

From: Bejia 2nd Winds

Sent: Monday, November 19, 2018 7:19 AM

To: Saunders, Cathy <csaunder@london.ca>

Subject: Rebutal for Nov. 20th Agenda file Re: Nov. 20 City Council Meeting/Vote.

Dear Cathey Saunders: Please ensure this letter is included in the Agenda file for the Nov 20th Cityhall Meeting Re: TriCar application-230 North Centre Road.

To City Council:

November 19, 2018.

Re: Tuesday, Nov 15 Meeting/Vote.

As indicated by the Mayor on the vote to support TriCars application, at Tuesdays meeting, it is no surprise to supporting council that I, and my community are completely disappointed with you, the 3 councillors voting in approval, as well as your obscured criteria and refusal to acknowledge "any" of the numerous issues identified by law, by community, by official government environmental studies, and ironically, by members of your own co-council.

All 3 members, in question, made it clear to us, the North Centre Community, that you were not interested, nor listening to us, throughout this full process. You sat through the "required" 3 public meetings, at times with your heads down, as the process required you to provide these meetings...because the affected community has the legal right to air any/all concerns and choose to appose an unreasonable application requesting a change of bi-law.

TriCar was also quite aware that in this, now passing council, they had strong majority support of council, as they took full and manipulative advantage of individual councils overwhelming support of the, now controversial, BRT project "domino affect". TriCar tied themselves, unrealistically, to the BRT plan (on hold till spring, with real possibilities of not coming to pass), which is supported by the introduction of the North Transit Village-Masonville, which is tied to the new London Plan (under appeal for an unknown period of time, and NOT IN AFFECT presently). All 3 plans intersect and rely on each other in the goal to build the BRT over the next 10 year period.

TriCar purchased the last available, undeveloped medium density 1.1 hectare of land located at the most north-east corner of North Centre Road and Richmond Street. Rather than developing this parcel at the medium density bi-law, TriCar applied for a 22 storey high density/mass change of medium density bi-law. They offered \$250,000 toward the (future) proposed BRT build and indicated 1 level of underground parking in expecting Bonusing to allow for the over intensification of this 1.1 hectare. TriCars presentations throughout have highlighted their donation funds supporting the (unsecured) BRT Plan, and boosting that their high density build will provide 222 units, supporting transit use, therefore reducing traffic in the area (a specific goal/hope of the BRT and City Council).

It was made clear, by Maureen Cassidy, at the Nov. 15 meeting/vote that 1) Bonusing on money promised to "future possible proposals" is NOT BONUSABLE; 2) The 222 Unit high density build, proposed by TriCar, is a Luxury Condo Complex for SALE, Not Rent, and therefore is not realistically conducive to any real type of regular transit use, as owners of Luxury Condos historically drive 1-2 cars per household (unit). Therefore, TriCar, and some of councils claim that this build supports the transit vision of the BRT/London Plan (not in affect)

is a false claim/perception, by all parties. This is not opinion, this is reality. For TriCar, or council to misrepresent this fallacy is dishonest, irresponsible, and below the expectations of appropriate City Council representation by our appointed council.

It is clear, that some members of council have allowed their personal zealous, to see the BRT succeed, cloud their obligation to fully represent their constituents of London, to whom they serve. The statements made by both J. Helmer, and the Mayor where disgusting. Our community had to sit there and listen to J Helmer state there was "no chance to satisfy community...there is really strong pushback against the change, it's like medium density or nothing...I listened really carefully to what everybody was saying and I did not find it persuasive, no, what is it, what is the concern that is motivating such strong opposition to the apartment building...I'm open to be persuaded but haven't heard anything so far."

J Helmer, if you truly do not know what the concern is, at this point, you have no place on this council. I do not, for a moment, believe this statement, you know exactly what the issues are, they just don't fit in with our own broader agenda, and you think that siding with TriCar will help to secure this further agenda so you are giving us Trumpisms...say whatever you want as if it is truth, when it is really self-serving and dishonest, J. Helmer...dishonest. Either way...if you were totally dumbfounded, or you allowed your larger agenda to supersede your duty to do your job fairly, with integrity expected of all our City Council...your attitude and words were not warranted, and will reflect on you in the future, should this issue need to go further.

It was further disappointing to hear the Mayor (who is leaving office momentarily) condone J Helmer's behavior by stating "...Helmer is right...22/18 storeys was okay, the London Plan says 15 storeys is okay...I accept this *unless I can hear good reasons to do other-wise, we've exhausted this process, time for a decision". You want to hear "good reasons", again, Mayor? Maureen Cassidy cohesively outlined most of the most serious issues, for you, prior to the vote, and you still didn't find it in yourself to "do otherwise"!

Maureen Cassidy, our Ward 5 representative, did an amazingly ethical job of communicating with our community and representing our information and concerns to your council...in plain and clear English. Was it not clear, to all, that the London Plan is not the enforced OP Plan, and therefore, legally, can not be considered in this vote..."we are BOUND to make our decisions based on the OP." (M Cassidy)

How unclear was it when M Cassidy explained the poor process in procedure, which facilitated frequent communication between Planning, TriCar and Western(!) from Feb-Nov, while actively shutting out any true communication with the community until near the end of Oct. (despite TriCars claims/dates) ...too little, too late. However, the community did provide an offer of compromise, to TriCar, at that short meeting: Medium Density with 50-60% bonusing, approximately a 10 storeys build-with approval of new environmental studies to support the intensification, and with further attention given to the other issues at hand (i.e. traffic, parking, greenspace, massing, shadowing...etc. TriCar came back with 15 storeys, little, to no reduction in massing/density, and no further consideration given to any other issues. But J. Helmer continued to label us, the community, as unmoving...stubborn beyond acceptance. This was unprofessional and just plain disgusting.

M. Cassidy, also outline the procedural criteria to allowing Bonusing. How hard was it to understand that Bonusing can not be given on future possible proposal. Seems like a no-brainer. TriCars \$250,000 intent to donate towards the BRT falls into this Not Qualifying criteria. The BRT is not a passed proposal. It is, in fact, on hold for review next spring, as a

number of incoming City Councillors, and Londoners are not in support of this BRT proposal. There is no guarantee that the BRT proposal will survive the further scrutiny it will receive. Therefore this \$250,000 BRT intention can not be considered for Bonusing. This is the law.

The 3 men on council, whom have voted in majority to accept this TriCar application have done so "against the official Plan in affect, against the official government environmental studies on file, and against the official Bonusing guidelines. Are you 3 above the law? No!

This application can still be refused. TriCar can be sent back to conduct themselves according to the OP, Bonusing criteria, and by truthfully working with the community (for real). We are still willing to work with TriCar to achieve a "realistic and fair compromise" for all, and, hopefully, welcome them into our beautiful neighbourhood.

The Mayor commented on getting this decision done last Tuesday, rather than looking at an appeal which may just end up with the same result, further disappointing our community. I don't believe we can be more disappointed than we are in the way we have been labeled and mistreated by some in this council/process, Mayor.

I am not convinced that an appeal outcome will necessarily be as unfair, and illegal in nature as we have experienced up to this point. We remain willing to work, in good faith, with TriCar to achieve a beautiful, safe, and profitable build on the 1.1 hectare known as 230 North Centre Road...but if this application is (illegally) passed, by this committee on November 20th, then this ordeal becomes a much more serious issue, of Council Conduct and Representation, which may have to be scrutinized, along with the decision, by a higher appointed power, than us. And, if that decision is fair, we will accept it.

In Full Sincerity,

Bejia Auger, 145 North Centre Road, London, Ontario.