

**Ontario Municipal Board
Commission des affaires municipales de l'Ontario**

PROCEEDING COMMENCED UNDER subsection 34(11) of the Planning Act, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Eden Oak (Creditview Heights) Inc.
Subject: Application to amend Zoning By-law 74-51 –
Refusal or neglect of the Town of Halton Hills to
make a decision
Existing Zoning: RU
Proposed Zoning: RE
Purpose: To permit a development consisting of 31 single
detached lots
Property Address/Description: Part Lot 20, Concession 9
Municipality: Town of Halton Hills
Municipality File No.: D14ZBA08.004
OMB Case No.: PL150128
OMB File No.: PL150128
OMB Case Name: Eden Oak (Creditview Heights) Inc. v. Halton Hills (Town)

PROCEEDING COMMENCED UNDER subsection 51(34) of the Planning Act, R.S.O. 1990, c. P. 13, as amended

Applicant and Appellant: Eden Oak (Creditview Heights) Inc.
Subject: Proposed Plan of Subdivision – Failure of the
Town of Halton Hills to make a decision
Purpose: To permit a development consisting of 31 single
detached lots
Property Address/Description: Part Lot 20, Concession 9
Municipality: Town of Halton Hills
Municipality File No: D12SUB08.001
OMB Case No.: PL150128
OMB File No.: PL150129
Hearing Date: Monday, February 27, 2017 – Town of Halton Hills
10 days

**WITNESS STATEMENT
OF
STEVEN WIMMER, B.L.Arch., O.A.L.A., C.S.L.A.
(January 30, 2017)**

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TAB 1

Background and Qualifications

1. This witness statement has been prepared by:

Steven Wimmer, B.L.Arch, O.A.L.A., C.S.L.A.
Managing Principal, MBTW | WAI
255 Wicksteed Ave, Unit 1A, Toronto, Ontario M4H 1G8
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2. I am the Managing Principal at The MBTW Group and I have 31 years of experience as a landscape architect and urban designer. I graduated from the University of Guelph with a Bachelor in Landscape Architecture and I am a member of the Canadian Society of Landscape Architects and the Ontario Association of Landscape Architects. My current Curriculum Vitae together with a signed acknowledgement of expert's duty form is attached as Exhibit A to this witness statement. I acknowledge my duty to the Board.
3. I have worked on a broad spectrum of projects in landscape architecture and urban design. My clients include various agencies, community groups, private developers and builders, public institutions and non-profit organizations to work on various projects in the Greater Toronto Area and other regions in Ontario and beyond. The scope of my projects include: comprehensive community design and master planning; campus design; design of mixed-use precincts; urban infill projects and resort communities.
4. I am familiar with and have a working knowledge of the Town of Halton Hills Official Plan, including the Hamlet of Glen Williams Secondary Plan (GWSP) policies set out in section H4 of the Plan, and the Hamlet Of Glen Williams Design and Heritage Protection Guidelines as set out in appendix X6 of the Plan, as they relate to the proposed development of 31 single detached lots on the subject lands.

Retainer

5. I have been retained by Eden Oak (Creditview Heights) Inc. since February 19, 2008, to provide professional landscape architecture and urban design services related to the property at Part Lot 20, Concession 9, referred to as the Eden Oak (Creditview Heights) Community. My services include the review and design of all landscape architecture related elements of the application, as they appear in the Eden Oak (Creditview Heights) Community Urban Design Guidelines (Revised January 2017).

6. I prepared and/or reviewed the following reports, plans, or studies as part of the updated Urban Design Guidelines, filed with the updated application submission package in December 2016 and subsequent submissions/correspondence to the Town, including:
 - a. Urban Design Guidelines for the Eden Oak (Creditview Heights) Community, dated May 2012 (Revised January 2017);
 - b. Architectural Design Guidelines for the Eden Oak (Creditview Heights) Community, dated December 2016 (Revised January 2017);
 - c. The Visual Impact Study for Eden Oak, revised August 10, 2016;
 - d. The revised Proposed Draft Plan of Subdivision, prepared by Matthews Planning and Management Ltd., revised November 18, 2016.
 - e. The January 18, 2017 Staff Report, prepared by Adam Farr, Manager of Development Review, titled: *Council Recommendation Report: Zoning By-law Amendment and Draft Plan of Subdivision Conditions to Permit a single detached development in the Hamlet of Glen Williams.*
 - f. The Proposed Zoning By-law Amendment, as shown in Schedule 8 of the January 18, 2017 Staff Report (prepared by Adam Farr, Manager of Development Review);

