

Property Included on the City's Heritage Register - Consideration of Objection for 1771 Bayview Avenue and 36 Green Valley Road

Date: August 25, 2025

To: Planning and Housing Committee

From: Chief Planner and Executive Director, City Planning

Wards: 15 - Don Valley West

SUMMARY

This report responds to notices of objection received by the City of Toronto under Section 27(7) of the Ontario Heritage Act (the "OHA") from property owners objecting to the inclusion of their properties on the City's Heritage Register.

In the second and third quarter of 2025, the City received a notice from each of two property owners objecting to the inclusion of their properties on the Heritage Register for the following addresses:

- 1771 Bayview Avenue
- 36 Green Valley Road

On December 18, 2024, City Council adopted Item 2024.NY19.12 which included a grouping of similar and related properties at 1747, 1751, 1759, 1763, 1767, 1771, 1773, and 1775 Bayview Avenue on the City's Heritage Register. Located on the east side of Bayview Avenue between Eglinton Avenue East and Parkhurst Boulevard, in the Leaside-Bennington neighbourhood, the property at 1771 Bayview Avenue contains a two-storey, brick and stone clad, residential apartment building constructed in the mid-1930s.

On June 25, 2025, City Council adopted Item 2025.NY24.9 which included the property at 36 Green Valley Road on the City's Heritage Register. Located in the Bridle Path-Sunnybrook-York Mills neighbourhood on the east side of Green Valley Road where it terminates at the northern boundary of the Rosedale Golf Club, the property at 36 Green Valley contains a one-storey detached, Mid-Century Modern house-form building.

The OHA establishes a process whereby owners can object to a property's listing on the Heritage Register and, should they do so, a subsequent decision on the listing must be made by the municipality. Owners can object to listings at any time

Chapter 103 of the Toronto Municipal Code sets out the process for Council consideration of objections to properties included on the Heritage Register. City Council must be made aware of such objections on a routine basis so that they may consider the matter and render a final decision. Once Council has decided on the objection, the OHA requires that the owner of the property must be notified of Council's decision within 90 days. Council's decision on objections to listing is final and is not subject to appeal.

Following a review of the objections to listing submitted for 1771 Bayview Avenue and 36 Green Valley Road, staff are of the opinion that the subject properties hold cultural heritage value. Staff recommend that Council continue to include these properties on the Heritage Register.

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning recommends that:

1. In consideration of the objection made under subsection 27(7) of the Ontario Heritage Act, City Council continue to include the property at 1771 Bayview Avenue on the City of Toronto's Heritage Register.
2. In consideration of the objection made under subsection 27(7) of the Ontario Heritage Act, City Council continue to include the property at 36 Green Valley Road on the City of Toronto's Heritage Register.

FINANCIAL IMPACT

City Planning confirms there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

DECISION HISTORY

On July 16, 2021, City Council adopted By-law 670-2021 amending the City of Toronto Municipal Code Chapter 103, Heritage, in response to the More Homes, More Choice Act and in part established the process the City would follow when responding to owner's notices of objection under Section 27 (7) of the OHA.

<https://www.toronto.ca/legdocs/bylaws/2021/law0670.pdf>

On March 29, 2023, City Council adopted By-law 288-2023 amending the City of Toronto Municipal Code Chapter 103, Heritage, in response to the More Homes Built Faster Act and amended the process the City follows when responding to owner's notices of objection under Section 27 (7) of the OHA.

<https://www.toronto.ca/legdocs/bylaws/2023/law0288.pdf>

1771 Bayview Avenue

On July 23, 2018, City Council adopted the Midtown in Focus: Final Report, which includes Official Plan Amendment 405 known as the Yonge-Eglinton Secondary Plan. Map 21-10 in the Secondary Plan identified 1747 to 1785 Bayview Avenue as properties with potential cultural heritage value. Item – 2018.PG31.7

[Agenda Item History - 2018.pg31.7](#)

