



SOUTH ROSEDALE RATEPAYERS' ASSOCIATION

# NEWSLETTER

Winter 2009

## PRESIDENT'S MESSAGE

February is the official "middle" of Winter but at least for the moment, Spring seems a long way off as South Rosedale struggles with record snowfalls and cold temperatures. Your Association has been active on many fronts over the past few months and we are pleased to report progress on key projects such as Urban Forestry, front yard parking and development matters. In this edition of the Newsletter there is also a comprehensive review of the current Market Value Assessment situation, written by one of our newest Board members, Jon Venutti. February is also the time of year when the South Rosedale Ratepayers' Association begins its annual membership drive including dues renewal. Please consider renewing your membership and if you are not currently a member, joining Canada's oldest ratepayers' association.

*David M. Townley, C.A., President*

## ANNUAL GENERAL MEETING 2008

The South Rosedale Ratepayers' Association held an Annual and Special General Meeting on November 17, 2008. While covering all the standard AGM agenda items, this meeting had some very special features:



*Paul Bedford*

- It was held at the Toronto Lawn Tennis Club for the first time.
- A completely new Bylaw Number 1 was approved, replacing the venerable Constitution of 1931.
- The number of Directors was reduced from 15 to 12.
- Retirement of six directors and the appointment of three new directors (Jackie Allen, Mary Lamon, Jon Venutti).
- The President hosted a Member's Reception following the Meeting.

Paul Bedford, former Chief Planner for the City of Toronto graciously agreed to be the Keynote Speaker and shared his view on how South Rosedale fits into the plans and transit vision of Metrolinx.

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## WHAT'S INSIDE?

- PROPERTY TAX ASSESSMENT REVIEW
- EVERGREEN/BRICK WORKS UPDATE
- CLOSING TRAFFIC LANES ON JARVIS STREET

# IT'S TIME TO RENEW OR JOIN!

# 2009 DUES RENEWAL ENCLOSED

## EVERGREEN BRICK WORKS UPDATE

The groundbreaking event in early December 2008 for Evergreen Brick Works (the environmental community centre set to open in spring 2010), launched the beginning of significant changes at the former brick factory.

Students from local schools joined Evergreen, Jim Flaherty, Federal Minister of Finance, David Miller, Mayor of the City of Toronto, other dignitaries and guests to officially initiate the two-phase construction schedule on December 8, 2008. Neighbourhood residents can see a variety of work currently happening at the site.



The first phase, from January to March 2009, consists of site-service work to prepare the derelict buildings and surrounding grounds for more detailed construction later in the year. This includes landscaping, trenching, construction mitigation and foundation work.

Throughout construction, the Don Valley Park north of the factory complex will remain open. Evergreen and its contractors are making every effort to protect the important habitats and ecosystems housed there. Stewardship work in the park, led by Evergreen, will continue with activities such as native planting and invasive species removal.

In late January 2009, Evergreen hosted the first meeting of its new Community Advisory Committee where topics such as the Good Neighbour Policy, were addressed. The South Rosedale Ratepayers' Association (SRRA) has appointed two Board Members to the Advisory Committee.

Committee members, as well as other community stakeholders, will meet over the course of the years ahead to ensure Evergreen remains responsive to community interests and concerns during construction and beyond.

Evergreen reports that to date, the most common concerns expressed by the community about the development include light pollution, excess noise, overflow parking into neighbourhoods, over-commercialization, and increased pedestrian use in the park lands and its effect on wildlife.

Please submit any concerns to your SRRA Board of Directors.

For-up-to date information on the construction process, a Construction Journal, published on the Evergreen Brick Works website, features timely information and news. To read the journal visit: [www.evergreen.ca/rethinkspace](http://www.evergreen.ca/rethinkspace).

