

# COMMITTEE OF ADJUSTMENT

## MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: **CAV A/063/2024**

RELATED FILE: N/A

**DATE OF MEETING: BY VIDEOCONFERENCE AND LIVE-STREAMING VIDEO ON THE TOWN'S WEBPAGE AT OAKVILLE.CA ON WEDNESDAY, April 17th, 2024 AT 7:00 P.M**

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
BRONTE LAKESIDE LIMITED	MARTIN QUARCOOPOME WESTON CONSULTING 201 MILLWAY AVE SUITE 19 VAUGHAN ON, CANADA L4K 5K8	85 BRONTE RD PLAN M8 LOTS 1A, 3 TO 5, 9 AND 10 PT LOTS 1, 7, 8 AND 11 RP 20R3921 PARTS 1 TO 8

**OFFICIAL PLAN DESIGNATION: MAIN STREET 2 - BONUSING  
WARD: 1**

**ZONING: MU2  
DISTRICT: WEST**

### **APPLICATION:**

Under Section 45(1) of the *Planning Act*, the applicant is requesting the Committee of Adjustment to authorize a minor variance to permit the construction of a 6-storey mixed use building on the subject property proposing the following variance to Zoning By-law 2014-014:

1	To permit a minimum of 20 non-residential parking spaces whereas a minimum of 50 non-residential parking spaces are required in this instance.
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### **CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

#### **Planning Services:**

**(Note:** Planning Services includes a consolidated comment from the relevant district teams including, Current, Long Range and Heritage Planning, Urban Design and Development Engineering)

**CAV A/063/2024 - 85 Bronte Road (West District)** (OP Designation: Bronte Village Growth Area – Main Street 2 with Bonusing Overlay)

The applicant proposes to construct a six-storey mixed use building subject to the above listed variance and the previously approved variances under CAV A/115/2022 (noted below), which were approved by the Committee of Adjustment on July 19, 2022:

<b>Regulation</b>	<b>Approved Variance (July 19, 2022)</b>
<b>Table 4.3 (Row 4, column 2)</b> <i>Balconies</i> shall be located in a <i>front or rear yard</i>	To permit <i>balconies</i> to be located in the <i>flankage yard</i> .
<b>Table 4.3 (Row 4, column 4)</b> The maximum total <i>balcony</i> projection beyond the <i>main wall</i> shall be 1.5 m.	To permit the maximum total <i>balcony</i> projection beyond the <i>main wall</i> to be 3.6 m.
<b>Section Table 8.2 (footnote 3b))</b> An <i>ancillary residential use</i> on the <i>first storey</i> is permitted to	To permit the <i>ancillary residential use</i> on the <i>first storey</i> to occupy a maximum of 17% of

occupy a maximum of 15% of the length of the <i>main wall</i> oriented toward a <i>front lot line</i> .	the length of the <i>main wall</i> oriented toward the <i>front lot line</i> .
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Since the Committee considered CAV A/115/2022 (July 19, 2022), the applicant advanced their associated site plan application (SP.1729.073/01), and final site plan approval is almost complete. It is noted that the plans submitted as part of the site plan application (SP.1729.073/01) comply with the Zoning By-law (including parking).

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to allow minor variance from provisions of the Zoning By-law, provided the requirements set out under Section 45(1) in the *Planning Act* are met. Staff's comments concerning the application of the four tests to this minor variance request are as follows:

**Does the proposal maintain the general intent and purpose of the Official Plan?**

The subject property is located within the Bronte Village growth area, which is recognized as one of the Town's 'Main Street Areas' for its distinctive character, and the property is designated Bronte Village Growth Area – Main Street 2 with a bonusing overlay. Section 24.1 of Livable Oakville sets out the goal for Bronte Village:

*“Bronte Village will be a vibrant community, with a thriving commercial area and a variety of housing opportunities that provide a year round environment for residents, employees, and visitors.”*

This goal is implemented through a series of objectives and policies in Section 24, as well as the balance of the Plan. Commercial parking supports the commercial uses required by the Livable Oakville Plan in Bronte Village and the subject property.

Pursuant to Section 8 of Livable Oakville reductions in parking and off-peak shared parking can be considered, however they must be justified and supported by / evaluated as part of a Transportation Demand Management plan. This must also be considered within the context of the whole Livable Oakville Plan, as it must be read in its entirety as a comprehensive and integrated policy framework for setting priorities and making decisions.

The Proponent has not submitted a comprehensive TDM plan and implementation strategy. The 30 commercial spaces are proposed to be reallocated to residential parking, and not accessible to the general public. It has not been demonstrated how this approach would achieve reduced use of single occupancy vehicles and encourage increased transit ridership, walking and cycling, a key objective of TDM plans. Furthermore, in staff's opinion, the Parking Justification Study submitted with this application, fails to demonstrate how the commercial space in the building would function with 30 less parking spaces.

Accordingly, in staff's opinion, the proposed variance does not maintain the general intent and purpose of the Official Plan.

**Does the proposal maintain the general intent and purpose of the Zoning By-law?**

The applicant requests relief from By-law 2014-014, as amended, to reduce the non-residential (retail and commercial) minimum parking on site from 50 dedicated spaces to 20 dedicated spaces. The intent of regulating the minimum parking spaces for mixed-use developments, especially in growth areas, is to ensure that there is an adequate and appropriate level of parking allocated for residents/tenants of the units, their visitors and the patrons of the retail and commercial units. Additionally, the objective of providing adequate and appropriate levels of parking, is to ensure the long-term economic viability of the commercial uses and the parking needs of future residents and visitors and to ensure that there are no negative impacts on neighbouring property owners, and the availability of shared on-street parking for Bronte Village.

The proposed reduction in required commercial parking for the proposed mixed-use development results in a total decrease of 30 dedicated commercial parking spaces, below the minimum permitted commercial parking spaces under the Town's Zoning By-law, 2014-014. These 30 parking spaces would be re-allocated to the future residential parking, creating a surplus of 38 parking spaces for the residential use and a deficiency of 30 parking spaces for the non-residential (retail and commercial) uses on-site. While it is noted in the applicant's submission that a shared-use parking strategy would be utilized between the required visitor and required commercial parking spaces, that is not what has been applied for. As noted above, the minor variance, as applied for, seeks to reduce the commercial parking spaces only by 30 parking spaces.

Pursuant to Livable Oakville, a shared parking strategy may be considered, however it should be considered through a site-specific Zoning By-law Amendment where it could be holistically evaluated and implemented. More specifically, it must be reviewed holistically with the previously approved variances for the proposed development, the in-effect policies, current site organization and layout and the overall parking strategy for Bronte Village Growth Area, that requires the provision of a *TDM* plan and implementation strategy. The applicant has not provided a *TDM* plan and implementation strategy required to consider a shared-parking strategy.

Furthermore, as noted above, the Parking Justification Study submitted with this application, fails to demonstrate how the commercial space in the building would function with 30 less parking spaces.

On this basis, in Staff's opinion, the proposed variance and the related impacts does not meet the general intent and purpose of the Zoning By-law.