- g. The January 2017 EIR Addendum Memo prepared by LGL Limited and the Environmental Implementation Report prepared by LGL Limited, updated June 2016.
 - h. The Tree Inventory and Preservation Plan, prepared by Kuntz Forestry Consulting Inc., Revised January 2017;
 - i. The Creditview Heights Retained Vegetation and Proposed Planting Areas Plan prepared on January 2017 by LGL Limited;
 - j. The Peer Review letter, dated January 19, 2016, from Bogdan Newman Caranci Inc., regarding "*Request for Comments/Urban Design Review of Glen Chase Urban and Architectural Guidelines Glen Williams Community, Town of Halton Hills. Halton Hills File No. D14ZBA08.004 & D12SUB08.001/Eden Oak-Glen Chase*";
 - k. The Peer Review letter, dated August 29, 2016, from Bogdan Newman Caranci Inc., regarding "*Request for Comments/Urban Design Review of Glen Chase Urban and Architectural Guidelines Glen Williams Community, Town of Halton Hills. Halton Hills File No. D14ZBA08.004 & D12SUB08.001/Eden Oak-Glen Chase*";
 - l. The Peer Review letter, dated January 9, 2017, from Bogdan Newman Caranci Inc., regarding "*Request for Comments on Eden Oaks (Creditview Heights) Urban Design Guidelines and Architectural Control Guidelines*"; and
 - m. Reports, policies and plans referred to in the above.
7. I have been involved in the review of the landscape architecture scope as it related to the Eden Oak (Creditview Heights) Community Urban Design Guidelines (revised January 2017), based on additional comments from Town Staff and from Bogdan Newman Caranci Inc., received on January 12, 2017.

Nature of Evidence

8. I will principally provide opinion evidence based on the drawings and reports review and/or authored by me and referred to above and will refer to the above documents as necessary.
9. I will also provide opinion evidence that, from a landscape architecture perspective, the proposed Zoning Bylaw Amendment and Draft Plan of Subdivision applications should be approved because:
 - They have regard for the Hamlet Of Glen Williams Design and Heritage Protection Guidelines as set out in appendix X6 of the Plan.
 - They represent good landscape architecture.

Buffer Planting

10. It is my opinion that condition number 66, which states that the applicant will “provide plantings within the Hamlet Buffer, adjacent to the subject lands including but not limited to along all lots and subdivision lands backing onto the existing Wildwood Rail Trail, to a planting density and standard to the satisfaction of the Manager of Parks and Open Space” (Schedule 7 of the Town’s staff report, dated January 18, 2017), accounts for enhanced landscaping treatment along the Wildwood Trail, which comprises the Hamlet Buffer (shown on Schedule H4-1 of the Halton Hills Official Plan).
11. In my opinion, the proposed rear yard setback in the Draft Zoning By-law Amendment (Schedule 8 of the January 18, 2017 Staff Report) and condition number 66 in the Conditions of Draft Plan of Subdivision (Schedule 7 of the January 18, 2017 Staff Report) provide for the conditions required to enhance landscaping on Town-owned lands along the north edge of the Wildwood Trail and within the rear yards of lots 20 to 31, which will result in adequate buffering along the Hamlet’s Edge and the Wildwood Trail (Town owned lands) in accordance with policy H.4.3.8

of the GWSP. The proposed boundary achieves the purpose of preserving the hamlet character, and is consistent with Schedule H4-1 of the Halton Hills Official Plan.

Rural Streetscapes

12. In my opinion, the streetscape condition for Streets A and B, presented in Figure 5 of the Eden Oak (Creditview Heights Inc.) Urban Design Guidelines, incorporates rural features, such as a rolled curb and irregular or varied landscaping, in accordance with the guidelines and cross section presented in the Hamlet of Glen Williams Design and Heritage Protection Guidelines (appendix X6 to the GWSP).

