



**STAFF REPORT  
ACTION REQUIRED**

**2489 Bayview Avenue, Canadian Film Centre, Windfields Estate, Alterations to a Designated Heritage Property and Authority to Enter into a Heritage Easement Agreement**

<b>Date:</b>	June 16, 2010
<b>To:</b>	Toronto Preservation Board North York Community Council
<b>From:</b>	Acting Director, Policy & Research, City Planning Division
<b>Wards:</b>	Ward 25 - Don Valley West
<b>Reference Number:</b>	P:\2010\Cluster B\PLN\HPS\NYCC\ny 08 17 10\nyHPS13

**SUMMARY**

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The Canadian Film Centre (CFC), the long-term tenant of 2489 Bayview Avenue (Windfields Estate the former home of E.P Taylor) has been awarded a grant from the federal – provincial Infrastructure Stimulus Funds program (ISF) in the amount of 4.5 million dollars for proposed leasehold improvements. These improvements must be completed by April 30, 2011 in order for the funding to remain in place. The work includes: construction of additional educational and administrative spaces; additional parking; barrier free access; site access improvements; and heritage landscape conservation and enhancement.

This report recommends City Council approval of limited demolition work, alterations and construction of new structures in keeping with the heritage character of the designated property, in order to facilitate completion of the leasehold improvement project.

The applicant has applied to the Committee of Adjustment for approval to extend and expand a legal non-conforming use (as an educational facility), and has applied for Site Plan Approval for the leasehold improvements. The applicant is also in negotiations with the City to expand the area of leasehold to include more of the cultural heritage landscapes associated with the Estate.

## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. City Council grant authority for the execution of a Heritage Easement Agreement under Section 37 of the Ontario Heritage Act with the Canadian Film Centre, tenant of the property.
2. City Council authorize the City Solicitor to introduce the necessary bill in Council authorizing the entering into of a Heritage Easement Agreement.
3. City Council amend former City of North York By-law No. 31874 to change the legal description and revise the Reasons for Designation in accordance with the 2005 amendments to the Ontario Heritage Act.
4. City Council approve the alterations to the heritage property at 2489 Bayview Avenue, substantially in accordance with the plans and elevations as they pertain to the designated property, including SP-1 June 8, 2010 prepared by David Palster AC-1, AC-3, AC-4, AC-5, GA-1, GA-5, GA-6 all dated May 28, 2010, A-1, A-2, dated May 14, 2010 prepared by Nexus Architects, and Ecoplans Limited, date stamped received by Heritage Preservation Services, June 10, 2010, and on file with the Manager, Heritage Preservation Services; and the report titled, “Heritage Impact Assessment, Windfields Estate, Toronto, Ontario, Windfields Campus Improvement Project, Phase 2, May 2010” and “Addendum 1 Heritage Impact Assessment, Windfields Estate” on file with the Manager, Heritage Preservation Services, prepared by Commonwealth Historic Resource Management Limited, subject to the following conditions:
  - a. No demolition, construction, grading or other soil disturbances shall take place on the subject property prior to the City’s Planning Division (Heritage Preservation Services Unit) and the Ministry of Culture (Heritage Operations Unit) confirming in writing that all archaeological licensing and technical review requirements have been satisfied;
  - b. Prior to final site plan approval the tenant shall:
    - i. provide a detailed Conservation Plan, prepared by a qualified heritage consultant (Heritage Consultant) to the satisfaction of the Manager, Heritage Preservation Services that includes: as-found record of the swimming pool/cabana structures and gatehouse, including photographs keyed to plans and elevations of all the visible exteriors and interiors; detailed descriptions for the proposed heritage conservation work for the two areas; description of the reversibility of alterations; and cost estimates for the conservation

- work, heritage commemoration work, cultural heritage landscape conservation, and easement photographs;
- ii. provide final development plans and landscape plans, to the satisfaction of the Manager, Heritage Preservation Services;
- c. Prior to the issuance of any building permit for the heritage property located at 2489 Bayview Avenue, including a permit for the demolition, excavation, and/or shoring of the subject property, the tenant shall provide the following:
- i. building permit drawings, including specifications for heritage conservation work prepared by the Heritage Consultant to the satisfaction of the Manager, Heritage Preservation Services;
  - ii. Letter of Credit, in a form and an amount satisfactory to the Chief Planner and Executive Director, City Planning Division, to secure all work included in the detailed Conservation Plan;
- d. Prior to the release of the Letter of Credit, the tenant shall:
- i. enter into a Heritage Easement Agreement on the property to the satisfaction of the Manager, Heritage Preservation Services;
  - ii. provide a notice of substantial completion for the heritage conservation work on the gatehouse and cultural heritage landscape prepared by the Heritage Consultant to the satisfaction of the Manager, Heritage Preservation Services;
  - iii. submit final as-built photographs, of the exteriors and significant interiors of the heritage buildings and significant landscape features satisfactory to the Manager, Heritage Preservation Services.

### **Financial Impact**

There are no financial implications resulting from the adoption of this report.

### **DECISION HISTORY**

A portion of the 2489 Bayview Avenue Windfields Estate, leased by the CFC and containing a campus of heritage buildings was designated under Part IV of the Ontario Heritage Act on November 4, 1992, by the former City of North York.

City Council, on March 31 and April 1, 2010, adopted a motion to allow the City to amend its existing lease with the City's tenant, the Canadian Film Centre, located at 2489 Bayview Avenue in order to: provide for an expanded leasehold area; allow for capital improvements; to authorize the tenant to make Planning Act applications; accept from the Province of Ontario and the Government of Canada federal – provincial Infrastructure Stimulus Funds, and to release funding approved by the City in 2009 for the cost of the state of good repair projects.  
(<http://www.toronto.ca/legdocs/mmis/2010/mm/bgrd/backgroundfile-28805.pdf>).

## **ISSUE BACKGROUND**

Information contained in this report is based on the material provided by the applicant for the Site Plan application and the May 2010 Heritage Impact Assessment provided by Commonwealth Historic Resource Management Inc.

The larger Windfields Estate is a 20 acre parcel of land corresponding to the original parcel of land purchased by E. P. Taylor in 1932. The property is owned by the City of Toronto. Approximately 4.36 acres of the property, containing a campus of heritage buildings, and cultural heritage landscape features is leased to the CFC. The rest of the 20 acres and contiguous park land is controlled by City of Toronto Parks (Attachment No. 1).

The Windfields Estate is a City of Toronto designated historic site under Part IV of the Ontario Heritage Act. The Estate, consisting of the grounds and buildings which were developed between 1937 and 1990, includes nine buildings (main house, gatehouse, stables, cottages a/b, c, & d, and a greenhouse/potting shed and two garages owned and managed by the City) set in a designed landscape laid out according to early 20<sup>th</sup> century estate planning principles. Recreational features include the pool/cabanas and tennis court (Attachment No. 2).

The CFC is currently in negotiations to take on an additional 3.76 acres to fill out their property, including the existing circular drive and woodlot from Bayview Avenue east to the main house, the lawn to the north and east of the gatehouse, the south field, south west of the circular entrance drive and the east orchard to the east of the terraced gardens behind the main house.