On March 20, 2024, City Council adopted a Request for Direction report for Official Plan Amendment, Zoning By-law Amendment and Site Plan Control Applications for 1779 – 1787 Bayview Avenue. City Council consented to the incorporation of the front façade of the designated property at 1783 – 1785 Bayview Avenue into the southwest corner of the new proposed residential development. Additionally, City Council directed the Senior Manager, Heritage Planning, to prioritize the research and evaluation of the heritage potential properties south of 1779 -1787 Bayview Avenue, to and including 1747 – 1749 Bayview Avenue, for inclusion on the City's Heritage Register no later than November 2024. [Agenda Item History - 2024.CC16.7](#)

On December 18, 2024, City Council adopted NY19.12 and included the property at 1771 Bayview Avenue on the City's Heritage Register.

[Agenda Item History - 2024.NY19.12](#)

36 Green Valley Road

On June 25, 2025, City Council adopted the staff report NY24.9 that included the property at 36 Green Valley Road on the City's Heritage Register.

[Agenda Item History - 2025.NY24.9](#)

BACKGROUND

Ontario Heritage Act

The Ontario Heritage Act is the key provincial legislation, among other matters, for the identification, protection, management, and wise use of cultural heritage resources, including archaeology in Ontario and within municipal boundaries. This is largely achieved through listing on the Heritage Register, designation of individual properties under Part IV of the OHA, or designation of districts under Part V of the OHA. Section 27 of the OHA gives municipalities the authority to maintain and add to a publicly accessible Heritage Register. The Heritage Register includes individual heritage

properties that have been designated under Part IV, Section 29 of the OHA and properties in a heritage conservation district designated under Part V, Section 41 of the OHA. Under the OHA, Council can include properties on the Heritage Register that have not been designated but are believed to be of "cultural heritage value or interest" and meet one or more of the criteria prescribed under O. Reg 9/06.

The OHA establishes a process to object to properties listed on the Heritage Register and a subsequent decision of the City in consideration of an objection received by an owner with respect to a listed property at any time.

Non-designated listed properties do not have any protection under the Ontario Heritage Act, except insofar as an owner must give Council at least 60 days' notice of their intention to demolish or remove a structure on the property. This notice provides the City time to conduct further research and evaluation of a listed property to determine if it merits designation under the OHA, and therefore warrants conservation, or if the property does not merit listing, and may not be required to be conserved and may be demolished.

Listing a property does not necessarily mean that it will be subsequently designated. Where a property is designated, the OHA requires owners to seek heritage approval for alterations or demolition. Designation arises in typically common scenarios, such as:

- a property owner gives notice of an intention to demolish the listed building and further evaluation recommends designation
- a listed property is included within a planning application and a Heritage Impact Assessment (HIA) submitted confirms the property contains cultural heritage value or interest in accordance with provincial criteria and proposes a subsequent evaluation to direct appropriate conservation measures within the planning approvals process
- a property is not listed on the Heritage Register, but is identified through a planning application as a potential cultural heritage resource that requires further evaluation to determine whether it meets two or more criteria under O. Reg 9/06
- a property owner wishes to take advantage of one of the city's heritage incentive programs and requests further staff evaluation and designation, as appropriate

Statements of Objection under the Ontario Heritage Act

Section 27(8) of the OHA requires that Council consider and decide on notices of objection received from property owners under subsection 27(7) of the OHA. As of January 1, 2023, this requirement applies to all properties that are included on the Heritage Register.

Should the City Clerk receive an objection under subsection 27(7) of the OHA, Chapter 103-7.3 of the City of Toronto Municipal Code describes the process by which Council

will respond. If in the opinion of the Chief Planner there is sufficient time to prepare a report, the Chief Planner will prepare a report to the Planning and Housing Committee on consideration of any objections received for recommendations to Council, on a quarterly basis. Subsection 27(8) of the OHA requires that once Council has decided on an objection the City shall provide notice of the decision to the property owner within 90 days.

COMMENTS

The OHA requires that owners seeking to object under Subsection 27(7) of the OHA must serve a notice of objection on the clerk of the municipality setting out the reasons for the objection and all relevant facts. Staff have reviewed each notice of objection served by each property's owner, along with any other submission materials with relevant information, and provide the following comments.