**Is the proposal desirable for the appropriate development of the subject lands and minor in nature?**

The applicant submitted a Parking Justification Study prepared by C.F. Crozier & Associates Inc. in February 2024 to support a shared-parking strategy would result in no negative impacts. Setting aside, the fact that that proposed variance would not implement a shared parking strategy (as noted above), the Study was reviewed by the Town's Transportation Engineer. Staff found deficiencies with the Study and have concerns, specifically regarding section 3.0 of the Study. This includes "Surrogate Site Parking Surveys" or proxy sites, to establish actual parking demand at the proposed development by analyzing sites with similar land use and transportation contexts. However, the submitted Study does not use any mixed-use retail and commercial developments as part of the surrogate site parking surveys. Each surrogate site used as part of the analysis is a single-use residential or commercial development and are not representative of the same conditions or site context that the subject property is subject to (i.e. Growth Centre)



Surrogate site #1, residential condo building (5353 Lakeshore Rd, Burlington)



Surrogate site #2, residential condo building (6550 Glen Erin Dr, Mississauga)





*Surrogate site #3, residential condo building (6719 Glen Erin Dr, Mississauga)*



*Surrogate site #4, residential condo building (263 Ontario St N, Milton)*



*Surrogate site #5, commercial plaza (5353 Lakeshore Rd, Burlington)*

The residential sites used for establishing a peak demand parking rate are mid-rise developments that do not contain any at-grade retail or commercial uses and therefore, do not represent uses that employ a shared-parking strategy between visitor and commercial uses. The study includes only one retail/commercial site (5353 Lakeshore Road, Burlington) with a

significantly different site context than the subject lands. The surrogate sites used does not represent an appropriate comparison that is being relied upon to justify the proposed reduction in commercial parking and implementation of a shared-parking strategy.

Utilizing the peak parking demand rate of a retail and commercial plaza that is a single commercial-only use, not designated for future redevelopment and revitalization as a mixed-use gateway feature of a Growth Area is an inappropriate comparison. The Study further discusses the existing modal split within Bronte Village and states that as the Village continues to develop and intensify, residents will be able to access essential and non-essential services without the need for a vehicle. However, this applicant is proposing the opposite - re-allocation of commercial parking to the future residents and tenants, thereby resulting in a surplus of residential parking.

Section 3.5 cites *TDM* measures that are currently existing within the Bronte Village context, but this section fails to address how the proposed development will be enhancing the existing opportunities near the site and only wishes to use existing, established measures in the area.

In summary, Staff are not satisfied that the submitted Parking Justification Study, prepared by C.F. Crozier & Associates Inc. in February 2024 adequately and appropriately provides justification for the proposed reduction of 30 commercial parking spaces and oversupply of parking spaces for future residents and tenants of the proposed development. This may have negative impacts on the public realm, negatively impact achievement of Bronte Village Growth Area goals and objectives and does not effectively mitigate the proposed reduced commercial parking through comprehensive *TDM* measures. The proposed reduction of commercial parking for the proposed development does not represent a desirable condition for the development and Bronte Village as a *complete community* with a vibrant and active main street environment.

The variance proposed for the development is not considered minor in nature as it represents a substantial modification to the proposed development that has already been reviewed through the site plan application process. Staff acknowledge that the total number of parking spaces remains the same; however, the organization and allocation of the proposed parking represents a substantial change to the existing plan, which would warrant a site-specific Zoning By-law Amendment, if justified. Should a Zoning By-law amendment application be submitted, the proposed shared-parking strategy should be better informed through a parking justification study that uses appropriate surrogate sites to establish accurate peak parking rates for new mixed-use developments within Growth Areas of neighbouring municipalities. Additionally, the applicant should analyze the existing and emerging context of the Bronte Village Growth Area and the needs of the current and future residents, tenants and visitors that will foster a vibrant, mixed-use *complete community*.

On this basis, it is Staff's opinion that the application does not maintain the general intent and purpose of the Official Plan, Zoning By-law, is not minor in nature, and is not desirable for the appropriate development of the subject lands. Accordingly, the application does not meet the four tests under the *Planning Act* and Staff recommends that the application be denied.

*Note: Transportation comments on the Parking Justification Report prepared by C. F Crozier in February 2024, to support Minor Variance application for 82 Bronte Road development plan are:*

*"The applicant is proposing surplus 38 residential parking space for the proposed development compared to 173 parking spaces required as per the town zoning by law requirement . As a result, a total 211 residential parking spaces and deficiency of 33 Retail/visitor spaces are proposed at subject site.*

*The context and type of use of the proxy sites is key while comparing those to the proposed development. The context and type of use of the proxy sites has not been appropriately considered by the applicant while selecting and comparing those sites to*

*the proposed development. The proxy sites selected are either totally residential building or a commercial plaza site, whereas subject site is a mix-use building with retail/commercial component.*

*The applicant has proposed an oversupply of residential parking supply at the subject site. It is noted that oversupply of residential parking is not in line with the Town of Oakville Active Transportation policy with objective to shift the mode of travel from single vehicle use to active modes of transportation particularly in Bronte Village Growth Area, identified for future intensification.”*

**Fire:** No Concerns for Fire.

**Transit :** Comments not received.

**Oakville Hydro:** We do not have any comments to add for this group of minor variance applications.

**Halton Region: CAV A/063/2024 – Bronte Lakeside Limited, 85 Bronte Road, Oakville**

- The subject lands are located within 120 metres of the Lake Ontario Shoreline which, as per Section 115.2 of the Regional Official Plan, forms part of the Regional Natural Heritage System (RNHS). Based on the scope of this variance involving the number of parking spaces, Regional staff would not require an Environmental Impact Assessment.
- The subject lands are located within an area of Archaeological Potential. Although the property has already been disturbed with an existing development, as an advisory note, should deeply buried archaeological remains/resources be found on the property during construction activities, the Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism (MCM) must be notified immediately. In the event that human remains are encountered during construction, the Owner shall immediately notify the police or coroner, the Registrar, the Ministry of Public and Business Service Delivery (MPBSD), who administers provisions of that Act related to burial sites, and the MCM.
- Regional staff has no objection to the proposed minor variance application seeking relief under Section 45(1) of the Planning Act in order to permit a minimum of 20 non-residential parking spaces whereas a minimum of 50 non-residential parking spaces are required in this instance, under the requirements of the Town of Oakville Zoning By-law, for the purpose of permitting the construction of a six-storey mixed use building on the Subject Property.

**Manager, Strategy, Licensing and Business Services**

Please see below for comments from MES with reference to this application. If there is any reduction in commercial parking spaces it would trigger the requirement for cash-in-lieu of parking. The specifics on amount have not been included as this would be determined under the formal CIL agreement.

If you have any further questions please let me know.

Thank you

Margaret

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The reduction in commercial parking spaces from the requirement of 53 to the proposed 20 ( a 62% reduction) is not a minor change. Any approval of reduction in commercial parking supply reduction would be considered only under a formal cash-in-lieu agreement which is provisioned under By-law 2014-014. Funds received through a Cash-in-Lieu agreement would be used

towards future public commercial parking in Bronte. If a reduction of on-site commercial parking is warranted then the shortfall in commercial parking will need to be provided elsewhere.