City Parks utilizes a small area adjacent to the leased heritage property, on the south west side of the campus, containing two Parks maintenance buildings and some parking.

In 2007 the CFC Windfields Campus Feasibility Study (WCFS) was undertaken to develop a master plan that would respond to the CFC's needs for the continuing conservation of its heritage assets and future growth and expansion. The plan included a heritage strategy, proposed expansion of the leasehold, guidelines for new development, interpretive plan, assessment of buildings on the site, review of programming, review of parking and services, and a business plan. The planned improvements were to be completed over a period of 5 years and were broken down into two phases.

Phase 1 is currently underway and focuses on the renovation of existing buildings to a state of good repair at a cost of approximately 2 million dollars approved by the City in 2009. Heritage Preservation Services staff have been reviewing the documents and work undertaken in Phase 1. Planning for Phase 2 development, proposed expansion of the campus and leasehold improvements, is underway.

The Phase 1 “State of Good Repair” work includes but is not limited to:

- HVAC upgrades for most of the buildings
- roofing of stables and cottages
- foundation work on the gatehouse and cottage a/b
- restoration of masonry and designated interiors of main house
- barrier free access for cottage a/b
- renovation for re-purposing of greenhouse/potting shed
- restoration of the terraces east of the main house
- window repair, gatehouse, cottages a/b and c

In the course of State of Good Repair work an archaeological assessment was undertaken to assess the proposed location for a new geothermal bed in the circular drive and front lawn area in front of the main house. The proposed location has been adjusted to avoid an archaeological site (the Whitney site) containing the remains of an earlier pioneer farmstead.

Planned Phase 2 work is described below in the “Current Proposal” section.

## **Heritage Value**

The Windfield Estates was the principal residence of Canadian entrepreneur and philanthropist, Edward Plunket (E.P.) Taylor. Taylor was President of Argus Corporation and Chairman of the Board of many prominent Canadian companies, including Canadian Breweries and Massey-Ferguson. Taylor was a prime mover in the creation of the planned community of Don Mills and of the O’Keefe Centre for the Performing Arts. Taylor’s legendary status as a giant of Canadian thoroughbred racing is also well known, and some of his famous horses were kept for a while at Windfields.

The Windfields Estate is located in the City of Toronto at 2489 Bayview Avenue. Designated under Part IV of the Ontario Heritage Act in 1992, the areas of designation coincide with CFC’s leasehold area. The Reasons for Designation report described an area including the following: Main House constructed in 1937, Stable constructed in 1937; Gatehouse and Cottages A/B, C, & D constructed in 1946; Greenhouse/Potting Shed constructed in 1946, the paved patios or Terraces to the east of the house, the Pool and Cabanas, Tennis Court, and “long runs of freshly painted, white fences” (Attachment No. 3 and 4).

The main house, “Windfields”, is a long, two-storey stone dwelling in the American Colonial Revival style. Inside the main house, colonial revival themes are reiterated in the front hall and staircase area and there is a small, well appointed private movie theatre

in the basement. Paved patios or terraces to the rear of the house, provide a transition between the interior and garden, and were fashionable features of the 1930s.

The organization of the cottages and stable facing each other is evocative of 19th century English village landscape treatment where a hierarchy of spaces dictated position and relationships. The gatehouse is located off the circular drive to the north west of the main house. Between the house and the gatehouse is a former rose garden still outlined by stone retaining walls.

The outbuildings are sympathetic in design to the main house and stylistically are a continuation of the American Colonial Revival style, although built of brick and wood rather than stone. The three cottages stylistically are very similar to the Victory Housing constructed for returning war veterans after the Second World War. The gatehouse built in 1946 has elements of the bungalow style and touches on the modern with the expanses of glass most notably in the east portion which was Taylor's study and office.

The HIA report for this application identifies the significance of the entire cultural heritage landscape of the former Estate:

“Windfields is a designed landscape possessing significant cultural patterns based on estate planning principles integrated into a setting of rolling farmland with a view to support an equestrian lifestyle, a workers community, and mature woodlands. These overall patterns of planned landscape and evolved features provide a clear, legible framework distinguishable from the surrounding developed areas.”

The HIA report also identified an important relic landscape feature, the remnants of the west orchard located to the south west of the circular drive which likely dates back to the time of the early farmstead.

## **Current Proposal**

The current proposal for Phase 2 development addresses construction of new buildings for program and support spaces and the expansion of the leasehold areas including the front lawn with circular drive and woodlot, the east orchard and the south field.

Proposed work includes:

- the construction of the new actors conservatory, an addition to the gatehouse, and an addition to the greenhouse/potting shed
- new service access to the actors conservatory and one new parking area on the south field
- a new landscaped courtyard between the main house and stables
- the introduction of landscape and sitting elements within the footprint of the tennis court
- the introduction of a geothermal heating system on the front lawn

The new construction will provide approximately 989 sq. m. in additional space (Attachment No.6) including:

- actors conservatory – (599 sq. m.) a proposed 1-storey + basement building, built on the footprint of the derelict Pool/cabana complex to be used for CFC educational programs. It will replace the long-disused pool, two cabanas linked by a wooden-roofed open walkway shelter and paving as well as a number of trees to the north, east, and south to facilitate the construction of a new building on the site
- gatehouse addition – (384 sq. m.) a proposed 1-storey + basement addition linked to the northerly extension of the original Gatehouse, situated to the east and north of the heritage building. Interior modifications to the Gatehouse will also reconfigure some offices to improve accessibility and use of the space for meetings and group discussions
- greenhouse/potting shed – (6 sq. m.) a small extension of the Potting Shed to accommodate a barrier free washroom

The landscape will be altered to accommodate a new roadway to access the actors conservatory, a new parking lot in the south field (s/w corner of the property), and new landscaping between the main house and stable to provide barrier free access and seating. The new parking arrangement will result in two new barrier free spaces and twenty new parking spaces.

The tennis court will be re-purposed as a passive sitting area. The tennis court is not used and has fallen into disrepair. Existing fencing will be maintained and the court surface removed. The footprint of the original tennis court will be maintained and the area planted with trees and shrubs, to screen the area from the side-yard of the adjacent residential lot to the east. A new granular pathway will link the tennis court to the internal road network.

## **COMMENTS**

The approved 2007 WCFS provided heritage guidelines for new development on the Estate including:

- expanding the leasehold to protect the greater part of the cultural heritage landscape
- any new buildings to be of the same size, scale, building materials and design continuity with historic structures
- maintaining an “insulation zone” around the main house – new structures should not impinge on the historical integrity of the structure and adjacent grounds
- retaining the historical main entrance of the main house, with the main functional entrance (barrier free) being re-oriented to the west and the grounds adjacent to the house improved
- retaining the historical east-west gardens axis from the main house to the pool/cabanas, any new structures should try to incorporate the same footprint as the pool and linked cabanas

- maintaining historic view sheds (Attachment No.5)
- maintaining the character of the “village complex” to the south
- greening of the property for energy efficiency

HPS staff have reviewed these guidelines and the proposed Phase 2 development and are satisfied that the guidelines have substantially been adhered to with regard to the designated property.