1771 Bayview Avenue

Staff are of the opinion that the notice of objection for 1771 Bayview Avenue contains no information with bearing on the identification of the cultural heritage value of the listed property under O. Reg 9/06.

The subject property at 1771 Bayview Avenue is within the Leaside-Bennington neighbourhood and was identified through the Eglinton-Yonge Secondary Plan as having potential cultural heritage value. At its meeting on March 20, 2024, City Council directed the Senior Manager, Heritage Planning, to prioritize the research and evaluation of the heritage potential properties including 1747 – 1749 Bayview Avenue for inclusion on the City's Heritage Register. Staff conducted further evaluation and a recommendation for inclusion on the City's Heritage Register was adopted by Council on December 18, 2024.

The owner has submitted an objection (included as Attachment 2 to this report) on the following grounds:

- The inclusion of 1771 Bayview Avenue reduces the value of the land, which lies in its development potential. The owner has planned to sell it for redevelopment, and given its location, believes that redevelopment should take place to provide more housing.
- The property requires significant investment to be made liveable for future generations. A "heritage designation" forces the owner to make those investments, which they do not have the financial resources to support, to keep up their property for the benefit of others.
- It is not fair or equitable that the owners of the properties from 1747-1749 Bayview Avenue, especially those who are single women, have to pay to upkeep these buildings for the enjoyment of others. Through the objection, the owner notes that if

the "designation" continues to be supported by Council, they would expect financial support from the City to renovate the building to a safe standard.

- The City does not need to conserve more than one or two of the buildings at 1747 to 1785 Bayview Avenue to memorialize a former local builder and property developer.

In response to the grounds noted above, staff observe that the stated concerns, and objection to the "designation" of the property incorrectly addresses the decision of Council, which only lists the property in the Heritage Register, and does not designate the property under Section 29 of the OHA. Designation would follow a distinctly different format and process and is not being proposed at this time.

Inclusion on the Heritage Register as a listed property does not impose any restrictions on property owners, except insofar as an owner must give Council at least 60 days notice of the intention to demolish or remove a structure on the property. With regards to future investments in the property, inclusion on the Heritage Register does not trigger maintenance requirements over and above existing property standards. With regards to future renovation or redevelopment, listing does not restrict adding any features on the property. It does not allow the City to withhold a building permit for non-demolition related alterations and it does not preclude a property from undergoing change.

While the owner argues that only one or two of the buildings from 1747 to 1785 Bayview Avenue are required to memorialize their builder and developer, staff note that the individual buildings, including 1771 Bayview Avenue, have been determined to have other values, including contextual value for their contribution to the row of contiguous, four unit, two-storey apartment buildings.

Finally, in response to the objection-related assertion that the inclusion of this property on the Heritage Register is not fair or equitable in that it requires some owners to upkeep their existing buildings while others can demolish and redevelop, the listing of 1747, 1751, 1759, 1763, 1767, 1771, 1773 and 1775 Bayview Avenue is consistent and aligned with broader planning for the area. All properties from 1747 to 1785 Bayview Avenue were identified in 2018 as having potential cultural heritage value through an area wide Cultural Heritage Resource Assessment that carefully considered all properties in the Yonge-Eglinton Secondary Plan (YESP) area through a fair and transparent process that included public engagement. That assessment was a part of, and integrated into, long-term planning for the area and which resulted in the YESP. Map 21-10 of the YESP identifies all properties in the YESP area that were identified as having potential cultural heritage value, including 1771 Bayview Avenue.

After consideration of the objection to the listing of 1771 Bayview Avenue, staff are of the opinion that the subject property meets the criteria prescribed by O. Reg 9/06 and holds sufficient cultural heritage value or interest to be listed in the City's Heritage Register. As such, staff recommend that the property remain listed on the City's Heritage Register.

36 Green Valley Road

Staff are of the opinion that the notice of objection for 36 Green Valley Road contains no information with bearing on the identification of the cultural heritage value of the listed property under O. Reg 9/06.

