

Residential Demolition Application – 1839 Bayview Avenue

Date: January 5, 2024
To: North York Community Council
From: Director and Deputy Chief Building Official, Toronto Building
Wards: Ward 15 (Don Valley West)

SUMMARY

This staff report is about a matter for which the North York Community Council has delegated authority to make a final decision.

In accordance with Section 33 of the Planning Act and the City of Toronto Municipal Code, Ch. 363, Article 6 "Demolition Control," the application for the demolition of an existing detached house at 1839 Bayview Avenue (application no. 23-235309 DEM 00 DM) is being referred to the North York Community Council for consideration to refuse or grant the application, including any conditions, if any, to be attached to the permit application because a building permit application has not been submitted for a replacement building.

RECOMMENDATIONS

The Director and Deputy Chief Building Official, Toronto Building, North York District recommends that North York Community Council:

1. Refuse the application to demolish the vacant detached house at 1839 Bayview Avenue because there is no permit application to replace the building on the site; or,
2. Approve the application to demolish the vacant detached house at 1839 Bayview Avenue without any conditions; or
3. Approve the application to demolish the vacant detached house at 1839 Bayview Avenue with the following conditions:

- A. That a construction fence be erected in accordance with the provisions of the Municipal Code, Chapter 363, Article 7, if deemed appropriate by the Chief Building Official;
- B. That all debris and rubble be removed immediately after demolition;
- C. That sod be laid on the site and be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 629-10, paragraph B and 629-11; and
- D. That any holes on the property are backfilled with clean fill.

FINANCIAL IMPACT

Future property tax may change due to a change in the property's classification.

DECISION HISTORY

There is no decision history for this property.

COMMENTS

On December 13th, 2023, Toronto Building received an application to demolish an existing detached house at 1839 Bayview Avenue.

A rezoning application was previously submitted (application no. 21-235309 NNY 15 OZ) and was subsequently appealed to the OLT and has been approved. A site plan application was also previously submitted (application no. 21-250187 NNY 15 SA). A replacement building permit application has not been made.

The property at 1839 Bayview Avenue, in conjunction with the lands known as 1837 Bayview Avenue, 1841 Bayview Avenue, 1843 Bayview Avenue & 1845 Bayview Avenue, is intended to be developed as a 22 storey (plus mechanical penthouse) mixed use building.

In a letter dated January 2nd, 2024, the owners of the property, Eastons Group – Gupta Group, stated that a replacement building permit will be provided in the future, as the site plan application matters are still on going. They indicate that the site plan application matters are continuing to be addressed and worked towards finalization, with Ontario Land Tribunal dates secured for January 31, 2024 – February 2, 2024.

The application for the demolition of the detached house has been circulated to Urban Forestry and the Ward Councillor. The building is neither listed nor designated under the Ontario Heritage Act. Heritage Preservation Services have also confirmed that the property is not on any potential list.

The land is not within a Toronto and Region Conservation Authority regulated area.

CONTACT

Alex Shemilt
Manager, Plan Review
Toronto Building, North York District
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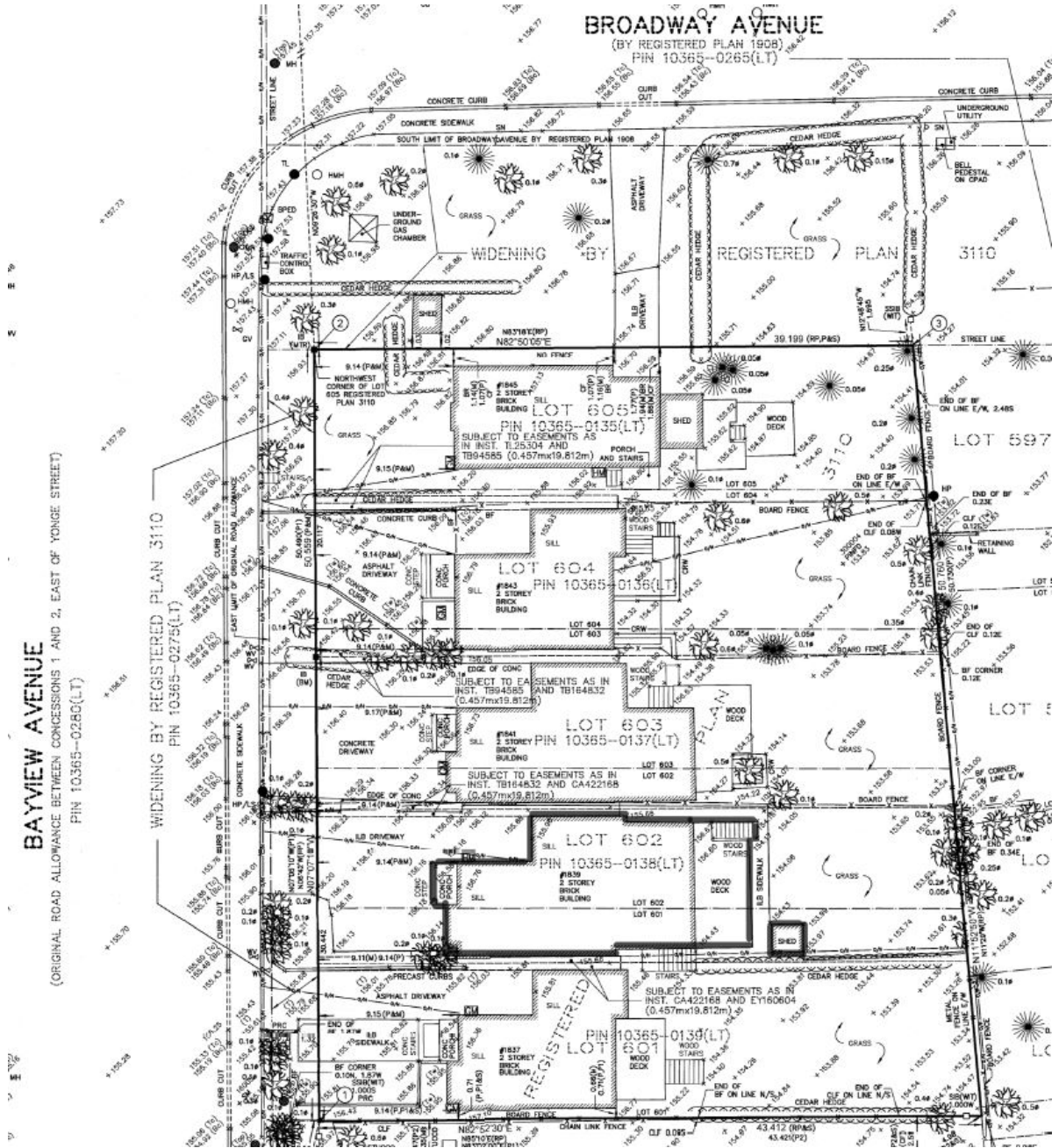
SIGNATURE