Both the gatehouse addition and the actors conservatory are designed in the same style; contemporary, low profile, light, pavilion-like structures that recall the recreational feel of the bathing cabanas linked by a covered walkway. The palette of materials includes glass panels with metal framing and wood and slate siding. The buildings have flat roofs with clearstory windows. They will be legible as new additions but are respectful of the more dominant design elements of the main house and gatehouse.

The strategy for the placement of the gatehouse addition is to successfully screen views of the addition from Bayview Avenue and the north entrance gate while maintaining an important view shed to the east from Taylor’s former office. The only section of the gatehouse to be affected is the rear wall of a later addition. A new door will lead into a small linking section which opens into the new addition space. The Taylor office and the south-facing entrance and reception foyer will remain intact as the most important interior features in this building.

The strategy for the placement of the actors conservatory is to retain the axial relationship to the main house, building on the footprint of the pool and associated structures while maintaining the framing of the formal terrace, walkways, and plantings.

The pool and cabanas are in such poor condition that the area has been fenced off as a hazard. The pool/cabanas and mechanical shed are proposed to be removed. (Unlike the flagstones on the terrace, the flagstones at the pool are bonded to concrete and could not be restored). The former pool outline will be expressed in the new paving inside and out of the actors’ conservatory. The view terminus from the main house will be altered by the larger pavilion-like structure, however the new building provides an attractive viewpoint and the grade is such that views to the east orchard beyond the conservatory will still be possible. The applicant proposes to replant some trees and create new beds in this area. A new patio and walkway will be constructed to the east of the building.

The landscape plan submitted for this application does not provide detailed information on specific locations and planting schemes as yet. This information will be reviewed for impacts on cultural heritage landscape features as part of the site plan approval process. The HIA does indicate that the location of the new south field parking lot will have a negative impact on the relic orchard feature called the west orchard. This area is not included in the current heritage designation, but has been identified as an important heritage feature which may be included in the revised designation and Heritage Easement Agreement. HPS will review the location and design of the parking lot with the applicant



as part of the site plan review process, informed by archaeological investigation. It will be important to resolve this issue prior to site plan approval.

The applicant has requested HPS to revise the designation by-law to include a clear recognition of all the important cultural heritage landscape features of the site, both within and outside of the limits of the leasehold area. HPS Policy staff are currently working on developing a City-wide policy for the designation of cultural heritage landscapes. Windfields should provide a good test-case as part of this process.

## **CONTACT**

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## **SIGNATURE**

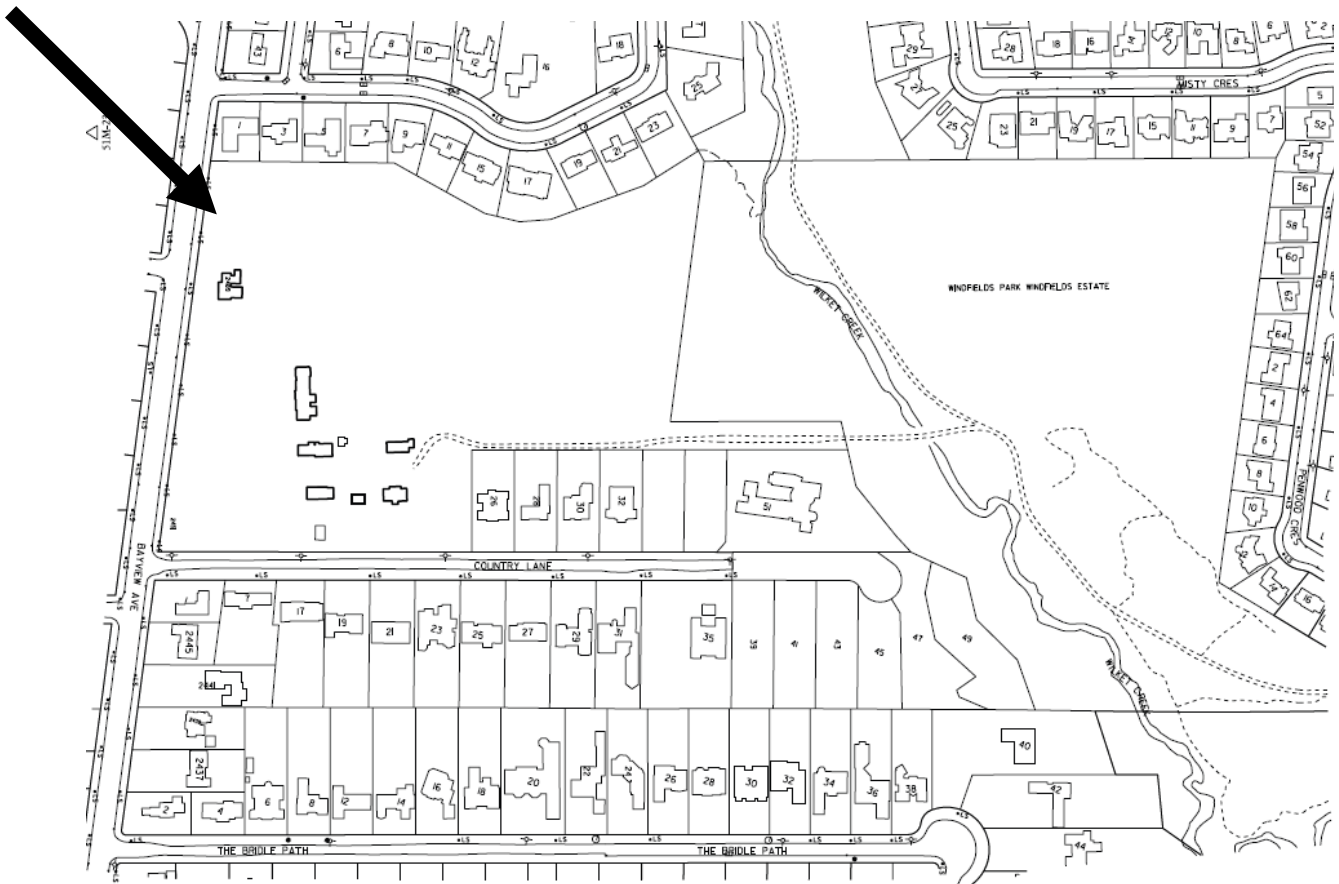
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Kerri A. Voumvakis, Acting Director  
Policy and Research  
City Planning Division

