

To: Mayor Carter and the City of Oshawa Council

This letter is submitted **“WITHOUT PREJUDICE”** and serves as the basis for requesting that Oshawa City Council DISMISS the previous CO-23-12 Report, wherein it recommends the “Denial” of the requested PXO in front of the BLOOM Retirement facility, and further Deny, any and all future Reports recommending the same “Denial” for the following reasons.

Referencing the April 3rd presentation by the Delegation, the following Rebuttals are again mentioned, but first, the following comments must be presented.

Background

This retirement home was constructed on land that offered no practical purpose due to the existing sloping terrain, until the concept of using excavated material, from below grade to expand the Northeast quadrant, thus enticing the eventual owners.

This retirement complex was mentioned in several documents including the strategic, and 5 and 10 year plans as future visions for the expansion of Coldstream East to the Townline and the subsequent sub-divisions which have followed.

Why was there no input from the City's Planning, Development or Operations Services Departments, prior to the issuance of a building permit regarding the necessary PXO subsequently requested? Were the incoming residents' future situation of no importance?

Sometime between December and early in 2022, we received a telephone call from an individual identifying himself as the Facilities Director or Manager advising that **NO PXO** will be installed in front of the Bloom Residence, due to Safety and Security concerns. **THAT IS EXACTLY WHY A PXO IS NEEDED!** Furthermore, and in light of this conversation, why did it **take 5 months** to challenge the Petition in Report CO-23-12? Also, the recently installed Harmony Trail **PXO is installed at the wrong location!**

Some concern has been expressed to wit: If this Petition is approved, a precedent will be set whereby we would be flooded with similar requests throughout the city? Well, is that a bad thing? Then be pro-active and get ahead of the curve. Review potential areas.

Costs to install a lighted, interactive PXO is between \$15,000 to \$20,000.00, and would be more feasible than the liability costs, if accidents do occur. Forewarning is on the public record.

Reference the rebuttals:

- ~~1. The request to ask for DRPS input as to their safety concerns was not undertaken.~~
2. No consideration for the alternate “Bus Stop” location was considered. Furthermore, no effort was made to reach out to the DRT, who are open to collaborating with City on

assisting with the lowering of the curbs and paving the medians at the Stops. Refer to Christopher NORRIS.

3. **Common sense** dictates that **No Bloom resident** will walk, or ride East, crossover and return West, Just to access the southern side Bus Stop or gain access to the Shopping Plaza.

4. The re-positioning of the Bus Stop further West refutes the argument that the OTM's guidelines on Crosswalks would place the City at risk.

The **City of Oshawa has a "Duty of Care"** for all citizens, including the 167 residents in this facility.

Smart Centres Walkway Request

The following comments address the need for a safe, secure pedestrian walkway to gain access to the Smart Centres Shopping Plaza.

The previous submission reflected in depth as to the existing restrictions.

To date, all efforts to convince Smart Centres to cooperate with a view to the addition of a walkway, paralleling the truck entrance from Coldstream or redesigning the total entrance area, were to no avail. (Not a big enough hammer!)

We suggest the City of Oshawa has the resources, legal or other, as to the benefits for the Smart Centres Corporation to comply with this request.

Lot Maintenance By-law 27-2007 is not being enforced on Smart Centres.

Boulevard By-law 136-2006 is not being enforced on Smart Centres.

Why is the **City of Oshawa taxpayers covering the costs** for clean-up around this Smart Centres Plaza?

If curb, sidewalk or road reconstruction was necessary, which entranceways would the Delivery vehicles use?

Have the City of Oshawa Solicitors formally request a meeting with the Smart Centres CEO and Directors to discuss these matters.

Smart Centres agreed to be a good corporate citizen, (refer to the historical Zoning By-law 60-94 amendment request.

If the foregoing situation was in your Ward, what would your position be?

In closing, we request that Oshawa City Council undertake to:

1. Make a motion and pass a resolution to install the requested PXO in front of the BLOOM Residence with no further delay, and

2. Make a Motion and pass a resolution to Dismiss any and all future PXO Denials by the Operations and Services committee ,and further,
3. Make a motion and pass a resolution for the proper City Representatives to approach the Smart Centres CEO, Directors and Trustees to resolve this issue.

Respectfully and sincerely,

Robert Wayne Small Citizen and Bloom resident **(M.F.I.P.P.A. Sec. 14(1))**

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