

I want to respond to the decision of the Public Works Committee of June 19, 2017. I urge you to vote to, at a minimum, postpone the sale of this alley.

First, on the issue of safety:

- This laneway has had over 160 years of continuous use, up to today
- About fifteen years ago, it was narrowed to prevent car traffic, but not impede pedestrians.
- More recently, with the increase in numbers of students being driven to the local school, it has become a safe passageway for parents walking with their children from their parked cars on Victoria, to Alma, and then to the school. In 160 years, there has never been an accident involving a child in the area of this laneway.
- For comparison, there was a child hit on Sydenham Street last September.
- **The applicant** bought and renovated his house on the laneway in 2015. He then began to vandalize the laneway.
 - Spring, 2016: paved the southern half of the laneway, *twice*.
 - Mid-May, 2016: erected a fence across this public laneway, closing it to all walkers, runners, strollers, cyclists.
 - Mid-June, 2016: Fully six weeks after these acts of vandalism, he applied to purchase the laneway. The City by-law office received more than 75 complaints (we were told) about the fencing and paving of the laneway, *but did not act **because** of the applicant's move to purchase*.
- In September, 2016, after significant protest from the neighbouring community, Councillor VanderBeek announced that the fence was coming down and that the applicant would withdraw his application. But, some weeks later, we learned that the application had not been withdrawn and instead would proceed.

This laneway remains a valuable asset to the wider community. We looked at who was using the laneway on a regular basis. Users included people from the local neighbourhood and from farther away. These are all people who felt strongly enough to sign the forms which we sent to the City. Why does your definition of community not include them?

Within the designated 400-foot radius, over **80% of households** were opposed to the sale; in the wider community, over **650 residents** were opposed. There appear to be only **three** households in favour of the sale.

Bad behaviour should not be rewarded. This applicant acted as if he already owned the laneway, against your own by-laws and in contravention of the spirit of the designated Heritage District; he expected to get absolution by applying for purchase. He had previously ignored the Heritage Committee's concerns regarding the renovations of his house.

The Report of the Public Works Department states he can apply for "retroactive approval" of his actions. Is this a policy you want to have in this City?

Please respect your publicly-stated Vision, Mission and Culture statements.

- **"OUR Vision"** includes "a place...to age successfully"; seniors from the neighbourhood prefer this safer, tree-lined alley to the busy Sydenham Street, as evidenced by the number who signed the form opposing the sale.
- **"OUR Mission"** includes "to contribute to a healthy, safe, and prosperous community, in a sustainable manner". The laneway, as it has existed for 160 years, does exactly that.
- **"OUR Culture"** is "Collective Ownership, Steadfast Integrity," Maintaining public ownership of this laneway is collective ownership at its best, and doing this when the overwhelming majority of citizens in the area wish it to remain public represents integrity.

The optics here are bad. Wealthy contractor with many ties to the City (mostly the Public Works Department) uses his numbered company to buy a house abutting the public laneway; he paves and fences it off in contravention of City by-laws, then applies to the Public Works Department to buy it. The Public Works Department chooses to not enforce its by-laws because he has applied to buy it. This same Department prepares a report

acknowledging overwhelming opposition to the sale from neighbours, but recommending it be sold anyways. And then later be given *retroactive* approval for the paving.

Really?

In the face of all of this evidence: there is no rationale for selling this public land to a private individual—and especially not for a “nominal fee”! In fact, it borders on unethical. It supports, not the community in which this laneway exists, but the private desires of a well-connected contractor.

The Public Laneway was not broken. It does not need to be fixed.

Robert James