

February 27, 2014

To His Worship the Mayor
And Members of City Council

Regarding the 510 University Park Drive high density apartment building proposal

Zoning Bylaw Amendment (13-Z-02)
Concept Plan Amendment (13-CP-02)
Discretionary Use (13-DU-06)

The meetings that occurred in regards to this development have had a common theme, the developer interacts with city resources hand in hand whereas there is no comparable interaction between city resources and concerned citizens. The direct effect I see is that the information, that has been circulated, always favours the view of the developer. We have had absolutely no city resources advocating our views. It is impossible for a taxpayer to believe that there is any directive whatsoever for city resources to advocate both sides of an issue equitably. It is neither fair nor balanced for information to be included in reports that favours the developer without the direct community's response to appearing in the same reports.

Information in the reports goes further than neutral responses to the developer's proposal, the information advocates for the developer while in contrast the community concerns are marginalized or outright dismissed. Also, there is advocacy for the developer by way of omission. Concerns that are very obvious are not mentioned in the report, instead it has been on the backs of citizens to present concerns in separate 10 minute time slots. Although the community concerns are heard in an alternate process of presentations at meetings, that is not sufficient. In order to be fully understood and to provide much needed balance, the concerns must be in the circulated reports with the community's justifications and reasons and expression using the community's wording.

Fine, the report may either recommend or not recommend a proposal but the report content should advocate both sides with equal zeal or possibly with greater zeal for the community since the community residents' views should come first and hold more weight.

After seeing the bias in the reports being circulated, I made the effort to eMail a question to 65 community people that had been involved in this community feedback process. I asked: "Is the city asking anyone for input into their reports?" If anyone was asked for input, they kept it to themselves; not a single person reported that the city had asked for input or feedback to the reports.

The point of these opening remarks is to say:

The profiteering developer, with no stake in the community has been getting a free pass whereas in contrast it has been completely on the backs of the taxpaying citizens to be the resources to bring forth the problems of this proposal that is a misfit for the community.

Our expectations are that our views should be considered of greater weight as we are taxpayers and we have a stake in the community by virtue of the community being our home.

When the council make its decision about this proposal I believe a basic question should be considered. If a plan for the whole community area was made from scratch for an open field development, who on earth would purposely make a design as poor as this current proposal? The reason for the proposal is strictly for the benefit of an out of province profiteer. The rental situation is easing and there are many new rental units being approved to further ease the vacancy rate. So, why the desperate measure of considering such a misfit proposal?

In regards to the report dated November 13, 2013

Concern 1: section heading “Transportation Study”

The report refers to a traffic study. The report only includes information that favours the developer. The report omits the crucial fact that the traffic study is paid for by the developer. This of course fails the most basic fundamental principal avoiding a conflict of interest or at least being transparent about a conflict of interest. Yet somehow the conflict of interest aspect is omitted from the report. In contrast, it was on the back of a citizen presenter to provide the transparency.

If the report was credible then how is it that the following facts are not reported:

- The power point slide show the serious safety issue that exists today that is caused by today's level of traffic congestion in the area that this proposal is for. I took down some statistics on a typical work day in regards to wrong side of the road driving on Truesdale. Illegal driving occurs because the congestion prevents access to a left turning lane onto Victoria Avenue. In less than 25 minutes there were 11 incidents of driving on the wrong side of the road to access the most left turning lane. Of those incidents, 2 incidents caused an oncoming car to take defensive measures. This occurred on a day where the traffic was less busy than I've seen on other work days.

Now, that's the situation today. A credible traffic study would state the issues that exist today, state the additional congestion to come from Gold's Gym and state a prediction of the expected effects. How much worse will the illegal head on collision driving be due to “all” of the increased congestion the community is expected to be burdened with? But, as

stated, information that acknowledges the communities concerns is simply omitted from the reports.

If a traffic study was done without a conflict of interest, surely it would include the whole picture not just the favourable or preferred portion stated in the report.

- Although this report does talk about traffic on Arens Road, it omits mention of the fact that the Arens Road entrance/exit of this extreme density proposal is about 120 meters from the entrance/exit to the Wilfred Walker K-8 school grounds (as shown in the power point slide). How is it that a traffic study should omit the fact that a high level of traffic would be created right on the door stop of a K to grade 8 school?

Concern 2: Serious disregard for the community concerns and school children safety.

In a parenting article I read it says:

Another place where tragic accidents can occur is at daycare centers, schools or places where recreational activities for kids are held. Kids get out of cars and excitedly run to the building ahead of their parents, and their small size makes it hard for motorists to see them.

In another article I read:

Watch out for children who may dart out from between stopped school buses or parked cars.

Although, I am not the only person that thinks having parked cars lining the streets of a school grounds entrance is a bad idea? Yet, the concern is not relevant enough to be included in the reports.