With respect to the public commercial parking supply in Bronte:

- The town manages on-street commercial paid parking in Bronte Village
- There are time limits and restrictions for the on-street parking and therefore this on-street does not replace the private parking provided on the commercial properties – e.g. on-street parking provides convenient store front parking for short term transient customer and visitor parking. A limited amount of all day parking is available for permit parking if needed for employees.
- The on-street commercial paid parking provides supplemental parking to what is provided by the commercial developments on their private property through the zoning by-law requirements
- The town currently does not have any commercial parking lots in Bronte Village, however a small lot of approximately 20 spaces is planned for the near future
- Private parking lots provide parking for the property owner (business, employees and customers) – these are not open to the general public and there is a history of property owners enforcing unauthorized vehicles from their private lots

In reviewing the Parking Justification report, the following should be highlighted as insufficient to support the request:

- The surrogate retail parking identified in the Parking Justification Study provides does not provide sufficient comparisons:
  - Only one site was provided at 5353 Lakeshore Road in Burlington, known as Lakeside Plaza
  - The one site comparison is significantly different in size and scope – it is a commercial plaza with large open surface parking in contrast to the proposed mixed use development
  - The one site comparison is located in a primarily residential area, in contrast to the proposed development in a commercial district/growth area (*not sure how best to reference Bronte Village*)
- The Parking Justification Study suggests that parking demand in Bronte Village will decrease without supporting evidence
- The Parking Justification Study does not validate the reduction in commercial parking supply needed for the proposed development

**Bell Canada:** Comments not received.

**Union Gas:** Comments not received.

**Letter(s) in support – None.**

**Letter(s) in opposition – 19**

**General notes for all applications:**

**Note:** *The following standard comments apply to all applications. Any additional application specific comments are as shown below.*

- The applicant is advised that permits may be required should any proposed work be carried out on the property i.e. site alteration permit, pool enclosure permit, tree preservation, etc.
- The applicant is advised that permits may be required from other departments / authorities (e.g. Engineering and Construction, Building Services, Conservation Halton, etc.) should any proposed work be carried out on the property.
- The applicant is advised that any current or future proposed works that may affect existing trees (private or municipal) will require an arborist report.



- The applicant is advised that any current or future proposed works will require the removal of all encroachments from the public road allowance to the satisfaction of the Engineering and Construction Department.
- The applicant is advised that the comments provided pertain only to zoning and are not to be construed as a review or approval of any proposal for the site. This review will be carried out through the appropriate approval process at which time the feasibility/scope of the works will be assessed.



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Jasmina Radomirovic  
Assistant Secretary-Treasurer  
Committee of Adjustment

## Letter of Objections-1

**Attn: Committee of Adjustment Members**

**: Jasmina Radomirovic, Assistant Secretary-Treasurer, Committee of Adjustment**

**Re: File No: CAV/A/063/2024**

**Variance Request: 20 Vs 50 non-residential parking spaces**

Oakville has had the benefits of being a small community for decades. Oakville has had, and has, the time to plan urban density that works for families and business'.

In reading this particular variance request I am somewhat alarmed that it has come this far, thus I feel the utmost importance to respond. Bronte is one of the few waterfront areas in Oakville available for families to enjoy. Families to enjoy the waterfront, shops, and restaurants. Sadly the area is notorious for towing unsuspecting family vehicles. Wrong be it to not be aware of where you are parking, harsh penalty! With so much high rise construction recently, currently, and soon to be parking will quickly become more of an issue.

Reducing required parking spaces by more than 50% is strictly a cost savings to the developer. There are absolutely methods to build and provide the required number of spaces.

The reply to my home and my family is an absolute NO to this variance request. Please do everything in your power as our representatives to ensure there is an improvement to parking in this area. Ensure that families can park to enjoy the waterfront, shops, restaurants. Ensure the shops and restaurants are given the opportunity to thrive, this means ample parking. This means don't compromise when it comes to parking!

Please inform us of the FINAL decision regarding this variance request.

Sincerely,

Brian & Shelley Delorey

91 Westminster Dr.

Oakville, Ont

L6L 4H3

**Letter of objections-2**

Good Afternoon,

I am writing in reference to the subject File No. and the associated Notice of Public Hearing for a variance request by the applicant. This request by the Applicant is to permit a minimum of 20 non-residential parking spaces, whereas a minimum of 50 non-residential parking spaces are required (as per Zoning By-law 2014-014).

As a resident of this area, I can confidently state that parking for our residents and retail shop owners is already routinely compromised due to the large number of visitors to the Bronte Harbour area. The visitors' lots of the current residential and retail spaces require constant monitoring due to unauthorized parking, an issue that is exacerbated during the busy summer months.

I would strongly implore the Town to consider enforcement of the Zoning By-law as it currently stands.

Thank you.

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Tyler Donald

419-100 Bronte Road  
Oakville, ON  
L6L 6L5

**Letter of objections-3**

Hi Jasmina, Just responding to the amendment mentioned above. Question , why would we allow an amendment to reduce parking in an area where parking is one of the biggest concerns ? Also ,what's up with the attached ' diagram/map '? Did a 7 year old draw it ? How would anyone look at that and figure out what property you are referring to ? Needless to say I am totally against the amendment. Looking forward to your reply. Thank you



#### **Letter of objections-4**

Reference FILE # CAV A/063/2024 - 85 Bronte Road - Non-Residential Parking Variation - Reducing from 50 to 20.

Please send me copy of applicable information and drawings.

Please also provide video conference link for hearing on April 17, 2024 at 7 pm.

Attention Oakville Staff and Councillors

On the surface, without knowing details, I have major concern regarding this application for variation.

First, mathematically, 60% is NOT a “minor variance”. If your salary were to drop by 60% I am sure you would say that is SIGNIFICANT.

But, referring to the CONSTRUCTION and TRAFFIC MANAGEMENT PLAN (<https://www.oakville.ca/getmedia/2b59b42a-5733-4a28-af45-eb5a69ddfe5a/CMP-TheResidenceatBronteLakeside.pdf>) for 85 Bronte Road I am understanding there to be 21 Retail outlets (reference page 17 of 22). Where is the developer planning for everyone to park? JUST for employees there will need to be minimum of 21 “Non-Residential Parking” spots. Then add in customers/clients, say one parking spot for each location, this brings the total minimum to 42. I will contend that neighbouring business (specifically referencing FarmBoy, businesses at 100 and 125 Bronte, restaurants and dental clinic adjacent to 125/133 Bronte and businesses/restaurant with parking neighbouring on the immediate east) will not be readily accommodating these clients or employee parking.

I am not foreseeing an issue today, especially considering that not all retail locations at 125/133 Bronte are occupied as yet. But, these retail outlets DO have allocated Non-Residential Parking. BUT, WHEN 85 Bronte has FULL retail occupancy I am foreseeing a SIGNIFICANT issue with ONLY 20 parking spots available.

But, also a second question, I am assuming that these “Non-Residential Parking” spots will all be surface spots, i.e. NOT located in the underground parking. Will there be any such located in the underground parking?

But, this could expose residents and commercial tenants to other issue. According to the sales literature obtained, underground parking spots are being sold for \$50,000. Anyone spending that money for parking spot will be extremely intolerant of uninvited/unwelcomed “guests”. I am already seeing issues at 125/133 where visitors are occupying parking spots allocated for retail clients. I know of at least one vehicle being towed. Retail tenants will not be in business very long if their customers/clients start having their vehicles towed or start being levied with parking fines/fees.

No, I foresee 50 Non-Residential Parking spots as being minimal requirement for 85 Bronte.

Plus, as an engineer myself, such should have been fully considered BEFORE building permits were issued. It was MY responsibility to ensure that ALL of MY designs were FULLY compliant with ALL applicable codes/regulations/by-laws from the outset, and NOT to request variation on the eve of starting construction activities.

Regards

Ross Grandy – 125 Bronte

Good Morning

I live in Bronte Village and am well aware of the shortage of parking as already presently existing. So, when I saw the referenced application for variance (FILE # CAV A/063/2024 - 85 Bronte Road - Non-Residential Parking Variation - Reducing from 50 to 20) I immediately got concerned. I am in the process of requesting information from the Town ([coarequests@oakville.ca](mailto:coarequests@oakville.ca)) but would also like to get your response directly as well.