Enhanced On-Lot Landscaping

13. It is my opinion that the enhanced on-lot landscaping that proposed in various locations throughout the November 18, 2016 Draft Plan will serve to achieve a rural hamlet character, sensitive to its setting and community interfaces. Enhanced on-lot landscaping is proposed at the front yards of Streets A and B, and at the rear yards of lots 20 to 31 (which back onto the Wildwood Trail), as well as within rear yards that back onto undisturbed vegetation areas, identified in the *Creditview Heights Retained Vegetation and Proposed Planting Areas Plan* prepared on January 2017 by LGL Limited.

Mid-Block Walkway

14. It is my opinion that the 10 metre wide mid-block connection (Block 36) that is shown on the November 18, 2016 Draft Plan prepared by Matthews Planning and Management Ltd. Will provide a high quality pedestrian connection to the Wildwood Trail and proposed stormwater management block, fulfilling the requirement of a trail connection as shown on Schedule Schedule H4-1 of the Halton Hills Official Plan.

Response to Landscape Architecture Related Issues raised on the Issues List

1. Town and Region Issues List:

Issue # 9 – Is the interface of the development proposal with the Town trail appropriate including addressing any grading issues, and if so, what conditions are necessary for the approval of the development proposal?

RESPONSE: Yes, the interface of the development proposal with the Wildwood Trail (Town-owned land) is appropriate, for the reasons stated in comments 10 and 11 above. It is also my opinion that the Conditions of Draft Plan approval provided in Schedule 7 of the January 18, 2017 Staff Report already address this interface.

2. GWCA Issues List – Revised:

P. 6
1880E # 15
Issue # 5 – Are the proposed setbacks from the Rail Trail appropriate and do they provide a sufficient and adequate buffer between the homes on the street and the Trail? Is the treatment of any buffer appropriate for the hamlet in the context of the hamlet's existing buffer?

RESPONSE: Yes, the proposed 10 metre rear yard setback from the Wildwood Trail in the Draft Zoning By-law Amendment (Schedule 8 of the January 18, 2017 Staff Report) provides a sufficient distance to allow for enhanced rear yard landscaping, which will be used to buffer lots 20 to 31 from the Wildwood Trail. The treatment of this buffer is specific to the site conditions and policy framework, which is addressed in comments 10 and 11, and the response to issue #9 from the Town and Region Issues List, above.

P. 0
1880E # 19
Issue # 9 – Are additional buffers required?

RESPONSE: No, condition number 66 of the Conditions of Draft Plan Approval (Schedule 7 of the January 18, 2017 Staff Report) ensure that adequate planting and screening is provided within buffers along the Wildwood Trail. The undisturbed vegetation lands identified in the *Creditview Heights Retained Vegetation and Proposed Planting Areas Plan* prepared on January 2017 by LGL

Limited, also provide buffering along the northern edge of the proposed Draft Plan of Subdivision. Condition number 7 of the Draft Plan Conditions requires that these lands be conveyed to the Town prior to draft plan registration. An additional buffer to the trail, which trail is itself a buffer to the surrounding and adjacent lands would serve no valuable purpose.

3. Issues List for Joan Griffin – Revised:

Issue # 10 – Should the proposed draft plan of subdivision incorporate a natural buffer behind lots 20 through 31 along the south property line and abutting the Town’s Rail Trail?

P.O. GWBA
ISSUE #15

RESPONSE: No, the buffering proposed through the Draft Zoning By-law (Schedule 8 of the January 18, 2017 Staff Report) and the Conditions of Draft Plan Approval (Schedule 7 of the January 18, 2017 Staff Report) address the vision and policies of the GWSP and the Hamlet Design and Heritage Protection Guidelines.

Conclusion

- 4. In my opinion, the proposed development meets the landscape architecture vision and design principles of the Hamlet of Glen Williams Secondary Plan (GWSP) in the Town of Halton Hills Official Plan, and the guidelines and recommendations of the Hamlet Design and Heritage Protection Guidelines (Appendix X6 of the Official Plan).
- 5. In my opinion, the revised draft zoning by-law amendment (Schedule 8 of the Town’s staff report dated January 18, 2017) and the conditions of draft plan of subdivision approval (Schedule 7 of the Staff Report) are appropriate tools for the development of this property and give sufficient guidance for a draft plan of subdivision application.
- 6. I am prepared to testify and elaborate upon the topics set out in this witness statement and to be cross-examined.

