

**Subject: Designation of Iona Mansions, 1123-1131 Wellington Street West
under Part IV of the *Ontario Heritage Act***

File Number: ACS2023-PRE-RHU-0014

Report to Built Heritage Committee on 11 April 2023

and Council 26 April 2023

**Submitted on March 24, 2023 by Court Curry, Director, Right of Way, Heritage,
and Urban Design Services, Planning, Real Estate and Economic Development**

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Ward: Kitchissippi (15)

**Objet : Désignation de l'édifice Iona Mansions, du 1123 au 1131, rue
Wellington Ouest, en vertu de la partie IV de la *Loi sur le patrimoine
de l'Ontario***

Dossier : ACS2023-PRE-RHU-0014

Rapport au Comité du patrimoine bâti,

le 11 avril 2023

et au Conseil le 26 avril 2023

**Soumis le 24 mars, 2023 par Court Curry, Directeur, Services des emprises, du
patrimoine, et du design urbain, Services de la planification, des biens
immobiliers et du développement économique**

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REPORT RECOMMENDATION(S)

That the Built Heritage Committee recommend that Council issue a Notice of Intention to Designate the Iona Mansions, 1123-1131 Wellington Street West under Part IV of the *Ontario Heritage Act* according to the Statement of Cultural Heritage Value attached as Document 5.

RECOMMANDATION(S) DU RAPPORT

Que le Comité du patrimoine bâti recommande au Conseil de publier un avis d'intention visant à désigner l'édifice Iona Mansions, du 1123 au 1131, rue Wellington Ouest, en vertu de la partie IV de la *Loi sur le patrimoine de l'Ontario*, conformément à la Déclaration de la valeur de patrimoine culturel, présentée dans le document 5 ci-joint.

BACKGROUND

This report has been prepared because designation under Part IV of the *Ontario Heritage Act* (OHA) must be approved by City Council.

Iona Mansions, 1123-1131 Wellington Street West was constructed in 1912 to the designs of W.E. Noffke. It is a three-storey, mixed use building featuring elements of the Tudor Revival style of architecture, popular in the early 20th century. It is a neighbourhood landmark that is directly associated with the growth of Wellington Street West as the commercial heart of Hintonburg and local politician Donald McLean who developed the site as an investment property.

The property was listed on the City of Ottawa Heritage Register in 2020. Changes to the *Ontario Heritage Act* through Bill 23 will result in the removal of the property from the City's Heritage Register if Council does not issue a Notice of Intention to Designate the property by December 31, 2024. Further, Council will not be able to re-list the property for five years after this date.

At its meeting of July 6, 2022, City Council provided the following direction to staff regarding heritage properties in Ward 15:

Direct Heritage Staff to undertake further analysis of properties in Ward 15 listed on the City's Heritage Register to establish a proactive approach for designation under Part IV of the *Ontario Heritage Act*.

This direction, along with the amendments to the OHA through Bill 23 prompted staff to undertake a review of all listed properties in Ward 15. This property was identified by staff as a high priority for designation.

DISCUSSION

Recommendation 1

The Official Plan, the Provincial Policy Statement and the *Ontario Heritage Act* all provide policy direction related to the designation of individual properties under Part IV of the OHA.

Official Plan

The Official Plan has policies related to cultural heritage in Section 4.5, Cultural Heritage and Archaeology. Section 4.5.1(3) states: “Individual buildings, structures, and sites shall be designated as properties of cultural heritage value under Part IV of the *Ontario Heritage Act*.”

Provincial Policy Statement (2020)

Section 2.6.1 of the Provincial Policy Statement (2020) contains the following policy regarding the protection of cultural heritage resources: “Significant built heritage resources and significant cultural heritage landscapes shall be conserved.”

Ontario Heritage Act

Part IV of the *Ontario Heritage Act* provides municipalities with the authority to designate properties of cultural heritage value. Section 29 of the OHA sets out the process for the designation of individual buildings. It requires:

- that Council consult with its municipal heritage committee, and
- that the official Notice of Intention to Designate served on the owner and the Ontario Heritage Trust contain a description of the property and its heritage attributes, as well as a statement explaining the cultural heritage value or interest of the property and a statement that a notice of objection may be served on the clerk within 30 days after the date of publication of the notice of intention in a newspaper.

The Notice of Intention to Designate must be published in a newspaper having general circulation in the community. Document 5 contains the Statement of Cultural Heritage Value for this site.

Ontario Regulation 09/06

Regulation 09/06 (see Document 3) establishes criteria to determine if a property is of cultural heritage value or interest. A property may be designated under Section 29 of the OHA if it meets two or more of the nine criteria set out in the regulation.

Through research and evaluation, staff have determined that Iona Mansions, 1123-1131 Wellington Street West, meets six of the nine criteria. Detailed research and analysis are outlined in the Heritage Analysis and Evaluation (see Document 4), and a brief analysis of each of the applicable criteria is provided below:

The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.

The Iona Mansions is a rare and unique example of an early 20th century mixed use building located on a traditional commercial main street. It has design value for its architectural expression utilizing elements of the Tudor Revival style.

