

February 21st, 2023

City of New Westminster

Comments



**Development Variance Permit Application for 311 Ash Street**  
 Council Chamber, City Hall  
 Monday February 27, 2023 at 6:00 PM

Of note, at the onset, is the applicant's questionable motives with submitting this development variance permit application without advising any of the tenants in the building of his intent. Upon first reading, the implied intent in the rationale letter appears genuine in alluding to the stated goals of addressing climate control as per New Westminster's Seven Bold Step Program: they appear sincere and genuine. Who would not be in support of a healthier and greener planet with a zero-carbon future. I will surmise that the applicant's true motives are not so much about "shifting residents to optimize public transit over personal vehicles" as they are about profits before people with the creation of five new residential units that will be rented out at exorbitant prices in a tight housing market (rationale letter and project drawings, 2). This approach is completely dismissive of the negative impact on the lives of tenants actually living in the building as well as other residents in the neighbourhood pertaining to traffic and street parking congestion should this permit be approved.

Why does this applicant (as is usually the case) continue to engage in a non-transparent way with the tenants at 311 Ash Street? Why did the applicant not organize a town meeting in the building beforehand with tenants to discuss this permit proposal? Everything above board in an open discussion. The tenants would have been receptive to discussing their concerns with the landlord about the future of their homes and their parking spaces for cars as a primary, essential and necessary means of transportation. Instead, the applicant chooses to be deliberately deceptive. All tenants in the building were unaware of the motion a foot and caught by total surprise with this impending permit application. In fact, had it not been for the thoughtfulness and due diligence of City officials in mailing out public notices for comments, tenants residing in the building would never have known about the development variance permit application. Could it be that the applicant had hoped for little opposition with his proposal? This behaviour speaks volume about this individual's true motivation with his intentional and deliberate lack of transparency.

### History

Tenants who reside at 311 Ash Street (many are seniors and a few are in very serious failing health) have been subjected to a continuing encroachment of assaults on their living space since the applicant took ownership of the building in May, 2018.

Cedarvale Apartments at 311 Ash Street, New Westminster is a 27-unit building consisting of one-and two-bedroom apartments. The building was constructed in 1979.

This building has an underground parking gated with concrete parkade and with 35 individual parking stalls.

As indicated above, the present landlord (the applicant) purchased the building in May, 2018.

Almost immediately with the change in ownership, the resident manager was dismissed (there is no longer a resident manager residing on the premises) and notices were sent out forthwith and posted on tenant doors informing them at that time in May, 2018 that renovations would be forthcoming as soon as the City had authorized the required building permit.

Those renovations never occurred as the applicant's interest waned with the proposed renovation bylaw on the horizon, which was introduced by the City of New Westminster in February, 2019. This bylaw was challenged but upheld by the BC Court of Appeals on April 30, 2021. The tenants were safe, at least for now, but would soon face new unprecedented challenges.

The lockers came next. Tenants were advised that their lockers would be expropriated for space to build 2 new apartments. On November 29, 2018, a Decision was rendered by the Residential Tenancy Branch with regards to a dispute resolution filed by 5 tenants over this matter. Those 5 tenants were allowed to keep their lockers but all lockers belonging to other tenants not involved in the dispute resolution were confiscated. Two new apartments were built and rented out at market value.

Thus, the original number of apartments at 311 Ash Street prior to the applicant's purchase of the building in May, 2018 had been 27 apartments. This increased to 29 apartments with the addition of the 2 new apartments.

At the present, there now remains 'only 10' apartments at 311 Ash Street still designated "affordable" and non-market rental out of the original 27 apartments.

The systematic demise of affordable housing is alive and well at 311 Ash Street. Tenant lockers, and now, of recent, tenant parking space is coming under attack in a never-ending strategizing scheme to increase rental profitability. This is happening in other buildings in New Westminster as well. Pushing cars from off street parking in secured buildings to street parking is not a wise move for the City of New Westminster.

### **Rebuttal to Applicant's Rationale Letter**

It is simply not true to state residents were surveyed about their parking stalls as indicated in the rationale letter as none of the many tenants contacted stated they had been contacted. The rationale letter also goes on to state that "only 15 stalls are in use by residents and 20 stalls

remain vacant" (rationale letter, 1). This is also incorrect. As of February 20, 2023 at 8:00 pm, there were 24 parked cars and 11 vacant stalls with corresponding stall numbers noted and indicated on the submitted enclosure. Some of these 11 stalls are probably occupied as well because residents may not have been home at the time of the recording since this was a long weekend (See enclosure – list of occupied parking stalls). So, in practice, these 11 vacant stalls may and probably are even lower. A list of corresponding license plates was also recorded with the stall numbers but these have been redacted to safeguard privacy but would be available upon request.

While totally supportive and in agreement with the City of New Westminster's Seven Bold Steps for Climate Action, it is also important to understand that a large segment of the population own cars and will continue to own them and will continue to rely on them greatly in their day-to-day lives. Those cars are essential for travelling to inaccessible destinations, for employment and also for transporting supplies and groceries not always possible or manageable through rapid transit.

Cars will remain especially vital for seniors in an aging demography towards ensuring proper health care. Many seniors including individuals with mobility issues will still use their cars and rely on them exclusively. They should not have to walk a great distance to their cars parked on the street because there is now a shortage of off-street parking in their building? Cars will always remain a primary means of transportation for many residents.

The latest maneuver by the applicant is now to encroach on off-street parking space as presently exists in this secured gated underground concrete parkade at 311 Ash Street. These parking stalls were put in place in 1979 and included in the design plans at that time for a reason, which was to offer relief for tenants who reside in the building to park their cars safely off the street; to be free from vandalism; to be free from adverse weather conditions; to be accessible within the confines of the building.