From information posted on the notice and town's website I am understanding the following:

- Per town By-Law 2014-014, 50 Non-Residential Parking spots are required.
- FILE # CAV A/063/2024 is requesting variance to enable to reduce this to 20 Non-Residential Parking spots.
- According to the information provided on the town's website (CONSTRUCTION and TRAFFIC MANAGEMENT PLAN (<https://www.oakville.ca/getmedia/2b59b42a-5733-4a28-af45-eb5a69ddf5a/CMP-TheResidenceatBronteLakeside.pdf>), I am understanding there to be 21 Retail outlets (reference page 17 of 22).
- According to the information provided on the town's website (<https://www.oakville.ca/business-development/construction-management-plans/bronte-area-construction-activities/85-bronte-road/>) "A total of 188 residential units are proposed, with 283 parking spaces provided (38 spaces provided at grade and 245 spaces located within two-levels of underground parking)."

Accordingly, my questions:

1. With "21 Retail outlets", where are you expecting their employees and customers/clients to park?
2. With "38 spaces provided at grade and 245 spaces located within two-levels of underground parking" are you planning to permit employees, customers/clients and visitors access to the underground parking areas?  
Is security being included for such?  
Are residents being made aware of such?

My "stupid" and basic question, where exactly are you expecting everyone to park? Oakville/Bronte is NOT a public transit community like downtown Toronto.

Retail tenants will not be in business very long if their customers/clients start having their vehicles towed or start being levied with parking fines/fees. Notices are already being posted on merchant and service provider doors of neighbouring businesses (north, south, east, west) to expect non-patron vehicles to be ticketed and/or towed.

Just trying to fully understand.

Plus, as a Licensed Professional Engineer and Certified Project Manager very familiar with "good engineering practices" I am finding extremely disturbing seeing such notices on the eve of the start of construction activities.

Thanks and Regards  
Ross Grandy, P.Eng, CAPM  
Bronte Village Resident

### **Letter of objections-5**

I am writing to provide a negative opinion to this amendment application concerning 85 Bronte Road.

The amendment is requesting a reduction in the number of allocated parking spaces for non-residents to 20 spaces from the minimum of 50 as that is currently required to meet Town building requirements



The reduction of allowable non-resident parking spaces will just further the challenge of a lack of parking in the Bronte area as the number of businesses and resident with guests is expanding..

The reduction in spaces will be a challenge for the residents and their guests, for the different commercial units in the building that will require parking for both employees and customers, requiring that they find parking outside of the building, where parking is already inadequate to support the other local establishments, and the large number of visitors to the area who come to enjoy the parks shopping. and the restaurants in the Bronte Road area.

As resident in the 100 Bronte Road location, we are already experiencing the negative impact of non-local visitors infringing on our limited building guest parking from shop customers, and the local restaurants. This will just increase this impact on our living environment.

The local restaurants currently have to warn their customers that there is limited parking in the area which is certainly not a positive to their business.

Please do not pass this variance request for 85 Bronte Road.

Dan Carruthers  
#418 - 100 Bronte Road  
Oakville, L6L 6L5

#### **Letter of objections-6**

As a resident of 100 Bronte rd, I am seeing, even before the busy summer season, the impact of the removal of the public parking existing at the subject property, manifesting itself in no available street parking and illegal use of visitor parking spaces in my property.

I find the limited numbers of proposed and shared parking spots insufficient both for the commercial development at the subject property and for the overall community, that even prior to a proposed and necessary development of the waterfront, and in particular the vacant lot southeast of 100 Bronte rd, is currently underserved by parking. The replacement of visible and accessible street parking with covered one might dissuade visitors unless the covered one is clearly identified, inexpensive or free, and guaranteed free from resident parking there during the day, considering that the majority of visitors to the area's park, businesses and waterfront occurs on weekends, it is highly questionable how the residents would not be already occupying those parking spots proposed as "shared use" .

Finally the comment on covered spot being on the "Visual interest of the waterfront" seems misguided for the property lot, that is not facing the waterfront.

The number of parking spots should NOT be reduced, and even if the number is maintained they should be reserved for visitors to the area, clearly identified by street level signage and made free to visitors.

Thanks

Paolo Maccario  
100-410 bronte rd

#### **Letter of objections-7**

My Name is Donald C. Pangman - we live at 100 Bronte Road and are submitting this email to **deny** the request to reduce the number of non-residential parking spaces from 50 required spaces to the 20 requested.

Not only does this request by the developer present a possible precedent for other future developments in the neighbourhood and beyond, but it also reduces the number of potentially available spots in the surrounding area which is already short of available spaces, particularly in the higher season months.

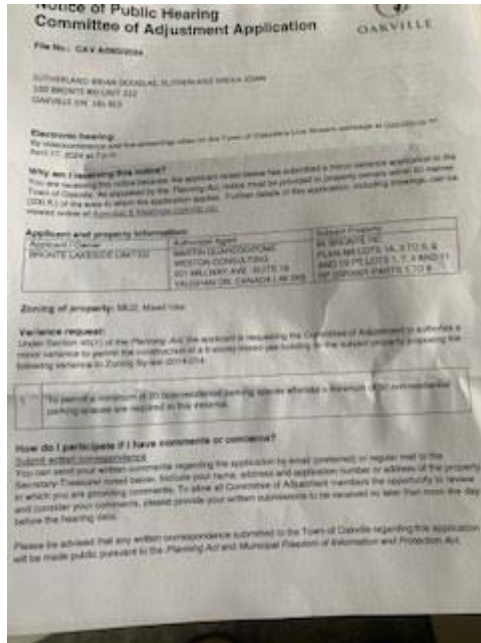
Thank you for considering our request.

Don Pangman

**Letter of objections-8**

Please be advised as a resident of our village we need all parking. Especially to support our village retail and restaurants ,cafes etc. that is why we live here. Please absolutely adhere to the parking under section 45

Sheila Sutherland



**Letter of objections-9**

I am writing to provide a negative opinion to the reduction of allocated parking at 85 Bronte road from the 50 spots required to meet the towns building requirements. I am opposed to reducing the number of non residential parking spaces to 20 instead of the 50 spots originally agreed upon.

As a business and commercial property owner at 100 Bronte Road we are constantly dealing with the current lack of public parking. It's embarrassing that the first question we ask our patrons is "where did you park" and that our most prevalent signage in my shop is warnings of tow zones.

I welcome all the new development in Bronte as a resident and a shop owner and look forward to more businesses with eating and shopping opportunities but we need to look at the current lack of parking and not make this dire situation worse.

Although we have a local following, my shop drives people to Bronte from Toronto, Mississauga, Hamilton, Niagara. We have regulars that come from Kitchener, London, Kingston and even Buffalo. All of these customers spend money throughout the village. There is no way they can take public transit or ride a bike. They drive and are absolutely willing to pay for parking. Bronte is a tourist area and our Bia is always encouraging the shops to stay open for the holidays and do promotions to attract clients to the village. These are often disastrous for us as my clients complain they arrive only to find they can't find a place to park anywhere in the

Bronte area and are so afraid to park in lots due to towing. The additional holiday pay and promotions we do end up costing me. My revenues are much lower than on non event days. This makes absolutely no sense for a tourist village.

Bronte already has a huge parking issue. This development as well as all of the development in Bronte need to have sufficient parking for their guests, visitors, customers and staff. Reducing the number of spots would have a massive effect on our current parking issues hurting Bronte's reputation further.

We are known in the GTA as the place you get towed. Let's fix this by requiring builders to keep to the towns requirements and provide the parking required for us all to be successful.

Let's make Bronte better not worse!

