

Residential Demolition Applications – 1837-1845 Bayview Avenue

Date: March 12, 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 applications for the demolition of the existing detached houses at 1837 Bayview Avenue (application no. 23-235296 DEM 00 DM), 1839 Bayview Avenue (application no. 23-235309 DEM 00 DM), 1841 Bayview Avenue (application no. 23-235314 DEM 00 DM), 1843 Bayview Avenue (application no. 23-235318 DEM 00 DM) and 1845 Bayview Avenue (application no. 23-235319 DEM 00 DM) are 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 applications to demolish the detached houses at 1837, 1839, 1841, 1843 and 1845 Bayview Avenue because there is no permit application to replace the building on the site; or,
2. Approve the applications to demolish the detached houses at 1837, 1839, 1841, 1843 and 1845 Bayview Avenue without any conditions; or

3. Approve the applications to demolish the detached houses at 1837, 1839, 1841, 1843 and 1845 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

On January 24th, 2024, North York Community Council:

- Refused the application to demolish the detached house at 1837 Bayview Avenue because there is no permit application to replace the building on the site <https://secure.toronto.ca/council/agenda-item.do?item=2024.NY10.9>
- Refused the application to demolish the detached house at 1839 Bayview Avenue because there is no permit application to replace the building on the site <https://secure.toronto.ca/council/agenda-item.do?item=2024.NY10.10>
- Refused the application to demolish the detached house at 1841 Bayview Avenue because there is no permit application to replace the building on the site <https://secure.toronto.ca/council/agenda-item.do?item=2024.NY10.11>
- Refused the application to demolish the detached house at 1843 Bayview Avenue because there is no permit application to replace the building on the site <https://secure.toronto.ca/council/agenda-item.do?item=2024.NY10.12>

- Refused the application to demolish the detached house at 1845 Bayview Avenue because there is no permit application to replace the building on the site <https://secure.toronto.ca/council/agenda-item.do?item=2024.NY10.13>

COMMENTS

On December 13th, 2023, Toronto Building received applications to demolish existing detached houses at 1837, 1839, 1841, 1843 and 1845 Bayview Avenue.

A rezoning application was previously submitted (application no. 21-233980 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) and a NOAC was issued on January 26th, 2024. A replacement building permit application has not been made.

The properties at 1837, 1839, 1841, 1843 and 1845 Bayview Avenue, are intended to be developed as a 22 storey (plus mechanical penthouse) mixed use building.

In a letter dated February 9th, 2024, the owners of the property, Easton's Group – Gupta Group, state that the demolition permits for 1837-1845 Bayview Avenue are required to undertake a feasibility study to determine if a geothermal system will be able to meet maximum load requirements of the proposed new building to acceptable standards. The letter advises that the City of Toronto Environment and Climate Division encourages new developments to consider low-carbon energy systems, such as geo-exchange, to reduce the amount of carbon needed to heat and cool buildings which support achieving the City's climate action goals.

Easton's Group – Gupta Group has indicated that if the required geothermal feasibility study can not be undertaken in a timely manner in advance of detailed design the proposed development and associated design would proceed with conventional heating and cooling systems. The owner's have also provided a letter from Subterra Renewables, the Geothermal provider, which indicates a site with no obstructions is required to accommodate the drill rig and supporting equipment to complete the test hole drilling.

The application for the demolition of the detached houses 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
Tel: (416) 395-0464, E-mail: Alex.Shemilt@toronto.ca