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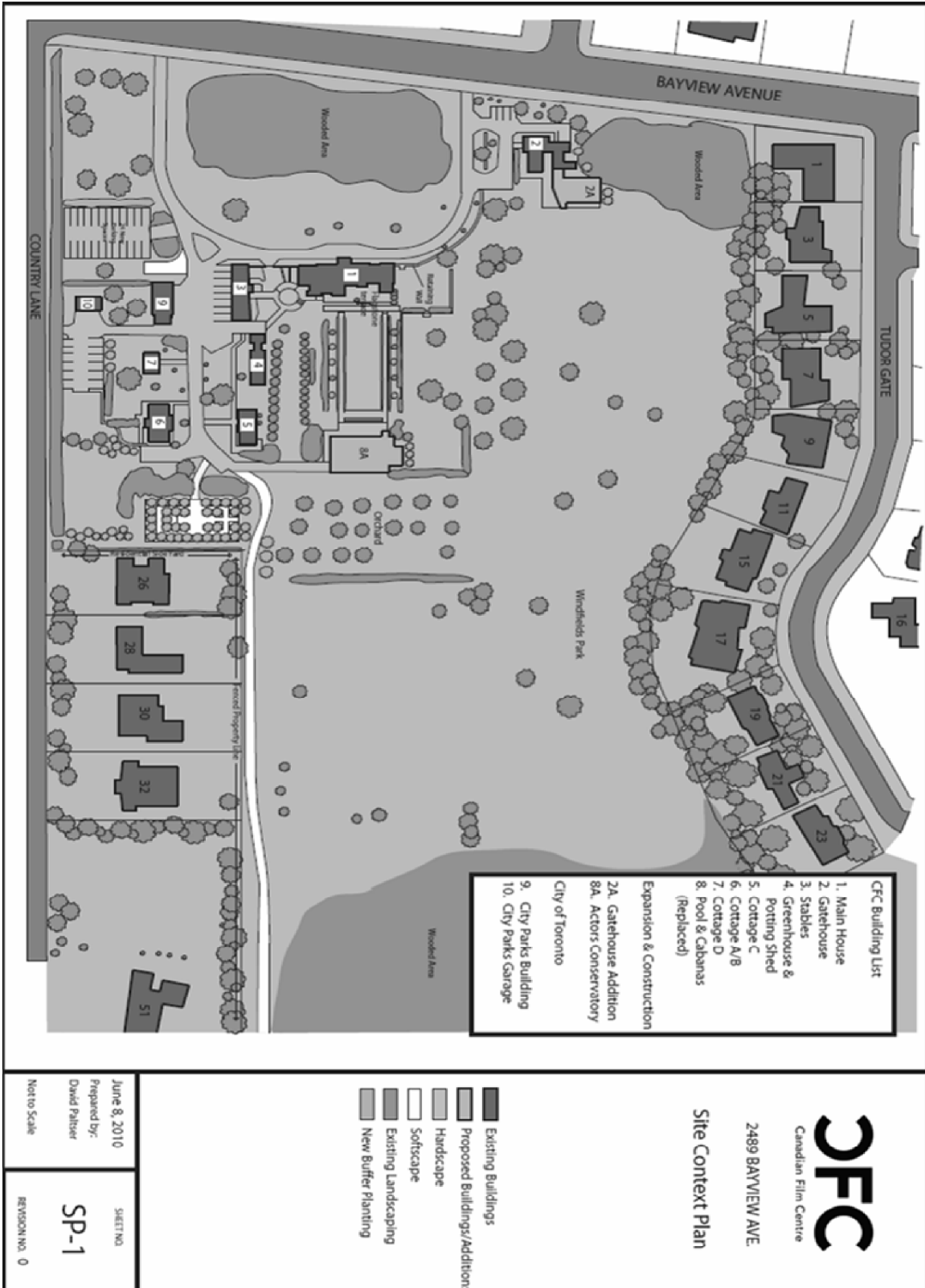
## **ATTACHMENTS**

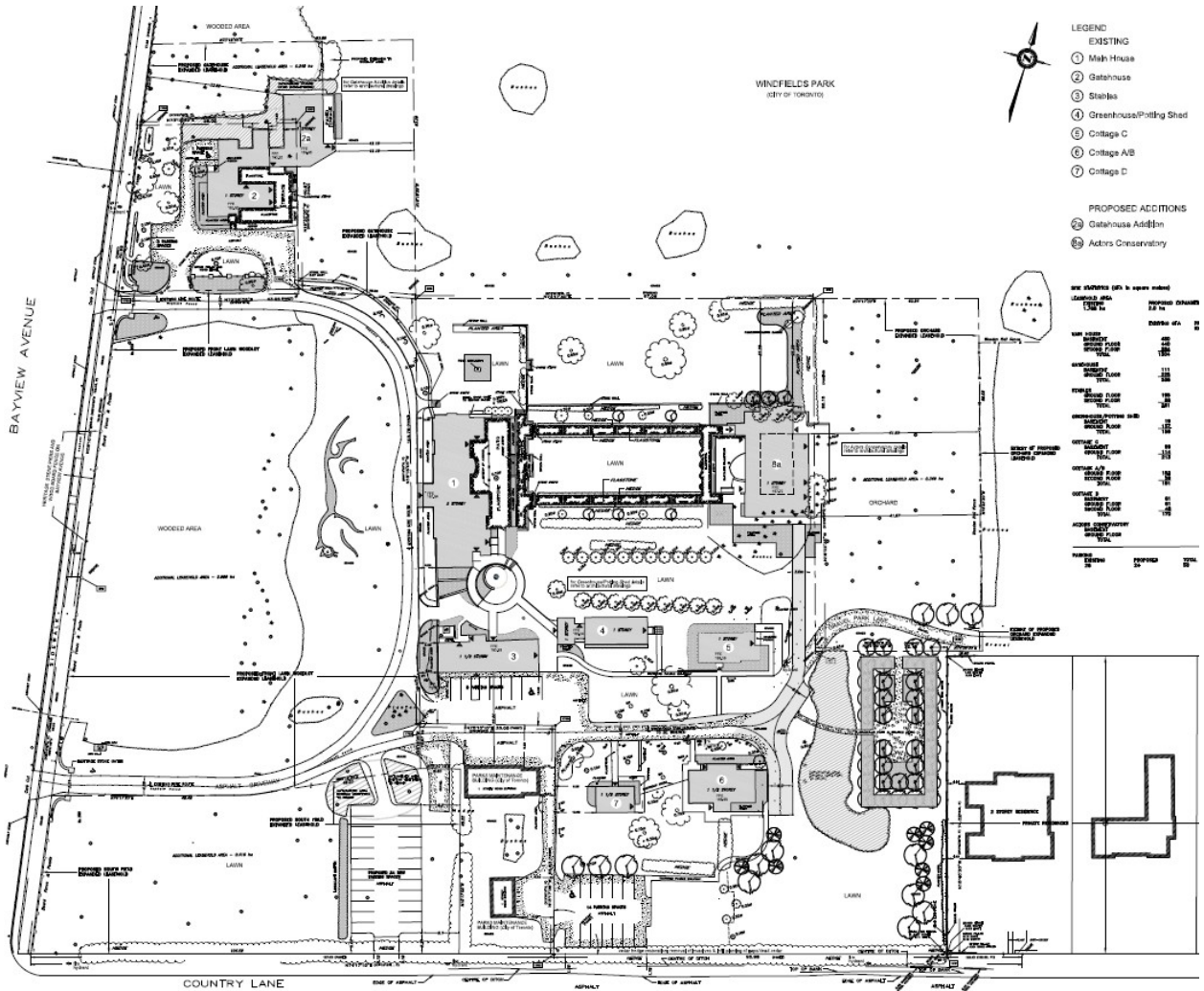
Attachment No. 1 – Location Map  
Attachment No. 2 – Context Plan  
Attachment No. 3 – Site Plan  
Attachment No. 4 – Photographs  
Attachment No. 5 – Significant View sheds  
Attachment No. 6 – Proposed Alterations



The **arrow** marks the location of the site.

This location map is for information purposes only;  
the exact boundaries of the property are not shown.







