

**To: Oshawa Safety & Facilities Services  
Committee**  
**From: Tony Trinidad et Residents of Arborwood  
Drive**

**Re: Report SF-24-16 - Harmony Creek Trail  
Extension**

April 12, 2024

**RECOMMENDATIONS & POINTS OF ORDER:**

- i) **Petition from Impacted Residents** - Members review signed petition of 90%+ of residents along impacted Arborwood Drive (**all neighbours who answered their door signed the petition**) area indicating a shared concern regarding the planned Harmony Creek Trail Extension specifically on the points of not providing adequate time for consultation, taking the minimal allotted consultation path resulting in a form letter that provide inadequate time for feedback, that this group of residents be closely consulted on continued engineering and design work specifically addressing issues related to engineering viability, soil erosion impacts due to grading, ongoing flooding concerns , privacy encroachment and security issues.
- ii) **Original TRIBUTE DEVELOPER Phase 3 Site Drawings** - Members review document showing no proposed trail on Tribute Sales documentation from 2013 sales document of Phase 3 homes and lots; further review legal T&C's that original owner residents were asked to sign indicating City of Oshawa regulations and requirements from lot purchased. These documents are void of any future trail indication. Since these documents' pre-date the Sept 2015 A.T.M.P. Oshawa document, original home owners would have no advanced knowledge of updated plans such as proposed trails. Note this is a stark contrast to final Tribute Phase developed along Irvine Scott where an actual Activity Trail was part of all home marketing and sales material.
- iii) **Trail Construction Risk on East Side of Harmony Creek** – As per Report SF-24-16 and Attachment 1 which depicts a planned trail on the east side of Harmony Creek generally following Arborwood Drive please find attached pictures showing:
  - a) High degree of flooding in area where a “limited sized” bridge is proposed to be placed
  - b) Flooding that would be situated on proposed trail caused due to resident beaver that the city in numerous occasions has tried to evict
  - c) Picture of section in northern end of trail just south of Conlin where the clearance to build a trail before it hits the year over year flooding line is 5.5M which is well under the required minimum Active Trail Standards of the city which requires 7 total linear meters
  - d) Picture of embankment and slope where a trail would need to descend , ensure accessibility and safety compliances to a level point so that the trail would not be placed on a 45 degree slope of a hill. While time still permits that the city also further investigate

and review the other alternative trail designs that were to be provided as part of the city's RFP related to this development.

- iv) **Satisfactory Compliance to “Oshawa Accessibility Design Standards”** Please consider whether the minimal consultation related to accessibility really meets the potential needs of residents especially when no actual designs were shared that depict how barriers such as steep embankments and slopes along with flooding issues would be addressed.
  
- v) **Transparency Related to the Project's June 2023 Trail RFP C2023 – 06 Part C Page 2 Design Criteria** – Note it states **“While the trail extension falls within the requirements of a Schedule A+ Municipal Class Environmental Assessment (pre-approved), recognizing the proximity of residential lots, and the proposed trail alignment within the valley lands, the City is proposing that the design process include the identification and evaluation of alternative trail alignments. While it is not proposed that a formal Schedule B Municipal Class Environmental Assessment be undertaken, it is proposed that the process be loosely followed to provide a documented and traceable decision making for the selection of a preferred trail alignment”**.

**Report SF-24-16 does not show:**

- a) the identification and evaluation of alternative trail alignments;
- b) nor does it follow loosely the requirements of a formal Schedule B Municipal Class Environmental Assessment to at least show and provide a documented and traceable decision making for the selection of the current assumed preferred trail alignment.

We request this detail be provided to satisfy not only resident concerns related to transparency but also to ensure adequate time to consider alternative trail proposals.

Respectfully, I hope that you can understand why neighboring property owners let alone other residents who would want to access a trail in a safe and secure manner would be concerned and would want full transparency, input and consultation on this overall process.

While the report begins to address some of the concerns raised above it falls short and is marred by inconsistencies on how the proposed trail will meet not only City of Oshawa mandates but as well as resident and property owner concerns.

***Therefore, I kindly request that the city address the five points above by:***

***1) Providing a project plan for the trail development and include plans for consultation and design input to ensure that owners are able to have satisfactory time to respond and be consulted.***

***2) That Council members and city staff meet with impacted residents and property owners and walk / view the concerns raised on where the current planned trail is to be constructed.***

**3) That the city direct staff to immediately provide the mandated alternative trail alignments , traceable decision making leading to current alignment and begin investigation of viability of such alignments to mitigate the risk associated with the current selected proposal.**

**4) That the committee be supportive of a future delegation related to this topic be considered as residents and city staff work to a mutually beneficial solution.**