Dated: January 30, 2017

A handwritten signature in black ink that reads "S. P. Wimmer". The signature is written in a cursive style with a large initial "S" and a vertical line extending from the "P".

Steven Wimmer, CSLA, OALA
Managing Principal, MBTW-WAI

Attachments

Curriculum Vitae of Steven Wimmer with Duty Form

TAB A

Steven Wimmer B.L.A., O.A.L.A., C.S.L.A.
 Managing Principal of The MBTW Group President and W Architect Inc.



Steven is an Urban Designer, Landscape Architect, Community Planner, Managing Principal of The MBTW Group and President of W Architect Inc. During his close to 30 years in the consulting industry, Steven has been successful in working with public agencies, authorities, and community groups to implement numerous innovative and comprehensively planned new communities and public spaces. Steven is currently responsible for a variety of community planning, urban design, and landscape architectural projects including large, comprehensively designed communities in the City of Toronto, GTA, Ontario and the Caribbean.

Professional Experience

Managing Principal	The MBTW Group / W Architect Inc. Toronto, Ontario 2008 – Present
Principal	The MBTW Group, Toronto, Ontario 1998 – 2007
Associate	The MBTW Group, Toronto, Ontario 1990 – 1997
Urban Designer	The MBTW Group, Toronto, Ontario 1986 – 1989

Professional Affiliations and Memberships

Ontario Association of Landscape Architects
Full Member with Stamp

Canadian Society of Landscape Architects
Full Member

CAN U
Member

O.P.P.I. Urban Design Working Group
Past Member

Ontario Association of Landscape Architects
Budget Committee, Current Member
Examining Board, Past Member

Selected Project Experience

Niagara-on-the-Green	Town of Niagara-on-the-Lake, Ontario
The Village	Town of Niagara-on-the-Lake, Ontario
Olde Town Collingwood	Town of Collingwood, Ontario
The Village of Brooklin	Town of Whitby, Ontario
The Bond Head Community	East Gwillimbury, Ontario
Noble Ridge Community	Nobleton, Ontario
Lora Bay	Town of Blue Mountain, Ontario
Newcastle North Village	Town of Clarington, Ontario
Uptown Core, Oak Park Community	Town of Oakville, Ontario
The Beach Community	City of Toronto, Ontario
Mahogany Bay	City of Ottawa, Ontario
The Springdale Community	City of Brampton, Ontario
The Erin Mills Community	City of Mississauga, Ontario
The Seaton Community	City of Pickering, Ontario
The Avalon Community	Caledonia, Ontario
Upper Unionville	City of Markham, Ontario
Avonlea Community	City of Peterborough, Ontario
Countryside Villages	City of Brampton, Ontario
Friday Harbour	Town of Innisfil, Ontario
Upper Unionville	Town of Markham, Ontario
The Shipyards	Town of Collingwood, Ontario

Ontario Municipal Board Experience

Steven has been qualified to provide expert opinion evidence before the Ontario Municipal Board on numerous occasions regarding matters related to Landscape Architecture, Urban Design and Visual Impact Assessment.

Mahogany Bay Community – Minto
 David Dunlap Observatory Lands – Town of Richmond Hill
 Mapleview Development – Baywood Development
 Don Mount Court Redevelopment – Intercorp

Manotick, City of Ottawa, Ontario
 Town of Richmond Hill, Ontario
 City of Barrie, Ontario
 City of Toronto, Ontario



Ontario

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

ACKNOWLEDGMENT OF EXPERT'S DUTY

Case Number	Municipality
PL150128	Town of Halton Hills

1. My name is Steven Wimmer. I live in Toronto, Ontario.
2. I have been engaged by or on behalf of Eden Oak (Creditview Heights) Inc. to provide evidence in relation to the above-noted Board proceeding.
3. I acknowledge that it is my duty to provide evidence in relation to this proceeding as follows:
 - a. to provide opinion evidence that is fair, objective and non-partisan;
 - b. to provide opinion evidence that is related only to matters that are within my area of expertise; and
 - c. to provide such additional assistance as the Board may reasonably require, to determine a matter in issue.
4. I acknowledge that the duty referred to above prevails over any obligation which I may owe to any party by whom or on whose behalf I am engaged.

Date: January 30, 2017

Signature