2489 Bayview Avenue showing the main house (west façade)



2489 Bayview Avenue showing the main house and circular drive (northwest façade)



2489 Bayview Avenue showing the rose garden retaining walls north of the main house



2489 Bayview Avenue showing the existing barrier free access



2489 Bayview Avenue showing the gatehouse (southwest façade)



2489 Bayview Avenue showing the rear of the gatehouse (east façade)



2489 Bayview Avenue showing the potting shed/greenhouse (south façade)



2489 Bayview Avenue showing cottage “c” (south façade)





2489 Bayview Avenue showing cottage a/b (east façade)



2489 Bayview Avenue showing the stables (north façade)

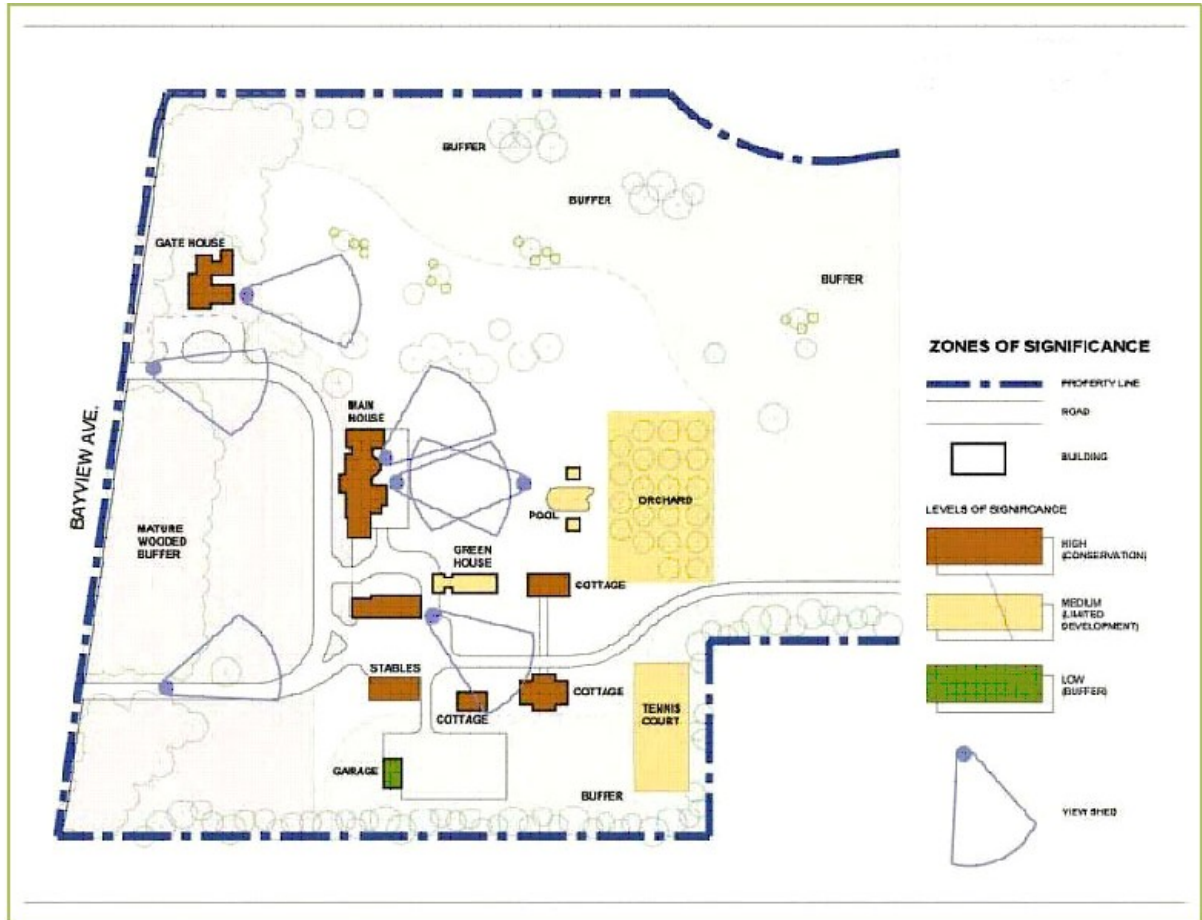


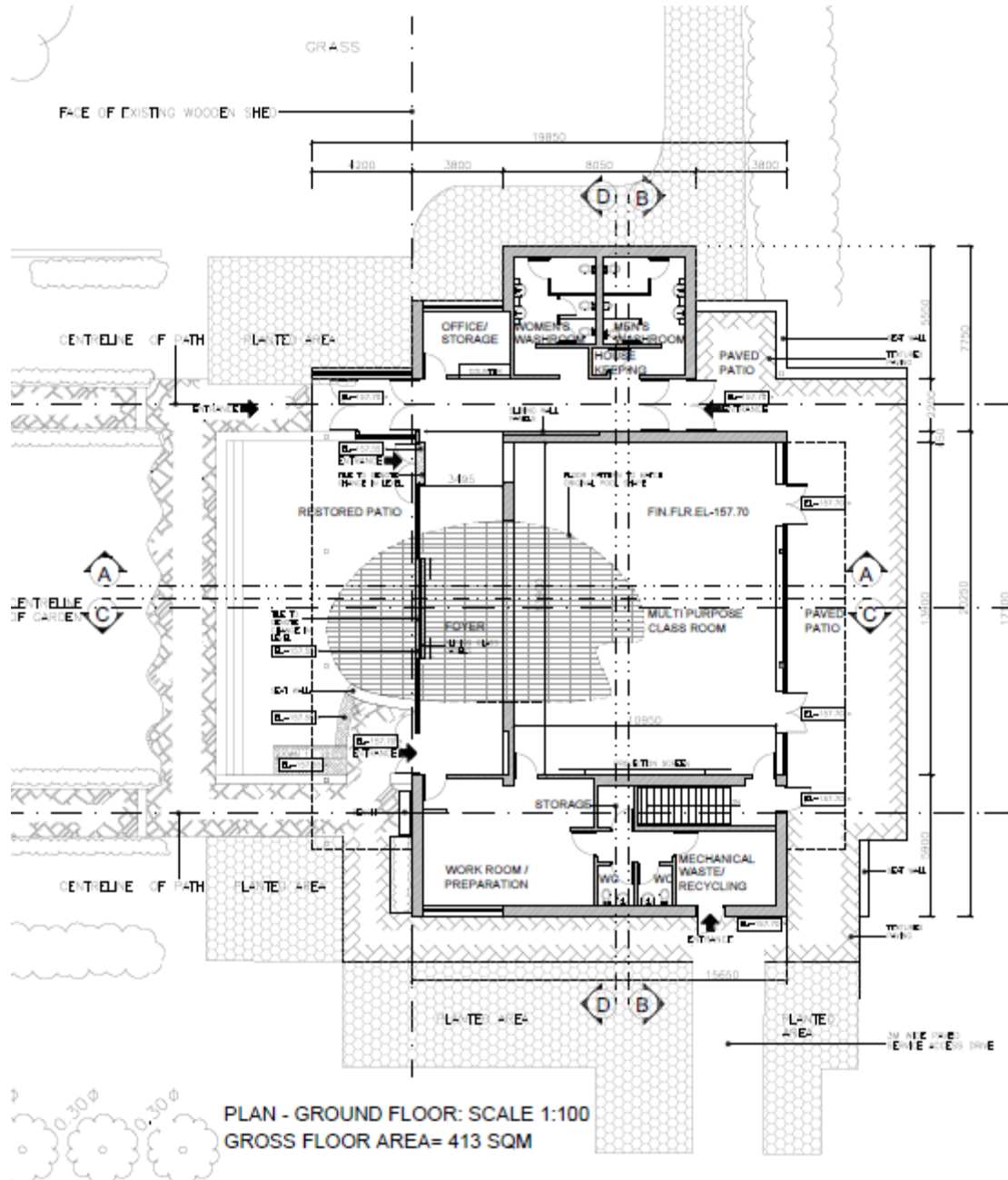
2489 Bayview Avenue showing the terraces, pool, and linked cabanas (view from main house)