## CHECK US OUT ON-LINE

Visit the South Rosedale Ratepayers' Association website at [www.southrosedale.org](http://www.southrosedale.org)



## HOUSE-BEHIND-A-HOUSE

A precedent-setting situation has been facing South Rosedale for several months. The owners of 80 Crescent Road applied to the City for changes to the Official Plan ("OP") and the Zoning By-law to allow construction of a detached dwelling behind the present four-unit building (a house-behind-a-house). The City refused and the owners appealed to the Ontario Municipal Board ("OMB"). A six (6) day Hearing concluded on January 7, 2009.

It is never easy to predict what the OMB will decide but the uncertainty is intensified by the fact that the two adversaries focused on different battlegrounds. Simply, the Applicants' lawyer focused on the absence in the OP of any prohibition of a house-behind-a-house and emphasized that zoning guidelines should flow from the OP, not the reverse. The prohibition is in the present zoning by-law, which flows from the old OP. Consequently, he argued, that zoning by-law should not override the silent new OP. Of more concern is that the Applicants' lawyer argued that a house-behind-a-house is a building type found in South Rosedale and that the proposed development fits within that type. It should be seen as part of "an emerging pattern of development." He maintains.

The 'house-behind-a-house' is a scenario that the SRRA has a long-track record of opposing. This specific example is no different. For many reasons (not the least of which is the prohibition in the current zoning by-law) the SRRA argues that any existing houses-behind-houses in South Rosedale are not expressive of "an emerging pattern of development" and are, in general, renovated coach houses or existing buildings brought up to code. Not a single example could be found of a new house being built behind another.

While we cannot predict what will be the Hearing Officer's decision, we can say that members of South Rosedale were well served by our lawyer, Eileen Costello of Aird & Berlis LLP. Not only was she on top of every detail, but she displayed an impressive understanding of The South Rosedale Ratepayers' Association and is communicating that understanding at the Hearing.

*Watch this space for further updates.*

## URBAN FORESTRY UPDATE

Members who attended the 2007 Annual General Meeting will recall that the SRRA is addressing the decline in South Rosedale's forest canopy by collaborating with the City on a tree-planting campaign. The Association will soon launch an outreach program to encourage homeowners to authorize plantings by the City on boulevards and rights of way, as well as to plant more canopy trees in their own yards. To ensure new boulevard trees are properly maintained, the City requires residents' authorization for planting. To that end, SRRA Directors Don Hogarth and Jennifer Wardrop will contact homeowners whose properties were identified as part of a 'gap' in the canopy in an aerial survey. Residents are also encouraged to contact the City directly via [http://www.toronto.ca/trees/pdfs/FreeTree\\_Final.pdf](http://www.toronto.ca/trees/pdfs/FreeTree_Final.pdf) OR call (416) 338-TREE (8733). There is no charge for City-planted trees.

The Forestry Department reports that more than 80 trees have been planted since the Spring of 2008. The City has also made good progress in 2008 on pruning and stump removal — more than 250 work orders in total — to clear the way for new plantings. With so many of South Rosedale's grand old trees now reaching the ends of their natural lives, it is important to take action. Planting trees today will help to ensure that we maintain the beauty and special character of our area for generations to come.

Another group which was also highlighted at the 2007 AGM through their presentation on reforestation, is LEAF (Local Enhancement and Appreciation of Forests). LEAF's backyard tree planting program offers subsidized planting of native trees and shrubs to Toronto residents, and the SRRA has been working with LEAF to promote this service as an inexpensive and efficient means of addressing the declining tree canopy. The costs per tree range from \$80-180, and this price includes a 30 minute on-site consultation with an arborist to determine the optimal species and location, as well as a 5-8ft tree and full planting service.

LEAF offers programs to educate residents on tree care and the urban forest. The SRRA will be sponsoring a tree care seminar in South Rosedale in the Spring, shortly following the Community Clean-up weekend, to provide further information on tree care. For more information, call 416-418-3779 or LEAF at 416-413-9244 ([www.leafontario.org](http://www.leafontario.org)). We encourage you to book a visit, and plant a tree!



Elizabeth Simcoe sketched her beloved Castle Frank in 1796 from just east of the Don River.