Nick Samonas
Director & Deputy Chief Building Official
Toronto Building, North York District

ATTACHMENTS

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1. Survey



2. Letter from Owner – Page 1 of 2



EASTON'S GROUP OF HOTELS
A STEVE GUPTA COMPANY

January 02nd, 2024

DELIVERED ELECTRONICALLY BY E-MAIL

Alex Shemlit – Manager, Plan Review
Toronto Building, North York District
North York Civic Centre
5100 Yonge Street, First Floor
Toronto, ON, M2N 5V7

Dear Alex Shemlit,

RE: Demolition Permit Application
1839 Bayview Avenue, City of Toronto
Bayview Broadway Developments Inc.
ZBA Application No.: 21 233980 NNY 15 OZ
SPA Application No.: 21 250187 NNY 15 SA

We are the Owners of the lands located on the southeast corner of Bayview Avenue and Broadway Avenue, municipally recognized as 1839 Bayview Avenue, in the City of Toronto (the "subject lands").

On November 4th, 2021, Bayview Broadway Developments Inc. submitted a Zoning By-law Amendment application and on December 17, 2021, Bayview Broadway Developments Inc. submitted a Site Plan Approval application.

City Council at its meeting conducted on July 19 and 20, 2023 accepted the without prejudice offer to settle dated July 4, 2023 set out in Confidential Appendices A and B to the report (July 4, 2023) from the City Solicitor (the "Settlement Offer"), and City Council directed the City Solicitor to attend at the Ontario Land Tribunal in support of the settlement. CC8.9 in the July 19, 2023 City Council Agenda noted that the City Solicitor required further direction, and given the imminent procedural filing dates, the matter was urgent and could not be deferred.

The Ontario Land Tribunal hearing was conducted on October 30, 2023. The Tribunal ordered that the appeal pursuant to s. 34(11) of the Planning Act is allowed in part and By-law No. 569-2013 of the City of Toronto is to be amended as set out in Attachment 1 of the Order. The Zoning By-law Amendment has been granted and approved, with a By-law number to be assigned by the Municipal Clerk. Appended to this covering letter is the amendment from the OLT memorandum.

The Site Plan application matters are continuing to be addressed and worked towards finalization, with Ontario Land Tribunal dates secured for January 31, 2024 – February 2, 2024.

Demolition will also facilitate Geothermal investigations to occur for the proposed development.

1839 Bayview Avenue is a two-storey single-family detached dwelling with one dwelling unit. A replacement will be provided in the future, as the site plan application matters are still ongoing. 1837-

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EASTON'S GROUP OF HOTELS
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1845 is to be replaced with a twenty-two (22) storey + mph mixed use building. This development will have 2 studio units, 137 one-bedroom units, 82 two-bedroom units, and 38 three-bedroom units, for a total of 259 units. There will be 17,096 residential gross floor area and 263 retail gross floor area.

We would appreciate if you would circulate this resubmission at your earliest opportunity and we look forward to receiving your comments. If you have any questions or require additional information, please do not hesitate to contact the undersigned.

Yours truly,

Satjit Lail
Development Coordinator
Easton's Group/Gupta Gorup

cc: Bayview Broadway Developments Inc.

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