The subject property at 36 Green Valley Road is within the Bridle Path-Sunnybrook-York Mills neighbourhood. Staff evaluated the property and a recommendation for inclusion on the City's Heritage Register was adopted by Council on June 25, 2025.

The owner has submitted an objection (included as Attachment 4 to this report) on the following grounds:

- Inclusion on the Heritage Register imposes significant restrictions on the property owner's ability to renovate, redevelop, or sell the property. These constraints may negatively affect the property's market value and limit its adaptability to future needs.
- The existing building is a single-storey structure, and its current layout and functionality do not align with the owner's future residential needs. The owner intends to demolish the existing structure and construct a new two-storey home that better accommodates modern living requirements. The heritage listing would severely hinder this plan and prevent the property from being used to its full potential.
- The property currently suffers from structural issues and has not been maintained in good condition. These deficiencies further diminish its architectural integrity and suitability for heritage recognition. Preserving a deteriorating structure may pose safety concerns and impose undue financial burdens on the owner.
- While the property may exhibit certain Mid-Century Modern architectural features, these are not unique or rare within the city or province. The architectural style, while aesthetically notable, does not rise to the level of cultural heritage value that warrants heritage listing.
- The property is located on a private residential street with no public access or visibility. As such, its contribution to the public's understanding or appreciation of Toronto's cultural heritage is minimal.
- The property might have undergone alterations that might have changes or compromise the integrity of the original design by Peter Dickinson, reducing its value as a preserved architectural work.
- There appears to have been limited consultation with the property owner and surrounding community prior to the listing. A more transparent and inclusive process would better reflect the interests of all stakeholders.

In response to the objection-related concerns pertaining to the owner's ability to renovate, redevelop, or sell the property, impact on property value, and costs for maintenance and preservation, staff note that inclusion on the Heritage Register as a listed property does not impose any restrictions on property owners, except insofar as an owner must give Council at least 60 days notice of the intention to demolish or remove a structure on the property. Inclusion on the Heritage Register as a listed property does not preclude an owner's ability to make exterior and interior alterations,

listing does not trigger maintenance requirements over and above existing property standards and listing does not restrict adding any features on the property. It does not allow the City to withhold a building permit for non-demolition related alterations and it does not preclude a property from undergoing renovation.

In response to the objection-related assertions that the property does not possess a level of cultural heritage value that would merit inclusion in the Heritage Register, staff would note that under O. Reg 9/06 a property must meet 1 of the 9 criteria to meet the threshold for inclusion on the Heritage Register under the OHA. Heritage Planning staff maintain the accuracy of their evaluation and professional opinion that the property at 36 Green Valley Road meets the threshold for inclusion on the Heritage Register under the OHA and has cultural heritage value as identified in the listing report adopted by Council on June 25, 2025.

While the objector suggests that the property might have undergone alterations that might have changed or altered the property's integrity and cultural heritage value for its association with Peter Dickinson, they provide no evidence of any alterations. In response, staff note that under O. Reg 9/06 Criteria, a property may have "historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community." Staff's analysis of the property's historical or associative value is in the listing report adopted by Council on June 25, 2025.

In response to the objector's opinion that there was inadequate community consultation, the OHA does not require community consultation prior to including a property in the heritage register. Despite this, staff note that notice of the Toronto Preservation Board, Community Council and City Council agendas are made available to the public and members of the public can depute and participate in such meetings.

After consideration of the objection to the listing of 36 Green Valley Road, staff continue to be of the opinion that 36 Green Valley Road continues to meet the criteria prescribed by Ontario Regulation 9/06 and holds sufficient cultural heritage value or interest to be listed in the City's Heritage Register. As such, staff recommend that the property remain listed on the City's Heritage Register.

CONCLUSION

Staff have reviewed the notices of objection submitted by the property owner of 1771 Bayview Avenue and the property owner of 36 Green Valley Road under Subsection 27(7) of the OHA. Staff remain of the opinion that 1771 Bayview Avenue and 36 Green Valley Road hold cultural heritage value or interest. Staff are of the opinion that these properties should continue to be listed on the Heritage Register.