Thank you,  
Tony Trinidad

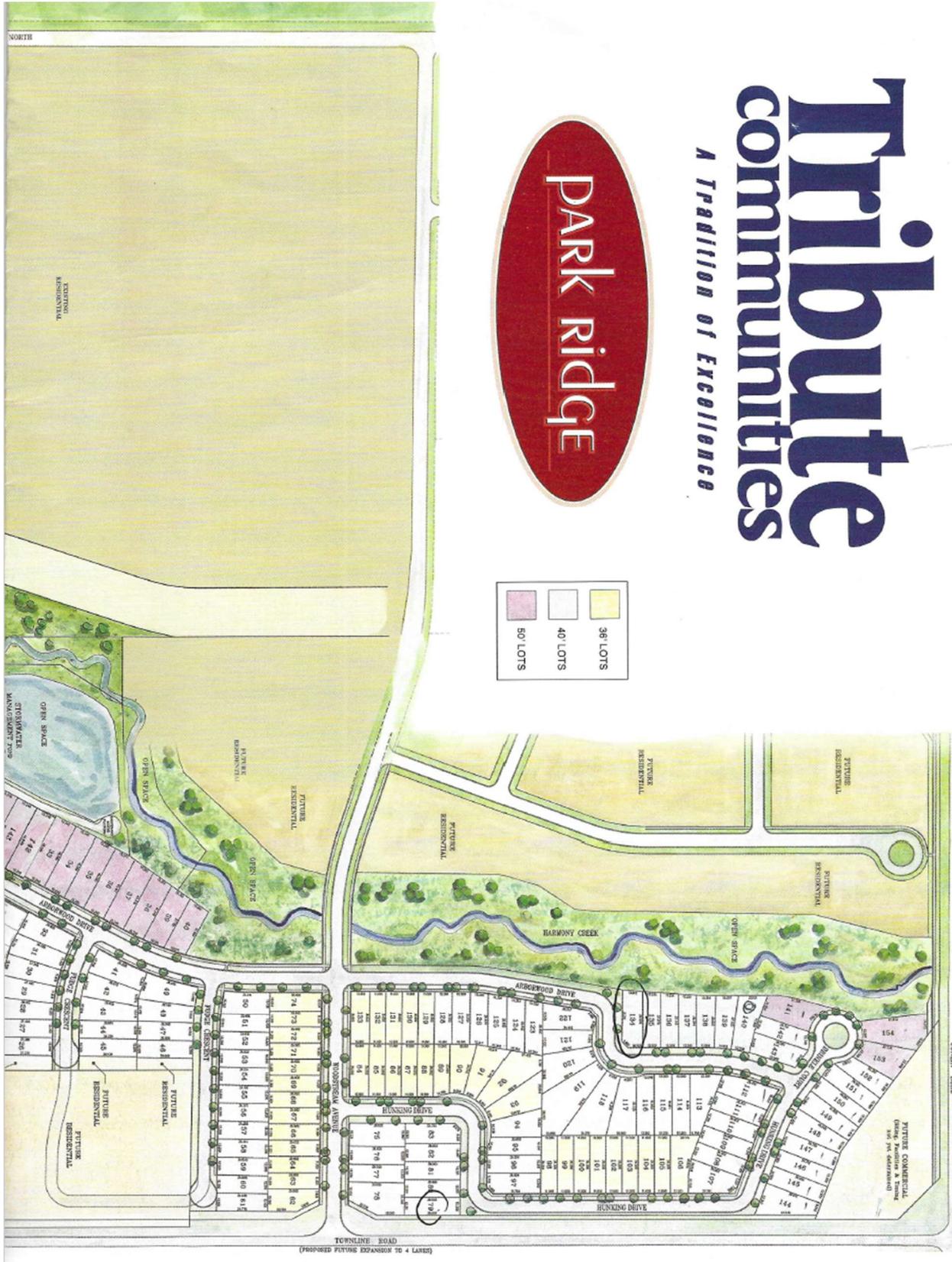
Arborwood Drive Resident



- 2) Original Owner Phase 3 Sales Documents – i) 2013 Tribute Site Document: NOTE No markings or indication of planned activity trail from 2013 / 2014 documentation



ii) Tribute Phase 3 Development Marketing Site Brochure



iii) Phase 3 Schedule Verbiage Specific to Lots – In this one example verbiage commenting on the installation of a chain link fence flanking the rear yard of certain lots with no mention of a planned trail or consideration or warning of having to build some additional privacy.

## FENCING

(p) With respect to Lots 33 to 40, 134 to 141 and 146 to 152, Purchasers are advised that a 1.5 metre chain link fence may be installed along the rear or side lot line. Lot 40 will also include a 0.9 metre chain link fence along the flankage. This fence is private and is not controlled or maintained by the City of Oshawa. The homeowner and any subsequent homeowners are responsible for the maintenance of this private fence and

Tribute (Taunton) Limited  
Phase 3

January 7, 2013

2

3

are advised that this fence must not be tampered with. All subsequent owners must obtain the City's prior approval for removal, replacement or alteration of said fences.