The property has historical or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.

The Iona Mansions is directly associated with Donald H. McLean, prominent local politician in early 20th century Ottawa. The building is also associated with commercial main street development and speculative real estate development associated with Ottawa's population growth in the early 20th century. The property is associated with the Rosemount Public Library and several longstanding commercial tenants that are significant to the neighbourhood history.

The property has historical 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.

The Iona Mansions reflects the work of Ottawa's most famous 20th century architect, W.E. Noffke. Noffke tended to follow mainstream architectural styles in his work and as such his buildings serve as important examples of the accepted architectural norms of their time. This building represents his early, more modest work in Ottawa and remains recognizable for its use of Revival style elements, with its uncluttered stucco curvilinear pediment foreshadowing his extensive later work in the Spanish Colonial Revival style.

The property has contextual value because it is important in defining, maintaining or supporting the character of an area.

The Iona Mansions is important in defining this section of Wellington Street West between Bayswater Avenue and Carruthers Avenue which is characterized by mixed use buildings that evolved into the commercial core of Hintonburg over the course of the 20th century.

The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings

The property represents an important part of Hintonburg's 20th century evolution from a small suburb to a thriving village. The Iona Mansions is part of an important grouping of historic buildings in this area including the former Bethany Hope Centre, the Rosemount Library and Magee House.

The property has contextual value because it is a landmark.

This property is a local landmark in the Hintonburg neighbourhood for its distinct architectural expression, its irregular footprint and its location on a corner.

Conclusion

The Iona Mansions, 1123-1131 Wellington Street West, meets six of the nine criteria outlined in Ontario Regulation 09/06 for designation under Part IV of the *Ontario Heritage Act*. Staff recommend that Council issue a Notice of Intention to Designate the Property under Part IV of the *Ontario Heritage Act*.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

LEGAL IMPLICATIONS

There are no legal implications associated with implementing the report recommendations.

ASSET MANAGEMENT IMPLICATIONS

There are no Asset Management Implications for the proposed heritage designation.

COMMENTS BY THE WARD COUNCILLOR

The Ward Councilor is aware of the recommendation associated with this report.

ADVISORY COMMITTEE(S) COMMENTS

N/A

CONSULTATION

The property owner was advised of the proposed designation of this property under Part IV of the Ontario Heritage Act. Staff met with the owner in September 2022 to review the designation process and answer questions. The property owner was notified again on March 1, 2023 that a report regarding the proposed designation would be presented to the Built Heritage Committee on April 11, 2023 and offered the opportunity to participate in the process. Staff met with the property owner on March 15, 2023 to discuss the designation process and its implications. The property owner has expressed concerns about the proposed designation of their property under the Ontario Heritage Act.

The Hintonburg Community Association and Heritage Ottawa have been notified of the proposed designation.

ACCESSIBILITY IMPACTS

The designation of this property under the *Ontario Heritage Act* does not impact the physical fabric of the building. While alterations to designated properties, including renovations to remove barriers for people with disabilities, require a heritage permit, the fees for these permits are waived and staff work with property owners to allow for accessibility retrofits.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications.

RURAL IMPLICATIONS

There are no rural implications.

APPLICATION PROCESS TIMELINE STATUS

There are no application timelines associated with designations under the *Ontario Heritage Act*.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Photos

Document 3 Ontario Regulation 09/06

Document 4 Heritage Analysis and Evaluation Report

Document 5 Statement of Cultural Heritage Value

DISPOSITION


If Council does not approve the recommendation, no further steps are required. If Council proceeds with the issuance of a Notice of Intention to Designate for the property located at 1123-1131 Wellington Street West, several actions must be taken:

- 1) Heritage Planning Branch, Planning Real Estate and Economic Development Department, to prepare the Notice of Intention to Designate. Office of the City Clerk, Council and Committee Services to notify the property owner and the Ontario Heritage Trust (10 Adelaide Street East, 3rd Floor, Toronto, Ontario, M5C 1J3) of Council's decision to issue a Notice of Intention to Designate 353 Friel Street under Part IV of the *Ontario Heritage Act*.
- 2) Heritage Planning Branch, Planning Real Estate and Economic Development Department to ensure publication of the Notice of Intention to Designate in the newspaper according to the requirements of Section 29 the *Ontario Heritage Act*.
- 3) If the City Clerk receives a Notice of Objection under Section 29(5) of the *Ontario Heritage Act* within thirty days of the publication of the Notice of Intention to Designate, the Heritage Planning Branch, Planning, Real Estate and Economic Development Department is to prepare a report regarding the objection for consideration by Council within 90 days after conclusion of the objection period, according to Section 29(6) of the *Ontario Heritage Act*.
- 4) If the City Clerk does not receive any Notice of Objection under Section 29(5) of the *Ontario Heritage Act* within thirty days of the publication of the Notice of Intention to Designate, or if City Council decides not to withdraw the notice of intention to designate the property after an objection as been served, the Heritage Planning Branch, Planning, Real Estate and Economic Development Department, is to prepare the designation by-law, under the authority of the approval of this report and Legal Services to submit to City Council for enactment within 120 days of the publication of the Notice of Intention to Designate as prescribed in Section 29(8) of the *Ontario Heritage Act*.

