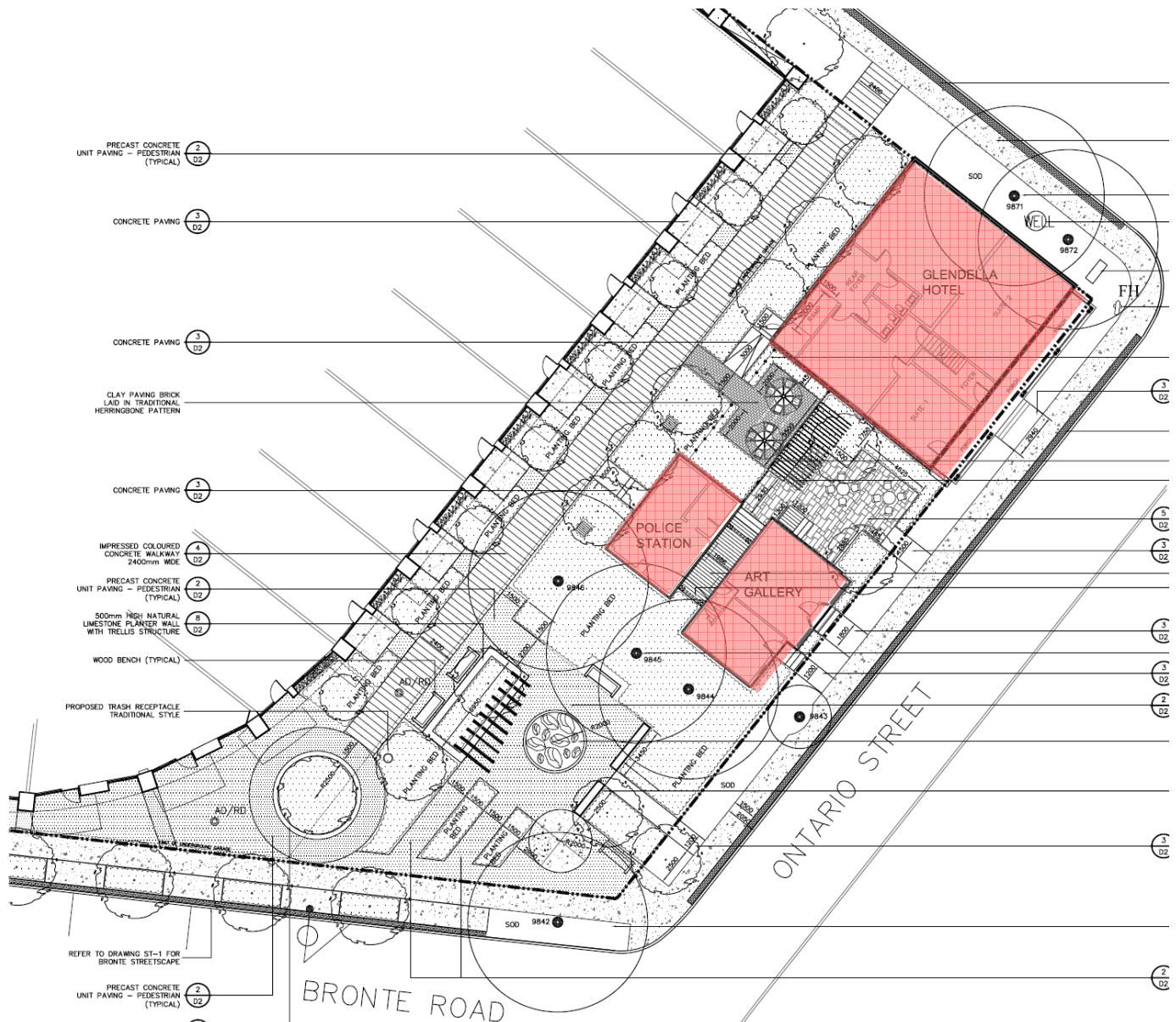
Appendix Four: Drawings

Proposed Site Plan