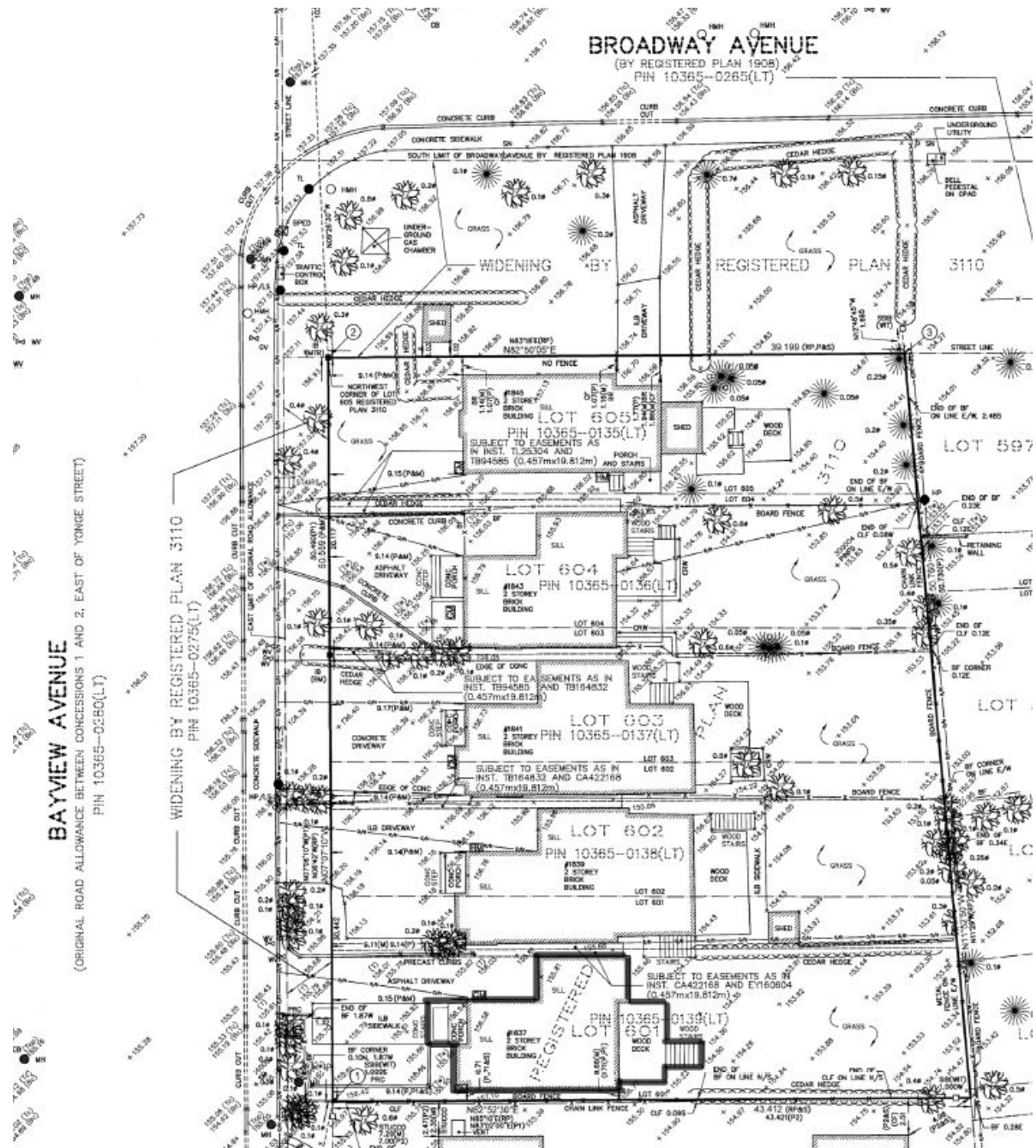
SIGNATURE

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

ATTACHMENTS

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4. Letter from Geothermal Provider, Subterra Renewables

1. Survey



2. Letter from Owner – Page 1 of 2



February 9th, 2024

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

Dear Alex Shemilt,

RE: Demolition Permit Applications
1837-1845 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, 1837-1845 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 an offer to settle dated July 4, 2023, and City Council directed the City Solicitor to attend at the Ontario Land Tribunal in support of the settlement.

The Ontario Land Tribunal settlement hearing was conducted on October 30, 2023, where the site-specific zoning by-law was approved, and By-law No. 569-2013 of the City of Toronto amended to permit the proposed development. Further on January 26th, 2024, a Site Plan Approval NOAC was issued for the proposed development

1837-1845 Bayview Avenue are two-storey single-family detached dwellings that are all vacant, except 1841 Bayview Avenue. The proposed approved development at 1837-1845 is to be a twenty-two (22) storey mixed use building. This development will consist of a mix of one-bedroom, two-bedroom, and three-bedroom units, with a of 259 units. There will be 17,096 residential gross floor area and 263 retail gross floor area.