Sincerely,

Heather Aris

My Girlfriend's Closet

4-100 Bronte Road

### **Letter of objections-10**

Jasmina:

I am a business owner at 100 Bronte Road, Oakville and am providing comments regarding the variance request pursuant to the development at 85 Bronte Road.

1. Bronte Village has an existing parking problem with insufficient public parking spaces to meet the needs of the community.
2. The lack of parking needed to meet the current needs of the community will only worsen as new businesses and residents enter the neighbourhood.
3. Existing dedicated parking spaces owned (and maintained) by existing businesses and residents at 100 Bronte Road are being infringed on daily by visitors to the area who cannot find available public parking.
4. A reduction of parking from 50 spaces (as required by Town zoning by-law) to 20 spaces is an abuse of the concept of "minor" variance.
5. The community currently has a significant parking problem and not enforcing the existing zoning by-law will make the problem worse.

I would urge the Town to NOT approve the minor variance and to simply enforce the existing by-law which was presumably designed to provide adequate non-resident parking spaces for new developments. Variance requests such as these make a mockery out of the Town's established by-laws.

**Chris Jarratt**

Northern Genesis Acquisition Corp.

### **Letter of objections-11**

Hello.....

My name is Rose Luxton and I am a Bronte business owner (Lakeside Livin' Home Decor ) & commercial property owner. It's no secret that one of our biggest challenges in Bronte has been the lack of parking. I am sure that I will be one of many who will oppose the reduction from 50 to 20 parking spots. As you can imagine 50 parking spots is not nearly enough considering these will have to accommodate their visitors and your day to day shoppers.

I am extremely delighted that Bronte is growing and people want to make this little village a place they want to live or simply just come to enjoy themselves BUT we need a place for them to park .

As we all endure a few years of the painful disruption that comes with construction and loss of sales, we keep an open mind that once we get through all the hardships that this project will bring , it will be a far better place to come rather than a place you will want to avoid because we did not do the right thing !!!

I support 85 Bronte coming to life and will do everything I can to help them get it done!!

Thank you  
Rose

### **Letter of objections-12**

On behalf of the residents of HCC 150 located at 102 Bronte Road – immediately facing the condominium to be built at 85 Bronte Road - please accept this e-mail as our notification to you that the Committee of Adjustment should adamantly deny the variance request by Bronte Lakeside Limited to reduce the number of planned non-residential parking spaces from 50 to 20.

As we all know too well, the current parking situation in the Bronte Road area south of Lakeshore Road West is woefully inadequate. So much so that the lack of current parking spaces (combined with the predatory nature of infringement enforcement) without doubt deters business customers and visitors alike from venturing into our area. Once the 85 Bronte Road development is complete, this situation will surely deteriorate – if that is even possible.

Considering all of the above, for Bronte Lakeside Limited to now propose - under the guise of “this application has planning merit and represents good planning” (per Weston Consulting representing Bronte Lakeside Limited) – that they be allowed to reduce the property’s available non-residential parking spaces by 60% is outrageous in the extreme, bordering on the unbelievable.

Please deny this application.

Best regards,

Colin Tunney,  
President of the Board  
HCC 150,  
102 Bronte Road  
Oakville

### **Letter of objections-13**

We live at 100 Bronte Rd Moved there last year from our home in Oakville. We received a committee of adjustment notice re permitting a minimum of 20 nonresident parking spots re 50 as required under section 45 of planning act....this could greatly impact our village as parking is currently at a premium and we could lose our retail and restaurants, cafes

Interesting in that the village aspect is what the developers are selling. And yet by not having their required parking. They could kill it. Hope you protect us by making them follow Oakville standards of the planning act....thank you Sheila Sutherland

Sent from my iPad

### **Letter of objections-14**

Can someone explain to me why Oakville would consider reducing public parking in the new building at 85 Bronte Road from 50 spaces to 20 ?

There is already parking issues and struggles for merchants in Bronte

Restricting parking further will only hurt the local small business community and disrupt the local residential street parking and traffic.

I hope that Oakville is not that shortsighted and stands up to developers



Let them make money on the condos they sell.

Don't make the community suffer

Craig Andrews  
Bronte resident  
2146 sunnybrook court

### **Letter of objections-15**

Considering the parking problems we already have in Bronte it seems unreasonable to me to reduce the parking spaces that are recommended. Going from 50 which is the minimum non-residential spaces recommended to 20 is ridiculous. There is so much concern about parking already that even the minimum required does not seem enough. I say NO to the variance requested by Bronte Lakeside Limited,

### **Letter of objections-16**

I live in Bronte Village and am well aware of the shortage of parking as already presently existing. So, when I saw the referenced application for variance (FILE # CAV A/063/2024 - 85 Bronte Road - Non-Residential Parking Variation - Reducing from 50 to 20) I immediately got concerned. I am in the process of requesting information from the Town ([coarequests@oakville.ca](mailto:coarequests@oakville.ca)) but would also like to get your response directly as well.

From information posted on the notice and town's website I am understanding the following:

- Per town By-Law 2014-014, 50 Non-Residential Parking spots are required.
- FILE # CAV A/063/2024 is requesting variance to enable to reduce this to 20 Non-Residential Parking spots.
- According to the information provided on the town's website (CONSTRUCTION and TRAFFIC MANAGEMENT PLAN (<https://www.oakville.ca/getmedia/2b59b42a-5733-4a28-af45-eb5a69ddf5a/CMP-TheResidenceatBronteLakeside.pdf>), I am understanding there to be 21 Retail outlets (reference page 17 of 22).
- According to the information provided on the town's website (<https://www.oakville.ca/business-development/construction-management-plans/bronte-area-construction-activities/85-bronte-road/>) "A total of 188 residential units are proposed, with 283 parking spaces provided (38 spaces provided at grade and 245 spaces located within two-levels of underground parking)."

Accordingly, my questions:

1. With "21 Retail outlets", where are you expecting their employees and customers/clients to park?
2. With "38 spaces provided at grade and 245 spaces located within two-levels of underground parking" are you planning to permit employees, customers/clients and visitors access to the underground parking areas?  
Is security being included for such?  
Are residents being made aware of such?

My "stupid" and basic question, where exactly are you expecting everyone to park?  
Oakville/Bronte is NOT a public transit community like downtown Toronto.

Retail tenants will not be in business very long if their customers/clients start having their vehicles towed or start being levied with parking fines/fees. Notices are already being posted on merchant and service provider doors of neighbouring businesses (north, south, east, west) to expect non-patron vehicles to be ticketed and/or towed.

Just trying to fully understand.

Plus, as a Licensed Professional Engineer and Certified Project Manager very familiar with “good engineering practices” I am finding extremely disturbing seeing such notices on the eve of the start of construction activities.

Thanks and Regards  
Ross Grandy, P.Eng, CAPM  
Bronte Village Resident

### **Letter of objections-17**



**Attn:** Jasmina Radomirovic  
Assistant Secretary-Treasurer  
Committee of Adjustment  
1225 Trafalgar Road  
Oakville, ON L6H 0H3

**SUBJECT:** *Letter of Concern re: Minor variance to permit the construction of a 6-storey mixed use building on the subject property proposing the following variance to Zoning By-law 2014-014 at 85 Bronte Road*

**ISSUE OF CONCERN:** *To permit a minimum of 20 non-residential parking spaces where as a minimum of 50 non-residential parking spaces are required*

On behalf of the 175+ businesses within the Bronte Business Improvement Area (BIA) and future businesses that will join our commercial district, I am writing to express concern for the Minor Variance application for File CAV A/063/2024, which aims to reduce the number of non-residential parking spaces from 50 (required) to 20 at 85 Bronte Road.