Selected pictures of potential issues related to current Trail Alignment proposed on east side of Harmony Creek along Arborwood Drive:

a) Picture of where bridge crossing Esterbrook park – Note large gap of land that is typically

submersed in water which would mean the requirement of a longer bridge.



b) Beaver Activity continuing causing flooding and trees cut





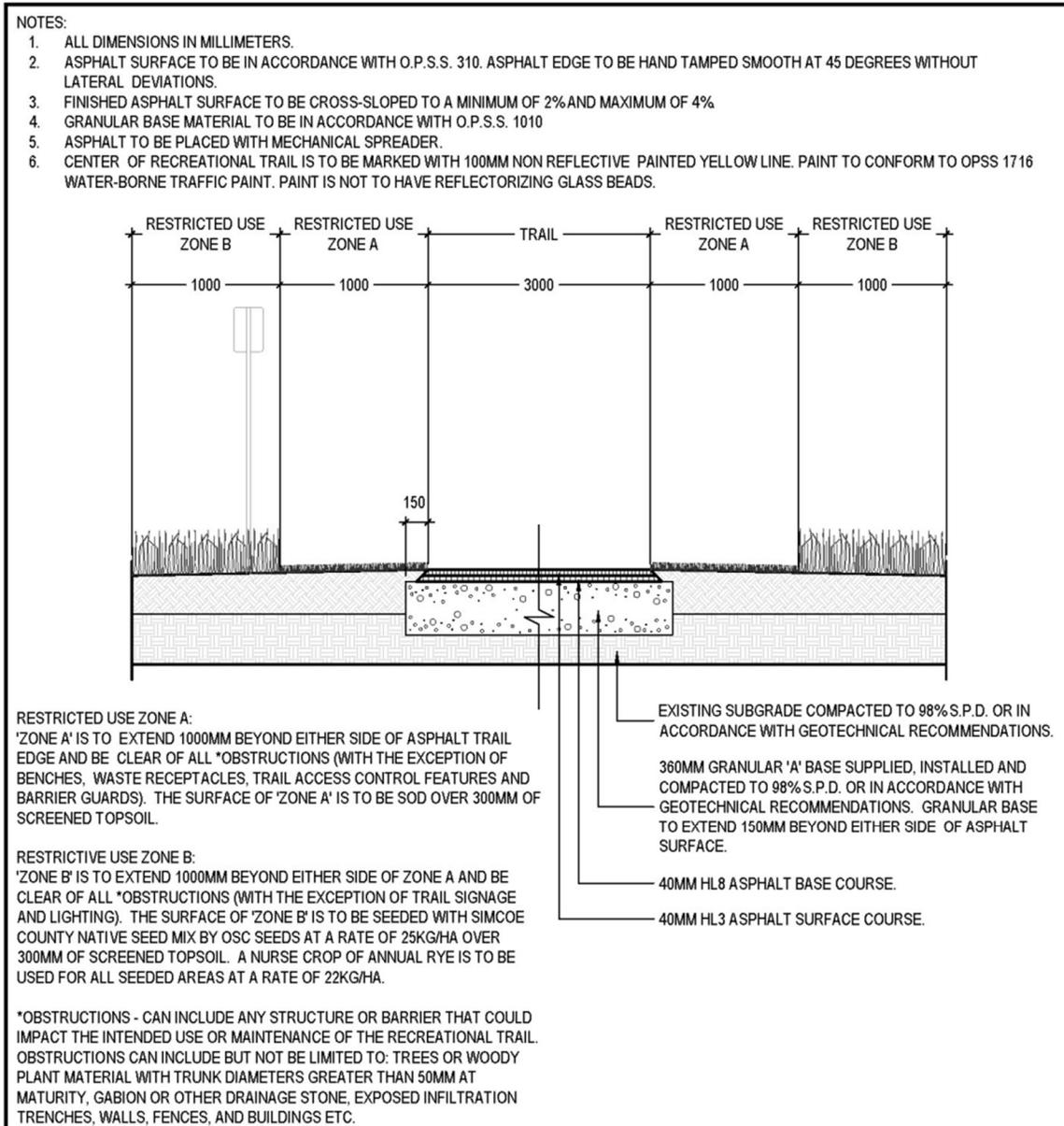
c) North end of Trail Extension where space to lay a trail drastically narrows – how does the standard Oshawa trail fit.



Please ensure it will not look like the below picture from behind Douglas Langtree that clearly does NOT meet the minimum Activity Trail Standards that the city has.



## P-101 Multi-use Recreational Trail - Detail Drawing



d) Northend of proposed trail north of Woodstream where trail would re-enter valley and ravine; the picture shows a steep 45 Degree slope of where such a trail could go; initial shared drawings in report do not capture need for retaining walls or supports for soil erosion in this regard.