An act of breaking into a parked car on 3<sup>rd</sup> Avenue (on the corner of 3<sup>rd</sup> Avenue and Ash Street) was actually directly witnessed about a year ago by this writer at 1 am through the bedroom window. By the time the police arrived, the car had been ransacked, windows smashed and the perpetrators long gone. Parking on the street is not as prudent as parking in a gated secured

parkade within a residential building; street parking is also really not a consideration if you own an expensive car.

To eliminate 14 parking spaces is to place additional pressure on tenants vying for off street parking space in the future. Some tenants have two parking stalls and some indicated that they would be purchasing a second car. To put these parking spaces 'at risk' under the premise that "public transportation is most beneficial" for tenants is silly reasoning and grandstanding at its best (rationale letter, 2).

The applicant's rationale letter also states, "Most rental tenants do not own a personal vehicle. If they had their own vehicles, they would be renting parking stalls" (rationale letter, 2). This is also simply not true. Most tenants contacted had cars and some tenants had more than one car per apartment. There were very few tenants (mostly single) who did not have a car. Also, some tenants do own vehicles and if they are not renting parking spaces, it does not mean that they will not do so in the future. They may be parking on the street because they cannot afford secured underground parking charges of \$50 per month at this time on top of their expensive rents.

Personally, I have been parking my car on Ash Street for sixteen years now and have never experienced a parking problem. All residents and car owners have been friendly and considerate. However, this may change. Eliminating off-street parking space, streets will become more crowded as the social fabric of a community and lack of parking space on the streets begins to impact a community in a deleterious way as has happened in the West End of Vancouver. Is this really desirable or even logical in this neighborhood? For the net benefit of 5 new apartments? I would say not.

What the rationale letter omits to mention is the world is transitioning at an incredible and rapid pace towards electrification. Cars, therefore, in the spirit of the City's New Westminster Seven Bold Steps for Climate Action to achieve pollution-free vehicles and carbon-free energy, are not with the cars themselves but with what kinds of cars will be in use if one chooses to have a car in the future. Equally important is where these cars will be parked when they are not in use.

The European Parliament recently voted in a Council agreement requiring that all new passenger cars and vans produce zero emissions by 2035.

On February 15<sup>th</sup>, 2023 President Joe Biden announced his administration would spend billions of dollars to expand charging infrastructure in the US to jump start the adoption of electric vehicles with 7,500 new and existing Superchargers to be in existence by late 2024.

Electric cars are coming and with it will be an incentive to use them as a more economical and carbon free mode of transportation.

If the applicant was truly concerned with climate action as stated in his rationale letter, then he would mention in his drawings, electric charging stations for present or future use. I submit that the applicant's stated rationale on page 2 has less to do with "shifting residents to optimize public transit over personal vehicles" than finding whatever scarce real estate is still left in his building to build new rental units that can be maximized at high market value.

Finally, I have some questions that remain unanswered for me in the rationale letter:

- 1) How will the tenants be compensated for enduring the daily tumultuous stress of noise, dust, traffic congestion and parking problems on 3<sup>rd</sup> Avenue and Ash Street?
- 2) Will the beautiful and majestic trees that grace the property on the south side of THIRD Avenue be impacted by eliminating or altering a beautiful landscape that presently exists? Many different species of birds live in those trees and will they disappear?
- 3) And if the landscape is uprooted, how does this fit within the City's Seven Bold Steps of working towards maintaining a robust urban forest?
- 4) Is it really necessary to further compromise the building just in order to build five new apartments, a building where the lack of hot water is a constant and recurring complaint most tenants living here alluded to because of the continuing influx of new residents?
- 5) Will the 'gated' entrance to the underground parking still be maintained? There is a serious problem with undesirable and homeless people loitering near the building and engaging in suspicious activity. One tenant stated to me that she had actually seen a woman defecating on the front lawn during one night. Building security is not even addressed in the applicant's rationale letter.

In closing it is also noteworthy to state that there is hardly any mention in the rationale letter of the tenant's well-being through this whole process. The comments and testimonials of the tenants who reside here must be taken seriously into consideration as they are the ones that reside here and will have to live with the executive decisions made by others.

To summarize, enclosed is a petition signed by 22 residents of 311 Ash Street all opposing this development variance permit.

I am a tenant at 311 Ash Street and I categorically oppose this application and hope that the City of New Westminster rejects this development variance permit application for 311 Ash Street presently under consideration.

Respectfully,

J. Rethmetakis

## Petition Against Development Variance Permit for 311 Ash Street

<b>Petition summary and background</b>	The applicant is requesting the elimination of 14 existing off-street underground secured parking at 311 Ash Street to build five new residential units at the south side of the building facing Third Avenue.		
<b>Action petitioned for</b>	We, the undersigned, are concerned citizens who reside in the building and/or in close proximity of the building and urge New Westminster City Council to reject the applicant's proposal. We, the undersigned do not want to increase additional on-street parking by eliminating already existing off-street parking in the building as well subjecting the neighborhood, especially in the 3 <sup>rd</sup> Avenue and Ash Street area, with unnecessary noise pollution, traffic congestion and parking problems.		

Printed Name	Signature	Address	Comment	Date
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*22 names and addresses received*

Basement Parkade- Cedarvale Building  
311 Ash Street , New Westminster BC V3M 5X7

**LIST OF OCCUPIED PARKING STALLS**

As of February 20, 2023 AT 8:00PM

STALL#	VEHICLE	COLOR	
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**SUMMARY:**

<b>TOTAL OCCUPIED STALLS</b>	<b>24</b>
<b>TOTAL VACANT STALLS</b>	<b>11</b>