



**STAFF REPORT  
ACTION REQUIRED**

**Alterations to a Heritage Property, Intention to Designate Under Part IV, Section 29 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement – 42-46 Overlea Boulevard**

<b>Date:</b>	September 22, 2015
<b>To:</b>	Toronto Preservation Board North York Community Council
<b>From:</b>	Director, Urban Design, City Planning Division
<b>Wards:</b>	Ward 26 – Don Valley West
<b>Reference Number:</b>	P:\2015\Cluster B\PLN\NYCC\NY15095

**SUMMARY**

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This report recommends that City Council approve the proposed alterations to the heritage property at 42-46 Overlea Boulevard, state its intention to designate the property under Part IV, Section 29 of the *Ontario Heritage Act* and provide authority to enter into a heritage easement agreement.

The property includes approximately 13 acres of land, is located in Thorncliffe Park and was a former complex for Coca-Cola Limited. The company commissioned well known Toronto architects Mathers and Haldenby to design an administrative building and a bottling plant which opened in 1965. A sunken courtyard between the two buildings included "Coca-Cola", a bronzed sculpture designed by Canadian artist Walter Yarwood. Coca-Cola closed its bottling plant in 2000 and in January 2012 announced plans to move its head office to downtown Toronto. The property was added to the City's Heritage Register in 2013. The bottling plant was not included in the Reasons for Listing and has been demolished.

A current zoning by-law amendment application for this property proposes to retain a portion of the Coca-Cola Administrative building and to incorporate it as part of a newly constructed retail warehouse facility for Costco. A vehicle fuel station along with 607 vehicle parking spaces is also proposed for this property.

This report is proceeding to Community Council concurrent with a zoning by-law amendment report from North York Community Planning.

## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. City Council approve the alterations to the heritage property at 42-46 Overlea Boulevard in accordance with Section 33 of the Ontario Heritage Act, to allow for construction of a new development that includes a retail warehouse facility, Costco Warehouse Membership Club, and associated vehicle fuel station, with alterations to the property to be substantially in accordance with the drawings prepared by MulvannyG2 Architecture dated September 21, 2015 and the Heritage Impact Assessment (HIA) and Addendum prepared by Goldsmith Borgal & Company Ltd. Architects dated August 11, 2015 and September 22, 2015 respectively, all date stamp "Received" by City Planning on September 22, 2015 and on file with the Manager, Heritage Preservation Services and subject to the following conditions:
  - a. That the property at 42-46 Overlea Boulevard is designated under Part IV, Section 29 of the Ontario Heritage Act and the designating By-law is in full force and effect.
  - b. That the related Zoning By-Law Amendment giving rise to the proposed alterations has been enacted by City Council and has come into full force and effect in a form and with content acceptable to City Council, as determined by the Chief Planner and Executive Director, City Planning Division in consultation with the Manager, Heritage Preservation Services.
  - c. That prior to the introduction of the Bills for the Zoning By-law Amendment by City Council, the owner shall:
    - i. enter into a Heritage Easement Agreement with the City for the property at 42-46 Overlea Boulevard in accordance with the plans and elevation drawings prepared by MulvannyG2 Architecture dated September 21, 2015 and the Heritage Impact Assessment (HIA) and Addendum prepared by Goldsmith Borgal & Company Ltd. Architects dated August 11, 2015 and September 22, 2015 respectively, and all date stamp "Received" by City Planning on September 22, 2015 to the satisfaction of the Manager, Heritage Preservation Services including registration of such agreement to the satisfaction of the City Solicitor;
    - ii. enter into and register on the property at 42-46 Overlea Boulevard one or more agreements with the City pursuant to Section 37 of the Planning Act to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning and the Manager, Heritage Preservation Services with such facilities, services and

matters to be set forth in the related site specific Zoning By-Law Amendment giving rise to the proposed alterations; and