Demolition permits for 1837-1845 Bayview Avenue are required to undertake a feasibility study to determine if a geothermal system will be able to meet maximum load requirements of the proposed new building to acceptable standards. Larger geothermal systems for large buildings require a feasibility study, and to undertake this study access to the entire site is required for the installation of complete geothermal boreholes to confirm the viability of geothermal heating and cooling when evaluated against various building performance metrics.

Gateway Centre 3100 Steeles Avenue East, Suite 601 Markham, Ontario L3R 8T3
Phone: (905) 940-9409 Fax: (905) 940- 9412 Website: www.eastonsgroup.com

3. Letter from Owner – Page 2 of 2



EASTON'S GROUP OF HOTELS
A STEVE GUPTA COMPANY

The City of Toronto Environment and Climate Division support and encourage including a geo-exchange system within proposed developments. Environment and Climate Division encourages new developments to consider low-carbon energy systems, such as geo-exchange, to reduce the amount of carbon needed to heat and cool buildings which support achieving the City's climate action goals. The Environment and Climate Division mandate and strategic plan is guided by key objectives which include energy conservation and reducing emissions thorough supporting and encouraging projects that promote sustainable development and the green economy, delivering tools and resources to engage stakeholders in adopting sustainable lifestyles and business practices.

Subterra Renewables, the Geothermal provider, notes that to complete test hole drilling, a site with no obstructions is required to accommodate the drill rig and supporting equipment. When sites have buildings or other structures on site requiring demolition, they need to be removed expediently to ensure timely completion of the test hole program. For the site at 1837-1845 Bayview Avenue the approval of the demolition permits is a critical milestone to ensure smooth execution of the test hole program. Subterra Renewable's letter has been appended to this covering letter with additional supporting information.

If the required geothermal feasibility study can not be undertaken in a timely manner in advance of detailed design the proposed development and associated design would proceed with conventional heating and cooling systems.

We would appreciate if you would have these demolition permit applications re-considered as soon as possible. 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 Group

cc: Bayview Broadway Developments Inc.

Gateway Centre 3100 Steeles Avenue East, Suite 601 Markham, Ontario L3R 8T3
Phone: (905) 940-9409 Fax: (905) 940- 9412 Website: www.eastonsgroup.com

4. Letter from Geothermal Provider, Subterra Renewables



ATTN:

Mario Angelucci

Bayview Broadway Development Inc.

RE: Test hole criticality for geo-exchange system design at 1837-1845 Bayview Avenue

Dear Mr. Angelucci,

As Toronto moves towards necessitating sustainable building design practices to reduce emissions, the use of geo-exchange systems is a cornerstone of achieving the energy and carbon reduction targets set out by both the Toronto Green Standard and latest best engineering practices. Geo-exchange systems are a sustainable alternative to conventional building heating & cooling systems, requiring zero natural gas and significantly less electricity. To properly design and construct the geo-exchange system, completion of a test hole drilling program is essential. The test hole serves two critical functions:

The first is to understand the exact lithology of the site from grade to total depth. Geo-exchange fields extend several hundred feet underground, so routine geotechnical reports are insufficient. By understanding the lithology, drilling tools and techniques can be optimized to ensure efficient production drilling.

The second function is that test hole drilling allows for the ground thermal conductivity, diffusivity, and temperature to be measured. These are critical parameters needed to design the geo-exchange system, as they determine how much heating and cooling the field will be able to provide. The system capacity directly impacts the building mechanical system design as well as several other complimentary systems. Without these measurements, a significant portion of engineering design cannot accurately progress.

To complete test hole drilling, a site with no obstructions is required to accommodate the drill rig and supporting equipment. When sites have buildings or other structures on site requiring demolition, they need to be removed expediently to ensure timely completion of the test hole program for the reasons outlined above. The site at 1837-1845 Bayview Avenue presently has such obstructions, therefore the approval of a demolition permit for the site is a critical milestone to ensure smooth execution of the test hole program.

Sincerely,

A handwritten signature in black ink that reads "Scott Jones".

Scott Jones
SVP, Construction & Development
Subterra Renewables



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