

December 14 2003.
 Geoff Green,
 Yonge-Harding-Church Ratepayers' Association

Mr. Frank Scarpitti,
 Regional Councillor and member of Planning and Development Committee ,
 York Region.

Re. Proposed rezoning of South-east corner of Yonge Street and
 Harding Blvd.in Richmond Hill by The Baldex Group Ltd.

Dear Mr. Scarpitti:

Our ratepayers' association opposes the proposed application, a 14 storey , 412 unit condominium and 12 townhouse units abutting Church Street. Our association was formed back in 1991 to oppose the original application by the Baldex Group, an 11 storey, 253 unit apartment building and 24, 3 storey townhouse units, abutting Church Street. The application was unanimously rejected by the Richmond Hill Council on January 22, 1992. Our association was never and is not opposed to a development on this one hectare site. We felt at the time and still believe that any development on this site should conform to the fact that our neighbourhood has been an established one for many years. We therefore committed to negotiating a compromise with Baldex, shortly after the January 22, 1992 public meeting. After 2 Ontario Municipal Board preliminary hearings and 2 meetings with Baldex's legal representative, and representatives of Page and Steele, Baldex's architects, we arrived at a compromise on November 8, 1993, that was acceptable to the Town of Richmond Hill, the Baldex Group and our association(Appendix 1). We felt that this compromise adequately addressed some of our concerns about density and traffic. In the interests of avoiding a 3 week Ontario Municipal Board hearing we agreed to the compromise proposal submitted by Baldex, an 8 storey tower and 48 townhouse units along Church Street, for a total of 224 units.

In May of this year, Baldex resubmitted a proposal for a 15 storey tower and townhouses for a total of 424 units, an increase of more than 50 % from its original application of 277 units. This most recent proposal was unanimously rejected by Richmond Hill Town Council on June 18. At present, a 9 day Ontario Municipal Board hearing is scheduled to begin on February 9, 2004. We believe that our association bargained in good faith to arrive at a consensus agreement and that Baldex has betrayed the spirit of those negotiations by submitting a proposal after a consensus was reached. We also believe that the agreement arrived at by the developer, the ratepayers and the Town of Richmond Hill is a good example of planning. We feel that this application is inappropriate for our established community ask that you vote to support the Town of Richmond Hill's position at the OMB by voting against this application at the first meeting of the Planning and Development Committee in January, 2004.

Sincerely,



c.c. Regional Councillor Mario Ferri
 c.c. Regional Councillor Bill O'Donnell
 c.c. Regional Councillor Frank Scarpitti
 c.c. Mayor Sue Sherban
 c.c. Regional Councillor Tony Van Bynen
 c.c. Regional Councillor Danny Wheeler
 c.c. Mayor James Young
 c.c. Regional Chair Bill Fisch (ex officio)



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VIA FACSIMILE (326-5370) AND REGULAR MAIL

November 10, 1993

Ms. Diana Macri, Chief Operating
Officer and Board Secretary
Ontario Municipal Board
655 Bay Street
Suite 1500
Toronto, Ontario
M5G 1E5

File No. 38669

Dear Ms. Macri:

**Re: Ontario Municipal Board hearing
Baldex Group Limited - Town of Richmond Hill
OMB Files Nos. O 920223, Z 920040 and M 930005**

The hearing of the above-noted matter is scheduled to commence November 15, 1993. We are writing to advise that a settlement has been reached with respect to this matter between our client, Baldex Group Limited, and the Town of Richmond Hill in that a mutually acceptable development scheme has been designed, which scheme has also been agreed to by Mr. Geoff Green, a ratepayer and possible participant in the hearing. At its meeting on Monday evening this week, Town Council consented to this settlement; steps are now being taken by this office and the Town to prepare the materials necessary to give effect to the settlement. In light of these events, we write to advise that it will no longer be necessary for a panel of the Board to sit for the full three (3) weeks scheduled for the hearing of our client's appeals, in order for this matter to be finally determined.

It is anticipated that the Board panel presiding on November 15th will be presented with a draft Official Plan Amendment, draft Zoning By-law Amendment and

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preliminary site plan, all of which would reflect the "settlement scheme" and all of which would be consented to by the parties, being our client, the appellant, and the Town. Of course, we will be prepared to call prima facie evidence as to the sufficiency and appropriateness of the development as agreed to, should the presiding panel so require.

We expect that a technical review of the revised site plan may not be completed prior to November 15th given that there is little time to both prepare final, revised site plan drawings and have same reviewed by the appropriate Town staff. Accordingly, we would request that the Board set aside a day in what has been scheduled for the third week of the hearing so as to allow sufficient time for any minor technical issues to be fully addressed. We expect this would also allow time for the preparation of, the consideration by Council of, and the execution by both parties of a site plan agreement. By tying down all matters by that time, it is contemplated that the Board will have before it all that would be required for a final Order to be issued.

If you or any of the Board's staff have any questions or comments with respect to the foregoing, please do not hesitate to contact the undersigned.

Yours very truly,

AIRD & BERLIS
ORIGINAL SIGNED BY
Michael T. Garvey

Michael T. Garvey

MTG/fp

cc: Baldex Group Limited
Mr. M. Chusid, Q.C., Macaulay, Chusid & Friedman
Ms. A.T. Kowalishin, Richmond Hill Legal Department
Ms. J. Babcock, Richmond Hill Planning Department
Mr. C. MacFarlane, Region of York Legal Department
Mr. J. Tanel, Ontario Municipal Board
Ms. J. Pepino, Q.C., Aird & Berlis



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