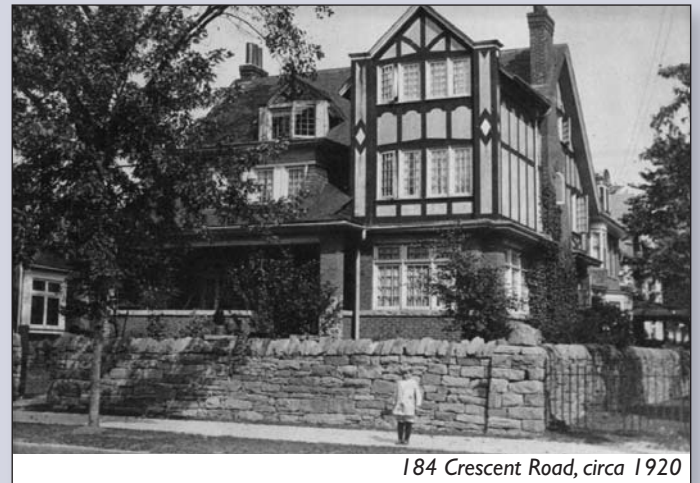
*The Canopy, as it once was*

## HERITAGE CORNER by Ellen Hand

One of the best things about the SRRA is its wealth of heritage information. While browsing the website that I realized that 184 Crescent Road has been in the same family since it was built in 1906 for Worthington T. Jull, manager of Mark Fisher & Sons, woollen importers. On a whim, I called the owner, Mr Edward Jull, who was born in the house in 1914. He graciously agreed to speak with me.

*“The Forestry Department reports that more than 80 trees have been planted since the Spring of 2008”*

Attractively situated at the corner of Crescent Road and South Drive, the house greets visitors with a wide comfortable porch. The front door and window are made of different coloured bottle glass and as with most things at #184, are original. Inside, there is a picture of the present owner shovelling snow on the front steps on January 20, 1917. Among other treasures, I was shown the original building permit, with the cost put at \$6000. There is also a paper indicating that Mr Jull's grandfather was in the first directory of Toronto telephone subscribers under “Physicians”.



184 Crescent Road, circa 1920

There are two sets of stairs to the basement. When Mr Jull was a child, a laundry woman would go to the basement to wash the clothes with boiling water and a scrub board. She would hang the clothes up and in the winter they would freeze solid. The original laundry sinks are still there.

The stove is from Moffott's Ltd — probably dated 1939. It includes a warming oven, and still works! The fireplace in the dining room has vertically placed bricks, a request from the original owner. The stone wall surrounding the house was originally square at the corner (see photo) but the City decided that a rounded corner would be safer. The wall has been knocked down four times by vehicles.

Mr. Jull tells me that South Rosedale has not changed that much. There were quite a number of rooming houses at one point, but most of these are now single family dwellings. Years ago, a street car used to travel North on Sherbourne Street, turn onto Elm, then west on South Drive to Sherbourne, passing #184. In the winter, it had a brush on the front to move the snow — roads were not cleared in those days. Mr Jull has memories of how the snow would melt above the manholes where the warm air escaped and cars would drop down when they drove over the depressions.

It is incredible to have in our midst someone whose life spans the development of our neighbourhood. Thank you, Mr Jull, for sharing your memories with us.

## CITY PLANS TO NARROW JARVIS STREET

Councillor Rae's office is leading a initiative to change the face of Jarvis Street between Bloor and Gerrard Streets. The intent is to:

- Make a more attractive residential streetscape for the Jarvis Street community
- Widen and upgrade the sidewalks to make them more accessible for people with disabilities
- Make Jarvis Street less of a north-south commuter route.

To create this residential-friendly environment several options are being considered. All options propose narrowing Jarvis Street from five to four lanes, by eliminating the reversible traffic flow lane. *The current 'preferred' model, which would include many new trees and plantings along the roadside, would eliminate all of the 875 parking spots on Jarvis Street, without the addition of bicycle lanes.* The budget estimate is at least \$7 million. The project is progressing rapidly along the City approvals path with a Traffic Study having been completed in 2005 and an Environmental Assessment completed in 2008.