The reasons for this concern are as follows:

1. Bronte has both perceived and real parking challenges with regards to (a) inventory, (b) predatory towing on private parking lots and (c) limited Town-owned parking options. A reduction of non-residential parking spaces at 85 Bronte Road will exacerbate an issue that already negatively impacts the neighbourhood's economic development and visitor experience.
2. Business owners in the district continue to express that parking challenges pose the biggest hindrance to their success. Of particular note, in 2023, two long-standing businesses<sup>1</sup> in close proximity to 85 Bronte Road made the decision to relocate outside of Bronte due to the parking issues mentioned above.
3. Unlike the Downtown Oakville and Kerr Village BIAs, Bronte has limited municipal parking options and visitors rely on private commercial lots, which account for 80% of Bronte's parking inventory. New mixed use buildings, such as 85 Bronte Road, need to

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<sup>1</sup> Heaney's Barbershop & Dania Latina Dominican Hair Salon.

ensure they have parking available to accommodate and sustain the retail businesses that will one day call Bronte home.

4. There is rigorous and predatory enforcement of private parking in two lots within the Bronte BIA. One such lot is located next to 85 Bronte Road. A reduction in commercial parking at 85 Bronte Road will only heighten our predatory towing issue as visitors will wrongly assume that they can park in the adjacent private lot (2400-2420 Lakeshore Road W) only to find their vehicle has been towed when they return from patronizing a business at 85 Bronte.
5. Lastly, private redevelopment projects will add 45,000+ square feet of ground floor commercial in the next three years; 20,000+ square feet of commercial space will be constructed at 85 Bronte Road. To increase the BIA's capacity to recruit vibrant businesses to fill these spaces and add to our retail-mix, we need to demonstrate that the stage is set for commercial success. If businesses can't provide adequate parking options for customers and staff, they will surely look for alternate locations to establish themselves. This minor variance application impedes future growth and commercial success in our BIA.

I extend my sincerest thanks for reading this letter of concern regarding the Minor Variance application for 85 Bronte Road. I hope it demonstrates the need to retain 50 non-residential parking spaces at this new multi use development to better support Bronte's business needs, especially in the context of the parking climate in the district. Kindly feel free to contact me should you have any questions at 905-825-3258 or [info@brontevillage.net](mailto:info@brontevillage.net).

Sincerely,

Kylie Wilson  
Executive Director  
Bronte BIA

[info@brontevillage.net](mailto:info@brontevillage.net)

905-825-3258

2360 Lakeshore Road W, Oakville

[bronte-village.ca](http://bronte-village.ca)

### **Letter of objections-18**

To the Attention of:

Secretary-Treasurer Town of Oakville  
Jasmina Radomirovic (Assistant Secretary-Treasurer, Committee of Adjustment)  
Paul Barrette (Manager - Planning Current Planning West District Planning Services)

Good Afternoon

Please be advised that I am providing my formal objections and comments for inclusion at Committee of Adjustment Town of Oakville - April 17, 2024, 7:00 pm meeting, specifically regarding Agenda Item 6.3 - CAV A/063/2024 - 85 Bronte Road.

### **Personal Declarations:**

I have been Licensed Professional Engineer (P.Eng. – Professional Engineers Ontario – PEO) since 1982.

I have been Certified Associate Project Management (CAPM – Project Management Institute – PMI) since 2017.

I had been employed as an Engineer and Project Manager by the Engineering Division of IBI Group (Toronto West Office) approximately 10 years ago.

During my time employed by IBI Group I had minimal contact with anyone employed by IBI Group Architects (Toronto Downtown Office), who I am noting is named partner on the 85 Bronte project.

I formally retired in 2022, so am no longer a “Practicing” Engineer, but I have maintained my membership with PEO “in good standing”.

I am in total agreement with progress and development, but feel that compliance with ALL applicable rules, regulations, codes and By-Laws is essential. In my experience, not following can have severe and significant consequences.

I had made preliminary contact with Mr. Jeff Maxwell, P. Eng., LEED AP, President & CEO TRAK International, the Mechanical Engineering company installing the Geo-Exchange System at 85 Bronte, in an attempt to understand some basic parameters of the system. He referred me back to “the Town”. All information being requested was provided by Town Staff at information meeting held on Thursday April 4.

During my time employed by IBI Group I was member of project teams where Geo-Exchange and Geo-Thermal systems were part of the projects. Thus, my specific interest in TRAK International and Mr. Jeff Maxwell.

Per the Town of Oakville website, specifically the “Bronte Lakeside (JM) - 85 Bronte Road - A Construction Management Plan for a six-storey mixed-use building.” is listed “Development Contact Marco De Simone, 289-812-7234, [info@brooklynconstruction.ca](mailto:info@brooklynconstruction.ca)”. I had made attempt to contact Marco De Simone in effort to obtain a basic understanding of the developer’s intentions regarding this specific issue, but as of this email I have not received any response. This is somewhat disturbing given the directions contained on the Town’s website, specifically:

“The developments are third-party projects led by the developer who has the responsibility to ensure that residents and businesses are kept informed of key updates as the projects progress.”

“Businesses and residents are encouraged to first reach out to the developer for questions and concerns related to private developments.”

I moved to Bronte Village (125 Bronte Road) October 2023. When I moved here I was made generally aware of construction activities in Bronte Village.

### **Referenced Documents and Information:**

1. Bronte Area Construction Activities (<https://www.oakville.ca/business-development/construction-management-plans/bronte-area-construction-activities/>)



2. Bronte Lakeside (JM) - 85 Bronte Road Construction Plan  
(<https://www.oakville.ca/business-development/construction-management-plans/bronte-area-construction-activities/85-bronte-road/>)
3. Notice of Public Hearing Committee of Adjustment Application File No.: CAV A/063/2024  
(<https://pub-oakville.escribemeetings.com/filestream.ashx?DocumentId=67882>)
4. Notice of Public Hearing Committee of Adjustment Application File No.: CAV A/063/2024 associated drawings and information (<https://pub-oakville.escribemeetings.com/filestream.ashx?DocumentId=67883>)
5. CONSTRUCTION and TRAFFIC MANAGEMENT PLAN for The Residences at Bronte Lakeside 85 Bronte Road, Oakville, ON L6L 3B7  
(<https://www.oakville.ca/getmedia/2b59b42a-5733-4a28-af45-eb5a69ddfe5a/CMP-TheResidenceatBronteLakeside.pdf>)

**Referenced Condominium Corporation:**

- 4185 Shipp Drive, Mississauga, Ontario

**Objections to this Application for Variance**

My objections to this application for variance are based on the following concepts:

1. Basic Math
2. Neighbouring Parking Lots
3. Business Perspective
4. Security Perspective
5. Comparisons
6. Bronte Village vs Downtown/Midtown Oakville vs Downtown Toronto (public transit and parking friendly)
7. Handicap and EV Parking
8. Ethical and Good Engineering Practices

As commented in the Referenced Documents and Information, and as was confirmed by Town of Oakville personnel, Section 45(1) of the Planning Act directs that a minor variance may be granted if the following tests are met, aka “4 tests of a minor variance”:

1. The variance requested maintains the general intent and purpose of the Official Plan;
2. The variance requested maintains the general intent and purpose of the Zoning By-law;
3. The Variance is desirable for the appropriate use of the land; and,
4. The variance is minor in nature.

I will present opinions and arguments that will clearly state/show NO to ALL of these tests.