In contrast the city report says:

On page B4: "While the development would meet the minimum parking requirements it is acknowledged that there will be some parking spill over into the streets"

A short comment about "meets the minimum parking requirements". My understanding is that the plan is a few spots more than being outright illegal.

Regardless, on page B3 the administration portrays that having the streets lined with parked cars is a safety benefit for the community because lining the street on both sides with parked cars makes the street narrower.

I cannot fathom why the report goes to ridiculous lengths to advocate the developer over the community. The most blatantly

obvious effect the spill over parked cars will have is to provide a visibility hazard. They provide a blind for darting children. Yet the concern is omitted from the report.

Concern 3: Why are we rehashing an even less palatable proposal after the 2009 development proposal failed?

As stated on page B4 of the report:

“a proposal was brought forward in 2009 to develop a low rise apartment building, yielding 150 dwelling units” “The feedback received from the neighbouring property owners at the time were generally not in favour”

So, how is it that a proposal of 150 units dies and yet here we are today, rehashing an even less palatable 220 unit proposal that is busting to the point that it can barely meet minimum parking requirements? Further, at least in 2009 one might have been able to argue that the proposal was not an infill proposal and therefore the necessity to fit into the area would be a lower standard. Today, the area is filled in and the proposal is classified as an infill development. Therefore there is an obligation for the proposal to be a fit for the community that is proposed for. As the many presenters have pointed out in many different ways, this proposal is a misfit.

In regards to the report dated January 15, 2013

Concern 1: The report advocates for the proposal on the basis that the proposal is similar to the recently approved proposals:

1060 Dorothy Street

As the power point slides shows for 1060 Dorothy Street there is no comparable conflict due to traffic issues.

St. Josaphat does not have parked cars lining the street of a main drop off/pickup point for children. I believe it lacks credibility to compare. Would parents really be picking up their children on 1st Avenue or Dorothy Street as opposed the street in front of St. Josaphat?

That proposal does not line the drop off/pickup point for children for St. Josaphat whereas it has been pointed out that the proposed development will line the streets with parked cars off/pickup point for children for Wilfred Walker school.

Regarding the entry/exits to the site; is there any credibility, whatsoever, to compare what developer proposes to the Dorothy site. The power point slide shows the one and only exit that allows drivers left turn access onto

University Park Drive. How many drivers will want to contend with making a left turn onto a busy main artery with a left turn lane that points right at them?

Truth fully there is no comparison whatsoever. This power point slide shows the access entry/exits side by side. On the Dorothy site all four entry/exit routes are full right and left turn friendly with ample space for queue lines. This proposed development has the dangerous left turn exit onto University Park Drive and the only other exit onto University park Drive is a right turn only exit.

On Dorothy there is no dangerous entry/exits.

Does the Dorothy site have an issue like the head on driving condition that exists in our community due to traffic congestion?

Is one really supposed to believe that the Dorothy development will create parked car blinds at St. Josaphat school? I don't think so.

Chuka Blvd and Arcola Ave

In regards to the power point slice, the same statements can be reiterated for this site.

Are there comparable awkward exit/access issues to this site?

Where is the conflict with the school children safety or a traffic issue like the head on collision driving issue we have in our community?

In summary, the reason why the proposal was not recommend, even though the reports unfairly favour the proposal, was due to the problems that were pointed for the developer to address but failed to be addressed.

1) The developer was required to reduce the extreme density of this proposal. Response, the developer out right refused to make any alteration. The excuse provided was that the project would not have the right profit margin due to the fact that clean up costs are much higher if the site is to be used for living units. As pointed out to the developer, the clean up costs and the consequence. Specifically, proposing a density that is a controversial misfit due to creating traffic issues and safety impacts for the community.

2) The developer was required to improve the access of the site. The developer failed. The main problem that needed addressing was to discourage the entrance/exit on Arens Road. The main reasons a) take traffic away from the entrance into the Wilfred Walker school ground for safety concerns of children b) left turn access onto University drive is required so that drivers will not further worsen the congestion and head on collation

driving issue on Truesdale Avenue. The developer did provide another left turn access onto University Drive so therefore the situation remained unchanged, there is only the one dangerous left turn option per the power point slide. Therefore drivers wanting to head downtown on Victory avenue would most definitely use Truesdale Avenue and worsen the problem that already exists. The other item that remained unchanged was discouraging traffic onto Arens Road. The Aren Road entry/exit remained unchanged. I feel that the only discouragement to could make a reasonable, suitable difference would have been for the developer to remove the exit onto Arens Road.

I feel it was the right outcome that the proposal did not get the votes to be recommended and for any councillor that may be still considering an option of approving the proposal I would refer to the question posed before: if a plan for the whole community area was made from scratch for an open field who on earth would purposely make a design as poor as this current proposal?

This is a misfit proposal for any community so please do not approve it for our community.

David Merriman