The traffic study concluded that there will be no adverse impact on traffic flow and commuting times with the elimination of the existing middle lane. It also concludes that there will be no net increase in traffic in the City of Toronto or the Jarvis Street corridor in the next five years. There is no independent validation of the Traffic Study available yet.

Councillor Rae and the City Staff intend to present the proposed project for approval at the May 5, 2009 meeting of the Public Works and Infrastructure Committee.

**Both the North Rosedale Ratepayers' Association (NRRA) and the Moore Park Residents Association (MPRA) are opposed to this project on the basis of:**

- Inappropriate use of tax dollars in these challenging economic times
- Congestion and longer commute times
- The City's objectives for this project can be achieved without lane reduction

The NRRA and the MPRA are advocating for a 'test' closure of one lane on Jarvis for 2 months to mimic the 'real life' traffic implications and assess the true impact on downtown commuters.

Given the fact that many South Rosedale residents also rely on Jarvis Street to access the downtown core and the Gardiner Expressway, the SRRA supports the position of the two ratepayer groups. We will be working closely with them and the City to try to ensure that traffic lanes will not be reduced and the expenditure of tax monies will be based on sound research and appropriate public consultation.

If you are interested in helping as a volunteer contact [tim.j.costigan@gmail.com](mailto:tim.j.costigan@gmail.com) or call 416-625-5041. For further information visit: <http://www.toronto.ca/involved/projects/jarvis/>

## PROPERTY TAX ASSESSMENT by Jon Venutti

Last November, most South Rosedale homeowners received their 2008 Property Assessment Notice for the 2009 to 2012 property tax years. While many of us may have been pleased that our properties had increased in value, the timing of the Notice may have seemed ironic, in the midst of unprecedented economic turmoil.

By way of background, the Assessment Notices were issued by the Municipal Property Assessment Corporation (MPAC). MPAC is an independent, not-for-profit corporation without share capital with members from every municipality in Ontario. Its mandate is to perform the duties of an assessor under the Assessment Act (Ontario), for taxation purposes. MPAC is to prepare an assessment roll annually for each municipality in Ontario; the municipality then completes the tax roll upon which the municipality bills and collects real property tax.

Real property taxes in Ontario are based on assessed current value. Most commonly, residential property value is based upon comparable sales, adjusted by relevant criteria such as size, age, improvements and similar detail.

When real property tax reform was implemented in 1998, assessments on all properties in Ontario were updated to reflect their value as of June 30, 1996. Reassessments were conducted every few years, and for 2009, taxation will be based upon property values reassessed as of January 1, 2008.

To simplify the process, future reassessments are now to be conducted every four years, with increases in assessments also to be phased-in over four years. For instance, the increases in the assessed values between January 1, 2005 and January 1, 2008 indicated on the 2008 Property Assessment Notices are to be phased in equally over four years, for taxation years 2009 through 2012.

The challenge we now face is that the current assessments will not reflect the downward market trend that commenced as early as the summer of 2008 as a result of the global financial crisis. To the contrary, January 2008 values would have taken into account a continuation of appreciation in values unbroken since the benchmark 1996 assessments. With the next reassessment not due until 2012

[when property values may have recovered], it is possible that the current market decline will never be reflected in the assessments. This is an outcome that may have been furthest from the minds of those behind the strategy of reassessments every four years.

You will note in bold on the Assessment Notice an explanation that the Notice is not a tax bill. The Notice also includes a suggestion, also in bold, that an assessment increase does not necessarily mean an increase in taxes. Starting about now, South Rosedale residents will be receiving their interim 2009 realty tax bill from the City of Toronto. We will see for ourselves the impact of the 2008 assessment.