**Variance Request Summary**

Basic understanding of the issue and variance request:

- Per town By-Law 2014-014, 53 Non-Residential Parking spots are required.
- FILE # CAV A/063/2024 is requesting variance to enable to reduce this to 20 Non-Residential Parking spots.
- As per the Referenced Documents and Information, specifically page 17 of 22 of CONSTRUCTION and TRAFFIC MANAGEMENT PLAN, is being indicated the complex/facility to contain 21 Retail outlets.
- As per the Referenced Documents and Information, parking space allocation is as follows:
  - Residential (less than 75 m2) - Required = 128
  - Residential (greater than 75 m2) - Required = 45
    - Total Residential – Required = 173, Proposed = 211, an increase of 38
  - Visitor – Required = 41, Proposed = 41, no difference
  - Retail – Required = 53, Proposed = 20, a decrease of 33

- ONLY 38 of these parking spaces are being located “at grade” with all remaining parking spaces being located “within two-levels of underground parking”.

## **Objection Opinion and Argument Details**

### **1. Basic Math**

As per the Referenced Documents and Information the facility will have 21 Retail Outlets. **Where exactly is the developer planning for all employees, customers and clients to park?**

Bronte Village is NOT “Public Transit” area like Downtown Toronto.

Bronte Village also does NOT have the public parking infrastructure like Downtown/Midtown Oakville or Downtown Toronto.

The application for variance is trying to state that a 62% (33÷53) reduction is a “minor” variance. Mathematically, 62% is NOT minor. Are these developers prepared to accept a 62% reduction in their personal salaries or 62% reduction in unit sale prices?

### **2. Neighbouring Parking Lots**

Related to Point 1, I am already noting signs being posted on neighbouring businesses parking lots advising that non-patron’s vehicles will be ticketed and/or towed. One such sign contains name and contact information for towing company retained as well as the location of their storage lot for vehicle retrieval. I have been advised by one merchant that such towing is already a “weekly event”.

I am further being informally informed that other neighbouring merchants are considering doing the same or even partnering with the towing service already in place.

### **3. Business Perspective**

How is the developer planning to attract commercial clients when there is NOT sufficient parking available for employees, customers and clients? **(21 Retail Outlets, requesting variance to enable 20 Non-Residential Parking spots)**

Customers and clients will not visit such retail businesses and services if there is no parking readily available or a very real threat of their vehicles being ticketed and/or towed. If no customers and clients, there can be no business. If no business, there can be no rent paid for such retail facilities. PLUS, empty retail outlets look VERY poorly on the complex/facility developer. (Reference commercial plaza east on Lakeshore.)

Referring to Point 2, retail tenants will not be in business very long if their customers/clients start having their vehicles towed or start being levied with parking fines/fees, or IF they are not even able to locate an available parking spot within ready walking distance.

Note 1 of Table 1 is making an assumption that I would suggest needs to be challenged. The popular cultural interpretation of ASS U ME comes readily to mind. It is not known what commercial businesses or services will be located in these 21 Retail Outlets. Today in 2024 there are increasingly numbers of health related services being opened on weekends and later in evenings to accommodate their clients’ schedules. In addition, there are many businesses, merchants like Rabba Fine Foods and some Shoppers Drug Mark locations come readily to mind, that are open 24/7/365. The “assumptions” regarding “peak usage times” definitely need to be challenged. I am specifically noting the multiple usage of the term “generally expected”, which is very SUBJECTIVE terminology.

### **4. Security Perspective**

Referring to “Basic understanding”:

- 38 parking spaces being located “at grade”,
- 41 parking spaces required for visitor parking,

- 53 parking spaces required for retail parking.

Is the developer planning to permit residents AND visitors AND retail employees/customers/clients access to the underground parking facilities? From a liability perspective I would contend this to be an EXTREMELY dangerous prospect.

Permitting retail outlet customers and clients access to residential parking areas is opening up the Condominium Corporation and possibly the Developer to potential liability. Unfortunately, there are members of society with nefarious intentions. Who takes responsibility for permitting such people access to residential parking areas?

Residents will very likely have keys/fobs that need to be used to permit them access to the underground parking areas.

Residents will also need to specifically permit their visitors access to the underground visitor parking areas. Accordingly, responsibility AND liability for any related nefarious activities will lie with the residents themselves. With security and building controller/automation technologies today such "permissions" are easily able to be tracked and recorded. Accordingly, the "responsible and accountable" resident can and will be very easily determined, documented and recorded.

However, who becomes accountable and take responsibility for "Joe Public" visiting a retail outlet? These "visitors" will NOT be able to be tracked or recorded. In addition, public nature being what is, this feature will surely be exploited fairly quickly by individuals with nefarious intentions.

Who exactly is the developer planning to have accept potential liability for such? Legally, by default, will be the developer UNTIL the Condominium Corporation is registered and then AFTER registration will be the Condominium Corporation via the Board of Directors. Are either of these parties actually prepared to accept such potential liability?

Permitting retail customers/clients access to the underground parking facilities could expose residents to other issue. According to the sales literature obtained, underground parking spots are being sold for \$50,000. Anyone spending that money for parking spot will be extremely intolerant of uninvited/unwelcomed "guests", especially if such resident designated and purchased parking spot gets "occupied" without permission.

The Referenced Documents and Information make reference to "shared" aspect between retail and visitors. But, by exposing everyone, especially the retail customers and clients, to the residential underground parking the "shared" aspect will unintentionally be extended to the resident \$50,000 parking. How many times has security or law enforcement personnel been exposed to the comment "but I am only going to be 5 minutes"?

Will the residents/unit owners be made aware of such? AND, are they prepared to accept? Have the developers fully explored all such implications from Contract Law perspective (potential breach of contract implications)?

##### 5. Comparisons

During the early 1990's I was resident owner of a condominium unit at 4185 Shipp Drive, Mississauga. I was also a member of the Board of Directors of the Condominium Corporation. The developers of that condominium facility left the board with a similar issue and challenge.

Parking spots were not specifically purchased but were assigned to owners. The original owners of two-bedroom units were assigned two parking spaces. The original owners of one-bedroom units were assigned one parking space. But, the developers had failed to correctly

account for all parking requirements, especially handicap parking requirements, which were left for the Board to address.

The board needed to gain specific permission to reassign ALL parking for ONLY one parking space for each unit regardless if one or two bedroom unit. The remaining parking spaces, after accounting for the required handicap spaces, then became available for rent on first-come first-serve basis. Needless to say, many unit holders lost one parking space that they originally rightfully thought they were assigned.

As expected, there were several legal challenges. But, the outcome by both the residents' legal advisors AND the Condominium Corporation's legal advisors was that the issue (breach of contract) was between the unit owners and the developer and NOT the Condominium Corporation, including the Condominium Corporation's Board of Directors. The reasoning being was that the original purchase/sales contract was signed BEFORE the Condominium Corporation was REGISTERED between unit owners and the developer. It was also commented, as these events were several years "after the fact", "good luck locating anyone involved with the original developer".

The severity of impact of this issue was heightened when considering that many owners were investors and were actually renting out their condominium unit AND parking. These owner-investors were faced with their own breach of contract issues with their tenant residents.

While "restitution" was often able to address the financial aspect with tenant residents the other very real consequence was some residents were suddenly faced with situation of owning two vehicles but only having access to one parking spot. To the best of my knowledge, NO affected unit owner was able to receive any restitution, as was not able to locate appropriate party to take legal action against.

How many residential units at 85 Bronte are being purchased by owner-investors with intentions of renting out to tenant residents?

A side consequence was that many residents then started to park in visitor designated spots or on the private property across the street. But, unfortunately, both areas then needed to be more strongly enforced with ticketing AND towing. Unfortunately, law enforcement was also needed to be called on few occasions as some residents took matters to level of assault.