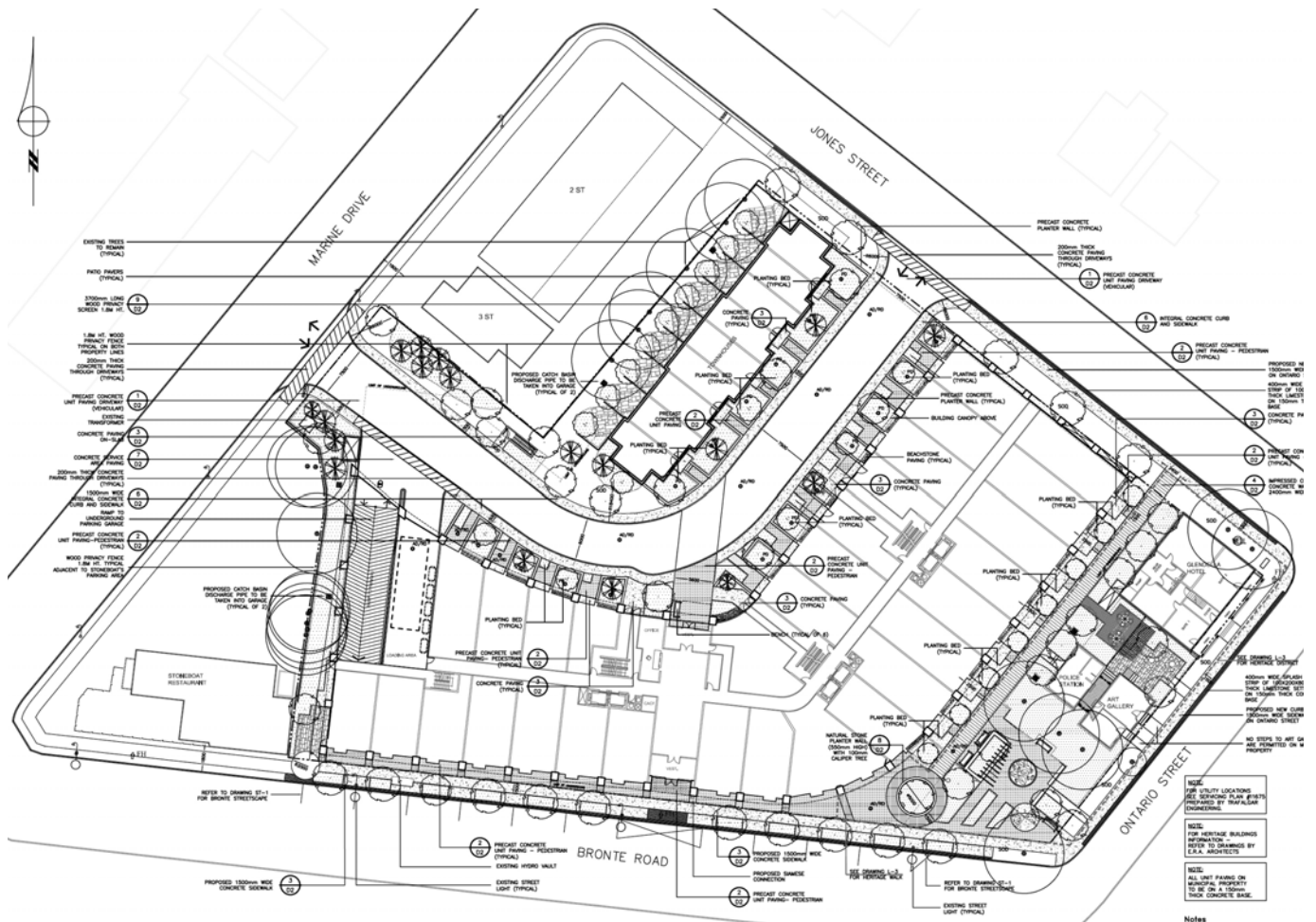
Appendix Four: Drawings

Proposed Heritage Precinct (Enlargement of