- iii. provide a Conservation Plan prepared by a qualified heritage consultant that is consistent with the conservation strategy set out in the Heritage Impact Assessment and Addendum for the property at 42-46 Overlea Boulevard prepared by Goldsmith Borgal & Company Ltd. Architects dated August 11, 2015 and September 22, 2015 respectively to the satisfaction of the Manager, Heritage Preservation Services.
- d. That prior to final Site Plan Approval for the property at 42-46 Overlea Boulevard the owner shall:
- i. provide final site plan drawings including drawings related to the approved Conservation Plan required in Recommendation 1.b.iii above to the satisfaction of the Manager, Heritage Preservation Services;
  - ii. the related Zoning By-law Amendment giving rise to the proposed alterations shall be in full force and effect in a form and with content acceptable to the City Council, as determined by the Chief Planner and Executive Director, City Planning Division, in consultation with the Manager, Heritage Preservation Services;
  - iii. provide a Lighting Plan that describes how the heritage property will be sensitively illuminated to enhance its heritage character to the satisfaction of the Manager, Heritage Preservation Services; and
  - iv. provide a detailed landscape plan for the subject property to the satisfaction of the Manager, Heritage Preservation Services.
- e. That prior to the issuance of any heritage permit for the property at 42-46 Overlea Boulevard, including a heritage permit or a building permit, but excluding permits for repairs and maintenance of the existing heritage building, the owner shall:
- i. obtain final approval for the necessary zoning by-law amendment required for the alterations to the property at 42-46 Overlea Boulevard set out in the report of September 22, 2015 from the Director of Urban Design, City Planning Division, such zoning by-law amendment to have been enacted by City Council and to have come into full force and effect in a form and with content acceptable to City Council as determined by the Chief Planner and Executive Director, City Planning Division, in consultation with the Manager, Heritage Preservation Services;

- ii. have obtained final site plan approval for such property, issued by the Chief Planner and Executive Director, City Planning Division;
  - iii. provide full building permit drawings, including notes and specifications for the conservation and protective measures keyed to the approved Conservation Plan required in Recommendation 1.b.iii above including a description of materials and finishes to be prepared by the project architect, and qualified heritage consultant to the satisfaction of the Manager, Heritage Preservation Services;
  - iv. provide a Letter of Credit for the subject property, including provision for upwards indexing, in a form and amount and from a bank satisfactory to the Manager, Heritage Preservation Services to secure all work included in the approved Conservation Plan, the approved Interpretation Plan, Lighting Plan and Landscape Plan;
  - v. provide an Interpretation Plan for the subject property, to the satisfaction of the Manager, and thereafter shall implement such Plan to the satisfaction of the Manager, Heritage Preservation Services;
  - vi. provide a Signage Plan for the subject property to the satisfaction of the Manager, Heritage Preservation Services; and
  - vii. provide full documentation of the existing heritage property, including two (2) printed sets of archival quality 8" x 10" colour photographs with borders in a glossy or semi-gloss finish and one (1) digital set on a CD in tiff format and 600 dpi resolution keyed to a location map, elevations and measured drawings, and copies of all existing interior floor plans and original drawings as may be available, to the satisfaction of the Manager, Heritage Preservation Services.
- f. Prior to the release of the Letter of Credit the owner shall:
- i. provide a letter of substantial completion prepared and signed by a qualified heritage consultant confirming that the work has been completed in accordance with the approved Conservation Plan and the approved Interpretation Plan, and that an appropriate standard of conservation has been maintained to the satisfaction of the Manager, Heritage Preservation Services; and
  - ii. provide replacement Heritage Easement Agreement photographs to the satisfaction of the Manager, Heritage Preservation Services.

2. City Council state its intention to designate the property at 42-46 Overlea Boulevard (Coca-Cola Building) under Part IV, Section 29 of the Ontario Heritage Act, in accordance with the Statement of Significance: 42-46 Overlea Boulevard (Reasons for Designation) attached as Attachment No. 5 to the report (September 22, 2015) from the Director, Urban Design, City Planning Division.
3. If there are no objections to the designation of the property at 42-46 Overlea Boulevard in accordance with the Ontario Heritage Act, City Council authorize the City Solicitor to introduce the bill in Council designating the property at 42-46 Overlea Boulevard under Part IV, Section 29 of the Ontario Heritage Act.
4. If there are objections in accordance with the Ontario Heritage Act, City Council direct the City Clerk to refer the designation of the property at 42-46 Overlea Boulevard to the Conservation Review Board.
5. If the designation is referred to the Conservation Review Board, City Council authorize the City Solicitor and appropriate staff to attend any hearing held by the Conservation Review Board in support of Council's decision on the designation of the property at 42-46 Overlea Boulevard.
6. City Council authorize the entering into of a heritage easement agreement under Section 37 of the Ontario Heritage Act with the owner of 42-46 Overlea Boulevard in a form and content satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor.
7. City Council authorize the City Solicitor to introduce the necessary bill in Council authorizing the entering into a heritage easement agreement for the property at 42-46 Overlea Boulevard.