*"All options propose narrowing Jarvis Street from five lanes to four lanes, by eliminating the middle lane."*

*"MPAC is an independent, not-for-profit corporation without share capital composed of members which comprise every municipality in Ontario"*

## PROPERTY TAX ASSESSMENT ...Continued from page 3

The Assessment Notice also provides useful information about the amount of the assessment increase, a comparison to the average phased-in assessment change and detail of the phase-in of the assessment over the next four years. You can compare your property assessment with those of similar properties by accessing AboutMyProperty on the MPAC website at [www.mpac.ca](http://www.mpac.ca). The Notice provides you with your user identification number and your password to enable your access to the MPAC site. You may also call MPAC for the information you may feel you need to evaluate the assessment information.

If you believe that the assessment pertaining to your property is incorrect, you have two avenues of redress: you may file a Request for Reconsideration or you may appeal.

### Request for Reconsideration:

- A Request for Reconsideration is now a condition precedent to an appeal and must be received by MPAC **on or before March 31, 2009**
- Is intended to be an informal procedure by which the taxpayer's claim is considered by MPAC and must set out the basis for reconsideration
- A Request need not be in any particular form, however, a form may be downloaded from the MPAC website
- If MPAC settles a Request for Reconsideration, it must notify the clerk of the municipality who then amends the tax roll accordingly. *The municipality may object to the MPAC settlement, and may appeal to the Assessment Review Board within 90 days of receipt of the notice of the settlement.*

### Appeal:

- An appeal must be filed within 90 days after receipt of the results of the Request for Reconsideration
- An appeal by the taxpayer from the result of a Request for Reconsideration is also made to the Assessment Review Board
- In certain instances, an appeal may be made to the Ontario Court (General Division). An appeal lies from the Assessment Review Board on a question of law to the Divisional Court with the leave of that Court.

You may pursue a Request and an Appeal without the assistance of an expert, however if you are appealing, it may be advisable to retain a qualified accountant or lawyer.

### Final word of advice

Be careful about requesting a reconsideration or filing an appeal. Although an assessment may be reduced or remain unchanged, it may also be increased. And the fact that the January 2008 assessment may not accurately reflect today's market value would not appear to be a valid reason to challenge the 2008 assessment. That is something that you may want to take up with your MPP.

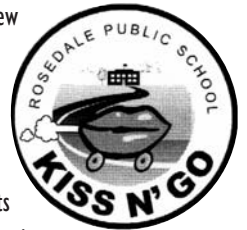
## CRESCENT ROAD CROSS-WALK

Despite parental concerns regarding high speed and inattentive drivers, Mooredale Preschool remains without a Crossing Guard. Triggered by parental complaints, Mooredale's Board and administration requested the police assign a Crossing Guard to the cross-walk on Crescent Road in front of Mooredale House during key times of the day. The police conducted a "traffic survey" and deemed a Crossing Guard was not needed, instead suggesting that pedestrian education be improved. Residents and families who use the crosswalk every day would disagree.

If you have issues with the crosswalk and drivers not heeding the flashing lights, you may email your concerns and/or request a Crossing Guard to Police Chief Bill Blair whose office determines the assignment of Crossing Guards ([Officeofthechief@torontopolice.on.ca](mailto:Officeofthechief@torontopolice.on.ca)) with a copy to Mooredale General Manager Marjorie Booth ([mbooth@mooredale.on.ca](mailto:mbooth@mooredale.on.ca)) and the SRRRA ([dtownley@ccwi.ca](mailto:dtownley@ccwi.ca)).

## KISS N' GO IN ROSEDALE

In an effort to relieve morning traffic congestion and parking violations that have plagued South Drive for years, Rosedale Public School, working with Toronto Police Services and the City of Toronto is currently piloting a new approach to student drop off.



Dubbed 'Kiss n' Go', the program has at its core the prohibition of parking in front of the School during student drop-off/pick-up times. Based on the results (impacts on traffic flow, parking violations, and pedestrian safety), the City will decide whether to change the current parking restrictions in front of the School on South Drive to **No Standing 8am to 10am, and 10 minute stopping only between 10am and 5pm, Monday through Friday**. Please check with the School or the City for more information.