My personal strong suspicion is that the developer at 85 Bronte has already over sold resident parking spaces, or something similar. This is further supported by the fact that the Referenced Documents and Information is noting 38 ADDITIONAL parking spaces wanting to be allocated to residents with no change to visitor parking allocations.

#### 6. \_\_\_\_\_ Bronte Village vs Downtown/Midtown Oakville vs Downtown Toronto (public transit and parking friendly)

This point was already commented above in Point 1, but definitely needs repeating.

#### **Where exactly is the developer planning for all employees, customers and clients of the 21 Retail Outlets to park?**

Downtown Toronto has significant public transit infrastructure, specifically TTC buses and subways and GO Transit. It is very feasible for such residents to NOT need personal vehicles. Bronte Village simply does NOT have such public transit infrastructure. Accordingly, personal vehicles are a MUST for residents AND visitors AND retail employees/customers/clients.

Downtown/Midtown Oakville and Downtown Toronto have significant numbers of public parking facilities and areas. Bronte Village has NO such public parking facilities, and, as commented by

Town Councillor, “no room for such”. There is a limited quantity of street parking available, but that is all “paid parking” and most is not in very close proximity. Accordingly, ALL parking for residents AND visitors AND retail employees/customers/clients MUST be provided by the individual facility developers.

By direct comparison, I would reference parking for Bronte Harbour Parks and ALL other commercial properties in the vicinity.

#### 7. Handicap and EV parking

This point may not be directly related to this application for variance, but has definite implications for the facility.

I am not readily locating any reference to allocations for handicap or EV parking spots for either resident, visitor or retail parking. What provisions are the developer planning for such? 2035 federal directives are for ONLY EVs to be sold after that time.

#### 8. Ethical and Good Engineering Practices

As an engineer myself, such should have been fully considered BEFORE building permits were issued.

It was MY responsibility to ensure that ALL of MY designs were FULLY compliant with ALL applicable rules, regulations, codes and By-Laws from the outset, and NOT to request variation on the **eve of starting construction activities**. Accordingly, I feel the developer is trying to bully the town into accepting such a “last minute” variation, an approach that I personally and professionally absolutely detest.

Referring to Point 5, if the developer has indeed oversold parking spaces to residents it is them who MUST correct and not bully the Town and Bronte Village to accommodate their error.

#### **PARKING JUSTIFICATION STUDY Comments**

- “The Town of Oakville’s Zoning By-Law does not include a shared parking provision for spaces intended for multiple uses on a site.”  
Comment - Town of Oakville’s Zoning By-Law MUST be enforced as existing.
- “As noted previously, the retail and visitor parking supply proposed for the site does not technically meet the Town of Oakville Zoning By-Law parking requirements.”  
Comment - Town of Oakville’s Zoning By-Law MUST be enforced as existing.
- Table 3: Surrogate Site Parking Surveys  
Comment – NONE are applicable to the conditions PRESENTLY EXISTING at Bronte Village.
- “the peak demand for these uses would not be expected to occur simultaneously frequently.”  
Comment – What happens if “expectations” prove to NOT be correct? Plus, reference points made in Point 1.
- “Additionally, the parking demand in the Bronte Village area is expected to decrease significantly over time as the area develops into a mixed-use neighborhood with necessary amenities within walking distance as discussed.”  
Comment – Again, what happens if “expectations” prove to NOT be correct? The provincial government has already shown they are prepared to override municipal planning without any consultations.  
Parking is required TODAY. Should “expectations” actually materialize at point in the future, there is nothing stopping the Condominium Corporation from reallocating parking based on ACTUAL USAGE DATA for their facility.
- “It is expected that active transportation and transit trips will generally grow”  
Comment - Again, what happens if “expectations” prove to NOT be correct? Plus, again, parking is required TODAY. And, again, allocation can always be revisited in future based on ACTUAL CONDITIONS.

- “This existing wide variety of amenities offered in close proximity to the site enables residents to access both essential and non-essential services without the need of a vehicle, and to walk or cycle for errands instead.”  
Comment – An EXTREMELY subjective and narrow sighted opinion. I will readily reference average daily usage of ALL neighbouring business/commercial parking lots.
- “It is noted that existing on-street paid parking opportunities are available along Lakeshore Road West in some sections of the road.”  
Comment – Is NOT the status/condition TODAY. Allocation can always be revisited in future based on ACTUAL CONDITIONS.
- “The Bronte Village Parking Activity Study was prepared by D Sorbara Parking & Systems Consulting, dated **August 19, 2016.**”  
Comment – We are NOW in April 2024. Accordingly, proof that “expectations” are often NOT met. Would be very interesting to have study reconducted TODAY.
- “There are a number of existing and planned Transportation Demand Management (TDM) opportunities.”  
Comment – “Planned” means NOT existing today. What happened to the concept of **“plan for the worst, and hope for the best”**?
- “Conclusions and Recommendations”  
Comment – These are based on “subjective”, “expected” and “planned” opinions. MY conclusions are based on ACTUAL experience and PRESENT DAY observations.
- Question – **Why not take the “engineering” approach using the scientific method we all learned in high school science, adjust allocations based on ACTUAL usage data obtained?**

## Conclusion

Considering these arguments presented above, it is very clear the “4 tests of a minor variance” have NOT been met:

1. The variance requested maintains the general intent and purpose of the Official Plan; **NO**
2. The variance requested maintains the general intent and purpose of the Zoning By-law; **NO**
3. The Variance is desirable for the appropriate use of the land;  
and, **NO**
4. The variance is minor in nature. **NO**

## Counter Proposal

Also considering the arguments presented above, I do believe that a fair and reasonable compromise, in fact one that makes significantly more sense, is readily available, as follows:

1. Allocate ALL 38 parking spaces being located “at grade” as “Retail”, to be exclusively used by the 21 Retail Outlets’ employees, customers and clients.
2. Do NOT allocate ANY Retail parking spaces “within two-levels of underground parking”.
3. ONLY residents and their visitors will have access to “underground parking”.
4. This will actually also allocate ADDITIONAL spaces for residential parking contrary to Town By-Law 2014-014.
5. This will enable the existing facility design to be maintained, even when still not totally compliant with “Ethical and Good Engineering Practices”.

This would be a variance that I could, and would, readily support.

## Attending Meeting

I do not feel that making a presentation at the meeting on April 17, 2024 will achieve anything more. I would basically be reading out this written email submission, which I do not think is good use of everyone’s time. I feel more appropriate to leave my objections in written format



only and leave time for other delegations to make their presentation. Accordingly, I will only be a virtual observer for the April 17 meeting. However, my understanding is that my email response will be included with submissions opposing the application for variance and will, thus, be fully considered accordingly.

**Notice of decision**

I DO definitely wish to be notified of the decision for this application.

Regards  
Ross Grandy, P.Eng, CAPM  
125 Bronte Road, Oakville, Ontario, L6L 0H1

**Letter of objections-19**

As the owner of Unit 4 15-102 Bronte Road, Oakville, I strongly object to the request by the developer on this file reducing the number of non-residential parking spaces in this development from 50 to 20. The parking situation around this site and Bronte in general is a problem at present and will increase with the new developments under construction. In the summer the increased demand for parking by visitors further aggravates the situation. The developer knew the non-residential requirements when they applied for permission to develop and should have instructed his consultants to incorporate these requirements in their proposal.

Ed Sweeney  
415-102 Bronte Road,  
Oakville, ON  
L6L6J5