CONTACT

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SIGNATURE

Jason Thorne
Chief Planner and Executive Director
City Planning

ATTACHMENTS

Attachment 1 - Listing Statement (Reasons for Inclusion), 1771 Bayview Avenue
Attachment 2 - Notice of Objection, 1771 Bayview Avenue
Attachment 3 - Listing Statement (Reasons for Inclusion), 36 Green Valley Road
Attachment 4 - Notice of Objection, 36 Green Valley Road

Listing Statement (Reasons for Inclusion)

Staff have undertaken research and evaluation for the properties at 1771 and 1773 Bayview Avenue and believe that the properties have cultural heritage value or interest and meet at least one or more of the criteria prescribed in Ontario Regulation 9/06 for including a non-designated property on a municipal register under Section 27 of the Ontario Heritage Act. The subject properties may meet additional criteria, which could be informed by community engagement and determined through further research and evaluation.

Listing Statement:

Description: Located on the east side of Bayview Avenue between Eglinton Avenue East and Parkhurst Boulevard, in the Leaside-Bennington neighbourhood, the properties at 1771-1773 Bayview Avenue contain a two-storey, brick and stone-clad residential apartment building constructed in the mid-1930s. Presenting on the exterior as a single-family dwelling, the purpose-built four-unit building forms part of a group of what was originally ten contiguous properties of the same building type with Period Revival styling, located between 1747 and 1785 Bayview Avenue. The properties at 1755 Bayview Avenue and 1783-1785 are currently designated under Part IV of the Ontario Heritage Act.

The properties at 1771-1773 Bayview Avenue have cultural heritage value as they meet the following criteria under Ontario Regulation 9/06 of the Ontario Heritage Act:

Constructed in the mid-1930s, the properties hold physical value as a two-storey, house-form building with Tudor Revival styling purposely designed to contain four residential units. The properties are associated with Henry H. Talbot, a local builder, property developer, and Mayor of Leaside (1938-1947), and with W. Breden Galbraith, a well-known and prolific residential architect. Contextually, the properties contribute to the collection of contiguous, four-unit, two-storey apartment buildings, along the east side of Bayview Avenue between Eglinton Avenue East and Parkhurst Boulevard.



1771 and 1773 Bayview Avenue (Heritage Planning, 2024).



1771 and 1773 Bayview Avenue (outlined in red).

Note: This location map is for information purposes only; the exact boundaries of the property are not shown (City of Toronto Mapping).

Listing Statement (Reasons for Inclusion)

Staff have undertaken research and evaluation for the property at 36 Green Valley Road and believe that the property has cultural heritage value or interest and meets at least one or more of the criteria prescribed in Ontario Regulation 9/06 for including a non-designated property on a municipal register under Section 27 of the Ontario Heritage Act. The subject property may meet additional criteria, which could be informed by community engagement and determined through further research and evaluation.

Listing Statement:

Description: Located in the Bridle Path-Sunnybrook-York Mills neighbourhood on the east side of Green Valley Road where it terminates at the northern boundary of the Rosedale Golf Club, the subject property at 36 Green Valley Road contains a one-storey detached Mid-Century Modern house-form building.

The subject property at 36 Green Valley Road has cultural heritage value as it meets the following criteria under Ontario Regulation 9/06 of the Ontario Heritage Act.