Landscape Plan)

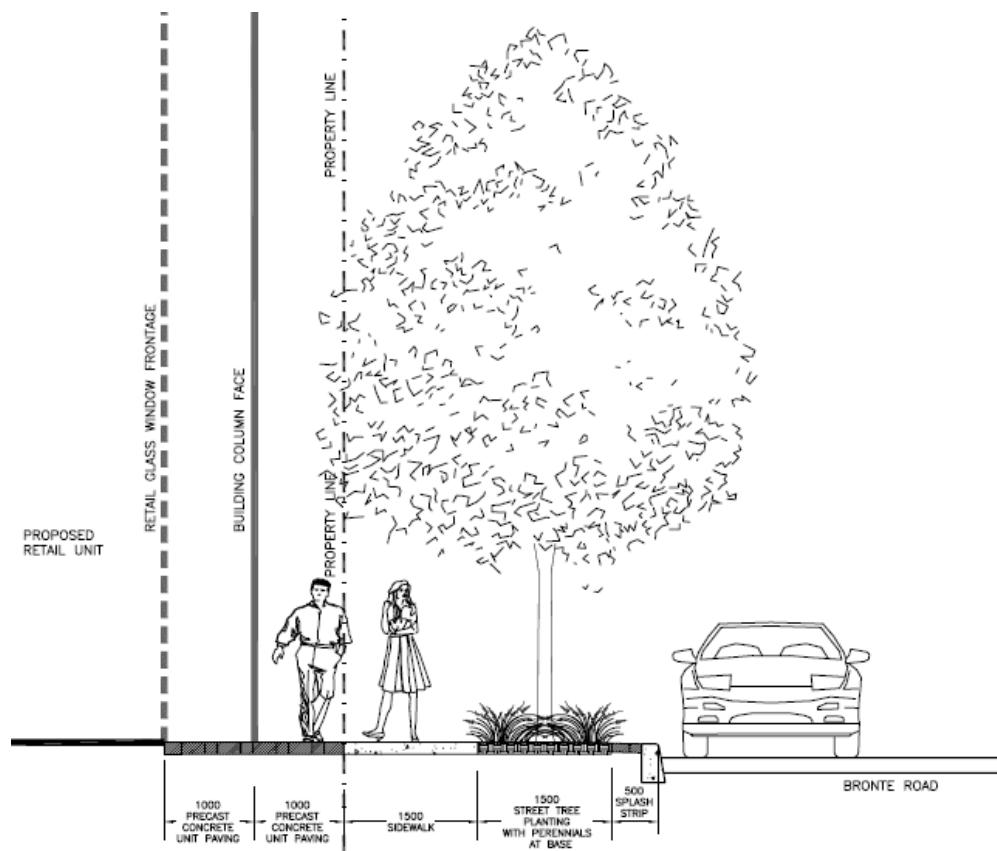
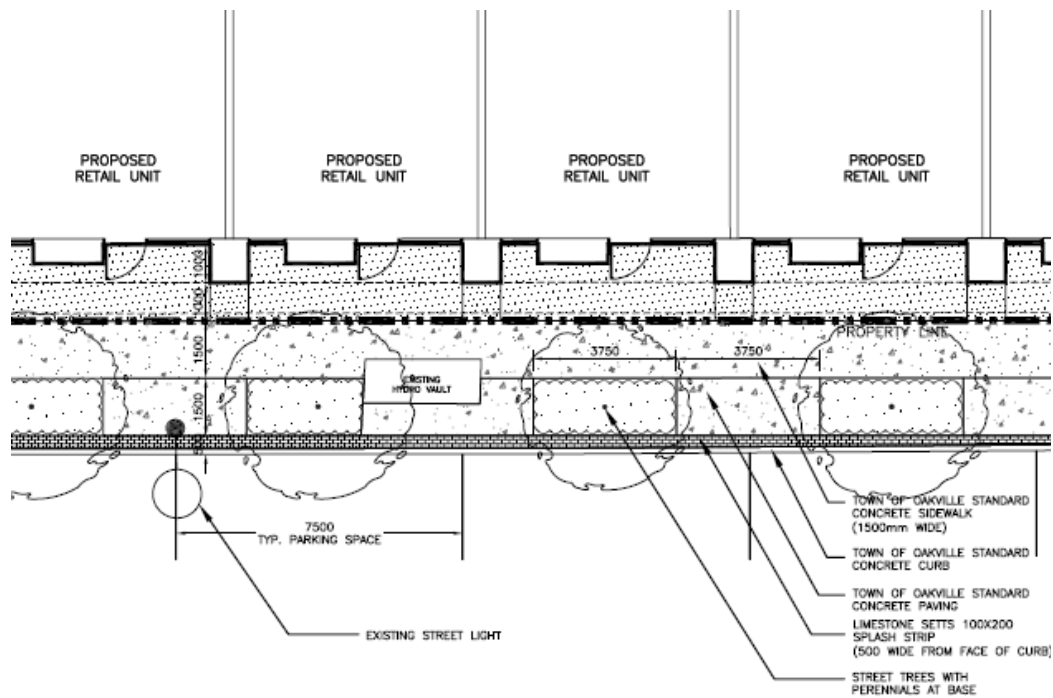