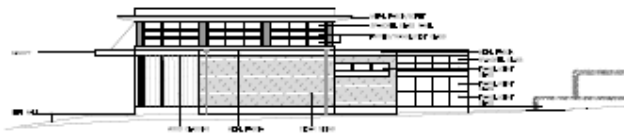
2489 Bayview Avenue showing the pool, and cabana deterioration

SIGNIFICANT VIEW SHEDS: 2489 BAYVIEW AVENUE ATTACHMENT NO. 5





Actors conservatory (ground floor)



NORTH ELEVATION: SCALE 1:100  
TOTAL EXTERIOR WALL AREA: 58 SQM  
TOTAL EXTERIOR WINDOW AREA: 12 SQM

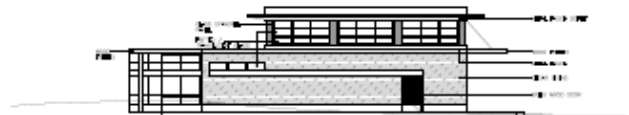


WEST ELEVATION: SCALE 1:100  
TOTAL EXTERIOR WALL AREA: 62 SQM  
TOTAL EXTERIOR WINDOW AREA: 44 SQM

Actors conservatory north and west elevations

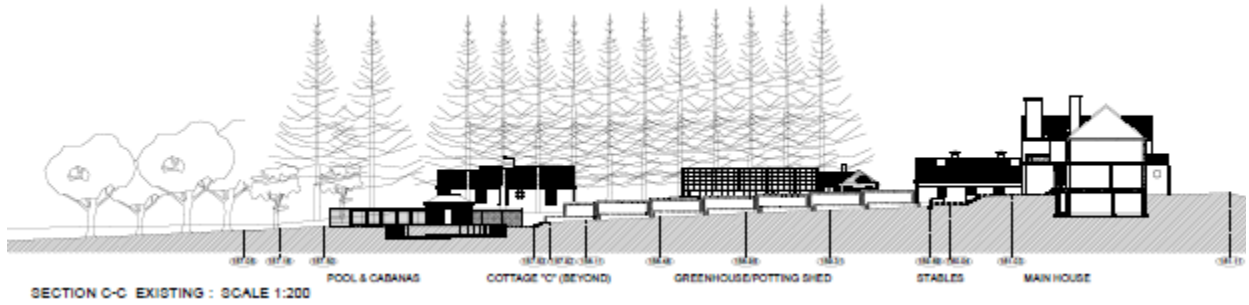


EAST ELEVATION: SCALE 1:100  
TOTAL EXTERIOR WALL AREA: 61 SQM  
TOTAL EXTERIOR WINDOW AREA: 45 SQM

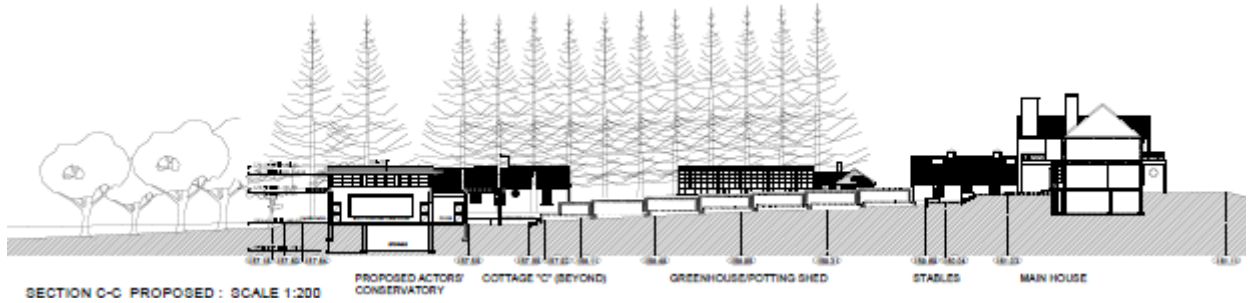


SOUTH ELEVATION: SCALE 1:100  
TOTAL EXTERIOR WALL AREA: 62 SQM  
TOTAL EXTERIOR WINDOW AREA: 11 SQM

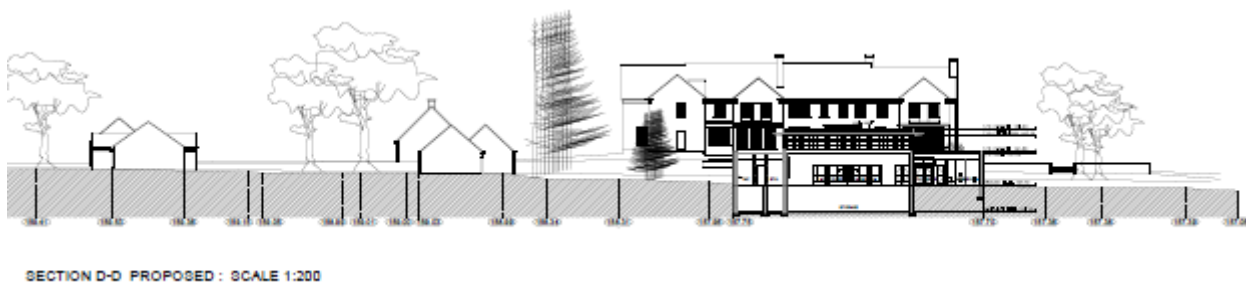
Actors conservatory south and east elevations