### **Financial Impact**

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

### **DECISION HISTORY**

Council included this property on the City of Toronto Inventory of Heritage Properties on May 7, 2013. The Council decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.NY23.37>

A Preliminary Report for the Zoning By-law Amendment Application for 42-46 Overlea Boulevard was adopted by North York Community Council on September 10, 2013. A Community Consultation meeting was held on November 7, 2013. The Community Council decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.NY26.47>

## **BACKGROUND**

### **Development Proposal**

The applicant is proposing to redevelop the subject property, former headquarter site of the Coca Cola Limited (Attachment Nos. 1 and 2). The proposal will include retention of a portion of the Coca Cola Administrative building, with removal of a 1990's rear addition. The first bay of the Administrative building will be retained and restored, with new additions to the east, west and north sides of the building and will be incorporated as part of a large scale (14,543m<sup>2</sup>) one-storey retail facility for Costco Warehouse Membership Club. An associated vehicle fuel station and 607 vehicle parking spaces are also proposed.

### **Policy Framework**

#### **Planning Act and Provincial Policy Statement**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Planning Act and associated Provincial Policy Statement guide development in the Province and they include provincial interests regarding heritage resources as described in the Provincial Policy Statement issued under the authority of Section 3 of the Planning Act. The Planning Act requires that all decisions affecting land use planning matters "shall be consistent with" the Provincial Policy Statement. The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development, and promotes the provincial policy-led planning system.

Provincial Policy Statement 2.6.1 states that "Significant built heritage resources and cultural heritage landscapes shall be conserved". Properties designated under Part IV of the Act or included on the City's Inventory of Heritage Properties comprise "significant built heritage resources".

In the PPS 2014, "conserved" is defined as "identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under the Ontario Heritage Act". This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

### **Official Plan**

Amendment No. 199 to the Official Plan provides the City's policy framework for heritage conservation in the City. OPA 199, Policy 4 states that, "Properties on the Heritage Register will be *conserved* and maintained consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada*, as revised from time to

time and as adopted by Council". OPA 199, Policy 5 states that, "Proposed *alterations*, development, and/or public works on or *adjacent* to, a property on the Heritage Register will ensure that the *integrity* of the heritage property's cultural heritage value and attributes will be retained, prior to work commencing on the property and to the satisfaction of the City".

## **Standards and Guidelines for the Conservation of Historic Places in Canada**

In 2008 Toronto City Council adopted the Parks Canada document *Standards and Guidelines for the Conservation of Historic Places in Canada* as the official document guiding planning, stewardship and conservation approach for all listed and designated heritage resources within the City of Toronto.

Of the nine standards that the Parks Canada *Standards and Guidelines* provides for rehabilitation projects, the following standards offer relevant guidance for heritage conservation, rehabilitation and restoration in this instance:

- Conserve the *heritage value* of a historic place. Do not remove, replace, or substantially alter its intact or repairable *character-defining elements*. Do not move a part of a *historic place* if its current location is a *character-defining element*
- Conserve heritage value by adopting an approach calling for minimal intervention
- Find a use for an historic place that requires minimal or no change to its character-defining elements
- Evaluate the existing condition of *character-defining elements* to determine the appropriate *intervention* needed. Use the gentlest means possible for any intervention. Respect *heritage value* when undertaking an intervention.
- Maintain *character-defining elements* on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving *prototypes*.
- Make any *intervention* needed to preserve *character-defining elements* physically and visually compatible with the *historic place* and identifiable on close inspection. Document any intervention for future reference.

## **Additional Standards Relating to Rehabilitation**

- Repair rather than replace *character-defining elements*. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient

physical evidence, make the form, material and detailing of the new elements compatible with the character of the *historic place*.

- Conserve the *heritage value* and *character-defining elements* when creating any new additions to an *historic place* or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
- Create any new additions or related new construction so that the essential form and integrity of an *historic place* will not be impaired if the new work is removed in the future.

### **Additional Standards Relating to Restoration**

- Repair rather than replace *character-defining elements* from the *restoration* period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- Replace missing features from the *restoration* period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

### **Heritage Property**

The property at 42-46 Overlea Boulevard is worthy of designation under Part IV, Section 29 of the Ontario Heritage Act for its design, associative and contextual values (Attachment Nos. 5 and 6).