Appendix Four: Drawings

Proposed Landscape Plan

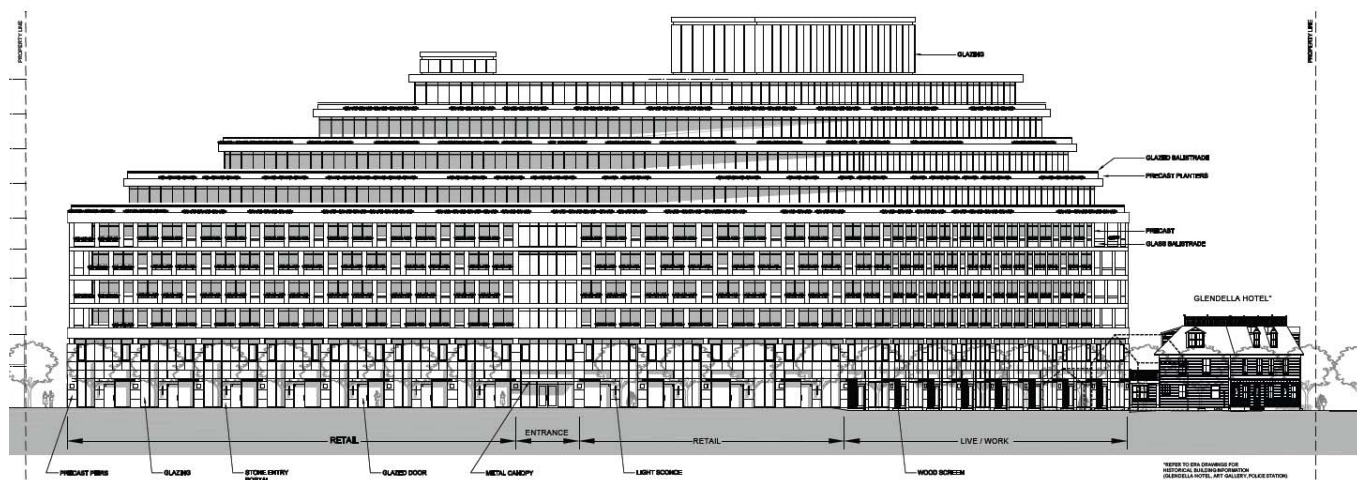


Appendix Four: Drawings Proposed Bronte Streetscape Plan + Section

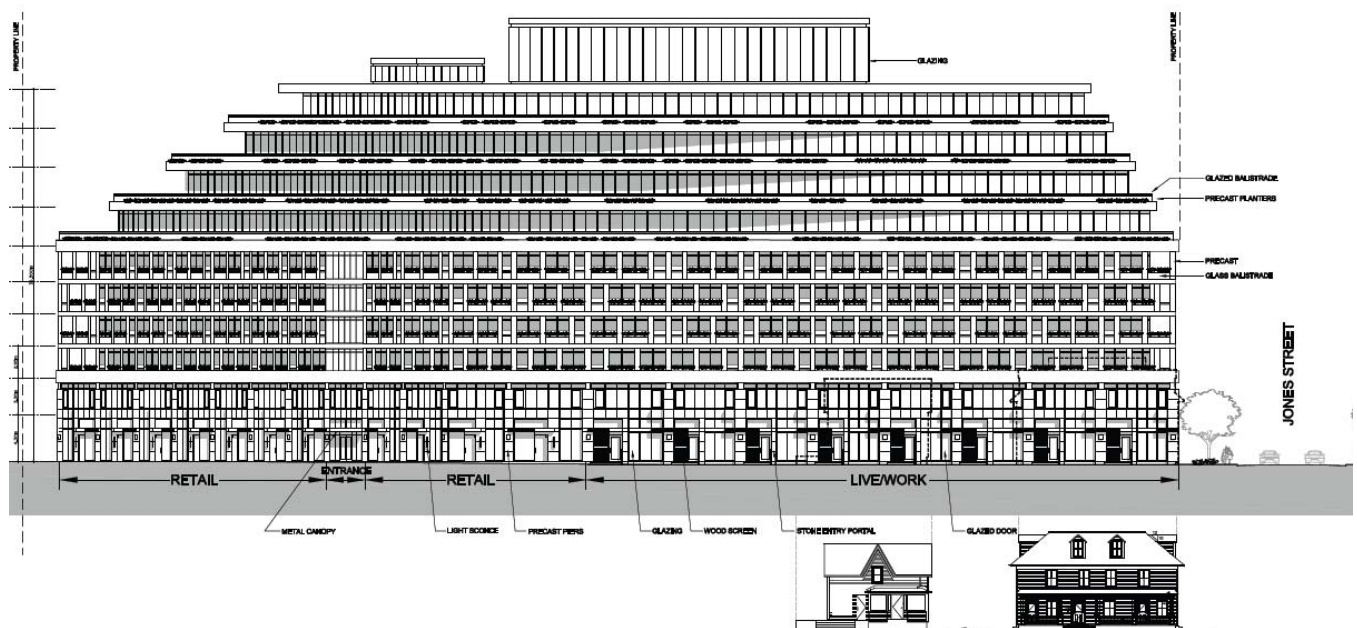


Appendix Four: Drawings

Proposed Building Elevations



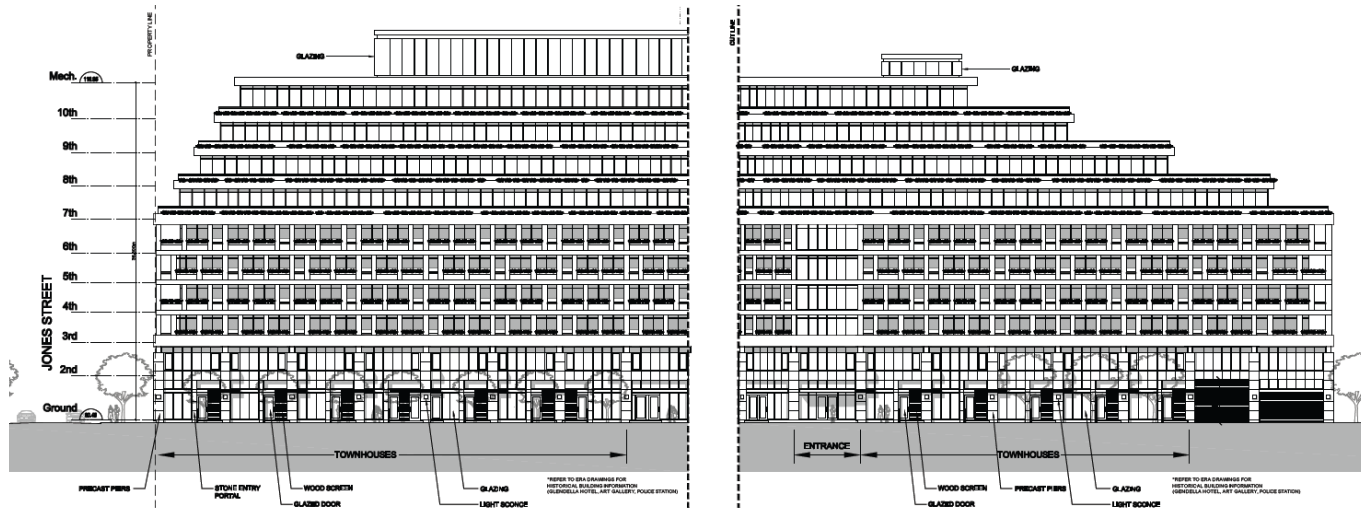
South Elevation of Mixed-Use Building (as viewed from Bronte Road)