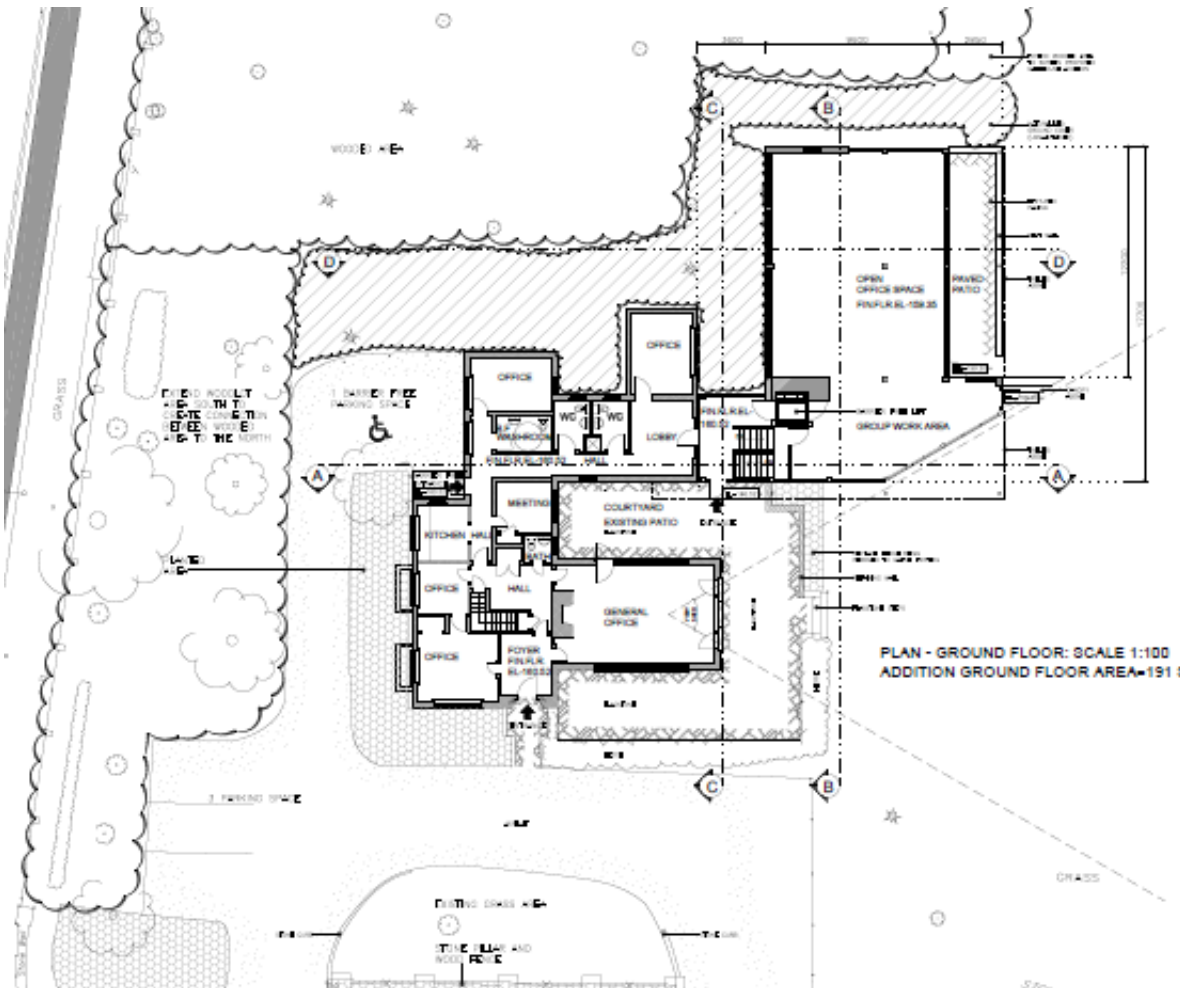
Pool, cabana, main house (east/west section)



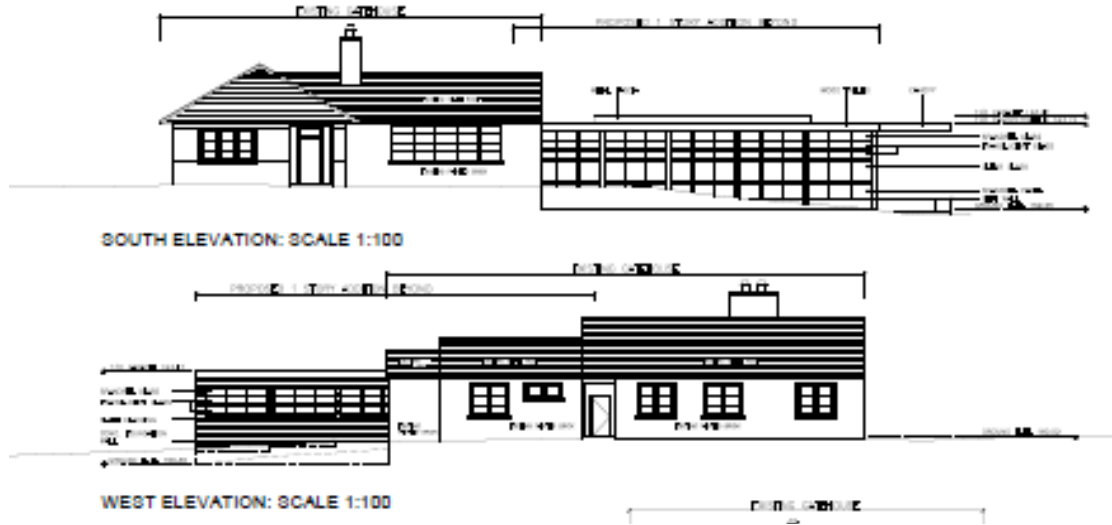
Actors conservatory, main house (east/west section)



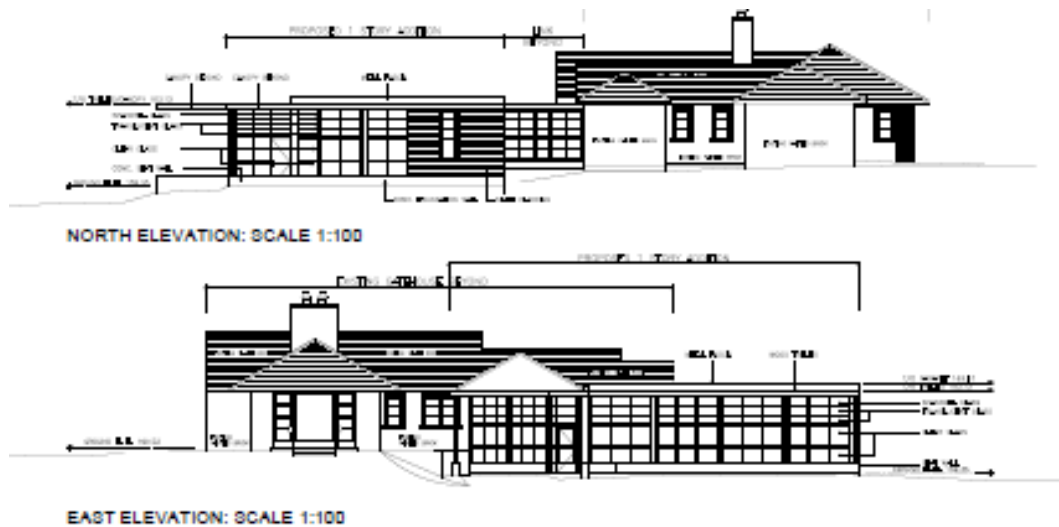
Actors conservatory, main house (looking west)



Gatehouse addition (ground floor plan)