- 5) Office of the City Clerk, Council and Committee Services to cause a copy of the by-law together with a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property, to be served on the owner of the property and on the Trust according to the requirements of the *Ontario Heritage Act*. Heritage Planning Branch, Planning, Real Estate and Economic Development Department to ensure publication of the notice of the by-law in the newspaper according to the requirements Section 29(8)(4) of the *Ontario Heritage Act*.

Document 1- Location Map



		LOCATION MAP / PLAN DE LOCALISATION HERITAGE / PATRIMOINE	
D09-01-WELL1123	23-0226-D		1123 - 1131 rue Wellington Street O/W.
I:\CO\2023\Heritage\Wellington_1123_1131			
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REVISION / RÉVISION - 2023 / 02 / 02			
			

Document 2 - Photos



Front (South) façade



View from South side of Wellington Street West at Carruthers Avenue



View of West facade along Carruthers Avenue



Rear (North) façade



View looking East along Wellington St West

Document 3 – ONTARIO REGULATION 09/06**CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST**

Consolidation Period: From January 1, 2023 to the e-Laws currency date.

Last amendment: 569/22.

This is the English version of a bilingual regulation.

Criteria, s. 27 (3) (b) of the Act

1. (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 27 (3) (b) of the Act. O. Reg. 569/22, s. 1.

(2) Property that has not been designated under Part IV of the Act may be included in the register referred to in subsection 27 (1) of the Act on and after the day subsection 3 (2) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force if the property meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
6. The property has 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.
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
9. The property has contextual value because it is a landmark. O. Reg. 569/22, s. 1.

(3) For clarity, subsection (2) does not apply in respect of a property that has not been designated under Part IV but was included in the register as of the day subsection 3 (2) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force. O. Reg. 569/22, s. 1.

Criteria, s. 29 (1) (a) of the Act

2. (1) The criteria set out in subsections (2) and (3) are prescribed for the purposes of clause 29 (1) (a) of the Act. O. Reg. 569/22, s. 1.

(2) Section 1, as it read immediately before the day subsection 3 (2) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force, continues to apply in respect of a property for which a notice of intention to designate it was given under subsection 29 (1.1) of the Act after January 24, 2006 and before the day subsection 3 (2) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force. O. Reg. 569/22, s. 1.

(3) In respect of a property for which a notice of intention to designate it is given under subsection 29 (1.1) of the Act on or after the day subsection 3 (2) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force, the property may be designated under section 29 of the Act if it meets two or more of the criteria for determining whether it is of cultural heritage value or interest set out in paragraphs 1 to 9 of subsection 1 (2). O. Reg. 569/22, s. 1.

Criteria, s. 41 (1) (b) of the Act

3. (1) The criteria set out in subsection (2) are prescribed for the purposes of clause 41 (1) (b) of the Act. O. Reg. 569/22, s. 1.

(2) Subject to subsection (3), in the case of a by-law passed under subsection 41 (1) of the Act on or after the day subsection 5 (1) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force, a municipality or any defined area or areas of it may be designated by such a by-law as a heritage conservation district under subsection 41 (1) of the Act if the municipality or the defined area or areas of it meets the following criteria:

1. At least 25 per cent of the properties within the municipality or defined area or areas satisfy two or more of the following:
 - i. The properties have design value or physical value because they are rare, unique, representative or early examples of a style, type, expression, material or construction method.
 - ii. The properties have design value or physical value because they display a high degree of craftsmanship or artistic merit.

- iii. The properties have design value or physical value because they demonstrate a high degree of technical or scientific achievement.
- iv. The properties have historical value or associative value because they have a direct association with a theme, event, belief, person, activity, organization or institution that is significant to a community.
- v. The properties have historical value or associative value because they yield, or have the potential to yield, information that contributes to an understanding of a community or culture.
- vi. The properties have historical value or associative value because they demonstrate or reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
- vii. The properties have contextual value because they define, maintain or support the character of the district.
- viii. The properties have contextual value because they are physically, functionally, visually or historically linked to each other.
- ix. The properties have contextual value because they are defined by, planned around or are themselves a landmark. O. Reg. 569/22, s. 1.

(3) Subsection (2) does not apply in respect of a by-law passed under subsection 41 (1) of the Act on or after the day subsection 5 (1) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force if a notice of a public meeting required to be held for the purposes of the by-law under subsection 41.1 (7) of the Act was given before the day subsection 5 (1) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force. O. Reg. 569/22, s. 1.

(4) For clarity, the requirement set out in subsection 41.1 (5.1) of the Act,

- (a) does not apply in respect of a by-law under subsection 41 (1) of the Act that is passed before the day subsection 5 (1) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force; and
- (b) does not apply in respect of a by-law under subsection 41.1 (2) of the Act. O. Reg. 569/22, s. 1.