Director David Moore greets member George falls at the AGM

## COUNCILLOR RAE SOFTENS ON FRONT YARD PARKING

Kyle Rae has long been known as an ardent opponent of front yard parking pads, even calling the poor enforcement of the By-laws in his Ward “appalling”. For many years, the SRRA has worked with Rae’s office to encourage the relevant City departments to monitor and enforce the by-law controlling driveway widening, which is the usual means by which illegal front yard parking pads are created. Sadly, our attempts seem to have disappeared into a bureaucratic black hole, with the City proposing a less-than-satisfactory solution to this ongoing issue. In response to a September 2006 meeting in Rae’s office, City officials agreed to investigate 27 properties that appeared to be in violation of the driveway widening by-law. In November 2008, the SRRA received an email outlining the City’s proposal, excerpted here:

*“All but two of the original 27 and over 50 percent of the total [infractions noted] were identified as having potential illegalities. The City does not have enough staff to initiate and follow through on enforcement at the number of identified properties, therefore staff have suggested that each of the properties be flagged and that investigation and enforcement be initiated if/when the property owner seeks approvals for property alteration or redevelopment by way of building permits, CofA application, or Site Plan Approval etc. This is a common approach by the city in that owners are asked to bring the property in line with current bylaws when there are proposed changes that need city approval.”*

On 13 January 2009, the SRRA Board unanimously agreed that this method of preventing and decreasing front yard parking pads is unacceptable for the following reasons:

- It is unethical and unfair to enforce By-law A only when a household applies for relief from By-law B. For example, if you ask for a variance on a third floor gable, you could lose your illegal front yard parking pad. Don’t ask for the gable and you can keep the illegal parking pad!
- Households that do not foresee seeking approvals for other property alterations could install front yard parking pads without fear of bylaw enforcement
- The bylaw would be enforced very unevenly. It could take decades for existing illegal front yard pads to be removed.

Note that the SRRA Board has agreed to challenge this proposed system and attempt to work out a solution that takes in to consideration City Staff enforcement limitations while beginning to eliminate illegal front yard parking pads in South Rosedale. The Directors welcome comments and suggestions on front yard parking by post or email.



## ANNUAL GENERAL MEETING 2008

...Continued from page 1

In April 2004, Mr. Bedford retired from the City of Toronto as Chief Planner after 31 years of public service. He remains passionate about the City and is dedicated to city life, continuing to be active in shaping new urban policy issues at all levels of government. Most importantly for residents of South Rosedale, he is one of the few non-politician appointees to the Board of Metrolinx.

What links South Rosedale to the big picture and the proposed \$50 billion Metrolinx Transportation Plan? Vastly improved public transit in both the City and the GTA is essential as the area grows to a population of 10 million over the next 25 years. This extends to improved subway service, new streetcar lines and all day GO train service; each of which is included in the Metrolinx vision. The Province of Ontario has committed \$11.5 billion to initiate the project, but robust public dialogue is required to clarify the vision, agree on priorities and review the controversial funding options to capitalize Metrolinx beyond the provincial contribution.

The South Rosedale community can play an important leadership role in shaping the GTA’s transportation strategy, while also achieving its local vision of both a vibrant and successful Yonge Street and an appropriately utilized Don Valley corridor. For more information visit [www.metrolinx.com](http://www.metrolinx.com)

## WHATEVER HAPPENED TO?

### Ramsden Farmers’ Market

After three meetings including representatives from an Ontario farmers’ market group, City staff, Yonge Street condominium residents, representatives of the Avenue Bay Cottingham Residents’ Association, and the SRRA, a decision was made that a Farmers’ Market is not feasible in Ramsden Park at this time.

While there was plenty of goodwill and only a few issues on which consensus could not be reached, the crucial problem was scheduling. The farmers could attend only on Friday mornings and the necessary space at the Works Yard on Pears Avenue was not available until after 3.00pm on Fridays.

So, for the moment at least, there will be no Farmers’ Market at Ramsden Park.

## SOUTH ROSEDALE RATEPAYERS’ ASSOCIATION BOARD OF DIRECTORS

David Townley  
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