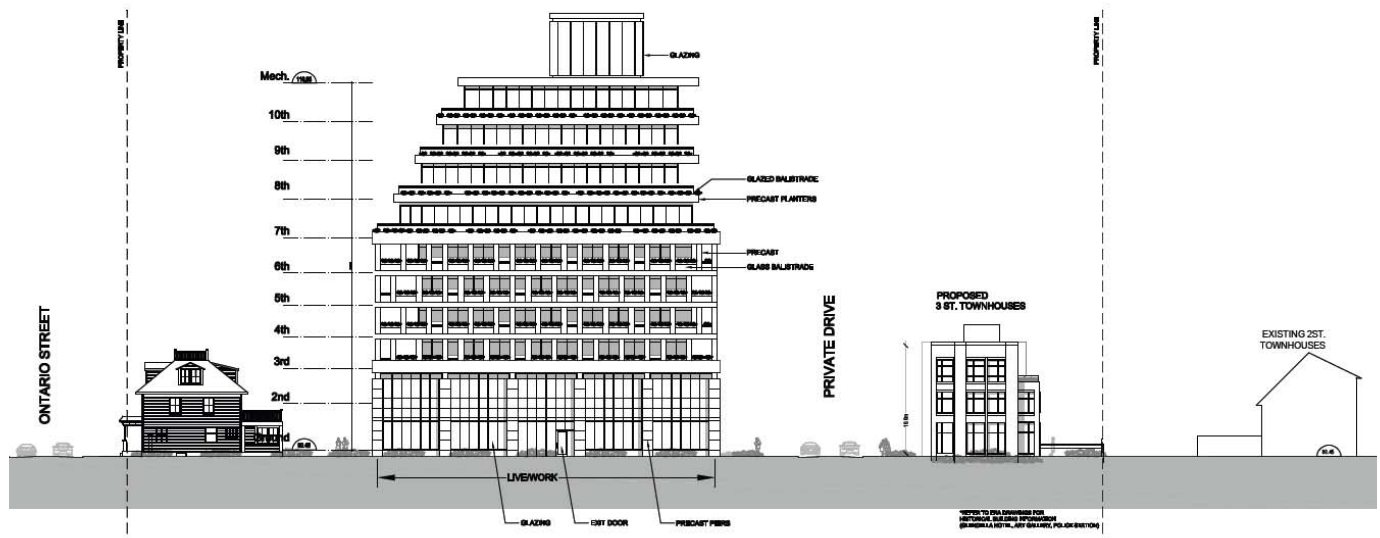
South-East Elevation of Mixed-Use Building (as viewed from Ontario Street)

Appendix Four: Drawings

Proposed Building Elevations



North Elevation of Mixed-Use Building (as viewed from private drive)



East Elevation of Mixed-Use Building (as viewed from Jones Street)

Appendix Five: Memorandum of Understanding

WITHOUT PREJUDICE
June 25, 2007

EXCERPTS MEMORANDUM OF UNDERSTANDING

BETWEEN:

THE CORPORATION OF THE TOWN OF OAKVILLE
(hereinafter the "Town")

- and -

BIRCHGROVE ESTATES INC.
(hereinafter "Birchgrove")

IT IS UNDERSTOOD AND AGREED THAT:

1. This memorandum of understanding is subject to approval by Council to be considered in accordance with the provisions of the relevant legislation including the *Municipal Act*, and the *Ontario Heritage Act*. (BALANCE CONFIDENTIAL PENDING FINAL APPROVAL OF COUNCIL)
2. CONFIDENTIAL PENDING FINAL APPROVAL OF COUNCIL
3. CONFIDENTIAL PENDING FINAL APPROVAL OF COUNCIL

Proposed Development

4. The Bronte Quadrangle development (the "development") shall be in substantial conformity with the proposed site plan, dated April 24, 2007 attached as Appendix "B" to this memorandum of understanding (the "drawings"). Any modifications to the development shall be in accordance with the criteria and objectives stated in this agreement. The Town and Birchgrove acknowledge that these drawings are preliminary and subject to additional refinement and review.
5. The development shall meet the following criteria, with any reduction in height, gross floor area, or number of units being at the discretion of Birchgrove:
 - a. a maximum building height on Jones Street of 10 stepping down to 6 storeys along Bronte Road substantially as shown in the drawings;
 - b. a maximum gross floor area of 300,000 square feet;
 - c. a maximum of 275 residential units;
 - d. commercial uses shall be included at grade level (a minimum of 9,000 square feet);

WITHOUT PREJUDICE

June 25, 2007

- e. parking for the residential units shall be provided at a minimum rate of 1.5 parking spaces per unit, including visitor parking;
 - f. no additional parking shall be required for the commercial uses;
6. Birchgrove shall make revisions to the development proposal shown on the drawings, to the satisfaction of the Town, acting reasonably, in order to address the following objectives:
- a. The Bronte Road frontage shall provide for an active pedestrian friendly environment through the articulation of the building façade and the terracing of the building above 6 storeys.
 - b. An active publicly accessible private open space element at the corner of Bronte Road and Ontario Street shall be created which defines the edge of the urban environment and supports the commercial elements within the new development through building treatment, hard and soft landscaping, and street furniture. Supporting the private open space element at this corner will require a special treatment at the elbow of the building in order to maximize lower floor views through to the square and Bronte Road. This open space element will be publicly accessible serving both the development and the general public. An easement for this purpose shall be included within the implementing documentation associated with this memorandum of understanding and registered on title.
 - c. The interface between Glendella and the new 6 to 10 storey building shall create a pedestrian street environment which provides an appropriate built form environment between the 2 storey heritage building, ground floor commercial and upper floor residential uses. The interface will be enhanced by maximizing the distance separation (recognizing the overall limitation of the site and building orientation), building facades of both the heritage and new development and a review of the terracing of the new building.
 - d. In support of the open space elements particular attention will be given to the placement and refurbishment of the Art Gallery and the refurbishment of Glendella in order to provide an active pedestrian environment as well as to create a heritage street atmosphere along Ontario Street. A variety of commercial and mixed uses which support the pedestrian activity of the area as well as the economic viability and long term preservation of the heritage buildings will be reflected in the zoning by-law. The proposed interim use of Glendella as a sales office for the development is acknowledged as a permitted use.
 - e. The Jones Street frontage shall be reviewed to ensure a compatible relationship with the adjacent development to the west with consideration to the terracing and façade treatment. Similarly, the distance separation

WITHOUT PREJUDICE
June 25, 2007

and the treatment of the internal street will be reviewed to ensure long term compatibility with the new townhouses and the 6 to 10 storey building. Opportunities to reduce these setbacks in order to maximize distances between the heritage building and the south face of the 6-10 storey building will be considered.

