

Anne Pappmehl, MA
London, Ontario N6K 2B8

September 4, 2012

Councillors Bud Polhill, Chair, Judy Bryant, Dale Henderson, Sandy White, Joe Swan, Planning and Environment Committee

Cc: Heather Lysinski (Secretary)

Dear Members of the Planning and Environment Committee

Re: Proposed Development at 8 Fairview Court and 770 Whetter Avenue File #OZ-8055

I am a parishioner at Christ the Saviour Russian Orthodox Cathedral, located at 140 Fairview Avenue, and directly opposite to the above referenced proposed development site. I attended the initial public information session, held in the church basement on Thursday, June 28, 2012, where the developer (1841577 Ontario Inc.), together with Councillor Bud Polhill, presented information about the proposed project and how it would impact the neighbourhood. While I applaud the actions of both the developer and Mr. Polhill to reach out to the potentially affected stakeholders in advance of the formal public consultation process, I have to say that after learning of the scale of the project and listening to the concerns of neighbours and fellow parishioners, I have determined that this project as currently proposed is not suitable to site in question and therefore oppose this development.

The main reasons for my opposition are as follows:

- **Proximity to rail line** – This is a significant issue that was raised by fellow parishioner, Mr. Alex Peterson, who provided the meeting attendees and the developer with a copy of the City By-Law (Section 4.24), which states that:

Where a road or street crosses a railway at the same grade, then no building or structure shall be erected closer to the point of intersection of the centre line of both railway and the road or street than 45.5m (150 ft).

The proponent seemed quite unaware of this. I would assume this By-Law was enacted in the interest of protecting public safety. It is alarming to now learn that the proponent is requesting an amendment of the Official Plan to change the minimum setback from 45.5 meters to 15 meters. It is inappropriate that the By-Law be changed to accommodate the developer's wishes; rather the inverse is required, that the developer adjust the site plan to conform with the By-Law.

- **Traffic** – My understanding is that weekday traffic around the corners of Whetter and Fairview, as well as Whetter and Thompson Road is extremely congested, especially during rush hour times. It is not clear to me whether a formal traffic study has been done on the area (as I recall, when this question was posed by our rector, the Very Reverend Vladimir Morin, the answer was quite evasive). Perhaps a traffic study has since been done; that being the case, I would assume it would reveal that adding a three-story, 54-unit building would increase the already congested traffic significantly. The proponent asserted that the apartment would not contribute to extra traffic because the renters would be doctors and other upwardly mobile or well-to-do medical professionals working at Victoria Hospital who would walk to work. I don't see how the developer can guarantee this.
- **Parking** – How will street parking be affected as a result of this development? Will it be restricted on both sides of the development entrance? If so, this will limit parking for us

parishioners and we may end up competing for on street parking with visitors to the apartment complex.

- **Drainage** – An apartment building with underground parking will undoubtedly alter the drainage in the area. This could present problems for neighbouring properties. It is my understanding that an earlier development application was rejected because of this.
- **Post Build Issues** – At the June 28 information session, it was evident that the developer has had absolutely no experience in managing a rental complex. I suppose that once built, the building will be managed by a property management company. With its extreme proximity to a railway line (and all the inherent noise and vibration issues that entails), I doubt the developer can guarantee that the units will be rented to people desiring luxury units. Furthermore, the area does not currently house upper middle class families or upwardly mobile professionals, but is a mix of small, modest housing occupied by young families and empty nesters, as well as town homes and lower rental units that include subsidized units. The existing mix will make it challenging to attract the renters they're envisioning. The more likely scenario is that they will not be able to consistently attract the class of renters with the disposable income needed to pay for luxury units, and the investors will need to adjust their expectations and rent to people more representative of the current neighbourhood population. This then begs the question of whether they will be able to maintain the property if the rental income drops accordingly, especially when they are relying on a high return to support their retirement plans as stated at the June meeting.

In conclusion, I wish to state that I am not a Nimby-ist who is categorically anti-development; on the contrary. I am strongly in favour of good development, such as the recently approved revitalization project of a depressed part of the city. The site plan for Whetter and Fairview is not an example of good development as it fails to address the interests, concerns, needs and priorities of the affected stakeholders. While the developer is engaging in the exercise of public consultation, the perception is that the developer simply wants to go ahead with the project at any cost. The fact that the proponent is applying for by-law amendment on the rail setback issue is very telling in this regard.

Finally – and this is somewhat tangential to the discussion – I want to offer a few comments on the term Nimby (Not in My Back Yard), simply because I was involved in a research study five years ago on this very phenomenon. Nimby is one of the most socially destructive and pejorative terms in our modern lexicon. I abhor the term because it levels blame against the stakeholders who stand to be affected (often negatively) by the proposed project, as opposed to focusing on the situation that is causing them concern. Quite simply, Nimby is an indication of planning process failure. Planners and proponents need to move beyond it and focus on the quality of the proposal. Avoiding Nimby-ism and achieving project support starts with truly listening and learning what the stakeholder needs are and taking them into consideration in the planning process and working towards mutually acceptable solutions. The proposed project as it currently stands fails to do that.

Thank you for your consideration of my remarks.

Yours truly,

Anne Papmehl