

NEWROCK DEVELOPMENTS INC.

671 Industrial Ave SE, Medicine Hat, AB. T1A 3L5 403 529 1023 www.NEWROCKHOMES.ca

November 30, 2022

City of Moose Jaw

Attn: Jim Puffalt, City Manager and City Council

Re: Creekstone Estates, 959 Bradley Street, Condominium Drainage Concerns

Hello Jim and Members of Council,

We appreciate your time (and Michelle and Bevan's time, of course) on the phone a couple weeks back to discuss the grading and concerns that were raised by the Creekstone Estates Condominium Corporation at Council on October 24, 2022. We were hoping to get this letter completed sooner but it has taken longer than expected to collect the relevant information. As discussed, we have always been very open and available to our purchasers and Condominium Boards to review any aspect of their development, regardless of the age of the project. It has been years since we last reviewed the site drainage/active sumps with the Condo Board so we were shocked to see NewRock's name splashed across the news in such a negative light.

This project was turned over to the condominium board of owners in March of 2017 and I believe that they are on their third elected Condo Board. The construction of the project was slower than usual due to a somewhat depressed market that affected our rate of sales. The sewer and water infrastructure was installed in 2013/2014, asphalt was completed in 2017.

A substantial amount of consultation and work has been done with the with previous two condo boards to help address issues related to the active sump pumps and site water. A common challenge is that owners are often divided on ideas, opinions, and how to best move forward. The first condo board had a concern of standing water in the drainage swales. We worked with them to address it. We held a community open house at our show home where all owners attended. We listened to their concerns. We presented some options to address them. And we let the owners decide which way they wanted to go. They decided on French drains in specific areas. So, under the direction of the board, we installed French drains. These proved extremely effective in removing water from the areas where water tended to pond on site. This work was done by NewRock at no charge to the owners. Overall, the owners were happy with this design and results, but some owners did not like the appearance.

The second condo board was looking at ways to address the water coming from the French drains and along the parking lot. That board wanted to install rock wells, to direct the water underground. We assisted by providing all of the requested geotechnical reports, contacts and information we could offer for the board to seek additional consultation from the geotechnical engineer. Originally, we were asked by that Board President if NewRock would be willing to contribute financially to this work, however we respectfully declined as we were not in a position to endorse this work. We understand that the owners disputed this proposed work, and the work never took place.

On April 23 this year, we understand Mr. Paxman was elected Condo Board President and, to date, Mr. Paxman has not contacted anyone from our team, about this item or anything else.

We followed all required procedures, Codes, Bylaws, etc... throughout the development of this project. We conducted a proper geotechnical evaluation of the lands which did not show any unusual or high groundwater levels at that time. We constructed the stormwater management system that was designed by a Civil Engineer. This approved design incorporated sump water discharged at grade outside the home as required by the City of Moose Jaw. Obviously, some of these active sumps are causing problems and the presentation to Council presented an unfair bleak picture of the development. Regardless, Council and staff have an obligation to research and be well informed prior to making judgement or comment.

The picture that the City of Moose Jaw painted of NewRock was unjustified, inappropriate and harmful to our reputation. Since 2012 we have maintained an excellent working relationship with the City of Moose Jaw and invested millions to help develop the community. Examples of the headlines and comments:

“City Council blames the developer for condo with standing water issues”

“There should be checks and balances to ensure sewer drains are not missed when developments are created, said Coun. Dawn Luhning. She was concerned that developers were not abiding by standards and leaving neighbourhoods without storm drain access. That doesn't help the condo board with this issue,” said Luhning. “I do think that we have to possibly try and come up with some kind of fix for them, whatever that might be.”

“The condo board should have addressed this problem with the developer during the two-year warranty period, while to expect taxpayers to address the problem now is unfair, said Coun. Heather Eby. She agreed that the board should have an engineering firm connect the units to the storm sewer system. I have sympathy with the development, but I really do think this problem ... should really fall on the shoulders of New Rock”

Not only has the “bad press” damaged our reputation, it has created some panic amongst our clients and purchasers, and of note, 2 homeowners have since tried to cancel their new home purchases. We understand that it can be hard for Council to not “feel emotion” for the presenter or the situation being presented but it is unacceptable to make uninformed and irresponsible comments on public record. We require a retraction and/or correction of the comments and that the City communicate the same to Moose Jaw Today and Discover Moose Jaw for their earliest possible publication.

Moving forward, if owners or the condo board would like our assistance or consultation, we remain open to doing so if they contact us directly. We have some suggestions on work that could be implemented that would likely solve the problem. The condo board will need to spend some money but that should not be unexpected as they operate and maintain the private development. As with any development, there is always the need for ongoing operation and maintenance expenditures.

Sincerely,



Rob Whitten,
Vice President Operations
NewRock Developments Inc
Cell 403-458-0201