- f. Any modifications to the plan shall minimize impacts on neighbouring properties including impacts on adjacent heritage buildings.

Glendella

7. Glendella shall remain in situ and be refurbished and restored by Birchgrove, at its expense in accordance with applicable permits and the generally accepted heritage conservation practices. Immediate steps shall be taken to preserve the existing structure, including the submission of heritage permit applications for that purpose.
8. The Town consents to the demolition of the rear addition of Glendella in accordance with the decision of the Ontario Municipal Board dated February 7, 2007, subject to the necessary applications and plans being submitted and approved for the resulting alterations to the rear façade of the building.

Art Gallery

9. The Art Gallery relocated by Birchgrove at its expense to a location in the area shown in the drawings, subject to any revisions that may be required or agreed to in accordance with this memorandum of understanding. The Art Gallery shall be restored at its new location at Birchgrove's expense in accordance with accepted heritage conservation practices and applicable permits.

Police Station

10. The Police Station shall be relocated by Birchgrove at its expense in a manner that maintains structural soundness. Birchgrove shall restore any damage caused to the building through relocation. In the absence of the agreement of the parties with respect to an alternate location, the Town shall be responsible for finding a new location for the Police Station.

Demolition of Other Buildings

11. The Town acknowledges that demolition permits for the non-designated buildings, other than the Marketeria, are available to Birchgrove subject to the erection of tree hoarding, site hoarding, and compliance with site siltation requirements.
12. The Town acknowledges that no further heritage approvals are required for the demolition of the Marketeria.

WITHOUT PREJUDICE

June 25, 2007

13. Birchgrove agrees to obtain the necessary permits and demolish the non-designated buildings on the property (including the Marketeria) forthwith.

Traffic/Servicing/Site Plan /Heritage Matters

14. The Town and Birchgrove agree to work expeditiously to resolve any issues which may arise relating to transportation, servicing, heritage and site plan matters with a view to presenting a final site plan and conditions to the Ontario Municipal Board for approval in September, 2007 during the time scheduled for a hearing.
15. As part of any Site Plan approval, Birchgrove shall be required to make a contribution of \$130,000 towards intersection improvements at Bronte Road and Rebecca Street.
16. The Town and Birchgrove agree that Glendella and the Art Gallery shall continue to be designated under the *Ontario Heritage Act* and agree to cooperate in the preparation and registration of revised heritage by-laws including revised legal descriptions for the lands and lists of heritage attributes. Birchgrove further agrees to the registration of a heritage easement for the future preservation of Glendella, the Art Gallery. In the event that the final location of the Police Station is within the Bronte Quadrangle, then this paragraph shall also apply to the Police Station.

Outstanding Legal Proceedings

17. CONFIDENTIAL PENDING FINAL APPROVAL OF COUNCIL
18. CONFIDENTIAL PENDING FINAL APPROVAL OF COUNCIL
19. CONFIDENTIAL PENDING FINAL APPROVAL OF COUNCIL

Appendix Six: Comments from Neighbouring Property Owner

Letter prepared by Ms. C. Monroe, MCIP, RPP, retained by Mr. J. MacCharles,
property owner of 2414 Marine Drive



Sorensen Gravely Lowes
P l a n n i n g A s s o c i a t e s I n c .

509 Davenport Road
Toronto, Ontario M4V 1B8
Telephone (416) 923-6630
Facsimile (416) 923-6916
August 24, 2007

Principals: Warren Sorensen, P.Eng, MCIP, RPP
Catherine Gravely, MES, MCIP, RPP
Paul Lowes, MES, MCIP, RPP
Senior Associate: Carol-Anne Munroe, MCIP, RPP

Mr. John MacCharles
2414 Marine Drive
Oakville, On
L6L 1C7

Dear Mr. MacCharles:

**Re: Comments on Proposed Site Plan for
Bronte Quadrangle Development, Oakville**

At your request, we met with Ms. Christina Tizzard at the Town of Oakville Municipal Offices earlier today to review the most recent site plan (see Attachment 'A') filed for the above-noted project. Based on our review, we have a number of concerns related to the potential impact of the current design on the residential enjoyment of your detached dwelling on abutting lands at 2414 Marine Drive. These concerns are highlighted in the balance of this letter, but are prefaced with some introductory comments that will help to set the framework that gives rise to our concerns.

Official Plan Policies

Our comments related to the proposed site plan are premised on the prevailing Town of Oakville Official Plan policies that, among other things, require new development to respect the existing character of the surrounding area and the relationship of new buildings with adjacent buildings.

