



Chartwell-Maple Grove Residents' Association

Residents helping Residents

May 26, 2009

His Worship Mayor Rob Burton
Office of the Mayor
Town of Oakville
P.O. Box 310
1225 Trafalgar Road
Oakville, ON L6J 5A6

VIA MAIL AND E-MAIL

Re:Edgemere

Your worship,

We, the CMGRA, have been diligently following the proposed development by Edgemere Estates Limited since the report, by staff, of August 2008. The report was tabled at a Council meeting on September 8th,2008.

Prior to that several of our members had attended meetings arranged by the Town in April 2008 at which the proposal was reviewed by Town staff and comments invited from the attendees. There was considerable vocal opposition to this proposal as, as was stated with considerable conviction, the proposal flew in the face of the current applicable Zoning Regulations and did not appear to recognize the Official Plan's requirement for public access to the waterfront following a development of waterfront property. Staff noted the arguments.

On 17th May a Ms. Kelly reported on Edgemere estate in an article in the CTVglobe media. The following was attributed to Councillor Chapin in that article "If (Mr.Hewitt) had his way it would be a highly desirable and exclusive community. I can understand why he would want to do that, but it is not in the communities' best interest or the town's". In the same article Councillor Bird noted "Our plan is to have a linear trail. A condo-style development with private cobblestone roads, that I understand would be a gated community, would cut off public access to the waterfront land". The article further noted "Mr. Bird and other members of Oakville council are working to kill Mr. Hewitt's application to change the property's zoning".

The Planning and Development Report to council, dated August 11th. 2008 included therein some 20 submissions against the proposed Plan Amendment as set out in the report. Several of our members submitted documentation against this proposal and these were included in appendix "C" of the report. The statutory Public Meeting to consider the report was held on September 8th. This meeting was attended by several of our members who spoke against the proposal.

Following the Statutory Meeting, in December 2008, revised documentation was submitted to the Town. This documentation was downloaded by one of our members and was the proposed basis for our subsequent discussions with the Town staff and Conservation Halton staff concerning our objections to the proposal and leading as, we had planned, to a presentation to Council when the staff report on the development would be tabled.

This plan cannot be carried to fruition as when, on discussing with staff the availability, to us, of further revised plans submitted, to the town, by Edgemere we were advised by staff that an appeal had been submitted to the O.M.B. This appeal is related to the Town's failure to make a decision on an application submitted in February 2008. This according to staff meant the matter was now before the Board and they, staff, now awaited Council's direction on the matter. This meant our planning to present our case to Council in the Council Chambers cannot now take place and we wish to present to council a recap of our position.

In all our discussions we required that three specifics be addressed with regard to the application and defined these as:

The compliance with RO1 zoning regulations

The compliance with the Official Plan more specifically, in this instance, the requirement of the Plan to establish a Linear Waterfront Park

Meeting the demands of Conservation Halton with regard to shoreline protection.

With regard to the question of shoreline protection we recently met with Conservation Halton staff and for the sake of brevity we attach hereto the letter sent to Conservation Halton prior to and forming the basis of that meeting (Attachment A). All comments in this letter are still pertinent. Conservation Halton had, we understood requested further input from Edgemere concerning the proposed shoreline protection but we have no knowledge of any subsequent development. As Conservation Halton will define the "stable top of bank" and "wave up rush limit" we are left in limbo as to the exact area suitable for development after establishing the appropriate setbacks. We specifically bring to Council's attention that there would be a cost to the Town in maintaining any retaining structure more so if it is a structure consisting of a repair to an existing 80 year old structure. We let the letter speak for itself but would, as we would have done in Council chambers reinforced the need for Council's involvement in any scheme for shoreline protection to ensure best possible value for our expenditures and adequate safe access to the waterfront at all times. An assessment of all capital and maintenance costs involving the Town. Is essential. Any bridge across Wedgewood Creek must be a cause for grave consideration due to the cost alone.

With regard to this application and its negation of the Official Plan it is essential Council recognize that we in this Eastlake District have as our protection the RO1 zoning regulations. These regulations recognize minor variations and consent applications and these are disposed of in a logical manner not affecting the overall characteristics of our community or the streetscapes.

The characteristics of the RO1 community were spelled out, by staff, in a Technical Report dated September 30th, 2004. Part of this report is attached hereto for reference (Attachment B). Our area is described "as consisting of established neighbourhoods, mature streets and good quality housing". The housing since 1980 is similarly described and notes the replacement of smaller dwellings with larger dwellings. You will note massive homes are not part of the equation. Lot coverage is noted as 25% to 30% with 1800 lots in the zone. The noted streetscapes have been well maintained. This study was done to ensure that no "monster" homes could be built following the debacle on Elton Park.

In addition to this report council commissioned a study by Martin Rendl to review the regulations as they related to massing in the RO residential zones. You will note it concludes "the volume or bulk of the house enclosed by the building envelope that is built is the physical massing of the house". Massing is now outlawed in Eastlake

We also attach for your perusal a staff plan showing those areas in the RO1 zone which could be developed and are described as having "condominium or subdivision potential" (Attachment C). This document was produced to remind all concerned that should the Waterstone Court development proceeds as requested precedence would be established for all other large properties.

We reminded staff on August 11th. 2008 that OPA 275 set out several criteria amongst which were the following "the lotting pattern will limit the placement of dwellings in a manner which generally promotes privacy on the adjacent lots". It further notes that "residential infill proposals involving Official Plan amendment applications for increases in density, building height and /or space index beyond the existing provisions of the Official Plan shall be considered premature". We ask council to note these conditions.

Ro1 zoning regulations and the Official Plan are clear in asserting that the RO1 zone is a zone of detached single family dwellings with a median of 5 dwelling units per hectare and a maximum of seven units per hectare. Please note the Eastlake community has only one seven unit apartment building.

The Eastlake population is some 11,097 according to the 2001 census. The ultimate population was to be 10,500. We can see the design limit has been exceeded. As it is normal good practice to establish design criteria for all services, based on population estimates, it will require a detailed study of the capacity of all services before any decision can be made on infill.

As noted above and set out in the Eastlake Community document there are some 3460 single detached units in Eastlake and a single small apartment building. There are no condominiums.

All the above leads to the inescapable conclusion that Eastlake was planned, some 60 years ago for detached single family dwellings, mainly due to sanitary considerations. This character has been well maintained by using the existing zoning regulations to permit lot coverage of some 26%. This provides a house of 5,500 sq.ft. on a 20,000 sq.ft. lot. At present a house of this size is being built on a 20,000 sq.ft. lot. The owner of this lot was turned down on a proposal to sever the lot. It was not considered by the OMB that a severed lot was in character with the neighbourhood. The character of the neighbourhood and the streetscapes remain faithful to the original registered plans. It was and should be unthinkable that condominiums whether triplexes, duplexes or any other form of condominium be now permitted in the community.

The question of precedence must be addressed and as noted above there are numerous sites now available or which can be made available by land assembly to make use of a decision by Council to grant an amendment to the Official Plan.

The question of enclaves must also be addressed as there are currently 3 enclaves in the area none of which promotes "neighborliness". Enclaves detract from the surrounding neighbourhood.

As the new Official Plan is coming to fruition it would appear that if condominiums are Council's wish this can be clearly set out in the proposal for review and comment by the residents.

Yours truly,



Doug MacKenzie
President
CMGRA

Keith Bird (Ward 3)
Mary Chapin (Ward 3)

Tom Adams
Cathy Duddeck
Marc Grant
Alan Johnston
Jeff Knoll
Max Khan
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Ralph Robinson

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