The heritage attributes of the property at 42-46 Overlea Boulevard are the building known historically as the Coca-Cola Building with:

- The setback, placement and orientation of the building on the north side of Overlea Boulevard
- The views of the principal (south) and side (east and west) elevations from Overlea Boulevard
- The scale, form and massing of the building with the three-storey plan that rises from the podium and includes a penthouse
- The materials, incorporating stone, concrete, metals and glass
- The curtain walls holding the glass and the white spandrel panels
- The flat roofline, which extends beyond the principal (south) elevation as a canopy
- On the south elevation, the eight columns clad with polished copper-coloured metal, where the four easterly columns extend from the podium to the roof canopy



- The single-storey projecting wing at the west end of the south elevation, with the black granite cladding on the south face that is inscribed with geometrical patterns resembling the bottom of Coca-Cola bottles
- At the east end of the south elevation, the setback of the lower storey of the wall where the main entrance is placed
- On the east and west elevations above the ground floor, the two-storey vertical louvers (sunshades) that project from the walls and were originally movable
- Directly east of the building, the sunken walled courtyard, which originally contained a bronze sculpture of interlocking Coca-Cola bottles by the notable Canadian abstract painter and sculptor, Walter Yarwood

## **COMMENTS**

### **Proposal prior to listing**

In 2012, the 5.4 hectare property located at 42-46 Overlea Boulevard was not included on the City's Inventory of Heritage Properties (now Heritage Register). At that time, the applicant proposed to demolish all structures on the site and to construct a new Costco complex on the east side of the property with parking and a vehicle gas bar on the west side of the site.

### **Current Proposal**

Council included the property on the City of Toronto's Heritage Register on May 7, 2013. A bottling plant that occupied the eastern half of the property was not identified as a heritage attribute and the owners received approval from the City to demolish this building in 2013.

The current proposal includes retention of the south elevation of the Administrative building facing Overlea Boulevard, partial retention of the east and west elevation and new construction to replicate the original scale, form and massing of the building. The two-storey hinged louvres (sun shades) will be removed below the third storey where the new construction will connect to the heritage building.

An existing ramp will be removed along with modifications to the landscaping and associated walkway in front of the Administrative building to ensure that the original podium remains legible. The ground floor of the Administrative building adjacent to Overlea Boulevard will be re-purposed as an eatery area with access to an outdoor amenity space. The existing sunken courtyard will be raised to grade to facilitate pedestrian movement and will be integrated into the design of a new outdoor amenity space on the south side of the building and adjacent to the main entry to Costco on Overlea Boulevard. The Yarwood sculpture that was a focal point of the original sunken courtyard was not conveyed to Costco and was removed by the Coca Cola Company in July of this year (Attachment Nos. 3 and 4). Staff encouraged Coca Cola Limited (Canada) the owners of the sculpture to allow the sculpture to be retained in its original location or alternatively to move the piece to their new headquarters in downtown Toronto. Coca Cola Canada offered instead to relocate the sculpture to a City owned property (to be determined) at municipal expense.

A building lighting plan will be developed to enhance views of the architectural features of the retained portions of the heritage building, including the main entry and plinth, canopy, columns, granite wall and louvres.

Overall, staff are satisfied with the proposed massing of the Costco Wholesale building, as new construction will be setback from, and lower than, the retained and reconstructed portions of the three-storey Administrative building along the east, west and north elevations. The design and relationship of the new construction in its alignment with the architecture of the Administrative building has been revised to better complement the existing heritage building in a number of ways: in the design of the main entry area to Costco with columns and extended canopy; in the selection of exterior cladding material that will have a smooth metal finish with neutral tones; and in the amount of clear glazing.

## **CONCLUSION**

For the reasons discussed in this report, Heritage Preservation Services recommends that City Council approve the proposed alterations to the property located at 42-46 Overlea Boulevard.

## **CONTACT**

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## **SIGNATURE**

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Harold Madi  
Director, Urban Design  
City Planning Division

## **ATTACHMENTS**

Attachment 1: Location Map - 42-46 Overlea Boulevard  
Attachment 2: Photographs - 42-46 Overlea Boulevard  
Attachment 3: Site Plan - 42-46 Overlea Boulevard  
Attachment 4: Architectural Drawings - 42-46 Overlea Boulevard  
Attachment 5: Statement of Significance  
Attachment 6: Heritage Property Research and Evaluation Report