Specifically, the *Urban Aesthetics* section of the Official Plan speak to controlling and regulating building and site design so as to avoid conflicts with adjoining uses, and assessing development proposals having regard to their appropriateness with the character of the surrounding area, the massing and conceptual design if the proposed building(s) and the relationship of the proposed building to adjacent buildings. In addition, the Town's *Urban Residential Land Use Policies* require medium and high density development proposals on lands abutting lower density development to incorporate increased setbacks, sensitive building siting, provision of landscaped buffers and controlled scale of development.

Clearly, the site plan application filed for the Bronte Quad lands must adhere to these Official Plan policies intended to achieve compatibility between established and new land uses and built-form.

Phase 1 OMB Hearing

As you know, the proponent (Birchgrove Estates Inc.) has filed five appeals with the Ontario Municipal Board (OMB) in connection with the Bronte Quad redevelopment proposal, three under the *Planning Act* and two under the *Ontario Heritage Act*. The appeals have been consolidated, with the heritage appeals already dealt with in a concluded Phase 1 hearing and the planning application yet to be adjudicated upon in a Phase 2 hearing.

The Phase 1 hearing dealt solely with the heritage applications under appeal, with such applications having been reviewed by the Board within the context of the official plan amendment, rezoning and site plan applications also under appeal but slated to be dealt with in a Phased 2 OMB hearing. Decision 0338 issued by the Board on February 7, 2007 arising from the Phase 1 hearing permitted Glendella and the Art Gallery structures to be relocated within the Bronte Quad site and further required these two structures to be designated under *Part IV* of the *Ontario Heritage Act* at their new relocated sites within the Bronte Quad.

As evident in Board Decision 0338, a ruling on the merits of the actual planning applications under appeal (including the proponent's July 12, 2005 site plan included as Attachment 'B' to this letter) was not before the Board. However, the OMB Member confirmed in Decision 0338 that the Bronte Quad lands are ripe for intensification and that "*apartment type building form, coupled with townhouses and conservation of the Art Gallery and Glendella represent a reasonable and appropriate degree of intensification*" but that "*specific details of precise heights, exact density and site plan configuration are matters for Phase 2 of this hearing*". We completely agree with the Board and the Town that the said lands are ripe for intensification, but it is degree of intensification and actual site density, building heights and site design that we have always taken issue with. The reasons for concerns have been amply set out in a series of letters previously filed with the Town over the past two years on your behalf, and in presentations made to Town Council at various public forums.

In terms of OMB proceedings to date, it is important to emphasize that neither the Town nor the proponent was bound to a particular site plan flowing from the Phase 1 OMB hearing. Instead, the only real limitations on site plan refinements arises from the Memorandum of Understanding (MOU) entered into between the proponent and the Town in June 2007. That said, the MOU notes that the site plan dated April 24, 2007 included as Appendix "B" to the MOU is preliminary in nature and subject to additional refinement and review (Paragraph 4). Furthermore, Paragraph 6.f. to the MOU states that any modifications to the site plan should be undertaken so as to minimize impacts on neighbouring properties. Consequently, we believe that the opportunity exists for improvements to be made to the site plan to mitigate potential adverse impacts of the current scheme on your property should the OMB in fact supports the scale and density of development being proposed for the Bronte Quad lands at the Phase 2 hearing.

Site Plan Comments

Before highlighting our concerns related to the current site plan proposal, we wish to remind you that on February 24, 2006, we sent a letter to the Town acknowledging improvement made by the proponent to the then site design dated January 2006 that provided for increased spatial separation between your property and the then proposed 10-storey tower along Jones Street. This increased spatial separation was achieved through introduction of intervening built-form consisting of seven 3-storey townhouses, the relocated Glendella House and a through private roadway extending from Marine Drive to Jones Street.

In that same letter, we also acknowledged the benefits arising from the proponent's then proposal to provide enhanced intervening built-form and a private roadway between your property and the then 6-storey tower proposed along Bronte Road through relocation of the police station and Art Gallery building to just west of your property. You may recall that an even earlier iteration of the site plan proposed the introduction of three townhouses to the west of your property instead of the relocated heritage buildings (see Attachment 'C'). Many of these site design were also reflected in the July 2005 site plan (see Attachment 'B' appealed to the OMB), except that the post office building remained in situ so that only the Art Gallery building was to be relocated west of your property.

Based on our review of the current site plan (see Attachment 'A'), we have the following concerns that we believe could create adverse impacts on the enjoyment of your residential property at 2414 Marine Drive.

- a. The height of the overall development along Bronte Road has increased from 6 to 10 storeys, and it appears that the building has been shifted closer to your property due to widening of the building footprint and a 'flaring out' of the building in your direction. These design changes have eliminated the opportunity for the introduction of desired intervening low-rise built-form previously included in other site plan layouts that would have helped to mitigate noise and visual impacts. The broadened building

footprint and increased building height will likely worsening sun/shadow impacts on your rear yard amenity area and make the building feel more imposing on your property. It also appears that the proposed substantial rooftop mechanical installations are quite high and will create an overall built-form height that may approach 11.5 storeys in total. Details on the rooftop mechanical features do not seem to have been provided, but should be required by the Town.

Since the proposed building heights and massing have changes substantially from the previous plan for which sun/shadow drawings were filed, it is essential that updated sun/shadow drawings reflecting the latest scheme be submitted to demonstrate the extent of sun/shadow impacts that will arise from the current design. The Town would be remiss in not requiring the proponent to file such updated sun/shadow drawings.

