

**DO YOU WANT YONGE AND YORK MILLS TO BECOME ANOTHER
YONGE AND SHEPPARD?**

SAVE THE VALLEY RIDGE

Communiqué to residents – March 2013
Yonge Ridge Homeowners' Association (YRHA)
(Incorporated 1975)

Old Yonge Street . Don Ridge Drive . York Ridge Road . Oakley Place .

This “communiqué” is to update you on the outcome of the Mediation that took place on Friday, March 1st, 2013 at the offices of the Ontario Municipal Board (OMB) regarding the proposed 12-plus storey development of the 4155 Yonge Street site by IRE-Yonge Developers.

The site is at the south east corner at Yonge Street and William Carson Crescent where there is presently a small parking lot, **but more critically, it is immediately adjacent to St. John's Church and property, its Verger's residence and less than 100 meters from other residential properties on York Ridge Road and Don Ridge Drive.**

This site is currently zoned “Commercial” and “Greenbelt”. In 1989/1990, this developer received approval to build a 6-storey office building on this site. The site was not developed.

To construct a 12-storey structure consisting of a 172-unit condominium with retail at grade and 161 underground parking spots, the developer is seeking changes in the Official Plan and Zoning By-laws for this site to allow for mixed use (Commercial and Residential). Construction would necessitate the significant removal of **more than 50%** of a mature forested and heritage designated slope area.

What is YRHA?

It is a legally formed not-for-profit association of rate-payers. The Association's objectives are to preserve and to maintain the integrity and character of the community as set forth in the Official Plan and the Zoning By-laws for the area.

There are approximately 125 households within its boundaries.

History that brings us to mediation:

The development of the 4155 Yonge Street property has renewed our commitment to save the valley and its ridge once more. Since the mid-1980s, all valley developments have respected the valley ridge. Former North York Mayor Mel Lastman's vision maintained that the height of all developments in the valley must not exceed top of ridge. YRHA has been very active in supporting this vision of Mayor Lastman.

The developer has submitted a proposal that shows no respect for the previous developments in the valley. In contrast, the recently approved development site for the TTC Head Office, at the north-west corner of York Mills Road and Yonge Street, meets the current Zoning By-laws, including a height that will come below or at ridge level.

The discussions to date with the developer have been unsuccessful and, at the direction of City Council, it forced the parties into mediation to resolve differences in an attempt to avoid proceeding to a full OMB hearing.

What has YRHA done to prepare for mediation?

The directors of the Association retained the services of Davies Howe Partners LLP, to provide legal counsel, Martin Rendl Associates, to provide planning and development expertise, and SAAR Environmental Limited, to provide environmental expertise. To date, we have paid retainers totalling \$10,450 in preparation for mediation and the possible OMB hearing.

Prior to mediation, the directors of YRHA agreed that building height, encroachment of the green space and setbacks were priority issues from the Association's perspective; building height was and remains the main concern.

What was the outcome of the mediation?

On March 1st, 2013, all parties, the developer and the 4 parties opposing this proposed development, were brought together by a mediator of the Ontario Municipal Board (OMB).

All parties tried to work out a settlement; however, the outcome was unsuccessful as the mediator could not obtain an acceptable resolution that satisfied all parties concerned.

Why is YRHA objecting to this proposed development?

YRHA remains firmly against the development as proposed. YRHA feels that we need to oppose it to save the valley and its ridge and to maintain the character of our neighbourhood, preserve our natural heritage lands and protect our property values.

For years, YRHA has supported intensification development projects that made sense to our community. Our support of the condominiums on William Carson Crescent, and the more recently built condominiums along York Mills Road, south side from Yonge Street to old Yonge Street, are examples. ALL of these projects adhered to preservation of the ridge.

The parties opposing this development have a series of concerns.

YRHA's concerns are:

1. Building height – the developer is seeking approval to erect a building that will rise 5 storeys plus penthouse, in all some 20.50 meters **above** top of ridge.

It tops the ridge at a height that exceeds that of the Church steeple. It impacts significantly on the neighbouring office buildings on Yonge Street, as well as St. John's Church, its Verger's residence and a number of homes on York Ridge Road and Don Ridge Drive.

See site elevations that brings YRHA's concerns into perspective (attached). The upper portion of the page shows the elevation of the proposed building height relative to the slope, top of ridge and St. John's Church. The lower portion shows the elevation relative to the properties immediately to the north and south of the site and St. John's Church on top of the ridge.

2. The degree of encroachment into the natural area of the ridge – a removal of over 46% of the slope and its vegetation, currently zoned “**GREENBELT**”, is despicable. This will further destabilize the slope and cause increased erosion. Construction of this proposed structure would result in the removal of at least 46% of the slope.

3. Property setbacks – the footprint of the development fails to meet several of the setback requirements of the Zoning By-laws, including no setback on the east side where a 10-meter buffer zone is mandated, and a 1-meter setback only along William Carson Crescent where a minimum of 7 meters is mandated. See footprint diagram (attached). Note the very minimal setbacks on WWC, to the southern boundary, and the significant encroachment into the natural slope.

St. John’s York Mills Church supports the above concerns.

The condominium owners on William Carson Crescent share these concerns. In addition, the owners have serious concerns that the improper setback along WCC will create traffic chaos at Yonge/WCC and congestion along WCC. The Association also shares this view.

If this development is approved many of the existing commercial buildings along Yonge Street, between York Mills and the 401, would likely be slated for redevelopment. It is entirely conceivable that within a decade this stretch of Yonge Street could be populated with buildings that are much higher than even this proposed development.

What is our present challenge?

We are heading to the OMB for resolution of the dispute on April 29th, 2013. A possible 10-day hearing is projected but hopefully less.

The ESTIMATED additional cost for this hearing, less the retainers already paid, is:

- a) Davies Howe Partners LLP, legal fees: \$44,000
- b) Planner: \$19,750
- c) Environmentalist: \$ 6,800

The total estimated cost to prepare for mediation and for a 10-day OMB hearing is \$81,000. YRHA already disbursed \$10,450 in retainer fees.

We have sufficient funds remaining in our account to allocate another \$20,000 for experts to support and defend YRHA’s interest at the OMB hearing. The challenge is how to bridge the shortfall of \$61,000.

We anticipate that the most affected homeowners will agree to each pledge \$2,000 towards this deficit. This would raise an additional \$20,000. We hope the remaining YRHA members will contribute an amount commensurate to their level of comfort such as \$1,000, \$500, \$250. In addition, we ask that all households of YRHA pay the annual membership fee for 2013 of \$50 per household as soon as possible.

We have endeavoured to retain the best professional advice in a most cost effective manner.

We have contacted the adjoining neighbourhood Rate-Payer Associations to seek additional financial support.