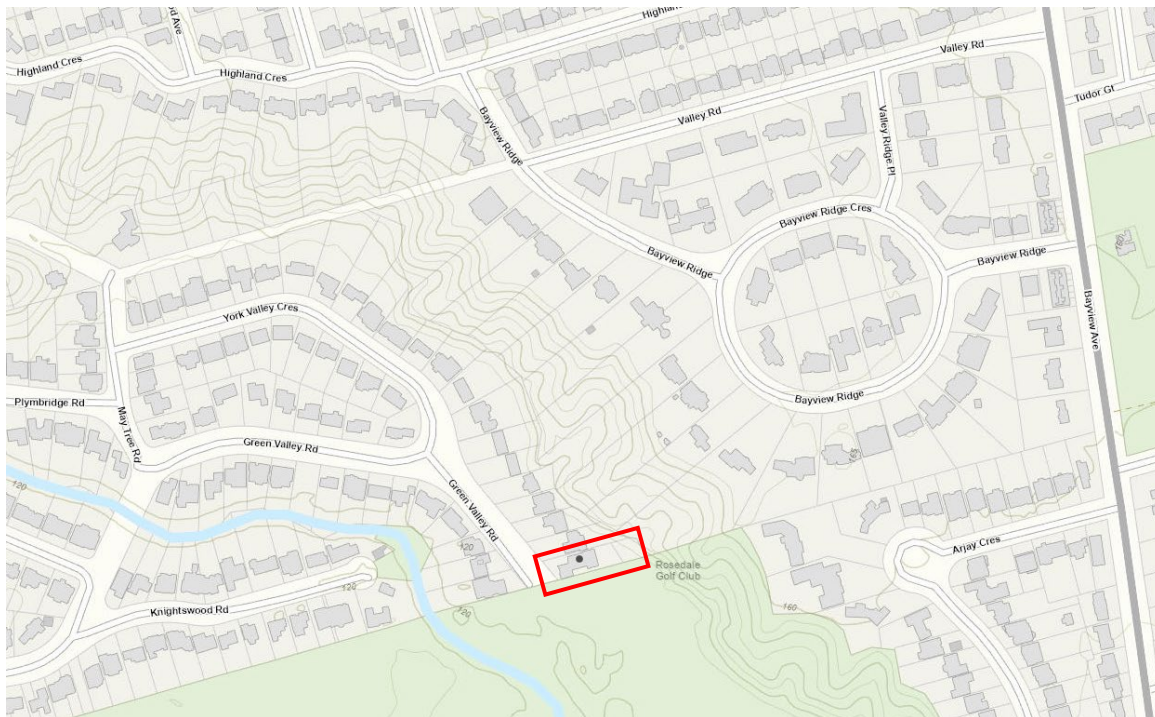
Constructed in 1960, the subject property has design and physical value as a representative example of a Mid-Century Modern home. The style is represented by the property's horizontally-oriented floorplan, extensive floor-to-ceiling glazing in principal rooms, low-slung roof with deep eaves, and exterior walls clad in wood, brick, and granite fieldstone.

The property also has value for its direct association with celebrated architect Peter Dickinson and prominent Toronto businessman Isadore Sharp, founder of Four Seasons Hotels and Resorts. Sharp commissioned Dickinson to design the subject property as his family residence, as well as Four Seasons' first two hotel properties: the Four Seasons Motor Inn on Jarvis Street and the Inn on the Park. The subject property and Four Seasons Motor Inn (1960-61) shared similar design elements including large windows and exteriors clad in wood, brick, and granite fieldstone. Following Dickinson's death in 1961, his associates formed Webb, Zerafa, Menkes Architects, precursor to WZMH Architects, and oversaw the completion of the Inn on the Park in 1963. In 1969, the firm designed a family room addition to the subject property in the same style as Dickinson's original design, blending seamlessly with the 1961 structure.

Considered one of Canada's leading Modernist architects, Peter Dickinson's works include the Part IV designated properties at 111 Richmond Street West (1954), The Benvenuto Apartments (1955) at 1 Benvenuto Place, the Canadian National Exhibition's Queen Elizabeth Building (1956-57) at 2 Strachan Avenue, and the former O'Keefe Centre (1959-60), currently Meridian Hall, at 1 Front Street East. The subject property's Mid-Century Modern design, featuring clean lines, exterior cladding of brick, wood, and stone, and careful consideration of surrounding landscape, are characteristic of Dickinson's work. The property at 36 Green Valley Road is the only surviving house designed by Peter Dickinson in Toronto.



36 Green Valley Road (Sotheby's Realty Canada, 2024).



36 Green Valley Road (outlined in red). Note: This location map is for information purposes only; the exact boundaries of the property are not shown (City of Toronto Mapping).