We recommend that the Town require the proponent to consider narrowing the width of the Bronte Road building (assisted by deleting the pronounced flare) to enable the private roadway to be shifted further west and to enable intervening built-form to be introduced immediately west of your property.

- b. It appears that the rear yards for the nine, 3-storey townhouses proposed south of your property are to have a depth of 6 m rather than Town's standard 7.5m rear yard setback requirement. There does not appear to be any planning rationale for reducing the rear yard setbacks for these units. Consequently, the Town should require a 7.5 m rear yard in this location, particularly since the rear yard amenity areas of these new infill units will directly abut the rear yard amenity areas of existing 3-storey dwelling units (your detached dwelling and neighbouring townhouses) that have developed with required minimum rear yard depths of 7.5 m.
- c. We have been advised by Town staff that the 6m wide private driveway proposed immediately west of your property under the current site plan scheme may need to be widened to 7.5m, likely bringing the driveway closer to your property and further reducing the spatial separation to be provided from your lot line to the driveway right-of-way. Shifting the driveway eastward in this location would be a detriment to you and would reduce the ability to provide significant landscaping adjacent to your west lot line. Again, the recommendations cited in paragraph a. above (narrowing of the building footprint along Bronte Road, removal of the building flare, shifting of the private driveway westward, and re-introducing intervening built-form between your property and the proposed private roadway) would help to mitigate these impacts.
- d. The main nuisance elements and focuses of service activities (i.e. the private roadway, the ramp to the underground garage levels, the loading/garbage areas, and venting building from the 3 level underground garage) have been situated immediately adjacent to your property. Coupled with traffic noise on the private roadway situated immediately west of your property and intended to serve up to 275 dwelling units and the commercial uses, these less than desirable site elements have the potential to create noise problems that may affect the enjoyment of your property. Furthermore, given the 3-storey height of your home and the presence of numerous windows on your west building elevation (see Photos 'A', 'B' and 'C' attached), your westerly view will be of these less than attractive service and activity areas.

In keeping with the *Urban Aesthetics* and *Urban Residential Land Use Policies* of the Town's Official Plan, it would have been reasonable to expect that the site design would intentionally locate these potential nuisance elements away from the only existing detached dwelling to remain on the entire Bronte Quad block, and to not direct such unattractive elements to locations immediately adjacent to your property. Under the July 2005 scheme, the proposed on-site loading area was located south of the proposed row of townhouses, in a location well removed from your property (see Attachment 'B').

The Town should require the proponent to relocate these nuisance elements to more internal locations within the site rather than burden off-site landowners with these less than desirable site features. Furthermore, a noise feasibility study is required from the proponent identifying potential noise sources, potential impacts on your rear yard amenity area, and recommending appropriate mitigation measures

(relocated facilities, need for noise attenuation fencing). This noise feasibility study should also address the impact of any mechanical equipment (roof-top or otherwise) to be introduced on the development site.

Since the venting building serves the underground garage, the Town should also consider whether exhaust from the vent may also pose an air quality concern to nearby neighbours. Again, the obvious question is why is the venting building occupying a peripheral location on the Bronte Quad site next to Stoneboats Restaurant and your property?

- e. The placement of the proposed on-site light standards, as reflected in the landscape drawings accompanying the current site plan submission, appears to ignore impacts on your property, with a 4.3m+ lamp post to be placed immediately northwest of your home. The Town should require the proponent to address the issue of spill over lighting onto your property from all proposed off-site lighting both through proper lamp standard placement and light standard design/capping.
- f. The ground floor plan included in the site plan submission depicts a garbage collection and storage area located within and east of the storage bay, but it is unclear whether the area will be internal to the building and refrigerated to address vermin control? Clarification should be provided on these points, however, potential adverse impacts on the residential enjoyment of your property are best addressed by having these potential nuisance elements relocated away from your property.
- f. Dense landscaping should be provided adjacent to your west and south lot lines to mitigate the impact of the proposed continuous imposing building mass on your property. Such vegetation including a mix of evergreen plantings to provide year-round screening together with high-branching deciduous trees with canopies that will provide significant landscape screening above your fence line. The width of the landscaped buffer area in this location (coupled with the extent of the underground parking garage) needs to be sufficiently wide to accommodate the opportunity for a reasonable amount of planting in this area (including deep-rooted plants, where appropriate). In this regard, the placement of the proposed staircase to the underground garage, as reflected in the current site plan, reduces landscaping opportunities as does any proposal to widen the proposed private driveway toward the direction of your property.
- g. Building elevation drawings for those facades facing your property must be provided to assess overlook conditions, especially on your rear yard amenity area. To date, such drawings have yet to be filed.

It appears that a number of site plan issues and supporting materials (updated sun/shadow drawings, noise feasibility report, possible air quality report, full building elevations, rooftop mechanical design details) remain outstanding at this time, in turn preventing a proper evaluation of the site plan proposal at this time. Regardless, we trust that the information contained in this letter is helpful to you when providing feedback to Ms. Tizzard on the current site plan by the Town's reporting deadline of the middle of next week.

In closing, we look forward to assisting you when working with the Town and the developer in resolving these concerns to our mutual satisfaction.

Yours very truly,

SORENSEN GRAVELY LOWES PLANNING ASSOCIATES INC.

Carol-Anne Munroe, MCIP, RPP
Senior Associate

Attachments