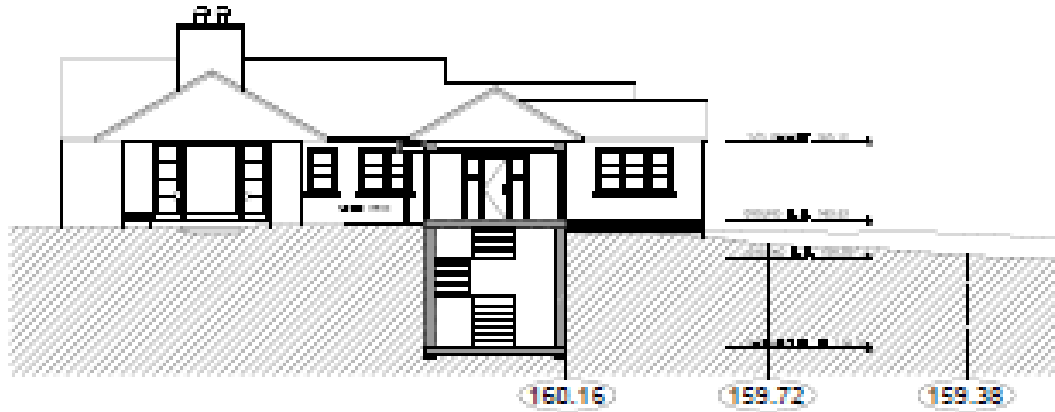


Gatehouse addition (south and west elevations)

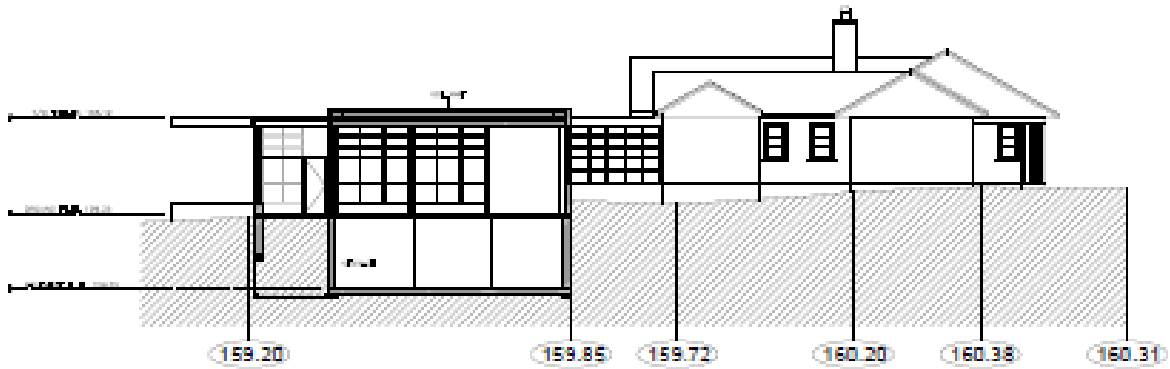


Gatehouse addition (north and east elevations)

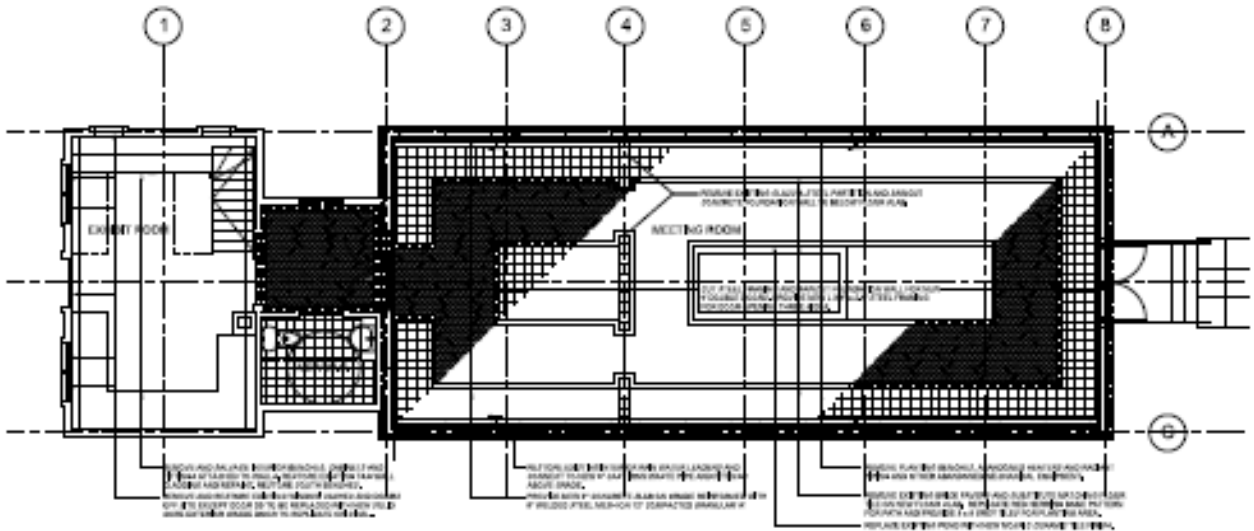




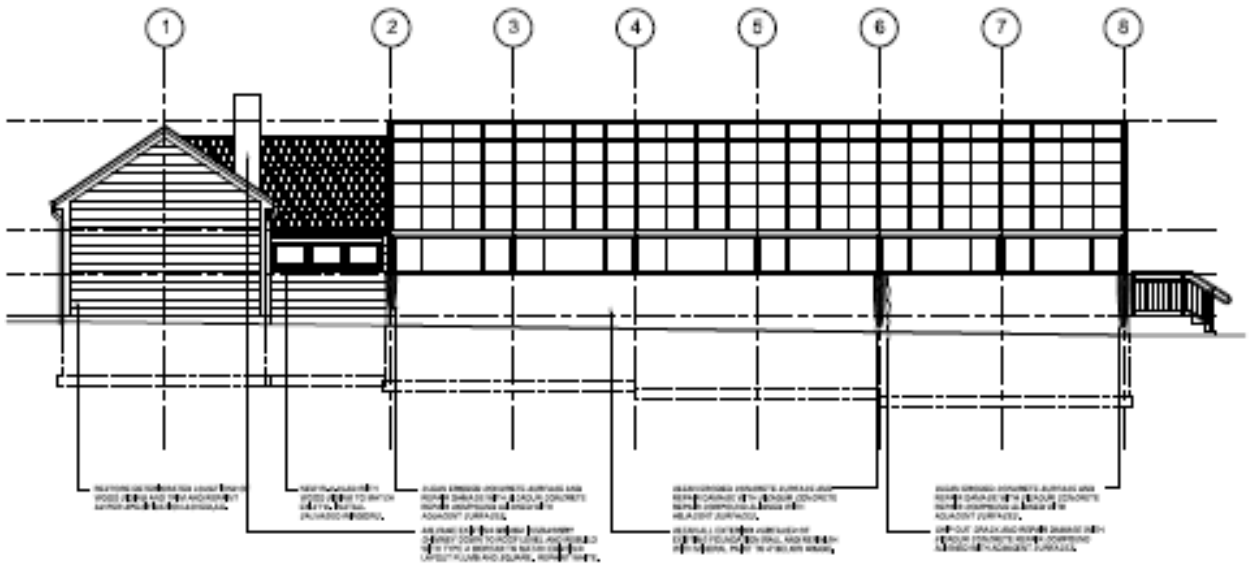
Gatehouse addition (north/south section showing link to new addition)



Gatehouse addition (east/west section)



Potting shed/greenhouse washroom addition (ground floor)



Potting shed/greenhouse washroom addition (south façade)